

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

## DECISION OF THE HISTORIC LANDMARKS COMMISSION

**HISTORIC RESOURCE DEMOLITION CASE NO.:** HIS18-34

**APPLICATION NO. :** 18-121764-DR

**NOTICE OF DECISION DATE:** December 21, 2018

**SUMMARY:** A proposal to demolish the Marion Car Park (1950).

**REQUEST:** Major Historic Design Review of proposal to demolish the Marion Car Park (1950), a historic contributing resource within Salem's Downtown Historic District and located at 195-197 Commercial St SE, Marion County Assessors Tax Lot Number 073W27BA00500 and 073W27BA00700.

**APPLICANT:** Lamont D. Smith for Sturgeon Development Partners

**LOCATION:** 195 Commercial St SE

**CRITERIA:** Salem Revised Code (SRC) Chapter 230.090 – Demolition (d)(2)

**FINDINGS:** The findings are in the attached Decision dated December 20, 2018.

**DECISION:** The **Historic Landmarks Commission APPROVED** Historic Resource Demolition HIS18-34 subject to the following conditions of approval:

**Condition 1.** The new construction historic design review proposal shall include a minimum of one exterior historic interpretive panel on the site that includes a summary of the history and significance of the Marion Car Park and the Holman Building.

**Condition 2.** The historic design review for new construction on the site shall be submitted for HLC review prior to issuance of the demolition permit for the Marion Car Park.

**VOTE:**

Yes 9      No 0      Absent 0

Kevin Sund, Chair  
Historic Landmarks Commission

The rights granted by the attached decision must be exercised, or an extension granted, by **January 8, 2021** or this approval shall be null and void.

Application Deemed Complete:	<u>November 27, 2018</u>
Public Hearing Date:	<u>December 20, 2018</u>
Notice of Decision Mailing Date:	<u>December 21, 2018</u>
Decision Effective Date:	<u>January 8, 2019</u>
State Mandate Date:	<u>March 27, 2019</u>

Case Manager: Kimberli Fitzgerald, [kfitzgerald@cityofsalem.net](mailto: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 305, 555 Liberty Street SE, Salem OR 97301, no later than **5:00 p.m., Monday, January 7, 2018**. Any person who presented evidence or testimony at the hearing may appeal the decision. 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 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 City Council will review the appeal at a public hearing. After the hearing, the City Council 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

***Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173***

## **DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION**

**CASE NO.** Historic Review Case No. HIS18-34 / AMANDA No. 18-121764-DR

**FINDINGS:** Based upon the application materials, the facts and findings in the Staff Report incorporated herein by reference, and testimony provided at the Public Hearing of December 20, 2018, the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that their proposal complies with the applicable provisions of the Salem Revised Code (SRC) 230.090 as follows:

### **FINDINGS**

#### **Salem Revised Code 230.090 Demolition**

### **FINDINGS**

***(A) The value to the community of the proposed use of the property outweighs the value of retaining the designated historic resource on the present site.***

The HLC finds that the Marion Car Rental and Park is the only existing example of a mid-century freestanding elevated rooftop parking structure from the automobile age in downtown Salem. The Marion Car Rental and Park is a Historic Contributing Building to Salem's Downtown National Register Historic District. The applicant is proposing demolition of the resource due to its poor condition, classification as a derelict building, and has proposed a 123-room hotel as the new use. The HLC finds that there is a strong need for a new hotel located across from the Convention Center and that this use would provide a larger benefit to the community than retaining this building on the site in its presently unusable condition. Further, the HLC finds that a hotel in this location will serve to meet the needs of several sectors in Salem in addition to the Convention Center. In order to better meet this criterion, mitigate the loss of this resource and educate the public about the history of this site, the HLC adopts the following CONDITION:

**CONDITION ONE:** The new construction historic design review proposal shall include a minimum of one exterior educational historic interpretive panel on the site that includes a summary of the history and significance of the Marion Car Park and the Holman Building.

Additionally, while the applicant has proposed a general plan and rendering of the proposed new hotel for the site, the applicant has not completed all the land use approvals nor completed the final design for the new hotel. In order to better meet this criterion, and ensuring that the Marion Car Park is not demolished prematurely, the HLC adopts an additional CONDITION:

**CONDITION TWO:** The historic design review for new construction on the site shall be submitted for HLC review prior to issuance of the demolition permit for the Marion Car Park.

Provided the applicant meets these conditions, the Historic Landmarks Commission (HLC) finds that this criterion has been met.

***(B) The designated historic resource is not capable of generating a reasonable economic return and the demolition is economically necessary.***

The HLC finds that the Marion Car Park building has been suffering from demolition by neglect for many years. In 2014, the owner was required to vacate the building by Hearing's Officer Order until all building and zoning code violations were addressed. However, the concerns were never fixed. Therefore no income has been generated from the building after that time. An assessment in 2014 by MSC Engineers indicated that the building had major structural issues, and that rehabilitation is not likely to be economical.

A cost estimate prepared by LMC Construction indicates that the cost to rehabilitate the structure would cost approximately \$142 a square foot (\$5,619,886 hard costs plus an additional \$1,123,977) to restore the structure and allow it to continue to operate as a parking garage. The projected net annual income on forty-four stalls is \$21,120 with an average \$65 monthly lease rate per stall. This .31% return on cost is well below the average 7.5% that lenders would approve under a construction loan. The HLC finds that the applicant has demonstrated that this criterion has been met.

***(C) The owner has made a good faith effort to sell or relocate the designated resource.***

The HLC finds that the Building Official has determined that the building cannot reasonably be moved, and cannot be relocated. The applicant notes that there was a Trustee's Notice of Sale published in the Capital Press for four consecutive weeks from 8/16/2013-9/6/2013, and there were no offers to purchase the resource. Terry Hancock, as the owner's representative during this period, worked in good faith to market and sell the property from the fall of 2014 through mid-2018. Staff recommends that the HLC find that the previous owner made a good faith effort to sell the resource while it was in their possession. The HLC finds that this criterion has been met.

***(D) No prudent and feasible alternative exists to rehabilitate and reuse the designated resource in its present location.***

The HLC finds that the financial assessment for rehabilitation of the Marion Car Park under two alternative scenarios submitted by the applicant demonstrates that there is no feasible alternative to reuse the designated resource. Specifically:

- 1) A four story office building with three levels of framing above the existing concrete parking deck would cost approximately \$303.42 per square foot. New construction costs for this type of use average approximately \$230-\$250 per square foot; and
- 2) A six story mixed use office building with five stories of wood framing above the existing parking deck would cost approximately \$216.17 per square foot. New construction for this type of use averages \$170-\$180 per square foot.

Additionally, the HLC finds that in order to reuse the parking deck in either scenario, the

structure would need to be reconstructed significantly in order to meet current building codes which would result in a significant loss of historic integrity. The HLC finds that the applicant has demonstrated that no prudent and feasible alternative exists to rehabilitate and reuse the designated resource in its present location and that this criterion has been met.

**VOTE: Yes 9    No 0    Absent 0    Abstain 0**

Attachments:    A. Hearing Notice and Vicinity Map  
                      B. Excerpt from National Register Historic Resource Document  
                      C. Building Official Stage One Approval  
                      D. Applicant's Submittal Material  
                      E. Urban Development Comments  
                      F. Enforcement History

Prepared by Kimberli Fitzgerald, Historic Preservation Officer



# HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

### *Audiencia Pública*

*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

<b>CASE NUMBER:</b>	Historic Resource Demolition Case No. HIS18-34
<b>AMANDA APPLICATION NO:</b>	18-121764-DR
<b>HEARING INFORMATION:</b>	<u>Historic Landmarks Commission, Thursday, December 20, 2018, 5:30 p.m., Council Chambers, Room 240, Civic Center</u>
<b>PROPERTY LOCATION:</b>	195-197 Commercial St SE, Salem, OR 97301
<b>OWNER(S):</b>	CJD Holdings, LLC (Chris Duffin, Toby Borst)
<b>APPLICANT / AGENT(S):</b>	Lamont D. Smith for Sturgeon Development Partners
<b>DESCRIPTION OF REQUEST:</b>	<p>Summary: A proposal to demolish the Marion Car Park (1950).</p> <p>Request: Major Historic Design Review of proposal to demolish the Marion Car Park (1950), a historic contributing resource within Salem's Downtown Historic District and located at 195-197 Commercial St SE, Marion County Assessors Tax Lot Number 073W27BA00500 and 073W27BA00700.</p>
<b>CRITERIA TO BE CONSIDERED:</b>	<p><b><u>HISTORIC RESOURCE DEMOLITION REVIEW</u></b></p> <p>Sec. 230.090. – Demolition(d)(2)</p> <p><i>Criteria.</i> An application for a historic resource demolition permit shall be granted if the following criteria are met:</p> <p>(A) The value to the community of the proposed use of the property outweighs the value of retaining the designated historic resource on the present site.</p> <p>(B) The designated historic resource is not capable of generating a reasonable economic return and the demolition is economically necessary.</p> <p>(C) The owner has made a good faith effort to sell or relocate the designated resource.</p> <p>(D) No prudent and feasible alternative exists to rehabilitate and reuse the designated resource in its present location.</p>
<b>HOW TO PROVIDE TESTIMONY:</b>	<p>Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.</p>
<b>HEARING PROCEDURE:</b>	<p>The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.</p> <p>Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes</p>

appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

**CASE MANAGER:**

**Kimberli Fitzgerald, Historic Preservation Officer**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2397; E-mail: [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net).

**NEIGHBORHOOD ORGANIZATION:**

Central Area Neighborhood Development Organization (CAN-DO), Bruce Hoffman, Land Use Chair; Phone: (503) 781-8542; Email: [bruhof@gmail.com](mailto:bruhof@gmail.com).

**DOCUMENTATION AND STAFF REPORT:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website:

[www.cityofsalem.net/Pages/planning-notice-decisions.aspx](http://www.cityofsalem.net/Pages/planning-notice-decisions.aspx)

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

**NOTICE MAILING DATE:**

November 29, 2018

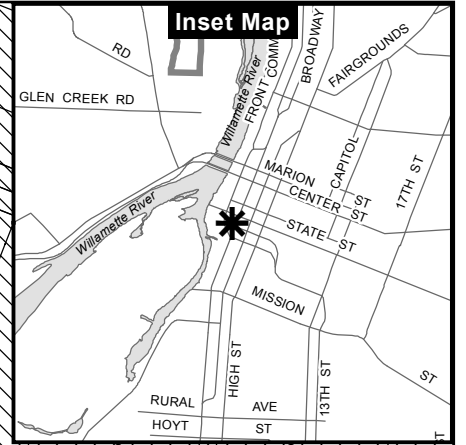
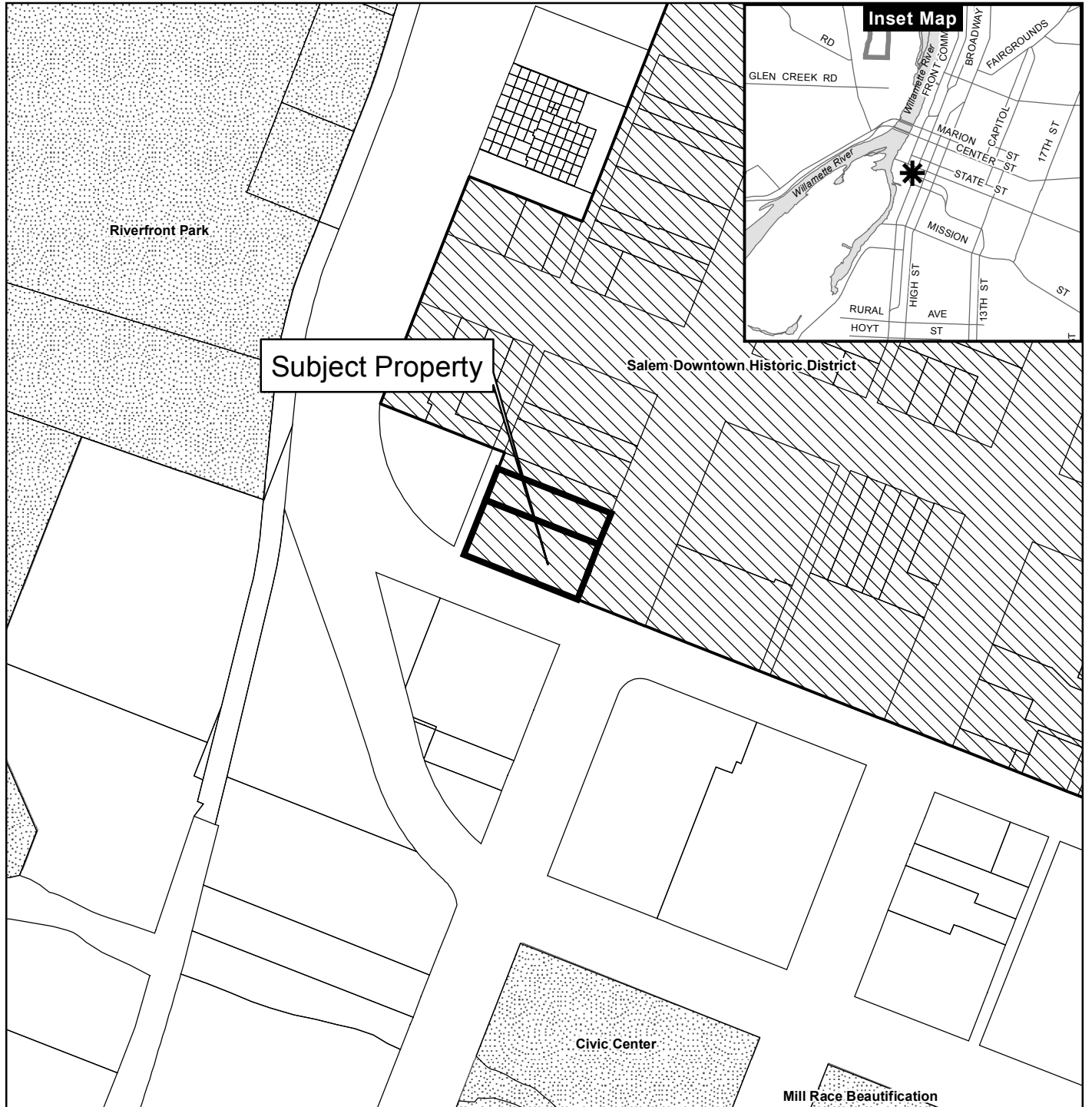
---

**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.**  
**For more information about Planning in Salem:**  
<http://www.cityofsalem.net/planning>








\\Allcity\amanda\AmandaForms\4430Type3-4HearingNotice.doc

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event. TTD/TTY telephone 503-588-6439 is also available 24/7*

# 195 - 197 Commercial St SE



## Legend

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

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

0 100 200 400 Feet



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.



