

# NOTICE OF DECISION

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



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503-588-6173*

## DECISION OF THE HISTORIC PRESERVATION OFFICER

**MODIFICATION OF HISTORIC DESIGN REVIEW CASE NO.: HIS20-31MOD1**

**APPLICATION NO.: 21-110855-DR**

**NOTICE OF DECISION DATE:** July 20, 2021

**SUMMARY:** A modification of a previously approved proposal to install signage on the exterior of the Reed Opera House.

**REQUEST:** A modification of a Class 2 Minor Historic Design Review (HIS20-31) proposal to install signage and remove non-historic lighting on the exterior of the Reed Opera House (1869), a Historic Contributing Resource within Salem's Downtown National Register Historic District, located at 189 Liberty Street NE (Marion County Tax Assessor Number 073W27AB05900).

**APPLICANT:** Matt Boyington

**LOCATION:** 189 Liberty St NE, 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 July 20, 2021.

**DECISION:** The **Historic Preservation Officer** (a Planning Administrator designee) **APPROVED** Historic Design Review Case No. HIS20-31MOD1 based upon the application materials deemed complete on July 24, 2021 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by August 5, 2023, or this approval shall be null and void.

Application Deemed Complete:	<u>June 24, 2021</u>
Notice of Decision Mailing Date:	<u>July 20, 2021</u>
Decision Effective Date:	<u>August 5, 2021</u>
State Mandate Date:	<u>October 22, 2021</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. Wednesday, August 4, 2021. 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**

**HISTORIC DESIGN REVIEW CASE NO. HIS20-31MOD1  
DECISION**

**IN THE MATTER OF APPROVAL OF ) MINOR HISTORIC DESIGN REVIEW  
HISTORIC DESIGN REVIEW )  
CASE NO. HIS20-31MOD1 )  
189 LIBERTY STREET NE ) July 20, 2021**

In the matter of the application for a Minor Historic Design Review submitted by Matt Boyington, Salem Sign Co. on behalf of Donald Bauhofer, 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 modification of a previously approved proposal to install signage on the exterior of the Reed Opera House.

**REQUEST:** A modification of a Class 2 Minor Historic Design Review (HIS20-31) proposal to install signage and remove non-historic lighting on the exterior of the Reed Opera House (1869), a Historic Contributing Resource within Salem's Downtown National Register Historic District, located at 189 Liberty Street NE (Marion County Tax Assessor Number 073W27AB05900).

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 June 24, 2021 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 previously received approval under HIS20-31 to install three double face illuminated projecting signs and five (5) tenant wall signs (eight to twenty square feet in size) and eight (8) secondary non-illuminated wall signs attached below the transoms and above the storefront. The applicant is proposing to modify the design of one of the tenant signs that was

previously approved. Specifically, the applicant is proposing to install one (1) double face illuminated round projecting sign 3'8" x 3'8" in size. This signage will have exposed single tube white neon illumination and the signage will be comprised of aluminum painted black and white with the letters of acrylic. Additionally, the applicant is proposing to remove the non-historic lighting on the top portion of the columns between the storefront bays (**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. It should be noted that the removal of the non-historic lighting on the top portion of the columns between the storefront bays is not subject to historic design review, as these features are non-historic non-contributing to the resource and therefore their removal is exempt from review.

## **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

According to nomination documents the Reed Opera House was constructed in 1869 by architect G.W. Rhodes as envisioned by Cyrus Adams Reed. This resource is historic contributing to Salem's Downtown Commercial Historic District. While the first-floor storefront has been altered, overall, it retains a high degree of integrity. The most significant alterations to the resource were in 1920. At this time, the first floor of the Reed Opera House was converted for use by Miller's Department Store which remained in this building through the 1960s. It's unclear precisely when the exterior lights on the columns between the storefront bays were added – but based upon these photographs it appears to have been some time in the 1960s, after the period of significance for the 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 June 24, 2021. The CANDO Neighborhood Association submitted an email on July 5, 2021 stating that CANDO has "No comment" in response to the proposal. 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 has no concerns and the Public Works Department has stated that the applicant must obtain the required revocable permits for the projecting signs pursuant to SRC 76.160.

