

NOTICE OF DECISION

PLANNING DIVISION
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SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE HISTORIC PRESERVATION OFFICER

CLASS 2 MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS22-24

APPLICATION NO.: 22-116260-PLN

NOTICE OF DECISION DATE: October 27, 2022

SUMMARY: A proposal to construct an addition on the rear façade of the Pearce Building (1940).

REQUEST: A Class 2 Minor Historic Design Review of a proposal to construct an addition, approximately 5ft by 12ft in size, on the rear façade of the Pearce Building (1940), a historic contributing resource within Salem's Downtown National Register Historic District, located at 305-325 Court St. NE, 97301 (Marion County Assessor Map and Tax Lot number: 073W22DC 08000).

APPLICANT: Conrad Venti

LOCATION: 305 Court St NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.040(F) - Alterations and Additions

FINDINGS: The findings are in the attached Decision dated October 27, 2022.

DECISION: The **Planning Administrator APPROVED** Class 2 Minor Historic Design Review Case No. HIS22-24 based upon the application materials deemed complete on September 21, 2022 and the findings as presented in this report.

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

| | |
|----------------------------------|---------------------------|
| Application Deemed Complete: | <u>September 21, 2022</u> |
| Notice of Decision Mailing Date: | <u>October 27, 2022</u> |
| Decision Effective Date: | <u>November 15, 2022</u> |
| State Mandate Date: | <u>January 19, 2023</u> |

Case Manager: Kimberli Fitzgerald, kfitzgerald@cityofsalem.net, 503-540-2397

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. Monday, November 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>

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. HIS22-24)
305 COURT STREET NE) October 27, 2022

In the matter of the application for a Minor Historic Design Review submitted by Conrad Venti on behalf of Dalke Property Management, 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 construct an addition on the rear facade of the Pearce Building (1940).

REQUEST: A Class 2 Minor Historic Design Review of a proposal to construct an addition, approximately 5' by 12' in size, on the rear facade of the Pearce Building (1940), a historic contributing resource within Salem's Downtown National Register Historic District, located at 305-325 Court St. NE, 97301 (Marion County Assessor Map and Tax Lot number: 073W22DC 08000).

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 September 21, 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.

BACKGROUND AND PROPOSAL

The applicant constructed an addition on the back of the Pearce Building without historic design review in 2021. A Compliance Case (21 119991 CC) was opened on October 25, 2021, after which city staff worked with the owner to gain compliance. The addition was built across property lines, which required additional time to resolve prior to applying for retroactive historic design review approval. The applicant submitted for a Class 2 Minor Historic Design Review approval on August 5, 2022. The applicant is requesting approval for the construction of a 5' by 12' addition on the rear (north) façade of the Pearce Building. The addition will be clad in a

CMU Veneer over ½ cement board and weather barrier on the east façade fronting the alley to the east. The west façade is clad in vertical composite siding. The applicant's submittal plans are included as **Attachment B**.

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 116260.

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) Chapter(s) *230.040(f) – Alterations and Additions* Standards for historic contributing buildings in Commercial Historic Districts and 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. Neighborhood and Citizen Comments

The subject property is located within the Central Area Neighborhood Development

Organization (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 September 22, 2022. Comments from Michael Livingston, CANDO Vice Chair were received stating that CANDO does not oppose the proposal to construct an addition on the rear facade: *“Given the design and location of these changes, the substantive historical value and characteristics of the building will not be materially diminished by this proposal.”*

3. City Department and Public Agency Comments

The Building and Safety Division indicates that the applicant is not required to obtain a building permit for this proposal. The Planning Division, the Fire Department and Public Works had no concerns regarding the proposal.

4. Historic Design Review

Salem Revised Code (SRC) Chapter(s) 230.040(f) – *Alterations and Additions* Standards for historic contributing buildings in Commercial Historic Districts and are the applicable criteria for evaluation of this proposal.

Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable criterion.

FINDINGS:

Criteria: 230.040(f) Alterations and additions. Additions to, or alterations of, the historic contributing building may be made to accommodate uses other than the originally intended purpose.

(1) Materials.

(A) *Building materials shall be of traditional dimensions.*

Findings: The applicant is proposing to add veneer of CMU masonry block to the eastern façade of the addition, fronting the alley. The masonry block will be of traditional dimensions and will match the masonry block on the rear of the building. Staff finds that SRC 230.040(f)(1)(A) has been met.

(B) *Material shall be of the same type, quality and finish as original material in the building.*

Findings: The applicant is proposing to clad the rear addition in masonry block and wood composite siding, both materials are of the same type, quality and finish of the existing material on the Pearce Building. Staff finds that SRC 230.040(f)(1)(B) has been met.

(C) *New masonry added to a building shall, to the greatest degree possible, match the color, texture and bonding pattern of the original masonry.*

Findings: The applicant is proposing to add a masonry block veneer to the exterior of the addition. The masonry block on the rear of the Pearce Building is currently painted, and the

applicant is proposing to paint the new masonry veneer, matching the color, texture and appearance of the masonry on the Pearce Building to the greatest degree feasible. Staff finds that SRC 230.040(f)(1)(C) has been met.

(D) For those areas where original material must be disturbed, original material shall be retained to the maximum extent possible.

Findings: The applicant has constructed the addition on the exterior of the Pearce Building without removing any original material. While a small amount of original material has been disturbed at the locations where the addition is attached to the structure, and the first story of the building where the addition is constructed is now obscured from view, the original brick façade has been retained, and serves as the southern wall of the interior of this addition. Access to the addition is through an existing door. Staff finds that original material has been retained to the maximum degree feasible and that SRC 230.040(f)(1)(D) has been met for this proposal.

(2) Design.

(A) Additions shall be located at the rear, or on an inconspicuous side, of the building.

