

TO: Historic Landmarks Commission

THROUGH: Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director and Planning Administrator

FROM: Kimberli Fitzgerald, AICP, Historic Preservation Officer

HEARING DATE: November 16, 2023

CASE NO.: Historic Design Review Case No. HIS23-22

APPLICATION SUMMARY: A proposal to install a forged-steel, fixed panel fence/gate within the storefront and entry of the Pacific Telephone and Telegraph Co/Fred Meyer Building (19051914).

LOCATION: 170 Liberty St. NE (See Attachment A)

REQUEST Major Historic Design Review of a proposal to install a forged-steel, fixed-panel fence/gate within the storefront and entry of the Pacific Telephone and Telegraph Co/Fred Meyer Building (19051914), a historic non-contributing building within the Salem Downtown Historic District. The subject property is located at 170 Liberty Street NE, Salem, 97301; Marion County Assessors Map and Tax Lot Number: 073W27AB05600.

APPLICANT(S): Ann Johnson

APPROVAL CRITERIA: Salem Revised Code (SRC) 230.045(d) Storefronts;

RECOMMENDATION: **APPROVE** the proposal

BACKGROUND

On July 13, 2023 City of Salem Compliance staff opened a compliance case and contacted the property owner notifying her that the installation of the security gate and fence along the storefront of 170 Liberty St. NE were installed without historic design review, in violation of SRC 230. The applicant submitted their proposal for retroactive approval to install a security gate/fence on October 24, 2023. The application was deemed complete for processing on October 25, 2023. Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on October 27, 2023. Public hearing notice was also posted on the property in accordance with the posting provision outlined in SRC 300.620. The City of Salem Historic Landmarks Commission will hold a public hearing for the case on November 16, 2023 at 5:30 p.m. in Council Chambers, Civic Center at 555 Liberty Street SE, Room 240.

The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is February 22, 2024.

PROPOSAL

The applicant is requesting retroactive approval for the installation of a new 19' 6" wide, 5' 5" to 6' 5" tall forged-steel, fixed-panel fence/gate within the storefront and entry on the west façade of the Pacific Telephone and Telegraph Co/Fred Meyer Building (1905). A summary of the alteration is below:

Security Gate: A steel security gate has been installed with two 6' wide fixed panels which convey the appearance of a wrought iron picketed gate which arches upward from approximately 5' 5" to 6' 5" in height at the center. Each panel is attached to a free-standing square metal post, one on the north side of the entry abutting the northern interior wall of the storefront, and the other abutting the northern end of the fixed metal fence. The gate panels meet in the center and are secured at the base to a metal fixture in the sidewalk.

Fence: A 7' wide, 5' 5" tall metal fence is attached to a square metal post abutting the southern interior wall of the recessed storefront entry.

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 121239.

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 in its entirety as **Attachment C** 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) **Criteria: SRC 230.045(d) Storefronts 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 building, non-contributing building, or new construction in a local historic district shall be erected, altered, restored, moved, or demolished until historic design review approval has been granted. The Historic Landmarks Commission (HLC) shall approve, conditionally approve, or deny the application on the basis of the project's conformity with the criteria. 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. The HLC shall render its 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 the justification for the decision.

2. Historic Significance and Background

This is a one-story commercial structure which has been altered significantly since its original construction and is currently non-contributing to the Downtown Historic District. While the original National Register nomination states that this building was constructed in 1914, research completed by staff has revealed that this building was constructed in 1905 and initially housed the switchboards for the Pacific Telephone and Telegraph Co. from 1905 to 1930. In 1930, the Fred Meyer store moved in and occupied the building through 1948. In 1948 the building went through a significant remodel to accommodate the new tenant, Leeds, a shoe store. Leeds occupied the building until 1966 (**Attachment B**).

3. Neighborhood and Citizen Comments

The subject property is located within Central Area Neighborhood Development Organization (CANDO). Notification of the public hearing was sent to the neighborhood association, tenants and surrounding property owners within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on October 25, 2023. Notice of public hearing was also posted on the subject property. At the time of writing this staff report, no comments have been received from tenants within the historic district or from adjoining property owners. Comments were received from Michael Livingston representing the neighborhood association, on November 3, 2023, who stated CANDO supports the proposal (**Attachment D**).

