



LANDMARKS COMMISSION AGENDA

Wednesday, June 3, 2026

6:00 p.m.

This meeting includes in-person and virtual participation.

Council Chambers

333 Broadalbin Street SW

Or join the meeting here:

<https://council.albanyoregon.gov/groups/lac/zoom>

Phone: 1 (253) 215-8782 (long distance charges may apply)

Meeting ID: 891-3470-9381 Passcode: 530561

Please help us get Albany's work done.

Be respectful and refer to the rules of conduct posted by the main door to the Chambers and on the website.

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Approval of Minutes
 - May 6, 2026 [Page 3]
4. Public Comment
5. Scheduled Business
 - A. HI-03-26, Type III – Quasi-Judicial Process [Pages 6 - 26]
Summary: Historic Review of Exterior Alterations to change the style of garage doors on an accessory structure. The structure is located at 737 10th Ave SW. (Project Planner – Alyssa Schrems Alyssa.schrems@albanyoregon.gov)
 - B. HI-07-26, Type III- Quasi-Judicial Process [Pages 27-131]
Summary: Historic Review for Exterior Alterations to rehabilitate and restore the store fronts of 111 (Albany Civis theater) 113, 121, and 129 1st Ave NW. Project Planner – Alyssa Schrems Alyssa.schrems@albanyoregon.gov)
Persons wanting to provide testimony may:
 - 1- Email written comments to cd.testimony@albanyoregon.gov, including your name, before **noon on the day of the meeting.**

2- To comment virtually during the meeting, register by emailing cd.testimony@albanyoregon.gov, before **noon on the day of the meeting**, with your name. The chair will call upon those who have registered to speak.

3- Appear in person at the meeting and register to speak.

6. Article 7 Discussion [Pages 132-163]

7. Business from the Commission

8. Staff Updates

9. Next Meeting Date: July 1, 2026

10. Adjournment

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: cdaa@albanyoregon.gov or call 541-917-7550

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



MINUTES

May 6, 2026

6:00 p.m.

Hybrid – Council Chambers

Approved: DRAFT

Call to Order

Chair Robinson called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Roll Call

Members present: Camron Settlemier, Chad Robinson, Richard Engeman, Mason Cox, Vance McDermott, Cathy Winterrowd

Members absent: Rayne Legras - excused

Approval of Minutes for April 1, 2026

Commissioner McDermott motioned for approval of the April minutes as presented. Commissioner Winterrowd seconded the motion. All voted for approval 6-0.

Public Comment

6:01 p.m.

Lonna Capaci, Visitor Service/Historic Resources Manager for the Albany Visitors Association (AVA) shared the National Preservation Month Brochure* with the group. She spoke on the recent Civic Theater Academy that she attended, as well as the May 1st Annual Wine Walk. She spoke on the activities for Historic Preservation Month listed in the brochure. Activities include Linn County Courthouse tour, Pioneering Walking tour, 134 year celebration for Cumberland Event Center and tour of the Oregon Electric Train Depot/Hackleman District. She spoke on activities that she attended and learned about when visiting the Woodburn historic district, while attending a conference there, as well as the Cottonwood Candy tour she took.

Scheduled Business

HI-05-26, Type III – Quasi-Judicial Process Historic Review of Exterior Alteration and Use of Substitute Materials for construction of deck on the front façade of home at 424 Baker Street SE.

Chair called the public hearing to order at 6:09 p.m.

Commission Declarations

- No members declared any Conflict of Interest
- No members declared any Ex-Parte Contact
- All Commissioners but McDermott did a drive/walk by of the home.
- No members abstained from the deliberation.
- There were no public challenges to participation of commission members.

Reading of Hearing Procedures

Planner II, Alyssa Schrems, read the hearing procedures.

Staff Report

6:12 p.m.

Project Planner, Jennifer Cepello, summarized the application and process for Historic Review of Exterior Alterations and Use of Substitute materials on the subject property at 424 Baker Street SE and shared slides*. Cepello noted the proposed repairs and replacements. She described the Review and Decision Criteria and acknowledged that the structure is considered Historic Contributing.

Applicant Testimony

Brent Moser provided testimony and samples* to show the commission and explained the modifications to front porch and stairs as well as replacement of back porch and stairs.

Commissioner Settlemier asked for evidence of when the building was moved to the site as it was stated in the agenda that it appeared on maps in 1925 and asked for examples of similar handrail/guardrail of that time period design. Moser referenced what the historic documents stated and explained the style that was planned as well as the grain of the material to be used.

McDermott asked if there was original material behind the current material and the height of the current guardrail. Moser said that there was just plywood behind current material and that the guardrail was 24 inches tall.

Robinson asked about the flooring material and how it would be installed and the decision to go to a taller rail as opposed to the lower railing that is currently there. Moser referenced the application for detail on the guardrail and explained the decision to follow current compliance guidelines.

Engeman asked if the new stairs would mimic the current design of curving around the bay window. Moser said it would have the same profile.

Robinson asked if the roof for the rear access would stay the same. Moser said that would not be changed.

Settlemeir asked about the cost difference between using composite materials or using the current materials. Moser gave costs and reason for using composite materials.

Public Testimony

None.

Waiver

Chair asked if the applicant wished to waive the 7-day waiting period for submitting additional written arguments. Moser agreed to waive the waiting period.

Chair Robinson called the public hearing closed at 6:28 p.m.

Commission Deliberation

Commission Settlemier explained that the building was registered with an enclosed porch and banister on the front and had the unique feature of wrapping around the window. He mentioned that the back and front would not match the historic characteristic of the house. He said he couldn't support such a drastic change to a feature that was referenced in the original registry. McDermott agreed with Settlemier and described the areas having a historic nature, but was not concerned about the back porch and stairs given the location and that it was obvious they were not original. Robinson was also ok with the proposed changes to the back. For the front porch he didn't support the changes in design, but understood the use of substitute materials. Engeman was on the fence on style and design of the front. The group discussed the style describing the home and the use of the word vernacular, including Schrems in the discussion of and how to divide the points within the project. Robinson said he was ready to make a motion to accept the rear porch and stairs, as well as the replacement materials, but not in changing the design of the front banister or stairs, given it being a major feature of the home. Winterrowd agreed with this.

Motion: Commissioner Settlemier made a motion to approve the exterior alterations and use of substitute materials, including the conditions of approval drafted in the staff report and in this meeting for HI-05-26 that includes the condition of approval that the front banister height, size, position and style is kept the same. Winterrowd seconded motion. All were in favor.

Business from the Commission

6:45 p.m.

Commissioner McDermott noted that he would be at the Farmers Market to talk about window repair and information. Schrems shared that the Farmers Market is back down at the waterfront and that informational booths would most likely be on Water Avenue. She also asked for volunteers for May 23rd, to help at the booth, talking to people about being on the Landmarks Commission. Winterrowd and Robinson offered to volunteer.

Commissioner Settlemier shared that on May 2nd he attended a talk given by Liz Rapp. He will be doing a History Bites talk on May 13th at the museum.

Business from Staff

Schrems reiterated the booth at the Farmers Market. She also shared that Chris Gustafson will be opening up his workshop, which is located at the opposite end of the same complex as Deluxe Brewery. Lastly, she explained the details of the packet that was distributed to the group, about Oregon's preservation ordinances. This information will be discussed at the next meeting.

Negotiations with Matika Williams is ongoing, given scheduling difficulties. They are hoping to identify a date for her visit later this fall.

Next Meeting Dates

The next meeting is scheduled for June 3, 2026, at 6:00 p.m.

Adjournment

Hearing no further business Chair Robinson adjourned the meeting at 6:52 p.m.

Respectfully submitted,

Reviewed by,

Talley Richardson
Administrative Assistant

Alyssa Schrems
Planner II

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing cdaa@albanyoregon.gov.*



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | COMMUNITY DEVELOPMENT 541-917-7550

Staff Report

Historic Review of Exterior Alteration

HI-03-26

May 27, 2026

Summary

This staff report evaluates a Historic Review of Exterior Alterations for a structure on a developed lot within the Monteith National Register Historic District (Attachment A). The applicant proposes to replace the existing garage doors on an accessory structure with garage doors of a different style.

Application Information

Review Body:	Landmarks Commission (Type III review)
Staff Report Prepared By:	Alyssa Schrems, Planner II
Property Owner:	Gary Myers, PO Box 1713, Albany, OR 97321
Applicant:	Jeff Sitton, 12283 West Stayton Road SE, Aumsville, OR 97325
Address/Location:	737 10th Avenue SW, Albany, OR 97321
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-04W-12AD Tax Lot 10600
Zoning:	Hackleman Monteith (HM) District (Monteith National Register Historic District)
Total Land Area:	7,260 square feet
Existing Land Use:	Single Dwelling Unit
Neighborhood:	Central Albany
Surrounding Zoning:	North: Hackleman Montieth (HM) East: HM South: HM West: HM
Surrounding Uses:	North: Single Unit Residences East: Single Unit Residences South: Single Unit Residences West: Single Unit Residences
Prior History:	None

Notice Information

On May 13, 2026, a notice of public hearing was mailed to property owners within 100 feet of the subject property. On April 15, 2026, notice of public hearing was also posted on the subject site. As of the writing of this staff report, no comments have been received.



Analysis of Development Code Criteria

Exterior Alteration Criteria (ADC 7.120)

- 1. The Director will approve residential alteration requests if one of the following criteria is met:**
 - a. There is no change in historic character, appearance, or material composition from the existing structure.**
 - b. The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.**
 - c. The proposed alteration is not visible from the street.**
- 2. For all other requests, the Landmarks Commission will review and process the alteration proposal. The applicant and adjoining property owners within 100 feet will receive notification of the Landmarks Commission public hearing on the proposal. The Landmarks Commission will accept written and verbal testimony on the proposal. For buildings on the Special Assessment of Historic Property Program, the Landmarks Commission decisions will be forwarded to the State Historic Preservation Office.**

Findings of Fact

- 1.1 According to the Historic Resource Survey (Attachment B), the existing residence was constructed circa 1917 in a Bungalow style. The residence is a wood framed structure with lap siding, wood 8/1 double-hung windows, and box post in the porch enclosure, decorative cut bargeboard and rafter tails, and square-cut purling. The survey also includes a reference to a single-car garage on the property with some replaced siding. With the exception of what appears to be T-111 style siding on the front of the garage, the garage siding is lap siding that matches the house. The applicant is requesting to change the style of garage door on the accessory structure from a modern roll-up garage door to a “carriage house” style garage door that opens in the middle. The subject property is located within the Monteith National Register Historic District and is rated as Historic Contributing. The residential structure is not part of the Special Assessment of Historic Property Program.
- 1.2 The residence is located at 737 10th Avenue SW on a 7,260-square foot lot at the corner of 10th Avenue and Maple Street. (Attachment A). The front façade of the house faces 10th Avenue SW, while the entrance to the garage faces Maple Street.
- 1.3 Exterior alterations proposed with this application include replacement of the garage door with one of a different style. These proposed alterations will be visible from Maple Street, which is a public right-of-way; therefore, the proposed development will be reviewed and processed by the Landmarks Commission.

Exterior Alteration Criteria (ADC 7.150)

For applications other than 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.**

ADC 7.150 further provides that the review body will use the Secretary of the Interior's Standards for Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria.

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

The following standards are to be applied to rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

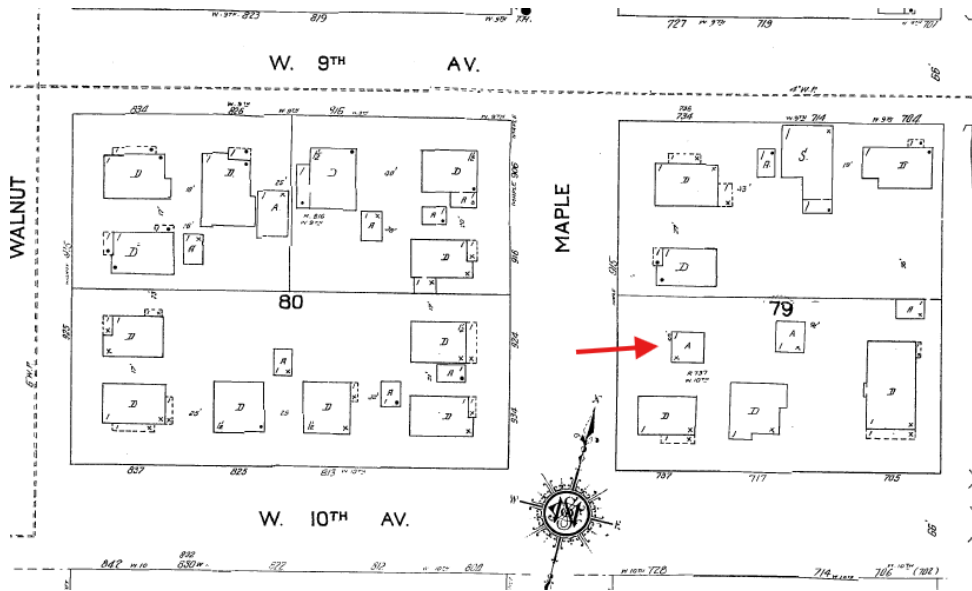
- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**
- 2. The historic character of a property shall be retained and preserved. The removal of historic material or 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.****Findings of Fact**

- 1.1 Location and Historic Character of the Area. The subject property is located at 737 10th Avenue SW in the Hackleman Monteith (HM) zoning district and within the Monteith National Register Historic District. The surrounding properties in all directions are located within the Hackleman Monteith (HM) zoning district and are developed with single unit residences.
- 1.2 Historic Rating. The primary structure is rated as a Historic Contributing resource in the Monteith National Register Historic District.
- 1.3 History and Architectural Style. The nomination form lists the architectural style of the building as Bungalow (Attachment B).
- 1.4 Prior Alterations. The Historic Resource Survey indicates that there are vinyl windows with faux divides in the basement, the front porch has been enclosed with a new entry, steps and rail. Some windows have been replaced, and there is a new entry on the west façade.
- 1.5 Proposed Exterior Alterations. The applicant proposes to replace the existing roll-up garage door with “carriage house” style garage doors.

The Landmarks Commission has the discretion to determine if criterion ADC 7.150(2) is met.
- 1.6 Building Use (ADC 7.160(1)). The building was originally used as a garage and it continues to be used in this manner. Only minimal exterior alterations are needed in association with the proposed use, which is consistent with ADC 7.160(1).
- 1.7 Historic Character (ADC 7.160(2)). The primary structure was constructed in 1917 in the Bungalow style. Decorative features include lap siding, wood 8/1 double-hung windows, and box post in the porch enclosure, decorative cut bargeboard and rafter tails, and square-cut purling.

The garage has siding that matches the lap siding on the house, with the exception of what appears to be T-111 siding on the front. The applicant is proposing to replace the modern roll-up door with one of a more historic appearance as shown in Attachment C.9.
- 1.8 Historic Record & Changes (ADC 7.160(3) and (4)). The primary structure was constructed around 1917 in the Bungalow style. The accessory structure is shown on the 1949 Sanborn map, but not the 1925 Sanborn map. The applicant proposes replacing the modern roll-up garage door with a more character-appropriate carriage-house-style garage door. The current door on the garage is a generic-style garage door that is in poor repair. It does not appear to be historic in age or original to the structure. Based upon these facts, the standards in ADC 7.160(3) and (4) are met.



- 1.9 Distinctive characteristics (ADC 7.160(5)). The application does not indicate any changes to any features, finishes, construction techniques, or examples of craftsmanship with the replacement of the garage door. Based on these facts, the proposal appears to be consistent with ADC 7.160(5).
- 1.10 Deteriorated Features (ADC 7.160(6)). The applicant proposes replacing the current garage door, which appears to be in poor repair. As the garage door does not appear to be historic, this criterion may not apply.
The Commission may determine if this criterion is met.
- 1.11 Use of Chemical or Physical Treatments (ADC 7.160(7)). The applicant does not propose the use of any chemical or physical treatments in relation to the construction of the addition. Based on these facts. The standards in ADC 7.160(7) are met.
- 1.12 Significant Archaeological Resources (ADC 7.160(8)). No ground disturbing work is proposed with this application. As no groundwork is proposed, no disturbance of any archaeological resources is anticipated. Based on these facts, this standard appears to be met.
- 1.13 Historic Materials (ADC 7.160(9)). The applicant proposes replacing the existing garage door with one that is more of a carriage-house-style garage door. The new garage door will be differentiated from the historic features by the type of material used.
- 1.14 New Additions (ADC 7.160(10)). The applicant does not propose any new additions with this application as the request is to replace the garage door.

Conclusion

- 1.1 The Commission may determine if the Secretary of the Interior’s standards are met.

Overall Conclusions

The proposal seeks to replace the existing garage door with a replacement door in a “carriage-house” style.

Staff finds all applicable criteria could be met with conditions for Exterior Alterations.

Options

The Landmarks Commission has three options with respect to the subject application:

Option 1: Approve the request as proposed;

Option 2: Approve the request with conditions of approval;

Option 3: Deny the request.

Motions

Approval: I move to approve the exterior alterations including conditions of approval as noted in the staff report for application planning file no. HI-03-26. This motion is based on the findings and conclusions in the May 27, 2026, staff report and findings in support of the application made by the Landmarks Commission during deliberations on this matter.

Approval with new conditions of approval: I move to approved the exterior alterations including conditions of approval as **drafted during this meeting** for application planning file no. HI-03-26. This motion is based on the findings and conclusions in the May 27, 2026, staff report and findings in support of the application made by the Landmarks Commission during deliberations on this matter.

Denial: I move to deny the exterior alterations as detailed in planning file no. HI-03-26. This motion is based on the findings and conclusions made by the Landmarks Commission during deliberations on this matter.

Conditions of Approval

Condition 1 Historic Review – The proposed development shall be performed and completed as specified in the staff report. Deviations from these descriptions may require additional review.

Condition 2 Historic Review – A final historic inspection is required to verify that the work has been done according to this application. Please call the historic planner (541-791-0176) a day or two in advance to schedule.

Attachments

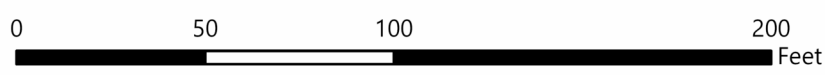
- A. Location Map
- B. Historic Resource Survey
- C. Applicant’s Submittal

Acronyms

ADC	Albany Development Code
HI	Historic file designation
HM	Hackleman Monteith Zoning District



C:\Users\alissas\OneDrive - City of Albany\Desktop\Notice Map Templates\Notice Map Templates.mxd



737 10th Ave SW

Date: 5/8/2026 Map Source:

Location Map

Note: For properties 35 years old and newer, starred (*) sections are the only required fields.

		*County: Linn		Attachment B.1	
*Street Address: 737 10th Ave SW			*City Albany		
USGS Quad Name: Albany		GPS Latitude:		Longitude:	
Township: 11S	Range: 4W	Section: 12	Block/Lot: AD	Tax Lot #: 10600	
*Date of Construction: c. 1915 1917		Historic Name:		Historic Use or Function: sfr	
Grouping or Cluster Name:		*Current Name or Use: sfr		Associated Archaeological Site:	
Architectural Classification(s): Bungalow		Plan Type/Shape: Rectangle		Number of stories: 1.5	
Foundation Material: Concrete		Structural Framing:		Moved? No	
Roof Type/Material: Gable w/comp shingles			Window Type/Material: Wood 8/1 double-hung		
Exterior Surface Materials Primary: Lap		Secondary:		Decorative:	
Exterior Alterations or Additions, Approximate Date: Vinyl windows w/faux divides in basement. Front porch enclosed, new entry, steps and rail. Some window replace. New entry on west façade.					
Number and Type of Associated Resources: 1 – car garage to north w/some replace siding					
Integrity: Good		Condition: Good		Local Ranking:	
National Register Listed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown					
Preliminary National Register Findings:					
<u>Potentially Eligible:</u>		<input type="checkbox"/> Individually or <input checked="" type="checkbox"/> As a contributing resource in a District			
<u>Not Eligible:</u>		<input type="checkbox"/> Intact but lacks distinction <input type="checkbox"/> Altered (Choose one): <input type="checkbox"/> Reversible/ potentially eligible <input type="checkbox"/> Individually or in a district <input type="checkbox"/> Reversible/ ineligible, lacks distinction <input type="checkbox"/> Irretrievable lack of integrity <input type="checkbox"/> Not 50 years old			
Description of Physical and or Landscape Features: * Faces south on NE corner 10th and Maple – residential area. Cherry street trees. * Decorative cut bargeboard and rafter tails; square-cut purling. Box posts in porch enclosure.					
Statement of Significance: [Required only for Intensive Level Surveys] (Use additional sheets if necessary) Basement On 1925 Sanborn					
*Researcher/ Organization: David Pinyerd, Historic Preservation Northwest				Date Recorded: 9/27/2002	
*Photo Roll #: 1		*Frame #(s): 34, 35		Local Designation #: SHPO #:	
*County: Linn					

Street Address:
737 10th Ave SW

City:
Albany

Attachment B.3



*Researcher/ Organization:
David Pinyerd, Historic Preservation Northwest

Date Recorded:
9/27/2002

*Photo Roll #:
1

*Frame #(s):
34, 35

Local Designation #:

SHPO #:

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY FORM

Attachment B.4

CONTINUATION SHEET

*County:
Linn
City:
Albany

Street Address:
737 10th Avenue SW



*Researcher/ Organization:
Dave Pinyerd, Historic Preservation Northwest

Date Recorded:
9/27/2002



COMMUNITY DEVELOPMENT

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

Historic Review of Exterior Alterations

Checklist and Review Criteria

INFORMATION AND INSTRUCTIONS:

- See fee schedule for filing fee (subject to change every July 1): staff will contact you for payment after submittal.
- All plans and drawings must be to scale, and review criteria responses should be provided as specified in this checklist.
- Application and materials must be submitted online through Accela at <http://www.albanyoregon.gov/permits>. Please call 541-917-7550 if you need assistance.
- Depending on the complexity of the project, paper copies of the application may be required.
- Before submitting your application, please check the following list to verify you are not missing essential information. An incomplete application will delay the review process.

HISTORIC REVIEW OF EXTERIOR ALTERATIONS SUBMITTAL CHECKLIST:

PLANNING APPLICATION FORM WITH AUTHORIZING SIGNATURES.

PROPERTY AND PROJECT INFORMATION.

Submit the following information (separately or on this page):

1. Historic District:

Monteith Hackleman Downtown Local Historic Commercial/Airport

2. Historic rating:

Historic Contributing Historic Non-Contributing Non-Historic (post 1945)

3. Year Built: _____ Architectural Style(s): _____

4. Years of exterior alterations, if any: _____

5. Please describe the proposed alteration(s) and the purpose of the alterations: _____

PHOTOGRAPHS. Provide photographs that show the current condition of the area you intend to alter.

CONSTRUCTION PLANS/ELEVATION DRAWINGS. Provide construction plans, architectural drawings or schematics showing detailed building elevations and exterior plans, and dimensions of all altered or new elements, including foundation, windows, and the setbacks to the property lines, materials proposed, profile/design, etc. If construction plans or drawings are not applicable to your project, then

albanyoregon.gov/cd



submit an accurate alteration description, including photographs, or other information that describes the project.

Note: Some properties may have covenants or restrictions, which are private contracts between neighboring landowners. These frequently relate to density, minimum setbacks, or size and heights of structures. While these covenants and restrictions do not constitute a criterion for a City land use decision, they may raise a significant issue with regard to the City's land use criteria. It is the responsibility of the applicant to investigate private covenants or restrictions.

REVIEW CRITERIA RESPONSES.

On a separate sheet of paper, prepare detailed written responses, using factual statements (called findings of fact), to explain how the historic exterior alteration complies with each of the following review criteria. Each criterion must have at least one finding of fact and conclusion statement. On a separate sheet of paper, prepare detailed written responses, using factual statements (called findings of fact), to explain how the historic exterior alteration complies with each of the following review criteria. Each criterion must have at least one finding of fact and conclusion statement. (See Example Findings of Fact starting on last page.)

1. The Community Development Director will approve **residential** alteration applications if one of the following criteria is met:
 - a. There is no change in historic character, appearance, or material composition from the existing structure.
 - b. The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.
 - c. The proposed alteration is not visible from the street.
2. For all other exterior alteration requests, except for the use of substitute materials*, and including all **non-residential** requests, the review body must find that one of the following criteria has been met to approve an alteration request:
 - a. 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
 - b. 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.

**There is a different application for the use of substitute materials. The review criteria for the use of substitute siding, windows, and trim shall be as found in ADC Sections 7.170-7.225.*

The review body will use the Secretary of the Interior's Standards of Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria [ADC Section 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 [ADC Section 7.160].

HISTORIC REVIEW OF EXTERIOR ALTERATIONS – PROCESS AND PROCEDURE

Purpose (ADC 7.100). The purpose of reviewing alterations to historic landmarks is to encourage the preservation of characteristics that led to their designation as historic landmarks. Review is required for exterior alterations or additions to buildings or structures classified as historic contributing and historic non-contributing within the historic districts, and to landmarks outside the districts.

Exemption from Review (ADC 7.110). Historic review is not required for buildings or structures originally constructed after 1945 or for changes to paint color to any home or structure.

Procedure (ADC 7.120). A request for an exterior alteration is reviewed and processed by either the Community Development Director or the Landmarks Commission. The Landmarks Commission replaces the Hearings Board or Planning Commission as the review body. Any exterior or interior alteration to buildings participating in Oregon’s Special Assessment of Historic Property Program will also require review and approval by the State Historic Preservation Office.

1. The Director will approve residential alteration requests if one of the following criteria is met:
 - a. There is no change in historic character, appearance, or material composition from the existing structure.
 - b. The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.
 - c. The proposed alteration is not visible from the street.
2. For all other requests, the Landmarks Commission will review and process the alteration proposal. The applicant and adjoining property owners within 100 feet will receive notification of the Landmarks Commission public hearing on the proposal. The Landmarks Commission will accept written and verbal testimony on the proposal. For buildings on the Special Assessment of Historic Property Program, the Landmarks Commission decision will be forwarded to the State Historic Preservation Office.

EXAMPLE OF FINDINGS OF FACT

Criteria for Findings of Fact

Land use applications must include information that explains the intent, nature, and proposed use of the development, and other pertinent information that may have bearing on the action to be taken by the review authority. To be approved, a Historic Review application must address and demonstrate compliance with the applicable review criteria in Article 7 and related requirements. If the applicant's submittal is unclear or insufficient to demonstrate the review criteria are satisfied, the application will be delayed or denied.

Format for Findings of Fact

Statements addressing individual criteria must be in a "finding of fact" format. A finding of fact consists of two parts:

1. Factual information such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: on-site inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

Example:

Criterion: 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.

Facts: The Cultural Resource Inventory indicates that the house was constructed c.1885 and the style is a Western Farmhouse. The decorative features noted are rectangular bays on the north and east sides with panels, turned porch columns and a fixed window with a diamond shaped pattern on the east side. Sanborn Fire map research indicates that the porch originally extended the full length of the west wing of the house.

This application proposes to restore the front porch to the full length of the west wing of the house. Additional porch columns are proposed to match the existing turned porch columns; a hipped roof is proposed consistent with existing entry and bays and Sanborn maps. The current porch, which now only covers the front door, is more of a covered entry than a porch. The balusters are a connected "sawn" design (rather than turned) that was typical in the late 19th century. (SEE ATTACHED DRAWING.)

Conclusion: Extending the porch to its original size will cause the structure to more closely approximate its historic character and appearance.

Scope of Work:**Historic Review of Exterior Alterations (ADC 7.100-7.165)**

Section 7.150 of the Albany Development Code (ADC), Article 7, establishes the following review criteria in **bold** for Historic Review of Exterior Alterations applications. For applications other than for the use of substitute materials, the review body must find that one of the following criteria has been met to approve an alteration request.

Findings of fact are statements that show how the criteria are met by providing details that support a conclusion. For example, when answering how distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved, you would provide examples of the distinctive features etc and explain how they will remain preserved through the alteration process. This is especially important if you are doing renovations on a distinctive feature.

- 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.**

Proposed findings: 1 is true. The garage door being removed is not from the documented construction time period. The proposed replacement will more closely match the documented time period and more closely match the neighbor hood.

ADC 7.150 further provides that the review body will use the Secretary of the Interior's Standards for Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria

Proposed Findings of Fact ADC 7.160:

- 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.**

Proposed findings: The proposed changes will return the building to have defining characteristics of the documented year of construction.

- 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.**

Proposed findings: The proposed changes will restore the historic character.

- 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.**

Proposed findings:N/A

- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**

Proposed Findings: The door being replaced was not of the construction time period and will be restored similar to surrounding garages.

- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.**

Proposed findings: True

- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive features, 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.**

Proposed findings:N/A

- 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.**

Proposed findings:N/A

- 8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

Proposed findings:N/A

- 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.**

Proposed findings: True

- 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.**

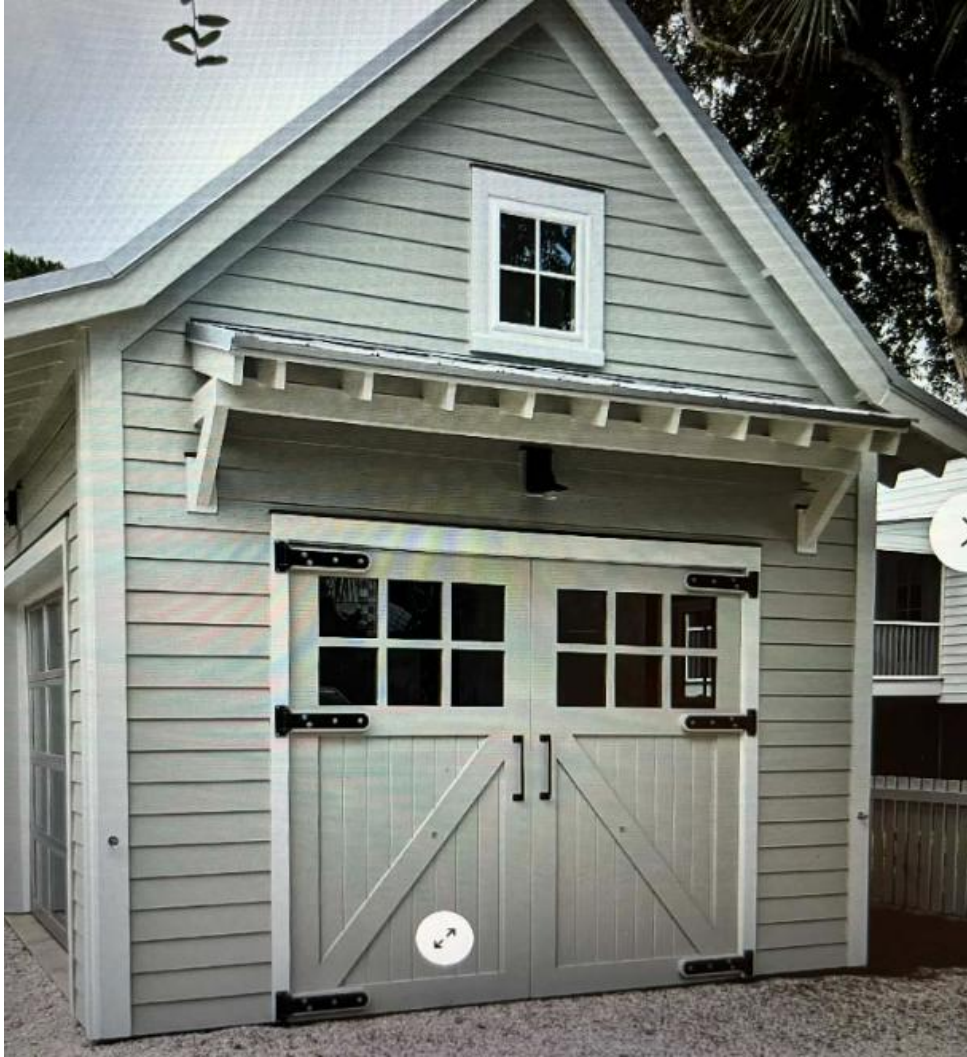
Proposed findings:N/A



Existing garage



Neighbor's Garage



Proposed garage door

REVIEW CRITERIA RESPONSE

1a. The garage door change will make the garage look more historic than the existing metal roll up door.

1b. The proposed garage door change will more closely match the surrounding properties.

1c. The proposed alteration is visible from the street.

2a. True.

2b. True



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | COMMUNITY DEVELOPMENT 541-917-7550

Staff Report

Historic Review of Exterior Alteration

HI-07-26

May 27, 2026

Summary

This staff report evaluates a Historic Review of Exterior Alterations for a structure on a developed lot within the Downtown Commercial National Register Historic District (Attachment A). The applicant proposes to rehabilitate and restore the historic storefronts.

Application Information

Review Body:	Landmarks Commission (Type III review)
Staff Report Prepared By:	Alyssa Schrems, Planner II
Property Owner:	Albany Civic Theater Inc, 111 1st Avenue NW, Albany, OR 97321
Applicant:	Josh Mitchell, 3125 Crocker Lane NW, Albany, OR 97321
Address/Location:	111 1st Avenue NW, Albany, OR 97321
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-06CC Tax Lot 04100
Zoning:	Historic Downtown (HD) District (Downtown Commercial National Register Historic District)
Total Land Area:	11,950 square feet
Existing Land Use:	Theater
Neighborhood:	Central Albany
Surrounding Zoning:	North: Historic Downtown (HD) East: Central Business (CB) and HD South HD West HD
Surrounding Uses:	North: Parking Lot and Willamette River East: Commercial South Commercial West Commercial
Prior History:	HI-05-05: Request to restore the storefront of the 113 1st NW building and to put a flat marquis awning across the front of the building (Approved). HI-14-11: Exterior alterations to replace window sashes on back side with fire shutters in openings and replace existing garage and man door with wall and door to resemble original (Approved).

Notice Information

On May 13, 2026, a notice of public hearing was mailed to property owners within 100 feet of the subject property. On April 15, 2026, notice of public hearing was also posted on the subject site. As of the writing of this staff report, no comments have been received.

Analysis of Development Code Criteria

Exterior Alteration Criteria (ADC 7.120)

1. **The Director will approve residential alteration requests if one of the following criteria is met:**
 - a. **There is no change in historic character, appearance, or material composition from the existing structure.**
 - b. **The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.**
 - c. **The proposed alteration is not visible from the street.**
2. **For all other requests, the Landmarks Commission will review and process the alteration proposal. The applicant and adjoining property owners within 100 feet will receive notification of the Landmarks Commission public hearing on the proposal. The Landmarks Commission will accept written and verbal testimony on the proposal. For buildings on the Special Assessment of Historic Property Program, the Landmarks Commission decisions will be forwarded to the State Historic Preservation Office.**

Findings of Fact

- 1.1 According to the Historic Resource Survey (Attachment B), 111 1st Avenue NW (also known as the Rialto Theatre) was constructed in the Italianate style, with segmental arched, double-hung wood sash windows, and pressed metal in rock faced ashlar and shell and fluted patterns. 121 1st Avenue NW (no historic name noted) is listed as being designed in the commercial style, with a half-stepped parapet noted as the only decorative feature. 129 1st Avenue NW (also known as McAlphins Confectionery) is noted as being designed in the Commercial style, with decorative features including a stair stepping molded entablature, and imitation stone on the west side of the façade. The applicant is proposing to rehabilitate and restore the historic storefronts on the buildings. The subject properties are located within the Downtown Commercial National Register Historic District and are each rated as Historic Contributing. The structures are not part of the Special Assessment of Historic Property Program; however, the work is being funded through the Oregon Main Street program which is subject to review by the State Historic Preservation Office (SHPO).
- 1.2 The properties are located at 111-129 1st Avenue NW with a total area of 11,950 square feet, between Lyons and Ellsworth Streets, facing 1st Avenue NW. (Attachment A).
- 1.3 Exterior alterations proposed with this application include: **West Elevation (side of 129 1st Avenue NW):** Remove and replace 3 existing single-hung vinyl windows with wood, four-light windows “to match historic condition”. Remove and replace

existing non-original wood picture window with new wood window “to match historic condition”.

South Elevation (121-129 1st Avenue NW): Remove existing wood, door, glass block, windows, and angled walls up to the concrete support beam on both the western and middle storefront. New structural steel columns along the sides of each opening to support a steel I-beam installed under existing concrete support beams. Existing concrete support beams shall be repaired, and stucco finish applied below the parapet. Install new concrete curb water barrier along the base of the openings. New custom structural grade #1 State Historic Preservation Office standard solid wood construction. Storefronts with recessed alcove entrance to be installed on west and east openings. Walls shall run perpendicular or parallel to the wall above the new beam, a lower bulkhead to match the eastern part of the storefront shall be incorporated to attach awnings. The middle opening consists of windows. Install new glazed panel wood entry door (optional side light) with painted trim “to match historic condition”. Install single or double wood-framed storefront windows with solid wood trim and sills and painted wood panel bulkheads below. Remove plywood and any remaining remnants of destroyed variable width windows and transoms on the middle portion of the storefront. Install three single wood-framed storefront windows with solid wood trim and sills and painted wood panel bulkheads below. Install a divided wood panel transom above the entrances and adjacent storefront windows. Panels shall be identical in design. Install new steel awnings along each storefront, secured to lower bulkheads and attached to existing eyebolts with steel turnbuckles. Apply new paint. Install historic terra cotta tile accent along the concrete support beam with vertical tile accents down the vertical concrete pillars. All glass for storefront windows, doors, and transoms, shall be clean, without tinting.

South Elevation (front of 113 1st Avenue NW): Remove existing wood door, windows and alcove, up to the concrete support beam. Install new concrete curb water barrier along the base of the openings. New custom structural grade #1 State Historic Preservation Office standard solid wood construction. Storefronts with recessed alcove entrance to be installed. Walls shall run perpendicular or parallel to the wall above the new beam, a lower bulkhead to match the eastern part of the storefront shall be incorporated to attach awnings. Install new glazed panel wood entry door with painted trim “to match historic condition”. Install single or double wood-framed storefront windows with solid wood trim and sills and painted wood panel bulkheads below. Install a divided wood panel double transom above the bulkhead. Panels shall be identical in design. Install new steel awning along the storefront, secured to lower bulkhead and attached to existing eyebolts with steel turnbuckles. Apply new paint. All glass for storefront windows, doors, and transoms, shall be clean, without tinting.

These proposed alterations are on commercial structures, therefore, the proposed development will be reviewed and processed by the Landmarks Commission.

Exterior Alteration Criteria (ADC 7.150)

For applications other than 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.**

ADC 7.150 further provides that the review body will use the Secretary of the Interior's Standards for Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria.

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

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.**

Findings of Fact

- 1.1 Location and Historic Character of the Area. The subject properties are located at 111-129 1st Avenue NW in the Historic Downtown (HD) zoning district and within the Downtown Commercial National Register Historic District. The surrounding properties in all directions are located within the Historic Downtown zoning district and are developed with a mix of commercial uses and parking lots.
- 1.2 Historic Rating. The structures are rated as a Historic Contributing resource in the Downtown Commercial National Register Historic District.
- 1.3 History and Architectural Style. The nomination form lists the architectural style of the 111-113 1st Avenue NW as Italianate, 121 1st Avenue NW as Commercial, and 129 1st Avenue NW as Commercial (Attachment B).
- 1.4 Prior Alterations. The Historic Resource Survey for 111-113 1st Avenue NW indicates that the original 2-25' storefronts no longer exist, the two rear windows have been filled in, a pair of doors have been added to the rear, and metal storefront windows and doors have been added. 121 1st Avenue NW indicates that a stucco front and metal window frames have been added to the structure. 129 1st Avenue NW lists the store front windows as not being original, nor are the glass blocks surrounding the entry door.
- 1.5 Proposed Exterior Alterations. As detailed in the first finding 1.3, the applicant is proposing to rehabilitate and restore the historic storefronts on three buildings.
The Landmarks Commission has the discretion to determine if criterion ADC 7.150(1) is met.
- 1.6 Building Use (ADC 7.160(1)). All three buildings were originally used for commercial or entertainment uses. Only minimal exterior alterations are needed in association with the proposed use, which is consistent with ADC 7.160(1).
- 1.7 Historic Character (ADC 7.160(2)). The applicant states that the project is focused on restoring and enhancing the front façade while retaining the overall form, massing, and function of the historic structure. No significant historic features are proposed to be removed. The proposed work retains the historic character of the property and avoids inappropriate alteration of defining features. Based on these facts, this criterion appears to be satisfied.
- 1.8 Historic Record & Changes (ADC 7.160(3) and (4)). The proposed façade reconstruction is based on documented historical evidence of the building's original 1923 appearance, including photographs and physical references where

available. The intent is not to create conjectural features, but to accurately restore lost elements of the original façade. The applicant proposes to use new materials, including custom-built #1 structural grade Douglas fir, in a manner consistent with historic design while remaining identifiable upon close inspection as contemporary reconstruction.

The applicant further states that the existing façade has undergone alterations over time that have diminished the building's historic appearance. The proposed project selectively removes non-historic or incompatible modifications while retaining elements that continue to contribute to the building's use and function. Based on these facts, the proposal appears to be consistent with ADC 7.160(3) and (4).

- 1.9 Distinctive characteristics (ADC 7.160(5)). The applicant states the project emphasizes the preservation and re-establishment of distinctive architectural features associated with the building's historic theater use. The use of high-quality materials and craftsmanship, including custom-milled Douglas fir elements, reflects traditional construction techniques and reinforces the building's historic character. Based on these facts, the proposal appears to be consistent with ADC 7.160(5).
- 1.10 Deteriorated Features (ADC 7.160(6)). The applicant states that where existing historic materials remain viable they will be repaired and retained. Where deterioration or prior alterations necessitate replacement, new features will match the historic design in scale, proportion, and visual qualities, based on available documentation of the original 1923 façade. Based on these facts, ADC 7.160(6) appears to be met.
- 1.11 Use of Chemical or Physical Treatments (ADC 7.160(7)). The applicant does not propose the use of any chemical or physical treatments in relation to the construction of the addition. Based on these facts, the standards in ADC 7.160(7) are met.
- 1.12 Significant Archaeological Resources (ADC 7.160(8)). No ground disturbing work is proposed with this application. As no groundwork is proposed, no disturbance of any archaeological resources is anticipated. Based on these facts, this standard appears to be met.
- 1.13 Historic Materials (ADC 7.160(9)). The applicant states that the reconstructed façade is designed to be compatible with the building's historic massing, scale, and architectural character. While closely reflecting the original 1923 design, the work will be executed in a manner that allows it to be distinguished as a contemporary reconstruction upon detailed inspection. Based on these facts, criterion 7.160(9) is met.
- 1.14 New Additions (ADC 7.160(10)). The applicant states that the façade improvements are designed so that they can be removed or modified in the future without impairing the essential structure and form of the historic building. Based on these facts, criterion 7.160(10) appears to be met.

Conclusions

- 1.1 The Commission may determine if the Secretary of the Interior's standards are met.

Overall Conclusions

The proposal seeks to rehabilitate and restore the historic storefronts.

Staff finds all applicable criteria could be met with conditions for Exterior Alterations.

Options

The Landmarks Commission has three options with respect to the subject application:

Option 1: Approve the request as proposed;

Option 2: Approve the request with conditions of approval;

Option 3: Deny the request.

Motions

Approval: I move to approve the exterior alterations including conditions of approval as noted in the staff report for application planning file no. HI-07-26. This motion is based on the findings and conclusions in the May 27, 2026, staff report and findings in support of the application made by the Landmarks Commission during deliberations on this matter.

Approval with new conditions of approval: I move to approved the exterior alterations including conditions of approval as **drafted during this meeting** for application planning file no. HI-07-26. This motion is based on the findings and conclusions in the May 27, 2026, staff report and findings in support of the application made by the Landmarks Commission during deliberations on this matter.

Denial: I move to deny the exterior alterations as detailed in planning file no. HI-07-26. This motion is based on the findings and conclusions made by the Landmarks Commission during deliberations on this matter.

Conditions of Approval

Condition 1 Historic Review – The proposed development shall be performed and completed as specified in the staff report. Deviations from these descriptions may require additional review.

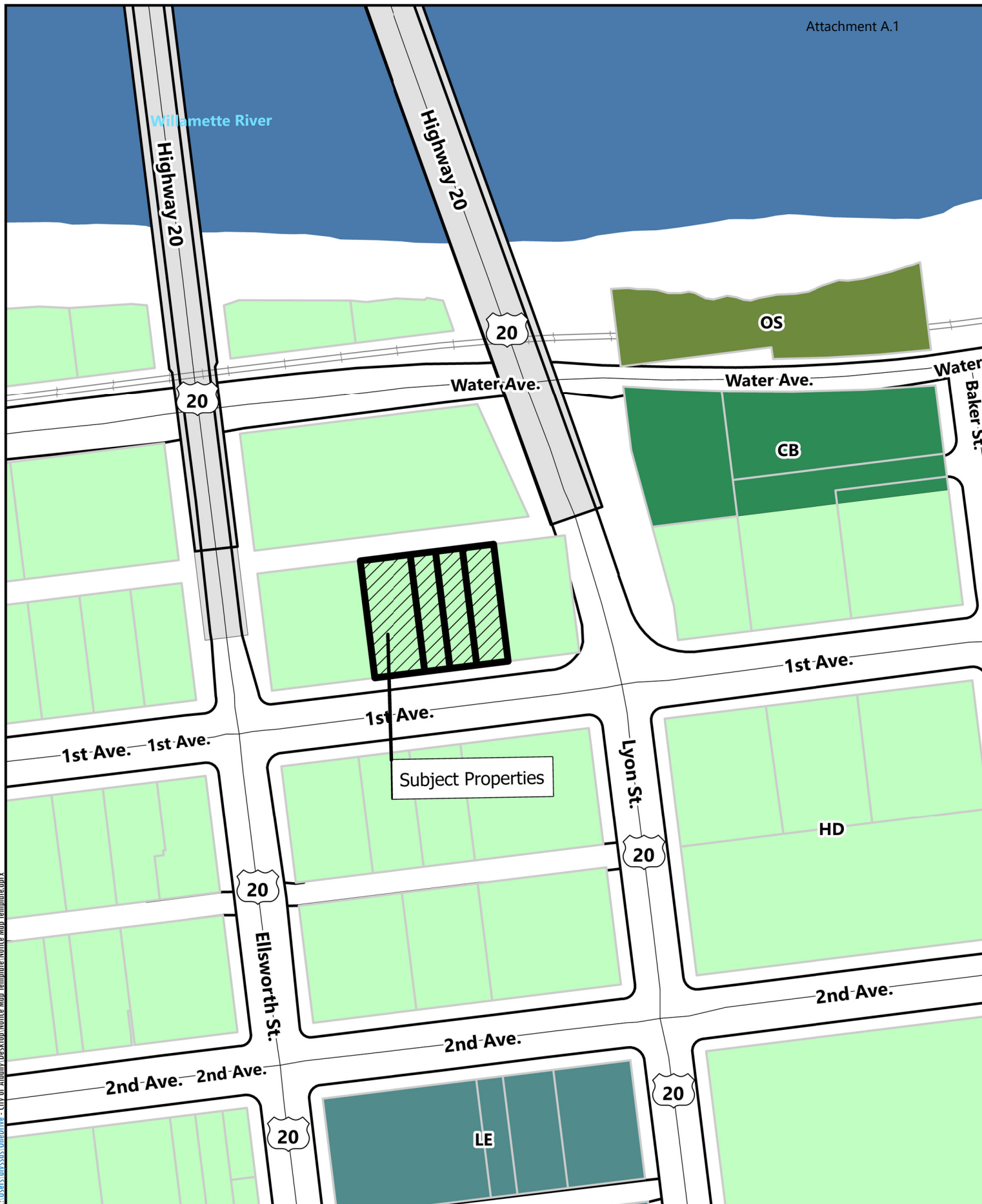
Condition 2 Historic Review – A final historic inspection is required to verify that the work has been done according to this application. Please call the historic planner (541-791-0176) a day or two in advance to schedule.

Attachments

- A. Location Map
- B. Historic Resource Survey
- C. Historic Photos
- D. Applicant's Submittal

Acronyms

ADC	Albany Development Code
CB	Central Business Zoning District
HI	Historic file designation
HD	Historic Downtown Zoning District
SHPO	State Historic Preservation Office



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0 50 100 200
Feet

Date: 5/7/2026 Map Source:

111-129 1st Ave NW

Location Map

ALBANY ARCHITECTURAL SURVEY

Common Name Service Auto Parts
 Historic Name _____
 Address 111-113 N.W. 1st Avenue
 Lot _____ Block 13 Addition _____
 Present Owner _____ Address _____
 Original Use stores Present Use store & theater
 Architect _____ Builder _____
 Construction Date c. 1898 Style Italianate
 Physical Condition Good Significance Primary

Physical Description:

One story, 50' x 100, brick walls, and flat roof. The original building was divided into 2-25' store fronts, none of which remains. The upper portion of the building is sheathed in pressed metal featuring several courses of simulated rock-faced ashlar, a frieze with shell & fluted patterns and a classical cornice. The cornice and frieze are terminated at the ends and center with sloped bracket-like blocks featuring fleur-de-lis and other foliage patterns. Pressed metal work is identical to that on 426 S.W. 1st Avenue.

The rear (north) wall has segmental arch openings with double-hung wood sash, one light over one.

Alterations--see above--two rear windows filled in--a pair of doors has been added at rear.

Brick in rear walls needs repair--metal work on front facade needs paint--otherwise good condition.

Sources:

¹1908 Sanborn

Recorded by GAM Date 4/11/78

√ Linn County Tax Data File

Tax lot #..... 11S03W06CC03800
 Tax acct #.... 0080958
 Site address.. 111 1ST AVE W

In-City? Y

Owner..... ALBANY CIVIC THEATER, INC
 Address-1..... PO BOX 82
 Address-2..... ALBANY OR 97321-0025
 Address-3.....
 Address-4.....
 Address-5.....

Property class... 2110 Tax Code #1...0801
 Stat class..... 000 Tax Code #2...0000

Land market value... 18,000
 Imp. market value... 69,690

20. 111 First Avenue NW.

Present Owner: Albany Little Theater Inc.
P.O. Box 82 - Albany

Significance: Primary

Tax Lot: 11-3W-6CC-3800

Use: Theater

Description: One-story, 50' x 100', brick walls, and flat roof. The original building was divided into 2-25' store fronts, none of which remain. The upper portion of the building is sheathed in pressed metal featuring several courses of simulated rock-faced ashlar, a frieze with shell and fluted patterns and a classical cornice. The cornice and frieze are terminated at the ends and center with sloped bracket-like blocks featuring fleur-de-lis and other foliage patterns. Pressed metal work is identical to that on 426 First Avenue SW.

The rear (north wall has segmental arch openings with double-hung wood sash, one light over one. Brick in rear walls needs repair--metal work on front facade needs paint--otherwise good condition.

Style: Italianate

Note: A restaurant and billard hall were located here in 1908. In 1937 it became the Realto Theater.

Construction Date: c. 1898.

east side The Realto operated until 1950.

1908 Sanborn Map says "Furne" - furniture sales?
 1912 Sanborn Map says "Moving Pictures"
 1925 Sanborn Map says "auto supplies"

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
DOWNTOWN HISTORIC DISTRICT

Attachment B.4

COUNTY: Linn

HISTORIC NAME: Rialto Theatre	ORIGINAL USE: Theatre
COMMON NAME: Albany Civic Theatre	CURRENT USE: Theatre
ADDRESS: 111 1st Ave NW	CONDITION: Good
ADDITIONAL ADDRESS: 113 1st Ave NW	INTEGRITY: Good MOVED?
CITY: Albany	DATE OF CONSTRUCTION: c. 1898
OWNER: Albany Civic Theatre	THEME: Commercial
CATAGORY: Building	STYLE: Italianate
LOCATION: Downtown Historic District	ARCHITECT:
MAP NO: 11S 3W TAX LOT: 3800	BUILDER:
BLOCK: 6 LOT: 6	QUADRANGLE: Albany
ADDITION NAME:	LOCAL RANKING: Primary
PIN NO: 11S03W06CC03800 ZONING: HD	SPECIAL ASSESSMENT: N YR:

PLAN TYPE/SHAPE: Rectangle	NO. OF STORIES: 1
FOUNDATION MAT.: Brick	BASEMENT: Y
ROOF FORM/MAT.: Flat	PORCH: Awning
STRUCTURAL FRAMING: Brick	
PRIMARY WINDOW TYPE: Segmental arched double hung wood sash	
EXTERIOR SURFACING MATERIALS: Brick, common board pattern	
DECORATIVE FEATURES: Pressed metal in rock faced ashlar and shell and fluted patterns	

EXTERIOR ALTERATIONS/ADDITIONS:

Original 2 -25' storefronts no longer exists. 2 rear windows filled in. A pair of doors added to rear. Metal store front windows and doors added

NOTEWORTHY LANDSCAPE FEATURES:

located next to Burkhart Park

ADDITIONAL INFO:

Note 113 1st Ave has a different tax lot number.

INTERIOR FEATURES:



HI-14-11- install fresh shutters on/in
back window openings. replace

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
HISTORIC DISTRICT

Attachment B.5

COUNTY: Linn

NAME: Albany Civic Theatre

PIN 11S03W06CC03800

ADDRESS: 111 1st Ave NW

MAP 11S03W06CC

QUADRANGLE Albany

TAX LOT: 3800

SQ FT: 18x103

G/P SOURCES: Planning Division/L. Schwab

EID FOOTPRINT:

OTHER INFO:

ADA ACCESS (Y/N): N

PARKING (Y/N): N PARKING SPACES:

ELEVATOR (Y/N): N

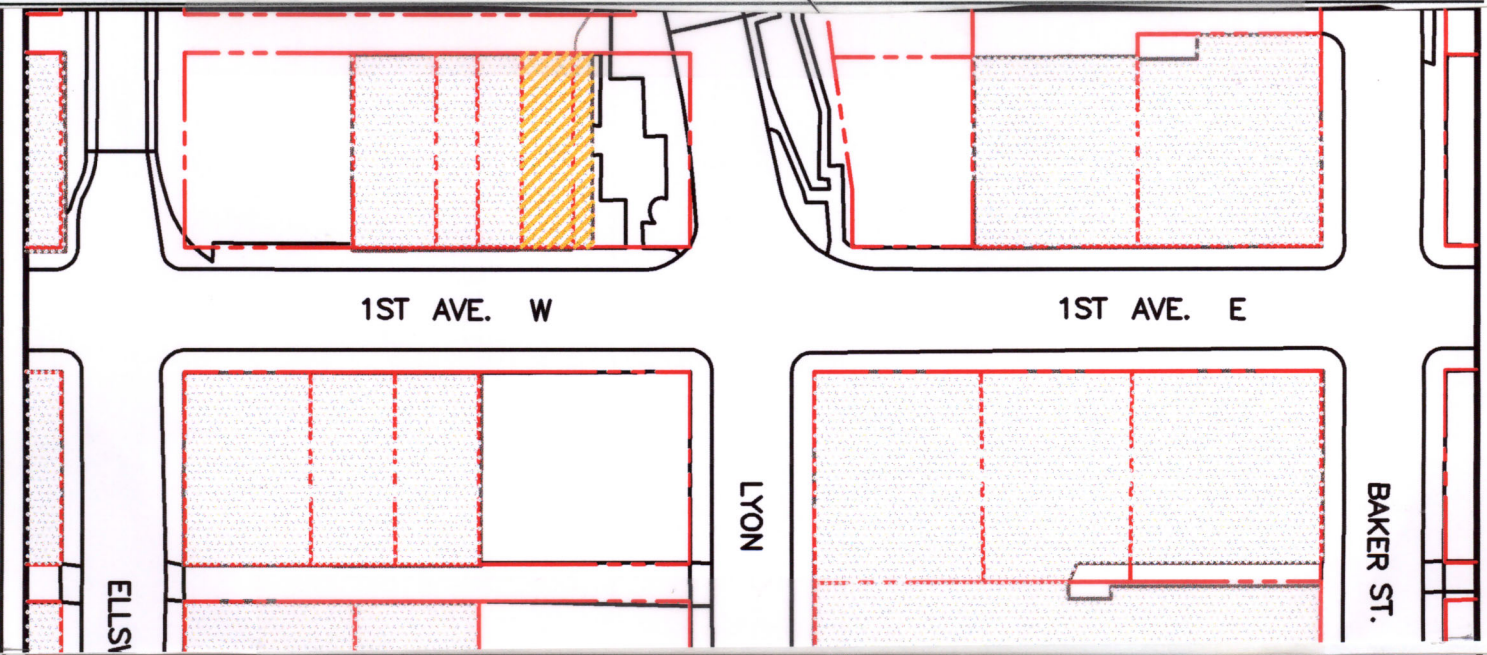
PARAPET (Y/N): Y

SEISMIC (Y/N): N

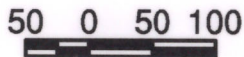
HISTORIC PHOTO: Y

NEGATIVE NO.: E21

SLIDE NO.: A4



PIN No.: 11S03W06CC03800
111 1ST AVE NW



RECORDED BY: Roz Keeney

DATE: 3/99

LOCAL INVENTORY NO.: 02

SHPO INVENTORY NO.:

CASE FILE NUMBER: HI-05-05

11-113 1st AVE W
Ca 1980

















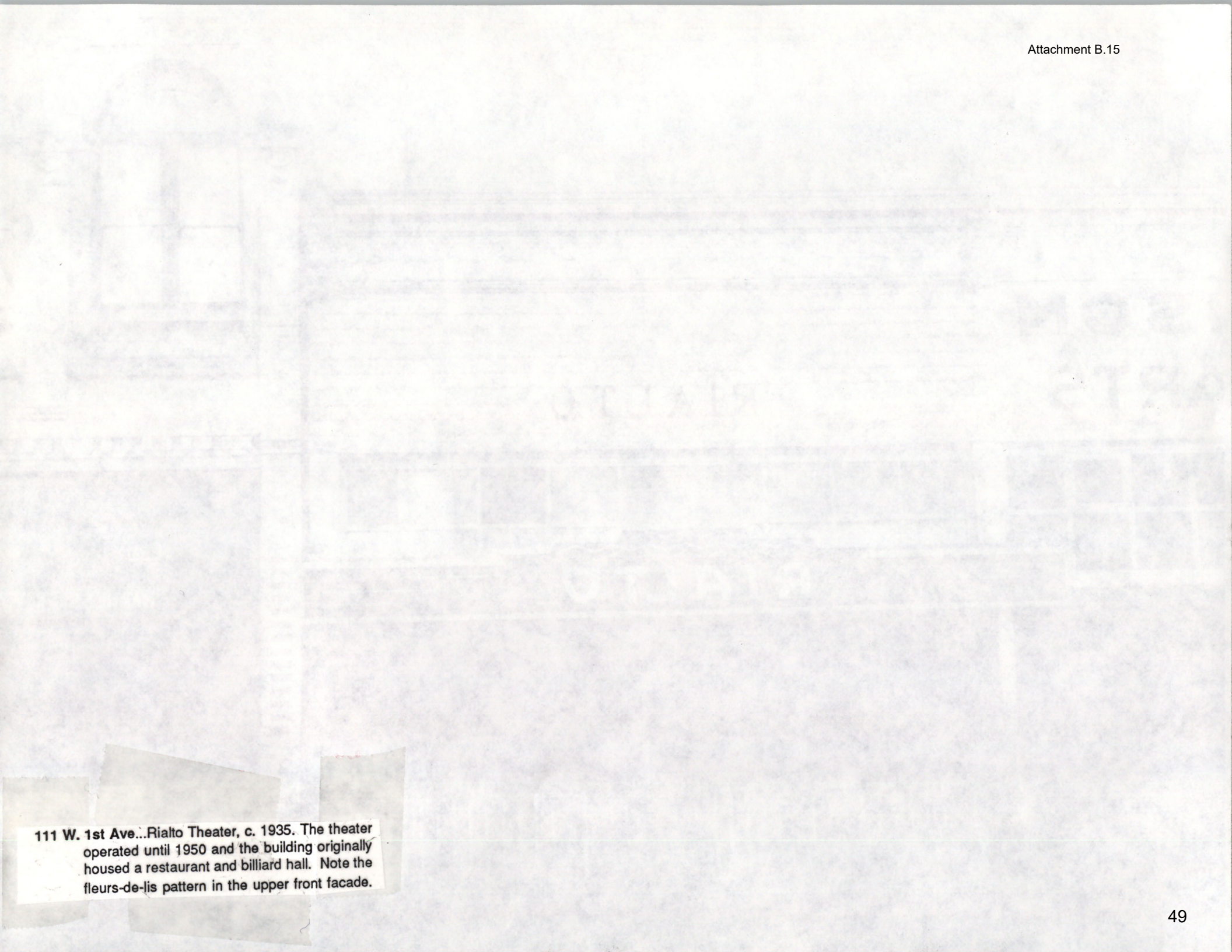
ISON
ARTS

RIALTO

RIALTO


HARNESS H.W.