Findings: The addition is located at the rear of the Pearce Building and is minimally visible from the alley to the east. Staff finds that SRC 230.040(f)(2)(A) has been met.

(B) Be designed and constructed to minimize changes to the building.

Findings: The applicant made minimal changes to the rear façade of the Pearce Building when constructing the addition. Staff finds that SRC 230.040(f)(2)(B) has been met.

(C) Be limited in size and scale such that a harmonious relationship is created in relationship to the original building.

Findings: The rear addition is limited in size and scale compared to the two-story Pearce Building. The addition is approximately 70 square feet in size, and one story in height. Staff finds that SRC 230.040(f)(2)(C) has been met.

(D) Be designed and constructed in a manner that significant historical, architectural or cultural features of the building are not obscured, damaged, or destroyed.

Findings: While the addition has been constructed at the rear of the Pearce Building obscuring in a location where a portion of the first story is obscured, there are no significant historical, architectural or cultural features in this area on the exterior of the resource which have been obscured, damaged or destroyed by this addition. Staff finds that SRC 230.040(f)(2)(D) has been met.

(E) Be designed to be compatible with the size, scale, material, and character of the building, and the district generally.

Findings: The rear addition is limited in size and scale with the two-story Pearce Building. At approximately 70 square feet in size, and one story in height it is designed to be compatible with this commercial resource and the surrounding Downtown Historic District. Staff finds that SRC 230.040(f)(2)(E) has been met.

(F) Not destroy or adversely impact existing distinctive materials, features, finishes and construction techniques or examples of craftsmanship that are part of the building.

Findings: While the addition has been constructed at the rear of the Pearce Building obscuring in a location where a portion of the first story is obscured, there are no distinctive materials, features, finishes and construction techniques or examples of craftsmanship in this area on the exterior of the resource which have been obscured, damaged or destroyed by this new addition. Staff finds that SRC 230.040(f)(2)(F) has been met.

(G) Be constructed with the least possible loss of historic materials.

Findings: The applicant has constructed the addition on the exterior of the Pearce Building without removing any original material. While a small amount of original material has been disturbed at the locations where the addition is attached to the structure, and the first story of the building where the addition is constructed is now obscured from view, the original brick façade has been retained, and serves as the southern wall of the interior of this addition. Staff finds that the addition has been constructed with the least possible loss of historic materials and that SRC 230.040(f)(2)(G) has been met for this proposal.

(H) Not create a false sense of historical development by including features that would appear to have been part of the building during the period of significance but whose existence is not supported by historical evidence.

Findings: The applicant has not introduced features that would appear to have been part of the addition during the period of significance. The design and materials of this addition are clearly new while being compatible with the Pearce Building. Staff finds that SRC 230.040(f)(2)(H) has been met.

(I) Be designed in a manner that makes it clear what is original to the building and what is new.

Findings: The applicant has designed the addition in a manner that clearly differentiates the new portion of the building from the original. The southern wall of the addition is comprised of the original northern façade of the Pearce Building, which is brick and masonry. The cladding on the eastern exterior wall is comprised of vertical wood composite board, which is a compatible material, but clearly new. Staff finds that SRC 230.040(f)(2)(I) has been met.

(J) Be designed to reflect, but not replicate, the architectural styles of the period of significance.

Findings: The rear addition does not replicate the commercial architectural design of the Pearce building, however it does reflect the architectural styles, with the masonry cladding, trim and sloped roof. Staff finds that SRC 230.040(f)(2)(J) has been met.

(K) Preserve features of the building that has occurred over time and has attained significance in its own right.

Findings: There are no features impacted by the proposal that have acquired significance in their own right, therefore this criteria is not applicable to the evaluation of this proposal.

(L) Preserve distinguishing original qualities of the building and its site.

Findings: The distinguishing original qualities of the Pearce Building have been retained. Any potential adverse effects due to the addition have been minimized due to the location at the rear of the resource, and the minimal impact to original materials. Staff finds that SRC 230.040(f)(2)(L) has been met.

(M) Not increase the height of a building to more than four stories.

Findings: The addition is one story, and does not increase the height of the building to more than four stories. Staff finds that SRC 230.040(f)(2)(M) has been met.

