

# 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.: HIS23-01**

**APPLICATION NO.: 23-101383-PLN**

**NOTICE OF DECISION DATE:** March 3, 2023

**SUMMARY:** A proposal to install a wall sign and a new hanging under awning sign on the exterior of the Feed and Seed Building (1925).

**REQUEST:** Class 2 Minor Historic Design Review of a proposal to install a wall sign and a new hanging under awning sign on the exterior of the rear wall (north facing) Feed and Seed Building (1925) on property totaling approximately 0.1 acres in size, zoned CB (Central Business District) within the Salem Downtown Historic District, and located at 431 Ferry Street SE (Marion County Assessor Map and Tax Number(s): 073W27AB04200).

**APPLICANT:** Joey Lopez

**LOCATION:** 431 Ferry 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 3, 2023.

**DECISION:** The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Class 2 Minor Historic Design Review Case No. HIS23-01 based upon the application materials deemed complete on February 8, 2023 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by March 21, 2025, or this approval shall be null and void.

Application Deemed Complete:	<u>February 8, 2023</u>
Notice of Decision Mailing Date:	<u>March 3, 2023</u>
Decision Effective Date:	<u>March 21, 2023</u>
State Mandate Date:	<u>June 8, 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. Monday, March 20, 2023. 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. HIS23-01 )**  
**431 FERRY ST SE ) March 3, 2023**

In the matter of the application for a Minor Historic Design Review submitted Joey Lopez, 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 wall sign and a new hanging under awning sign on the exterior of the Feed and Seed Building (1925).

**Request:** Class 2 Minor Historic Design Review of a proposal to install a wall sign and a new hanging under awning sign on the exterior of the rear wall (north facing) Feed and Seed Building (1925) on property totaling approximately 0.1 acres in size, zoned CB (Central Business District) within the Salem Downtown Historic District, and located at 431 Ferry Street SE (Marion County Assessor Map and Tax Number(s): 073W27AB04200).

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 applicant has proposed to install two signs: a 40" by 40" adhesive backed vinyl/acrylic square wall sign applied to the existing CMU wall and a metal under awning sign 45" x 14" in size. 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: 23 101383.

## **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 Feed and Seed Building was constructed c1925, and appears on the 1926 Sanborn Fire Insurance map as a Feed and Seed store, Hand Laundry and Restaurant. The building is a two story stucco faced reinforced concrete commercial building. The building was significantly remodeled in the 1950s and is historic non-contributing to the Downtown National Register 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 8, 2023. The CANDO Neighborhood Association submitted an email on February 14, 2023, stating that CANDO supports 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 either metal or acrylic/vinyl. 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:** None of the proposed signage is proposed to be located between the transom and sill of the first story, therefore staff finds that this standard is not applicable to the evaluation of this proposal.

*(aa)Perpendicular to the corner;*

**Finding:** Neither sign is proposed to be perpendicular to the building corner, therefore this standard is not applicable to the evaluation of this proposal.

*(bb)Flush to the facade; or*

**Finding:** The wall sign is proposed to be flush to the rear (north) building façade, adjacent to the entry to the card shop, therefore staff finds that this standard has been met for this portion of the proposal.

*(cc)Perpendicular to the building;*

**Finding:** There is no signage proposed that will be perpendicular to the building, therefore this standard is not applicable to the evaluation of this proposal.

*(iii)Suspended from the awning or marquee.*

**Finding:** The proposed under awning sign will be suspended from the existing awning, adjacent to the primary entry to the card shop located at the rear (north) building façade. Staff finds that this standard has been 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 not be attached into any brick masonry with brackets or screws. The wall in this location is non-historic CMU, and the wall sign will be attached to the existing CMU with adhesive. Staff finds that this standard has been met.

*(ii)Where significant features are not obscured.*

**Finding:** The proposed under awning sign and wall signage will be attached at the rear of the building. There are no significant features located in either of these areas and this signage will not obscure any significant features. Staff finds that this standard has been 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:** Neither of the proposed signs incorporate illumination. Staff finds that this standard is not applicable to the evaluation of this proposal.

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

**Finding:** Neither of the proposed signs incorporate illumination. Staff finds that this standard is not applicable to the evaluation of this proposal.

*(iii)Not have exposed conduit.*

**Finding:** Neither of the proposed signs incorporate illumination requiring conduit. Staff finds that this standard is not applicable to the evaluation of this proposal.

## DECISION

Based upon the application materials deemed complete on February 8, 2023 and the findings as presented in this report, the application for HIS23-01 is **APPROVED**.