OR
CHAMLAN
CHINESE
MEDICINE
CO



111 W. 1st Ave...Rialto Theater, c. 1935. The theater operated until 1950 and the building originally housed a restaurant and billiard hall. Note the fleurs-de-lis pattern in the upper front facade.





119 W. 1st Ave...Marching Masons in a parade down First, c. 1918. The vacant lot, stacked with wood is the site of this building. Note the ghost sign, J.W. Horsky Automotive Supplies Diamond Tires, probably hiding between the buildings!

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
DOWNTOWN HISTORIC DISTRICT

Attachment B.18

COUNTY: Linn

HISTORIC NAME: Rialto Theatre	ORIGINAL USE: Theatre
COMMON NAME: Albany Civic Theatre	CURRENT USE: Theatre
ADDRESS: 113 1st Ave NW	CONDITION: Good
ADDITIONAL ADDRESS 111 1st Ave NW	INTEGRITY: Good MOVED? N
CITY: Albany	DATE OF CONSTRUCTION: c. 1898
OWNER: Albany Civic Theatre	THEME: Commercial
CATAGORY: Building	STYLE: Italianate
LOCATION: Downtown Historic District	ARCHITECT:
MAP NO: 11S 3W 6CC TAX LOT: 03900	BUILDER:
BLOCK: 6 LOT: 6	QUADRANGLE: Albany
ADDITION NAME:	LOCAL RANKING: Primary
PIN NO: 11S03W06CC03900 ZONING: HD	SPECIAL ASSESSMENT: N YR:

PLAN TYPE/SHAPE: Rectangle **NO. OF STORIES:** 1

FOUNDATION MAT.: Brick **BASEMENT:** Y

ROOF FORM/MAT.: Flat **PORCH:** Awning

STRUCTURAL FRAMING: Brick

PRIMARY WINDOW TYPE: Segmental arched double-hung, wood sash at rear

EXTERIOR SURFACING MATERIALS: brick

DECORATIVE FEATURES:
Pressed metal in rock faced ashlar, and shell and fluted patterns

EXTERIOR ALTERATIONS/ADDITIONS:

Originally 2 -25' storefronts no longer exists, 2 rear windows filled in, a pair of doors added to rear, metal storefront windows and doors added.

NOTEWORTHY LANDSCAPE FEATURES:

Located next to Burkhart Park

ADDITIONAL INFO:

Note 111 1st Ave has a different tax lot number

INTERIOR FEATURES:

HI-14-11 - Fire shutters installed in rear window openings.
Remaining sashes in 2 windows - glass removed.



OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
HISTORIC DISTRICT

Attachment B.19

COUNTY: Linn

NAME: Albany Civic Theatre
ADDRESS: 113 1st Ave NW
QUADRANGLE Albany

PIN 11S03W06CC03900
MAP 11S03W06CC
TAX LOT: 03900

SQ FT: 50x100

G/P SOURCES: Planning Division/L. Schwab

EID FOOTPRINT:

OTHER INFO:

ADA ACCESS (Y/N): N

PARKING (Y/N): N PARKING SPACES:

ELEVATOR (Y/N): N

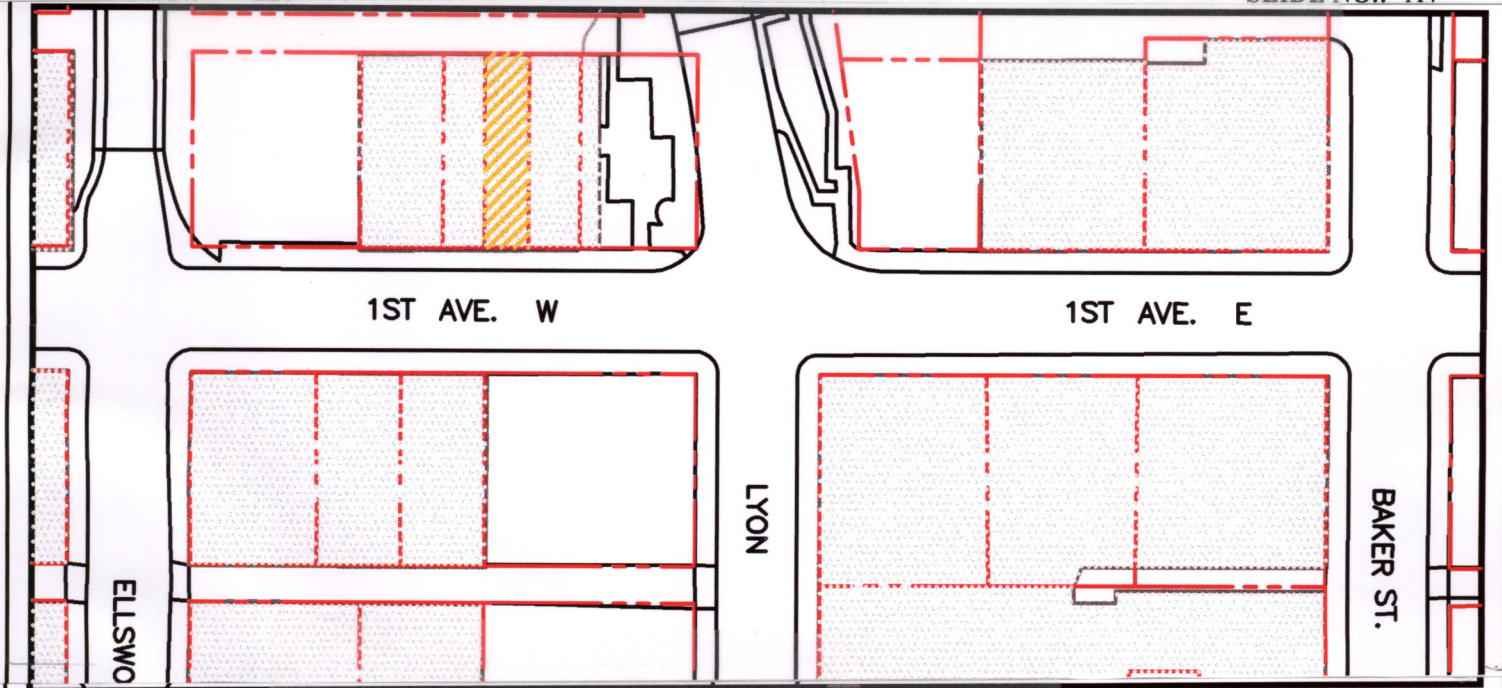
PARAPET (Y/N): Y

SEISMIC (Y/N): N

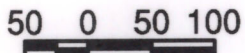
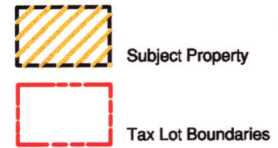
HISTORIC PHOTO: N

NEGATIVE NO.: E21

SLIDE NO.: A4



PIN No.: 11S03W06CC03900
113 1ST AVE NW



RECORDED BY: Roz Keeney
LOCAL INVENTORY NO.: 03
CASE FILE NUMBER:

DATE: 3/99
SHPO INVENTORY NO.:

* See Also 111 1st Ave



100 - 1 - 100 - W
A.C.T.



121 1st AVE. W



OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
DOWNTOWN HISTORIC DISTRICT

Attachment B.23

COUNTY: Linn

HISTORIC NAME:	ORIGINAL USE: Retail
COMMON NAME: ACT Annex	CURRENT USE: Theatre
ADDRESS: 121 1st Ave NW	CONDITION: Good
ADDITIONAL ADDRESS	INTEGRITY: Fair MOVED? N
CITY: Albany	DATE OF CONSTRUCTION: c. 1919
OWNER: Albany Civic Theatre	THEME: Commercial
CATAGORY: Building	STYLE: Commercial
LOCATION: Downtown Historic District	ARCHITECT: Charles Burggraf
MAP NO: 11S 3W 6CC TAX LOT: 04000	BUILDER:
BLOCK: 6 LOT: 7	QUADRANGLE: Albany
ADDITION NAME:	LOCAL RANKING: Secondary
PIN NO: 11S03W06CC04000 ZONING: HD	SPECIAL ASSESSMENT: N YR:

PLAN TYPE/SHAPE: Rectangular	NO. OF STORIES: 1
FOUNDATION MAT.: Concrete	BASEMENT: N
ROOF FORM/MAT.: Flat	PORCH: Metal Canopy
STRUCTURAL FRAMING: Concrete	
PRIMARY WINDOW TYPE: Metal storefront	

EXTERIOR SURFACING MATERIALS: Stucco over Brick

DECORATIVE FEATURES:
1/2-stepped parapet

EXTERIOR ALTERATIONS/ADDITIONS:
Stucco front, metal window frames

NOTEWORTHY LANDSCAPE FEATURES:
1 street tree

ADDITIONAL INFO:

INTERIOR FEATURES:



HI-14-11 - back garage and main doors replaced w/ new door & faux garage
door facade. 57

DOWNTOWN ALBANY PROPERTY PROFILE

LOCATION

F Name of Building _____

F Street Address(es) 121 First Ave NW

COG Block 6 Tax Lot 4000 Assessor's Map No. 11-3W-6CC

COG Owner's Name and Address Charles Burgrat, 905 Lawnridge S., Albany, 97321

BUILDING INFORMATION

COG/F Total Building Size 2200 Square Ft. per Floor, 1 floors

1st Floor use(s) Book store

2nd Floor use(s) —

Basement use(s) _____

F/COG Expandable to _____

F Multi-tenant or free standing free standing

COG Year built c. 1920

* Code restriction on First Floor _____

Upper Floor(s) _____

Basement _____

PARKING

F/COG On-site Number of spaces _____ Distance to public off-site lot _____

COG Historic Preservation Category (if applicable): Secondary

F General Description and Comments _____

Building Type commercial

Comments _____

F/* For sale () or lease ()

F/* Local Contact

Name _____

Company _____

Address _____

Phone Number _____

Exclusive agent () yes () no

Date expires _____

F Sketch:

Name _____ Date _____

~~Not on Tax~~
 ✓ Linn County Tax Data File

Tax lot #..... 11S03W06CC04000
 Tax acct #.... 0080974
 Site address.. 121 1ST AVE W

In-City? Y

Owner..... ALBANY CIVIC THEATER, INC
 Address-1..... C/O MR CUTTING
 Address-2..... PO BOX 82
 Address-3..... ALBANY OR 97321-0000
 Address-4.....
 Address-5.....

Property class... 2110 Tax Code #1...0801
 Stat class..... 000 Tax Code #2...0000

Land market value... 14,500
 Imp. market value... 72,220

Albany Civic Theatre Inc. Attachment B²⁷

18. 121 First Avenue NW

Present Owner: ~~Charles Burgraf~~
~~905 Lawnridge S.~~

3% Mr. Cutting

Significance: Secondary

Tax Lot:

Albany, Oregon 97321
11-3W-5CC-4000
P.O. Box 82

Use: Book store (Book Bin)

Description: One-story brick building with stucco finish. Large store-front windows with transoms above.

Note: 1925 Sanborn Fire Map shows auto supply store.

Construction Date: ~~c. 1920~~

c. 1919

This is part of larger building built by Charles

1925 Sanborn Map says 125 1st was hardware (west portion) ^{Burgraf}

→ 1925 Sanborn → 121 1st was auto supplies (east - now AZT Annex)

129 1st SW { This building was originally McALPINS Confectionary Store. It later became a Chinese Restaurant c. 1919

↑ Not sure if it was in part or all of building

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
HISTORIC DISTRICT

Attachment B.28

COUNTY: Linn

NAME: Albany Civic Theatre

PIN 11S03W06CC04000

ADDRESS: 121 1st Ave NW

MAP 11S03W06CC

QUADRANGLE Albany

TAX LOT: 04000

SQ FT: 25x100

G/P SOURCES: Planning Division/L. Schwab

EID FOOTPRINT:

OTHER INFO:

ADA ACCESS (Y/N): N

PARKING (Y/N): N PARKING SPACES:

ELEVATOR (Y/N): N

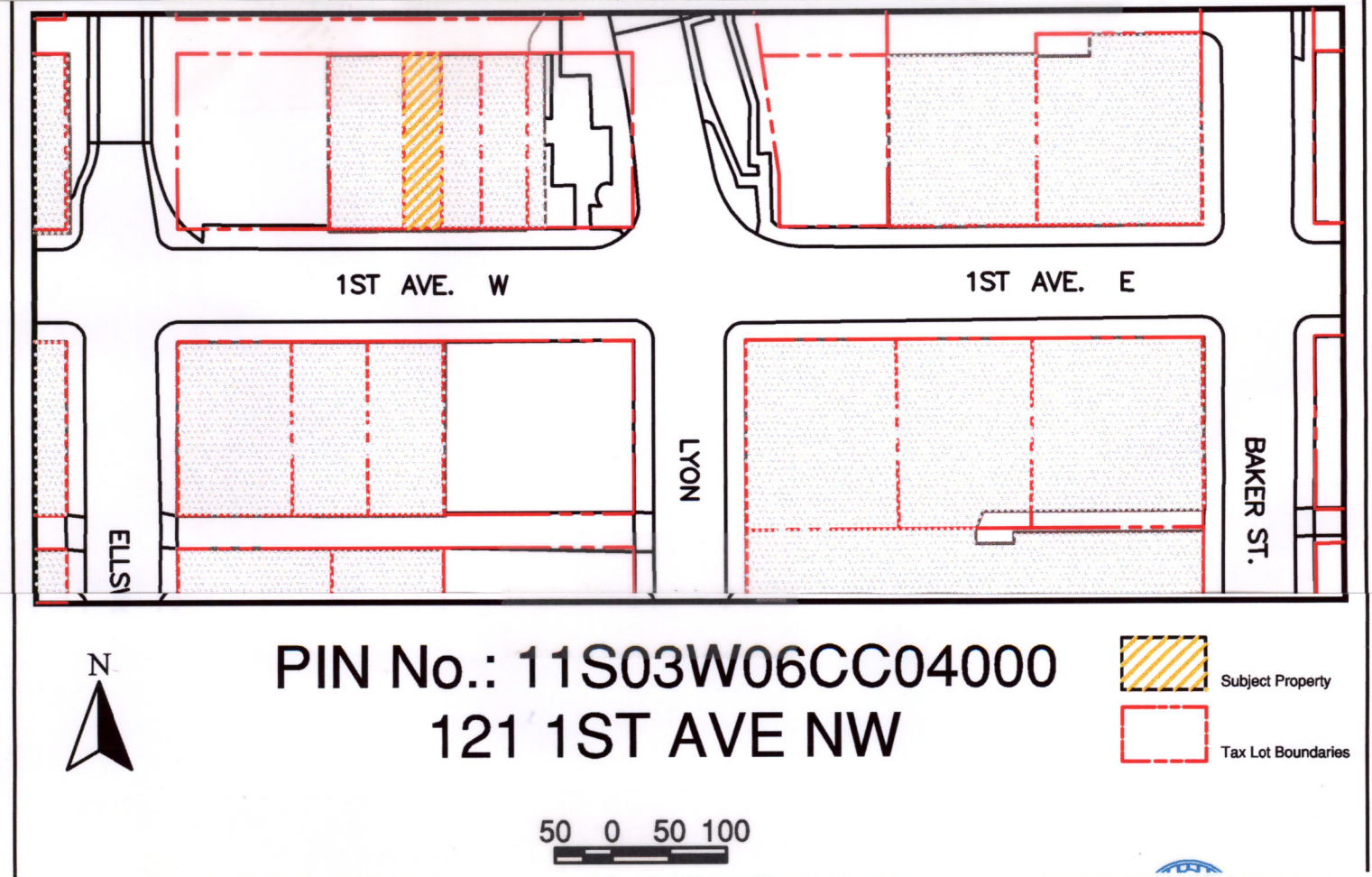
PARAPET (Y/N): Y

SEISMIC (Y/N): N

HISTORIC PHOTO: Y

NEGATIVE NO.: E20

SLIDE NO.: 5A



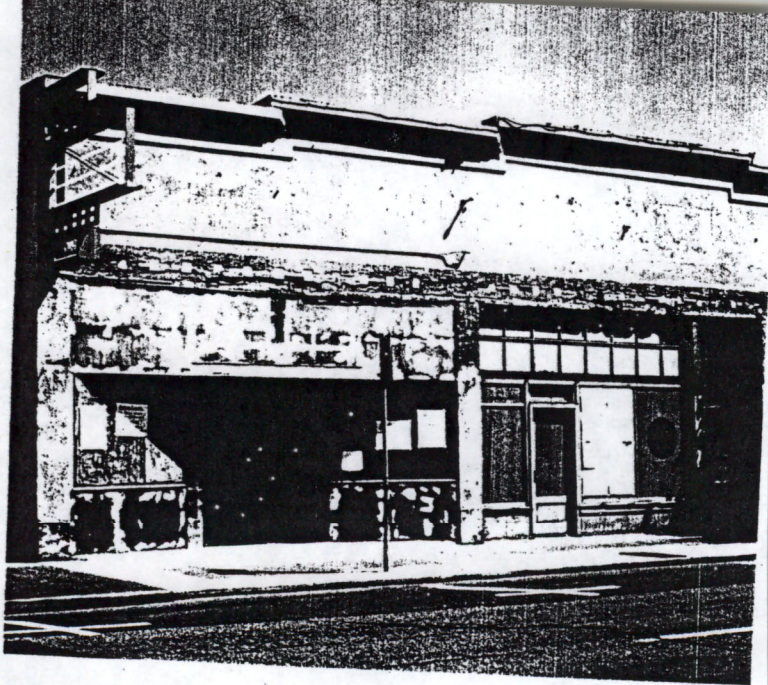
RECORDED BY: Roz Keeney

DATE: 3/99

LOCAL INVENTORY NO.: 05

SHPO INVENTORY NO.:

CASE FILE NUMBER: HI-05-05



129 First Ave. SW

c. 1919

This building was originally McAlpins
Confectionary Store. It later became
a Chinese restarant.



121 1st AVE W
CA 1980







OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
HISTORIC DISTRICT

Attachment B.34

COUNTY: Linn

HISTORIC NAME: McAlphins Confectionery
COMMON NAME: The First Round Bar and Grill
ADDRESS: 129 1st Ave NW
ADDITIONAL ADDRESS:
CITY: Albany
OWNER: Neiland, Gary C.

ORIGINAL USE: Retail
CURRENT USE: Tavern
CONDITION: Good
INTEGRITY: Fair **MOVED?** N
DATE OF CONSTRUCTION: c.1919

CATAGORY: Building
LOCATION Downtown Historic District
MAP NO: 11S03W06CC **TAX LOT:** 04100
BLOCK: 6 **LOT** 7
ADDITION NAME:
PIN NO: 11S03W06CC04100 **ZONING** HD

THEME Commercial
STYLE: Commercial
ARCHITECT Charles Burggraf
BUILDER:
QUADRANGLE Albany **ASSESSMENT:** *y, 1990*
ORIGINAL RATING: Secondary
CURRENT RATING: Historic Contributing

PLAN TYPE/SHAPE: Rectangular
FOUNDATION MAT.: Concrete
ROOF FORM/MAT.: Flat
STRUCTURAL FRAMING: Concrete
PRIMARY WINDOW TYPE: Storefront

NO. OF STORIES: 1
BASEMENT Y
PORCH: Awning

EXTERIOR SURFACING MATERIALS: Stucco over brick
DECORATIVE FEATURES:
Stair stepping molded entablature, imitation stone on West side of facade

EXTERIOR ALTERATIONS/ADDITIONS:
Story front windows not original, glass blocks surround entry door.

NOTEWORTHY LANDSCAPE FEATURES:

ADDITIONAL INFO:
Located next to City parking lot.

INTERIOR FEATURES:



LOCAL INVENTORY NO.: 07
CASE FILE NUMBER: HI-23-89

SHPO INVENTORY NO.:









129 1st AVE W



129 1st AVE W





113th year

Saturday, March 11,

Architect hunts for old Albany homes

By KATHLEEN GLANVILLE
Democrat-Herald Writer

A bright yellow city of Albany car prowled through the streets of the Albany's older residential areas Friday, in search of vintage Victorian houses.

George A. McMath, Portland architect hired by the city to do a historical survey of the city's old houses and commercial buildings, was excited after touring some of the city's old residential areas.

"It's amazing what we've come across," said McMath, who has worked on preservation projects from Eagle, Alaska to Billings, Mont. McMath is a member of the Oregon Historical Society and the National Trust for Historic Preservation and serves on the State Advisory Committee on Historic Preservation.

McMath found one turn-of-the-century house after another Friday, sighting examples of Queen Anne, Italianate, Revival Cottage and a range of "hybrids" which he said were intriguing mixtures of 19th-century styles.

"Most of the houses here were not architect-designed," McMath said. "There was a great proliferation of pattern books. You could pick a variety of Victorian styles. They showed parts and complete houses."

McMath said Albany has the best standing collection of Victorian houses in the mid-valley excluding Portland.

"Eugene has very little, Salem has some left but widely scattered. You haven't had the pressure to demolish them," McMath said.

But pressure is growing on some of Albany's older buildings as the city develops.

A 90-year-old Queen Anne-style house at 823 W. Fourth Ave. must move soon to make way for a parking lot because of Pacific Power & Light Co. expansion plans.

And two Victorian houses at the corner of Fourth Avenue and Montgomery Street will probably be moved or torn down to



This should read NW not SW

✓ Linn County Tax Data File

Tax lot #..... 11S03W06CC04100
Tax acct #..... 0080982
Site address.. 129 1ST AVE W

In-City? Y

Owner..... NIELAND, GARY C
Address-1..... 765 HOOD ST NE
Address-2..... SALEM OR 97303-0000
Address-3.....
Address-4.....
Address-5.....

Property class... 0040 Tax Code #1...0801
Stat class..... 000 Tax Code #2...0000

Land market value... 26,160
Imp. market value... 160,200

Attachment C.1

OREGON INVENTORY OF HISTORIC PROPERTIES HISTORIC RESOURCE SURVEY - ALBANY HISTORIC DISTRICT

COUNTY: Linn

NAME: Neiland, Gary C.
ADDRESS: 129 1st Ave NW
QUADRANGLE Albany

PIN 11S03W06CC04100
MAP 11S03W06CC
TAX LOT: 04100

SQ FT: 46x103

G/P SOURCES: Planning Division/L. Schwab

EID FOOTPRINT:

OTHER INFO:

ADA ACCESS (Y/N): N

PARKING (Y/N): N PARKING SPACES:

ELEVATOR (Y/N): N

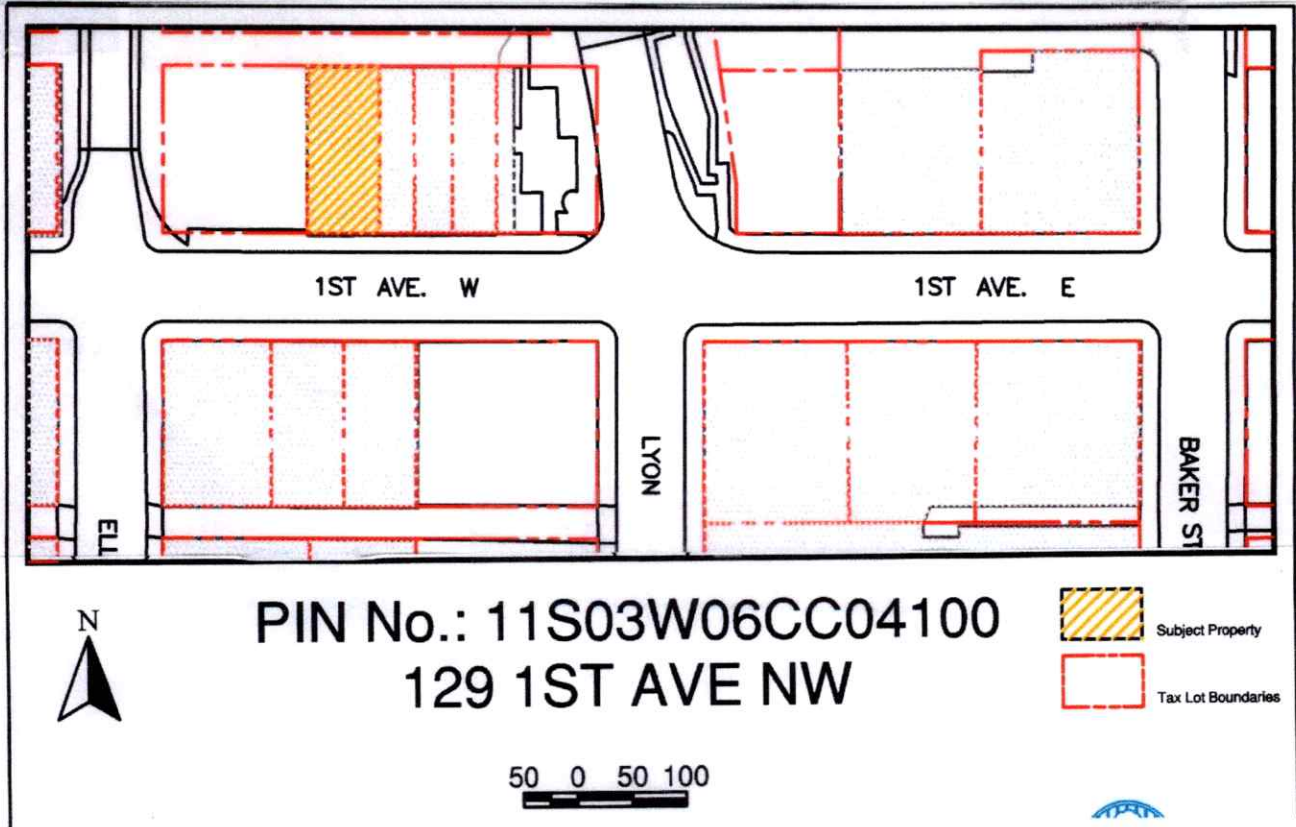
PARAPET (Y/N): Y

SEISMIC (Y/N): N

HISTORIC PHOTO: Y

NEGATIVE NO.: E19

SLIDE NO.: 6A



RECORDED BY: Roz Keeney

DATE: 3/99

LOCAL INVENTORY NO.: 07

SHPO INVENTORY NO.:

CASE FILE NUMBER: HI-23-89

**OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
HISTORIC DISTRICT**

COUNTY: Linn

HISTORIC NAME: McAlphins Confectionery	ORIGINAL USE: Retail
COMMON NAME: The First Round Bar and Grill	CURRENT USE: Tavern
ADDRESS: 129 1st Ave NW	CONDITION: Good
ADDITIONAL ADDRESS:	INTEGRITY: Fair MOVED? N
CITY: Albany	DATE OF CONSTRUCTION: c.1919
OWNER: Neiland, Gary C.	THEME: Commercial
CATAGORY: Building	STYLE: Commercial
LOCATION: Downtown Historic District	ARCHITECT: Charles Burggraf
MAP NO: 11S03W06CC TAX LOT: 04100	BUILDER:
BLOCK: 6 LOT: 7	QUADRANGLE: Albany ASSESSMENT: Y, 1990
ADDITION NAME:	ORIGINAL RATING: Secondary
PIN NO: 11S03W06CC04100 ZONING: HD	CURRENT RATING: Historic Contributing

PLAN TYPE/SHAPE: Rectangular	NO. OF STORIES: 1
FOUNDATION MAT.: Concrete	BASEMENT: Y
ROOF FORM/MAT.: Flat	PORCH: Awning
STRUCTURAL FRAMING: Concrete	
PRIMARY WINDOW TYPE: Storefront	
EXTERIOR SURFACING MATERIALS: Stucco over brick	
DECORATIVE FEATURES: Stair stepping molded entablature, imitation stone on West side of facade	

EXTERIOR ALTERATIONS/ADDITIONS:
Story front windows not original, glass blocks surround entry door.