4. City Department and Public Agency Comments

The Building and Safety Division indicate that the applicant must obtain required building permits and further that gates must comply with 2022 OSSC 1010.3.4, or 1010.4 for egress sizing. Further, for B, F, M or S occupancies only, these gates may be used as a security feature and not part of the actual egress system. Both the Fire Department and the Building and Safety Division stated that at the time of permit submittal, verification will be required for occupancy type. Security gates/grills are allowed for B, F, M and S occupancies but not allowed for A occupancies per 2022 OSSC Section 1010.3.4. The Planning Division has no concerns. The Public Works Department has no concerns with the proposal.

5. Historic Design Review

The applicable criteria and factors are stated below in **bold** print. Following each criterion is a response and/or finding relative to the proposal.

SRC 230.045(d). Storefronts. **Fence and Security Gate**

1. Materials.

(A) Original material shall, if possible, be retained or repaired.

Response: The security gate is not attached to the existing storefront, but is freestanding, therefore no original material has been disturbed by the security gate or fence installation. Staff recommends that the HLC find that SRC 230.045(d)1(A) has been met.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and configuration of the original materials in the storefront.

Response: The applicant is not proposing to replace any original materials, the security gate is a new alteration, therefore this standard is not applicable to the evaluation of this portion of the proposal.

2. Design.

(A) To the extent practicable, original storefront components such as windows, door configuration, transoms, signage and decorative features shall be preserved.

Response: The applicant is not proposing to alter any existing features of the existing storefront, therefore staff recommends that the HLC find that SRC 230.045(2)(A) has been met for this portion of the proposal.

(B) Restoration of the appearance of the storefront during the period of significance, based on historical research and physical evidence, is preferred.

Response: The applicant is not proposing to restore any features of the storefront as part of this proposal. Staff recommends that the HLC find that SRC 230.045(2)(B) is not applicable to the evaluation of the proposal.

(C) Replacement that is contemporary in design shall be compatible with the scale, proportions, massing, height, rhythm, materials, color and texture of historic contributing buildings in the district.

Response: While this proposal does not include replacement of any existing features of the storefront, the security gate and fence are installed at the entry to the recessed opening of the storefront, but not attached to any portion of the structure. Further, the fence and gate are removable, not fully site obscuring. Overall, the design of the gate and fencing are compatible with the resource and the surrounding Historic District and therefore, staff recommends that the HLC find that SRC 230.045(2)(C) has been met for this proposal.

RECOMMENDATION

Based upon the information presented in the application, plans submitted for review, and findings as presented in this staff report, staff recommends that the Historic Landmarks Commission **APPROVE** the proposal.

