

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE HISTORIC PRESERVATION OFFICER

MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS22-02

APPLICATION NO.: 22-101660-DR

NOTICE OF DECISION DATE: March 30, 2022

SUMMARY: A proposal to install three new signs on the exterior of the Nishioka Building (2020).

REQUEST: Class 2 Minor Historic Design Review of a proposal to install a new illuminated wall sign and two hanging signs on the exterior of the Nishioka Building (2020), a non-contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 121-129 Commercial Street SE (aka 260 State St), Marion County Assessor's Map and Tax Lot number: 073W27BA/100.

APPLICANT: Cheri Fletcher Powell

LOCATION: 121-129 Commercial St SE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.056 – Signs in Commercial historic districts

FINDINGS: The findings are in the attached Decision dated March 30, 2022.

DECISION: The **Historic Preservation Officer APPROVED** Minor Historic Design Review Case No. HIS22-02 based upon the application materials deemed complete on February 25, 2022 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by April 15, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>February 25, 2022</u>
Notice of Decision Mailing Date:	<u>March 30, 2022</u>
Decision Effective Date:	<u>April 15, 2022</u>
State Mandate Date:	<u>June 25, 2022</u>

Case Manager: Kirsten Straus, kstraus@cityofsalem.net, 503-540-2347

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m., April 14, 2022. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 230. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Historic Landmarks Commission will review the appeal at a public hearing. After the hearing, the Historic Landmarks

Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

**IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS22-02)
129 COMMERCIAL ST SE) March 30, 2022**

In the matter of the application for a Minor Historic Design Review submitted by Cheri Fletcher-Powell, the Historic Preservation Officer (a Planning Administrator Designee), having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: A proposal to install three new signs on the exterior of the Nishioka Building (2020).

Request: Class 2 Minor Historic Design Review of a proposal to install a new illuminated wall sign and two hanging signs on the exterior of the Nishioka Building (2020), a non-contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 121-129 Commercial Street SE (aka 260 State St), Marion County Assessor's Map and Tax Lot number: 073W27BA/100.

A vicinity map illustrating the location of the property is attached hereto, and made a part of this decision (**Attachment A**).

DECISION

APPROVED based upon the application materials deemed complete on February 25, 2022 and the findings as presented in this report.

FINDINGS

1. Minor Historic Design Review Applicability

SRC230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

PROPOSAL

The applicant is proposing to install three signs: one internally illuminated wall sign and two non-illuminated, under-canopy blade signs. The wall sign is 13' 6" by 2' 8" in size, will be installed flush to the primary façade fronting Commercial Street SE and proposed to be made

of aluminum with clear acrylic backs to allow for halo illumination with internal LED lighting. The conduit will be installed at the back of the signage and will not be easily visible. The hanging signs are 2' 5" by 1' 2" in size, of aluminum with acrylic letters and suspended with aluminum aircraft cables from the existing awning, perpendicular to the building and the northeast corner of Commercial and State Streets. The applicant's submittal plans are included as **Attachment B**.

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

APPLICANT'S STATEMENT

A request for historic design review must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicants submitted a written statement, which is included as **Attachment B** in this staff report.

Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report. Salem Revised Code (SRC) **230.056 Signs in Commercial Historic Districts** are the applicable criteria for evaluation of this proposal.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

2. Historic Significance

The Nishioka Building was constructed in 2020. The original building, McMahan's Furniture, was originally constructed around 1940. In 2006, the building burned a fire that destroyed the

building. As the building is newly constructed, it is considered “non-contributing” within the Salem Downtown Historic District.

3. Neighborhood and Citizen Comments

The subject property is located within the Central Area Downtown Neighborhood Association (CANDO). A Request for Comments was sent to the neighborhood association, and surrounding property owners within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on February 25, 2022. The CANDO Neighborhood Association submitted an email on February 28, 2022, stating that CANDO did not oppose the request for new signage. No additional comments were received from the neighborhood association or from adjoining property owners.

4. City Department and Public Agency Comments

The Building and Safety Division indicates that the applicant must obtain required sign permits. The Planning Division has reviewed the proposal and states that the signage meets the applicable requirements for signage in SRC 900. The Fire Department and Public Works had no concerns regarding the proposal.

5. Historic Design Review

SRC Chapter 230.056(b) *Signs in Commercial Historic Districts-Permanent Non-Historic Signs* Table 230-1 defines this activity as a Class 2 Minor Historic Design Review. Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable criterion.

FINDINGS:

Criteria 230.056 Signs in Commercial Historic Districts(b)Permanent non-historic signs.

(1)Materials. Permanent non-historic signs shall be constructed of wood, metal, or acrylic.

Finding: The proposed signage will be constructed of metal and acrylic. Staff finds that this standard has been met.

(2)Design.

(A)Permanent non-historic signs shall be located:

(i)Within an existing sign frame attached to the historic structure provided the sign frame does not obscure significant features of the historic resource; or

Finding: None of the proposed signage is proposed to be located within an existing sign frame, therefore staff finds that this standard is not applicable to the evaluation of this proposal.

(ii) Between the transom and sill of the first story and:

Finding: The proposed wall signage will be located between the transom and sill of the first story of the Nishioka Building. Staff finds that this standard has been met for this portion of the proposal.