NOTEWORTHY LANDSCAPE FEATURES:

ADDITIONAL INFO:
Located next to City parking lot.

INTERIOR FEATURES:



LOCAL INVENTORY NO.: 07
CASE FILE NUMBER: HI-23-89

SHPO INVENTORY NO.:

OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
DOWNTOWN HISTORIC DISTRICT

COUNTY: Linn

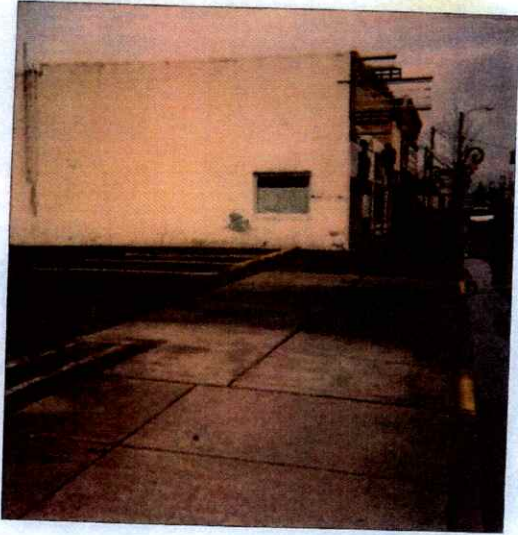
NAME:	Neiland, Gary C.	PIN NO.:	11S03W06CC04100
ADDRESS:	129 1st Ave NW	MAP NO.:	11S 3W 6CC
QUADRANGLE	Albany	TAX LOT:	04100

SQ FT:	46x103	G/P SOURCES:	Planning Division/L. Schwab
EID FOOTPRINT:		OTHER INFO:	
ADA ACCESS (Y/N):	N		
PARKING (Y/N):	N	PARKING SPACES:	
ELEVATOR (Y/N):	N		
PARAPET (Y/N):	Y		
SEISMIC (Y/N):	N		
HISTORIC PHOTO:	Y		

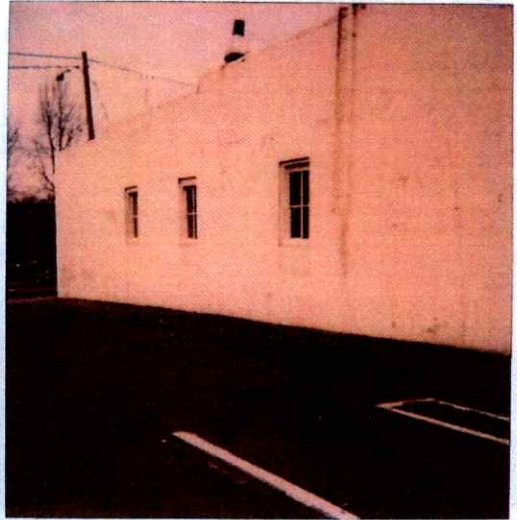
NEGATIVE NO.:	E19	SLIDE NO.:	6A
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RECORDED BY:	Roz Keeney	DATE:	3/99
LOCAL INVENTORY NO.:	07	SHPO INVENTORY NO.:	
CASE FILE NUMBER:	HI-23-89		

Attachment C.4



129 1st NW



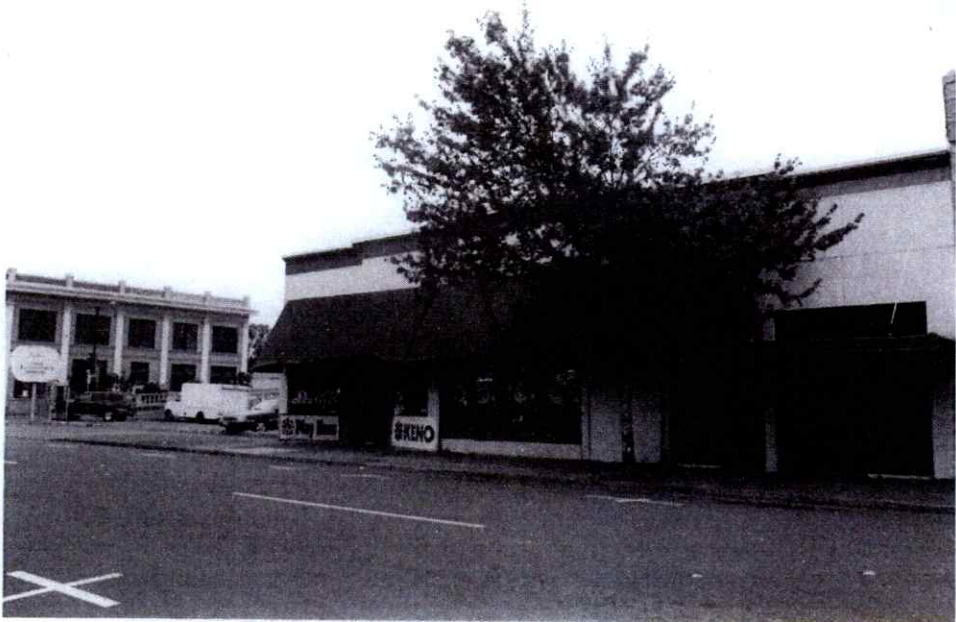
129 1st NW ✓



129 1st NW

Attachment C.5

129 1st AVE W



129 1st AVE W





Attachment C.7



Attachment C.8

129 1st AVE W

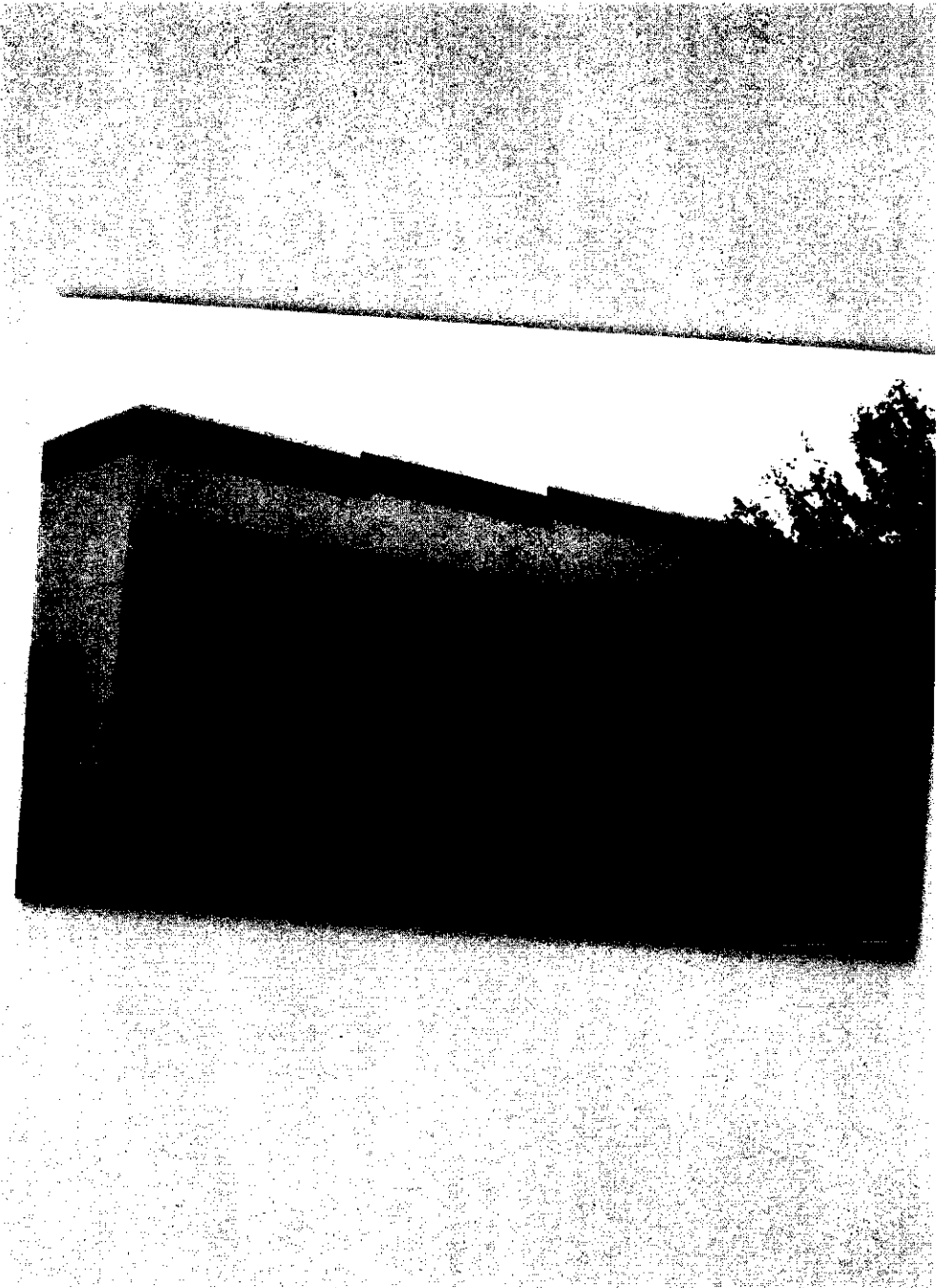


Attachment C.9

129 1st AVE W



Attachment C.10



17. 129 First Avenue NW.

Present Owner: Gary & Carol Nieland
565 Rose St. NE
Salem, OR 973013
765 Hood St. NE
Tax Lot: 11-3W-6CC-4100

Significance: Secondary

Use: Tavern (The Westerner)

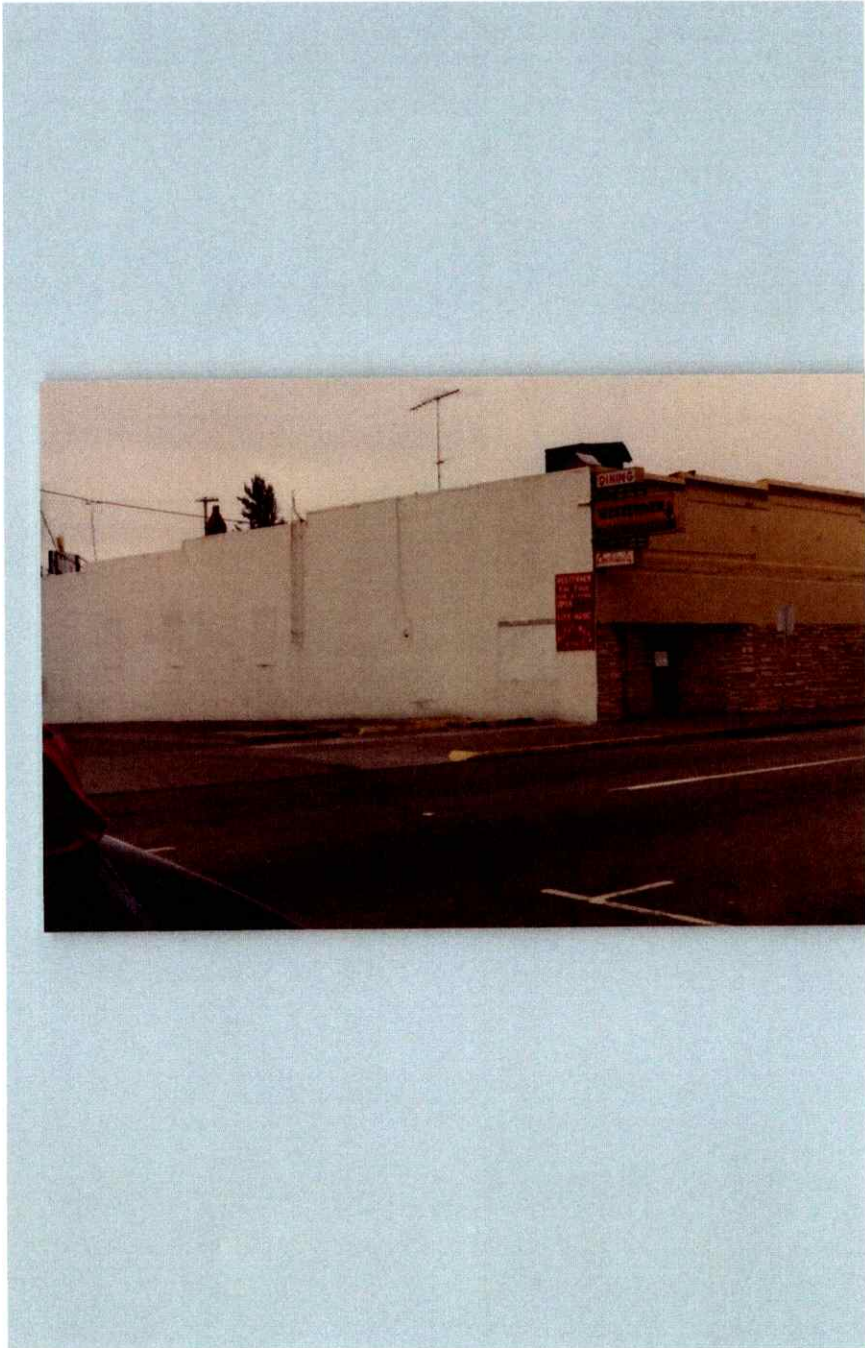
Description: One-story brick structure with stuccoed finish. Complete molded entablature, stair stepping from a central grouping, surround building. Imitation stone first level facade on part of building; east side of building retained original windows and door entrance ways.

- Note: Original use McAlphin's Confectionery Store.

Construction Date: c 1919. Designed by Charles Burggraf.



Attachment C.12



Attachment C.13



Attachment C.14



Albany Civic Theater Project Narrative

The proposed exterior alterations to the Albany Civic Theater are designed to rehabilitate the building in a manner that more closely approximates its historic character, appearance, and material composition than the existing conditions. Over time, non-original and incompatible alterations—including vinyl windows, glass block, and infill construction—have diminished the building’s architectural integrity. The proposed work removes these elements and replaces them with materials and details that are consistent with the building’s historic period. On the west elevation, non-original windows will be replaced with wood windows that replicate the historic configuration in proportion, material, and detailing, restoring the integrity of the façade.

On the south elevation, the project proposes reconstruction of the storefronts along 129–121 1st Ave W, as well as the storefront at 113 1st Ave W, with an emphasis on reinstating defining historic features that have been lost or significantly altered. The design reintroduces distinctive elements such as divided wood transom windows and terra cotta tile accents, which are characteristic of the building’s historic appearance but are currently missing or deteriorated. All storefront systems will be constructed of solid wood in accordance with State Historic Preservation Office standards, replacing non-historic materials and ensuring long-term durability and authenticity. New recessed entries, wood-framed storefront windows, and traditional bulkheads will reestablish the original storefront rhythm and pedestrian scale. Structural upgrades will be integrated in a minimally invasive manner, allowing for necessary reinforcement while preserving existing structural components wherever feasible.

Overall, the project removes non-contributing features, reintroduces character-defining elements, and utilizes historically appropriate materials and construction methods. The result will be a cohesive and accurate restoration that strengthens the building’s architectural integrity and enhances its contribution to the historic district.

Proposed Exterior Alterations for Albany Civic Theater (111 1st Ave W - 129 1st Ave W)

West Elevation (side of 129 1st Ave W)

Remove and replace 3 existing single hung vinyl windows with wood, four-light windows “to match historic condition”

Remove and replace existing non-original wood picture window with new wood window “to match historic condition”

Apply new paint.

South Elevation (front of 129 1st Ave W - 121 1st Ave W)

Remove existing wood, door, glass block, windows and angled walls up to the concrete support beam on both the western and middle storefront.

New structural steel columns along the sides of each opening to support a steel I-beam installed under existing concrete support beams. Existing concrete support beams shall be repaired, stucco finish below parapet.

Install new concrete curb water barrier along the base of the openings.

New custom structural grade #1, State Historic Preservation Office standard solid wood construction.

Storefronts with recessed alcove entrance to be installed on west and east openings. Walls shall run perpendicular or parallel to the wall above the new beam, a lower bulkhead to match the eastern part of the storefront shall be incorporated to attach awnings. The middle opening consists of windows.

Install new glazed panel wood entry door (optional side light) with painted trim "to match historic condition."

Install single or double wood-framed storefront windows with solid wood trim and sills and painted wood panel bulkheads below.

Remove plywood and any remaining remnants of destroyed variable width windows and transoms on the middle portion of the storefront.

Install three single wood-framed storefront windows with solid wood trim and sills and painted wood panel bulkheads below.

Install a divided wood panel transom above the entrances and adjacent storefront windows. Panels shall be identical in design.

Install new steel awnings along each storefront, secured to lower bulkheads and attached to existing eyebolts with steel turnbuckles.

Apply new paint

Install historic terra cotta tile accent along the concrete support beam with vertical tile accents down vertical concrete pillars.

All glass for storefront windows, doors and transoms shall be clean, without tinting.

South Elevation (front of 113 1st Ave W)

Remove existing wood, door, windows and alcove up to the concrete support beam.

Install new concrete curb water barrier along the base of the openings.

New custom structural grade #1, State Historic Preservation Office standard solid wood construction.

Storefronts with recessed alcove entrance to be installed. Walls shall run perpendicular or parallel to the wall above the new beam, a lower bulkhead to match the eastern part of the storefront shall be incorporated to attach awnings.

Install new glazed panel wood entry door with painted trim "to match historic condition."

Install single or double wood-framed storefront windows with solid wood trim and sills and painted wood panel bulkheads below.

Install a divided wood panel double transom above the bulkhead. Panels shall be identical in design.

Install new steel awning along the storefront, secured to lower bulkhead and attached to existing eyebolts with steel turnbuckles.

Apply new paint

All glass for storefront windows, doors and transoms shall be clean, without tinting.

HISTORIC REVIEW OF EXTERIOR ALTERATIONS REVIEW CRITERIA:

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.

Criterion (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.*

Findings of Fact and Conclusions

The Albany Civic Theater has operated continuously as a live performance venue for approximately 75 years, with an additional 20–30 years of prior use as a theater before its current stewardship. The proposed project continues this longstanding historic use. The remodel is limited to exterior façade improvements and does not alter the fundamental use, site layout, or overall function of the building.

The proposed project continues the historic use of the property and requires minimal change to its defining characteristics, thereby meeting this criterion.

Criterion (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.*

Findings of Fact and Conclusions

The project is focused on restoring and enhancing the front façade while retaining the overall form, massing, and function of the historic structure. No significant historic spatial relationships or primary structural elements are proposed to be removed.

The proposed work retains the historic character of the property and avoids inappropriate alteration of defining features, satisfying this criterion.

Criterion (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.*

Findings of Fact and Conclusions

The proposed façade reconstruction is based on documented historical evidence of the building's original 1923 appearance, including photographs and physical references where available. The intent is not to create conjectural features, but to accurately restore lost elements of the original façade. New materials, including custom-built #1 structural grade Douglas fir, will be used in a manner consistent with historic design while remaining identifiable upon close inspection as contemporary reconstruction.

Because the proposed work is based on documented evidence and avoids conjectural design, the project does not create a false sense of historical development and meets this criterion.

Criterion (4) *Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*

Findings of Fact and Conclusions

The existing façade has undergone alterations over time that have diminished the building's historic appearance. The proposed project selectively removes non-historic or incompatible modifications while retaining elements that continue to contribute to the building's use and function.

The project appropriately balances the retention of historically significant changes while removing non-contributing alterations, thereby complying with this criterion.

Criterion (5) *Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.*

Findings of Fact and Conclusions

The project emphasizes the preservation and re-establishment of distinctive architectural features associated with the building's historic theater use. The use of high-quality materials and craftsmanship, including custom-milled Douglas fir elements, reflects traditional construction techniques and reinforces the building's historic character.

The proposed work preserves and reinforces distinctive features and craftsmanship, satisfying this criterion.

Criterion (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.*

Findings of Fact and Conclusions

Where existing historic materials remain viable, they will be repaired and retained. Where deterioration or prior alterations necessitate replacement, new features will match the historic design in scale, proportion, and visual qualities, based on available documentation of the original 1923 façade.

The project prioritizes repair and ensures that replacement is accurate and compatible, meeting this criterion.

Criterion (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.*

Findings of Fact and Conclusions

No abrasive or damaging cleaning methods are proposed. Any surface preparation or cleaning associated with the project will utilize the gentlest means possible to protect historic materials.

The project complies with this criterion.

Criterion (8) *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*

Findings of Fact and Conclusions

The proposed work is limited to exterior façade improvements and is not expected to disturb subsurface archaeological resources. Should any such resources be encountered, appropriate preservation and mitigation measures will be implemented.

The project meets this criterion.

Criterion (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.*

Findings of Fact and Conclusions

The reconstructed façade is designed to be compatible with the building's historic massing, scale, and architectural character. While closely reflecting the original 1923 design, the work will be executed in a manner that allows it to be distinguished as a contemporary reconstruction upon detailed inspection.

The proposed alterations are compatible with the historic property while remaining distinguishable, satisfying this criterion.

Criterion (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.*

Findings of Fact and Conclusions

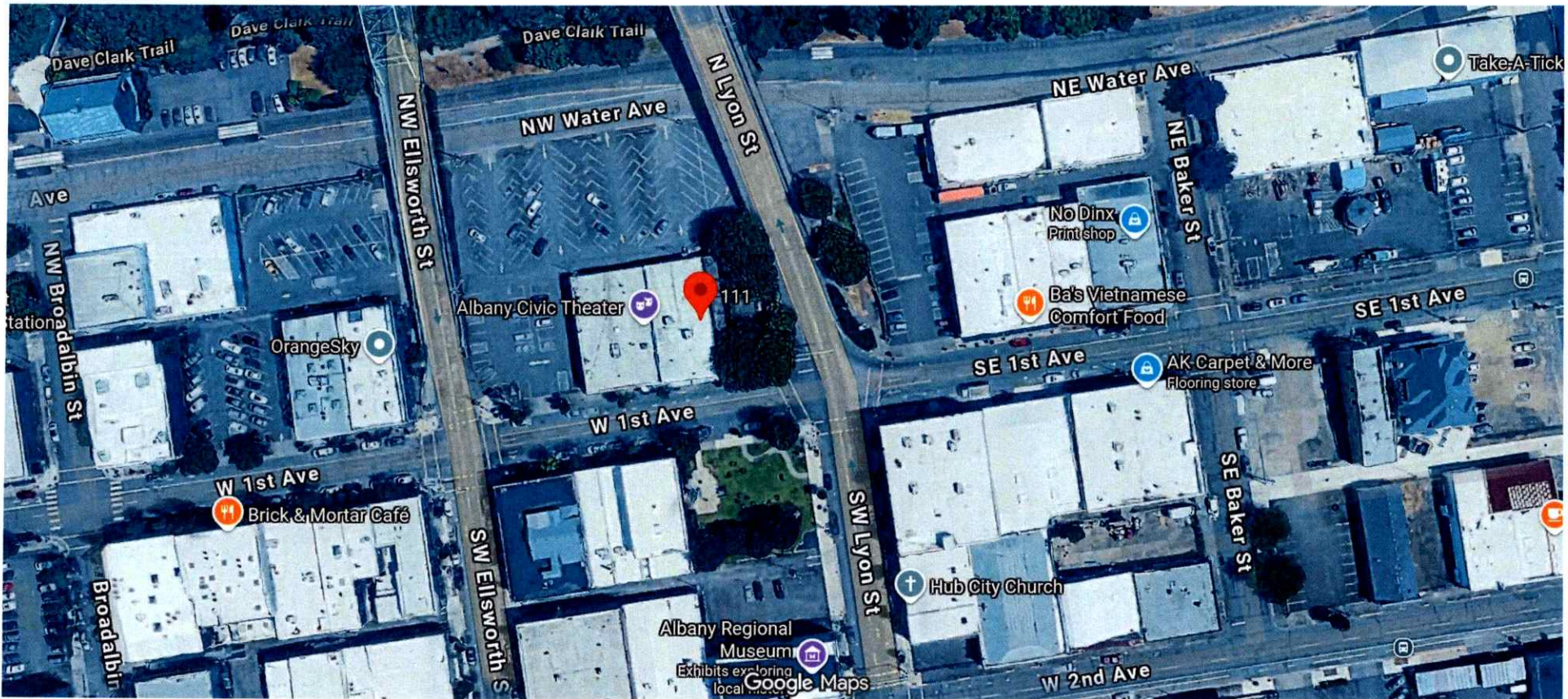
The façade improvements are designed so that they can be removed or modified in the future without impairing the essential structure and form of the historic building.

The project meets the reversibility requirement and complies with this criterion.



111 SE 1st Ave

Vicinity Map



Imagery ©2026 Google, Imagery ©2026 Airbus, Maxar Technologies, Map data ©2026 100 ft