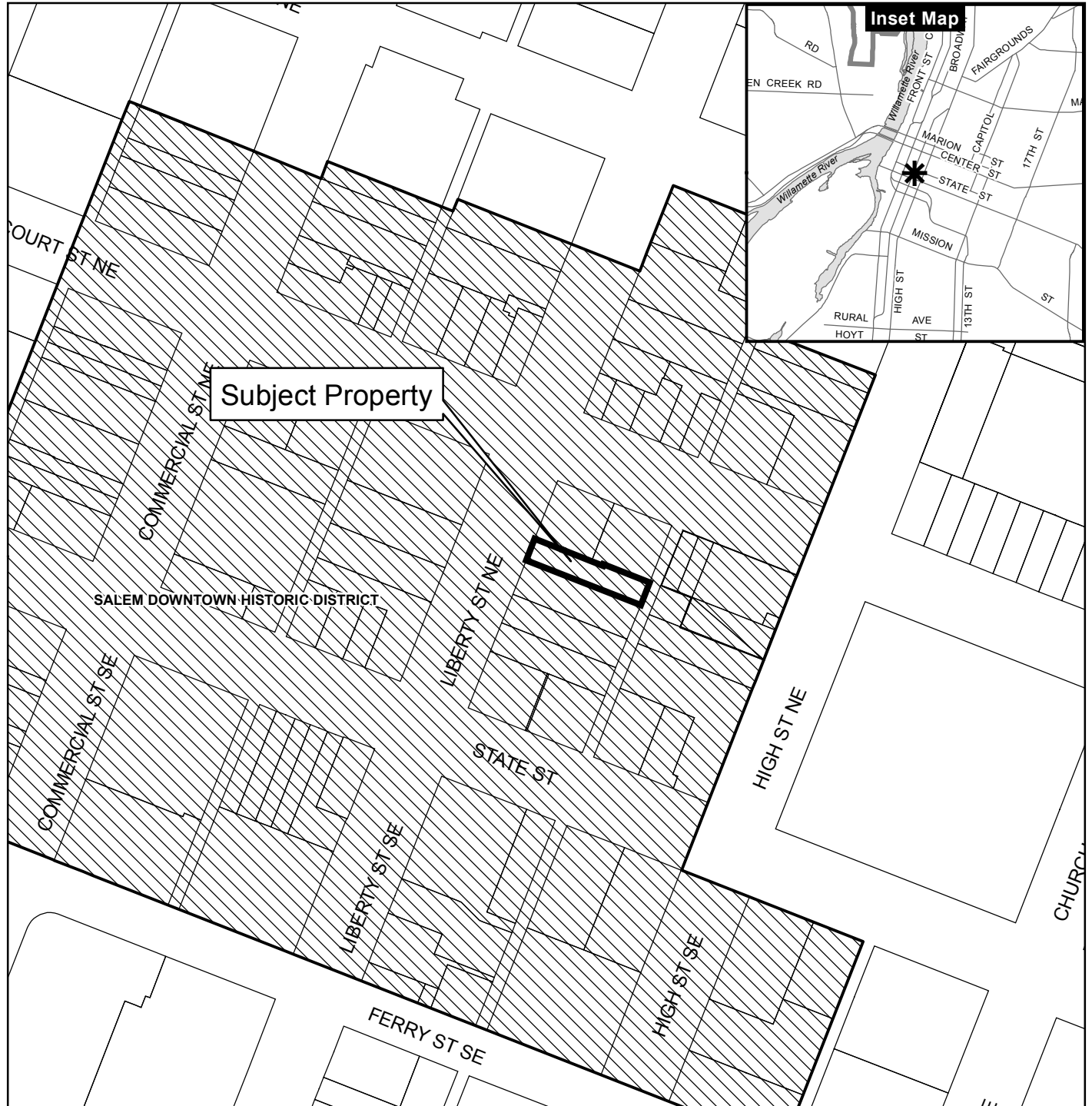
DECISION ALTERNATIVES

1. APPROVE the proposal as submitted by the applicant and indicated on the drawings.
2. APPROVE the proposal with conditions to satisfy specific standard(s).
3. DENY the proposal based on noncompliance with identified standards in SRC 230, indicating which standard(s) is not met and the reason(s) the standard is not met.








Attachments: A. Vicinity Map
B. Excerpt from National Register Historic Resource Documents
C. Applicant's Submittal Materials
D. Email testimony from CANDO

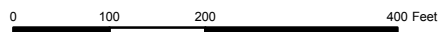
Prepared by Kimberli Fitzgerald, Historic Preservation Officer

Vicinity Map 170 Liberty St NE



Legend

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



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United States Department of the Interior
National Park Service

Salem Downtown Historic District
Salem, Marion County

National Register of Historic Places

Continuation Sheet

Section number: 7

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170 Liberty Street, NE

Classification: Historic Non-Contributing

Historic Name: unknown

Current Name(s): Princess Bridal

Year of Construction: 1914/1960s

Legal Description: 073W27AB05600; Salem Addition, from Lot 7 in Block 21

Owner(s): Doreen Shogren, Trustee
970 Holiday Court, South
Salem, Oregon 97302

Description: This one-story commercial building has a smooth stucco finish on the upper portion. The storefront contains a deeply recessed entrance-way with angled display windows that appear to date from the 1950s, and an entrance door that appears to be from the historic period. The aluminum sash and large display windows rest above a bulkhead area that has a smooth stucco surface. A fabric awning projects out over the sidewalk. The historic features are largely covered and the building does not display sufficient integrity to contribute to the qualities of the district; it is considered to be non-contributing in its current condition.

177 Liberty Street, NE

Classification: Historic Contributing (See also 189 Liberty St. NE- Listed in the National Register of Historic Places, 1978)

Historic Name: McCornack Building

Current Name: Sport Stop Restaurant

Year of Construction: 1902

Legal Description: 073W27AB05900; Salem Add., Lot 1 and part of Lot 2 in Block 33

Owner(s): Ian Bourne
11313 SW 49th Avenue
Portland, Oregon 97219

Description: The McCornack Building, constructed on the south wall of the Reed Opera House in 1902, is a two-story, unreinforced brick building. The main facade has four bays on both the first and second floors. The second floor has double-hung wood sash windows with transoms and decorative projecting belt courses under the parapet. The storefront has been stuccoed over and the windows have been changed. While the first floor does not have a historic appearance, the second floor retains sufficient integrity so that the building contributes to the historic character of the downtown district. This building was listed in the National Register of Historic Places in March of 1978 as part of the Reed Opera House nomination.