(aa) Perpendicular to the corner;

Finding: None of the proposed signage is proposed to be perpendicular to the corner therefore staff finds that this standard is not applicable to the evaluation of this proposal.

(bb) Flush to the facade; or

Finding: The proposed wall sign is proposed to be flush to the building. Staff finds that this standard is has been met for this portion of the proposal.

(cc) Perpendicular to the building;

Finding: The two proposed under awning signs will be located under the existing awnings perpendicular to the north and eastern facades fronting State and Commercial Streets. Staff finds that this standard has been met for this portion of the proposal.

(iii) Suspended from the awning or marquee.

Finding: Both proposed hanging signs are to be attached and suspended from the existing awning. This standard is met.

(B) Permanent non-historic signs shall be attached:

(i) Into mortar joints, not into masonry; and

Finding: According to the applicant's statement, the proposed wall signage will be attached into mortar joints of the existing brick masonry using non-corrosive stainless steel spacers and hardware

(ii) Where significant features are not obscured.

Finding: The proposed wall sign will be attached between the sill and the transom of the first floor. There are no significant features located in this area. Additionally, the two proposed under awning signs are small in scale, and will not obscure any significant features. This standard is met.

(C) Any permanent non-historic sign that incorporates lighting shall:

(i) Not be internally illuminated, except if it incorporates halo illumination utilizing reversed pan-channel letters with an internal light source reflecting off the building;

Finding: The proposed illuminated signage incorporates halo illumination utilizing reversed pan-channel letters with an internal light source reflecting off the building. Staff finds that this standard has been met.

(ii)Not exceed 366 watts or 250 nits between sunset and sunrise; and

Finding: Per the applicant's statement, the wattage output will not exceed 120 watts between sunset and sunrise thereby meeting this standard.

(iii)Not have exposed conduit.

Finding: The applicant's statement indicates that due to the construction of the building, access for wiring the individual letters behind the wall is not available so a raceway is needed to contain all electrical. To achieve the halo effect, a backer panel slightly larger than the letters is placed 1/2" behind the channel letters. There will be no exposed conduit as the conduit will be concealed within the raceway behind the letter backings thereby meeting this standard.

DECISION

Based upon the application materials deemed complete on February 25, 2022 and the findings as presented in this report, the application for HIS22-02 is **APPROVED**.



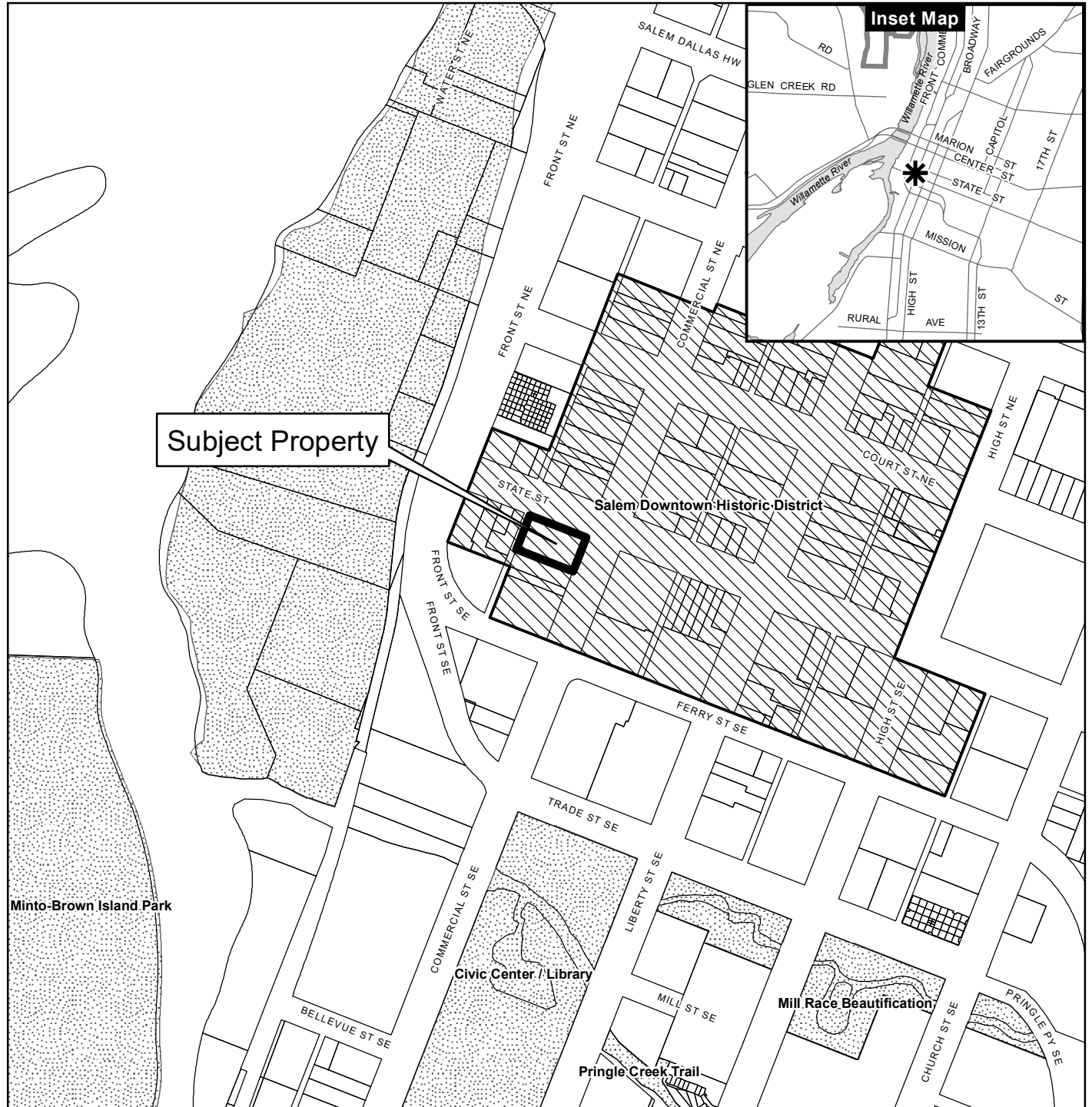
Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