A3.m
98

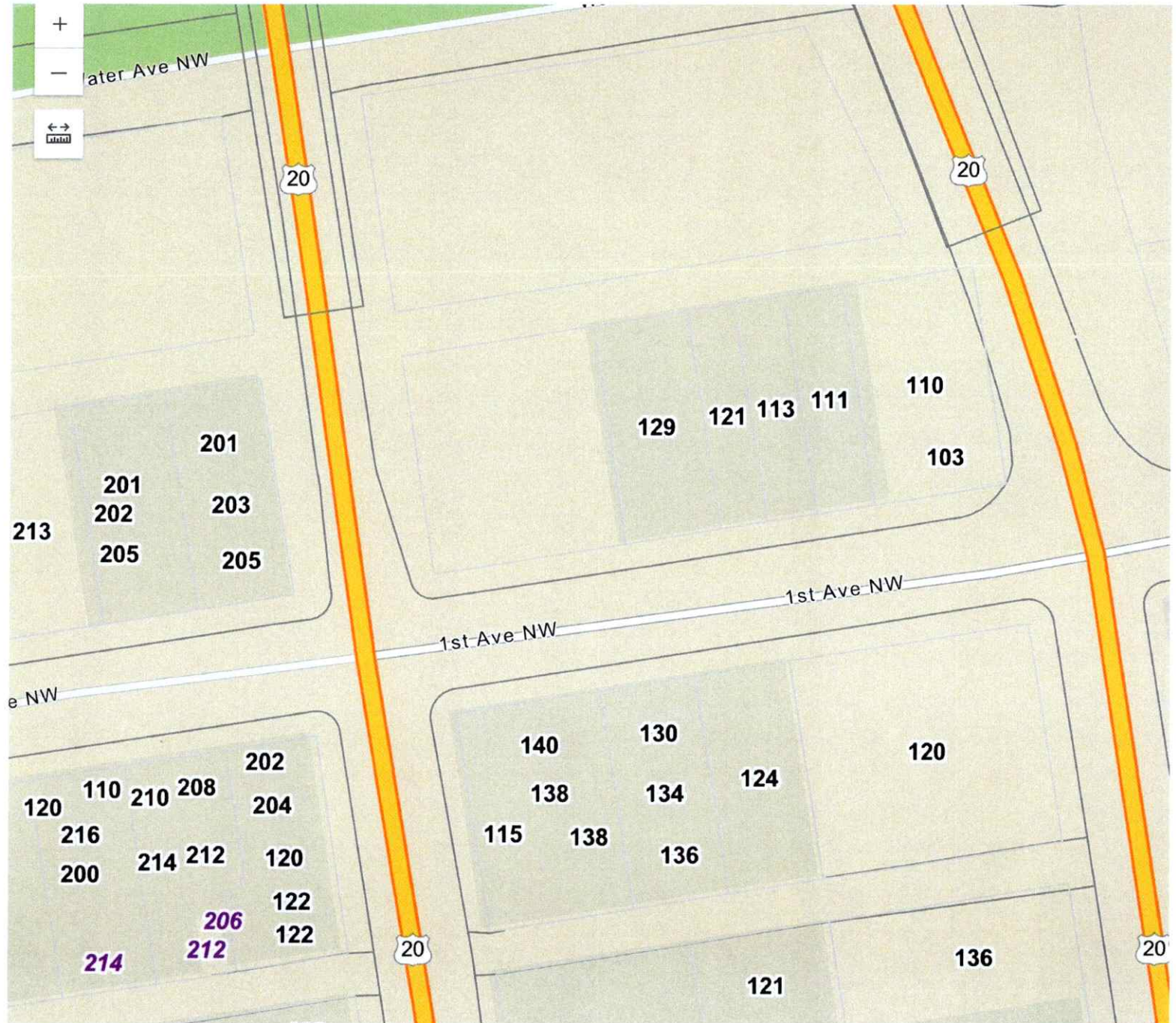


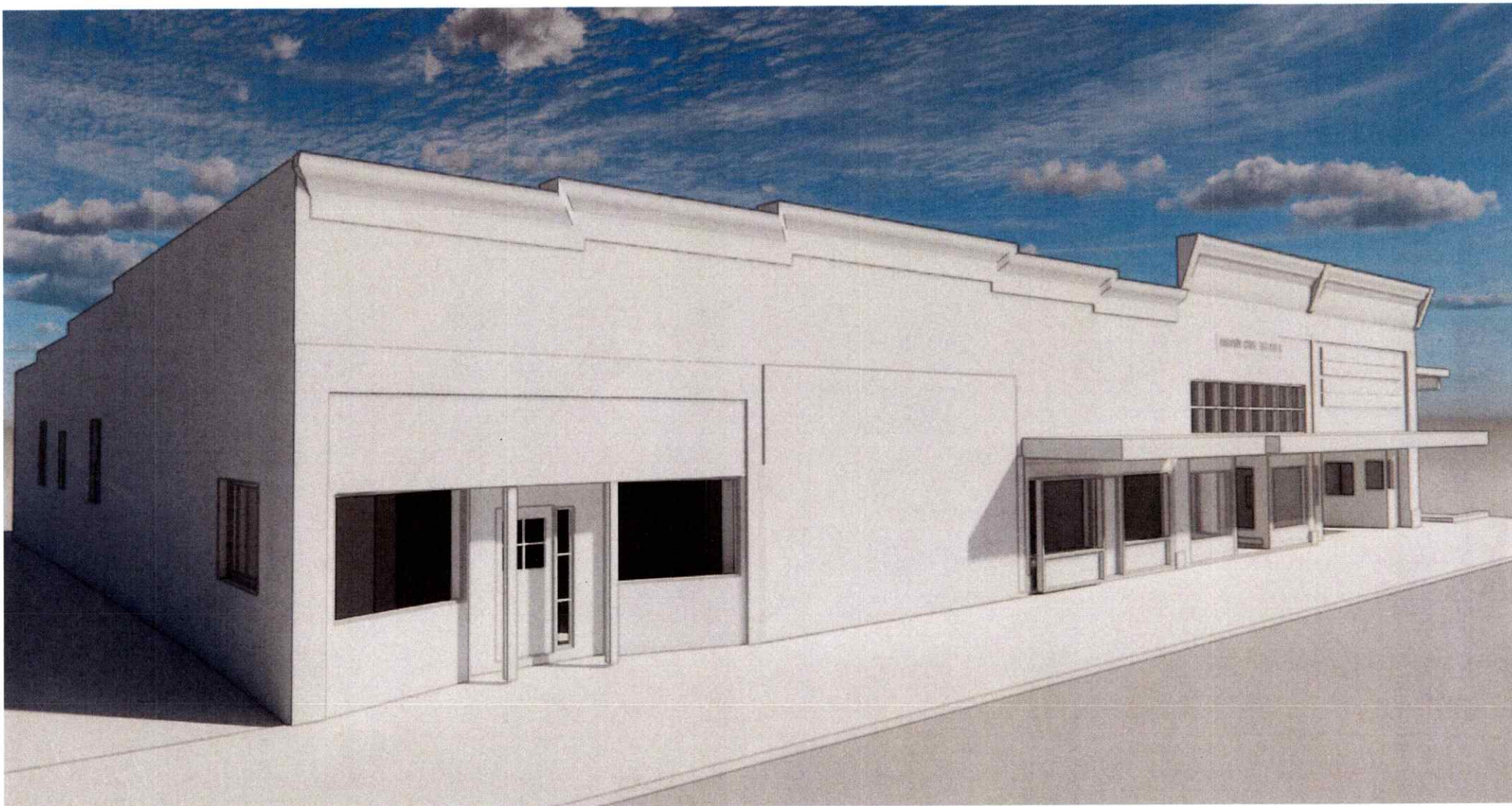
InfoHub - Albany's Community Map

Basemap Gallery

Layers

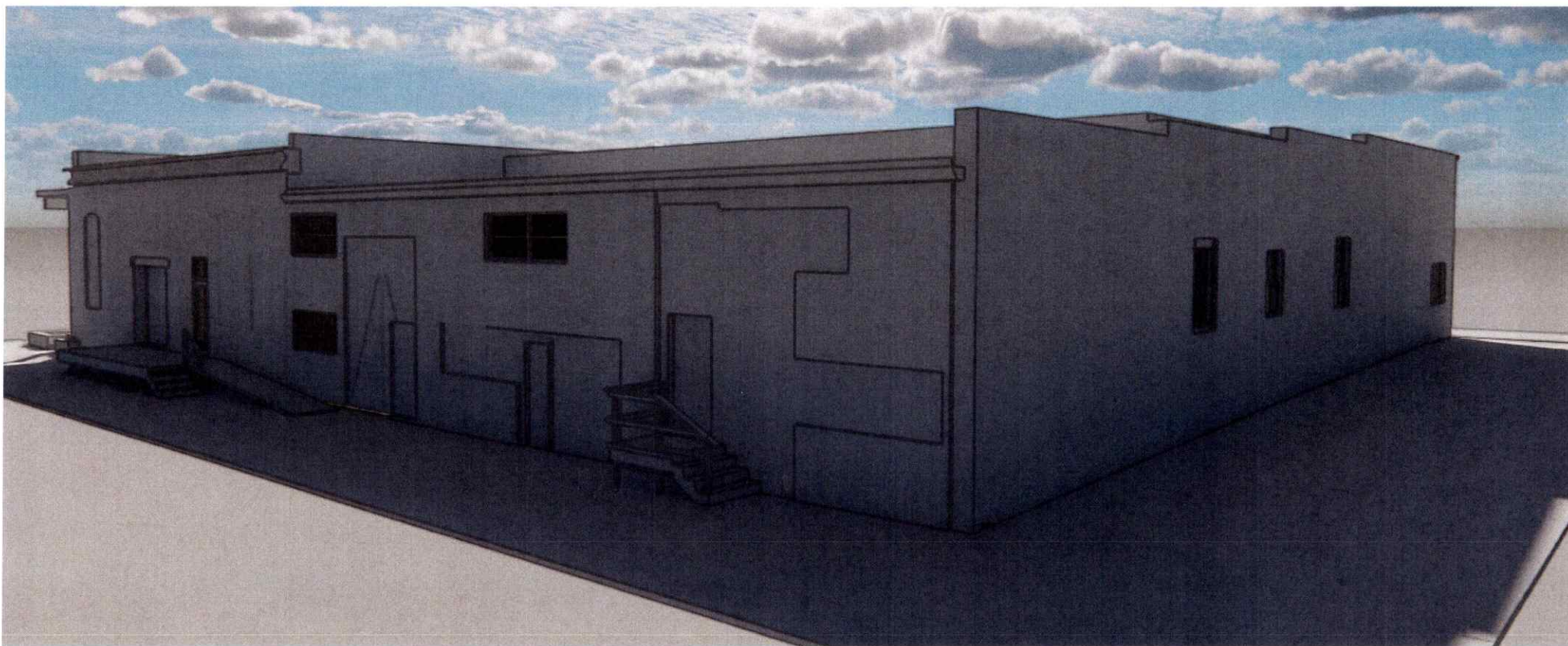
Info





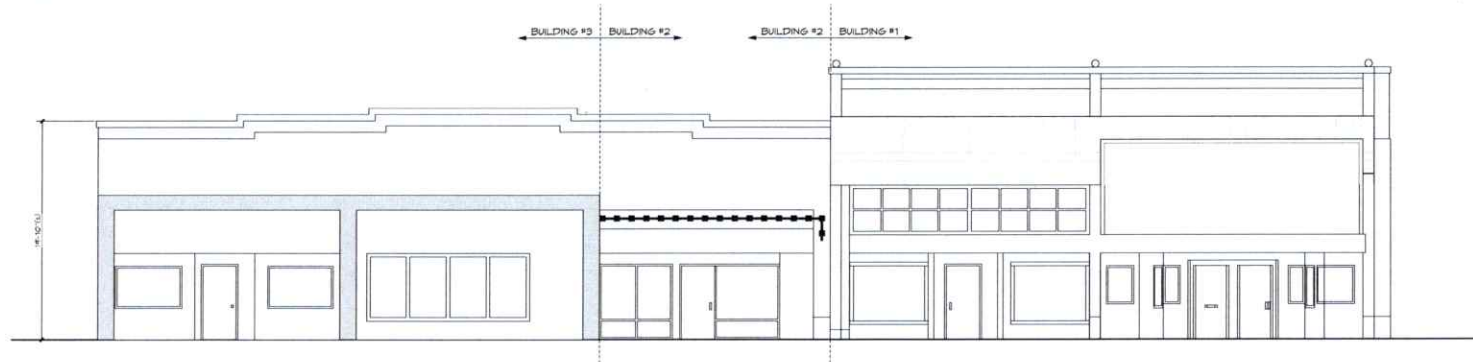
Front + west side

Existing Building Render
c. 2025

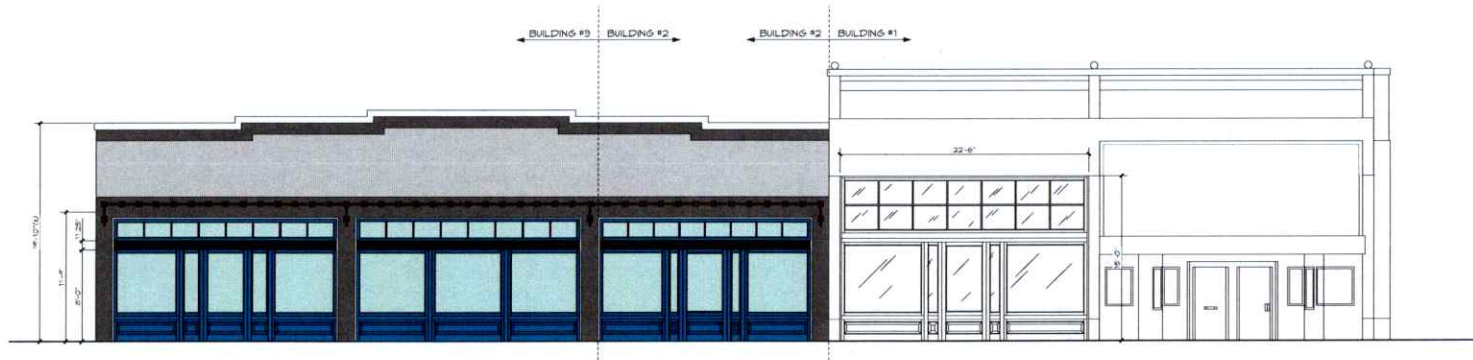


Rear + West side

Existing Building Render
c.2025



1 EXISTING FRONT ELEVATION
SCALE: 3/16" = 1'-0"



2 PROPOSED ELEVATION
SCALE: 3/16" = 1'-0"



FRONT ELEVATION

11

INTERIOR REMODEL FOR
JOSH MITCHELL
111 W 1ST AVE
ALBANY, OR 97321
JOSH - 541-251-3110

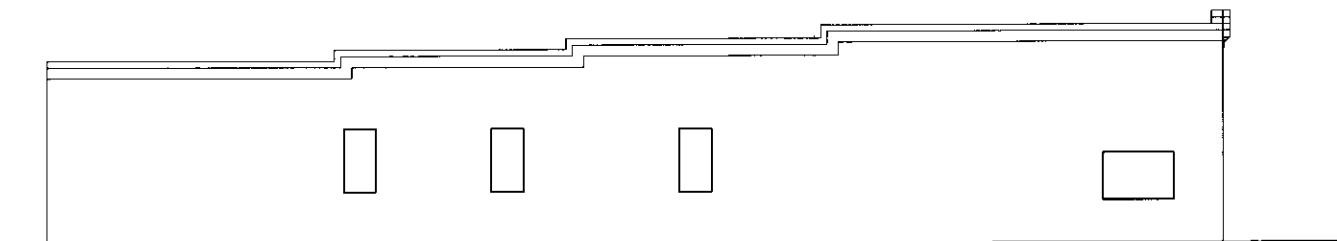


PRELIMINARY
THESE DRAWINGS ARE THE PROPERTY OF JKS DESIGN, INC. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY MANNER, EXCEPT BY THE DESIGNER'S WRITTEN PERMISSION.

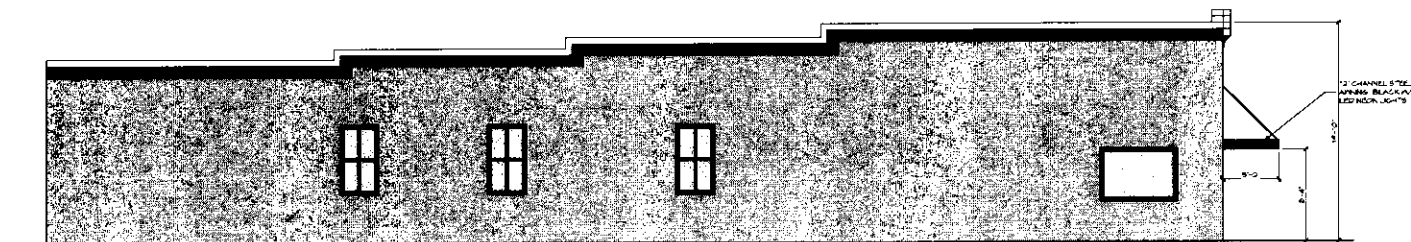
DATE: 4-8-2020
REVISION:
DRAWN BY: AMMON LIND
CHECKED BY:

JOB # 1261
SHEET 1 OF 6

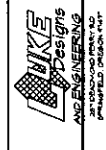
PAPER SIZE # 24 "X 36"



1 EXISTING SIDE ELEVATION
SCALE: 3/16" = 1'-0"



2 PROPOSED SIDE ELEVATION
SCALE: 3/16" = 1'-0"



SIDE ELEVATION
3/16" = 1'-0"

INTERIOR REMODEL FOR
JOSH MITCHEL
111 N 1ST AVE
ALBANY, OR 97311
JOSS - 844-281-3118



PRELIMINARY
THESE DRAWINGS ARE THE PROPERTY OF LJK DESIGN AND ENGINEERING, INC. AND ARE NOT TO BE LOANED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF LJK DESIGN AND ENGINEERING, INC.

DATE: 1/22/24
DESIGNED BY: JOSH MITCHEL
CHECKED BY: JOSH MITCHEL

JOB # 1261

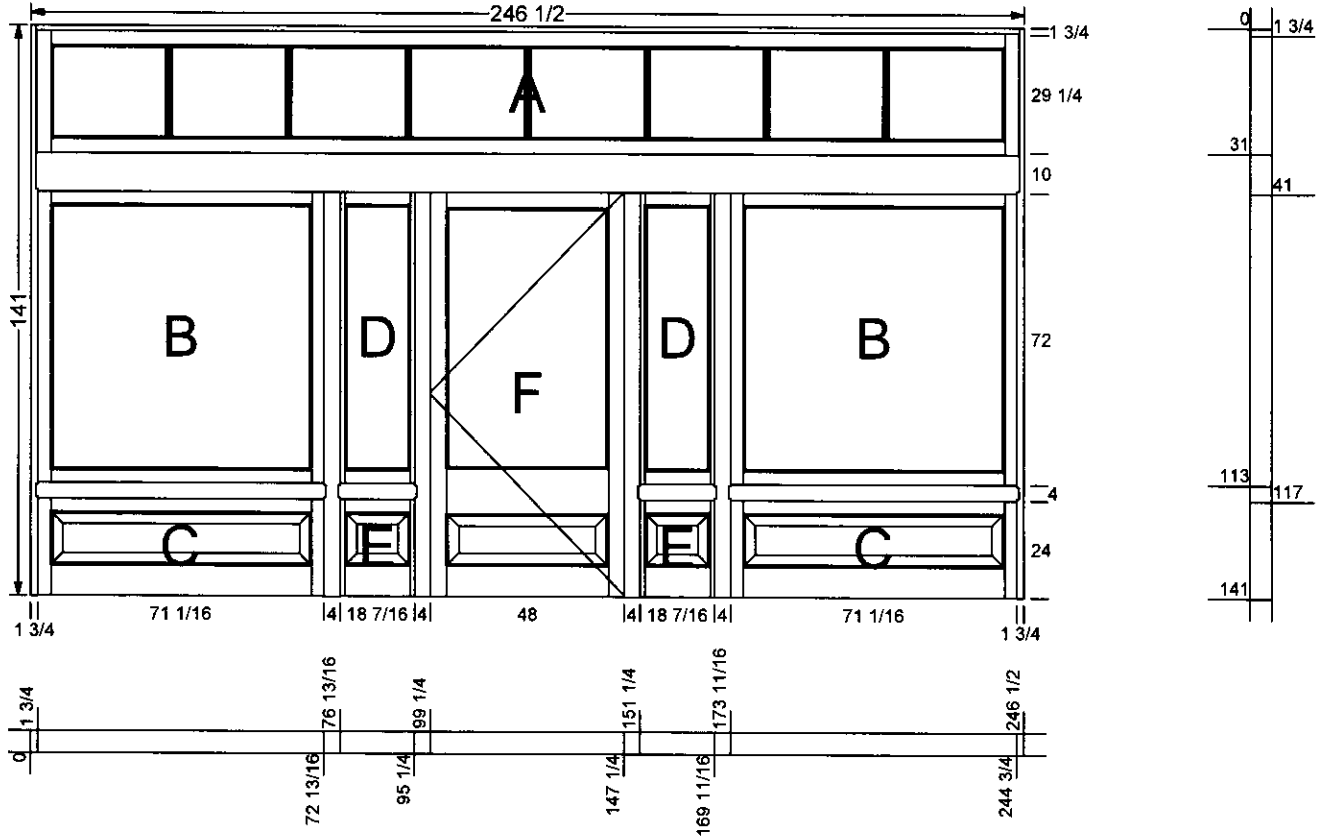
DATE: 2 OF 6

PAPER SIZE: 24 x 36

Client **Josh Mitchell**

Job **ALBANY CIVIC THEATER 111 W 1ST AVE**

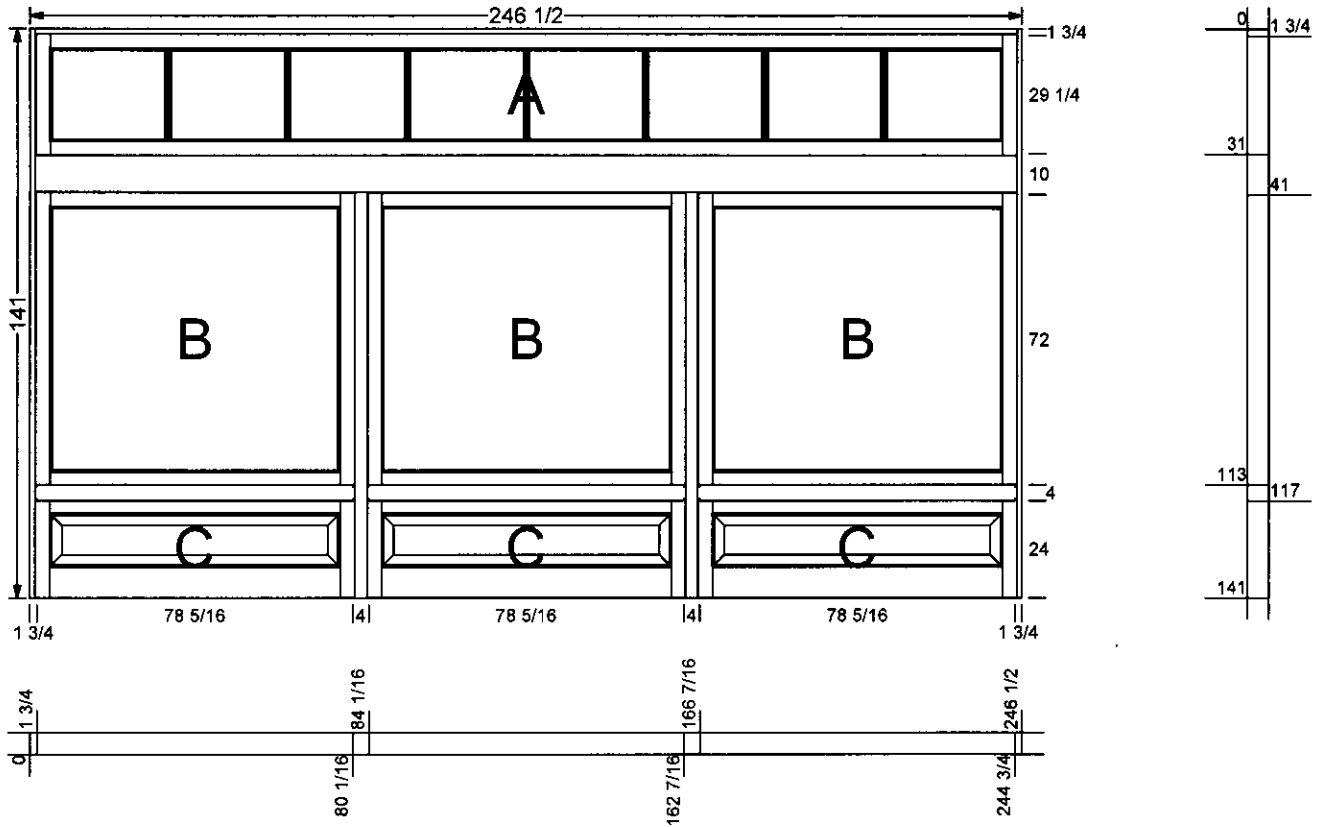
1 X Window - 1



129 1st Ave W

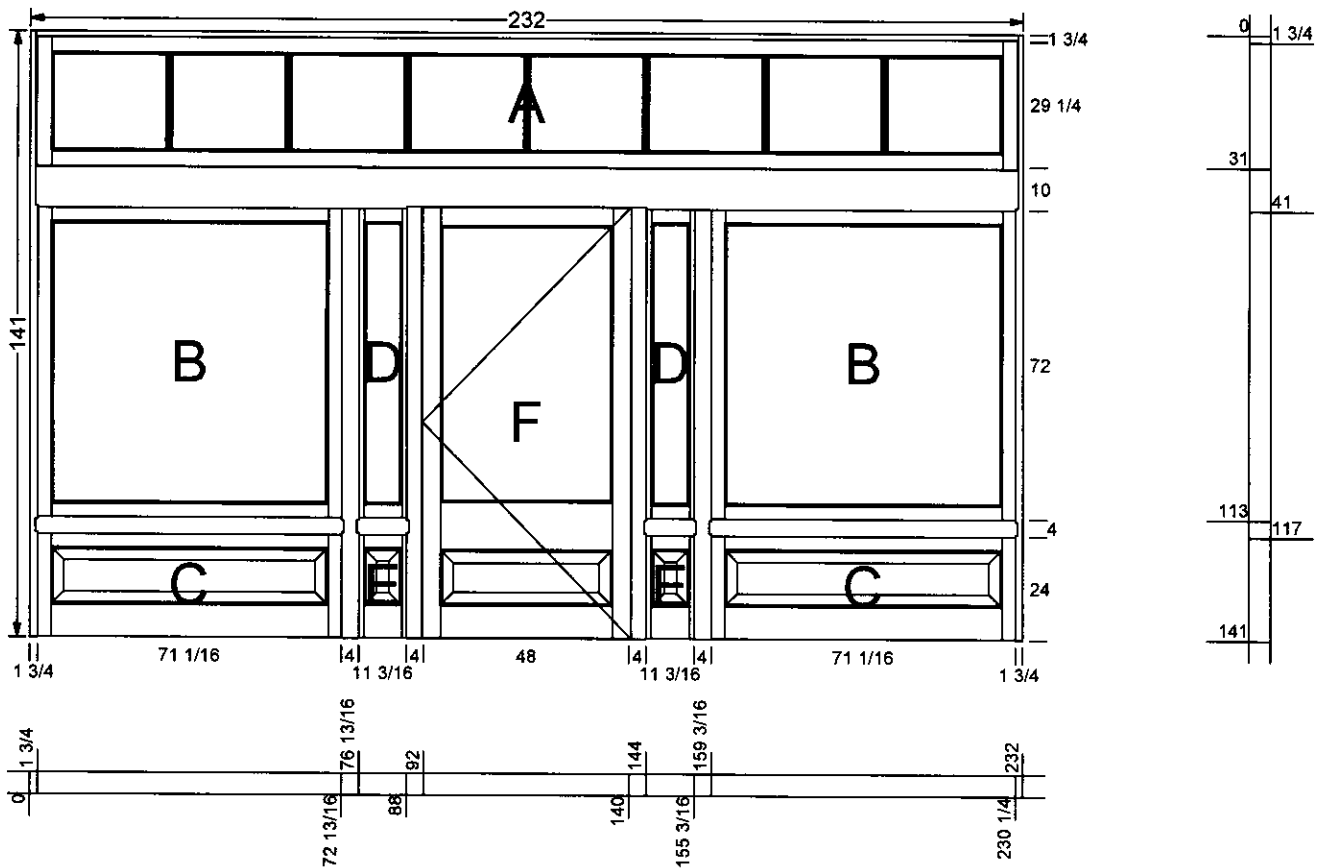
Large Drawings

1 X Window - 2



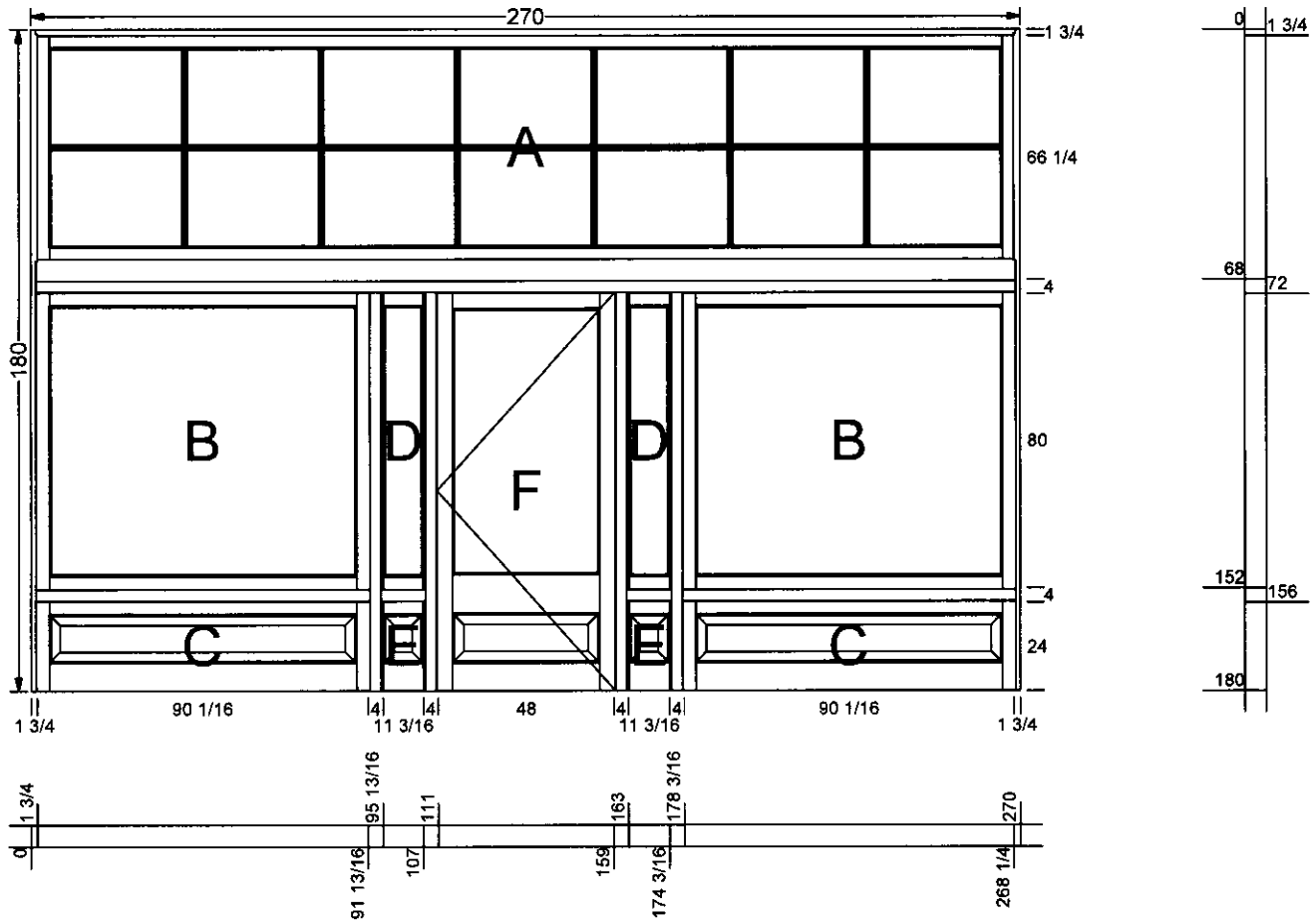
129 1st Ave W

1 X Window - 3



121 1ST Ave W

1 X Window - 4



113 1st Ave W

STAYTON WOOD WINDOWS

PO BOX 281 SUBLIMITY, OR 97385 + 503/930/8946 + MGS@STAYTONWOODWINDOWS.COM

Josh Mitchell
Tel: 541-231-3118


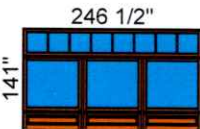
QUOTATION

Reference
Quotation Number
Date of Quotation 19 February 2025
Validity 30 days

ALBANY CIVIC THEATER 111 W 1ST AVE

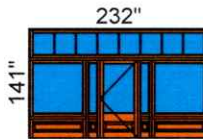
Dear Sir

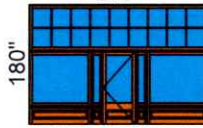
Thank you for your valued enquiry, below is a detailed specification for your project. Should you agree with the details please sign and return the order confirmation sheet enclosed with this Quotation. Should you require any changes please contact me when convenient to yourself.