United States Department of the Interior  
National Park Service

## National Register of Historic Places

Continuation Sheet

Section number: 7 Salem Downtown Historic District

---

### **195 - 197 Commercial Street, SE**

*Classification:* Historic Contributing

*Historic Name:* Marion Car Rental and Park

*Current Name:* Marion Car Rental and Park

*Year of Construction:* 1950

*Legal Description:* 073W27BA00500; Salem Addition front of Lot 3 in Block 47.

*Owner(s):* Riverfront LLC  
POB 2087  
Salem, Oregon 97308

**Description:** This flat-roofed, one-story building situated at the intersection of two major one-way streets at the southern end of the downtown commercial area, was designed and continues to be used for the maintenance, repair and parking of automobiles. Shop spaces are located on the ground floor; the roof is dedicated to parking.

The building has a frontage of 112 feet and is 165 feet deep. Its footprint is in the shape of the letter U with the opening facing Commercial Street. It has a vehicle ramp in the middle of the structure leading up to the roof parking. A three-foot-high steel highway barrier and, in some sections, a six-foot-high chain-link fence define the perimeter of the parking area on the roof.

The south portion of the east facade has an overhead vehicle access door. This door leads into a vehicle repair bay. Immediately to the north of this door is an opening providing both pedestrian and vehicle access to other shops and repair areas on the ground floor. A fifty-foot-wide portion of the roof projects toward the street to form a canopy. Immediately to the north of the vehicle ramp is a second, narrower, overhead vehicle-access door; to the right of this second vehicle door is a small office space.

Sections of the building have changed over time, including the windows on the south facade, the overhead door on the south facade, one of the overhead doors on the east facade, south end, and the windows within the north section. Many of the 1950 features remain, however, including the large canopy that projects eastward from the south section, the overhangs that project out from the structure within the U-shaped section, the windows within the interior of the U-shaped portion of the structure, and the overall massing and configuration of the building, including the distinctive U-shaped design with central vehicle ramp. Although changes have occurred, the building retains the overall character of a 1950 garage and parking structure, and helps to describe an important period in the development of Salem's downtown core.

**History and Significance:** The Marion Car Rental and Park, built in 1950, is a contributing property in the Salem commercial district because of its association with the tremendous impact of the automobile on downtown commercial districts across the county, including Salem's. From the 1920s onward and especially following World War II, the nearly universal ownership of automobiles gave rise to the growing popularity of shopping centers away from central business districts that offered ample car parking. Efforts to accommodate cars in the downtown encouraged the removal of numerous older buildings and, in their place, the construction of car parking, maintenance, and rental facilities. The 1950s ushered in a long era of decline in Salem's historic commercial center characterized by the deterioration and even loss of many old historic buildings and the erosion of that district's retail vitality (along with subsequent efforts to revive commercial activity through "urban renewal" and historic preservation projects). The Marion Car Rental and Park, probably completed before the end of 1950, became one of the first, if not the first, elevated, rooftop parking structures in Salem.

United States Department of the Interior  
**National Park Service**

## **National Register of Historic Places**

*Continuation Sheet*

**Section number: 7 Salem Downtown Historic District**

---

The expansive two-story Marion Car Rental and Park structure, which occupies nearly a quarter of a block, was built on the site of the historic three-story Holman Building, constructed in the mid-1850s. The Holman Building is best remembered today as the meeting place of the Oregon State Legislature from 1857 to 1876 and also as the object of one of the first organized public efforts to preserve an historic building in downtown Salem.<sup>1</sup> In 1946 the property immediately to the north was used for auto repairs.<sup>2</sup> In late 1949, property owners Hawkins and Roberts announced their intention to tear down the Holman Building to make way for a filling station and parking lot. In response, Oregon State Archivist and champion of historic preservation, David Duniway led a local group that attempted to persuade the property owners to retain the building and convert it into a civic auditorium and museum.<sup>3</sup> Duniway and his group, although unsuccessful in meeting their stated purpose, received local publicity for their effort, thus raising the awareness of Salem citizens about their history and material evidences of it.

---

<sup>1</sup> Harry Stein, *A Pictorial History of the Willamette Valley*, Salem: Statesmen Journal, 1997; and historic photograph of Holman Building, c. 1905, Marion County Historical Society (#MCHS 87-2-2), Salem, Oregon.

<sup>2</sup> Robert Gormsen, *Salem, 1946-1986*, Salem: Gormsen, 1989, block 47; "Salem, Oregon," New York, Sanborn Map Company, 1884, 1888, 1890, 1895, corrected to 1914, and 1926.

<sup>3</sup> Ben Maxwell, "Duniway Seeks to Preserve Historical Salem Building," *Capital Journal*, December 7, 1949.



December 12, 2018

Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Community Development Department  
City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301-3503  
Phone: (503) 540-2397  
Fax: (503) 588-6005

RE: 195/197 Commercial Street SE, Salem, Oregon

Building and Safety Division confirm that our opinion about the relocation of the Marion Car Park has not changed. In 2014, Building and Safety reviewed Mr. Peace's opinion, with MSC engineers, regarding the structure of the above indicated building and the viability of relocating or moving the building to another location. Based on the review, Mr. Peace and the attached letter from Mr. Burdick, Building and Safety Division agrees that the building cannot be successfully moved and re-assembled and retain its integrity. The process of relocation of the building could damage the structure of the building or materials beyond repair. In addition, transporting the building upon the public right of way will raise the practical limits of transport equipment and may endanger public health, safety and welfare. Therefore the Historic Resource Demolition Permit (Stage 1) cannot be granted, and the applicant shall proceed with Stage 2 demolition review before the Historic Landmarks Commission.

If you have any questions or need further assistance, call me (503) 540-2447.

A handwritten signature in black ink that reads "Rebai Tamerhoulet". The signature is written in a cursive style and is positioned above a horizontal line.

Rebai Tamerhoulet, PE; SE  
Building & Safety Administrator  
Community Development Department  
503-540-2447  
[RTamerhoulet@cityofsalem.net](mailto:RTamerhoulet@cityofsalem.net)

Case No. HIS18-34**Historic Alteration Review Worksheet**Site Address: 195-197 Commercial St SEResource 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  NoProject's Existing Material: Painted concrete Project's New Material: N/A**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:

Demolition of existing structured parking, which is a contributing resource in the Downtown State Street – Commercial Street Historic District. Demolition is proposed to facilitate construction of a new hotel, to be reviewed under a separate application.

Signature of Applicant

Date Submitted/Signed

# HOLMAN RIVERFRONT PARK HOTEL



195-197 COMMERCIAL ST SE

APPLICATION FOR DEMOLITION AND HISTORIC DESIGN REVIEW



920 SW 6TH AVE  
SUITE 1500  
PORTLAND, OR  
97204



60 SW 9TH AVE  
SUITE 2250  
PORTLAND, OR  
97205

**OWNER**

CJD Holdings  
19200 SW Teton Ave  
Tualatin, OR  
97062

**AGENT**

Lamont D Smith  
760 SW 9th Ave  
Portland, OR  
97205

**SITE**

195-197 Commercial Street SE, formerly the Marion Car Rental and Park  
Tax Lot 073W27BA00500  
Lot 3, Block 47

**REQUEST**

The building is a contributing resource in the downtown Salem Historic District and is listed on the National Register of Historic Places; NPS Form 10-900A Approval no. 10024-0018.

Owner requests a Land Use Review to include permission to demolish the existing Marion Car Park Garage and subsequent Historic Design Review of a new proposed 7 story hotel, named Holman Riverfront Park Hotel. Following you will please find our submission to the Historic Landmarks Commission (HLC) in response to the criteria contained in Salem Revised Code (SRC) Chapter 230.

## Stage 1 Demolition Review Narrative

The Salem Revised Code requires that before an applicant can apply to demolish a historic resource they must first study whether the resource can be moved. This was found to be infeasible in 2014, per the following documents:

- 1) Structural Assessment by MSC Engineers, Inc, dated March 31, 2014;
- 2) Letter from Rebai Tamerhoulet, Building & Safety Administrator for the City of Salem, authorizing the previous applicant to proceed to Stage 2, dated June 19th, 2014; and
- 3) Email from previous owner Donald Burdick, authorizing use of above letter, dated October 31st, 2018

With the understanding that relocation is no more feasible now than it was in 2014, the following pages of this narrative address the Stage 2 criteria.

## Stage 2 Demolition Review Narrative

**(A) The value to the community of the proposed use of the property outweighs the value of retaining the designated historic resource on the present site.**

The Marion Car Rental and Park was built in 1950, and is a contributing resource in the Salem Downtown State Street – Commercial Street Historic District, which is listed in the National Register of Historic Places.

In December 2013 the building was determined by the Hearings Officer to be in violation of a number of city codes, and therefore unsafe to occupy. For the past five years the building has been vacant, adding a blighted atmosphere to the historic district. The windows are currently boarded up with plywood and the entries to the garage blocked with chain link fence. The improvements on the site are valued by the County Assessor at \$0, and as such the site is contributing very little in property taxes.

An application to demolish the structure was made in July 2014. In March 2015 the application to demolish the building was denied by the Historic Landmarks Commission, in part because no use was proposed for the site, leaving Criterion A unmet.

In early 2018 the structure was sold to a new owner, who wishes to build a new 123 bedroom hotel on the site. The proposed hotel has been determined by third party analysis to be an economically viable use for the site. The hotel will include a food and beverage options, ground floor retail space and guest parking, bringing new vitality to the historic district and complementing the activities at the Convention Center.

The new building will not only bring the site back onto the property tax rolls, but will also generate lodging taxes for the City of Salem. The hotel will create jobs both during construction and once it opens.

The designers for the project are Portland based TVA Architects, who are working to create a building that is both of its time and responsive to the historic character of Downtown Salem. Drawing inspiration from nearby contributing buildings such as the Pioneer Trust Bank, the hotel has tripartite expression with a clearly defined base, middle and top. The ground floor will be highly glazed, reinforcing the pedestrian friendly qualities of the storefronts found throughout downtown. High quality traditional materials including brick will be used, in keeping with the standards for new construction found in the Salem Revised Code.

The owners intend to honor the history of the site by naming the new building the Holman Riverfront Park Hotel. This references both the historic building where the Oregon Legislature sat between 1857 and 1876 and the more recent renaissance of the former Boise Cascade site on the river. The hotel will incorporate interpretive materials that will help locals and visitors alike better understand the history of the area, which is of statewide importance.

As discussed in Sections B to D, there is no reason to believe that the existing building could or will be renovated. By proposing a new hotel there is substantially greater value to the community than there is with retention of the existing derelict structure.

**(B) The designated historic resource is not capable of generating a reasonable economic return and the demolition is economically necessary.**



As discussed in Section A, the building cannot be occupied until serious structural, fire and life safety issues are addressed. It is currently generating zero revenue. We have studied what would be required to rehabilitate the building as a car park, using the following documents:

- 1) Code Violations Enforcement Order, dated December 23, 2013;
- 2) Findings of Fact and Conclusion by the Hearings Officer, on an appeal of the Enforcement Order, dated February 26, 2014;
- 3) Asbestos Survey, prepared by Creekside Environmental Consulting LLC, dated March 3, 2014;
- 4) Structural Assessment by MSC Engineers, Inc, dated March 31, 2014;
- 5) Cost estimate to rehabilitate the existing building, prepared by LMC Construction CCB# 169614, 161282, dated November 2, 2018; and
- 6) Annual operating Pro Forma, prepared by Nick Fritel, Chartered Financial Analyst and CFO of Sturgeon Development Partners, dated November 5, 2018

As demonstrated the building will only achieve a 0.31% return on cost, which is far below a typical 7.5% target return. No prudent lender would issue a construction loan on such a poor pro forma. As such, the building is not capable of generating a reasonable economic return and the demolition is economically necessary

**(C) The owner has made a good faith effort to sell or relocate the designated resource.**

[This section to be updated following receipt of materials from Donald Burdick, previous owner of the resource.]

**(D) No prudent and feasible alternative exists to rehabilitate and reuse the designated resource in its present location.**

An estimate has been prepared showing the cost of rehabilitating the building for use as a car park. The estimate does not however capture the cost of changing the use of the building or incorporating it into the new development.

Market analysis shows that a new hotel is a viable use for the site, however we do not believe that it is viable to incorporate the existing resource into the proposed hotel. Other uses that are allowed in downtown Salem, including retail and office, would also likely be viable on the site but would face the same issues.

Since the 1950s the structural design requirements in the state building code have become significantly more stringent, particularly as they relate to seismic design. Any change of use that added new loads to the building would require it to be brought up to modern engineering standards, including earthquake resistance. Even if the concrete structure were in a good state of repair it would still be significantly under-engineered, with no post-tensioning and much less reinforcing than would be required today. The most likely method to address this would be to demolish the existing concrete slab and replace it with a new post-tensioned slab. This effectively results in the reconstruction, rather than the rehabilitation, of most of the resource.

In order to gain any federal tax credits the alterations would need to be reviewed by the State Historic Preservation Office and the National Parks Service, against the Secretary of the Interior's Standards for Rehabilitation. These standards state that "deteriorated historic features shall be repaired rather than replaced" and that "new additions, exterior alterations, or related new construction shall not destroy

historic materials that characterize the property.” While the standards allow for replacement of historic features if absolutely necessary, a project that required demolition and reconstruction of most of the resource would be incredibly unlikely to be approved.

Furthermore, the standards state that the “new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.” Given the fact that the existing resource is only one story it would not be possible to design a hotel that has a sufficient number of rooms to be viable, but is also compatible with the scale of the existing structure.

Given the difficulties of rehabilitating the structure, we do not believe that the building is a viable candidate for adaptive reuse.

## Index of Attachments

- A. Letter from Rebai Tamerhoulet, Building & Safety Administrator for the City of Salem, authorizing the previous applicant to proceed to Stage 2, dated June 19th, 2014
- B. Email from previous owner Donald Burdick, dated October 31st
- C. Summary of market study prepared by HVS Portland, dated November 7th, 2018
- D. Code Violations Enforcement Order, dated December 23, 2013
- E. Findings of Fact and Conclusion by the Hearings Officer, on an appeal of the Enforcement Order, dated February 26, 2014
- F. Asbestos Survey, prepared by Creekside Environmental Consulting LLC, dated March 3, 2014
- G. Structural Assessment by MSC Engineers, Inc, dated March 31, 2014
- H. Cost estimate to rehabilitate the existing building, prepared by LMC Construction CCB# 169614, 161282, dated November 2, 2018
- I. Annual operating Pro Forma, prepared by Nick Fritel, Chartered Financial Analyst and CFO of Sturgeon Development Partners, dated November 5, 2018



BUILDING & SAFETY DIVISION \* 503-588-6256  
555 Liberty St. SE / Room 320 \* Salem, OR 97301-3503 \* Fax 503-588-6115

Kimberli Fitzgerald, MCP/CHP  
Senior Historic Planner  
Community Development Department  
City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301-3503  
Phone: (503) 588-6173 Ext. 7597  
Fax: (503) 588-6005

*RE: 195/197 Commercial Street SE, Salem Oregon*

Building and Safety Division reviewed Mr. Peace's opinion, with MSC engineers, regarding the structure of the above indicated building and the viability of relocating or moving the building to another location. Based on the review, Mr. Peace and the attached letter from Mr. Burdick, Building and Safety Division agrees that the building cannot be successfully moved, re-assembled and retained its integrity. The process of relocation of the building could damage the structure of the building or materials beyond repair. In addition, transporting the building upon the public right of way will raise the practical limits of transport equipment and may endanger public health, safety and welfare. Therefore the Historic Resource Demolition Permit (Stage 1) cannot be granted, and the applicant shall proceed with Stage 2 demolition review before the Historic Landmarks Commission.

