

# 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 información, por favor llame  
503-588-6173*

## DECISION OF THE HISTORIC PRESERVATION OFFICER

**CLASS 2 MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS22-34**

**APPLICATION NO.: 22-121806-PLN**

**NOTICE OF DECISION DATE:** December 15, 2022

**SUMMARY:** A proposal to install a new monument sign at the Gilbert House Children's Museum.

**REQUEST:** A Class 2 Minor Historic Design review of a proposal to install a new monument sign on the north side of the Gilbert House Children's Museum, which includes the A.C. Gilbert House (1887), individually listed on the National Register, the Rockenfeld-Bean House (1883), and Parrish House (1860), all designated Salem Local Landmarks, located at 116 Marion St. NE, 97301 (Marion County Assessor Map and Tax Lot number: 073W22DB 07400).

**APPLICANT:** Alicia Bay

**LOCATION:** 116 Marion St NE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapters 230.062 Signs in Public Historic Districts

**FINDINGS:** The findings are in the attached Decision dated December 15, 2022.

**DECISION:** The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Class 2 Minor Historic Design Review Case No. HIS22-34 subject to the following conditions of approval:

**Condition 1:** Lighting shall not exceed 366 watts (or 250 nits) between sunset and sunrise;

**Condition 2:** The freestanding monument sign shall not have exposed conduit.

The rights granted by the attached decision must be exercised, or an extension granted, by December 31, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>November 9, 2022</u>
Notice of Decision Mailing Date:	<u>December 15, 2022</u>
Decision Effective Date:	<u>December 31, 2022</u>
State Mandate Date:	<u>March 9, 2023</u>

**Case Manager:** Kimberli Fitzgerald, [kfitzgerald@cityofsalem.net](mailto: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](mailto:planning@cityofsalem.net), no

later than 5:00 p.m. Friday, December 30, 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. HIS22-34 )**  
**116 MARION STREET NE ) December 15, 2022**

In the matter of the application for a Minor Historic Design Review submitted by Alicia Bay on behalf of the Gilbert House Children’s Museum, 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 a new monument sign at the Gilbert House Children's Museum.

**Request:** A Class 2 Minor Historic Design review of a proposal to install a new monument sign on the north side of the Gilbert House Children's Museum, which includes the A.C. Gilbert House (1887), individually listed on the National Register, the Rockenfeld-Bean House (1883), and Parrish House (1860), all designated Salem Local Landmarks, located at 116 Marion St. NE, 97301 (Marion County Assessor Map and Tax Lot number: 073W22DB 07400).

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

**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 & PROPOSAL**

The proposed metal and Lexan monument sign is 98” wide by 58” high, approximately 36 square feet in size. The sign will be freestanding, with concrete footings installed into the ground and will be located at the northwest corner of the site, facing Water Street NE, where their temporary signage is currently located. 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 121806.

## **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) 230.0062 *Signs in Public Historic Districts-(c)New Signs* 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**

This site was originally established by Salem City Council as "Heritage Village" in the 1986 *Salem Riverfront Master Plan*. The plan included a provision to provide six building sites to form a complete block of relocated historic structures enclosing a large outdoor area which would be landscaped in a manner similar to the residential gardens of the late 1800s. The children's museum opened in 1989, initially in the A.T. Gilbert House, which was already on the site along with the National Register listed Wilson-Durbin House (1861), fronting Water Street. The Wilson-Durbin House burned in 1990.

A.T. Gilbert was the uncle of the famous toymaker A.C. Gilbert – a Salem native credited as the "man who saved Christmas." Gilbert was most famous for his "Erector Set," a metal toy construction kit that contained a motor. During World War I, Gilbert led an appeal to stop a proposal banning toy production in favor of wartime materials, thus his title.

Between 1990 and 1998, the City of Salem moved three more buildings to the site. Two were purchased from the State of Oregon and needed to be relocated due to the Capitol Mall expansion: the J. L. Parrish House (c1860), originally located at 745 Capitol Street, was moved in 1990; and the Rockenfield-Bean House (1883), originally located at 755 Capitol St, was moved in 1991. Both buildings were added to Salem's Local Historic Landmark Inventory. In 1996, the City moved the Little Gem Grocery (1925) to the site. This building was originally on the northwest corner of Chemeketa and 17<sup>th</sup>. The City purchased the building after an effort by the Court-Chemeketa Historic Renewal Inc. to rescue it from demolition.