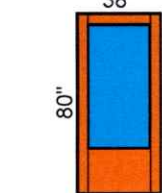
Item (sizes)	Description
	<p>Window - (1) External Jamb Timber Type: Douglas Fir 679.54 lbs</p> <p>Door 1 3/4" External Open in Door Timber Type: Douglas Fir 3/16 Laminate</p> <p>Casement Casement Sash Timber Type: Douglas Fir 3/16 Laminate</p>
	<p>Window - (2) External Jamb Timber Type: Douglas Fir 653.12 lbs</p> <p>Casement Casement Sash Timber Type: Douglas Fir 3/16 Laminate</p>

Carr

Brought F

Item (sizes)	Description
	<p>Window - (3) External Jamb Timber Type: Douglas Fir 649.81 lbs</p> <p>Door 1 3/4" External Open in Door Timber Type: Douglas Fir 3/16 Laminate</p> <p>Casement Casement Sash Timber Type: Douglas Fir 3/16 Laminate</p>

	<p>Window - (4) External Jamb Timber Type: Douglas Fir 782.03 lbs</p> <p>Door 1 3/4" External Open in Door Timber Type: Douglas Fir 3/16 Laminate</p> <p>Casement Casement Sash Timber Type: Douglas Fir 3/16 Laminate</p>
--	---

	<p>Door Frame - (5) THEATER CRASH DOORS External Jamb Timber Type: Douglas Fir 139.74 lbs</p> <p>Door 1 3/4" External Open in Door Timber Type: Douglas Fir 3/16 Laminate</p>
---	---

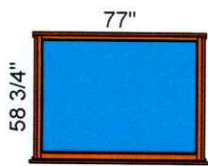
	<p>Window - (6) Casement Jamb Timber Type: Douglas Fir 133.70 lbs</p> <p>Casement Casement Sash Timber Type: Douglas Fir 3/16 Laminate</p>
--	--

	<p>Window - (7) Casement Jamb Timber Type: Douglas Fir 148.96 lbs</p> <p>Casement Casement Sash Timber Type: Douglas Fir 3/16 Laminate</p>
--	--

Carried F

Item (sizes) **Description**

Brought F



Window - (8)

Casement Jamb
Timber Type: Douglas Fir
59.22 lbs

Casement

Casement Sash
Timber Type: Douglas Fir
3/16 Laminate

Total Weight 3246.13 lbs

NOTES:

Diagrams of windows, doors and frames indicate style viewed from the outside and do not reflect s
All weights shown on this document are approximate and are intended to assist in manual handling
The colours shown are for presentation only and do not reflect the true finish colour of your timber c

Yours sincerely

Oregon Historic Site Record

LOCATION AND PROPERTY NAME			
address:	111 1st Ave W Albany, Linn County	historic name:	Realto Theatre
assoc addresses:		current/other names:	Albany Civic Theatre
location descr:		block/lot/tax lot:	
		twshp/rng/sect/qtr sect:	11S 3W 6
PROPERTY CHARACTERISTICS			
resource type:	Building	height (stories):	1.0
elig evaluation:	eligible/contributing	total elig resources:	
prim constr date:	c.1898	NR Status:	Listed in Historic District
	second date:	date indiv listed:	
primary orig use:	Theater	orig use comments:	
second orig use:		prim style comments:	
primary style:	Italianate	sec style comments:	
secondary style:	Commercial (Type)	siding comments:	
primary siding:	Brick:Other/Undefined	architect:	
secondary siding:		builder:	
plan type:			
comments/notes:			
GROUPINGS / ASSOCIATIONS			
Survey/Grouping Included In:	Type of Grouping	Date Listed	Date Compiled
Albany Downtown Commercial Historic District	Listed Historic District	12/09/1982	1998
SHPO INFORMATION FOR THIS PROPERTY			
NR date listed:	N/A	106 Project(s):	None
ILS survey date:		Special Assess Project(s):	None
RLS survey date:	03/01/1999	Federal Tax Project(s):	None
ARCHITECTURAL / PROPERTY DESCRIPTION			
<i>(Includes expanded description of the building/property, setting, significant landscape features, outbuildings and alterations)</i>			
Refer to scanned documents links.			
HISTORY			
<i>(Chronological, descriptive history of the property from its construction through at least the historic period - preferably to the present)</i>			
Refer to scanned documents links.			
RESEARCH INFORMATION			
Title Records	Census Records	Property Tax Records	Local Histories
Sanborn Maps	Biographical Sources	SHPO Files	Interviews
Obituaries	Newspapers	State Archives	Historic Photographs
City Directories	Building Permits	State Library	
Local Library:		University Library:	
Historical Society:		Other Respository:	
Bibliography:			

Oregon Historic Site Record

LOCATION AND PROPERTY NAME			
address:	121 1st Ave W Albany, Linn County	historic name:	
assoc addresses:		current/other names:	ACT Annex; Book Bin
location descr:		block/lot/tax lot:	
		twshp/rng/sect/qtr sect:	11S 3W 6
PROPERTY CHARACTERISTICS			
resource type:	Building	height (stories):	1.0
elig evaluation:	eligible/contributing	total elig resources:	
prim constr date:	c.1919	NR Status:	Listed in Historic District
		date indiv listed:	
primary orig use:	Warehouse	orig use comments:	
second orig use:			
primary style:	Commercial (Type)	prim style comments:	
secondary style:		sec style comments:	
primary siding:	Stucco	siding comments:	
secondary siding:			
plan type:		architect:	
		builder:	
comments/notes:			
GROUPINGS / ASSOCIATIONS			
Survey/Grouping Included In:	Type of Grouping	Date Listed	Date Compiled
Albany Downtown Commercial Historic District	Listed Historic District	12/09/1982	1998
SHPO INFORMATION FOR THIS PROPERTY			
NR date listed:	N/A	106 Project(s):	None
ILS survey date:		Special Assess	None
RLS survey date:	03/01/1999	Project(s):	None
		Federal Tax	None
		Project(s):	
ARCHITECTURAL / PROPERTY DESCRIPTION			
<i>(Includes expanded description of the building/property, setting, significant landscape features, outbuildings and alterations)</i>			
Refer to scanned documents links.			
HISTORY			
<i>(Chronological, descriptive history of the property from its construction through at least the historic period - preferably to the present)</i>			
Refer to scanned documents links.			
RESEARCH INFORMATION			
Title Records	Census Records	Property Tax Records	Local Histories
Sanborn Maps	Biographical Sources	SHPO Files	Interviews
Obituaries	Newspapers	State Archives	Historic Photographs
City Directories	Building Permits	State Library	
Local Library:		University Library:	
Historical Society:		Other Respository:	
Bibliography:			

Oregon Historic Site Record

LOCATION AND PROPERTY NAME			
address:	129 1st Ave W Albany, Linn County	historic name:	McAlphins Confectionery
assoc addresses:		current/other names:	The First Round Bar & Grill, the Westerner
location descr:		block/lot/tax lot:	
		twshp/rng/sect/qtr sect:	11S 3W 6
PROPERTY CHARACTERISTICS			
resource type:	Building	height (stories):	1.0
elig evaluation:	eligible/contributing	total elig resources:	
prim constr date:	c.1919	NR Status:	Listed in Historic District
	second date:	date indiv listed:	
primary orig use:	Restaurant	orig use comments:	
second orig use:		prim style comments:	
primary style:	Commercial (Type)	sec style comments:	
secondary style:		siding comments:	
primary siding:	Stucco	architect:	Charles Burggraf
secondary siding:		builder:	
plan type:			
comments/notes:			
GROUPINGS / ASSOCIATIONS			
Survey/Grouping Included In:	Albany Downtown Commercial Historic District	Type of Grouping	Listed Historic District
		Date Listed	12/09/1982
		Date Compiled	1998
SHPO INFORMATION FOR THIS PROPERTY			
NR date listed:	N/A	Special Assessment	106 Project(s): None
ILS survey date:		Status	Federal Tax
RLS survey date:	03/01/1999	Closed	Project(s): None
		Term	
		1st	
		End Yr	
		2005	
ARCHITECTURAL / PROPERTY DESCRIPTION			
<i>(Includes expanded description of the building/property, setting, significant landscape features, outbuildings and alterations)</i>			
Refer to scanned documents links.			
HISTORY			
<i>(Chronological, descriptive history of the property from its construction through at least the historic period - preferably to the present)</i>			
Refer to scanned documents links.			
RESEARCH INFORMATION			
Title Records	Census Records	Property Tax Records	Local Histories
Sanborn Maps	Biographical Sources	SHPO Files	Interviews
Obituaries	Newspapers	State Archives	Historic Photographs
City Directories	Building Permits	State Library	
Local Library:		University Library:	
Historical Society:		Other Respository:	
Bibliography:			

Dean Keeling
 Albany Civic Theater
 Unofficial Historian
 5417913059
mdkeeling1@gmail.com

To whom it may concern,

As ACT submits its proposals for the 129 W. First Ave property as well as the adjoining building previously owned by ACT. I wish to convey some facts that have been incorrect in the past in city/county/state records. In reading a past staff report on this property (HI-11-17) I note several inaccuracies. That document says the building is circa 1919. It also says the eastern building that is home to the theater auditorium was built c1898. These dates are better defined as 1923 and 1904.

The western building was built in the summer of 1923 by Charles Burggraf. Its initial use for the western 2/3rds (129 W. 1st) was as the Barrett Bros hardware and farm implement store. The eastern 1/3 was an extension of the Horsky Harness Shop. The 1999 historic resource survey form that is often used as a reference is very inaccurate. It lists the first use of 129 W 1st as a confectionary store. It was briefly such a business between 1932-35. The build date and first use facts are noted in the following newspaper article:

LOWER FLOOR OF BUILDING IS LET

Agreements were reported last evening to be nearing completion for the occupation of the entire lower floor of the new Burggraf building, on First street between Ellsworth and Lyon streets, now under construction.

Barrett Brothers, hardware and implement merchants, have leased the major portion of the ground floor, and will occupy two-thirds of the space on the west side of the building, running from front to rear. They will move in as soon as their new quarters are ready.

The Horsky Brothers' sporting goods store and harness shop, auto repairing establishment and vulcanizing plant will be so expanded as to include the eastern one-third of the building, running also from front to rear, but Horsky Brothers are planning to sub-lease a rear room to E. R. Cummings for storage purposes.

The building at First and Ellsworth streets, now occupied by Barrett Brothers, will be torn down, it is reported, by the owner, W. H. Goltra. What disposition will be made of the corner property has not yet been determined, so far as could be learned last night. Reports to the effect that this corner had been leased by the Union Oil company were found to be unconfirmed.

The Horsky establishment will be connected with the new building by means of doors to be cut through the wall now separating the present headquarters of this store from the new building. The Horsky brothers expect to devote their new space entirely to their vulcanizing plant and auto trimming work. They reported last night that growing business in that line had compelled them to seek more room, lack of which has handicapped them during the last year.

It is expected by the tenants of the new building that they will be enabled to move soon after August 1, the date set for the completion of the Burggraf building.

Albany Daily Democrat (Albany, Oregon) - 03 Jun 1923.

The eastern building was built in the autumn of 1904 after a fire cleared the area in August 1904. The Eastern part of this building was an extension of the Pratt and Co furniture store and the west portion was the Horsky Harness Shop. It was noted in the previous report that the eastern section was the historic Rialto movie theater starting in 1937, but the Rialto actually started there in 1933. Here are an article and ad supporting these facts:

A New Brick.

A new one story brick is to be erected on the 49 by 100 feet next west of the Baltimore block, on 27 feet owned by the First National bank, and 22 feet formerly covered by the Albany Lunch counter and owned by Mr. Shupe, which has been sold, the deed for which will be transferred tonight or tomorrow. The east part will be made a part of a big store for Pratt & Co. furniture dealers, to be arranged in a modern up-to-date style in connection with the present store, and the west part by J. J. Horsky, the harness maker.

The present store room of Mr. Horsky, with the second floor have been rented by McKillop & Churchill for their lunch counter on a long lease.

Albany Democrat (Albany, Oregon) • 07 Oct 1904

FORMAL OPENING
of the Beautiful, New

RIALTO

THEATER
Opposite Elk's Temple

FRIDAY, JULY 21, 7:00 p.m.

EVERYTHING NEW
Latest Sound and Projection Equipment
New Upholstered Seats

OPENING BILL
"The Phantom Broadcast"
Featuring
Ralph Forbes and Vivian Osborne

We'll be glad to see you and welcome you to this family theater

ADULTS—15c CHILDREN—10c

P. RAY HENDERSON, Proprietor

Albany Democrat-Herald (Albany, Oregon) • 20 Jul 1933

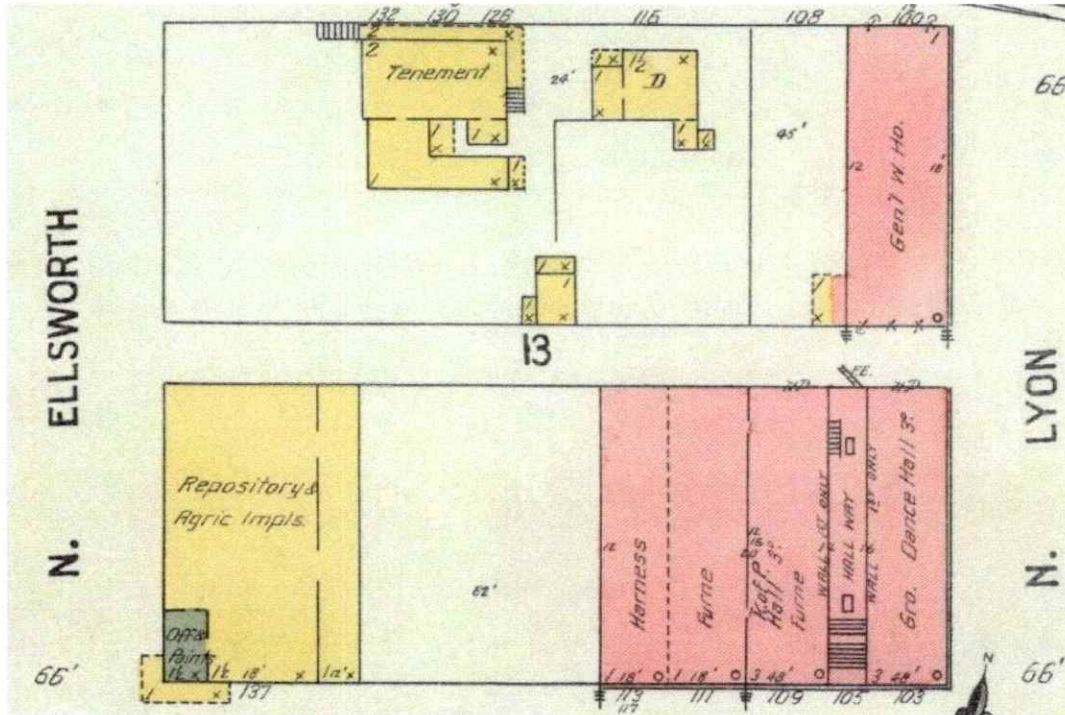
If you have any questions or would like more historical pictures of these buildings please do not hesitate to contact me.

Thanks,
Dean Keeling

111 W First Ave (ACT Auditorium) & 113 W First Ave (ACT Lobby)

- Built in 1904 on land that was cleared by fire in August 1904
- Italianate style architecture.
- Architect unknown, but possibly Charles Burggraf

Sanborn Map 1908



Picture 1909

111 W First

- First business in 111 W First was an extension of Pratt and Co. Furniture connected to the tall building next door (the Baltimore Building 1890)
- Some modifications to the front were made in 1912 to convert to the Hub Theatre, these changes were reverted in 1916 when the theatre closed
- From 1917-1932 the space was a series of Automobile related businesses



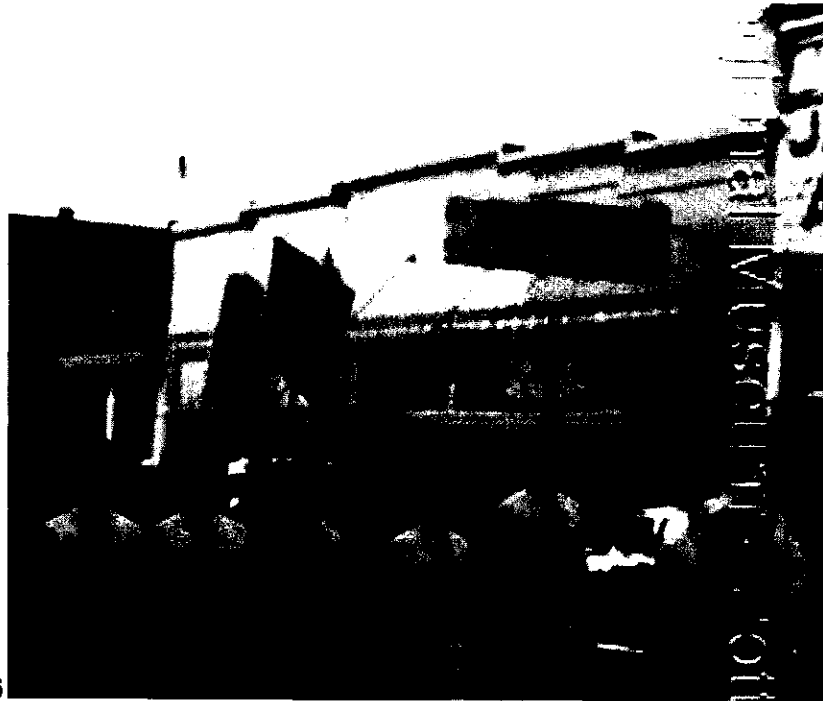
- Picture circa 1930
- 1932-1968 it housed the Rialto Theater

- The entire 1923 building (both addresses) was a Chevrolet dealership from 1930-32
- Picture Circa 1930, The earliest confirmed picture of the 1923 Burggraf Building

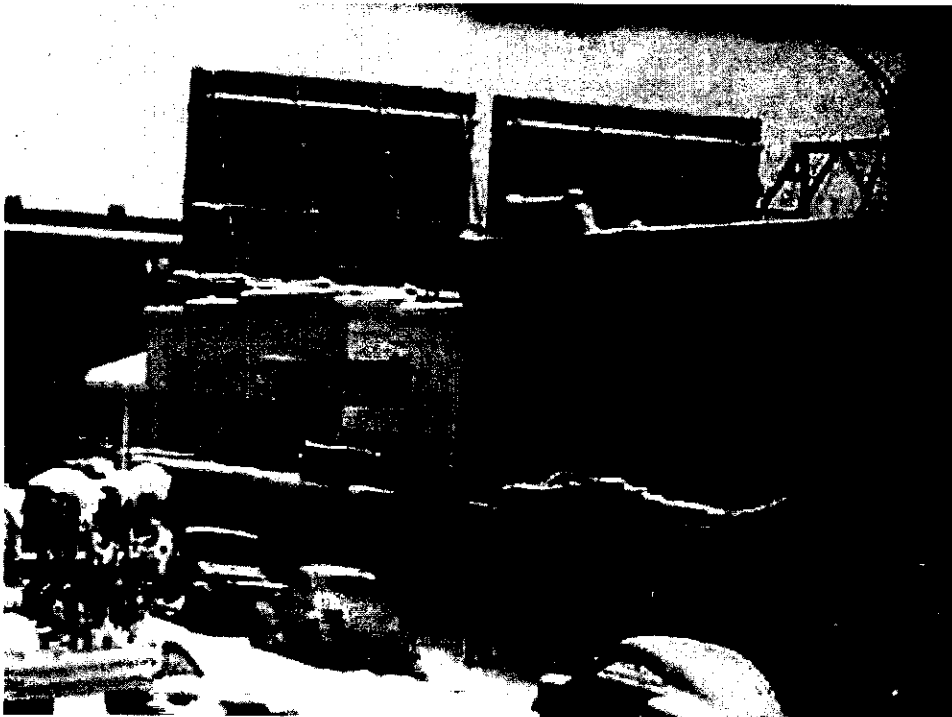


121 W First Ave

- Home to real estate and barbershop businesses from roughly 1932-1971. At some point (~1940's) an aluminum storefront and metal awnings were installed



- Picture Circa 1946
- Picture Circa 1953 there were large billboards on the roof



- From 1973-1989 121 W 1st was The Book Bin. ACT purchased it in 1989
- In 2005-2006 work was done to tie this portion of the building to match the 1904 building



- Picture June 1982
- Other updates can be seen in the pictures of 111 W First.

121 & 129 W First Ave

- Built in 1923
- No specific architecture style
- Architect, builder and owner, Charles Burggraf
- From the beginning the Eastern $\frac{1}{3}$ of the building (121 W 1st Ave) was separate from the western $\frac{2}{3}$ of the building (129 W 1st Ave)
- 121 Started as an extension of the Horsky Harness business
- 129 Started as the Barrett Bros farm implement store
- This may be the first picture of this building



The dealers get out the crowds in the Portland, Oregon, territory. Barrett Bros., Albany Oregon, were hosts to this group and enough more to make one hundred fifty. Their efforts resulted in one of the best attended and most interesting "schools" on the territory.

1924 ~ *The Harvester World*: Volume 15, Number 12, December 1924

- Blade signs were very common on this building

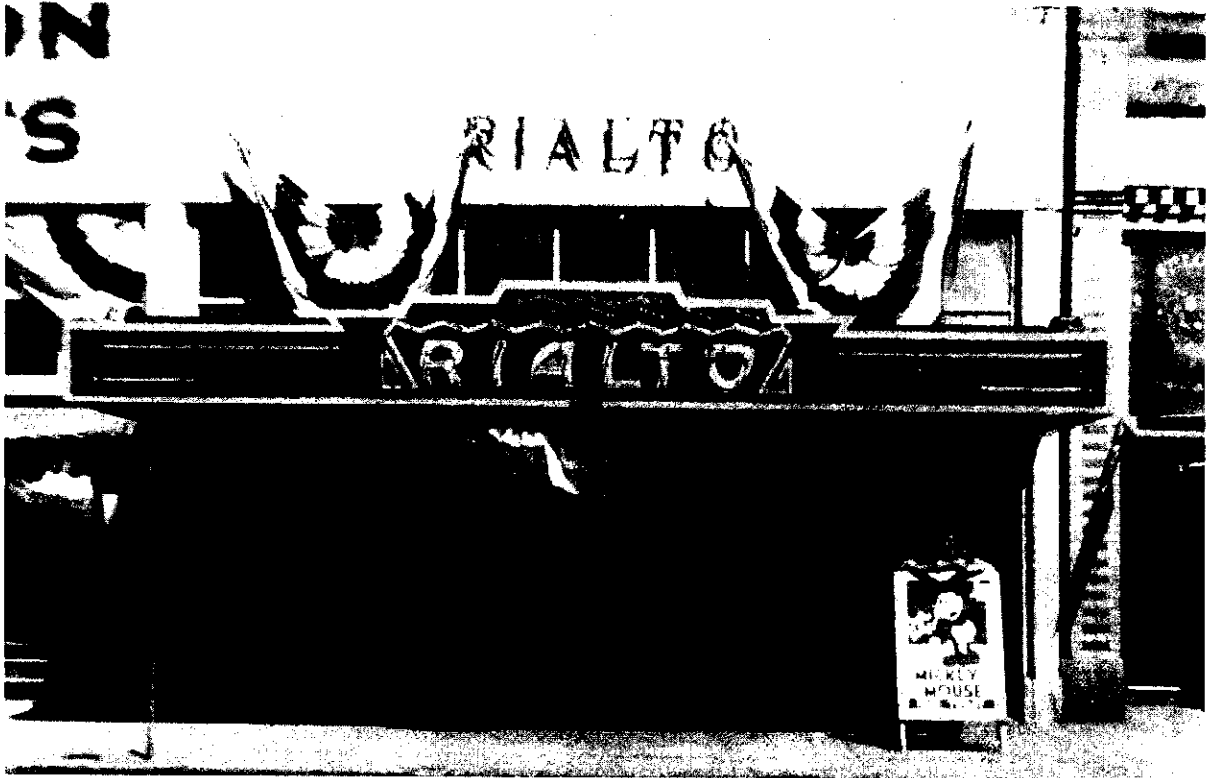
113 W First

- The first tenant was the Horsky Harness shop from 1905 to 1928
- From 1928-1981 it was a series of auto parts stores



- Picture Circa 1943
- At some point an aluminum and brick angled storefront was added and transom windows were covered.
- ACT purchased it in 1982

- Picture Circa 1937



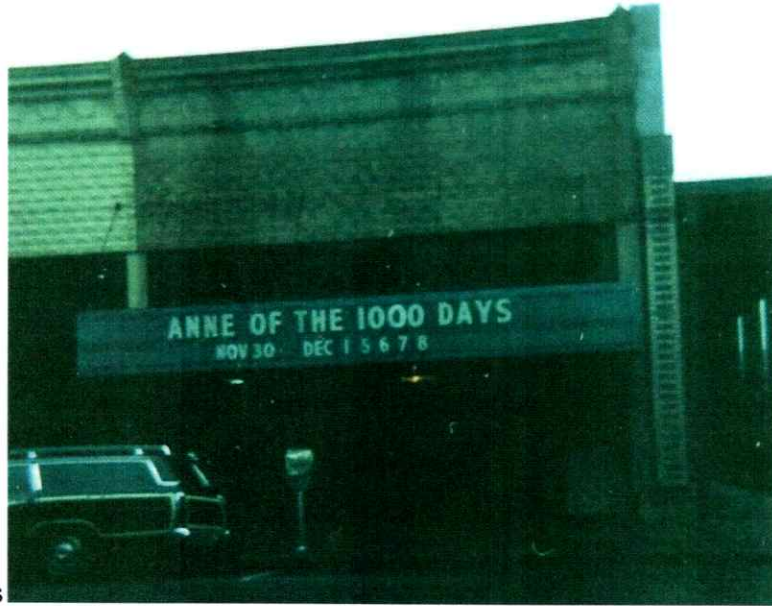
- Picture circa 1953
- Building purchased by Albany Civic Theater in 1968

- Picture circa 1968



- Picture circa 1972

- Picture Nov 1973, The Rialto marquee was covered with a letterboard since the late



1960's

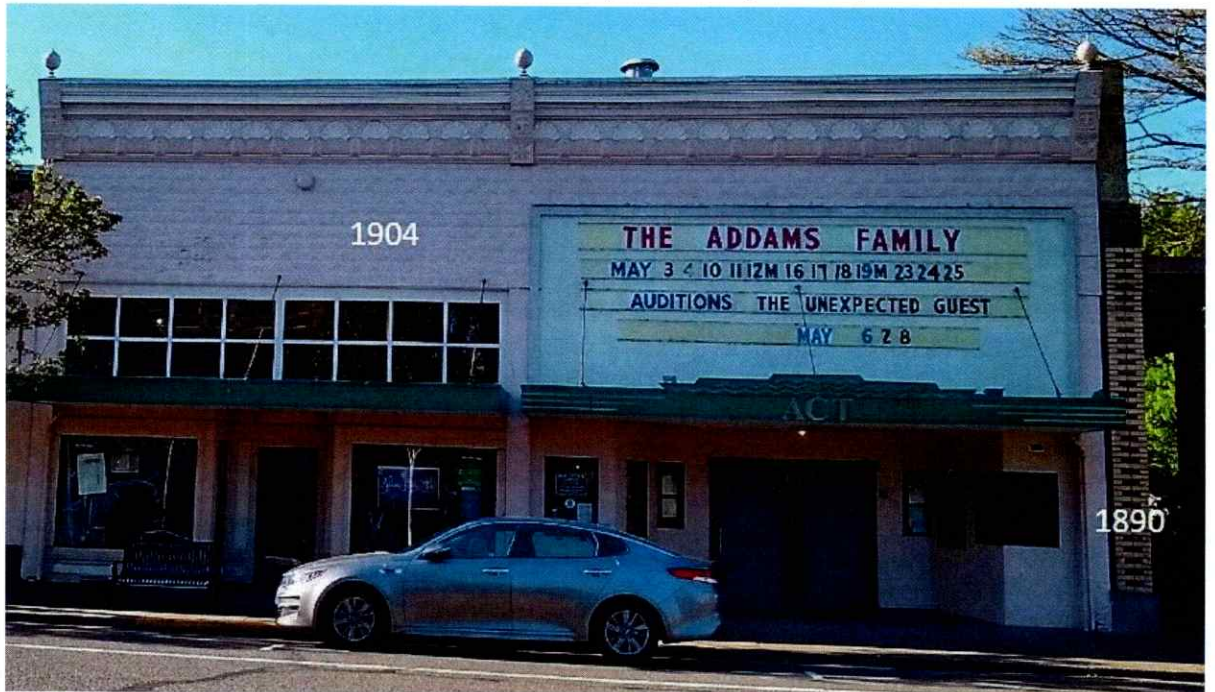


- Picture June 1982
- In 1983 the old marquee was removed and a cloth awning spanned both sides of the 1904 Building

- Picture Sept 1998



- In 2005/2006 the front facade was updated to something more historically accurate
- Picture from May 2019. Note that the Eastern brick wall was once part of the 1890 Baltimore building that burned in 1962, converted to a one story building for several years and was demolished in 1970 to build the Lyon St Bridge and a park.