If you have any questions or need further assistance, call me (503) 540-2447.

A handwritten signature in black ink that reads "Rebai Tamerhoulet".

Rebai Tamerhoulet, PE; SE  
Building & Safety Administrator  
Community Development Department  
503-588-6256 Ext. 7401  
tphillips@cityofsalem.net

6/19/2014

**Lamont D. Smith**

---

**From:** Donald Burdick <BURDICKD@msn.com>  
**Sent:** Wednesday, October 31, 2018 11:59 AM  
**To:** Lamont D. Smith  
**Cc:** Jay Peebles  
**Subject:** RE: 195-197 Commercial Street SE: Demo Permit Stage 1

*J*  
*10-31-18*

Lamont:  
This email is our authorization for you to use the attached 6/19/2014 letter in support of your application to demolish the Salem parking structure.  
Don

Sent from Mail for Windows 10

---

**From:** Lamont D. Smith <Lamont@sturgeondp.com>  
**Sent:** Wednesday, October 31, 2018 9:51:25 AM  
**To:** burdickd@msn.com  
**Cc:** Lamont D. Smith  
**Subject:** 195-197 Commercial Street SE: Demo Permit Stage 1

Hello Don  
Thanks again for taking my call late yesterday afternoon concerning the existing historical parking garage at Commercial & Ferry Streets SE. I am writing to ask for your authorization to use the attached letter from City of Salem's Building & Safety Division, dated 6.19.14...as part of our (Stage 1 Demo Permit) application/submission to Historic Landmarks Commission. If you have any questions whatsoever...please don't hesitate to contact me at 503.241.1111. Don, thanks in advance for your assistance with this important matter.  
Lamont D. Smith

-----Original Message-----  
**From:** Lamont Smith <lamont@tmtdevelopment.com>  
**Sent:** Wednesday, October 31, 2018 9:40 AM  
**To:** Lamont D. Smith <Lamont@sturgeondp.com>  
**Subject:** FW: Scanned image from MX-6070N

-----Original Message-----  
**From:** TMT Scanner  
**Sent:** Wednesday, October 31, 2018 9:29 AM  
**To:** Lamont Smith <lamont@tmtdevelopment.com>  
**Subject:** Scanned image from MX-6070N

Reply to: TMT Scanner <scanner@tmtdevelopment.com> Device Name: Not Set Device Model: MX-6070N  
Location: Not Set

File Format: PDF (Medium)  
Resolution: 300dpi x 300dpi



November 7, 2018

Ms. Vanessa Sturgeon  
Development Manager  
Sturgeon Development Partners  
16840 Alder Circle  
Lake Oswego, Oregon 97034  
Phone: (503) 957-0317  
vanessa@sturgeondp.com

Re: Proposed Holman Inn Redevelopment Hotel Study

HVS Portland  
10121 SE Sunnyside Road  
Portland, Oregon 97015  
970-227-7799  
[www.hvs.com](http://www.hvs.com)

To Whom It May Concern:

HVS was engaged by Sturgeon Development Partners during the second quarter of 2018 to perform a market study pertaining to the redevelopment of the existing Holman Inn building in Salem, Oregon. Preliminary plans call for a limited- or select-service hotel with food and beverage facilities and meeting space. Based on the findings of our study, occupancy and average daily rates in Salem have trended upward for the last six years, with revenue per available room registering a 10% average annual compounded rate of change between 2011 and 2017. These metrics, among others, indicate that the market, particularly the downtown core of Salem, is underserved by new, high-quality hotel accommodations, especially those with an onsite restaurant and versatile meeting space. New office, residential, and retail developments; infrastructure improvements; and population growth are some of the factors helping spur demand growth. Furthermore, the stability of existing demand from the government and SMERF group segments will undoubtedly support continued expansion.

Our study concluded that a new development would help satisfy the growing demand and would be in concert with the positive neighborhood improvements downtown Salem is experiencing.

Sincerely,

Kasia M. Russell, MAI  
HVS Managing Director, Senior Partner  
970-227-7799  
krussell@hvs.om

- Atlanta
- Boston
- Boulder
- Chicago
- Dallas
- Denver
- Houston
- Las Vegas
- Mexico City
- Miami
- New Orleans
- New York
- Newport
- Portland
- San Francisco
- St. Louis
- Toronto
- Vancouver
- Washington
- Athens
- Buenos Aires
- Dubai
- Hong Kong
- Lima
- London
- Madrid
- Mumbai
- New Delhi
- Sao Paulo
- Shanghai
- Singapore

December 23, 2013

**ENFORCEMENT ORDER/COMPLIANCE REQUIRED**

CITY OF SALEM )

COUNTY OF MARION )

STATE OF OREGON )

CASE NO. 2013-122002-ce00

TO: Jay Peebles, Trustee, et. al.  
 c/o Donald Burdick  
 434 Ridgeway Rd  
 Lake Oswego, OR 97034

RE: Property located at: 195 Commercial St SE  
 Salem, OR 97301

<b>THE UNDERSIGNED CERTIFIES AND SAYS THAT THE FOLLOWING PERSON:</b>			
<b>NAME:</b> Jay Peebles & Donald Burdick		<b>TELEPHONE NO:</b> 503-975-3000 & 503-635-2456	
<b>MAILING ADDRESS:</b> 434 Ridgeway Rd Lake Oswego, OR 97034			
<b>CITY:</b> Lake Oswego	<b>COUNTY:</b> Clackamas	<b>STATE:</b> Oregon	<b>ZIP:</b> 97034
<b>AT THE FOLLOWING PLACE WITHIN THE CORPORATE LIMITS OF THE CITY OF SALEM AND IN THE ABOVE-MENTIONED STATE AND COUNTY:</b>			
<b>ON OR ABOUT:</b> July 17, 2013		<b>AT OR NEAR LOCATION:</b> 195 Commercial St SE Salem, OR 97301	

<b>THE FOLLOWING SALEM REVISED CODE (SRC) VIOLATIONS WERE OBSERVED:</b>	
1. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The guardrails that surround the parking area on the roof of the structure are unsecured in numerous places in an unsafe condition and could easily become dislodged when struck causing harm or injury to person and property. The work that has recently occurred on the guardrails without permits or engineering is a violation of the Salem Revised Code and this is a continuation of the previous Enforcement Orders.
2. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The electrical work in the building to establish lighting, the wiring connected into the circuit panel, the junction boxes, the new conduit, the outlets missing covers, all spliced electrical work throughout the building, the exposed conductors, the exposed connectors, the overloaded circuits and all other electrical work throughout the building that is manifestly unsafe that is not up to code and was completed without permits by a non-licensed electrician is in violation of the Salem Revised Code. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.

3. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The change of use and occupancy from a (S-3) to the Church (A-3) is a change of use and occupancy that violates the Salem Revised Code.
4. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The lack of proper exiting system, no exit signs, exit lighting and needed width for an exit is in violation of the Salem Revised Code.
5. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The non tempered or safety glass on the south wall next to the ramp that leads to the parking area on the roof and the roofing that was installed without permits is in violation of the Salem Revised Code.
6. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The installation of the tin ceiling including gutter and drainage installed without permits by a non-licensed contractor and in violation of the Salem Revised Code. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.
7. Violation of SRC 230.040 (b)(1)(C)	Description of Violation: The tinted, opaque and white washed windows on this Historic Contributing Building in a Commercial Historic District are in violation of the Salem Revised Code.
8. Violation of SRC 900.120 (a)	Description of Violation: The sign above the sidewalk on the east side of the façade of the building facing out to Commercial St SE in a state of disrepair is in violation of the Salem Revised Code.
9. Violation of SRC 56.195 (b)	Description of Violation: The fire extinguishers that have expired service tags are in violation of the Salem Revised Code.

### COMPLIANCE REQUIRED

**As the property owner and/or tenant of the property listed above, you are responsible for correcting the above-listed violations by January 26, 2014 by 5:00 p.m.**

The above-listed violations may be remedied by taking the following actions:

1. 1. You shall repair in a skilled or proper manner, consistent with generally accepted standards of construction and maintenance; without marring adjacent work and with approved building materials the guardrails. The guardrails will require engineering and permit. Please submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for approval. Once the plans have been approved you will need to purchase all necessary permits and once all the work has been completed you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions and when you apply for a permit please bring this Enforcement Order with you for review.
2. You shall repair in a skilled or proper manner, consistent with generally accepted standards of construction and maintenance; without marring adjacent work and with approved building materials the electrical throughout the building work that was completed by a non-licensed electrician. Please submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for approval. Once the plans have been approved you will need to purchase all necessary permits and once all the work has been completed by a licensed electrician you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions and when you apply for a permit please bring this Enforcement Order with you for review.
3. You shall cease all activities or uses that are not permitted in the spaces.
4. All exiting shall be brought up to code and all locks on doors or exits that are not approved shall be removed.
5. Replace all non-tempered glass and apply for permits for the roofing work completed without permits.
6. You shall remove all tin on the ceiling throughout the spaces including the gutter and drainage systems installed by a non-licensed contractor. If it is your intent to keep the work completed without permits submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for



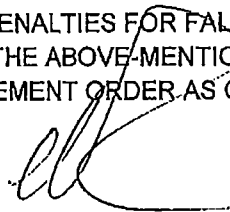
approval. Once the plans have been approved you will need to purchase all necessary permits and once all the work has been completed you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions. When you apply for a permit please bring this Enforcement Order with you for review.

7. You shall remove all materials from the windows on the structure that does not meet code.
8. You shall repair the sign in disrepair according to all requirements per the sign and historic code requirements.
9. You shall replace or service all the fire extinguishers in the building spaces.

While it is the City's preference that the violations be corrected as set forth in this Enforcement Order, failure to comply may result in the issuance of an infraction citation with a bail amount of up to \$250.00 per day and/or a civil penalty in an amount not to exceed \$2000.00 (\$5000 if under Chapter 56) per violation. **NO MONETARY PENALTY IS BEING ASSESSED AT THIS TIME.**

I SWEAR/AFFIRM UNDER APPLICABLE LAW AND UNDER PENALTIES FOR FALSE SWEARING THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE-MENTIONED PERSON COMMITTED THE ABOVE VIOLATION(S). I HAVE ISSUED THIS ENFORCEMENT ORDER AS OF THE DATE SET FORTH BELOW.

12-23-13



DATE ISSUED

Brent Hedrick, Code Compliance Officer  
ENFORCEMENT OFFICER OF THE CITY OF SALEM

## RIGHT TO APPEAL

### 1. APPEAL RIGHTS AND PROCEDURE:

You have the right to appeal this Enforcement Order to the City of Salem's Hearings Officer. A notice of appeal must be filed with the City Recorder **within fifteen (15) business days** after receiving this Enforcement Order. The notice of appeal shall contain:

- (1) The name, address and telephone number of the appellant;
- (2) A copy of this Enforcement Order; and
- (3) The basis for the appeal, stating with specificity why this Enforcement Order was issued in error, based on one or more of the following:
  - (A) The Enforcement Order was issued in violation of, or is inconsistent with the Salem Revised Code;
  - (B) The Enforcement Order was issued in violation of, or is inconsistent with a rule;
  - (C) The Enforcement Order is not supported by a factual basis; or
  - (D) The Enforcement Order is in violation of other applicable federal, state or local law.

The notice of appeal SHALL be accompanied by an appeal fee, as established by resolution of the Salem City Council. The appeal fee is not refundable unless the Hearings Officer finds that this Enforcement Order was not well founded in law or fact, in which case the appeal fee shall be refunded in full.

**ANY NOTICE OF APPEAL FILED AFTER THE TIME PERIOD SET FORTH ABOVE SHALL BE DISMISSED BY THE HEARINGS OFFICER AS UNTIMELY. FAILURE TO FILE A NOTICE OF APPEAL SHALL BE A WAIVER OF ALL RIGHTS TO REVIEW THIS ENFORCEMENT ORDER.**

### 2. HEARING ON APPEAL:

Upon the filing of a notice of appeal, the Hearings Officer shall set a time, date, and place for the hearing. The date shall be not less than twenty (20) business days nor more than sixty (60) business days after the date the notice of appeal is filed. The Hearings Officer may postpone, continue or reschedule the hearing with the consent of all parties or upon the motion of any party for good cause shown.

**3. FINALITY OF ENFORCEMENT ORDER:**

This Enforcement Order shall become final upon expiration of the time for filing a notice of appeal. If a notice of appeal is timely filed, this Enforcement Order shall become final upon issuance of the Hearing Officer's decision affirming the Enforcement Order.