DECISION

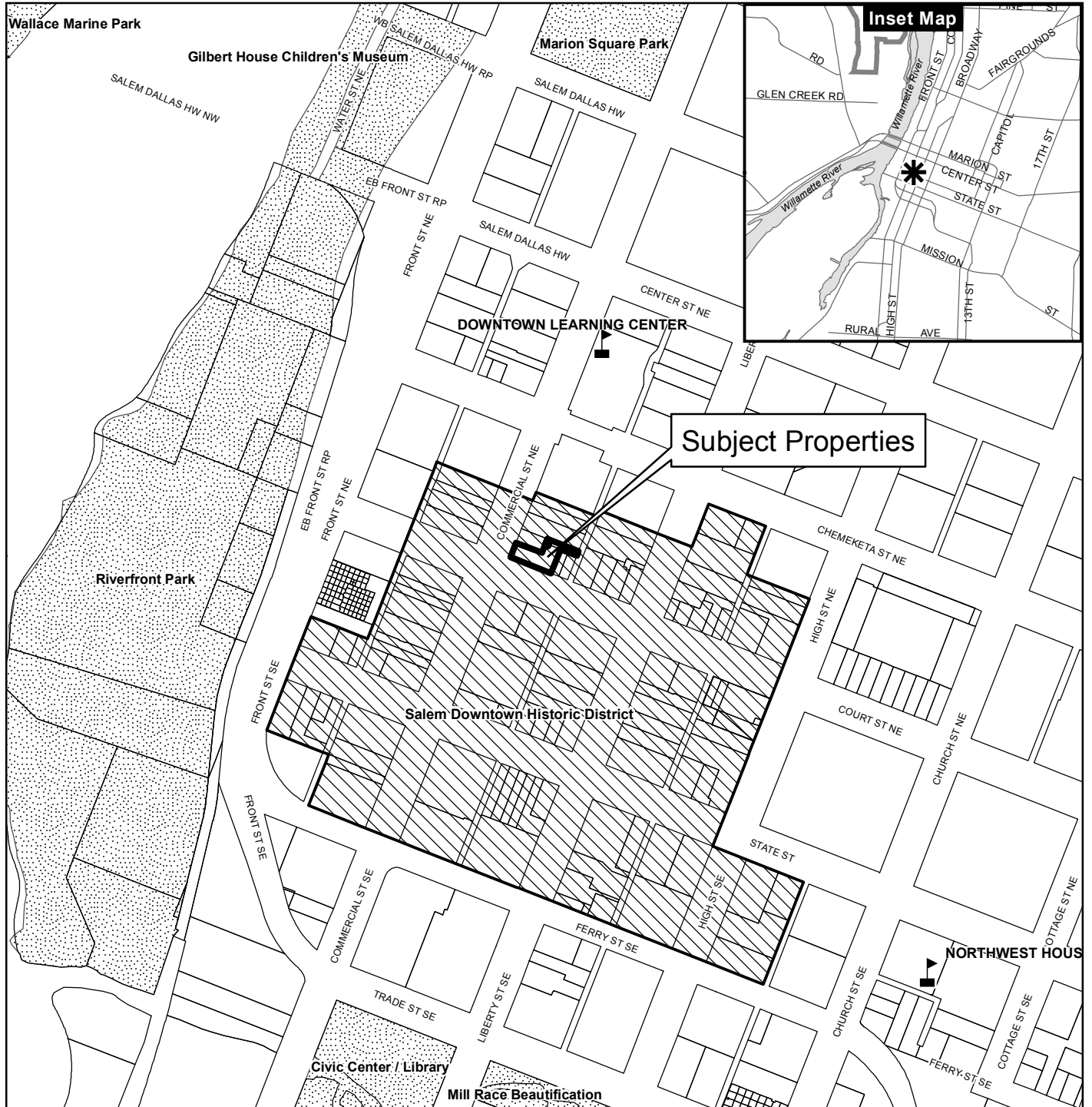
Based upon the application materials deemed complete on September 21, 2022 and the findings as presented in this report, the application for HIS22-24 is **APPROVED**.



Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

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

Vicinity Map HIS22-24 (073W22DC07900 & 073W22DC08000)



Subject Properties

Legend

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



0 100 200 400 Feet



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VENTI'S CAFE

325 COURT ST. NE SALEM, OREGON

EXTERIOR IMPROVEMENT

OUTDOOR STORAGE

STUDIO

3

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PROJECT # 2022-034
DATE: 02/22/2022
REVISIONS

SYMBOL LEGEND:

| | |
|--|--|
| <p>ELEVATION INDICATION</p> | <p>WINDOW TYPE</p> <p>REFER TO WINDOW ELEVATIONS SHOWN ON DRAWING AB.1</p> |
| <p>SECTION REFERENCE</p> <p>DETAIL NUMBER SHEET NUMBER</p> | <p>DOOR TYPE</p> <p>DOOR SIZE OR NOTE</p> |
| <p>ELEVATION REFERENCE</p> <p>REFERENCE NUMBER ELEVATION DESIGNATION SHEET NUMBER</p> | <p>PLAN NOTE DESIGNATION</p> <p>SIDE NOTE NUMBER MARK REVISION NUMBER</p> |
| <p>DETAIL REFERENCE</p> <p>DETAIL NUMBER SHEET NUMBER SIDE NOTE IF REQUIRED</p> | <p>ROOM TITLE AND NUMBER</p> <p>ROOM NAME ROOM NUMBER</p> |

DRAWINGS LIST:

GENERAL DRAWINGS:
G1.1 TITLE SHEET

ARCHITECTURAL DRAWINGS:
A1.1 SITE PLAN + DETAILS
A2.1 ELEVATIONS + SECTION

PROJECT TEAM:

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VICINITY MAP:



PROPOSED OUTDOOR STORAGE
02/23/2022



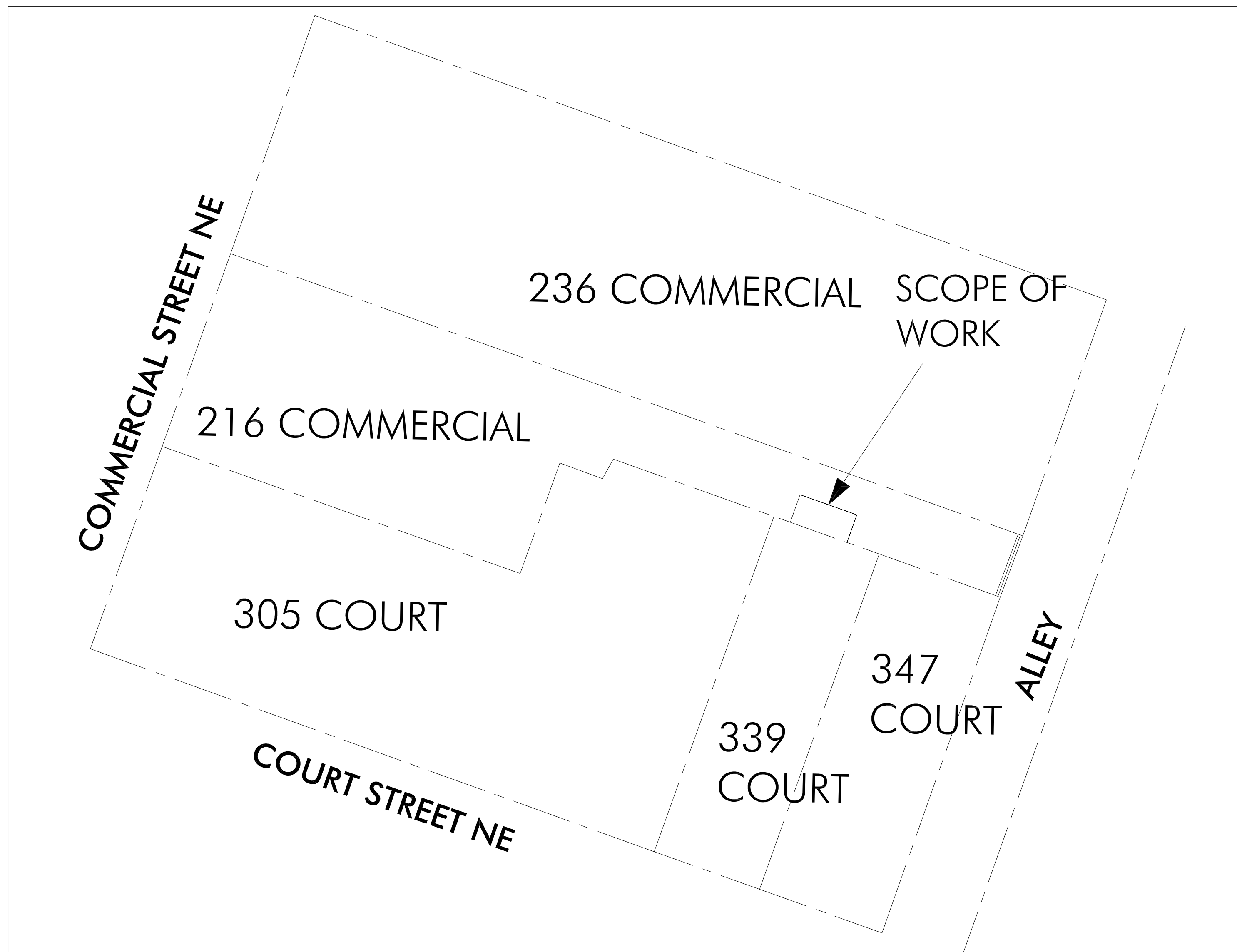
TENANT IMPROVEMENT FOR:
VENTI'S CAFE, OUTDOOR STORAGE
 325 COURT ST. NE SALEM, OR 97301

SHEET
G1.1

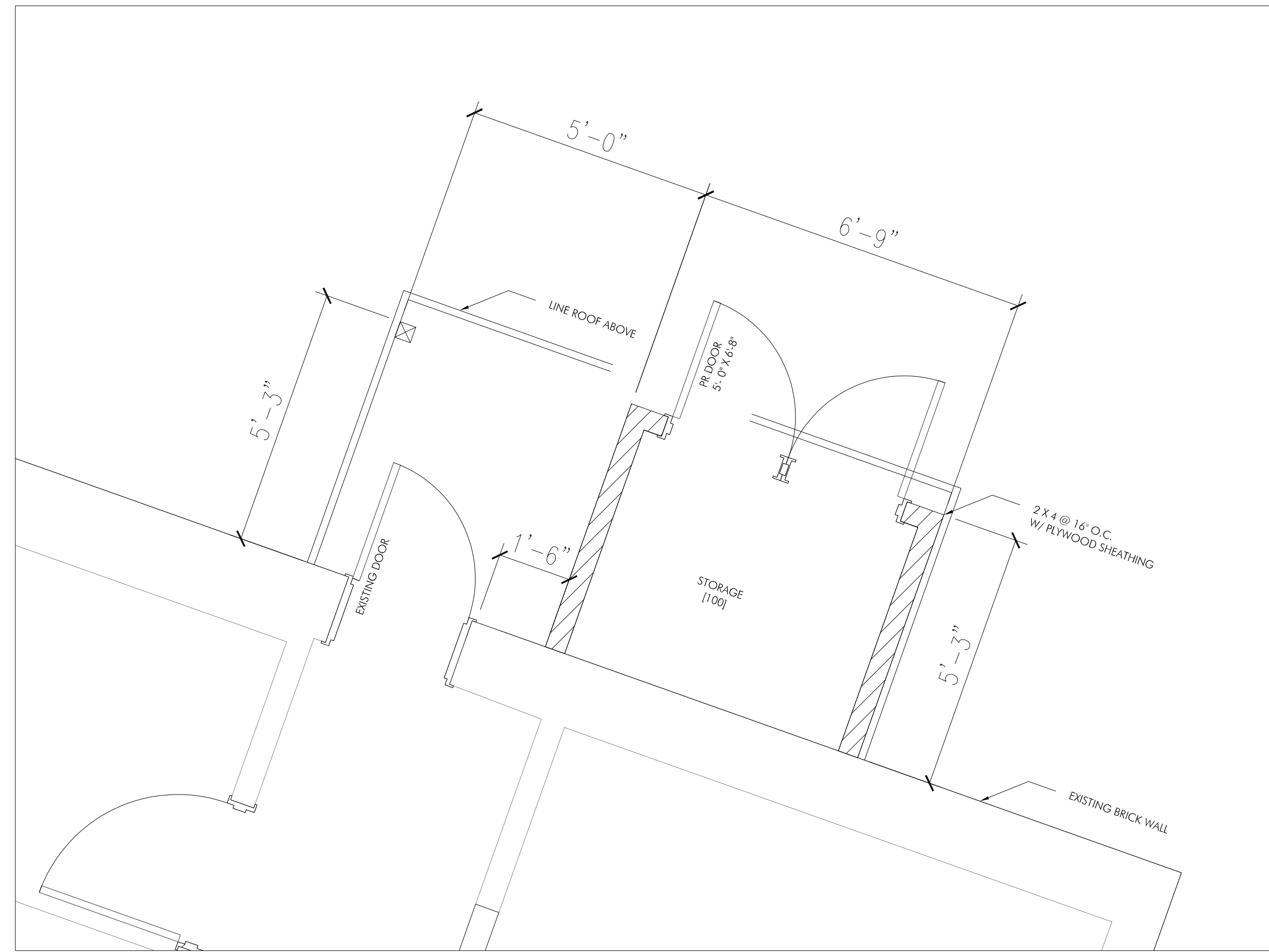


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PROJECT # 2022-034
DATE: 02/22/2022
REVISIONS