## 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 attached to the Reed Opera House Building, 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 signage will be located between the transom and sill of the first story of the Reed Opera House building. Staff finds that this standard has been met.

*(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:** None of the proposed wall signs proposed will be flush to the building. Staff finds that this standard is not applicable to the evaluation of this proposal.

*(cc) Perpendicular to the building;*

**Finding:** The proposed illuminated signs will project perpendicular to the building approximately 4" away from the exterior wall. Staff finds that this standard has been met.

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

**Finding:** None of the proposed signage will be suspended from the awning or marquee therefore staff finds that this standard is not applicable to the evaluation of this proposal.

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

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

**Finding:** The proposed signage will be installed into the top portion of the stucco covered concrete column utilizing 3/8" x 3" concrete anchors, therefore no signage will be installed into the historic masonry. Staff finds that this standard has been met.

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

**Finding:** The proposed sign will be attached at the top of the column between the storefront bays, where no significant features of the column or transom windows on the Reed Opera House will be obscured. 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:** The proposed illuminated signage incorporates external illumination. Staff finds that this standard has been met.

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

**Finding:** The applicant's proposed illuminated signage has illumination that is approximately 300 watts. This level of illumination does not exceed 366 watts or 250 nits between sunset and sunrise. Staff finds that this standard has been met.

*(iii)Not have exposed conduit.*

**Finding:** The applicant's proposed illuminated signage (3 projecting signs) all have conduit which will be wired through the square tube brackets directly into the building per Exhibit K in **Attachment B**. No conduit will be visible therefore staff finds that this standard has been met.

## DECISION

Based upon the application materials deemed complete on June 24, 2021 and the findings as presented in this report, the application for HIS20-31MOD1 is **APPROVED**.