Attachments: A. Vicinity Map
B. Applicant's Submittal Materials

Prepared by Kirsten Straus, Planner I








Vicinity Map

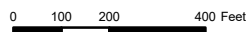
129 Commercial St SE



Subject Property

Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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Historic Alteration Review Worksheet

Site Address: _____

Resource Status: Contributing Non- Contributing Individual Landmark

Type of Work Activity Proposed: Major Minor

Chose One: Commercial District Individual Resource Public District
Residential District Sign

Replacement, Alteration, Restoration or Addition of:

Architectural Feature:

- Awning
- Door
- Exterior Trim, Lintel
- Other architectural feature _____
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: _____

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe) _____

New:

- Addition
- Accessory Structure
- Sign
- Mural
- Accessibility Ramp
- Energy Improvements
- Mechanical Equipment
- Primary Structure

Will the proposed alteration be visible from **any** public right-of-way? Yes No

Project's Existing Material: _____ Project's New Material: _____

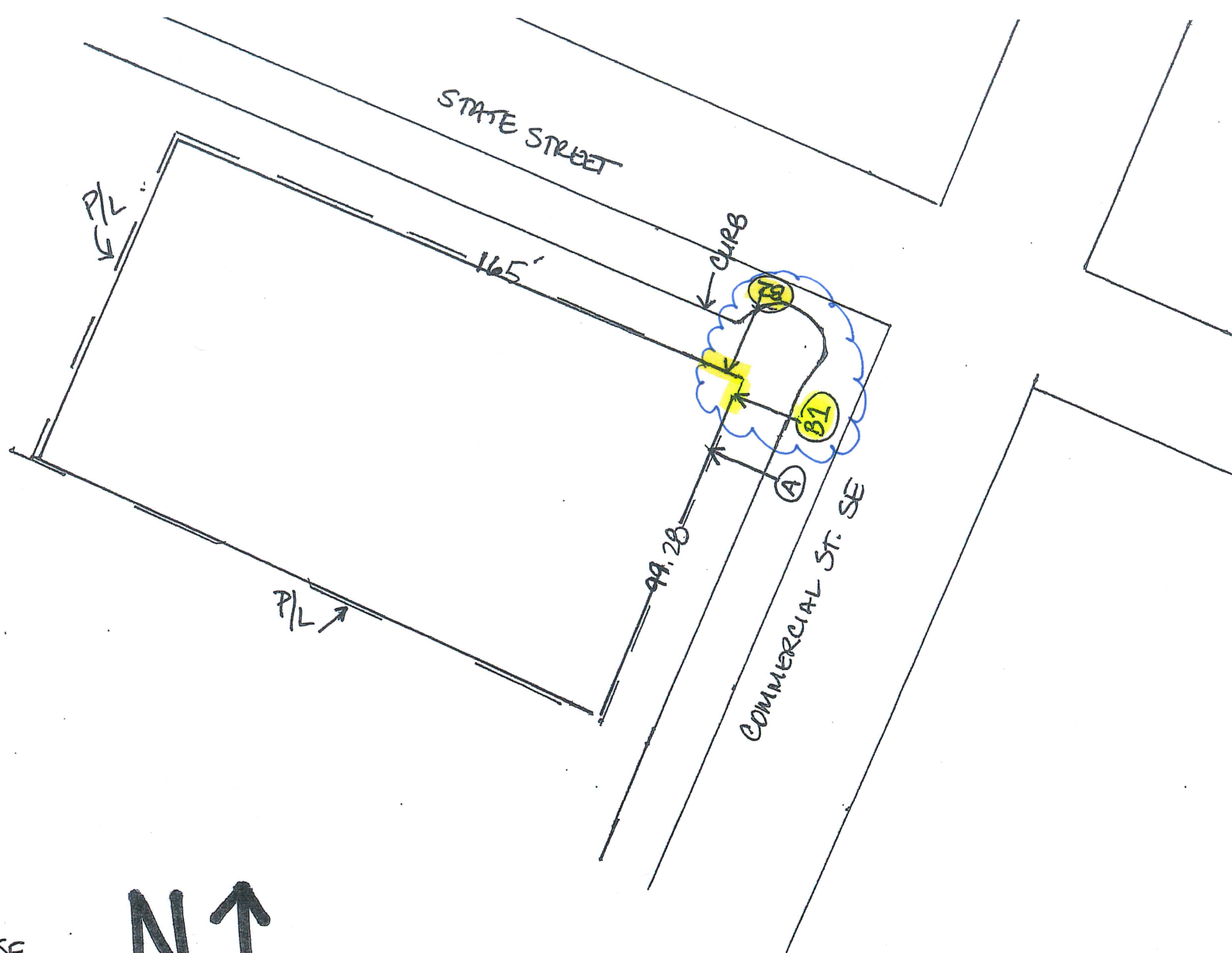
Project Description

Channel letters- LED illuminated
Blade Signs- non illuminated

Briefly provide an overview of the type of work proposed. Describe how it meets the applicable design criteria in SRC Chapter 230. Please attach any additional information (i.e., product specification sheets) that will help staff and the HLC clearly understand the proposed work:

Signature of Applicant

Date Submitted/Signed



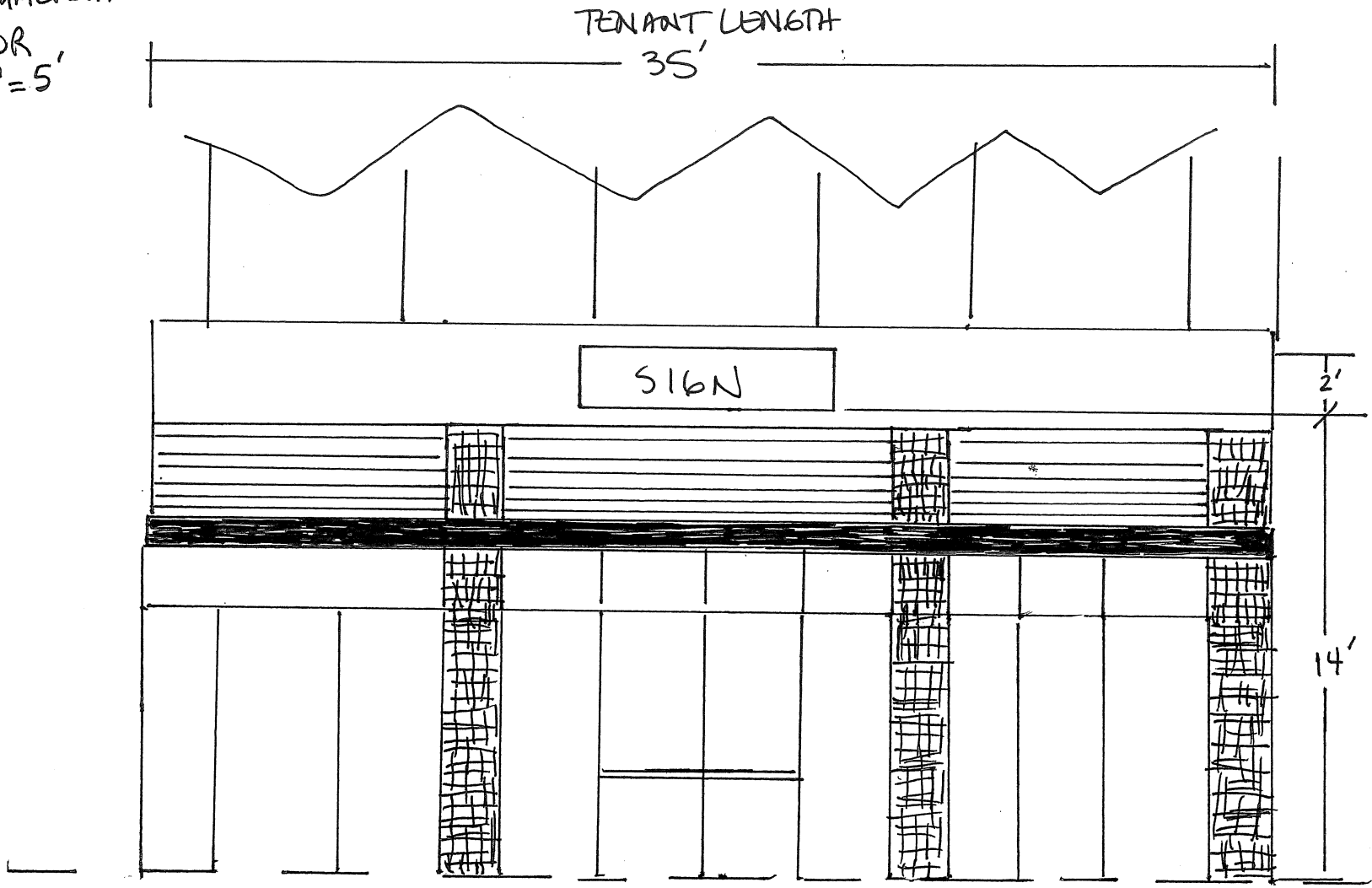
SITE PLAN FOR:
 BARRE 3
 129 COMMERCIAL ST. SE
 SALEM, OR 97301

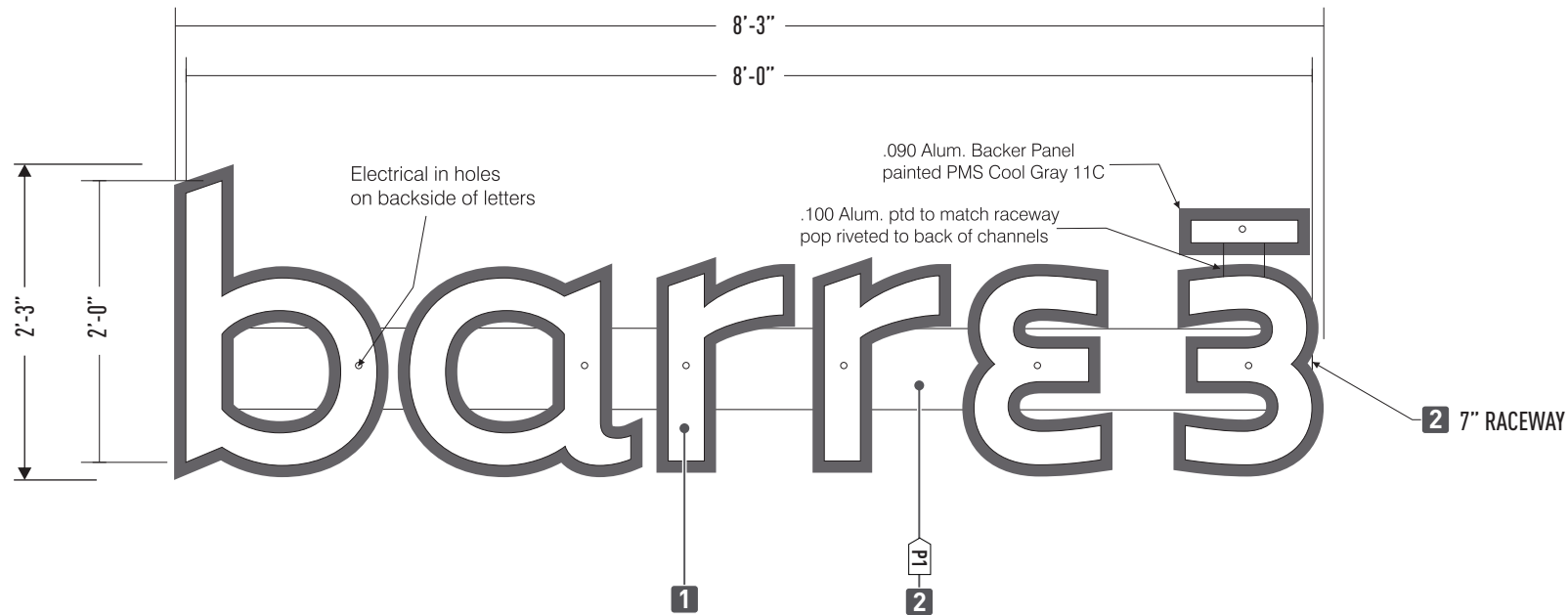
SCALE: $\frac{1}{2}'' = 20'$



 ADD TO SCOPE OF WORK

ELEVATION PLAN FOR:
BARRE 3
129 COMMERCIAL ST SE
SMALL OR
SCALE 1" = 5'





FABRICATION SPECIFICATIONS		
1	BARRE 3	RECEIVE & INSTALL RECEIVE CLIENTS 2'-0" TALL REVERSE PAN CHANNEL HALO LIT LOGO WITH BACKER PANEL AND INSTALL ON NEW RACEWAY FABRICATED BY RAMSAY.
2	RACEWAY	CONSTRUCTION FABRICATED ALUMINUM PAINT COLOR MATCH WALL COLOR (P1) HEIGHT 7"

GENERAL NOTES

RECEIVE "BARRE 3" REVERSE PAN CHANNEL LOGO AND INSTALL IT ON RAMSAY'S FABRICATED RACEWAY. INSTALL LOGO SET WITH 3/8" LAGS.

REVISIONS

1) R1) CHANGE TO REVERSE PAN CHANNEL LETTERS HALO LIT (SL)
 2) R2) UPDATE SECTION VIEW ATTACHMENT DETAILS (SL)
 3)
 4)

COLOR KEY	
P1	PAINT SHERWIN-WILLIAMS # SW 6155 - RICE GRAIN

NOTE: THE COLORS DEPICTED ON THIS RENDERING REPRESENT COLOR INTENT ONLY AND MAY NOT MATCH ACTUAL COLORS ON FINISHED PRODUCT. PLEASE REFER TO COLOR CALL-OUTS AND SPECIFIED VENDOR SAMPLES FOR APPROVED COLOR SPECIFICATIONS.