History and Significance: In 1902, two years after the theater was closed and the second and third floors of the opera house were converted to mercantile use, E.P. McCornack, proprietor of the Reed Opera House and president of the First National Bank of Salem, built a two-story addition on the south wall of the opera house to house a furniture store. McCornack also oversaw construction of the southern extension of the old Reed Hotel, which adjoined the west wall of the opera house. The entire block of buildings, occupying more than one-eighth of the block, became known as the McCornack Block. The Oregon Home Furnishing

⁸⁵ *Portrait and Biographical Record*, 333-35; Polk, *Salem City Directory*, 1909-10, 1915.

The location where the building at 170 Liberty St NE now resides was once in the center of Salem's Chinatown. By the late nineteenth century, developers were pushing the downtown commercial district further east and many of the inhabitants, a larger percentage of whom were Chinese immigrants, were forced to relocate. The building which now stands at 170 Liberty St NE – the first brick building constructed on the block – was built in 1905 to house the Pacific Telephone and Telegraph Co. Arriving in Salem in 1884, Salem's first telephone agency constructed the building to meet their new space requirements as demand for telephone service increased. In 1890, there were only 115 patrons; by 1910, there were 1766 telephones in the city.¹ The telephone and telegraph office was located here until about 1930, when Fred Meyer, described as a "new 'streamlined' food store" moved in.² Fred Meyer had two stores within a few storefronts of each other; one was primarily a pharmacy and the other was a general merchandise store. In 1948, Fred Meyer closed their location at 170 Liberty St NE and condensed all their inventory to the store just a few doors south (120 Liberty St NE).



Figure 1: 170 Liberty St NE as it appeared c1938 when home to Fred Meyer. ("Meyer Firm Finds Wide Patronage," *Capital Journal*, July 2, 1938, p. 3)



Figure 2: 170 Liberty St NE is pictured to the left of J.C. Penney in the aftermath of a large snowstorm that hit Salem in 1937. (Salem Public Library, Ben Maxwell Collection, ID687)

In 1948, the building went through a significant remodel at a cost of \$15,000 to house popular shoe store Leed's.³ Leed's Shoe Store called the building home from 1948 until 1966 when the store moved to the newly completed Plaza Shopping Center.⁴

After Leed's, the building housed a myriad of well-known Salem businesses, including Salem Record and TV, Shogren's Electronics, Ranch Records, and currently, Napoleon's Creperie & Gelato, and The French Unicorn.

¹ "Dial Phone System Ends 47 Years Under Manual Operation," *Capital Journal*, April 2, 1931, p. 16; "Salem is also assured...," *Oregon Statesman*, February 12, 1905, p. 1; "Salem, too, has bell-ringing tale," *Capital Journal*, March 10, 1976, p. 1.

² "Thousands Present at Meyers Opening," *Capital Journal*, June 27, 1939, p. 16.

³ "Bright Colors Feature of New Business," *Oregon Statesman*, November 25, 1948, p. 28; "Remodeling for New Leed's Store Granted," *Oregon Statesman*, September 15, 1948, p. 10.

⁴ "Four More Firms Named for Plaza Shopping Center," *Oregon Statesman*, September 6, 1966, p. 14;