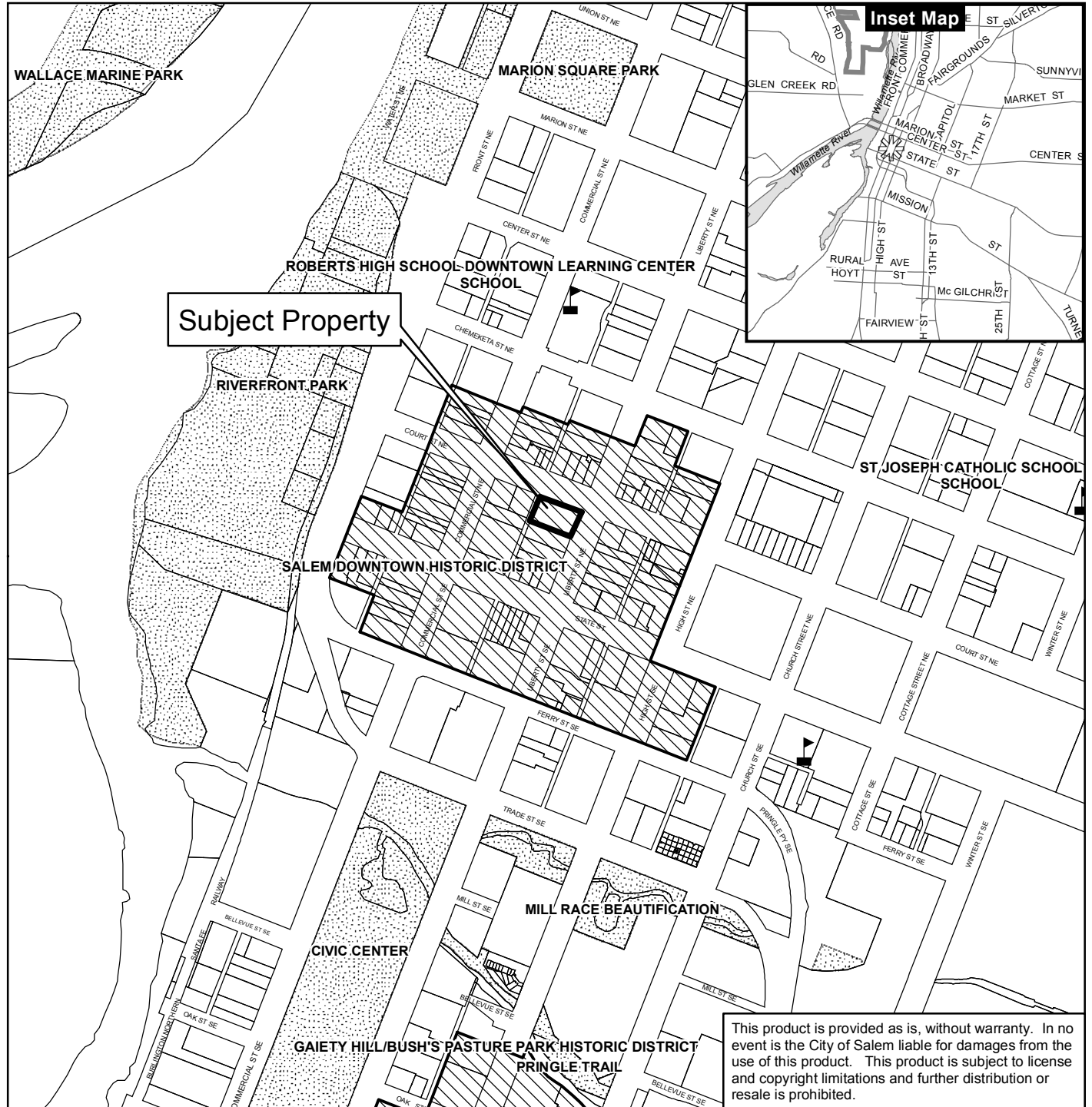


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Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Planning Administrator Designee