1 SITE PLAN
0 4' 8' 1'-0" 2'-0" 4'-0" 1/16" = 1'-0" @ 22 X 24



2 PLAN
0' 1' 2' 4' 6' 1'-0" 1/2" = 1'-0" @ 22 X 24



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325 COURT ST. NE SALEM, OR 97301



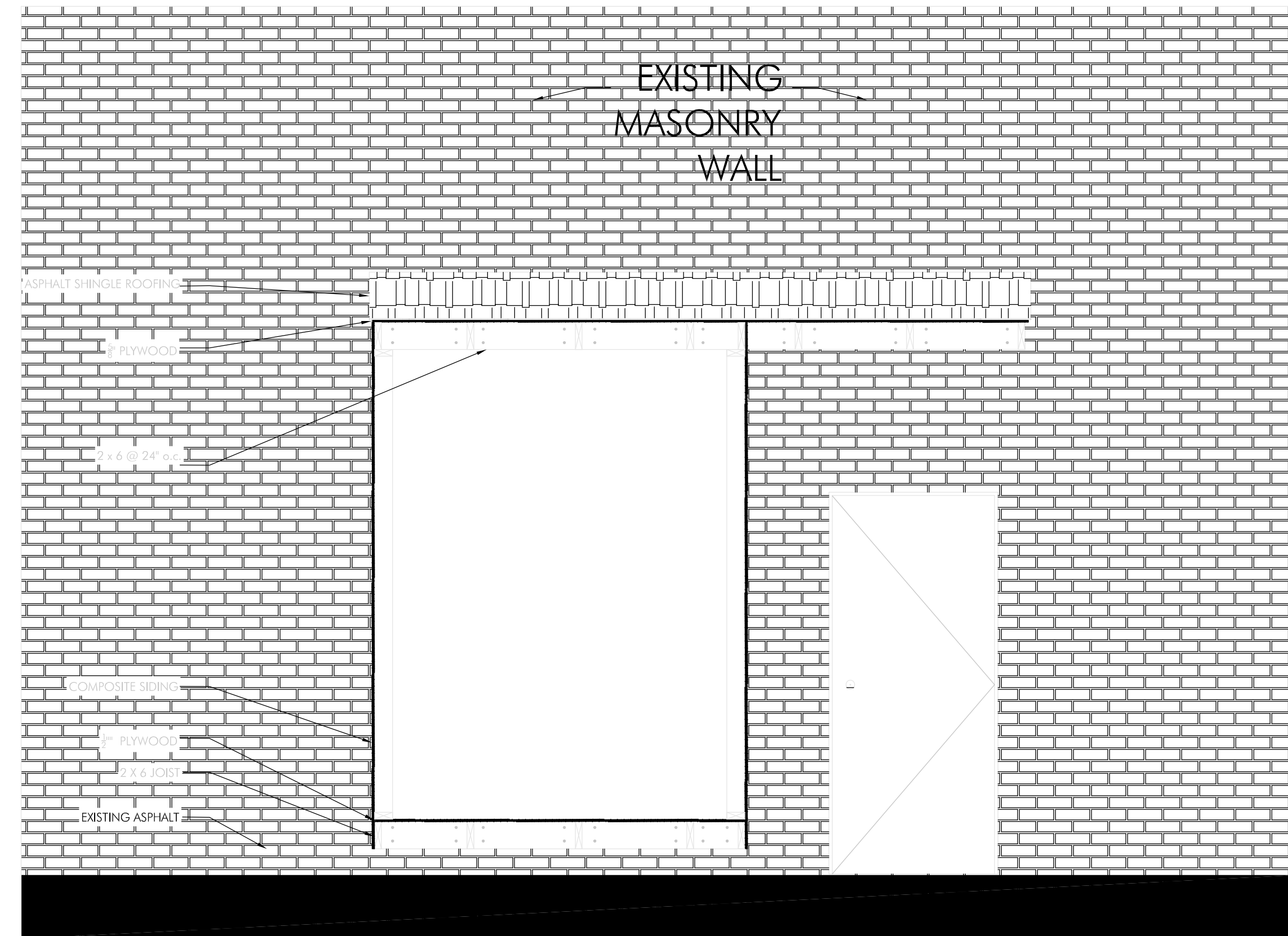
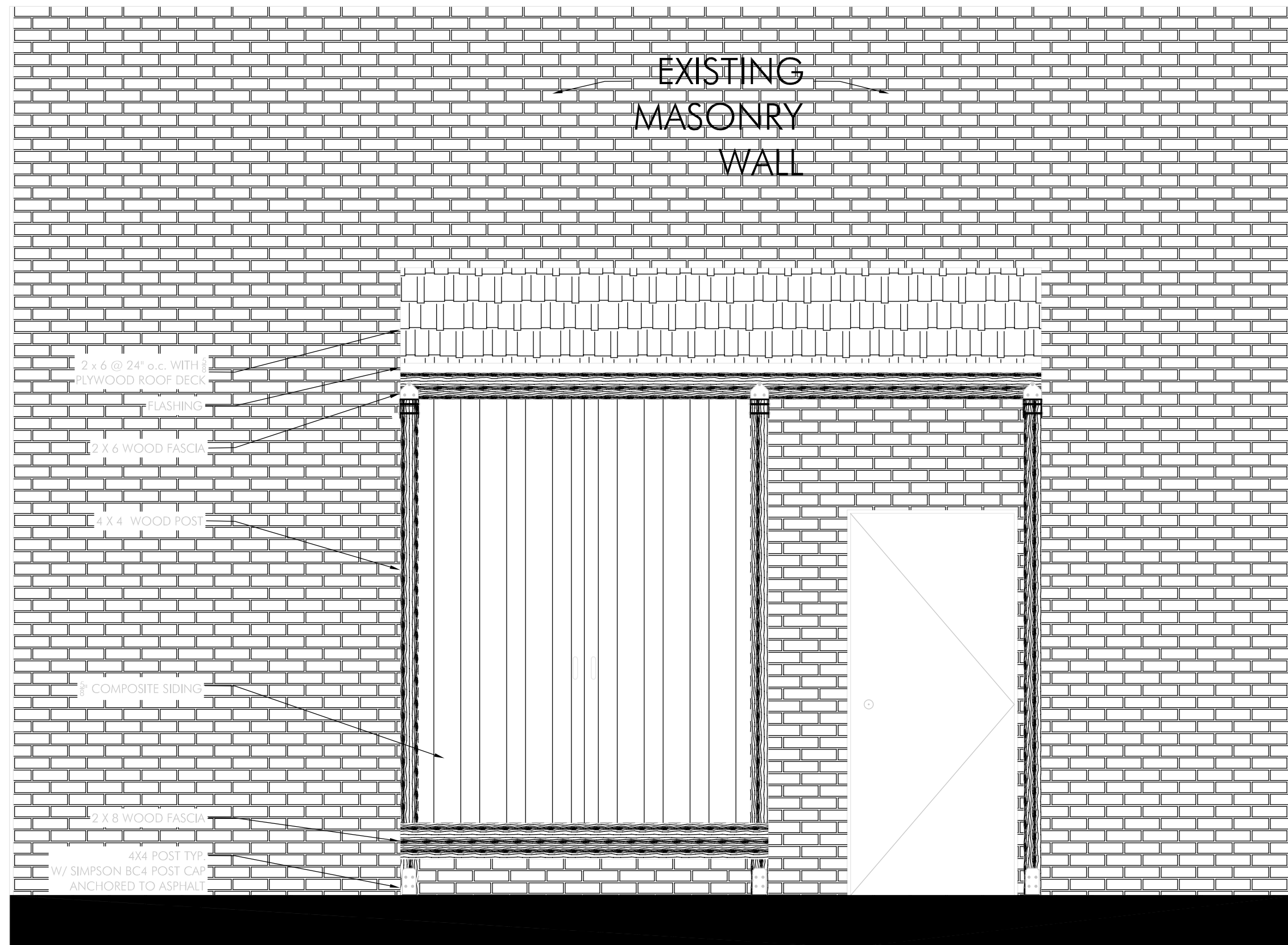
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PROJECT # 2022-034
DATE: 02/22/2022
REVISIONS
DATE: 22 AUG 2022
ADD CMU THIN VENEER