**4. QUESTIONS:**

If you have any questions about this Enforcement Order, you may contact the Community Development Department at the following address or telephone number:

**DEPARTMENT OF COMMUNITY DEVELOPMENT  
CODE COMPLIANCE DIVISION  
555 LIBERTY STREET SE, ROOM 305  
SALEM, OREGON 97301-3503  
TELEPHONE NUMBER: (503) 588-6421**

December 23, 2013

## ENFORCEMENT ORDER/COMPLIANCE REQUIRED

CITY OF SALEM )

COUNTY OF MARION )

STATE OF OREGON )

CASE NO. 2013-122002-ce00

TO: Jay Peebles, Trustee, et. al.  
c/o Donald Burdick  
434 Ridgeway Rd  
Lake Oswego, OR 97034

RE: Property located at: 197 Commercial St SE  
Salem, OR 97301

<b>THE UNDERSIGNED CERTIFIES AND SAYS THAT THE FOLLOWING PERSONS:</b>			
NAME: Jay Peebles & Donald Burdick		TELEPHONE NO: 503-975-3000 & 503-635-2456	
MAILING ADDRESS: 434 Ridgeway Rd Lake Oswego, OR 97034			
CITY: Lake Oswego	COUNTY: Clackamas	STATE: Oregon	ZIP: 97034
<b>AT THE FOLLOWING PLACE WITHIN THE CORPORATE LIMITS OF THE CITY OF SALEM AND IN THE ABOVE-MENTIONED STATE AND COUNTY:</b>			
ON OR ABOUT: July 17, 2013		AT OR NEAR LOCATION: 197 Commercial St SE Salem, OR 97301	

<b>THE FOLLOWING SALEM REVISED CODE (SRC) VIOLATIONS WERE OBSERVED:</b>	
1. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The guardrails that surround the parking area on the roof of the structure are unsecured in numerous places in an unsafe condition and could easily become dislodged when struck causing harm or injury to person and property. The work that has recently occurred on the guardrails without permits or engineering is a violation of the Salem Revised Code and this is a continuation of the previous Enforcement Orders.
2. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The electrical work in the building to establish lighting, the wiring connected into the circuit panel, the junction boxes, the new conduit, the outlets missing covers, all spliced electrical work throughout the building, the exposed conductors, the exposed connectors, the overloaded circuits and all other electrical work throughout the building that is manifestly unsafe that is not up to code and was completed without permits by a non-licensed electrician is in violation of the Salem Revised Code. Per direction of the Building Official

	you shall not occupy the spaces until all the code violations have been corrected.
3. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The opening cut into the concrete masonry unit (CMU) wall on the west side of the structure (near the end of the middle of the first floor facing the alley) was done without a building permit; such work requires a building permit due to the nature of CMU construction and the structural integrity of the wall is now compromised to the extent that it could fail causing injury to person and property. You shall obtain all necessary permits and this is a continuation of the previous Enforcement Order. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.
4. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The lack of permanent heating in the office and bathroom spaces is in violation of the Salem Revised Code. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.
5. Violation of SRC 56.195 (b), (c), (e), (f), (g) & (h)	Description of Violation: The installation of the tin ceiling including gutter and drainage installed without permits by a non-licensed contractor and in violation of the Salem Revised Code. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.
6. Violation of SRC 50. 505	Description of Violation: The glazing around the windows that is in a state of disrepair, the holes and breaks in the CMU walls on the west side of the building facing the alley in a state of disrepair is in violation of the Salem Revised Code.
7. Violation of SRC 50.520	Description of Violation: The holes and breaks in the CMU walls on the west side of the building facing the alley in a state of disrepair are in violation of the Salem Revised Code.
8. Violation of SRC 50.540	Description of Violation: The broken window panes, the missing window panes, the window panes covered by sheet metal and wood are in violation of the Salem Revised Code.
9. Violation of SRC 230.040 (b)(1)(C)	Description of Violation: The tinted, opaque and white washed windows on this Historic Contributing Building in a Commercial Historic District are in violation of the Salem Revised Code.
10. Violation of SRC 900.200 (c)	Description of Violation: The signs or banners attached to vehicles and the building that does not meet the requirements under the sign or historic code is in violation of the Salem Revised Code.

#### COMPLIANCE REQUIRED

**As the property owner and/or tenant of the property listed above, you are responsible for correcting the above-listed violations by January 26, 2014 by 5:00 p.m.**

The above-listed violations may be remedied by taking the following actions:

1. You shall repair in a skilled or proper manner, consistent with generally accepted standards of construction and maintenance; without marring adjacent work and with approved building materials the guardrails. The guardrails will require engineering and permit. Please submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for approval. Once the plans

have been approved you will need to purchase all necessary permits and once all the work has been completed you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions. When you apply for a permit please bring this Enforcement Order with you for review. You shall not occupy the space until all applicable violations have been corrected.

2. You shall repair in a skilled or proper manner, consistent with generally accepted standards of construction and maintenance; without marring adjacent work and with approved building materials the electrical throughout the building work that was completed by a non-licensed electrician. Please submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for approval. Once the plans have been approved you will need to purchase all necessary permits and once all the work has been completed you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions. When you apply for a permit please bring this Enforcement Order with you for review. All electrical work shall be completed by a licensed contractor and you shall not occupy the space until all the applicable violations have been corrected.
3. You shall repair in a skilled or proper manner, consistent with generally accepted standards of construction and maintenance; without marring adjacent work the opening cut into the concrete masonry unit (CMU) wall. The work to repair the cement masonry unit (CMU) wall will require engineering and permit. You shall not occupy the space until all applicable violations have been corrected.
4. You shall in a skilled or proper manner install a permanent heating source in all the required spaces, consistent with generally accepted standards of construction and maintenance; with marring adjacent work and with approved materials. The installation shall be completed by a licensed contractor and with a permit. Please submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for approval. Once the plans have been approved you will need to purchase all necessary permits and once all the work has been completed you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions. When you apply for a permit please bring this Enforcement Order with you for review. You shall not occupy the space until all applicable violations have been corrected.
5. You shall remove all tin on the ceiling throughout the spaces including the gutter and drainage systems installed by a non-licensed contractor. If it is your intent to keep the work completed without permits submit all plans to the Permit Application Center located at 555 Liberty St SE, Rm #230, Salem, OR 97301 for approval. Once the plans have been approved you will need to purchase all necessary permits and once all the work has been completed you shall call for an inspection. Please contact the Senior Building Inspector Ken Eatwell at ph#503-540-2416 for all Building Code questions. When you apply for a permit please bring this Enforcement Order with you for review.
6. You shall repair the glazing around the windows on the building that is in a state of disrepair, the holes and breaks in the CMU walls on the west side of the building facing the alley in a state of disrepair.
7. You shall repair the holes and breaks in the CMU walls on the west side of the building facing the alley in a state of disrepair.
8. You shall repair or replace all broken, missing or boarded windows on the structure consistent with generally accepted standards of construction and maintenance; with marring adjacent work and with approved materials. This shall include safety glass where required and necessary by the code.
9. You shall remove all materials from the windows on the structure that does not meet code.
10. You shall remove all illegal signs from the property that does not meet code.

While it is the City's preference that the violations be corrected as set forth in this Enforcement Order, failure to comply may result in the issuance of an infraction citation with a bail amount of up to \$250.00 per day and/or a civil penalty in an amount not to exceed \$2000.00 (\$5000 if under Chapter 56) per violation. **NO MONETARY PENALTY IS BEING ASSESSED AT THIS TIME.**

I SWEAR/AFFIRM UNDER APPLICABLE LAW AND UNDER PENALTIES FOR FALSE SWEARING THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE-MENTIONED PERSON COMMITTED THE ABOVE VIOLATION(S). I HAVE ISSUED THIS ENFORCEMENT ORDER AS OF THE DATE SET FORTH BELOW.

12-23-13  
\_\_\_\_\_  
DATE ISSUED

  
\_\_\_\_\_  
Brent Hedrick, Code Compliance Officer  
ENFORCEMENT OFFICER OF THE CITY OF SALEM

---

## RIGHT TO APPEAL

### 1. APPEAL RIGHTS AND PROCEDURE:

You have the right to appeal this Enforcement Order to the City of Salem's Hearings Officer. A notice of appeal must be filed with the City Recorder **within fifteen (15) business days** after receiving this Enforcement Order. The notice of appeal shall contain:

- (1) The name, address and telephone number of the appellant;
- (2) A copy of this Enforcement Order; and
- (3) The basis for the appeal, stating with specificity why this Enforcement Order was issued in error, based on one or more of the following:
  - (A) The Enforcement Order was issued in violation of, or is inconsistent with the Salem Revised Code; (B) The Enforcement Order was issued in violation of, or is inconsistent with a rule;
  - (C) The Enforcement Order is not supported by a factual basis; or
  - (D) The Enforcement Order is in violation of other applicable federal, state or local law.

The notice of appeal SHALL be accompanied by an appeal fee, as established by resolution of the Salem City Council. The appeal fee is not refundable unless the Hearings Officer finds that this Enforcement Order was not well founded in law or fact, in which case the appeal fee shall be refunded in full.

**ANY NOTICE OF APPEAL FILED AFTER THE TIME PERIOD SET FORTH ABOVE SHALL BE DISMISSED BY THE HEARINGS OFFICER AS UNTIMELY. FAILURE TO FILE A NOTICE OF APPEAL SHALL BE A WAIVER OF ALL RIGHTS TO REVIEW THIS ENFORCEMENT ORDER.**

### 2. HEARING ON APPEAL:

Upon the filing of a notice of appeal, the Hearings Officer shall set a time, date, and place for the hearing. The date shall be not less than twenty (20) business days nor more than sixty (60) business days after the date the notice of appeal is filed. The Hearings Officer may postpone, continue or reschedule the hearing with the consent of all parties or upon the motion of any party for good cause shown.

### 3. FINALITY OF ENFORCEMENT ORDER:

This Enforcement Order shall become final upon expiration of the time for filing a notice of appeal. If a notice of appeal is timely filed, this Enforcement Order shall become final upon issuance of the Hearing Officer's decision affirming the Enforcement Order.

### 4. QUESTIONS:

If you have any questions about this Enforcement Order, you may contact the Community Development Department at the following address or telephone number:

DEPARTMENT OF COMMUNITY DEVELOPMENT  
CODE COMPLIANCE DIVISION  
555 LIBERTY STREET SE, ROOM 305  
SALEM, OREGON 97301-3503  
TELEPHONE NUMBER: (503) 588-6421

CITY OF SALEM  
BEFORE THE HEARINGS OFFICER

AN APPEAL OF ENFORCEMENT ORDER) Compliance Case No. 2013-122022-CE-00  
IMPOSED ON JAY PEEBLES, TRUSTEE )  
ET AL REGARDING PROPERTY )  
LOCATED AT 195 COMMERCIAL ) AMENDED ORDER  
STREET, SALEM, OR )  
)  
)  
)

DATE AND PLACE OF HEARING:

February 26, 2014, Salem City Council Chambers, 555 Liberty Street SE, Salem, Oregon.

APPEARANCES:

Staff: Attorney Katrina Brown  
Brent Hedrick  
Kenneth Eatwell  
Kimberli Fitzgerald, Historic Planner

Appellant: Appeared by and through Donald Burdick

SUMMARY OF HEARING

The trustee of the A. Jay Peebles, et al took ownership of the subject property officially December 5, 2013. Prior to that date, the trustee met with the City to have the property inspected. After inspection, the City issued an enforcement order dated December 24, 2013, in which they listed nine (9) separate violations of Salem Municipal Code . The appellant appealed requesting a one-year extension to determine how to proceed with the property.

FINDINGS OF FACT AND CONCLUSION

1. The hearing was held on the date set forth above, and the Hearings Officer, based upon the evidence taken at that hearing, issued an Order dated March 10, 2014. That Order sustained the violations contained in one (1), two (2), four (4), five (5), six (6), seven (7), eight (8), nine (9) and ten (10) of the enforcement order. The Hearings Officer ordered the property vacated. The Hearings Officer allowed the Appellant 30 days from the date of the Order to obtain an engineering report to determine whether or not the building could be rehabilitated or should be demolished. The Hearings Officer then ordered that his decision would be amended to either adopt a rehabilitation progress plan or to order demolition.
2. The Hearings Officer received by hard copy a statement from Don Burdick dated April 7, 2014, in which (representing the Appellant) he requested that the Order of March 10, 2014, be amended to order demolition.

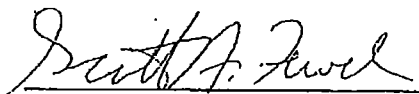
3. That written request came within the 30-day time period as set by the Hearings Officer.
4. In determining an appropriate time to accomplish the demolition, the Hearings Officer has taken into account the ongoing status of the property and the fact that it has some historical significance and will need historical review by, and permission from, the City.

Therefore, the Hearings Officer issues the following:

#### AMENDED ORDER

1. The Hearings Officer ORDERS the immediate removal of all vehicles located upon the property at 195 Commercial Street, Salem, Oregon, and requires the owner to keep the property free of all vehicles throughout the process set forth below.
2. The Appellant shall submit to the City's Historic Land Commission (HLC) by May 23, 2014, an application for the demolition of the building upon the property.
3. The Appellant shall have the building demolished by November 21, 2014.
4. Either party may request a hearing before the Hearings Officer if the Applicant fails to meet any deadline. However, the Hearings Officer retains all rights allowed under the Salem Revised Code to impose additional, appropriate civil penalties.
5. Appeal of this decision shall be by writ of review to the Circuit Court of Marion County as provided by ORS 34.010-34.100.

Dated this 18<sup>th</sup> day of April, 2014.

  
\_\_\_\_\_  
Scott A. Fewel, Hearings Officer



**FEWEL, BREWER & COULOMBE**

Attorneys at Law

Scott A. Fewel  
James K. Brewer  
David E. Coulombe

5th & Monroe  
456 SW Monroe Avenue, Suite 101  
Corvallis, Oregon 97333

PHONE 541-752-5154  
FAX 541-752-7532

March 10, 2014

City of Salem  
Attn: Kathy Hall, City Recorder  
555 Liberty Street SE Room 205  
Salem OR 97301-3503

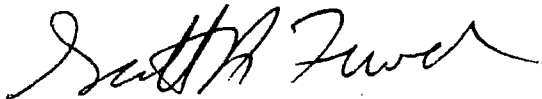
*Via Email and USPS: [khall@cityofsalem.net](mailto:khall@cityofsalem.net)*

Dear Kathy:

Enclosed are my Findings of Fact, Conclusion and Decision for Compliance Case No. 2013-122022-CE-00. A copy of the decision has been sent to the Appellant.

Very truly yours,

FEWEL, BREWER & COULOMBE



Scott A. Fewel

SAF/nkm  
Encl.  
c: Donald Burdick

CITY OF SALEM  
BEFORE THE HEARINGS OFFICER

AN APPEAL OF ENFORCEMENT ORDER)	Compliance Case No. 2013-122022-CE-00
IMPOSED ON JAY PEBBLES, TRUSTEE )	
ET AL REGARDING PROPERTY )	
LOCATED AT 195 COMMERCIAL )	
STREET, SALEM, OR )	FINDING OF FACTS,
)	CONCLUSIONS AND
)	DECISION

**DATE AND PLACE OF HEARING:**

February 26, 2014, Salem City Council Chambers, 555 Liberty Street SE, Salem, Oregon.

**APPEARANCES:**

Staff: Attorney Katrina Brown  
Brent Hedrick  
Kenneth Eatwell  
Kimberli Fitzgerald, Historic Planner

Appellant: Appeared by and through Donald Burdick

**SUMMARY OF HEARING**

The trustee of the A. Jay Peebles, et al took ownership of the subject property officially December 5, 2013. Prior to that date, the trustee met with the City to have the property inspected. After inspection, the City issued an enforcement order dated December 24, 2013, in which they listed nine (9) separate violations of Salem Municipal Code. The appellant appealed requesting a one-year extension to determine how to proceed with the property.

**FINDING OF FACT AND CONCLUSION**

1. At the outset, the City asserted Appellant's failed to properly appeal any of the violations. Appellant simply asked for an extension of time to determine how to proceed.
2. Appellant and City agreed that violation number three (3) had been resolved.
3. It is the findings of the Hearings Officer that the City's position is correct, and therefore SUSTAINS the findings contained in violations one (1), two (2), four (4), five (5), six (6), seven (7), eight (8), nine (9), and ten (10), as follows:
  - (1) The guardrails that surround the parking area on the roof of the structure are unsecured in numerous places in an unsafe condition and could easily become dislodged when struck causing harm or injury to person and property. The work that has recently occurred on the guardrails without permits or engineering is a violation

of the Salem Revised Code and this is a continuation of the previous Enforcement Orders.

