

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 PLANNING ADMINISTRATOR

HISTORIC DESIGN REVIEW CASE NO.: HIS20-15

APPLICATION NO.: 20-108316-DR

NOTICE OF DECISION DATE: JULY 7, 2020

SUMMARY: A proposal to install a security gate at the rear of the South Edridge Block/Greenbaum Building (1889).

REQUEST: Minor historic design review of a proposal to install a new steel gate on the rear of the South Eldridge Block/Greenbaum Building (1889), a historic contributing resource within the Salem Downtown National Register Historic District, on property approximately 0.12 acres in size, zoned CB (Central Business District) and located at 240 Commercial Street NE (Marion County Assessor's Map and Tax Lot number: 073W22DC-08300).

APPLICANT: Al Tandy on behalf of ART 3 Properties, LLC (Al Tandy)

LOCATION: 240 Commercial ST NE

CRITERIA: Salem Revised Code (SRC) Chapters 230.040(f) Standards for historic contributing buildings in commercial historic districts - Alterations and Additions

FINDINGS: The findings are in the attached Decision dated July 7, 2020.

DECISION: The **Historic Preservation Officer** (a Planning Administrator Designee) **APPROVED** Historic Design Review HIS20-15.

The rights granted by the attached decision must be exercised, or an extension granted, by July 23, 2022 or this approval shall be null and void.

Application Deemed Complete:	<u>June 26, 2020</u>
Notice of Decision Mailing Date:	<u>July 7, 2020</u>
Decision Effective Date:	<u>July 23, 2020</u>
State Mandate Date:	<u>October 24, 2020</u>

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

This decision is final unless written appeal 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., Wednesday, July 22, 2020. 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 must be filed in duplicate with the City of Salem Planning Division. 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 320, 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. HIS20-15
DECISION**

**IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS20-15)
240 COMMERCIAL STREET NE) July 7, 2020**

In the matter of the application for a Minor Historic Design Review submitted by Al Tandy on behalf of ART3 Properties LLC. (Al Tandy), 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 security gate at the rear of the South Eldridge Block/Greenbaum Building (1889).

REQUEST: Minor historic design review of a proposal to install a new steel gate on the rear of the South Eldridge Block/Greenbaum Building (1889), a historic contributing resource within the Salem Downtown National Register Historic District, on property approximately 0.12 acres in size, zoned CB (Central Business District) and located at 240 Commercial Street NE (Marion County Assessor's Map and Tax Lot number: 073W22DC-08300).

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 26, 2020 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.

2. Analysis of Minor Historic Design Review Approval Criteria

Finding: The applicant is proposing to install a security gate at the rear of the South Eldridge Block/Greenbaum Building (1889) fronting the alley between 236 Commercial Street NE and 254 Commercial Street NE. The proposed new gate will be attached to a freestanding frame. The gate will be comprised of steel picket panels attached to freestanding metal square posts and include two vehicular gates and one pedestrian gate, which will not be attached to the building and will swing inward (west) away from the alley (**Attachment B**). The proposed alterations will also require a Class 2 Site Plan Review approval as well as a building permit prior to construction. Staff determined that the following standards from SRC 230.040(f) *Standards for Contributing Resources in Commercial Historic Districts, Alterations and Additions* are applicable to this project.

FINDINGS:

Criteria: 230.040(f) Alterations and Additions.

(1) Materials.

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

Finding: The proposed new metal gate is of traditional dimensions. Staff finds that this standard has been met.

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

Finding: The proposed new gate will be of metal, a material found within the South Eldridge Block/Greenbaum Building and throughout the Downtown Historic District. Staff finds that this standard 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.*

Finding: The applicant is not proposing to install new masonry as a part of this proposal. Staff finds that this standard is not applicable to the evaluation of this proposal.

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

Finding: The applicant is not proposing to disturb any original material within the South Eldridge Block/Greenbaum Building as a result of the installation of the new security gate. Staff finds that this standard has been met.

(2) Design.

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

Finding: The proposed new security gate will be installed at the rear of the South Eldridge Block/Greenbaum Building, spanning the alley between the buildings to the south and the north. Staff finds that this standard has been met.