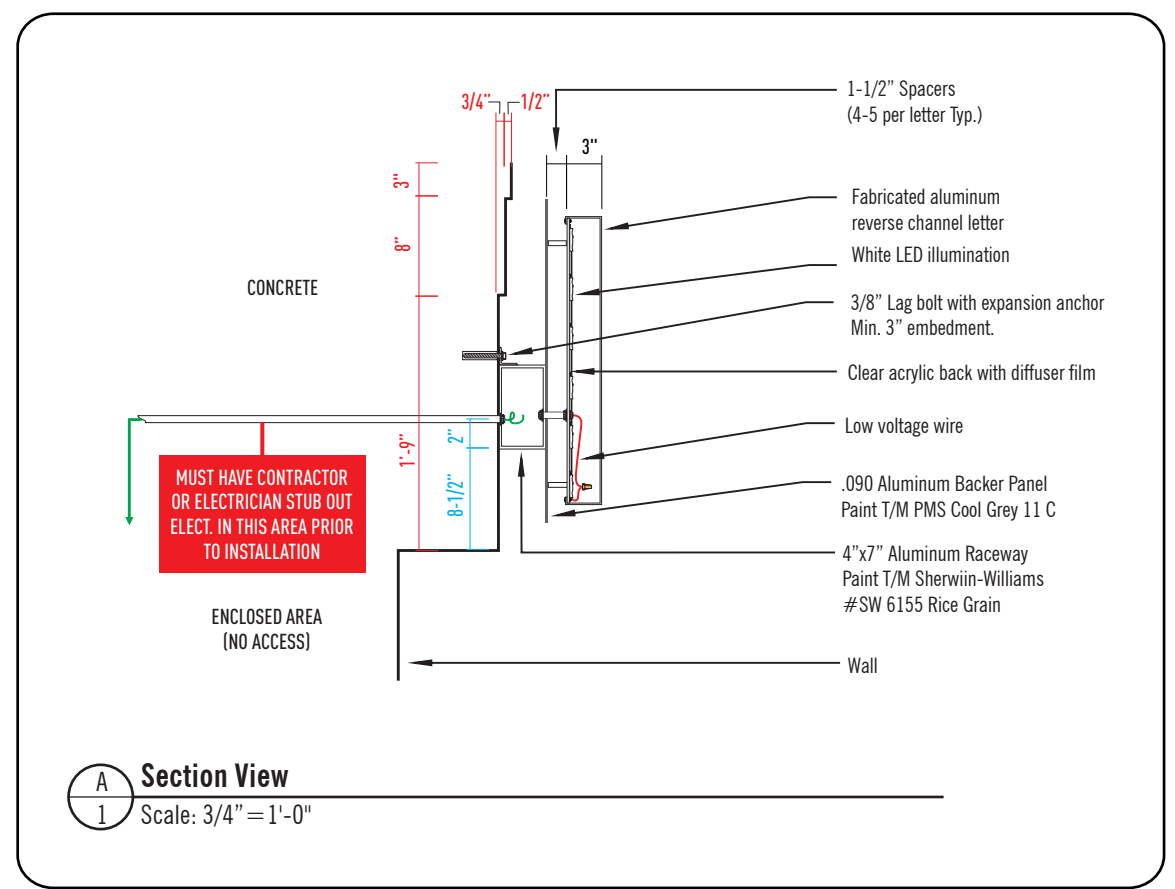
EUGENE
 1142 Willagillespie Rd. #35
 Eugene OR 97401
 541-342-1769
 ramsaysigns.com

barre 3

CLIENT:
 BARRE 3
 129 COMMERCIAL ST
 SALEM, OR 97301

PRE-PRODUCTION

A RECEIVE BARRE 3 REVERSE PAN CHANNEL LOGO HALO LIT LOGO RAMSAY MANUFACTURE NEW RACEWAY FOR RECEIVE BARRE 3 LOGO
 QUANTITY: 1 MANUFACTURE & INSTALL SCALE: 3/4" = 1'-0"



A Section View
 1 Scale: 3/4" = 1'-0"



Proposed Sign Appearance
 Scale: 3/16" = 1'-0"

PHOTO LAYOUT IS REPRESENTATIONAL ONLY

ACCOUNT EXECUTIVE:
 KELLY
 DESIGNER:
 SL
 DATE:
 9/28/2021



© 2012 by Ramsay Signs, Inc.

These plans are the exclusive property of Ramsay Signs, Inc. the original work of its design team. They are submitted to your company for the sole purpose of your consideration of whether to purchase these plans or to purchase from Ramsay Signs, Inc. a sign manufactured according to these plans. Distribution or exhibition of these plans to anyone other than employees of your company, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition occurs, Ramsay Signs Inc. expects to be reimbursed 15% of the total project value in compensation for time and effort entailed in creating these plans.

L73 Grounding and Bonding Statement for each permanently connected sign the following statement or equivalent "This sign is intended to be installed in the accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign" should be either directly marked on the sign or label attached to the sign, included in the installation instructions, or provided on a separate sheet or tag shipped with the sign. The location of the disconnect switch after installation shall comply with Article 600.6 (A) (1) of the National Electrical code.