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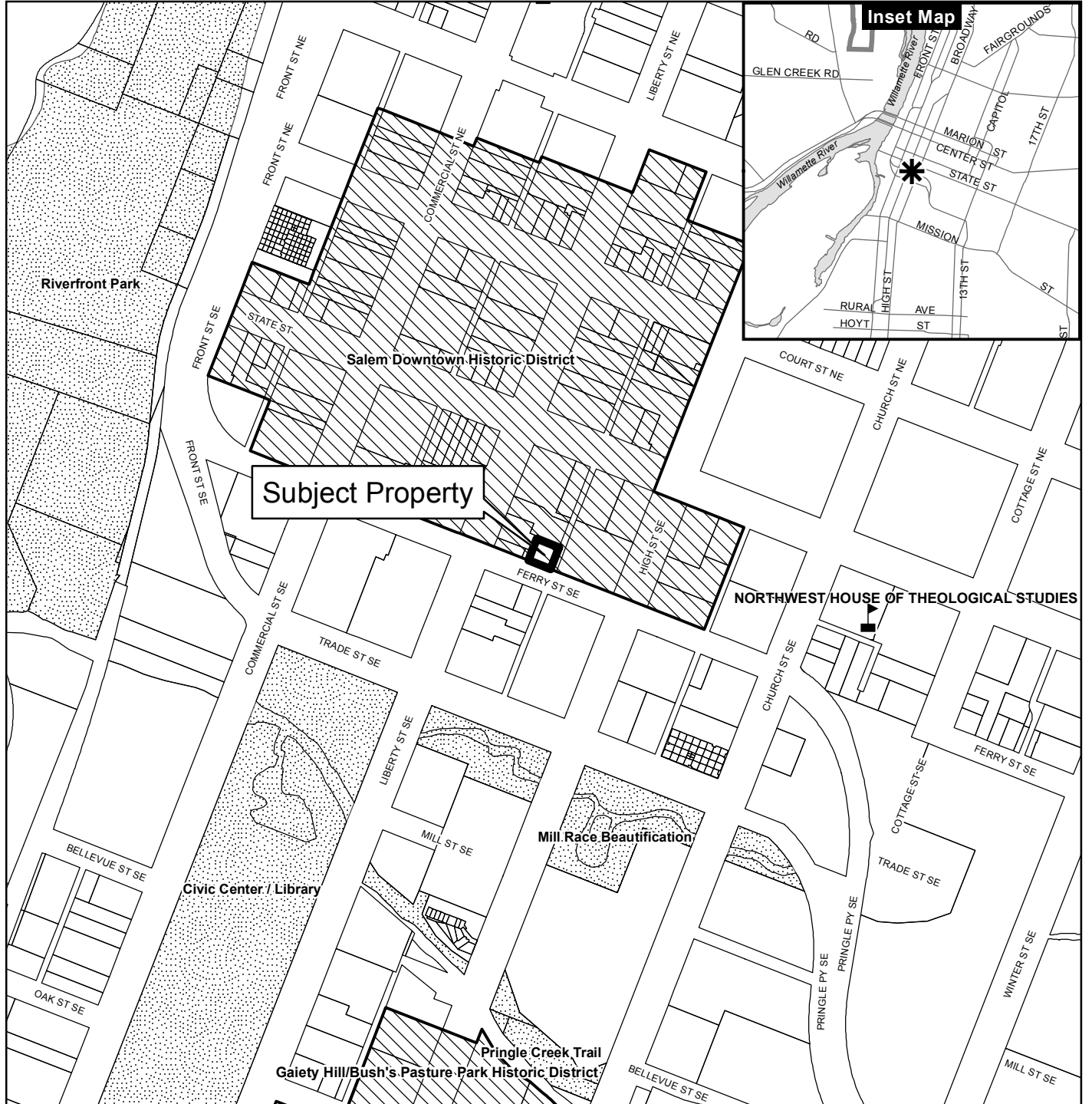
Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Planning Administrator Designee