- (2) The electrical work in the building to establish lighting, the wiring connected into the circuit panel, the junction boxes, the new conduit, the outlets missing covers, all spliced electrical work throughout the building, the exposed conductors, the exposed connectors, the overloaded circuits and all other electrical work throughout the building that is manifestly unsafe that is not up to code and was completed without permits by a non-licensed electrician is in violation of the Salem Revised Code. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.
  - (4) The lack of permanent heating in the office and bathroom spaces is in violation of the Salem Revised Code. Per direction of the Building Official you shall not occupy the spaces until all the code violations have been corrected.
  - (5) The installation of the tin ceiling including utter and drainage installed without permits by a non-licensed contractor and in violation of the Salem Revised Code. Per direction of the Building official you shall not occupy the spaces until all the code violations have been corrected.
  - (6) The glazing around the windows that is in a state of disrepair, the holes and breaks in the CMU walls on the west side of the building facing the alley in a state of disrepair is in violation of the Salem Revised Code.
  - (7) The holes and breaks in the CMU walls on the west side of the building facing the alley in a state of disrepair are in violation of the Salem Revised Code.
  - (8) The broken window panes, the missing window panes, the window panes covered by sheet metal and wood are in violation of the Salem Revised Code.
  - (9) The tinted, opaque and white washed windows on this Historic Contributing Building in a Commercial Historic District are in violation of the Salem Revised Code.
  - (10) The signs or banners attached to vehicles and the building that does not meet the requirements under the sign or historic code in violation of the Salem Revised Code.
4. The Hearings Officer found Appellant's argument persuasive regarding the usefulness of an engineering analysis to determine if Appellant was going to demolish or rehabilitate the building. The Hearings Officer, based upon the testimony provided by the Appellant, will allow 30 days from the date of this order for Appellant to obtain an engineering report to determine whether or not the building can be rehabilitated or should be demolished. This order will then be amended to adopt a rehabilitation progress plan or to order demolition. That progress plan would be determined by the City and the Appellant after the Appellant has made a decision as to which course of action to take. If there is a dispute as to the timing of the rehabilitation plan, this matter will be brought back before the Hearings Officer for a determination of the rehabilitation schedule or demolition schedule.

5. During the period that the property is being analyzed and then until further notice the property is ordered to be vacated of both people and vehicles.

Based upon the foregoing, the Hearings Officer issues the following:

### DECISION

The Hearings Officer SUSTAINS the violations contained in one (1), two (2), four (4), five (5), six (6), seven (7), eight (8), nine (9), and ten (10). Property shall remain vacated until further notice. Appellant is allowed 30 days from the date of this Order to obtain an engineering report to determine whether or not the building can be rehabilitated or should be demolished. The order will then be amended to adopt a rehabilitation progress plan or to order demolition.

Appeal of this decision shall be by writ of review to the Circuit Court of Marion County as provided by ORS 34.010-34.100.

Dated this 10th day of March, 2014.

  
Scott A. Fewel, Hearings Officer

.....

# ***Asbestos Survey Report***

***Subject Site:***

***Marion Car Rental & Park  
195-197 Commercial St SE, Salem OR***

***Prepared for:***

***Don Burdick c/o Jay Pebbles Trust  
434 Ridgeway Road  
Lake Oswego, Oregon 97034***

***Prepared by:***

***Creekside Environmental Consulting, LLC  
21790 SW Chehalis Court  
Tualatin, Oregon 97062  
(503) 692-8118***

***Creekside Project No. DB-2014.1***

..... ***March 2014*** .....





March 3, 2013

Don Burdick c/o Jay Pebbles Trust  
434 Ridgeway Road  
Lake Oswego, Oregon 97034

Subject: Asbestos Survey Report / Former Marion Car Rental  
Address: 195-197 Commercial Street SE, Salem, Oregon 97301  
CEC Project No. DB-2014.1

Bill,

Creekside Environmental Consulting, LLC (Creekside) has prepared this letter report for Don Burdick c/o Jay Pebbles Trust (Don Burdick) which summarizes our asbestos survey findings, conclusions, and recommendations at the above-referenced former Marion Car Rental facility located in Salem, Oregon. The purpose of this project was to visit and inspect the subject site, determine if asbestos is present in accessible areas, identify those locations and estimate the approximate surface areas if possible. Our survey was conducted in a manner that is consistent with appropriate Oregon Department of Environmental Quality (ODEQ) rules and regulations for asbestos assessment, and our findings are strictly confidential. Creekside's survey included onsite sampling, testing at a lab in Richmond, Virginia, evaluation of laboratory test results, and comparison of the test results with appropriate regulatory standards and benchmarks. A detailed description of our project activities and assessment results are provided in the following sections.

#### **WORK COMPLETED**

Creekside's subcontractor (EVREN Northwest, Inc.) conducted the asbestos survey on February 25, 2013. A total of twenty (20) samples of potentially asbestos containing materials (PACMs) were collected from accessible areas and analyzed for asbestos; they included: acoustic ceiling tile, various ceramic tile, wall board with tape and mud, various mastics (glue), vinyl floor tiles, rubber baseboards, popcorn ceiling texture, wall texture, and pipe insulation. Laboratory testing was completed by Schneider Laboratories Global, Inc. The test results, which are attached to this report, indicated that one building material sample tested positive for asbestos. Detailed descriptions of the building material that tested positive for asbestos are provided in Table 1 on the following page. Additionally, photos of the areas which tested positive for asbestos and a floor plan map are provided in the attachments at the end of this report.

**Table 1 – Summary of Positive Asbestos Test Results**

Sample Numbers	Asbestos Content	Description of Material	Location / Approximate Total Ft <sup>2</sup>
ASB12-140225 (11)	3% Chrysotile	Green Floor Tile	Front room of former church < 10 Ft <sup>2</sup>

**OTHER REGULATED BUILDING MATERIALS**

Additional regulated materials, such as mercury-containing fluorescent bulbs, PCB light ballasts and lead compounds may be present at the subject site. Don Burdick’s general contractor should remove and properly dispose of these materials if they will be replaced during the planned remodel.

**FINDINGS, CONCLUSIONS & RECOMMENDATIONS**

The asbestos in the former Marion Car Rental facility is limited to green floor tile in what appears to be the front room of the former church location on site. Creekside recommends that the identified asbestos green floor tile (described in Table 1 and listed in the attached laboratory report) be properly abated (removed) prior to the planned building demolition by an Oregon-DEQ licensed asbestos abatement contractor using methods consistent with Oregon Dept. of Environmental Quality rules and OSHA’s General Industry Standards (29 CFR 1910.1001).

**LIMITATIONS**

Our scope of work for this project was limited to the descriptions provided in our approved contract dated February 11, 2014. Although Creekside has characterized accessible building materials that may contain asbestos, there may be other materials at the site which were obscured from view or inaccessible during our survey and may be revealed during future renovation activities. If new previously unidentified suspect building materials are discovered, Creekside should be contacted prior to continuing the demolition / remodeling work so we can inspect them (possibly test them) and recommend additional appropriate actions. Creekside recommends abating all identified asbestos containing materials referenced in this report prior to demolition or remodeling activities, as required under state and federal law.

I can be reached at (503) 692-8118 if you have questions or comments regarding this letter report.

**CREEKSIDE ENVIRONMENTAL CONSULTING, LLC / Oregon CCB License #: 150382**

*Brent Jorgensen*



**Brent Jorgensen, CHMM (Certified Hazardous Materials Manager No. 9215)**

Attachments –Lab Report

# SCHNEIDER LABORATORIES GLOBAL

INCORPORATED

2512 W. Cary Street • Richmond, Virginia • 23220-5117  
804-353-6778 • 800-785-LABS (5227) • (FAX) 804-359-1475

*Over 25 Years of Excellence in Service and Technology*

## LABORATORY ANALYSIS REPORT

Asbestos Identification by EPA Method<sup>1</sup> 600/R-93/116; EPA 600/M4-82-020

**ACCOUNT #:** 3734-14-54  
**CUSTOMER:** Evren-Northwest Inc.  
**ADDRESS:** 1127 SE 10th Ave  
Portland, OR 97214

**DATE COLLECTED:** 2/25/2014  
**DATE RECEIVED:** 2/26/2014  
**DATE ANALYZED:** 2/26/2014  
**DATE REPORTED:** 2/26/2014

**PROJECT NAME:** Marion Car Rental  
**JOB LOCATION:** Salem, OR  
**PROJECT NO.:** 351-14007-01  
**PO NO.:**

**SampleType:** BULK

Customer Sample No.	SLI Sample/ Layer ID	Sample Identification/ Layer Name	PLM Analysis Results	
			Asbestos Fibers	Other Materials
1	32152041	ASB01-140225		
Layer 1:	Flooring Gray, Org.Bound/Fibrous		None Detected	40% CELLULOSE FIBER 60% NON FIBROUS MATERIAL
<b>Sample was inhomogenous, subsamples of each component were analyzed separately.</b>				
2	32152042	ASB02-140225		
Layer 1:	Fibrous Material Brown, Fibrous		None Detected	90% CELLULOSE FIBER 10% NON FIBROUS MATERIAL
3	32152043	ASB03-140225		
Layer 1:	Rubbery Material Gray, Rubbery		None Detected	100% NON FIBROUS MATERIAL
Layer 2:	Mastic Tan, Soft		None Detected	100% NON FIBROUS MATERIAL
4	32152044	ASB04-140225		
Layer 1:	Fibrous Material Gray, Fibrous		None Detected	65% CELLULOSE FIBER 35% NON FIBROUS MATERIAL

### Total Number of Pages in Report: 4

Results relate only to samples as received by the laboratory.

Visit [www.slabin.com](http://www.slabin.com) for current certifications.

Accrediting bodies: AIHA-LAP, LLC 100527, NVLAP 101150-0, VELAP/NELAC 460135 - Call laboratory for current national and state certifications.

*Method reporting limit is 1%. PLM analysis is based on Visual Estimation and NESHAP recommends that any asbestos content less than 10 percent be verified by PLM Point Count or TEM Analysis. This report must not be reproduced except in full with the approval of the laboratory.*



Customer Sample No.	SLI Sample/ Layer ID	Sample Identification/ Layer Name	PLM Analysis Results	
			Asbestos Fibers	Other Materials
5	32152045	ASB05-140225		
Layer 1:	Hard Material White, Hard		None Detected	100% NON FIBROUS MATERIAL
Layer 2:	Mastic Tan, Soft		None Detected	100% NON FIBROUS MATERIAL
6	32152046	ASB06-140225		
Layer 1:	Hard Material Beige, Hard		None Detected	100% NON FIBROUS MATERIAL
Layer 2:	Mastic Tan, Soft		None Detected	100% NON FIBROUS MATERIAL
Layer 3:	Granular Material Gray, Granular		None Detected	100% NON FIBROUS MATERIAL
7	32152047	ASB07-140225		
Layer 1:	Fibrous Material Yellow, Fibrous		None Detected	95% MINERAL/GLASS WOOL 5% NON FIBROUS MATERIAL
Layer 2:	Cover Silver/White, Fibrous		None Detected	65% CELLULOSE FIBER 35% NON FIBROUS MATERIAL
8	32152048	ASB08- Comp 140225		
Layer 1:	Fibrous Material White/Tan, Fibrous		None Detected	90% CELLULOSE FIBER 10% NON FIBROUS MATERIAL
9	32152049	ASB09-140225		
Layer 1:	Floor Tile White/Gray, Organically Bound		None Detected	100% NON FIBROUS MATERIAL
10	32152050	ASB10-140225		
Layer 1:	Floor Tile Black, Organically Bound		None Detected	100% NON FIBROUS MATERIAL
Layer 2:	Mastic Tan, Soft		None Detected	100% NON FIBROUS MATERIAL

**Total Number of Pages in Report: 4**

Results relate only to samples as received by the laboratory.

Visit [www.slabinc.com](http://www.slabinc.com) for current certifications.

Accrediting bodies: AIHA-LAP, LLC 100527, NVLAP 101150-0, VELAP/NELAC 460135 - Call laboratory for current national and state certifications.

*Method reporting limit is 1%. PLM analysis is based on Visual Estimation and NESHAP recommends that any asbestos content less than 10 percent be verified by PLM Point Count or TEM Analysis. This report must not be reproduced except in full with the approval of the laboratory.*

Customer Sample No.	SLI Sample/ Layer ID	Sample Identification/ Layer Name	PLM Analysis Results	
			Asbestos Fibers	Other Materials
11	32152051	ASB11-Comp 140225		
Layer 1:	Fibrous Material White/Gray, Fibrous		None Detected	45% CELLULOSE FIBER 20% MINERAL/GLASS WOOL 35% NON FIBROUS MATERIAL
12	32152052	ASB12-140225		
Layer 1:	Floor Tile Green, Organically Bound		3% CHRYSOTILE	97% NON FIBROUS MATERIAL
Layer 2:	Mastic Black, Bituminous		None Detected	100% NON FIBROUS MATERIAL
13	32152053	ASB13-140225		
Layer 1:	Floor Tile White, Organically Bound		None Detected	100% NON FIBROUS MATERIAL
Layer 2:	Mastic Brown, Soft		None Detected	100% NON FIBROUS MATERIAL
14	32152054	ASB14-140225		
Layer 1:	Floor Tile Gray, Organically Bound		None Detected	100% NON FIBROUS MATERIAL
Layer 2:	Mastic Brown, Soft		None Detected	100% NON FIBROUS MATERIAL
15	32152055	ASB15-Comp 140225		
Layer 1:	Powdery Material White, Powdery		None Detected	4% CELLULOSE FIBER 96% NON FIBROUS MATERIAL
16	32152056	ASB17-140225		
Layer 1:	Powdery Material White, Powdery		None Detected	4% CELLULOSE FIBER 96% NON FIBROUS MATERIAL
Layer 2:	Granular Material White, Granular		None Detected	100% NON FIBROUS MATERIAL

**Total Number of Pages in Report: 4**

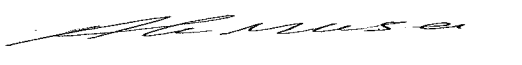
Results relate only to samples as received by the laboratory.

Visit [www.slabinc.com](http://www.slabinc.com) for current certifications.

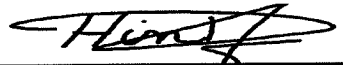
Accrediting bodies: AIHA-LAP, LLC 100527, NVLAP 101150-0, VELAP/NELAC 460135 - Call laboratory for current national and state certifications.

Method reporting limit is 1%. PLM analysis is based on Visual Estimation and NESHAP recommends that any asbestos content less than 10 percent be verified by PLM Point Count or TEM Analysis. This report must not be reproduced except in full with the approval of the laboratory.