Leed's Shoe Store to Open This Week End

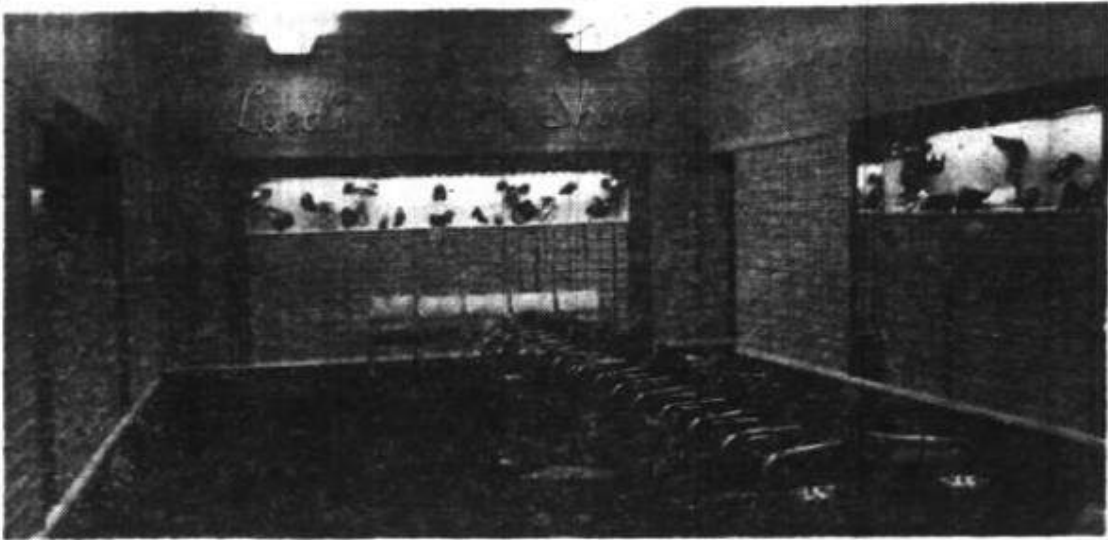
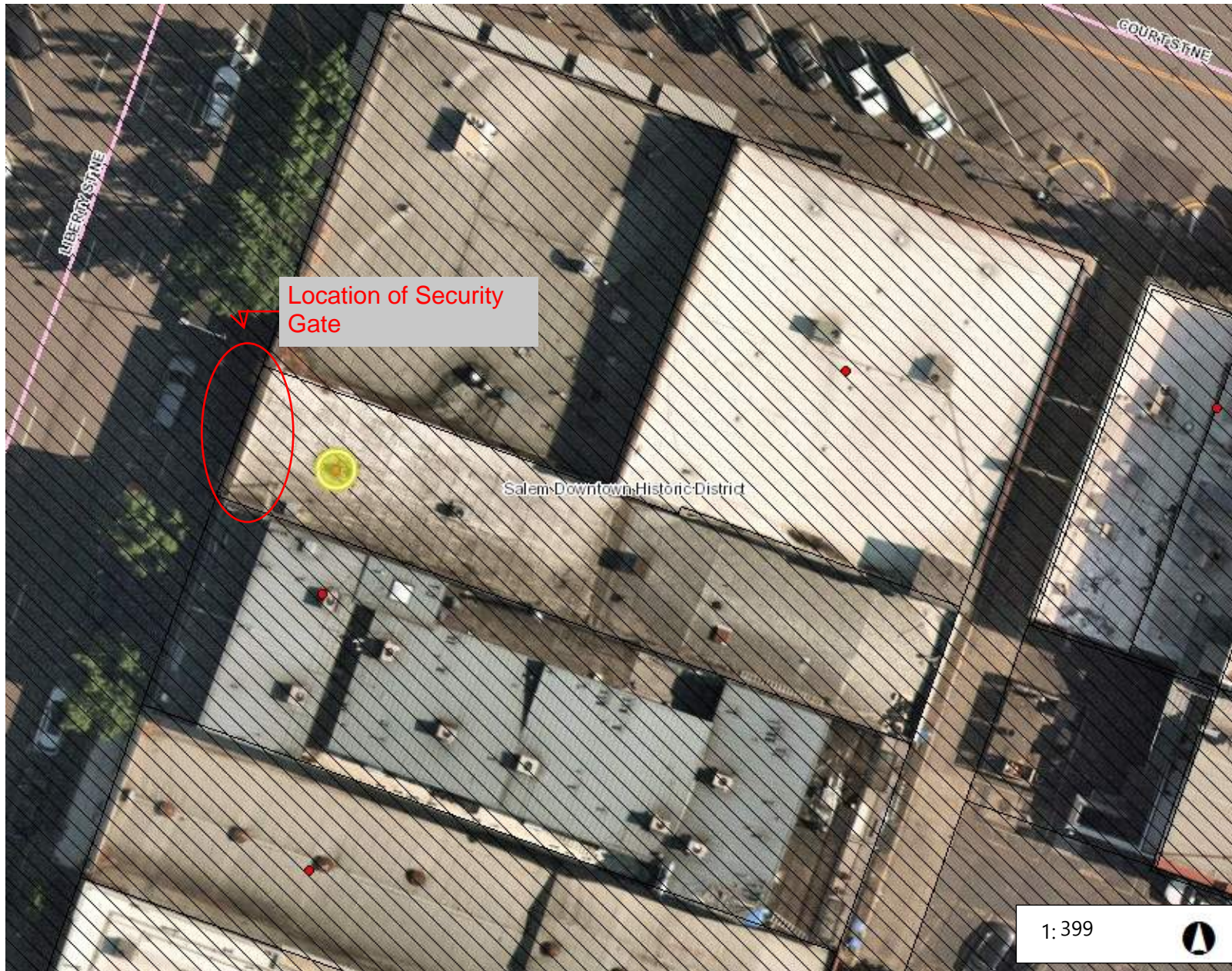