- Picture from 2019

129 W 1st Ave

- From 1932-2016 It was almost always home to a series of restaurant/bar/taverns and had many changes to the front facade
- Picture from the mid-1940's



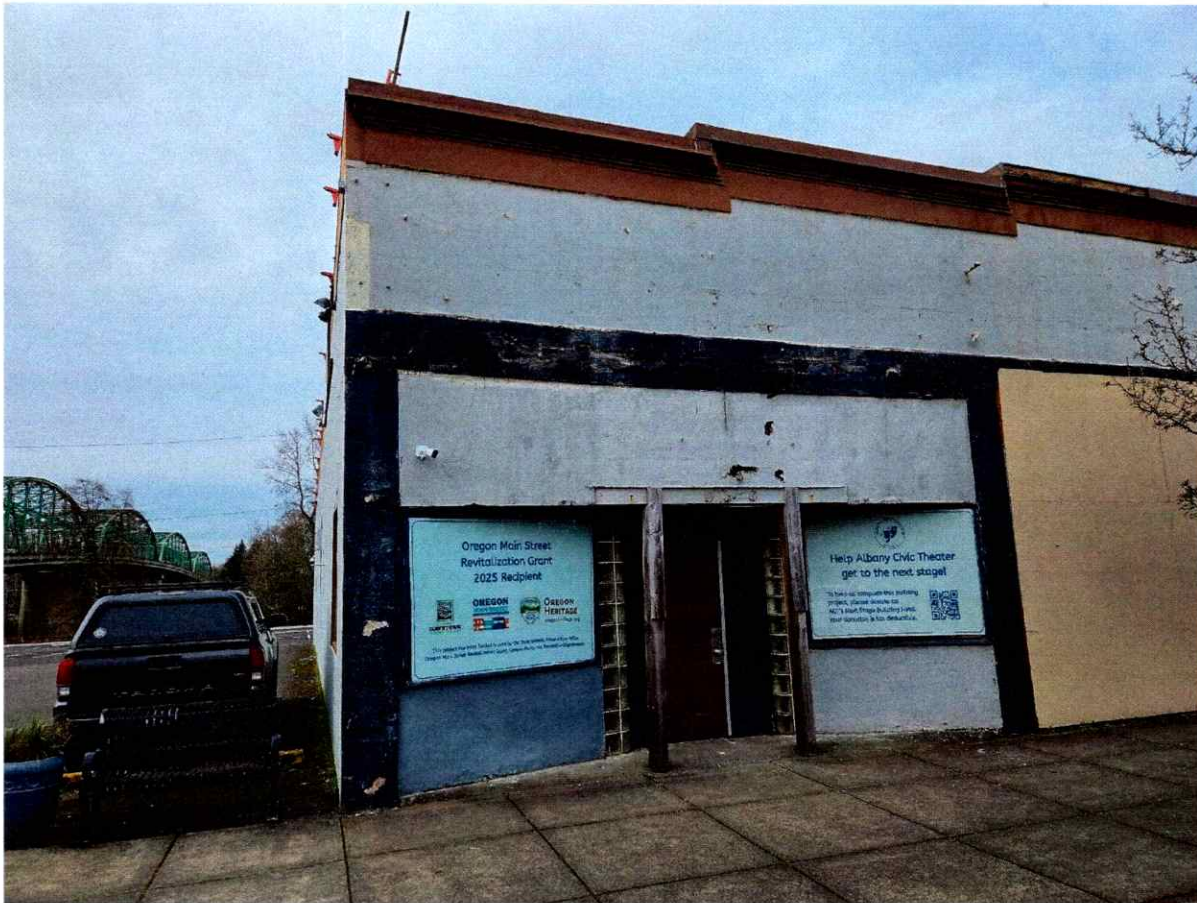
- By the late 1960's the front facade transom windows were covered and an artificial stone facade was added
- The Western wall had 4 windows covered over and a large sign was painted on the side



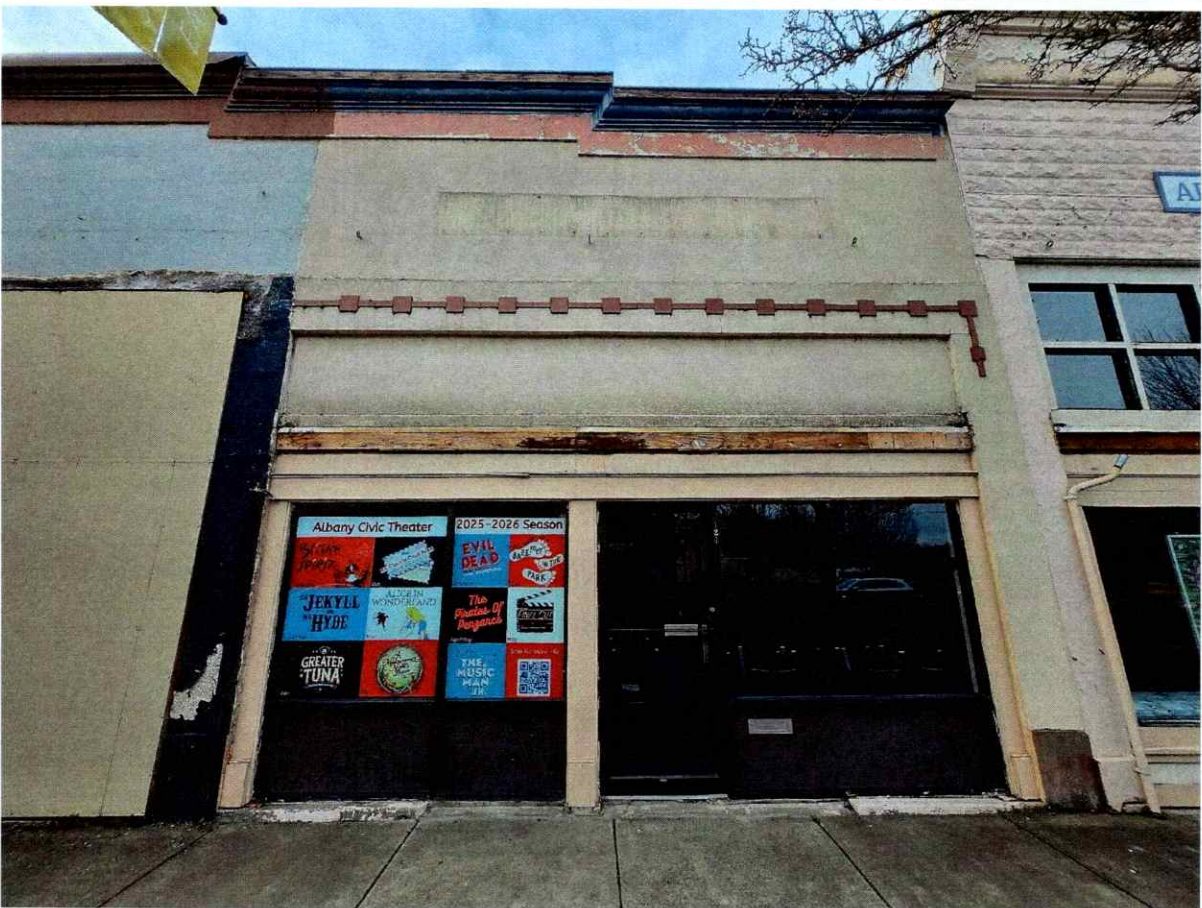
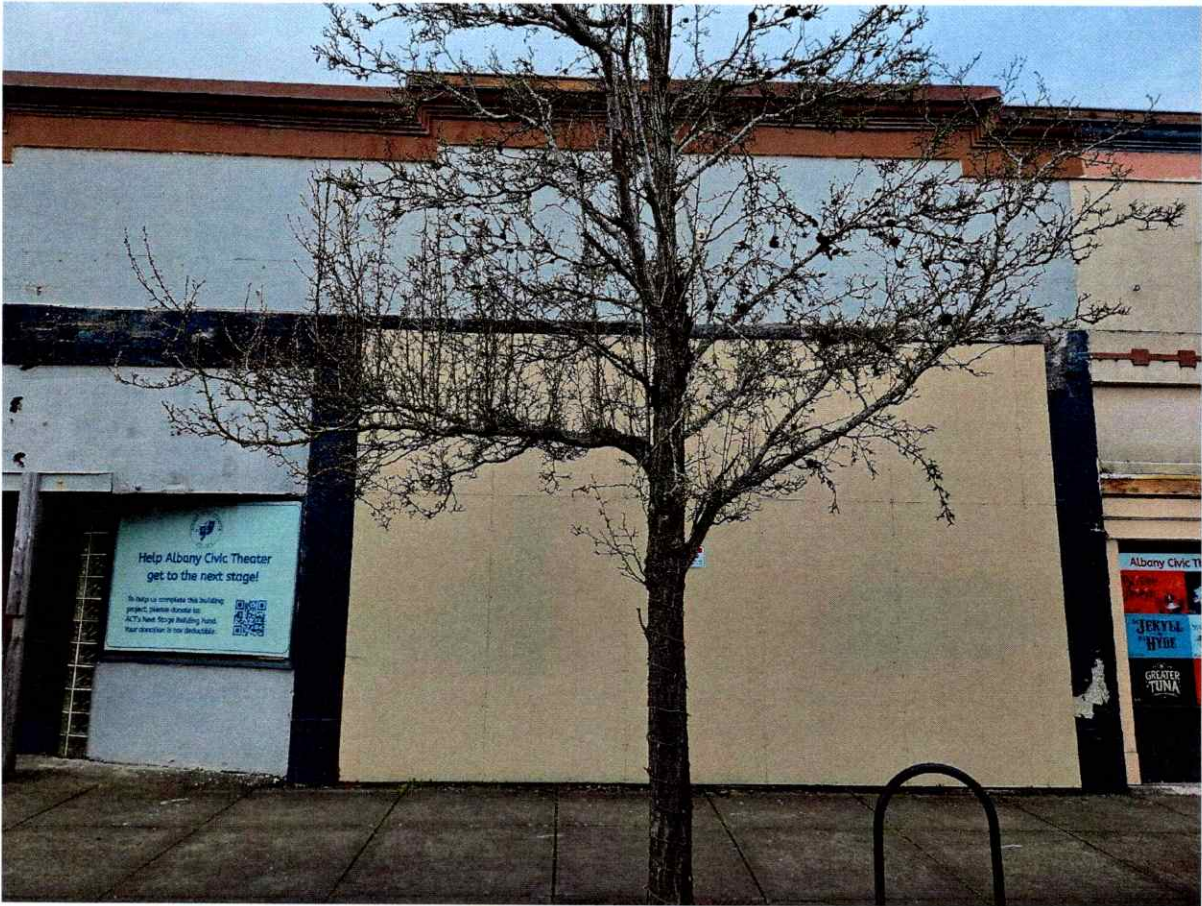
- Picture from 1982
- In the '80s or 90's the false stone facade was removed and replaced with a modern storefront.
- In 2016 work on the front facade was halted due to structural instability. It has been in this state since that time.
- Picture from 2019



- ACT purchased it in 2025



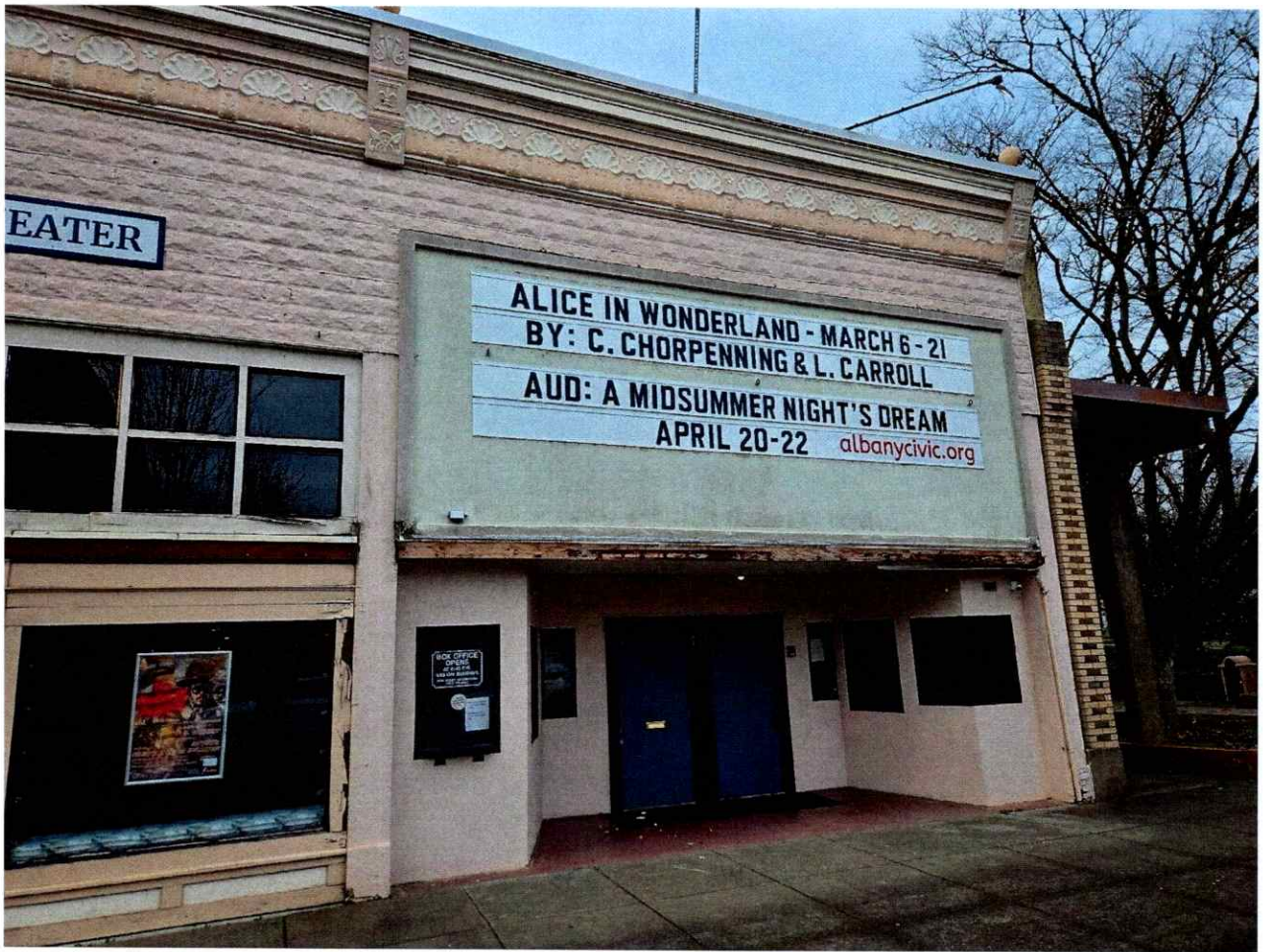
129 1st Ave W c. 2026



129 1st Ave W c. 2026
121 1st Ave W c. 2026



113 1st Ave W c. 2026



111 1st Ave W c13p26

Oregon Model Historic Preservation Ordinance

October 2019

The Oregon State Historic Preservation Office provides this ordinance to our partners as a starting point. The document meets the requirements of the Certified Local Government (CLG) program by establishing a commission; creating inventory, designation, and design-review processes; allowing for appeals of commission decisions; and requiring the commission to follow existing national and state preservation laws. The model also complies with Oregon's Administrative Rule for Statewide Planning Goal 5 (OAR 660-023-0200), addressing inventory, designation, and protection of historic resources; owner consent; removal of a historic resource from the resource list; and protection of properties listed in the National Register of Historic Places.

The document includes highlighted text and text boxes, they indicate the following:

- **Blue highlighted** text sets out the minimum requirements to comply with federal and state law and participation in the CLG program. The wording of the blue text can vary in some circumstances, but check with the SHPO before changing the text.
- **Green highlighted** text notes where the text must be edited to meet the specific needs of the local government.
- Text boxes explain where a local government has flexibility to adapt the model ordinance to fit their existing regulatory structure and the reasoning for including certain provisions.

The model ordinance relies on two organizing principals:

- The creation of a Historic Preservation Officer who is responsible for carrying out the provisions of this ordinance. Identifying a single position with specific duties makes it clear who is responsible for the ordinance's administrative processes and decisions not made by the Commission.
- The intentional creation of documents through public process that assist in the ongoing administration of the program. The Historic Resource Inventory, Resource List, Record of Designation, Certificate of Appropriateness, and other documents named in the ordinance provide evidence of due process, and may be referred back to for design review, creation of educational outreach programs, or other purposes.

The State Historic Preservation Office encourages every community to write the ordinance that is right for them. Communities looking for a more robust ordinance can use this document as a basis to create ambitious incentive programs or more specific regulations. This sample can also be adjusted for those communities that prefer fewer regulations and simpler processes. Others may choose to borrow passages or concepts from this model to include in their own existing ordinances.

This model ordinance assumes that your community's planning code already includes procedures to address economic hardship, appeals of land use decisions, resubmission of land use applications, and code enforcement. The SHPO strongly encourages these provisions be included in preservation ordinance if not already in the local land use code.

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DEFINITIONS

Staff Notes: Definitions required to conform to Certified Local Government (CLG) program are highlighted in bold blue font. Optional definitions are highlighted in bold green font. Definitions currently located in Article 7 are in black font and not bolded.

As used in this Article, the following words and phrases shall have the following meanings:

Alteration: means a physical modification of the exterior of a Significant Historic Resource and the interior of a Significant Historic Resource owned by the City identified as significant in the record of Designation. Alterations do not include painting, color selection, or ordinary maintenance or repair of a Significant Historic Resource unless such activity alters a character-defining feature.

Archaeological Object: means an object that is at least 75 years old; is part of the physical record of an indigenous or other culture found in the state or waters of the state; and is material remains of past human life or activity that are of archaeological significance including, but not limited to, monuments, symbols, tools, facilities, technological by-products and dietary by-products.

Archaeological Site: means a geographic locality in Oregon, including but not limited to submerged and submersible lands and the bed of the sea within the state's jurisdiction, that contains archaeological objects and the contextual associations of the archaeological objects with each other; or biotic or geological remains or deposits. Examples of archaeological sites include but are not limited to shipwrecks, lithic quarries, house pit villages, camps, burials, lithic scatters, homesteads and townsites.

Building: means a house, barn, church, hotel, or similar construction created principally to shelter any form of human activity.

Certificate of Appropriateness: means a document issued by the Historic Preservation Officer indicating that the applicant satisfactorily met the provisions of this regulation for the preservation, rehabilitation, reconstruction, alteration, relocation, or demolition of a Significant Historic Resource, or new construction within the designated boundary of a Significant Historic Resource.

Character-Defining Feature(s): means the visual and physical aspect(s) of a Locally Significant Historic Resource that convey its historic integrity and historic significance.

Demolition: means any act that destroys, removes, or relocates, in whole or part, a National Register Resource such that its historic, cultural, or architectural character and significance is lost. [Currently in Article 7]

District: means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Eligible/Contributing: means a historic resource in existence within the applicable period of significance that retains and exhibits sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties strengthen the historic integrity of an existing or potential historic district.

Eligible/Significant: means a historic resource in existence within the applicable period of significance that retains and exhibits sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties strengthen the historic integrity of an existing or potential historic district, and are likely individually eligible for designation to the Resource List.

Exceptional Significance: means the quality of historic significance achieved outside the usual norms of age, association, or rarity.

Exterior Alteration: Any physical changes to the exterior of an existing structure; generally excludes maintenance work such as painting and repairs.

Historic Context Statement: means an element of the Albany comprehensive plan that describes the important broad patterns of historical development in the City of Albany and the region and identifies historic resources representative of the important broad patterns of historic development. The Historic Context Statement also identifies Historic Resources that are representative of the important broad patterns of historical development.

Historic Contributing: A building or structure originally constructed before 1946 that retains and exhibits sufficient integrity (materials, design, and setting) to convey a sense of history. These properties strengthen the historic character of the district. [Ord. 5488, 7/11/01]

Historic Integrity: A measure of authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period in comparison with its unaltered state; for example, a historic building of high integrity has few alterations or ones that can be easily reversed.

Historic Integrity: means the quality of wholeness of historic location, design, setting, materials, workmanship, feeling, and/or association of a historic resource.

Historic Non-contributing: A building or structure originally constructed before 1946 that retains but does not exhibit sufficient historic features to convey a sense of history.

These properties do not strengthen the historic character of the district in their current condition. [Ord. 5488, 7/11/01]

Historic Preservation Officer: means the appointed official responsible for the administration of this regulation.

Historic Preservation Plan: means an element of the City of Albany comprehensive plan that contains Albany’s goals and policies for historic resource preservation and the processes for creating and amending the program to protect Significant Historic Resources.

Historic Resources: means those buildings, structures, objects, sites, or districts that potentially have a significant relationship to events or conditions of the human past.

Historic Resource Inventory: means the record of buildings, structures, objects, sites, and districts recorded by the City of Albany used to identify historic resources that may be determined significant and designated to the Resource List.

Historic Significance: means the physical association of a building, structure, site, object, or district with historic events, trends, persons, architecture, method of construction, or that have yielded or may yield information important in prehistory or history.

Landmark: All designated historic buildings or structures on the Local Historic Inventory are considered landmarks. A landmark is either a historic contributing building, site, structure or object within a historic district, is listed individually on the National Register of Historic Places, or is on the Local Historic Inventory but located outside a historic district.

Landmarks Commission: The Landmarks Commission conducts quasi-judicial public hearings on Type III planning applications affecting historic resources, and acts as an advisory board to the City Council on decisions that could affect historic resources, per Albany Municipal Code, section 2.76.050. [Ord. 5488, 7/11/01, Ord. 5945, 9/25/20]

Local Historic Inventory: A list of historic properties that have been determined significant by the Landmarks Commission and City Council for either their architecture or history based on the criteria of the National Register. It includes properties located within the listed National Register historic districts and buildings, sites, structures, objects, and districts located outside of the listed National Register Districts. [Ord. 5945, 9/25/20]

Locally Significant Historic Resource: means a building, structure, site, object, or district designated to the City of Albany’s Resource List.

National Register of Historic Places: The nation’s official list of districts, sites,

buildings, structures, and objects significant in American history, architecture, archeology, and culture. In Albany, this includes all properties within the National Register Historic District boundaries and properties listed individually outside of designated historic districts.

National Register Resource: means buildings, structures, objects, sites, or districts listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended (PL 89-665; 16 U.S.C 470). [Currently in Article 7]

Non-Contributing: means a historic resource in existence within the applicable period of significance that does not retain or exhibit sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties do not strengthen the historic integrity of an existing or potential historic district in their current condition.

Non-contributing: A building or structure that was originally constructed after 1945, outside the period of significance. [Ord. 5488, 7/11/01]

Not in Period: means a building, structure, object, or site that was originally constructed outside the applicable period of significance.

Object: A construction that is largely artistic in nature or is relatively small in scale and simply constructed in comparison to buildings or structures, including a fountain, sculpture, monument, milepost, etc.

Owner:

- a. Means the owner of fee title to the property as shown in the deed records of the county where the property is located; or
- b. Means the purchaser under a land sale contract, if there is a recorded land sale contract in force for the property; or
- c. Means, if the property is owned by the trustee of a revocable trust, the settlor of a revocable trust, except that when the trust becomes irrevocable only the trustee is the owner; and
- d. Does not include individuals, partnerships, corporations or public agencies holding easements or less than fee interests (including leaseholds) of any nature; or
- e. Means, for a historic resource with multiple owners, including a district, a simple majority of owners as defined in (i)-(iv).
- f. Means, for National Register Resources, those individuals, partnerships, corporations or public agencies holding fee simple title to property. Owner or owners does not include individuals, partnerships, corporations or public

agencies holding easements or less than fee interests (including leaseholds) of any nature.

Period of Significance: means the time period, from one to several years or decades, during which a Significant Historic Resource was associated with an important historic event(s), trend(s), person(s), architecture, or method(s) of construction.

Period of Significance: The span of time when a property or district attained its significance that meets the National Register criteria.

Preservation: means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a Significant Historic Resource.

Record of Designation: means the official document that describes how a Locally Significant Historic Resource meets the criteria for designation to the Resource List.

Reconstruction: means the act or process of depicting, by means of new construction, the form, features, or detailing of a non-surviving building, or structure for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation: means the process of returning a Significant Historic Resource to a state of utility through repair or alteration, which makes possible a use while preserving those portions and features of the Significant Historic Resource and its site that convey its historic significance.

Relocation: means moving of a Significant Historic Resource from its original location described in the Record of Designation.

Restoration: means the act or process of accurately depicting the form, features, and character of a historic-contributing resource or historic-non-contributing resource as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Resource List: The list of Locally Significant Historic Resources adopted by City of Albany in its [comprehensive plan / historic preservation ordinance / other referenced document] as important to its history and afforded the protection under this regulation.

Significant Historic Resource: means a Locally Significant Historic Resource and/or a National Register Resource.

Site: means the location of a significant event, prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of any existing building, structure, or object.

State Historic Preservation Office: Each State has a designated State Historic Preservation Office (SHPO) to help the Federal government administer provisions of the National Historic Preservation Act. The SHPO is aided by a professional staff and review board.

Structure: means a functional construction made usually for purposes other than creating human shelter, such as an aircraft, bridge, fence, dam, tunnel, etc.

Streetscape: means the physical parts and aesthetic qualities of a public right-of-way, including the roadway, gutter, tree lawn, sidewalk, retaining walls, landscaping and building setback.

Substitute Materials: Materials made from different sources than the original materials. For example: If wood were the original material for siding, window or trim, material other than wood would be a substitute material. (Examples of substitute materials are plastic; vinyl; aluminum, and concrete.) [Ord. 5463, 9/13/00]

HISTORIC REVIEW OF DEMOLITIONS OR RELOCATIONS

Staff Notes: Definitions required to conform to Certified Local Government (CLG) program are highlighted in bold blue font. Optional definitions are highlighted in bold green font. Definitions currently located in Article 7 are in black font and not bolded.

7.300 **Purpose.** The purpose of reviewing demolition/relocation requests involving a historic landmark is to explore all possible alternatives for preservation. Demolition of historic landmarks is an extreme and final measure. [Ord. 5463, 9/13/00]

7.310 **Procedure.** Demolition/Moving permits will be processed in accordance with the following:

(1) The Building Official shall issue a permit for relocation or demolition if any of the following conditions exist:

- (a) The building or structure is designated non-contributing within a National Register nomination.
- (b) The building or structure is not a designated contributing National Register Resource, and it has been damaged in excess of 70 percent of its previous value in a fire, flood, wind, or other Act of God, or vandalism.

(2) Those requests not meeting Building Official approval conditions shall be reviewed by the Landmarks Commission. The application shall be submitted at least 35 days in advance of the next regularly scheduled public hearing/meeting of the Landmarks Commission, unless waived by the Director when adequate notice can otherwise be achieved. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

7.320 **Application Contents.** An application for the demolition or relocation of a rated structure must contain the following information:

(1) A description of the previous and existing uses of the structure and the intended future use of the property.

(2) A drawing showing the location of the building on the property and any other buildings on the property.

(3) The overall height of the building and the general type of construction.

(4) A written statement addressing the review criteria and providing findings of fact in support of the request. [Ord. 5463, 9/13/00]

7.330 **Review Criteria.** The Landmarks Commission must find that the demolition or relocation request meets the following applicable criteria:

(1) No prudent or feasible alternative exists, or

- (2) The building or structure is deteriorated beyond repair and cannot be economically rehabilitated on the site to provide a reasonable income or residential environment compared to other structures in the general area, or
- (3) There is a demonstrated public need for the new use that outweighs any public benefit that might be gained by preserving the subject buildings on the site.
- (4) The proposed development, if any, is compatible with the surrounding area considering such factors as location, use, bulk, landscaping, and exterior design.
- (5) If the building or structure is proposed to be moved, moving to a site within the same historic district is preferred to moving it outside the district.
- (6) **The request is consistent with Oregon Administrative Rules 660-023-0200(8)(a) and considers the following factors: condition, historic integrity, age, historic significance, value to the community, economic consequences, design or construction rarity, and consistency with and consideration of other policy objectives in the Comprehensive Plan.** [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20] **[Currently in Article 7]**

7.340 In approving an application for the demolition of a Landmark on the Local Historic Inventory, the Commission may impose the following conditions:

- (1) Photographic, video or drawn recordation of the property to be demolished be submitted to the City, and/or
- (2) Salvage and curation of significant elements, and/or
- (3) Other reasonable mitigation measures. [Ord. 5463, 9/13/00]

7.350 No provision in this ordinance shall be construed to prevent the alteration, demolition, or relocation of all or part of a locally significant historic resource if the Building Official certifies that such action is required for public safety. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

7.360 Decisions/Appeals. Following a public hearing, the Landmarks Commission may approve, approve with conditions, invoke a stay to the demolition, or deny the application. During the stay, the Landmarks Commission will notify the owner of potential rehabilitation programs and benefits and encourage public or private acquisition and restoration of the landmark. The length of the stay will be no more than 365 days from the date a complete application was received by the City. All decisions to approve, approve with conditions, stay to the demolition, or denial shall specify the basis for the decision. Decisions of the Landmarks Commission can be appealed to the City Council. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

7.370 Issuance of Demolition Permit After Demolition Review. If the review body approves demolition of the resource, a permit for demolition shall not be issued until the demolition review decision is final and appeals in accordance with ADC 1.520 have been exhausted or waived. [Ord. 5945, 9/25/20]

Staff Notes: Below is some optional language from the Model Code for your review and consideration. If you want to include this provision, consider the following suggested language: "Accessory structures and buildings and non-contributing buildings, structures, objects and sites included within the boundary of a designated National Register Resource shall be excluded from review under these regulations." This language may be added here as provisions "c."

a. The Commission must find the following when approving or approving with conditions the demolition of a Significant Historic Resource:

- i. The applicant completed a replacement plan for the site, including drawings approved by the Building Official. If the property is located within a historic district, plans must be submitted for review and approved by the Commission prior to the application to demolish the Significant Historic Resource pursuant to these regulations as they relate to new construction; and**
- ii. The Building Official determines and states in writing that the Significant Historic Resource cannot be safely removed from the site; and**
- iii. The value to the community of the proposed use of the Significant Historic Resource outweighs the value of retaining the Significant Historic Resource. Public testimony must be considered when making this determination.**

b. The Commission must find the following when approving or approving with conditions the relocation of a Significant Historic Resource:

- i. If the Significant Historic Resource is located within a historic district, the owner completed a replacement plan for the site, including drawings approved by the Building Official. Plans must be submitted for review and approved by the Commission prior to the application to demolish the Significant Historic Resource pursuant to these regulations as they relate to new construction; and**
- ii. The value to the community of the proposed use of the Significant Historic Resource outweighs retaining the Significant Historic Resource in its original location; and**
- iii. The relocated Significant Historic Resource remains within the limits of [Enter name of local jurisdiction]; and**

- iv. The new site provides a suitable setting and ensures the Significant Historic Resource's long term preservation; and
 - v. The owner has an approved plan for the new site.
- c. In approving an application for the demolition or relocation of a Significant Historic Resource, the Commission may impose the following conditions:
- i. Completion of photographic, video, textual and/or drawn recordation of the subject property in its original location; and/or
 - ii. A Significant Historic Resource be relocated to a new site when demolition is proposed, and that, to the extent feasible, the new location is similar to the original site and that the original setback and orientation of the building is replicated on the new lot; and/or
 - iii. The owner obtain permission from the National Park Service to move the National Register Resource in order to retain the property's listing in the National Register of Historic Places and/or assume all responsibility and cost of removing the property from the National Register of Historic Places if permission cannot be obtained; and/or
 - iv. Delay the demolition of the Significant Historic Resource in the interest of exploring reasonable alternatives. **Revise as necessary to specify number of days for a delay or other needed processes.**
 - v. Other reasonable mitigation measures.
- d. Upon issuing a Certificate of Appropriateness for the demolition of a Significant Historic Resource, the Historic Preservation Officer must post a legal notice **insert notification process** announcing the demolition, the criteria under which the demolition was approved, the historic significance of the property, and invite the public to provide alternatives to the demolition for consideration by the Commission.
- e. Relocated Significant Historic Resources must remain designated to the Resource List unless removed from the Resource List under the provisions of this regulation.
- f. Demolished Significant Historic Resources must be removed from the Resource List using the procedures described in this regulation and must not be subject to the provisions of this regulation.