APPROVAL:
 ACCOUNT EXECUTIVE

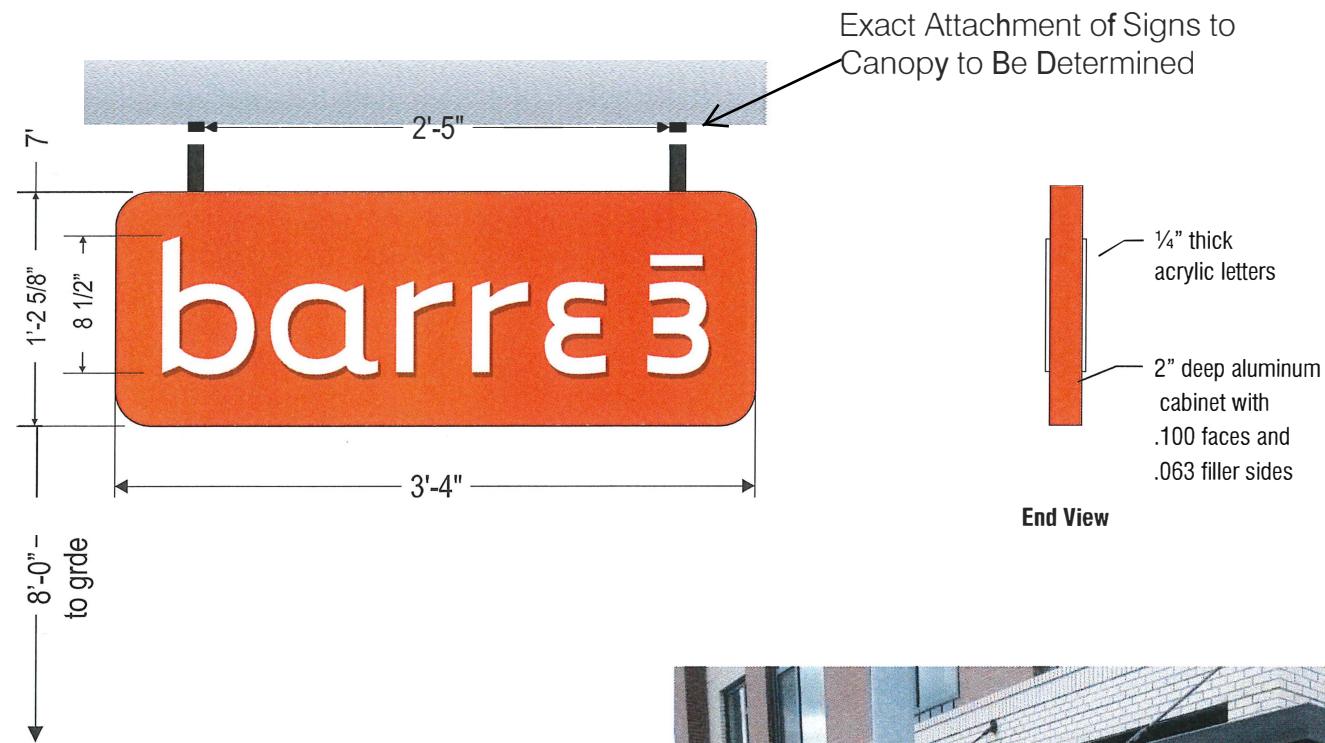
CLIENT

LANDLORD

DESIGN NUMBER:
 21-1169-R2

JOB ORDER NUMBER:
 X

PAGE # 1 OF 1



(2) TWO NON-ILLUMINATED HANGING BLADE SIGNS
Scale: 1" = 1'-0"

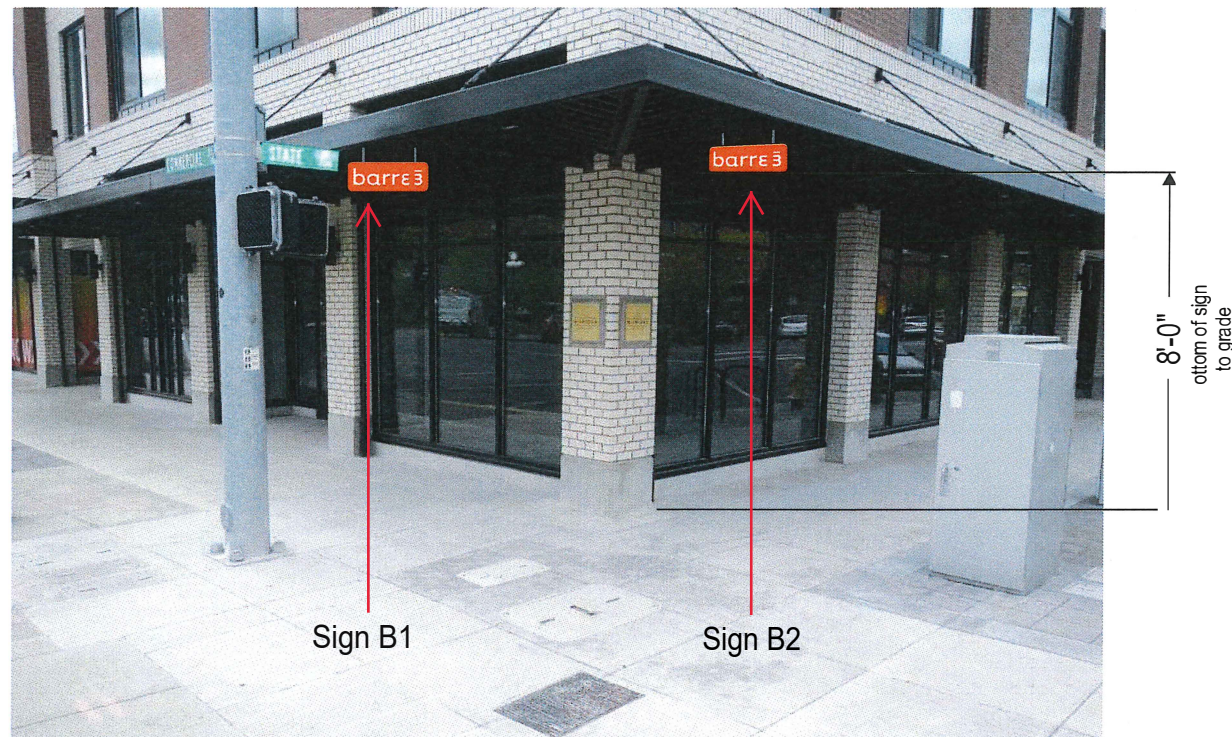
Fabricate and install (2) two undercanopy hanging blade signs