Figure 4: This photo shows the interior of the newly remodeled 170 Liberty St NE. ("Leed's Shoe Store to Open this Week End," Oregon Statesman, November 25, 1948, p. 10)



A new Leed's shoe store, the fourth in Oregon and the 200th in the nation, will open at 170 N. Liberty st., in Salem on Friday and Saturday. Top photo shows the colorful interior and lower photo the modernistic front.

Figure 3: The newly remodeled exterior of Leed's Shoe Store. (See above citation)



Legend

- Centerline (Labels)
- Historic Buildings
- ▣ Historic Districts
- ▣ Annexations (delayed)
- Taxlots
- Creeks
 - 50 - 200
 - 200 - 640
 - 640 - 6400
 - GT 6400
- Hydrology
- Street Class
 - Future Minor Arterial
 - Future Collector
 - Major Arterial
 - Minor Arterial
 - Parkway
 - Collector
 - Highway/Freeway
- Overlay Zones
 - ▣ Overlay Zones
 - ▣ Compact Development Overlay Zor
 - ▣ Mixed-Use Overlay Zone
 - ▣ Urban Growth Boundary
 - ▣ City Limit

Notes

Enter notes here...

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WGS_1984_Web_Mercator_Auxiliary_Sphere
City of Salem, Oregon

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

9/21/23

Ann Johnson,

STANDARDS FOR HISTORIAL CONTRIBUTING BUILDINGS COMMERCIAL HISTORIC DISTRICTS

CRITERIA RESPONSE WORKSHEET ADDENDUM

230.040F

1 (A)

The material for the gate and fence is galvanised metal. Galvanized metal is now used in the fabrication of ironwork that has historically been wrought iron.

The Height of 5' to fence top rail; to 6' at the rail at the highest point of the gate arch. Add 6"h to the pickets/finials that extend above the top rail.

The ongoing maintenance is superior to wrought iron as well.

The gate and fence have been professionally painted with a commercial paint made for exterior metal.

The paint colour used on the metal has been custom mixed to match the gold colour of the stucco, complementary marble and historical vitrolite on the building facade.