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

# Vicinity Map 189 Liberty Street NE



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**Legend**

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

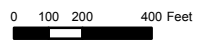




EXHIBIT A

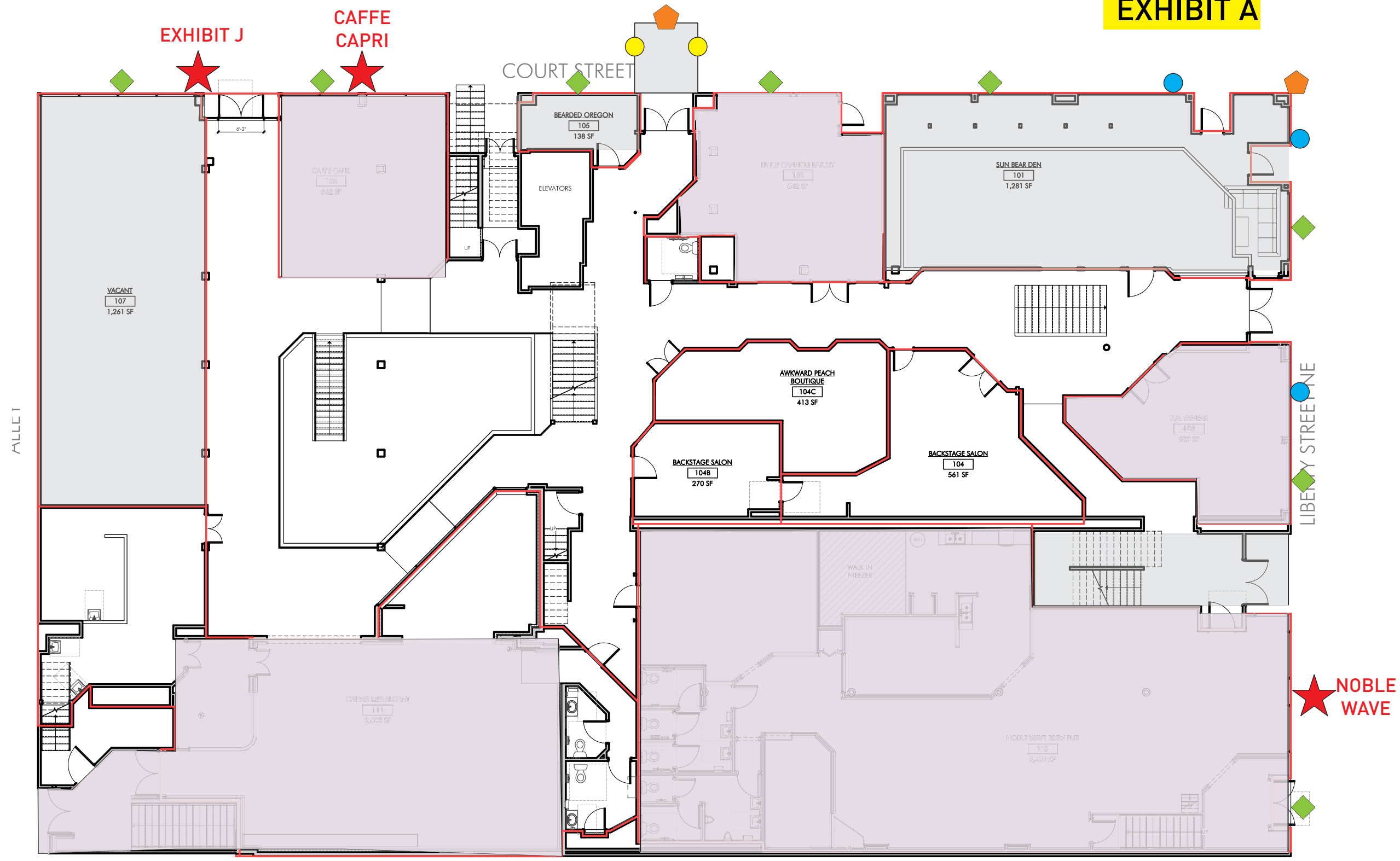
LEGEND

PROPOSED

- ★ PROJECTING SIGNS (Less than 50 sq. ft.)
- WALL MOUNTED SIGNS FOR TENANTS (8 to 20 square feet per sign)
- ◆ WALL MOUNTED SECONDARY SIGNAGE (8 square feet max per sign)

EXISTING

- ⬠ EXISTING SIGNS FOR COMPLEX
- EXISTING TENANT SIGNS



1 Level 01 - Existing Plan 3/16" = 1'-0"



REED OPERA HOUSE - 1ST FLOOR

### Historic Alteration Review Worksheet

Site Address: 189 Liberty St NE

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: Aluminum/Acrylic

**Project Description**

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:

The intent of this review is to modify a sign design that was already approved. HIS20-31.

The size of the sign we will be manufacturing is smaller and still meets all historic and city sign code.

[Signature]  
Signature of Applicant

6/9/21  
Date Submitted/Signed



Salem Sign Co., Inc.

1825 FRONT ST. N.E.  
SALEM, OR 97301

503-371-6362

CCB# 65297

**SPECIFICATIONS**

**FACES:**

090 Aluminum;  
Painted Black &  
White

**RETURNS:**

040 Aluminum;  
Painted White

**ILLUMINATION:**

Exposed Single  
Tube White Neon

**VINYL:**

3M White  
3M Black

SCALE: 1" = 1'-0"



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# Illuminated Double Face Projecting Display

**EXHIBIT J**



4" Between  
Wall & Sign



Existing Lamp  
to be removed  
by others



SK# 25719-21

JOB TITLE: Munchies

LOCATION: Salem, OR

DATE: 5/17/21

DRAWN BY: E.D.