In 1999, the Wilson-Durbin House was reconstructed, and while initially listed on the National Register, is no longer eligible due to the loss of original historic materials. The Gilbert House Children's Museum campus currently includes the following designated structures: A.T. Gilbert House (1887), individually listed on the National Register, the Rockenfield-Bean House (1883), and Parrish House (1860), all designated Salem Local Landmarks. In 2012, the Bubble Room was removed from the A.T. Gilbert House's front parlor due to a flood which caused significant damage. In 2019 approval was received for Phase I of the Inventors Yard improvements. These improvements included construction of two new accessory structures, replace existing ramps and fencing, install security camera at the gilbert House Children's Museum campus (HIS19-40). CPR 22-04 authorized the removal of cupboards on the interior of the Parrish House.

### **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 November 9, 2022. The CANDO Neighborhood Association submitted an email on November 14, 2022, stating that CANDO supports the proposal to install a new monument sign. 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 and the signage must be reviewed for compliance with the Willamette Greenway Standards as part of the sign permitting process. The Fire Department and Public Works Department had no concerns regarding the proposal.

### **5. Historic Design Review**

SRC Chapter 230.0062 *Signs in Public Historic Districts-(c)New Signs* is the applicable criteria for this case. 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 230.062 Signs in Public Historic Districts (c)New Signs.***

*(1) Be compatible with the size, scale, and design of the historic resource.*

**Finding:** The proposed permanent signage will be constructed of metal and acrylic. The proposed metal monument sign is 98” wide by 58” high, approximately 36 square feet in size. The sign will be freestanding, with concrete footings installed into the ground and will be located at the northwest corner of the site, facing Water Street NE, where their temporary signage is currently located. This signage is compatible with the size, scale and design of the A.C. Gilbert House (1887), individually listed on the National Register, the Rockenfeld-Bean House (1883), and Parrish House (1860), all designated Salem Local Landmarks. Staff finds that this standard has been met.

*(2) Be located where they do not obscure significant features of a historic resource.*

**Finding:** None of the proposed signage is proposed to be attached to the historic resources on the site, and no significant features will be obscured by installation of the proposed signage. Staff finds that this standard has been met.

*(3) Use materials that are compatible with and characteristic of the period of significance.*

**Finding:** The proposed freestanding signage is of steel and Lexan (acrylic). The steel is characteristic of the period of significance. While the LEXAN is a modern material, this is a common signage material currently used throughout Salem historic districts, and is compatible with the resources on the site. Staff finds that this standard has been met.

*(4) Be attached in a manner that prevents damage to historic materials.*

**Finding:** The proposed signage is freestanding and therefore will not be attached to any historic resources on the site, therefore no historic materials will be damaged as a result of the installation of the new signage. Staff finds that this standard has been met.

*(5) Any sign identifying the use of the building or structure shall be limited to the minimum size necessary to provide such identification.*

**Finding:** The applicant is proposing to replace an existing temporary sign with a permanent freestanding sign in the same location, and approximately the same size as this temporary signage. No other signage exists on the site. The applicant is proposing to light the sign with LED’s inside the LEXAN panels, and further is proposing to up-light the signage with an LED light. In order to better meet this criterion, the following CONDITIONS of APPROVAL are adopted:

**Condition 1:** Lighting shall not exceed 366 watts (or 250 nits) between sunset and sunrise;

**Condition 2:** The freestanding monument sign shall not have exposed conduit.

## DECISION

Based upon the application materials deemed complete on November 9, 2022 and the findings as presented in this report, the application for HIS22-34 is **APPROVED** with the following **CONDITIONS of APPROVAL**:

- Condition 1:** Lighting shall not exceed 366 watts (or 250 nits) between sunset and sunrise;
- Condition 2:** The freestanding monument sign shall not have exposed conduit.