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








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Ferry St SE.sign.docx

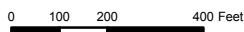
# Vicinity Map

## 431 Ferry Street SE (073W27AB04200)



**Legend**

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



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431 Ferry St SE

ATTACHMENT B



23°



170

Work  
431 Ferry St SE

Avalon Salon & Tanning

431

My Sisters' Closet

Caakes Unltd  
Skate shop

445

423

1

22

99E

Ferry St SE



©2022 Google

440

444  
Elsinore Framing  
& Fine Art Gallery



Work

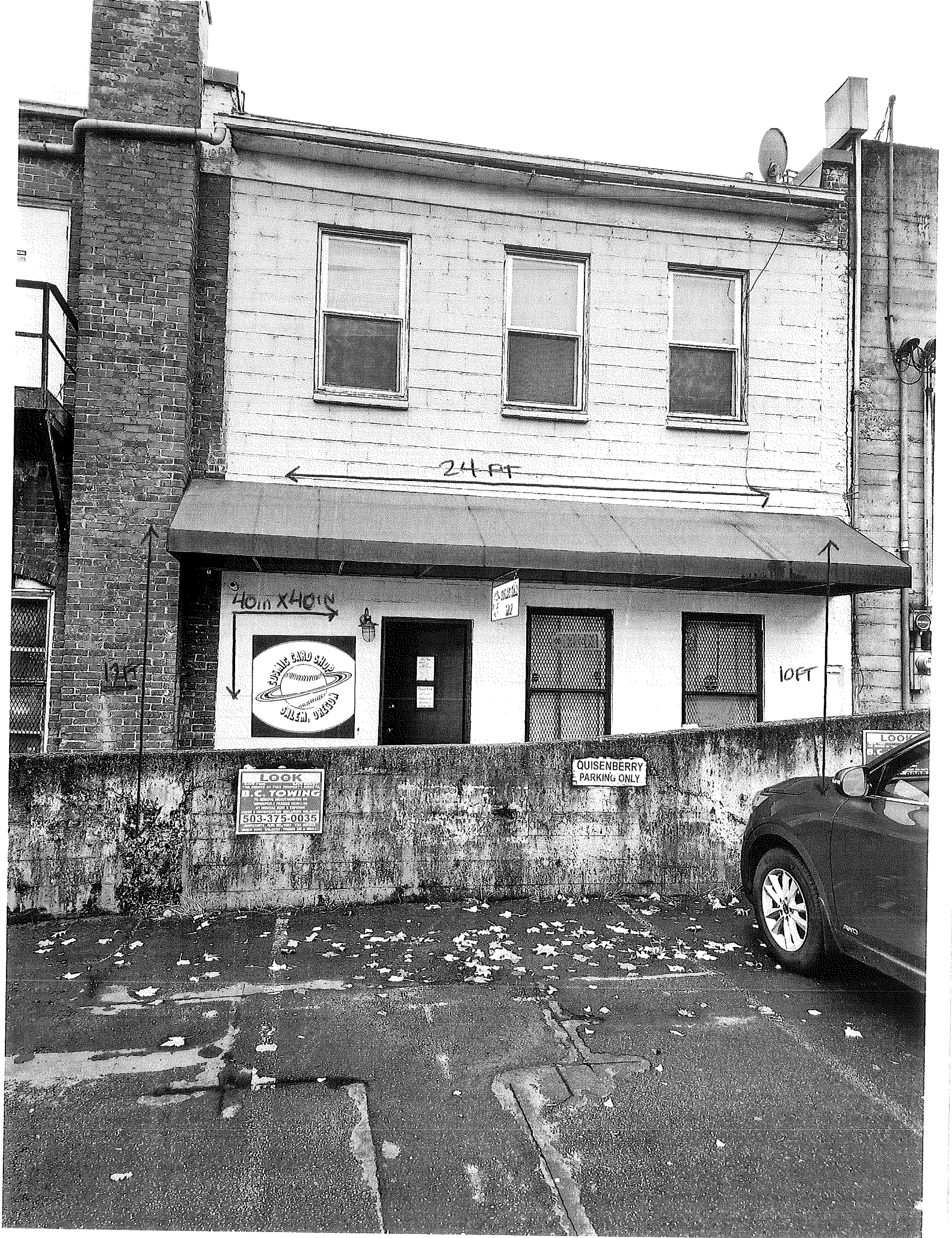
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**COSMIC CARD SHOP**