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

Finding: The applicant is proposing to install the new security gate by attaching it between two freestanding metal columns which will not be attached to the South Eldridge Block/Greenbaum Building. This method of installation ensures that there will be no alterations to the building as a result of this proposal. Staff finds that this standard has been met.

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

Finding: The proposed security gate is the minimum size necessary to ensure that the area behind the South Eldridge Block/Greenbaum Building is secure. The gate will be freestanding between the two resources located to the north and south of the South Eldridge Block/Greenbaum Building and its small scale is compatible with the resource and the surrounding district. Staff finds that this standard 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.*

Finding: The proposed security gate will be freestanding and will not be attached to the South Eldridge Block/Greenbaum Building or the buildings to the north and south of this resource. While it will be visible from the alley no significant features of this resource or the adjacent resources will be obscured, damaged or destroyed by the proposal. Staff finds that this standard has been met.

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

Finding: The proposed security gate is overall seven feet in height and spans 34' 2", which is the extent of the opening between two buildings to the north and south, fronting the alley located at the rear of the resource. Two vehicular gates and one pedestrian gate which open inward toward the building and away from the alley will be installed. The proposed gate is compatible in design and scale with the resource and the surrounding historic district. Staff finds that this standard 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.*

Finding: The applicant has not proposed to attach the security gate to the building, therefore no distinctive materials, features, or significant examples of craftsmanship will be adversely affected by the proposal. Staff finds that this standard has been met.

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

Finding: The proposed new security gate will not be attached to the resource, therefore no historic materials will be lost. Staff finds that this standard has been met.

(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.*

Finding: The applicant's proposed new security gate is freestanding and not attached to the building, therefore it cannot appear to have been part of the original structure historically. Staff finds that this standard has been met.

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

Finding: The applicant's proposed security gate is of modern metal materials which are clearly new. Since the security gate is not attached to the building, but freestanding at the rear, across the alley, it is clear that it was not constructed as part of the building. Staff finds that this standard has been met.

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

Finding: The applicant is proposing to install a metal security gate with steel picket panels attached to square steel posts. This design is compatible with the commercial style buildings within the Downtown Historic District. Staff finds that this standard has been met.

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

Finding: The applicant is not proposing to alter any features that have acquired significance over time. Staff finds that this standard has been met.

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

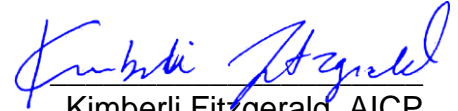
Finding: The applicant is not proposing to alter the resource through the installation of the gate at the rear of the building. The gate will be attached on freestanding posts adjacent to the rear of the building and will not be attached to the structure. Staff finds that this standard has been met.

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

Finding: The applicant is not proposing an addition that would increase the height of the building. Staff finds that this standard has been met.

DECISION

Based upon the application materials deemed complete on June 26, 2020 and the findings as presented in this report, the application for HIS20-15 is **APPROVED**.