Customer Sample No.	SLI Sample/ Layer ID	Sample Identification/ Layer Name	PLM Analysis Results		
			Asbestos Fibers	Other Materials	
17	32152057	ASB18-140225	Layer 1: Powdery Material White, Powdery	None Detected	4% CELLULOSE FIBER 96% NON FIBROUS MATERIAL
			Layer 2: Soft Material Brown, Soft	None Detected	100% NON FIBROUS MATERIAL
18	32152058	ASB19-140225	Layer 1: Rubbery Material Black, Rubbery	None Detected	100% NON FIBROUS MATERIAL
			Layer 2: Mastic Brown, Soft	None Detected	100% NON FIBROUS MATERIAL
19	32152059	ASB20-140225	Layer 1: Floor Tile Brown, Organically Bound	None Detected	100% NON FIBROUS MATERIAL
			Layer 2: Mastic Brown, Soft	None Detected	100% NON FIBROUS MATERIAL
20	32152060	ASB21-140225	Layer 1: Rubbery Material Gray, Rubbery	None Detected	100% NON FIBROUS MATERIAL
			Layer 2: Mastic Tan, Soft	None Detected	100% NON FIBROUS MATERIAL



Analyst: **Ali Musa**



Reviewed By: **Hind Eldanaf, Microscopy Supervisor**

**Total Number of Pages in Report: 4**

Results relate only to samples as received by the laboratory.

Visit [www.slabinc.com](http://www.slabinc.com) for current certifications.

Accrediting bodies: AIHA-LAP, LLC 100527, NVLAP 101150-0, VELAP/NELAC 460135 - Call laboratory for current national and state certifications.

Method reporting limit is 1%. PLM analysis is based on Visual Estimation and NESHAP recommends that any asbestos content less than 10 percent be verified by PLM Point Count or TEM Analysis. This report must not be reproduced except in full with the approval of the laboratory.



March 14, 2014

Don Burdick c/o Jay Pebbles Trust  
434 Ridgeway Road  
Lake Oswego, Oregon 97034

Subject: Proposal to Manage Removal of Asbestos Materials  
Subject Site: Marion Car Rental & Park / 195-197 Commercial Street SE, Salem, OR  
CEC Proposal No. DB-2014.2

Creekside Environmental Consulting, LLC (Creekside) has prepared this proposal for the Don Burdick and the Jay Pebbles Trust to provide asbestos abatement services at the above referenced site located in Salem, Oregon. The work on this project involves mandatory pre-demolition asbestos abatement prior to development as required by the Oregon Dept. of Environmental Quality. This project will be managed in a manner that is consistent with appropriate Oregon DEQ rules and regulations for hazardous materials abatement. This project will be conducted in strict confidence with you and your authorized agents.

**BACKGROUND / SURVEY RESULTS**

Creekside's subcontractor (EVREN Northwest, Inc.) conducted the asbestos survey at this site on February 25, 2013. A total of twenty (20) samples of potentially asbestos containing materials (PACMs) were collected from accessible areas and analyzed for asbestos; they included: acoustic ceiling tile, various ceramic tile, wall board with tape and mud, various mastics (glue), vinyl floor tiles, rubber baseboards, popcorn ceiling texture, wall texture, and pipe insulation. Laboratory testing was completed by Schneider Laboratories Global, Inc. The test results, which are attached to this report, indicated that one building material sample tested positive for asbestos. Detailed descriptions of the building material that tested positive for asbestos are provided in Table 1 below:

*Table 1 - Summary of Positive Asbestos at the Subject Site*

<u>Product</u>	<u>Approximate Amount</u>	<u>Friable</u>	<u>Condition</u>	<u>Sample #</u>	<u>Results</u>
Green Floor Tile	10 Ft <sup>2</sup>	Yes	Good	11	3% Chrysotile

## PROPOSED SCOPE OF WORK / BUDGET

- Build containment and remove asbestos materials
- Containerize and dispose of asbestos waste materials
- Conduct post-asbestos abatement air clearance testing
- Prepare brief 2-page asbestos abatement report to document this work

Est. Budget for Task 1 - \$1,500

## BUDGET

Our estimated budget for completing the work described above is **\$1,500**. This budget assumes that no additional asbestos materials are found during demolition or during abatement activities. It also assumes that we will have clear access to the floor tile and that power and water will be supplied during this project for Creekside and its subcontractor (AAM). This cost is based on Creekside's estimate for time, materials and expenses and will not be exceeded without your authorization. If additional asbestos materials are discovered during demolition or during abatement activities, you will be notified and we will need to prepare a change order for your review and approval to complete the work.

## SCHEDULE & AUTHORIZATION

Creekside can complete this job within about one week after we have received a signed contract. The proposed Scope of Work described herein will be conducted in accordance with Creekside's Standard Terms and Conditions agreement which has already been approved in the past. You will be responsible for securing site access for Creekside and its subcontractors during this project. Thank you for considering Creekside for this project. If you have questions or comments regarding this proposal, please feel free to contact me at (503) 692-8118.

Sincerely,  
**CREEKSIDE ENVIRONMENTAL  
CONSULTING, LLC**

*Brent Jorgensen*

Brent Jorgensen, CHMM

**ACCEPTED BY**  
**Don Burdick c/o Jay Pebbles Trust**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



March 20, 2014

Don Burdick c/o Jay Pebbles Trust  
434 Ridgeway Road  
Lake Oswego, Oregon 97034

Subject: Asbestos Abatement Report  
Subject Site: Marion Car Rental & Park / 195 Commercial Street SE, Salem, OR  
CEC Project No. DB-2014.2

Don,

Creekside Environmental Consulting, LLC (Creekside) has prepared this letter report for you which summarizes the asbestos remediation activities completed on March 19, 2014 at the former Marion Car Rental & Park site located in Salem, Oregon. The purpose of this abatement project was to remove approximately 5 Ft<sup>2</sup> of asbestos containing green floor tile in the main building previously used for local church service. This project follows recommendations from Creekside's asbestos survey which was conducted earlier this month. The onsite building is scheduled to be demolished; accordingly, removal of the asbestos floor tile was required using methods consistent with Oregon Dept. of Environmental Quality rules and OSHA's General Industry Standard 29 CFR 1910.1001. This project was completed under strict confidentiality terms and conditions.

### **Work Completed / Abatement Activities**

1. On Wednesday, March 19, 2014, Creekside's subcontractor (AA Maintenance, Inc.) constructed encapsulation containment in area targeted for asbestos removal, and they removed about 5 square feet of asbestos-containing green floor tile. Agency notification and air clearance testing was not required due to the low level of surface area / material removed.
2. The asbestos containing waste materials, which included the floor tile, plastic sheeting, and used personal protective equipment, were double-wrapped in 6 mil labeled bags and will be disposed at the Hillsboro Landfill located at 3205 SE Minter Bridge Road in



## Oregon Department of Environmental Quality

## Marion Car Rental

**Summary Information****General Site Information****24-90-4276**

**Site Name:** Marion Car Rental  
**Address:** 195 COMMERCIAL ST SE  
 SALEM, 97301  
**County:** MARION  
**Site Type:** POCKET  
**Project Manager** N/A - Project Completed.

**Basic Incident Information**

**Received Date:** 11/15/1990  
**Status:** CLOSED  
**Tank Type:** Regulated Tank  
**File Status:** No Further Action  
**UST Facility Id:** 2385

**Assessment Information**

<b>Cause of Release:</b>	OTHER	<b>Source of Release:</b>	NOT REPORTED	<b>Discovery Method:</b>	DECOMMISSIONING
<b>Media Effected</b>	>Soil	<b>Contaminants Released</b>	>Waste Oil		

**Delineate Soil** YES **Soil Delineated** YES

**Management Information**

**Release Stopped Date:** 11/02/1990      **Cleanup Start Date:** 11/02/1990      **Cleanup End Date:** 10/09/1998

**Work Reported Information**

**Work Reported** Other      **Reported Date** 10/27/1998

**Oregon Department of Environmental Quality**  
 Headquarters: 811 Sixth Ave., Portland, OR 97204-1390  
 phone: 503-229-5696 or toll free in Oregon 800-425-4011  
 TTY: 503-229-6993 FAX: 503-229-6124

The Oregon Department of Environmental Quality is a regulatory agency authorized to protect Oregon's environment by the State of Oregon and the Environmental Protection Agency.



## Oregon Department of Environmental Quality

## Marion Car Rental II

**Summary Information****General Site Information****24-98-4178**

**Site Name:** Marion Car Rental II  
**Address:** 195 COMMERCIAL ST SE  
 SALEM, 97301  
**County:** MARION  
**Site Type:** Soil Matrix Cleanup  
**Project Manager** N/A - Project Completed.

**Basic Incident Information**

**Received Date:** 10/27/1998  
**Status:** CLOSED  
**Tank Type:** Non-Regulated Tank  
**File Status:** No Further Action  
**UST Facility Id:**

**Assessment Information**

<b>Cause of Release:</b>	UNKNOWN	<b>Source of Release:</b>	NOT REPORTED	<b>Discovery Method:</b>	DECOMMISSIONING
<b>Media Effected</b>	>Soil	<b>Contaminants Released</b>	>OtherPetro		

**Delineate Soil** YES **Soil Delineated** YES

**Management Information**

<b>Release Stopped Date:</b>	10/02/1998	<b>Cleanup Start Date:</b>	10/02/1998	<b>Cleanup End Date:</b>	05/19/1999
------------------------------	------------	----------------------------	------------	--------------------------	------------

**Work Reported Information**

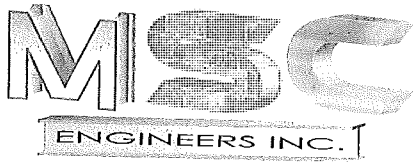
<b>Work Reported</b>	<b>Reported Date</b>
Other	10/27/1998

**Oregon Department of Environmental Quality**

Headquarters: 811 Sixth Ave., Portland, OR 97204-1390  
 phone: 503-229-5696 or toll free in Oregon 800-425-4011  
 TTY: 503-229-6993 FAX: 503-229-6124

The Oregon Department of Environmental Quality is a regulatory agency authorized to protect Oregon's environment by the State of Oregon and the Environmental Protection Agency.





March 31, 2014

Donald Burdick  
434 Ridgeway Road  
Lake Oswego, OR 97034

RE: Marion Auto Structural Assessment  
195/197 Commercial Street SE, Salem, Oregon

Dear Sir;

On March 3, 2014 the undersigned representative of our firm met with you and your partner, Jay Peebles, at the above property. This site visit was made at your request for purposes of our firm performing a "walk-through" level of structural observation of the subject building.

Subsequent to our site visit, we were provided copies of "Enforcement Order/Compliance Required", Case No. 2013-122002-ce00. The two (2) copies we received were dated the same however differ slightly. We also received a copy of your appeal before the Hearings Officer for the City of Salem. For addressing issues of the Enforcement Order, this report will utilize the items contained in the "Finding of Facts" as shown in this appeal.

It is our understanding that the subject building was constructed about 1950. Overall, the construction appears about as we would expect for that era. The building roof is of reinforced concrete joists and beams, with lower level walls constructed of both concrete and masonry blocks.

From appearances, the roof was anticipated to be used for parking at the time of original construction. In addition, it appears that much of the lower level was intended for parking as well, or perhaps short term parking of vehicles associated with automobile servicing.

The majority of the south main level appears likely to have been intended for auto service as it has large overhead doors at the front as well as the south wall.

The main level north of the roof access ramp was likely intended for retail space of an unknown nature.

We would note that no plans for original construction of the building nor for any subsequent remodels were provided or available. In addition, we took no field measurements of the building. Therefore, our comments must be fairly general in nature.

Specific comments regarding enforcement issues include:

1. Upper Level Guardrails – We concur that in several locations these no longer are supported in a structurally sound manner. In addition, numerous previous repairs are inadequate structurally. Of concern also based on our observation only, without actually confirming by engineering analysis, is whether the guardrail system itself is structurally adequate to resist the code required 6000 lb. horizontal load. This item is likely to be a significant cost to repair.
2. Electrical – We did not review this item and have no comments.
3. Assembly Occupancy – We understand this issue is resolved.
4. Heating – We did not review this item and have no comments.

CONSULTING STRUCTURAL ENGINEERS

5. Tin Ceilings – These ceilings appear to have been installed to provide a water barrier due to the roof structure not being waterproof. The remedy of removing is a simple task, however will not address the real issue which is water penetrating the concrete roof. This moisture issue will be addressed further in this report.
6. Glazing – We did not review this issue and have no comments.
7. CMU Damage – Damage such as that observed is relatively minor and a qualified masonry contractor should be able to repair reasonably economically. Of larger concern is that no reinforcing steel was noted during our observation of damaged areas.
8. Broken Windows – We did not review and have no comments.
9. Tinted Windows – We did not review and have no comments.
10. Signs, Banners – We did not review and have no comments.

Our observation was quite cursory and the following comments must remain general in nature. Significant additional effort would be required to provide a definitive analysis with conclusion.

That being said, it is apparent that this building has major structural issues. The major issue is that moisture penetration into the concrete roof deck has corroded the reinforcing steel which reduces the ability of the structure to support live loads.

The extent of the corrosion is unknown, but is observable in numerous locations where the reinforcing has become exposed. This is a serious issue that definitely requires attention. In addition to repairing areas where the reinforcing steel has been significantly compromised, the roof needs to be properly waterproofed to prevent water intrusion. In order to accomplish this, the AC paving (as well as the small area of roofing) will require removal to expose the concrete surface. Concrete repair such as that required is typically fairly involved and therefore expensive.

Another structural concern is the before-mentioned guardrail system to protect vehicles from falling from the roof deck. As noted, a 6000 lb. force is required for design of this restraint and we are highly skeptical that the rail, even the areas in good condition, are capable of meeting this design criteria.

We also noted some fairly significant cracks in walls adjacent to the ramp and to a lesser extent elsewhere. These are likely not a major concern, but indicative of minor settlement over the years. These do require sealing to prevent moisture intrusion or they will become more serious.

We would be remiss if we did not also note that this structure appears inadequate to resist lateral loads imposed by wind or an earthquake. Although a detailed analysis would be required to determine the extent of the deficiencies, it is apparent that large openings on the east and south walls are highly suspect. We doubt, but did not confirm, that interior masonry walls are properly designed to assist in resisting lateral loading.

However, we would also point out that this building is not unique in this respect. Most older buildings have the same deficiency. The issue is however that in upgrading this building, it is likely a "change of use" will trigger code conformance. A "seismic upgrade" is recommended if any significant costs are to be spent on rehabilitation.

In addition to the City raised issues and the major structural issues above, our walk-through observation noted several additional items that should be addressed, and almost certainly will be required to be so if the building is to be used.

These include the deficient "pedestrian" guardrail at the roof deck with "openings" much larger than allowed. We also noted that several interior doors lack a landing on each side, several doors appear to be too narrow, and that access between various areas is likely inadequate.