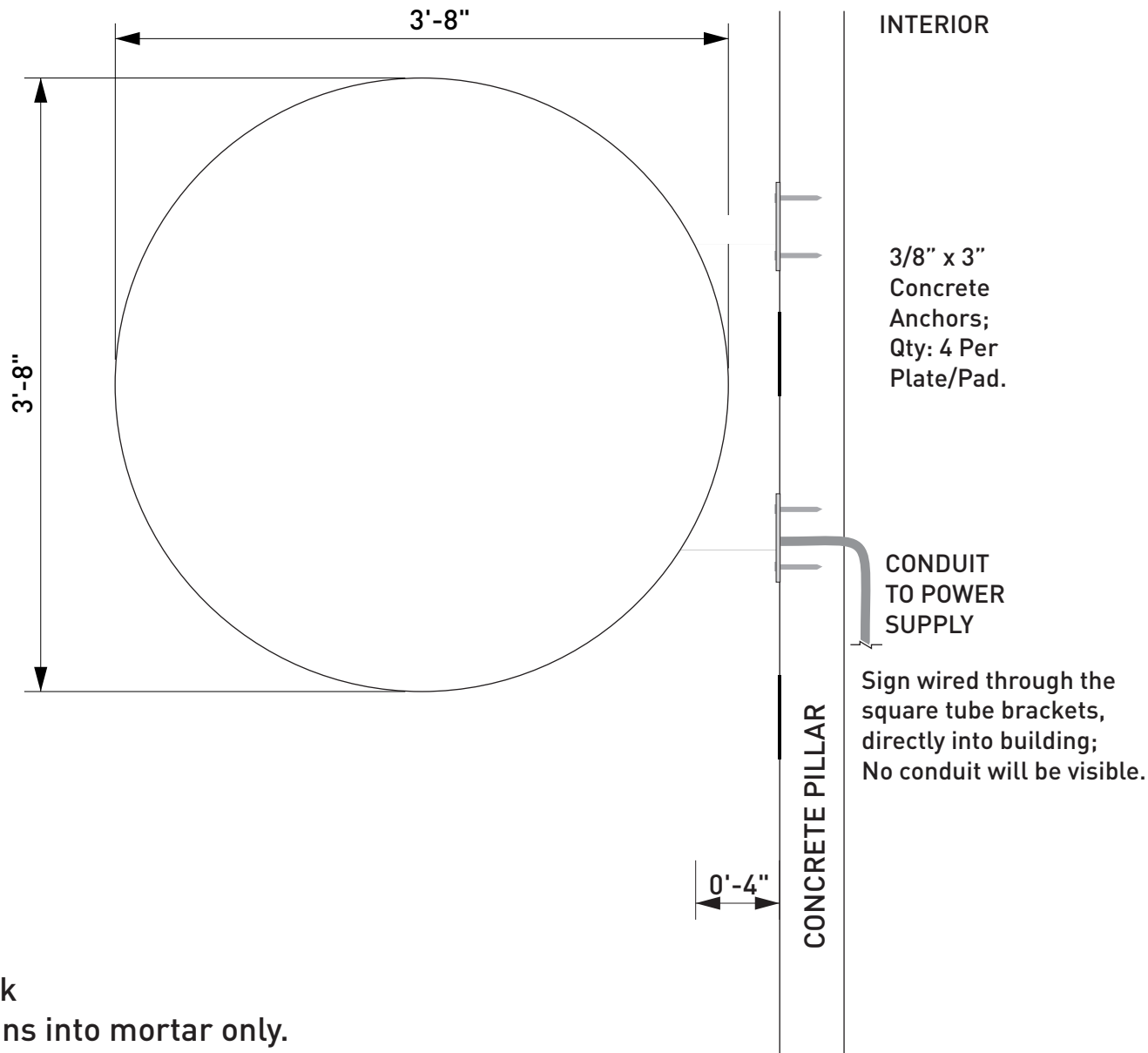
SALES: Corey Spady

APPROVED BY:



# Double Face Illuminated Projecting Display Attachment

**EXHIBIT K**



## SPECIFICATIONS

**FACES:**  
090 Aluminum;  
Painted Black

**ILLUMINATION:**  
Exposed Single  
Tube White Neon  
(Verify)

**VINYL:**  
3M White



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\*Elevations with Brick shall have penetrations into mortar only.