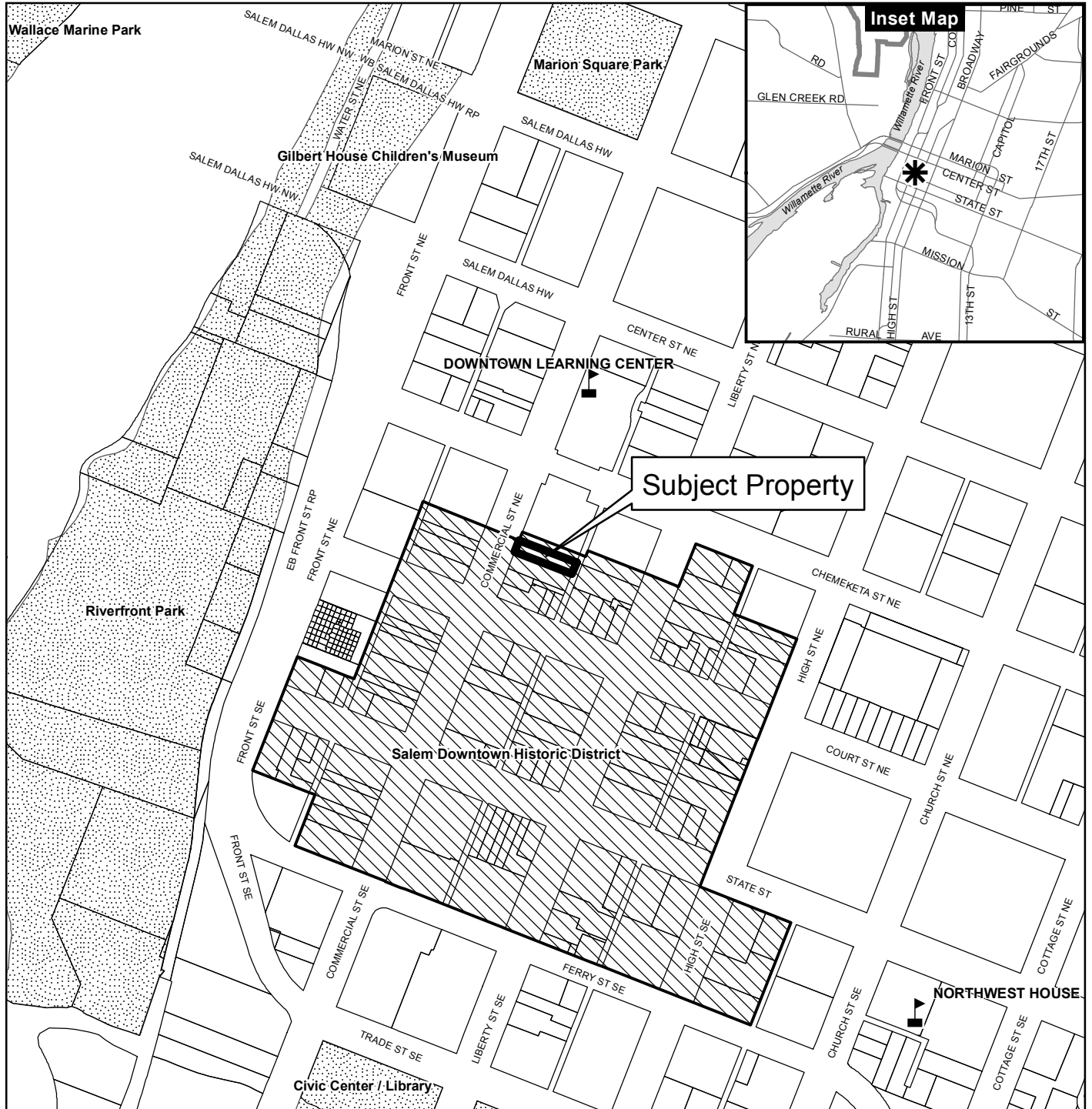


Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee








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

Vicinity Map

240 Commercial Street NE (073W22DC08300)



Legend

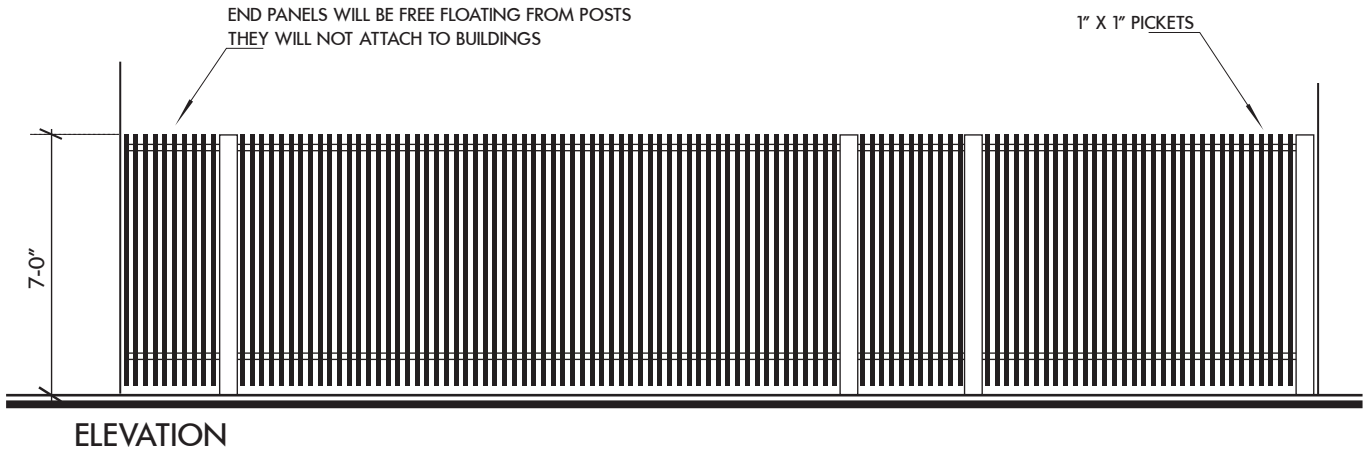
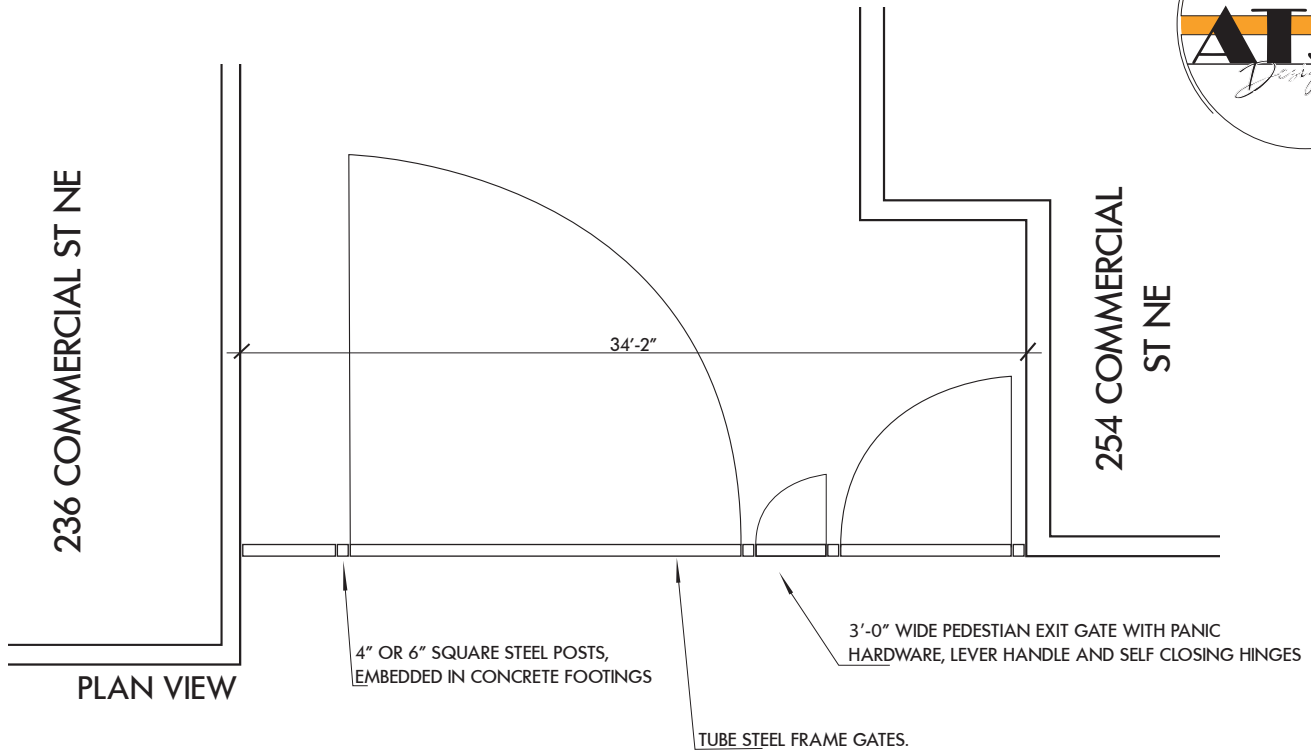
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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PROPOSED SECURITY FENCE AND GATE ON ALLEY BETWEEN
COURT AND CHEMEKETA.

05 MARCH 2020





EXISTING EXTERIOR



PROPOSED SECURITY FENCE AND GATE ON ALLEY BETWEEN
COURT AND CHEMEKETA.

05 MARCH 2020