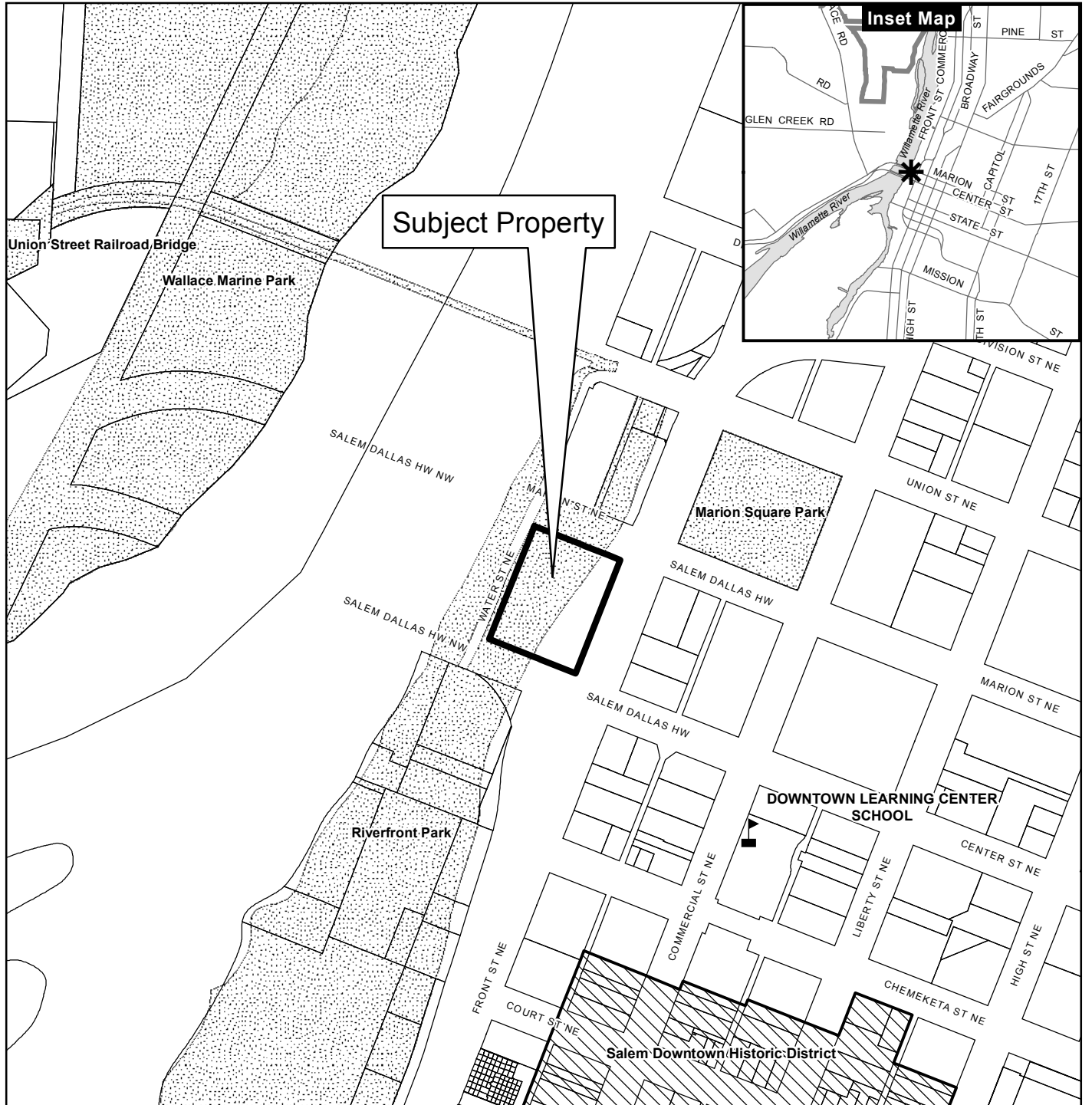


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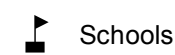

Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Planning Administrator Designee

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

# Vicinity Map 116 Marion St NE



**Legend**

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



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## Proposed Sign - GILBERT HOUSE CHILDREN'S MUSEUM



Material: Steel and Lexan

Size:

Length: 98"