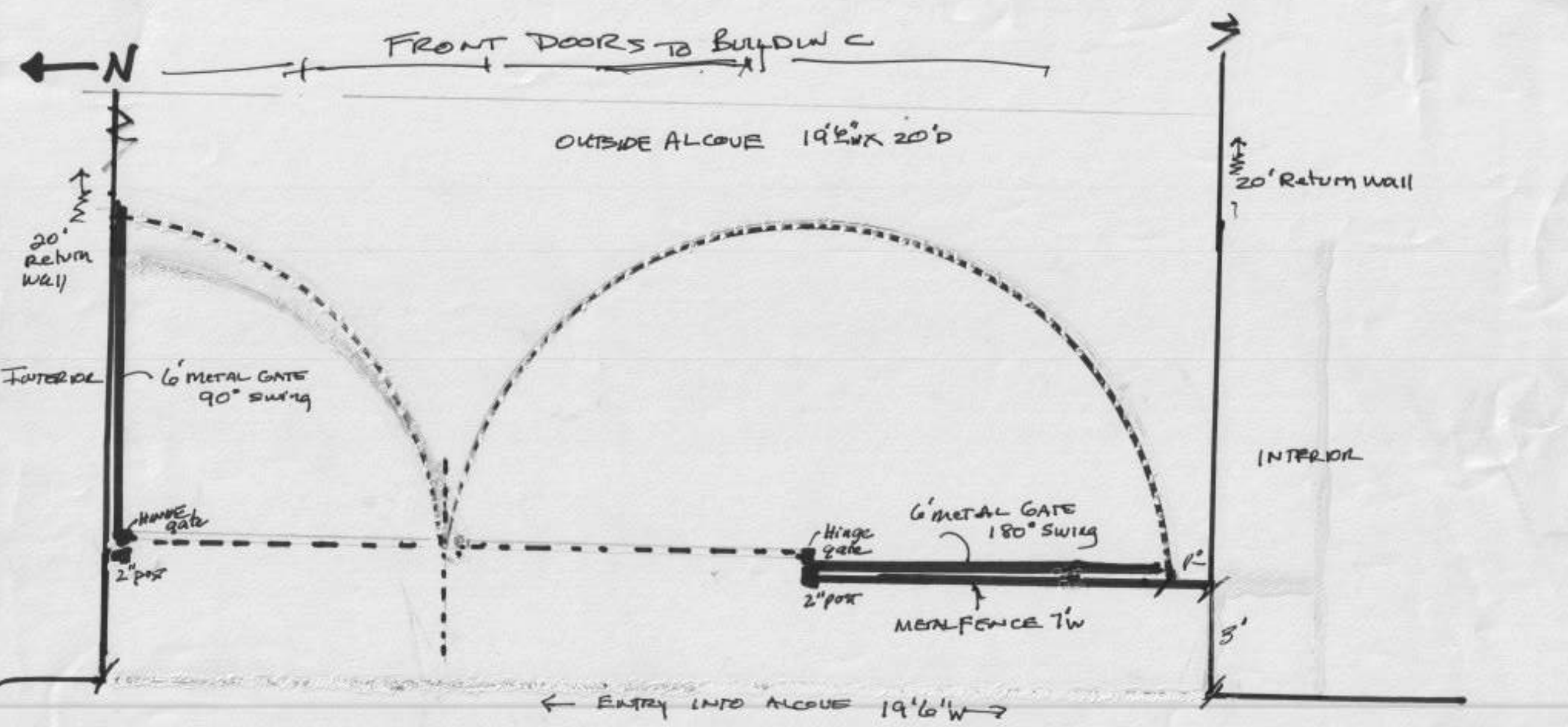
1 (B through L)

The original design of the front facade constructed in 1917 did not have an alcove but was instead fully faced with brick with an entry door. Based on the choice of materials and design the major renovation to re-face the front facade brick with stucco and vitrolite appears to have been done during the same time period many other buildings downtown were remodelled to include alcove to front door. Old photos from the early 1900's, show majority of commercial buildings were brick or lap wood siding. Iron was used throughout the downtown core. Cement block and stucco and vitrolite appear to have been the standard material used in renovation during the 1930-50's.

A metal sleeve and anchor was made to securely attach the fence and gate posts to the terrazzo floor. The fence and gate are free standing and are not attached to the side of the building so as to not disrupt the vitrolite as well as the large glass windows that line the walls of the alcove. The fence design, colour and visual stature meld well with the overall appearance of the 32' wide facade's walls alcove and awnings. It gives some visual weight to offset the very wide header that spans the full width of the alcove. The height of the Posts and pickets is approx 3:1 ratio of alcove coffered ceiling height to fence height.



Installed gate- 170 Liberty Street NE



Fence / GATE DESIGN / DIMENSION

- SIDEWALK -

170 LIBERTY ST NE

Kimberli Fitzgerald

From: MICHAEL LIVINGSTON <michaellivingston1@comcast.net>
Sent: Friday, November 3, 2023 3:28 PM
To: Zachery Cardoso
Cc: Kimberli Fitzgerald; Irma Coleman; Owens, Sarah
Subject: Re: Request for Comments - Case No. HIS23-22 for 170 Liberty St NE

f CANDO, I am submitting this comment in response to your revised request below in
23-22 for 170 Liberty St NE :

**supports the proposal to install to install a forged-steel, fixed panel fence/gate
storefront and entry of the Fred Meyer Building (1914). The proposed fixed panel
will preserve, rather than detract from, the historic qualities of the building.**

ston

On 10/25/2023 3:42 PM PDT Zachery Cardoso <zcardoso@cityofsalem.net> wrote:

Hello,

The Request for Comments for Historic Design Review Case No. HIS23-22 for 170 Liberty St NE is attached for your information. Comments are due **Wednesday, November 8, 2023 by 5:00 p.m.** Hard copies go out in the mail today for those of you who are to receive one.

Application Summary: A proposal to install a forged-steel, fixed panel fence/gate within the storefront and entry of the Fred Meyer Building (1914).

Please direct questions or comments to the **CASE MANAGER:**

Kimberli Fitzgerald

kfitzgerald@cityofsalem.net

503-540-2397