TENANT IMPROVEMENT FOR:
VENT'S CAFE, OUTDOOR STORAGE
325 COURT ST. NE SALEM, OR 97301

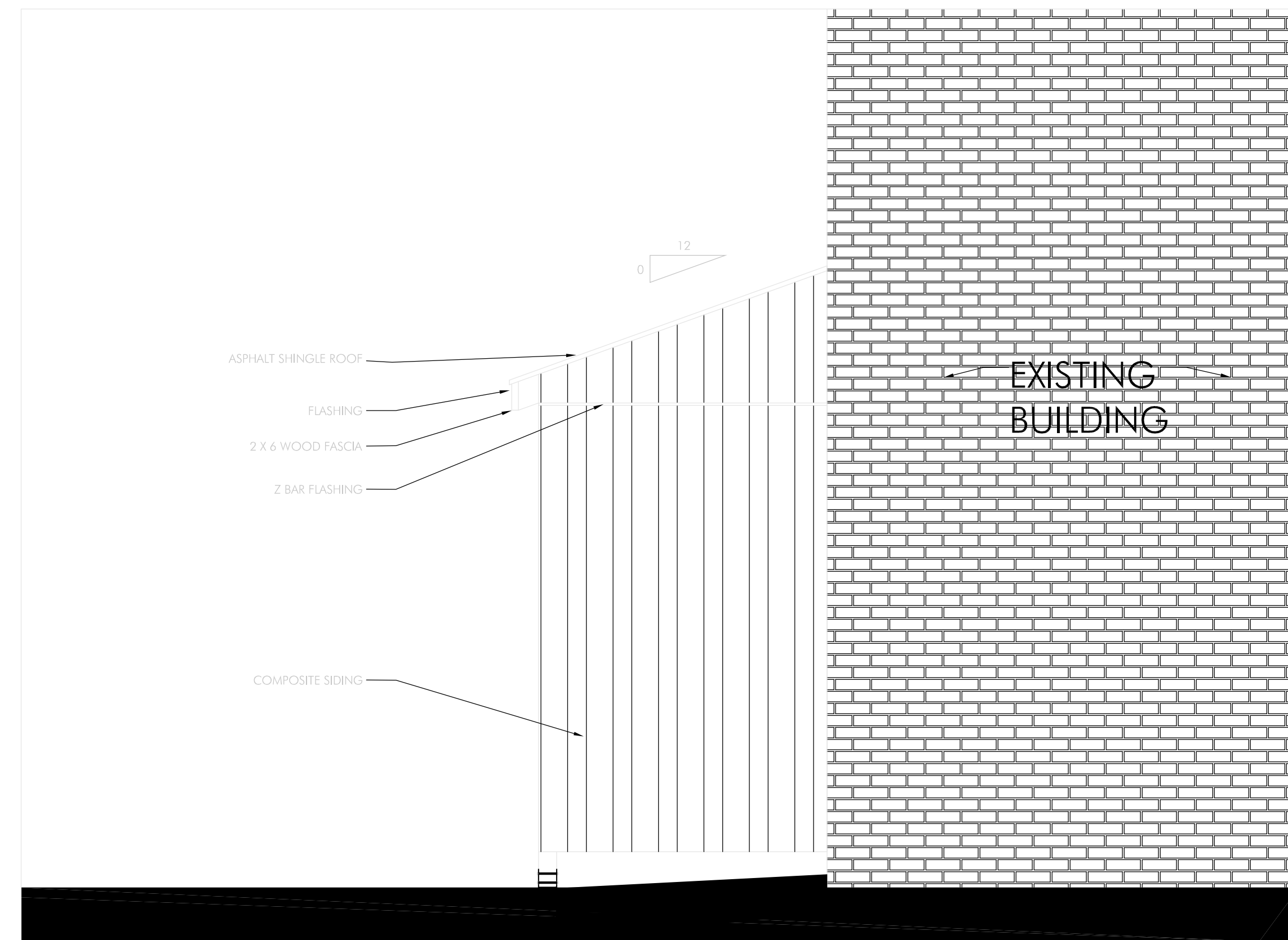
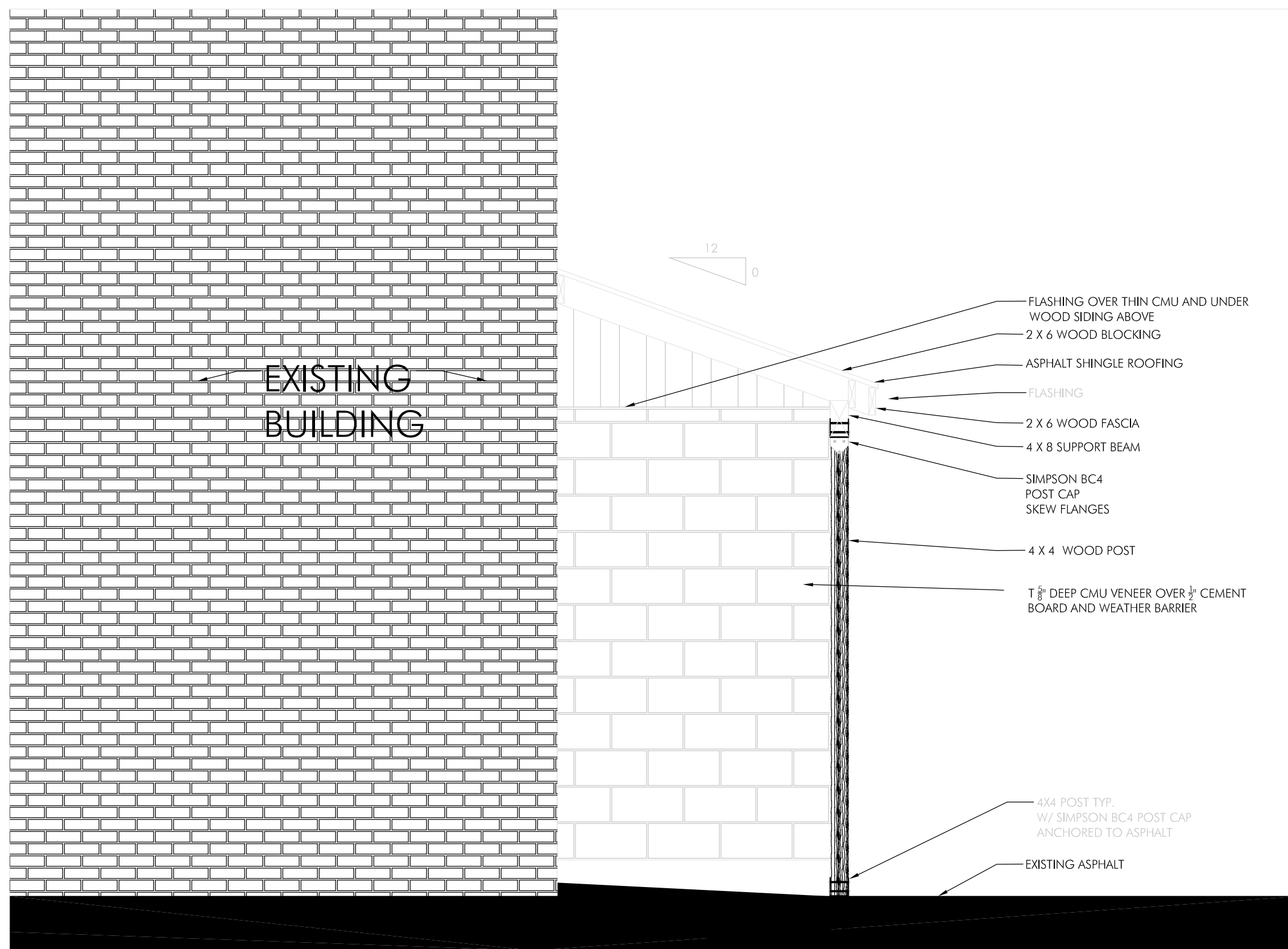
SHEET