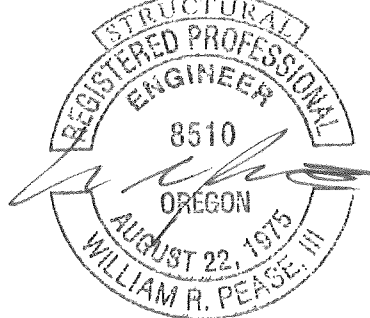
It appears that exiting is also inadequate from various portions of the building. This was an item on an earlier City Enforcement Order, but not noted in the final. This is a complex issue that would require additional effort to resolve given the numerous small areas involved.

We will not comment on accessibility issues, other than to note with the various floor levels, steep ramps, etc., this is likely to be a significant issue to resolve.

To conclude, given the age and condition of the building, it is our opinion that rehabilitation is not likely to be economical. Please note that an actual plan of rehabilitation would be required so that a qualified contractor could provide at least budget figures for the work.

As an editorial comment only, we would state that in our opinion this building is a non-descript representative building from the 1950's. It has no historical significance and there is no good reason to retain based upon this status.

We trust that this brief report meets your current needs regarding this building. Please let us know if you have any questions or comments at this time.



Very truly yours,

William R. Pease, P. E., S. E.  
MSC Engineers, Inc.

Encl: Photos (6 pages)

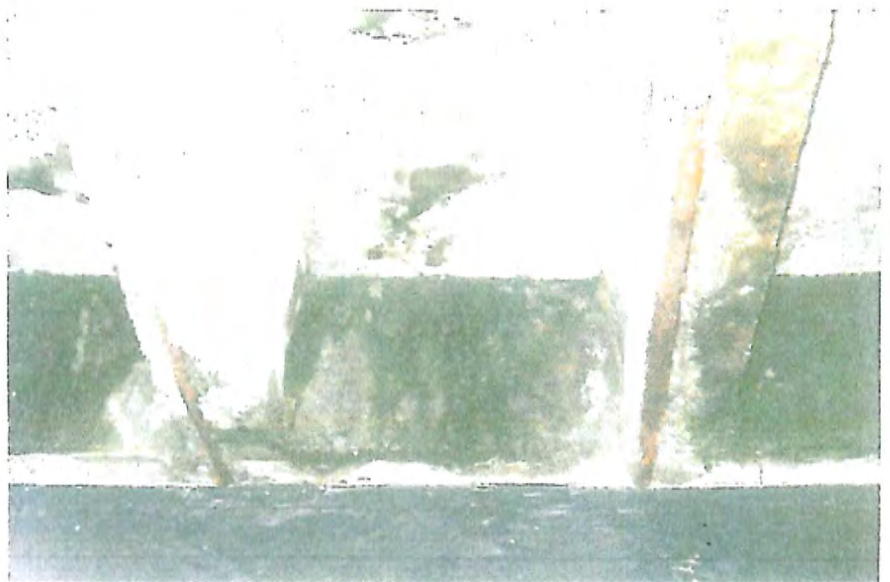
MSC Project ID: 140236

1. Rusting Rebar in Bottom of Roof Slab



2. Rusting Rebar in Bottom of Concrete Joist

3. Rusting Rebar in Bottom of Concrete Joist



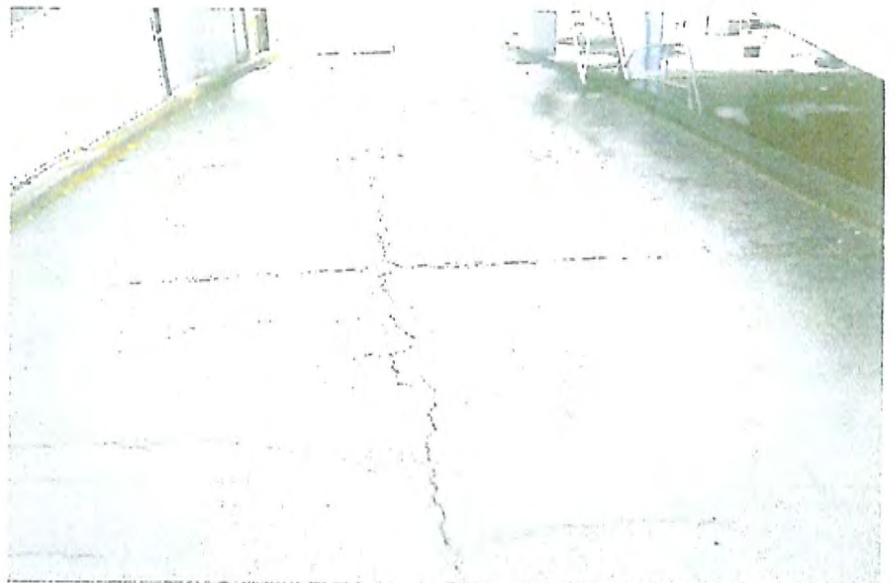
4. Crack in Ramp Wall



5. Crack in Ramp Wall



6. View of Ramp with Cracks Showing Through Paving

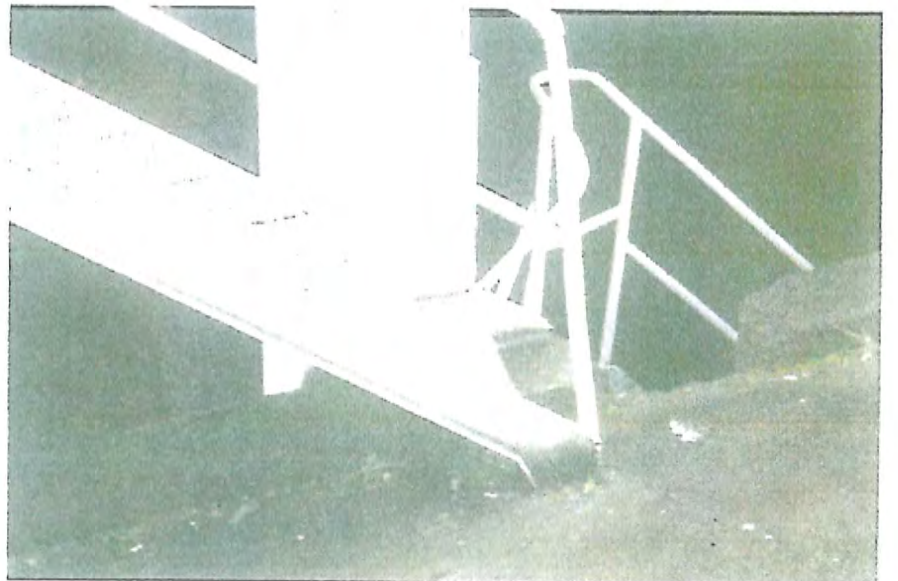


7. Stairs From Upper Ramp to Ground Level - Note Damage to Concrete to Form Step

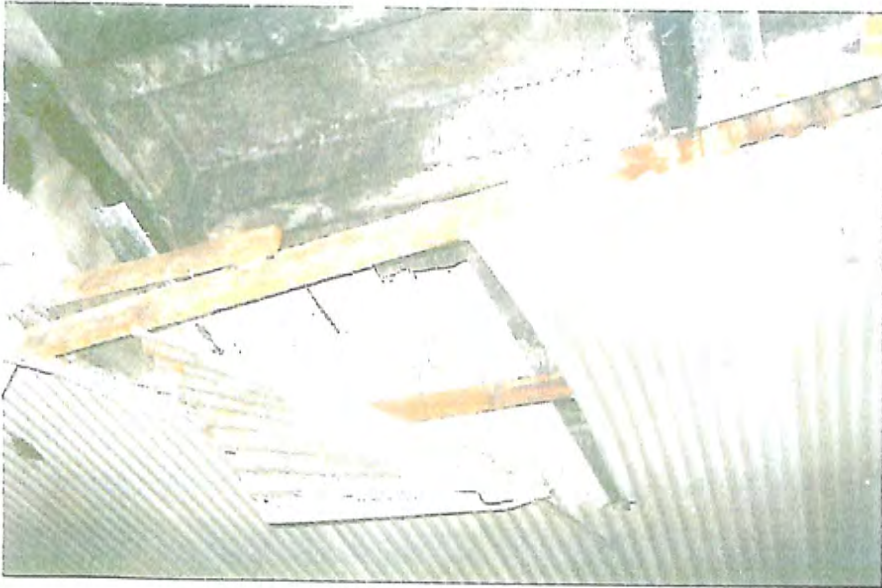


8. Stairs From Upper Level to Ramp

9. Stairs at Ramp Level



10. Interior Door With Inadequate Landing



11. Interior "Ceiling"

12. Interior "Ceiling"



13. View of South Edge of Roof With Vehicle and Pedestrian Guardrails



14. "Guardrail" at Ramp

15. "Guardrail" at East





16. Roofing in Northeast  
Corner



17. Temporary Repair to  
Guardrail

18. Guardrail Post Requiring  
Repair





Phone (503) 646-0521 Fax (503) 646-6823

November 2, 2018

Project: Marion Auto Park - Repair  
Type: Cost Estimate - MSC Structural Assessment

Line #	Task Description	Quantity	Unit	Unit Cost	Line Cost	Division Cost	SO' Cost
1	<b>DIVISION: "01" General Requirements</b>						
2	General Conditions	1	Lump Sum	\$365,000.00	\$365,000		\$9.24
3	Staging/Street Closure/Temporary Controls/Man-Material Lifts	1	Lump Sum	\$65,000.00	\$65,000		\$1.65
4	Temporary Utilities	6	Lump Sum	\$5,250.00	\$31,500		\$0.80
5	Waste Management	1	Lump Sum	\$29,880.00	\$29,880		\$0.76
6	Survey & Layout	1	Lump Sum	\$7,900.00	\$7,900		\$0.20
7	Site Security Fencing	1	Lump Sum	\$16,500.00	\$16,500		\$0.42
8						\$515,780	\$13.06
9	<b>DIVISION: "02" Existing Conditions</b>						
10	Hazardous Materials Abatement	1	Allowance	\$75,000.00	\$75,000		\$1.90
11	Selective Demo/Disposal	1	Allowance	\$155,000.00	\$155,000		\$3.92
12	Temporary Shoring	1	Allowance	\$105,000.00	\$105,000		\$2.66
13						\$335,000	\$8.48
14	<b>DIVISION: "03" Concrete</b>						
15	Building Concrete - SOG	20749	Lump Sum	\$10.00	\$207,490		\$5.25
16	Building Concrete - Patching	19496	Allowance	\$6.00	\$116,976		\$2.96
17	Shotcrete/Concrete Beam Repair	39496	Allowance	\$10.00	\$394,960		\$10.00
18						\$719,426	\$18.22
19	<b>DIVISION: "04" Masonry</b>						
20	CMU Repairs & Reinforcing	1	Allowance	\$227,000.00	\$227,000		\$5.75
21	CMU Temporary Bracing	1	Allowance	\$65,000.00	\$65,000		\$1.65
22						\$292,000	\$7.39
23	<b>DIVISION: "05" Metals</b>						
24	New Stairs & Railings	1	Lump Sum	\$55,000.00	\$55,000		\$1.39
25	Auto Restraint Upper Level	600	LF	\$400.00	\$240,000		\$6.08
26	New Steel Canopies	1	Lump Sum	\$75,000.00	\$75,000		\$1.90
27	Miscellaneous Seismic Structural Steel & Improvements	39496	Allowance	\$15.00	\$592,440		\$15.00
28						\$962,440	\$24.37
29	<b>DIVISION: "06" Wood &amp; Plastics</b>						
30	Not Applicable	0	Excluded	\$0.00	\$0		\$0.00
31						\$0	\$0.00
32	<b>DIVISION: "07" Thermal &amp; Moisture Protection</b>						
33	Waterproofing - Foundation	7200	SF	\$20.00	\$144,000		\$3.65
34	Waterproofing - Traffic Coatings	19496	SF	\$18.00	\$350,928		\$8.89
35	Insulation - Thermal/Acoustic	20749	Lump Sum	\$2.00	\$41,498		\$1.05
36	Sheetmetal and Coping Flashing	1	Lump Sum	\$55,000.00	\$55,000		\$1.39
37	Flat Roof/Rigid Insulation	2000	Lump Sum	\$22.00	\$44,000		\$1.11
38	Penetration Fire Stopping	1	Lump Sum	\$12,000.00	\$12,000		\$0.30
39						\$647,426	\$16.39
40	<b>DIVISION: "08" Doors and Windows</b>						
41	Common Doors/Millwork & Hardware	1	Lump Sum	\$22,500.00	\$22,500		\$0.57
42	Sectional Overhead Door @ Parking	3	Lump Sum	\$12,000.00	\$36,000		\$0.91
43	Access Doors	1	Lump Sum	\$3,500.00	\$3,500		\$0.09
44	Aluminum Storefront & Doors	1	Lump Sum	\$265,000.00	\$265,000		\$6.71
45						\$327,000	\$8.28
46	<b>DIVISION: "09" Finishes</b>						
47	Gypsum Board/Steel Stud Framing/Drop Ceilings	1	Lump Sum	\$62,000.00	\$62,000		\$1.57
48	Painting Interior/Exterior	1	Lump Sum	\$58,000.00	\$58,000		\$1.47
49	Floor Coverings	1	Allowance	\$12,500.00	\$12,500		\$0.32
50						\$132,500	\$3.35
51	<b>DIVISION: "10" Specialties</b>						
52	Signage - Common Areas	1	Allowance	\$1,500.00	\$1,500		\$0.04
53	Signage - Building	1	Allowance	\$15,000.00	\$15,000		\$0.38
54	Fire Extinguishers	1	Allowance	\$1,500.00	\$1,500		\$0.04
55						\$18,000	\$0.46
56	<b>DIVISION: "11" Equipment</b>						
57	Not Applicable	0	Excluded	\$0.00	\$0		\$0.00
58						\$0	\$0.00



November 2, 2018

Project: Marion Auto Park - Repair  
 Type: Cost Estimate - MSC Structural Assessment