- g. Notice of this relocation or demolition of a Locally Significant Resource or National Register Resource must be provided to the State Historic Preservation Office.**

DESIGNATION, RE-RATING OR REMOVAL OF HISTORIC LANDMARKS AND DISTRICTS

Staff Notes: Definitions required to conform to Certified Local Government (CLG) program are highlighted in bold blue font. Optional definitions are highlighted in bold green font. Definitions currently located in Article 7 are in black font and not bolded.

- 7.030 Purpose. The designation of historic landmarks allows the City to formally recognize, rate, and protect its historic and architectural resources. The Local Historic Inventory identifies buildings, sites, structures, objects, and districts of historical importance or architectural significance that are considered exemplary of their time and style. The regulation of designated and rated historic landmarks provides a means to review proposed changes and encourage the preservation of historical or architectural values. Periodically it may be necessary to re-rate or remove the designation of a historic landmark to reflect changing conditions, community values or needs. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]
- 7.035 Initiation. The process for designating or removing a landmark or historic district may be initiated by the City Council, the Landmarks Commission, or by any other interested person. Initiations by the Landmarks Commission are made without prejudice towards the outcome. At the time of initiation, the Community Development Director shall provide the property owner and applicant with information regarding the benefits and obligations of designation.

No historic resource shall be designated as a landmark without the written consent of the owner, or in the case of multiple ownership, a majority of the owners. Removal of properties from the National Register of Historic Places requires review and approval by the State Historic Preservation Office and State Advisory Committee. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

An owner may object to the designation of the Historic Resource to the Resource List. Such a refusal to consent must be submitted on the public record and must remove the Historic Resource from any consideration for designation to the Resource List.

An owner's objection to the designation of a Historic Resource to the Resource List does not remove the Historic Resource from the Historic Resource Inventory.

- 7.040 Procedure.

- (1) Designation. Requests for designations of historic landmarks and districts are reviewed through the Type IV legislative or quasi-judicial procedure. The process is legislative when it affects a large number of persons or properties. The Landmarks Commission replaces the Planning Commission as the initial review body. The City Council makes the final determination of historic designation.

A permit to demolish or modify a Historic Resource under consideration for designation to the Resource List must not be issued for 120 days from the date of the owner's refusal to consent to designation or the application to alter, relocate, or demolish the Historic Resource, whichever occurs first.

- (2) Amendment to Existing Historic Districts. Changes or additions to the period of significance statement, property rating structure, or boundaries of an existing historic district shall be reviewed under the Type IV legislative process. The Landmarks Commission replaces the Planning Commission as the initial review body. The City Council reviews and adopts any amendments to the historic districts.
- (3) Local Historic Inventory Removal. Only landmarks outside the National Register Historic Districts that are not listed on the National Register of Historic Places individually are eligible for removal from the Local Historic Inventory. The Director may delete any demolished or removed historic structure outside the historic districts from the Local Historic Inventory through the Type I procedure. In the event a National Register building or structure is demolished or moved, an application shall be made to the State Historic Preservation Office to remove and/or redesignate the property from the National Register.
- (4) Individual Property Re-Rating. The Landmarks Commission shall review requests for re-rating of individual properties. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

The following procedures must be used to identify Historic Resources that may be considered for designation as a Locally Significant Historic Resource on the Resource List.

- a. **The Historic Resource Inventory and Resource List must be maintained as a public record with the exception of archaeological sites, the publication of which is prohibited by state law.**

- b. The Commission must determine and periodically revise priorities for the Historic Resource Inventory based on the community's needs and interests, goals established in the City of Albany Historic Preservation Plan, and Historic Context, if these documents are adopted.**
- c. The Commission may take photographs and create physical descriptions based on on-site observations, or obtain information concerning Historic Resources through archival research, oral histories, or any other appropriate method allowed by law.**
- d. Historic Resources must be evaluated for their historic integrity and significance and recorded in the Historic Resource Inventory as Eligible/Significant (ES), Eligible/Contributing (EC), Non-Contributing (NC), or Not in Period (NP). Evaluation and documentation of properties in the Historic Resource Inventory must follow the document "Guidelines for Historic Resource Surveys in Oregon, 2010" or most recent guidance for such efforts published by the Oregon State Historic Preservation Office and be supplied to the agency within six (6) months of the completion of the study.**
- e. Historic Properties added to the Historic Resource Inventory are not subject to the regulations described in Sections 12, 13, 14, 16, 17, and 18 [of the SHPO Model Code].**
- f. The objection of an owner must not prevent a property being inventoried, evaluated, or determined significant for placement on the Historic Resource Inventory.**

7.050 Application Contents. An application for designation of a landmark must include the following information:

- (1) A written description of the boundaries of the proposed district or the location of the proposed landmark or property to be evaluated.
- (2) A map illustrating the boundaries of the proposed district or the location of the proposed landmark or the property to be evaluated.
- (3) A statement explaining the following:
 - (a) The reason(s) why the proposed district, landmark, or property should be designated.
 - (b) The reason(s) why the proposed boundaries of the proposed district are appropriate for designation.
 - (c) The potential impact, if any, that designation of the proposed district or

landmark would have on the owners, surrounding residents, or other property owners in the area.

- 7.060 Submission of Application. Applications must be submitted at least 35 days in advance of the next regularly scheduled public meeting of the Landmarks Commission unless waived by the Director when legal notice can otherwise be achieved. All documents or evidence relied upon by the applicant shall be submitted to the Planning Division and made available to the public at least 20 days prior to the public hearing (10 days before the first evidentiary hearing if two or more evidentiary hearings are required).

If additional documents, evidence or written materials are provided in support of a quasi-judicial application less than 20 days (10 days before the first evidentiary hearing if two or more evidentiary hearings are required) prior to the public hearing, any party shall be entitled to a continuance of the hearing. Such a continuance shall not be subject to the limitations of ORS 227.178. [Ord. 5945, 9/25/20]

- 7.070 Designation Review Criteria. In addition to being at least fifty years of age, the review bodies must find that one of the following criteria has been met in order to approve a proposed landmark or district:

- (1) The proposed landmark or district has historic significance because:
 - (a) There is an association with the life or activities of a person, group, organization, or institution that has made a significant contribution to the city, county, state, or nation;
 - (b) There is an association with an event that has made a significant contribution to the city, county, state, or nation;
 - (c) There is an association with broad patterns of political, economic, or industrial history in the city, county, state, or nation;
 - (d) Existing land use surrounding the resource contributes to the integrity of the historic period represented; or
 - (e) The resource contributes to the continuity or historic character of the street, neighborhood, and/or community.

- (2) The proposed landmark or district has architectural significance because:
 - (a) It is an example of a particular architectural style, building type and/or convention;
 - (b) It has a high quality of composition, detailing and/or craftsmanship;
 - (c) It is an example of a particular material and/or method of construction;
 - (d) The resource retains its original design features, materials and/or character;

- (e) It is the only remaining, or one of a few remaining resources of a particular style, building type, design, material, or method of construction; or
- (f) It is a visual landmark.

(3) The proposed landmark or district is listed on the National Register of Historic Places.

[Ord. 5463, 9/13/00]

7.080 Re-Rating or Removal Review Criteria. The review body must find that one of the following criteria is met in order to approve a re-rating or remove a landmark from the Local Historic Inventory:

- (1) The inventory was in error.
- (2) Additional research has uncovered an association with a person, group, organization, institution or events that have made a significant contribution to the city, county, state or nation or additional research has been compiled regarding the architectural significance of a structure or style.
- (3) Alterations to the structure have caused it to more closely approximate the historical character, appearance, or material composition of the original structure.
- (4) Alterations to the structure have removed distinguishing features or otherwise altered the exterior such that the existing rating is no longer justified.
- (5) The reasons for designating the historic landmark no longer apply. [Ord. 5463, 9/13/00]

A public hearing before the Commission and a Certificate of Appropriateness signed by the Historic Preservation Officer must be required to remove a Significant Historic Resource from the Resource List.

- a. A National Register Resource must first be removed from the National Register of Historic Places before an owner may apply for the National Register Resource to be removed from the Resource List.**
- b. An application to remove a Significant Historic Resource from the Resource List must not be considered for a one (1) year period after the date of decision for the denial of an application for the relocation or demolition of the same Locally Significant Historic Resource.**
- c. Any individual or group, including the Commission acting on its own initiative, may initiate the removal of a Significant Historic Resource by submitting a complete application to the Historic Preservation Officer. The Historic**

Preservation Officer may establish standards for a complete application.

In order to approve an application for the removal of a Locally Significant Historic Resource from the Resource List the Commission must find the following:

- i. The Locally Significant Historic Resource has lost the qualities for which it was originally recognized; and/or**
- ii. Additional information shows that the Locally Significant Historic Resource no longer satisfies the criteria for recognition or did not satisfy the criteria for recognition at time of listing; and/or**
- iii. The (Building Official) declares that the Locally Significant Historic Resource poses a clear and immediate hazard to public safety and must be demolished to abate the unsafe condition.**
- iv. The designation of the property to the Resource List was imposed on the property at the time of designation and:**
 - 1. The owner has retained ownership since the time of the designation; and**
 - 2. The owner can demonstrate that the owner objected to the designation on the public record; or**
 - 3. Was not provided an opportunity to object to the designation; and**
 - 4. The owner requests in writing that the local government remove the property from the Resource List.**

Significant Historic Resources destroyed by flood, fire, or other natural or accidental act or demolished under the provisions of this regulation and meeting the definition of “demolished” as defined in these regulations may be removed from the Resource List by the Historic Preservation Officer. Notice of this action and written and photographic evidence documenting the demolition of the Significant Historic Resource must be provided to the Commission at the next regular meeting. This same documentation must be provided to the State Historic Preservation Office. If a Significant Historic Resource is also listed in the National Register, the Historic Preservation Officer must request that the SHPO remove the property from the National Register if not requiring the owner to do so under the provisions of this regulation.

Upon removing a Significant Historic Resource from the Resource List, the Historic Preservation Officer must [Insert notification method] announcing the removal, the criteria under which the removal was approved, and the historic significance of the property.

A Significant Historic Resource removed from the Resource List under the provisions of this Section must not be subject to the regulations of this ordinance.

7.090 Decision. All decisions, whether to approve or deny the request, must specify the basis for the decision.

[Ord. 5463, 9/13/00]

HISTORIC REVIEW OF EXTERIOR ALTERATIONS GENERALLY

Staff Notes: The model Code has nearly identical language that comes from the Secretary of the Interior's Standards for Rehabilitation. Should we change the name of "Historic Inventory" to "Locally Significant Historic Resource?" Same with "Certificate of Appropriateness" and "Record of Designation?"

Purpose. The purpose of reviewing alterations to historic landmarks is to encourage the preservation of characteristics that led to their designation as historic landmarks. Review is required for exterior alterations or additions to buildings or structures classified as historic contributing and historic non-contributing within the historic districts, and to landmarks outside the districts. [Ord. 5463, 9/13/00]

No exterior portion of a Locally Significant Historic Resource or Non-Contributing or Not in Period resource; new construction within the boundary of a Locally Significant Historic Resource; or interior of a Locally Significant Historic Resource owned by the City of Albany identified as significant in the Record of Designation must be constructed, preserved, rehabilitated, or altered without a Certificate of Appropriateness signed by the Historic Preservation Officer as provided in this Section. Certificates must be presented to the [Building Official] before a permit may be issued.

In approving a permit for the preservation, restoration, rehabilitation, reconstruction, or rehabilitation of a Significant Historic Resource the [Building Official] may find that under state law that the Significant Historic Resource does not meet current building code but is not dangerous and approve the land use action.

Exemptions from Review. Historic review is not required for buildings or structures originally constructed after 1945 or for changes to paint color to any home or structure. [Ord. 5463, 9/13/00, Ord. 5488, 7/11/01]

Staff Notes: We can rephrase our current exemptions from review or combine them with the following section.

- a. **Activities not subject to the provisions of this Section when not specifically noted in the Record of Designation as a Character-Defining Feature. (Add more if appropriate).**
 - i. **Alterations to building interiors, except those that are owned by the City of Albany and noted as significant in the Record of Designation as a character-defining feature.**
 - ii. **Application of exterior or interior paint.**

iii. Alterations to vegetative landscape features, including tree removal.

Procedure. A request for an exterior alteration is reviewed and processed by either the Community Development Director or the Landmarks Commission. The Landmarks Commission replaces the Hearings Board or Planning Commission as the review body.

Any exterior or interior alteration to buildings participating in Oregon's Special Assessment of Historic Property Program will also require review and approval by the State Historic Preservation Office.

The Director will approve residential alteration requests if one of the following criteria is met:

- (a) There is no change in historic character, appearance, or material composition from the existing structure.
- (b) The proposed alteration materially duplicates the affected exterior building features as determined from an early photograph, original building plans, or other evidence of original building features.
- (c) The proposed alteration is not visible from the street.

Staff notes: The following paragraph is an alternative to the language stated above for consideration.

The Historic Preservation Officer may issue a Certificate of Appropriateness for the alteration of a Locally Significant History Resource when the proposed alteration will not significantly change the qualities that merited the designation of the Locally Significant Historic Resource to the Resource List. A completed Certificate of Appropriateness must be presented to the Building Official before a permit is issued. The Historic Preservation Officer must make a list of certificates issued in this manner available to the Commission at each regular meeting. Decisions of the Historic Preservation Officer are appealable to the Commission. The historic preservation officer may choose to refer any application for a Certificate of Appropriateness to the Commission. Activities eligible for a Certificate of Appropriateness issued as described in this provision include the following:

Construction of a fence that meets [insert code reference or specific guidance].

Demolition of a Not-In-Period or Non-contributing outbuilding within the designated boundary of a Locally Significant Historic Resource specifically

noted as not historically significant in its Record of Designation. [insert code reference or specific guidance].

Replacement of historic materials when the replacement material exactly matches the material type, dimension(s); color(s), shape(s), texture(s). No more than 20% of exterior siding, details, or the total number of windows may be replaced under this provision in a two-year time period.

For all other requests, the Landmarks Commission will review and process the alteration proposal. The applicant and adjoining property owners within 100 feet will receive notification of the Landmarks Commission public hearing on the proposal. The Landmarks Commission will accept written and verbal testimony on the proposal. For buildings on the Special Assessment of Historic Property Program, the Landmarks Commission decision will be forwarded to the State Historic Preservation Office. [Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

The Historic Preservation Officer must prepare a staff report that summarizes the proposed project, notes the criteria specified in these regulations under which the application must be considered, and make a recommendation to the Commission to approve, approve with conditions, or deny the application for a Certificate of Appropriateness.

Materials that may be used in the preparation of the staff report include the Record of Designation; and/or National Register nomination document; and/or other archival photos, maps; and/or other documentary evidence specific to the subject property; and/or observations from on-site inspections to document its historic appearance or alteration over time; and/or documents and publications of the National Park Service or Oregon State Historic Preservation Office.

The [Landmarks] Commission must review and act upon applications for the alteration, relocation, and demolition of a Locally Significant Historic Resource. Applications for the alteration of a Locally Significant Historic Resource may be approved, approved with conditions, or denied. Applications for the relocation or demolition of a Locally Significant Historic Resource may be approved, approved with conditions, or the action delayed for up to [Insert desired delay period]. The Commission must develop written findings to support its decisions. The Historic Preservation Officer must include any conditions imposed by the Commission in the Certificate of Appropriateness pursuant to this Section.

A Certificate of Appropriateness [Notice of Decision] issued for the alteration of a Locally Significant Historic Resource [is] effective for a period of [Insert appropriate time period in accordance with ADC 1.xxx] from the date of its issuance. A Certificate of Appropriateness issued for the relocation or demolition of a historic resource must be effective for a period [Insert appropriate

time period]. [A two-year extension may be granted by the Review Body by written request provided that there have been no changes in applicable standards and regulations from the date of the original approval.]

Relationship to Other Land Use Reviews. Projects that require historic review may also require other land use reviews. If other reviews are required, the review procedures may be handled concurrently. [Ord. 5463, 9/13/00]

Application Contents. Every application for an exterior alteration approval shall include information (e.g. drawings, photographs) which clearly shows the intended alteration and resulting appearance change of the structure. [Ord. 5463, 9/13/00]

Exterior Alteration Review Criteria. 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:

[Ord. 5488, 7/11/01]

- (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.

The review criteria for the use of substitute siding, windows and trim shall be as found in ADC 7.170-7.225.

[Ord. 5488, 7/11/01]

The review body will use the Secretary of the Interior's Standards of Rehabilitation (listed below) as guidelines in determining whether the proposed alteration meets the review criteria.

[Ord. 5463, 9/13/00]

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. [Ord. 5463, 9/13/00]

In addition to meeting the applicable guidelines in 11(i)(i-x) of this Section, to approve an application for the alteration of a Locally Significant Historic Resource the Commission must find that the proposal meets the following design standards as applicable:

- i. Vacant buildings must be weather- and vandal-proof in order to minimize further deterioration and the threat to public safety; and/or**
- ii. New additions must be subordinate to the original building, meaning lower in height, attached to the rear or set back along the side, smaller in scale, and have less architectural detail; and/or**
- iii. Height, width, setback, roof shape, and the overall scale and massing of new buildings within historic districts and on lots with existing Historic Resources, or additions to Historic Resources must be compatible with the existing historic building(s) and, in the case of historic districts, the overall streetscape; and/or**
- iv. In historic districts and on lots with existing Locally Significant Historic Resources, materials on at least the primary façade(s) of new buildings must be compatible in size, shape, color, and texture to the original materials on the facades of surrounding historic buildings; and/or**
- v. Architectural details on new construction (including wood or metal trim, porches, cornices, arches, and window and door features, etc.) must be complimentary, but must not replicate historic features on surrounding historic buildings; and/or**
- vi. Window and door opening should be similar in size and orientation (vertical to horizontal) to openings on historic buildings and should take up a similar percentage of the overall façade as those on surrounding historic buildings; and/or**
- vii. In historic districts and on lots with existing Locally Significant Historic Resource the relationship of the width to the height of the principal elevations for new buildings and additions to existing Locally Significant Historic Resources must be in scale with the surrounding structures and streetscape. Wider new buildings can be divided into segments that more closely resemble the façade widths of historic buildings; and/or**
- viii. In historic districts and on lots with existing Locally Significant Historic Resources, the roof shape of new buildings and additions to existing Locally Significant Historic Resources must be visually compatible with the surrounding structures and streetscape.**

**Unusual roof shapes, materials, and pitches are discouraged;
and/or**

**ix. Any applicable design guidelines adopted by the Commission as
part of the body's duties described in Section 9(h).**

Decisions/Appeals. All decisions must specify the basis for the decision.
Landmarks Commission decisions may be appealed to the Albany City Council.
Decisions of the Community Development Director may be appealed to the
Landmarks Commission. [Ord. 5463, 9/13/00, Ord. 5488, 7/11/01, Ord. 5945,
9/25/20]

PUBLIC INPUT

Joint CC/LC Work Session 7/07/25

Solar panels – some streamlining and more staff review. Use NPS technical bulletins to develop standards to make more of these staff-level review. It would cut down on LC work. Solar panels are the new lightning rod. We had a small number of conditions when they are visible from street, but many cases could be reviewed by staff.

Focus Group 11/14/24

Solar panels - Should primarily be concerned with visibility. Allow compromise but maintain homes integrity. Could be a staff review rather than LC as it is a removable fixture that could change with advances in technology and need not be considered an exterior alteration.

Focus Group 11/21/24

Solar panels - LC too subjective in determining approval. Temporary, not structural shouldn't be restricted. Should be staff-level review only if not visible with conditions for consistency.

Property Owner Survey

Solar panels -

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.
[Ord. 6004, 12/28/22]

7.240 Procedure. The Community Development Director will review and decide on applications for new construction. At the Director's discretion, an application may be referred to the Landmarks Commission for a decision.

New construction to buildings participating in Oregon's Special Assessment of Historic Property Program will also require review and approval by the State Historic Preservation Office.

For all requests, the applicant and adjoining property owners within 100 feet will receive notification during the 14-day comment period before the City decision.
[Ord. 5463, 9/13/00, Ord. 5488, 7/11/01, Ord. 5945, 9/25/20; Ord. 6004, 12/28/22]

7.250 Relationship to Other Planning Reviews. Projects which require a historic review may also require other land use reviews. If other reviews are required, the review procedures may be handled concurrently.

7.260 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.
[Ord. 5463, 9/13/00]

7.270 New Construction Review Criteria. The Community Development Director or the Landmarks Commission must find that the request meets the following applicable criteria in order to approve the new construction request:

- (3) 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.
- (4) Within the Downtown District:
 - (d) The development maintains the horizontal elements of adjacent buildings. (These horizontal elements can include an alignment of window frames, roof lines, facades, and clear distinction between first floors and upper floors.)
 - (e) The development maintains other historic patterns, such as the horizontal/vertical pattern of upper story windows and the pattern of entrances along the street.
 - (f) Building materials are reflective of and complementary to existing historic buildings

within the district.

- (g) Lot coverage, setbacks, and building orientation to the street are consistent with the surrounding development patterns.
- (h) The development maintains the pedestrian scale and orientation of the downtown district.

[Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

7.280 Decisions/Appeals. All decisions shall specify the basis for the decision. Landmarks Commission decisions may be appealed to the Albany City Council. Decisions of the Community Development Director may be appealed to the Landmarks Commission. [Ord. 5488, 7/11/01, Ord. 5945, 9/25/20]

HISTORIC REVIEW OF SUBSTITUTE MATERIALS USED FOR SIDING, WINDOWS & TRIM

Staff Notes: Interestingly, the Model Code does not contain language pertaining to the review of substitute materials. Perhaps cities have broad latitude in regulating the use of substitute materials.

7.170 Purpose. The purpose of reviewing the use of substitute materials is to encourage the preservation of characteristics and materials of the historic architectural style. Review is required for the application of substitute materials for siding, windows and trim on buildings or structures originally constructed before 1946 and on the Local Historic Inventory. If these sections (7.170-7.225) conflict with other provisions of the Code relative to substitute materials to be used for siding, windows and trim, this section will control. [Ord. 5463, 9/13/00, Ord. 5488, 7/11/01]

7.180 Procedure. Review of a request for the use of substitute materials is reviewed and processed by the Landmarks Commission. The Landmarks Commission replaces the Hearings Board or Planning Commission as the review body.

The applicant and adjoining property owners within 100 feet will receive notification of the Landmarks Commission meeting on the proposal. The Landmarks Commission shall accept written and verbal testimony on the proposal.

The use of substitute materials on buildings participating in Oregon's Special Assessment of Historic Property Program will also require review and approval by the State Historic Preservation Office. The Landmarks Commission decision will be forwarded to the State Historic Preservation Office.

[Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

7.185 Relationship to Other Land Use Reviews. Projects that require an historic review may also require other land use reviews. If other reviews are required, the review procedures may be handled concurrently.

[Ord. 5463, 9/13/00]

7.190 Application Contents. Applications for the use of substitute materials for historic contributing and historic non-contributing structures and for Landmarks must include information (e.g. photographs) that clearly shows the current condition of the area intended to be altered. The types of substitute materials and proposed dimensions must be described. The application must also include the proposed methods of application of substitute materials and preservation of the original materials and architectural elements. The City may require a pest and dry rot inspection if necessary, and a report made and prepared by an entity whose

primary business is pest and dry rot inspection or repair. The report must assess the condition of the structure. [Ord. 5463, 9/13/00, Ord. 5488, 7/11/01]

7.200 Eligibility for the Use of Substitute Materials. The City of Albany interprets the Secretary of Interior's Standards for Rehabilitation on compatibility to allow substitute siding and windows only under the following conditions:

- (1) The building or structure is rated historic non-contributing OR, in the case of historic contributing buildings or structures, the existing siding, windows or trim is so deteriorated or damaged that it cannot be repaired and finding materials that would match the original siding, windows or trim is cost prohibitive. [Ord. 5488, 7/11/01]

Any application for the use of substitute siding, windows and/or trim will be decided on a case-by-case basis. The prior existence of substitute siding and/or trim on the historic buildings on the Local Historic Inventory will not be considered a factor in determining any application for further use of said materials.

[Ord. 5463, 9/13/00]

7.210 Design and Application Criteria for Substitute Materials. For buildings or structures rated historic contributing or historic non-contributing, the application for the use of substitute materials on siding, windows or trim must follow these guidelines:

- (2) The proposed substitute materials must approximate in placement, profile, size, proportion, and general appearance the existing siding, windows or trim.
- (3) Substitute siding, windows and trim must be installed in a manner that maximizes the ability of a future property owner to remove the substitute materials and restore the structure to its original condition using traditional materials.
- (4) The proposed material must be finished in a color appropriate to the age and style of the house, and the character of both the streetscape and the overall district. The proposed siding or trim must not be grained to resemble wood.
- (5) The proposed siding, windows or trim must not damage, destroy, or otherwise affect decorative or character-defining features of the building. Unusual examples of historic siding, windows and/or trim may not be covered or replaced with substitute materials.
- (6) The covering of existing historic wood window or door trim with substitute trim will not be allowed if the historic trim can be reasonably repaired. Repairs may be made with fiberglass or epoxy materials to bring the surface to the original profile, which can then be finished, like the original material.

- (7) Substitute siding or trim may not be applied over historic brick, stone, stucco, or other masonry surfaces;

For the application of substitute siding and trim only:

- (8) The supporting framing that may be rotted or otherwise found unfit for continued support shall be replaced in kind with new material.
- (9) The interior surface of the exterior wall shall receive a vapor barrier to prevent vapor transmission from the interior spaces.
- (10) Walls to receive the proposed siding shall be insulated and ventilated from the exterior to eliminate any interior condensation that may occur.
- (11) Sheathing of an adequate nature shall be applied to support the proposed siding material with the determination of adequacy to be at the discretion of the planning staff.
- (12) The proposed siding shall be placed in the same direction as the historic siding.
- (13) The new trim shall be applied so as to discourage moisture infiltration and deterioration.
- (14) The distance between the new trim and the new siding shall match the distance between the historic trim and the historic siding.
- (15) A good faith effort shall be made to sell or donate any remaining historic material for architectural salvage to an appropriate business or non-profit organization that has an interest in historic building materials. [Ord. 5463, 9/13/00, Ord. 5488, 7/11/01]

7.220 Conditions of Approval. In approving an alteration request, the Landmarks Commission may attach conditions that are appropriate for the promotion and/or preservation of the historic or architectural integrity of the district, building or site. All conditions must relate to a review criterion.
[Ord. 5463, 9/13/00, Ord. 5945, 9/25/20]

7.225 Decisions/Appeals. All decisions shall specify the basis for the decision. Landmarks Commission decisions may be appealed to the Albany City Council. Decisions of the Community Development Director may be appealed to the Landmarks Commission.
[Ord. 5463, 9/13/00, Ord. 5488, 7/11/01, Ord. 5945, 9/25/20]

PRESERVATION OF ARCHAEOLOGICAL RESOURCES

The following provisions apply to the preservation of archaeological resources under Oregon State law.

- a. Archeological resources must be protected and preserved in place subject to the requirements of federal, state, and local regulations, including the guidelines administered by the Oregon State Historic Preservation Office and ORS 358.905—358.962.**
- b. A person may not excavate, injure, destroy or alter an archaeological site or object or remove an archaeological object located on public or private lands unless that activity is authorized by a permit issued under ORS 390.235. A violation of this subsection is a misdemeanor.**