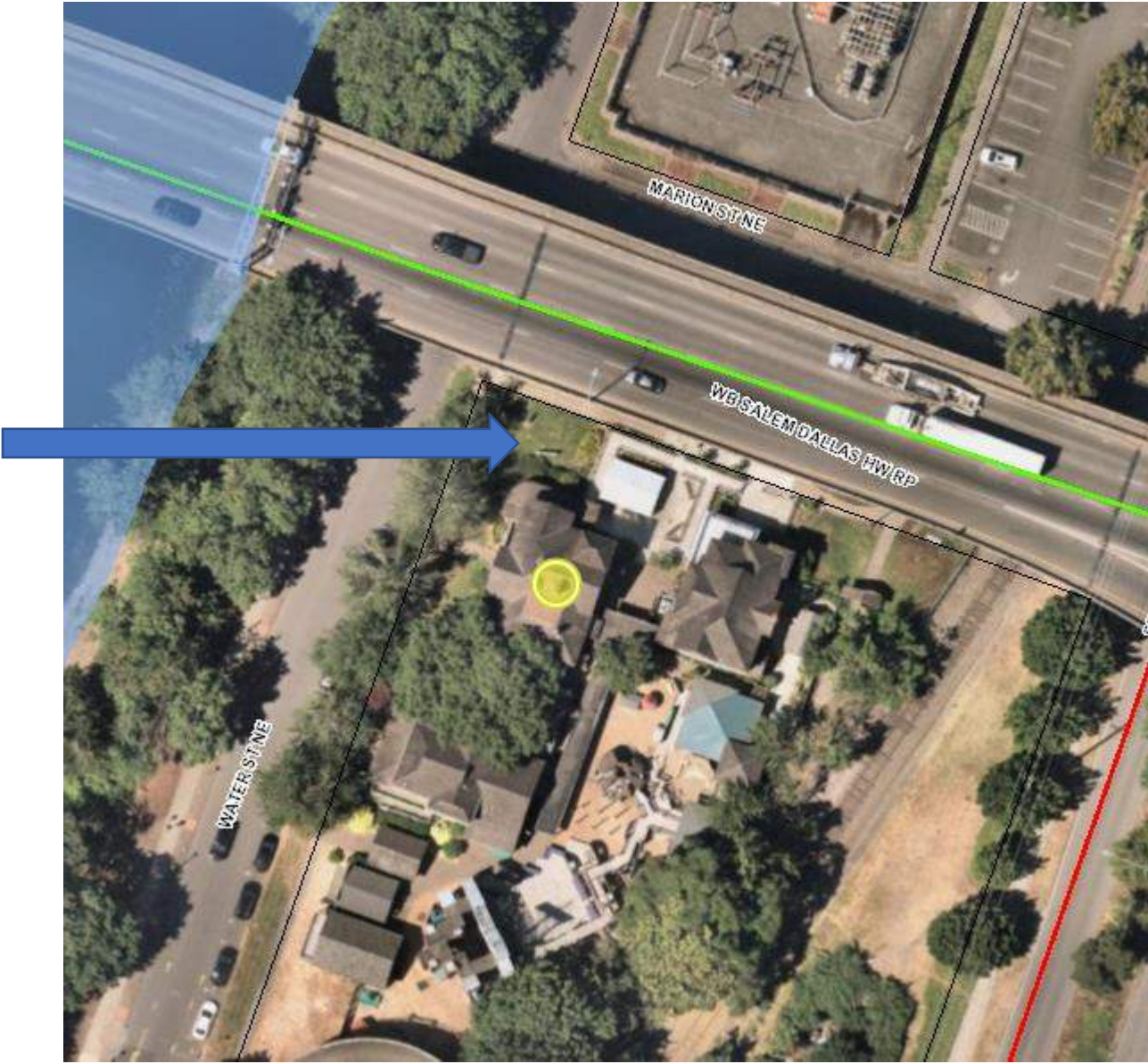
Height: 58"

Width: 6"

Method of Installation: The sign will be installed by Ric Smith, owner of Smith and Steel. Ric has a contractor license and will use concrete for the footing. He will sub any electrical work. Alicia Bay will communicate with city staff (Parks and Facilities) about the timing of the work and any location questions.

Proposed Sign - GILBERT HOUSE CHILDREN'S MUSEUM

Location





Proposed Sign - GILBERT HOUSE CHILDREN'S MUSEUM



View of Existing Signage in Proposed Location

## Kimberli Fitzgerald

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**From:** Alicia Bay <executivedirector@acgilbert.org>  
**Sent:** Thursday, December 1, 2022 9:31 AM  
**To:** Kimberli Fitzgerald  
**Subject:** RE: Quick question -- Monument sign

Kimberli,

Thanks for the follow up question. The proposed sign includes LED lights inside the panels to light the lexan. We would also like to have a small LED light from the grass to provide some light to the entire sign. I have pasted a picture of a sample light fixture for the space.



Thank you,

**Alicia Bay** (she/her/hers)  
Executive Director | Gilbert House Children's Museum  
**P:** (503) 371-3631, ext. 203  
**E:** [executivedirector@acgilbert.org](mailto:executivedirector@acgilbert.org)



116 Marion St NE | Salem OR 97301  
[www.acgilbert.org](http://www.acgilbert.org)



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**From:** Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>  
**Sent:** Wednesday, November 30, 2022 3:39 PM  
**To:** Alicia Bay <executivedirector@acgilbert.org>  
**Subject:** Quick question -- Monument sign