A **BLADE CABINET**
SIDES: .063 Alum. 2" deep, painted: P1
FACES: (2) .100 Alum. painted: P1
LETTERS: 1/4" Thick white acrylic applied to both sides.

INSTALLATION
SIGN INSTALLED VIA UNDER CANOPY HANGING SYSTEM.
EXACT ATTACHMENT DETAILS TO BE DETERMINED

ALL MOUNTING PARTS TO BE PAINTED GLOSS BLACK.
INSTALLED w/ APPROPRIATE ANCHORS AND FASTENERS.
APPROXIMATE INSTALL LOCATIONS SHOWN

P1 BARRE 3 ORANGE
PAINT TO MATCH PMS 172
GLOSS



Existing Conditions

Proposed Sign Appearance
Not to Scale

PHOTO LAYOUT IS REPRESENTATIONAL ONLY

Client	barre 3 Salem, OR			SIGNWORKS INC	
Contract No	Date	9/29/21 r3	Approved by		Salesperson Pam Walsh
Design No	31663	Sign Type	Blade Sign	Approval date	Designer Timothy Rickerl

4713 F Street Omaha, NE 68117 402-346-5447 402-346-9250 fax signworksomaha.com
A Family Tradition of Quality Signs Since 1935

Due to the nature of Color Reproduction, the colors on this drawing may vary from actual colors (material samples are available upon request). This is an ORIGINAL UNPUBLISHED DRAWING by SIGNWORKS, Inc submitted for your approval. It is not to be reproduced without written permission of SIGNWORKS, Inc.

February 10, 2022

Project Description:

REVISED SCOPE OF WORK – Additional Responses

Type of Work proposed: Installation of (1) one set of halo illuminated channel letters “barre3” and (2) two non-illuminated under-canopy hanging blade signs

Applicable Sign Criteria in SRC Chapter 230, Section 230.056 Signs in Commercial Historic Districts

(b) Permanent non-Historic Signs

- (1) Materials. Permanent non-historic signs shall be constructed of wood, metal, or acrylic.

Response: The proposed signage, including the raceway and channel letter backer panels will be constructed of aluminum. The back side of the channel letters will have clear acrylic backs to allow for halo illumination.

Additional Response: Additional Signage- (2) two 1' 2-5/8" x 3' 4" (4.16 Sq Ft) non-illuminated undercanopy hanging blade signs at the corner of State Street SE and Commercial Street SE. The cabinets are 2" deep and constructed of aluminum with ¼" thick acrylic letters on both sides of each cabinet. Suspension will be with aluminum aircraft cables.

(2) Design

- (A) Permanent non-historic signs shall be located:

- (i) Within an existing sign frame attached to the historic structure provided the sign frame does not obscure significant features of the historic resource; or
- (ii) Between the transom and sill of the first story and:
 - (aa) Perpendicular to the corner;
 - (bb) Flush to the façade; or
 - (cc) Perpendicular to the building;
- (iii) Suspended from the awning or marquee

Response: The proposed signage will be located between the transom and sill of the first story and flush to the facade.

Additional response: The (2) two proposed hanging blade signs will be positioned perpendicular to the building elevations and will suspend from the underside of the existing flat canopies.

- (B) Permanent non-historic signs shall be attached:

- (i) Into mortar joints, not into masonry; and
- (ii) Where significant features are not obscured.

Response: The proposed signage will be attached into mortar joints of the existing brick masonry using non-corrosive stainless steel spacers and hardware.

Additional Response: The (2) two proposed hanging blade signs will be suspended from the horizontal members on the underside of the canopy with aluminum aircraft cables and will not obscure the features of the metal canopies or the building in any way. Signs will be placed at a minimum of 8' from sidewalk grade to the bottom of the sign.

- (C) Any permanent non-historic sign that incorporates lighting shall:
 - (i) Not be internally illuminated, except if it incorporates halo illumination utilizing reverse pan channel letters with an internal light source reflecting off the building;
 - (ii) Not exceed 366 watts or 250 nits between sunset and sunrise; and
 - (iii) Not have exposed conduit

Response: The proposed signage will be reverse pan channel letters with internal LED lighting. Due to the construction of the building, access for wiring the individual letters behind the wall is not available so a raceway is needed to contain all electrical. To achieve the halo effect, a backer panel slightly larger than the letters is placed ½" behind the channel letters. The wattage output will not exceed 120 watts between sunset and sunrise. There will be no exposed conduit. The conduit will be concealed within the raceway behind the letter backings.

Additional Response: The proposed hanging blade signs are non-illuminated.