A2.1



1 FRONT
1/2"=1'-0" @ 22 X 34

2 SECTION
1/2"=1'-0" @ 22 X 34

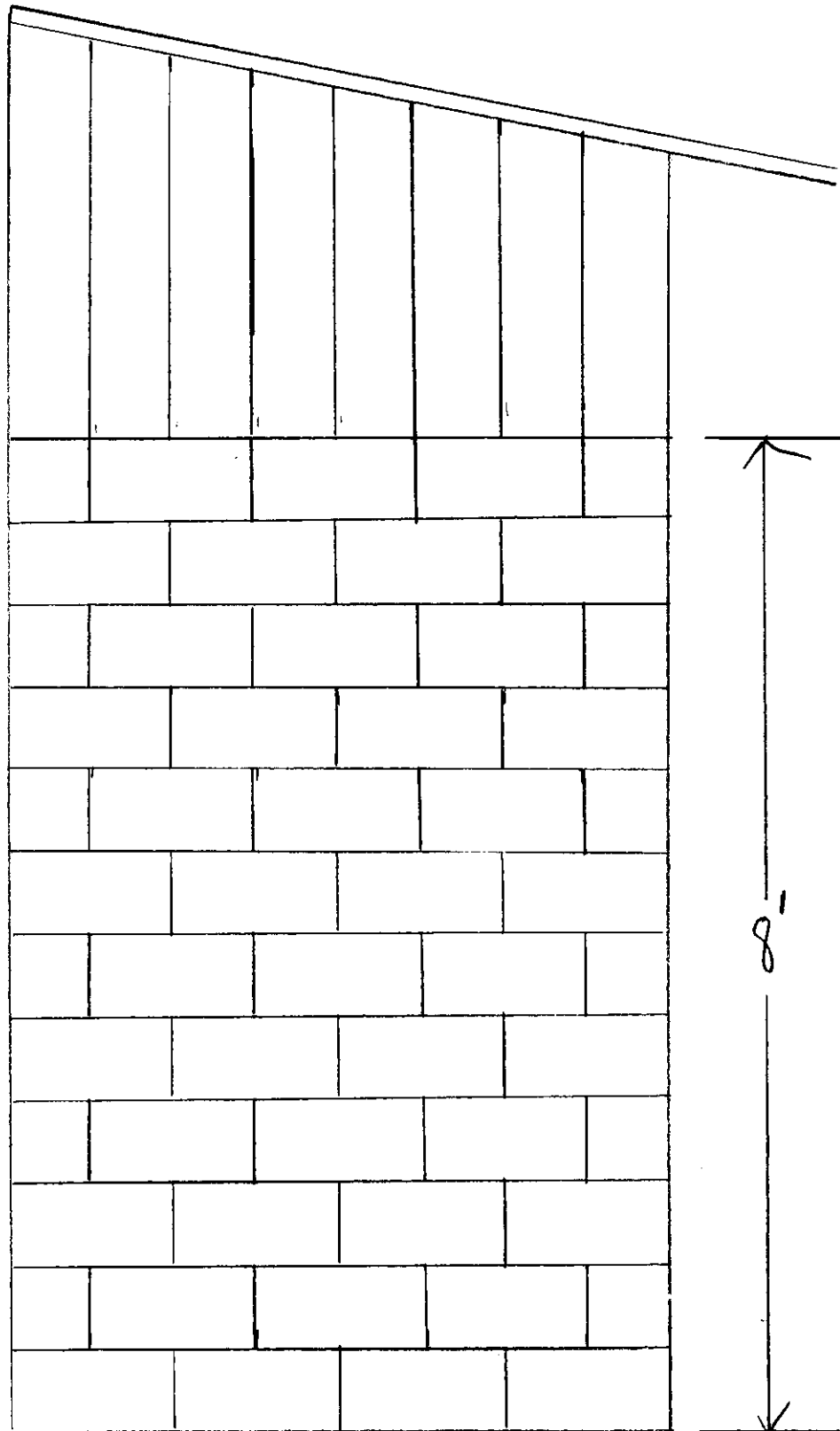


3 SIDE
1/2"=1'-0" @ 22 X 34

4 SIDE
1/2"=1'-0" @ 22 X 34



114



104

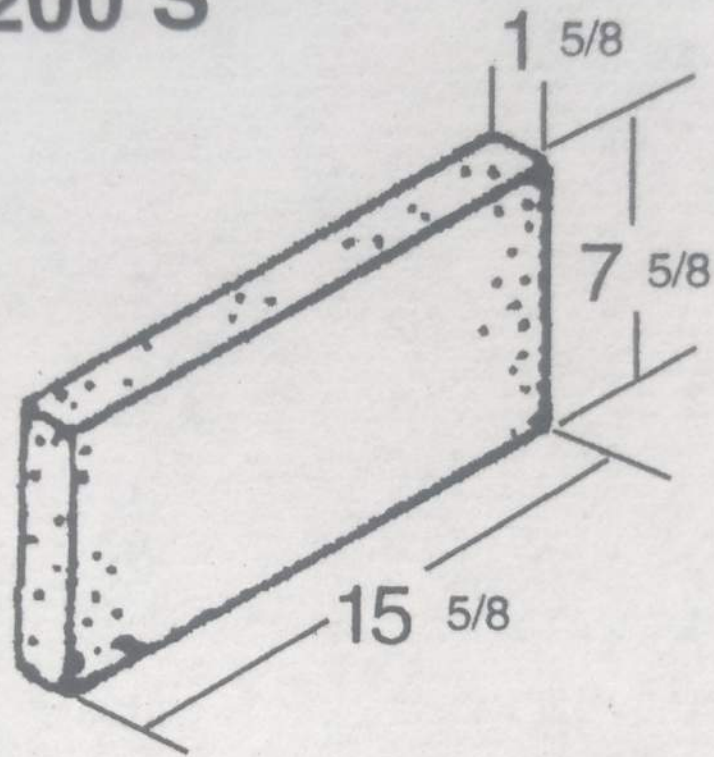
8'

54

$$\frac{3}{4}'' = 1'$$



200 S



2X8X16