**SALEM, OREGON**





← 24 FT →

40in X 40in

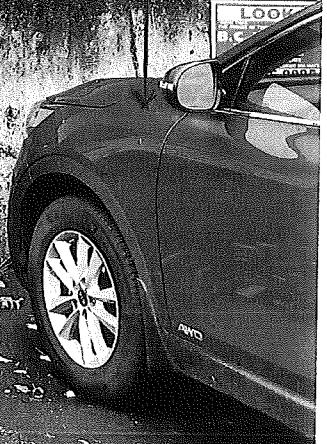
PUBLIC CARO STUDIO  
ARTS & CRAFTS  
STUDIO

24-2500-0000

10FT

LOOK  
B.C. TOWING  
503-375-0035

QUISENBERRY  
PARKING ONLY



3

# GOSMIC CARD SHOP

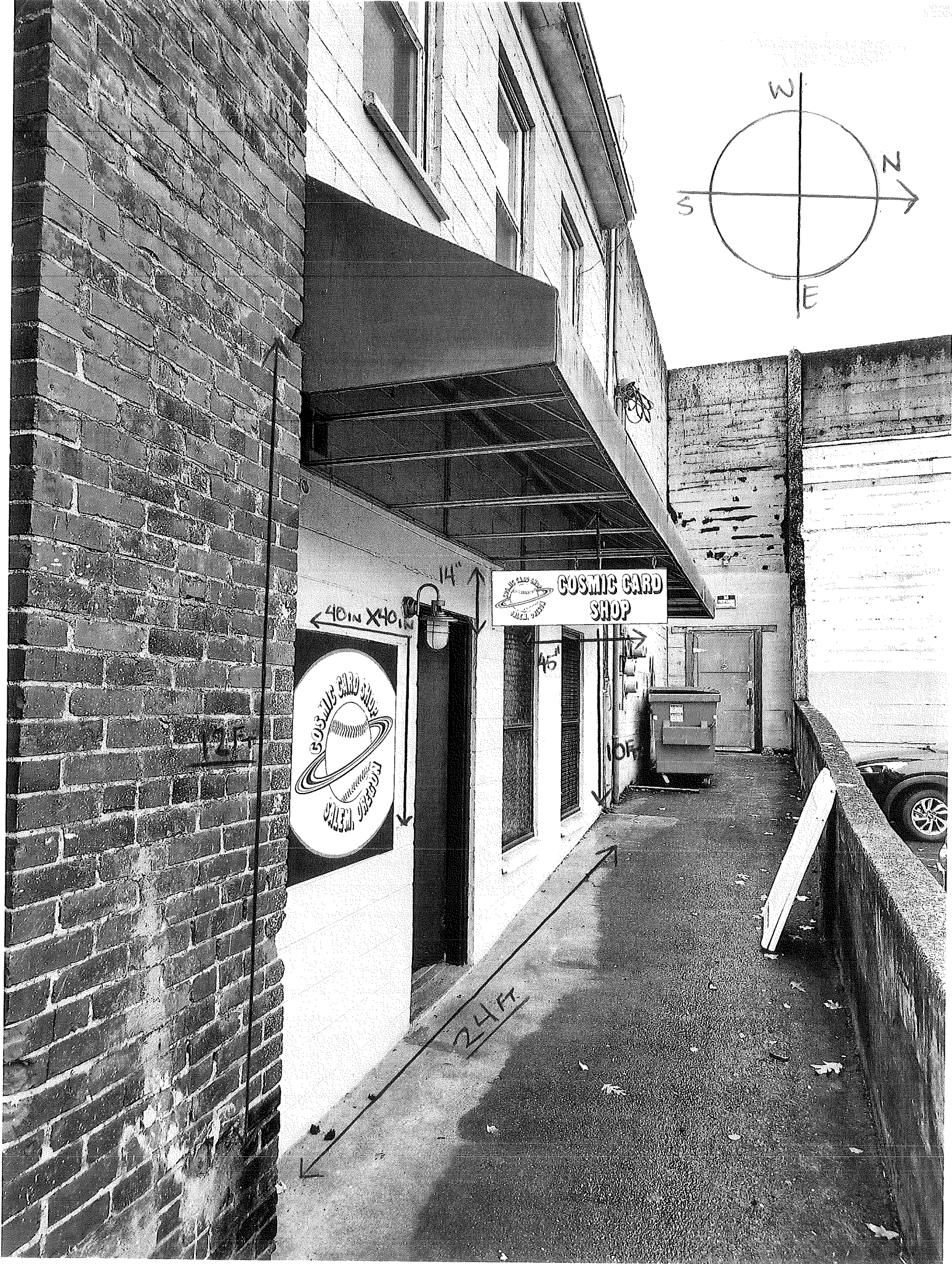
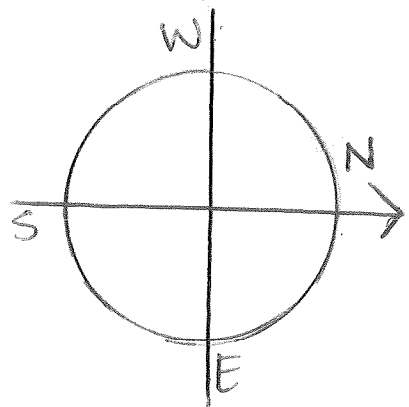


14"

45"







40 in X 40 in

14 in

45 in

10 ft

24 ft

COSMIC CARD SHOP