Phone (503) 646-0521 Fax (503) 646-6823

59	<b>DIVISION: "12" Furnishings</b>						
60	Not Applicable	48	Lump Sum	\$0.00	\$0		\$0.00
61						\$0	\$0.00
62	<b>DIVISION: "13" Special Construction</b>						
63	Not Applicable		Lump Sum	\$0.00	\$0		\$0.00
64						\$0	\$0.00
65	<b>DIVISION: "14" Conveying Systems</b>						
66	Not Applicable	1	Lump Sum	\$0.00	\$0		\$0.00
67						\$0	\$0.00
68	<b>DIVISION: "21" Fire Suppression</b>						
69	Fire Suppression	20749	Lump Sum	\$5.20	\$107,895		\$2.73
70	Fire Suppression - Pump	1	Excluded	\$0.00	\$0		\$0.00
71						\$107,895	\$2.73
72	<b>DIVISION: "22" Plumbing</b>						
73	Plumbing Construction	1	Lump Sum	\$45,000.00	\$45,000		\$1.14
74	Storm Filter	1	Lump Sum	\$12,250.00	\$12,250		\$0.31
75	Oil/Water Separator	1	Lump Sum	\$15,065.00	\$15,065		\$0.38
76	Plumbing Design	1	Lump Sum	\$10,000.00	\$10,000		\$0.25
77	Plumbing Permits	1	Lump Sum	\$10,000.00	\$10,000		\$0.25
78						\$92,315	\$2.34
79	<b>DIVISION: "23" HVAC</b>						
80	HVAC - Building & Garage Venting	20749	Lump Sum	\$8.00	\$165,992		\$4.20
81	HVAC - Design	1	Lump Sum	\$20,000.00	\$20,000		\$0.51
82						\$185,992	\$4.71
83	<b>DIVISION: "26,27 &amp; 28" Electrical, Communications &amp; Electronic Safety/Security</b>						
84	Base Electrical Construction	1	Lump Sum	\$225,000.00	\$225,000		\$5.70
85	Electrical Design	1	Lump Sum	\$15,000.00	\$15,000		\$0.38
86	Electrical Permit	1	Allowance	\$20,000.00	\$20,000		\$0.51
87	Light Fixtures	1	Allowance	\$85,000.00	\$85,000		\$2.15
88	Lighting Controls	1	Allowance	\$8,000.00	\$8,000		\$0.20
89	Fire Alarm	1	Lump Sum	\$15,000.00	\$15,000		\$0.38
90	Phone/Data/CATV	1	Lump Sum	\$15,000.00	\$15,000		\$0.38
91						\$383,000	\$9.70
92	<b>DIVISION: "31 &amp; 33" Earthwork &amp; Utilities</b>						
93	Site work & Utilities	1	Lump Sum	\$275,000.00	\$275,000		\$6.96
94	Street Work	1	Lump Sum	\$35,000.00	\$35,000		\$0.89
95	Water/Storm/Sanitary	1	Lump Sum	\$25,000.00	\$25,000		\$0.63
96						\$335,000	\$8.48
97	<b>DIVISION: "32" Exterior Improvements</b>						
98	Landscaping & Irrigation	1	Lump Sum	\$30,000.00	\$30,000		\$0.76
99	Site Concrete - Flatwork	1	Lump Sum	\$35,000.00	\$35,000		\$0.89
100	Site Concrete - Curb & Gutter	1	Lump Sum	\$15,000.00	\$15,000		\$0.38
101	Striping & Wheelstops	1	Allowance	\$15,500.00	\$15,500		\$0.39
102						\$95,500	\$2.42
103	<b>SUMMARY TOTAL:</b>						
104			<b>Sub Totals</b>		\$5,149,274	\$5,149,274	\$130.37
105			Profit & Overhead		7.00%		
106			<b>P&amp;O Total</b>		\$360,449		\$9.13
107			<b>Sub Total</b>		\$5,509,723		\$139.50
108			General Liability		1.00%		
109			<b>Insurance</b>		\$55,097		\$1.40
110			Payment & Performance Bond		1.00%		
111			<b>Bond</b>		\$55,097		\$1.40
112			<b>Total Budget</b>		\$5,619,917		\$142.29
113							
114			<b>Total Budget</b>		\$5,619,917		\$142.29
115			Total Square Feet		39,496		
116			<b>Cost Per Square Foot</b>		\$142.29		

<b>Marion Auto Park</b>	
-------------------------	--

<b>Annual Operating Budget</b>	
--------------------------------	--

Stalls:	44		
Monthly Rate/Stall	\$65.00		
<hr/>			
Total Revenue	\$34,320		
<hr/>			
Operating Costs:	\$13,200	\$25.00	per stall/mo
<hr/>			
<b>Net Income</b>	<b>\$21,120</b>		

<b>Development Costs</b>	
--------------------------	--

Gross SF	39,496		
<hr/>			
Total Hard Costs	\$5,619,886	\$142	psf
Soft Costs	\$1,123,977	20.0%	of hard costs
<hr/>			
<b>Total Costs</b>	<b>\$6,743,863</b>		
<hr/>			
Return on Cost	0.31%		
<b>Target Return on Cost</b>	<b>7.50%</b>		

# HOLMAN RIVERFRONT PARK HOTEL

SALEM, OR



# PROJECT INFORMATION

## APPLICANT

CJD Holding  
19200 SW Teton Ave  
Tualatin, OR  
97062

## APPLICANT'S AGENT

Lamont D Smith  
Sturgeon Development Partners  
760 SW 9th Ave, Suite 2250  
Portland, OR  
97205  
Lamont@sturgeondp.com

## ARCHITECT

Robert Thompson, FAIA  
TVA Architects  
920 SW 6th Avenue, Suite 1500  
Portland, OR  
97204  
Bobt@tvaarchitects.com

## SITE

195-195 Commercial St  
Salem, OR  
97301

## PROPERTY ID

R89323 and R89324

## PROPOSAL

New 7 story hotel with above parking and 123 rooms.  
Hotel lobby, public spaces and commercial lease at  
the ground floor.

# SHEET INDEX

001	PROJECT INFORMATION AND SHEET INDEX
002	PROJECT SUMMARY
003	PRECEDENT
004	PRECEDENT
005	PRECEDENT
006	RENDERING
007	RENDERING
008	RENDERING
009	RENDERING
011	PLAN - SITE / LEVEL 01
012	PLAN - LEVEL 02
013	PLAN - LEVEL 03
014	PLAN - LEVELS 04 TO 06
015	PLAN - LEVEL 07
016	PLAN - ROOF
017	ELEVATION - SOUTH
018	ELEVATION - EAST
019	ELEVATION - NORTH
020	ELEVATION - WEST
021	ELEVATIONS - COURTYARD
022	SECTIONS
023	SECTIONS



# PROJECT SUMMARY

The Holman Riverfront Park Hotel will add 123 new hotel rooms in the heart of Downtown Salem, on the site of the vacant Marion Car Rental and Park. The seven story hotel is situated in the Salem Downtown State Street – Commercial Street Historic District, and takes its name from the historic building once located on the site. The design of the hotel draws inspiration from the district's contributing historic buildings, including the nearby Pioneer Trust Bank and the Capitol Center. The result is a building that reflects, but does not replicate, the architectural style of the National Register-listed district, and adds to the district's progressive development pattern.

The hotel is built to be contiguous to the right-of-way line, and has a tripartite expression, with a clear base, middle and top. The base is defined by a plinth of porcelain tile with inset storefronts, creating a human-scaled, pedestrian-friendly frontage to Ferry St and Commercial St. Steel canopies extending over the sidewalk will create a welcoming entry to the public spaces of the hotel. Clear storefronts will create a strong visual connection between the sidewalk and the building's interior. Parking is accessed from the alley, ensuring that it will not be visible from the primary facades at the ground.

The middle floors of the building are expressed in a light colored brick, with deeply recessed windows. The masonry piers create the impression of load-bearing brick, typical of the district. Recessed steel channels create a visual connection to the pilasters found on historic buildings. Above grade parking is screened by hotel rooms lining the perimeter of the street facing facades, minimizing the amount of inactive façade.

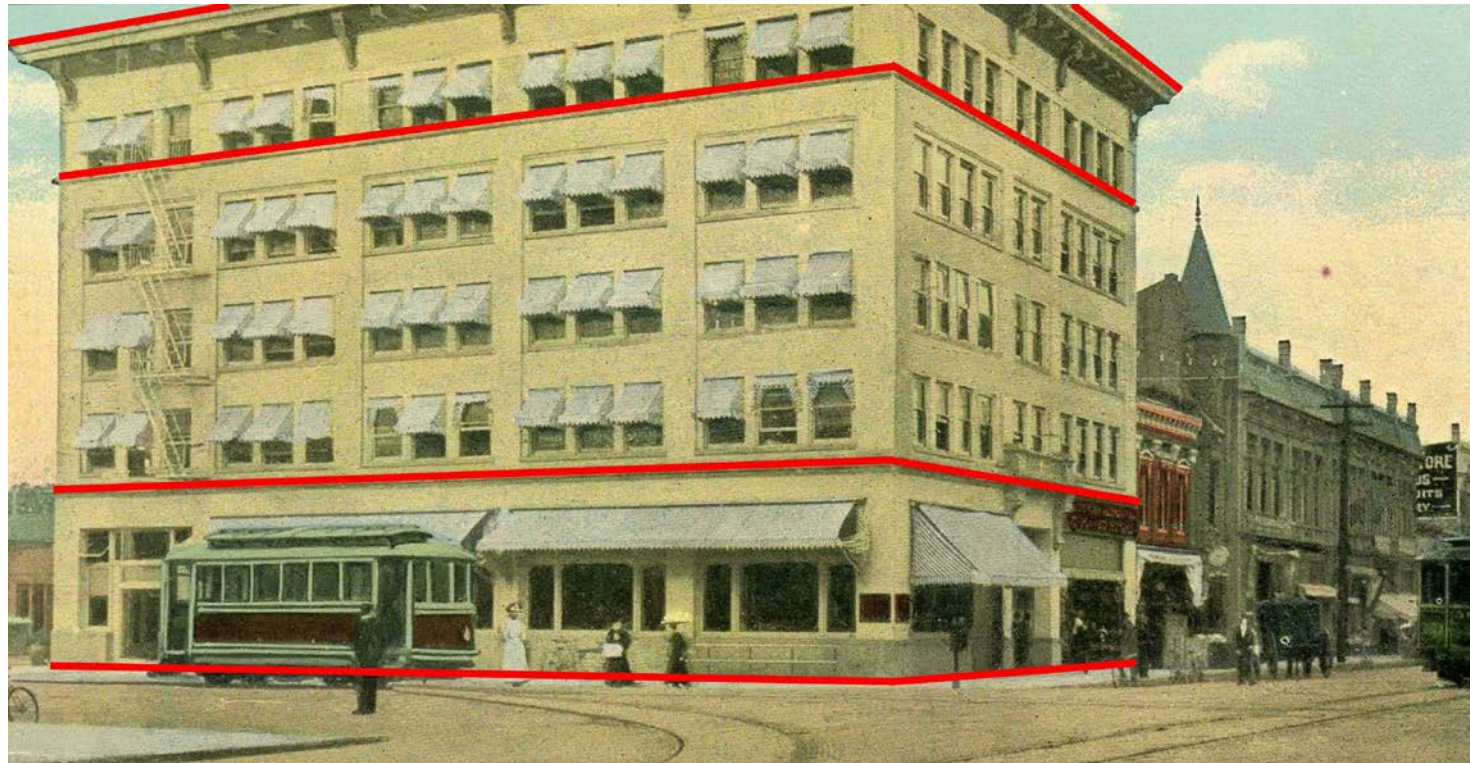
The attic story at level 7 is recessed 4' from the primary frame of the building, and has a lighter more glazed expression. A south facing roof terrace and lounge will have views towards Riverfront Park, the Willamette River and Minto-Brown Island Park, creating a new synergy between nature and the busy commercial district.

The roofline is marked by a simple and elegant cornice, which echoes those found in the district. Mechanical equipment will be set back from the roof edge, ensuring that it is not visible from the street.

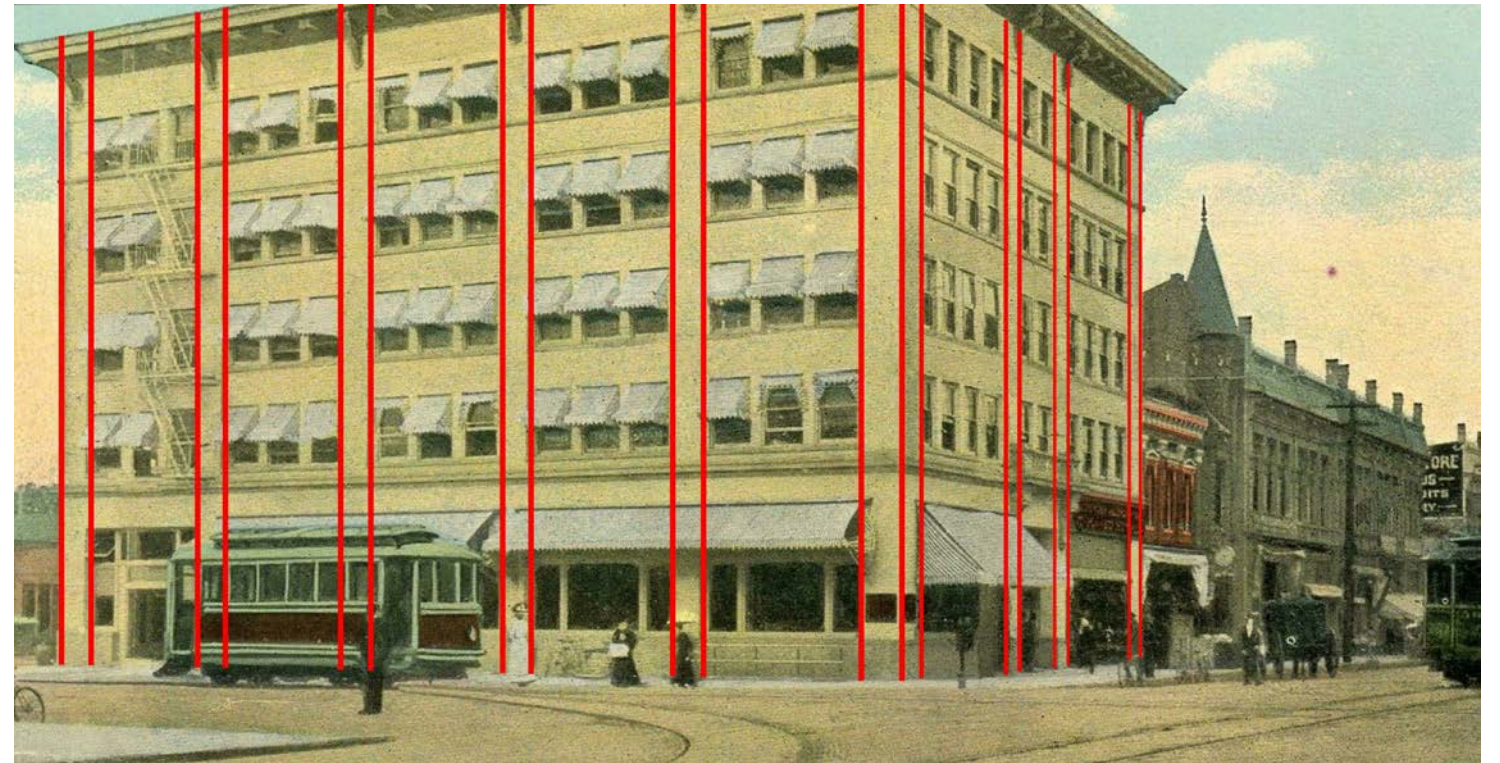
The composition of the Holman Riverfront Park Hotel responds to the height, width, proportions, size and scale of buildings found in the district. The building will activate a prominent but long neglected corner of Downtown, and contribute to the vitality of historic district long into the future.



tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com



PRECEDENT: PIONEER TRUST BANK | TRIPARTITE ARRANGEMENT



PRECEDENT: PIONEER TRUST BANK | VERTICAL MASONRY PIERS AND GROUPED WINDOWS



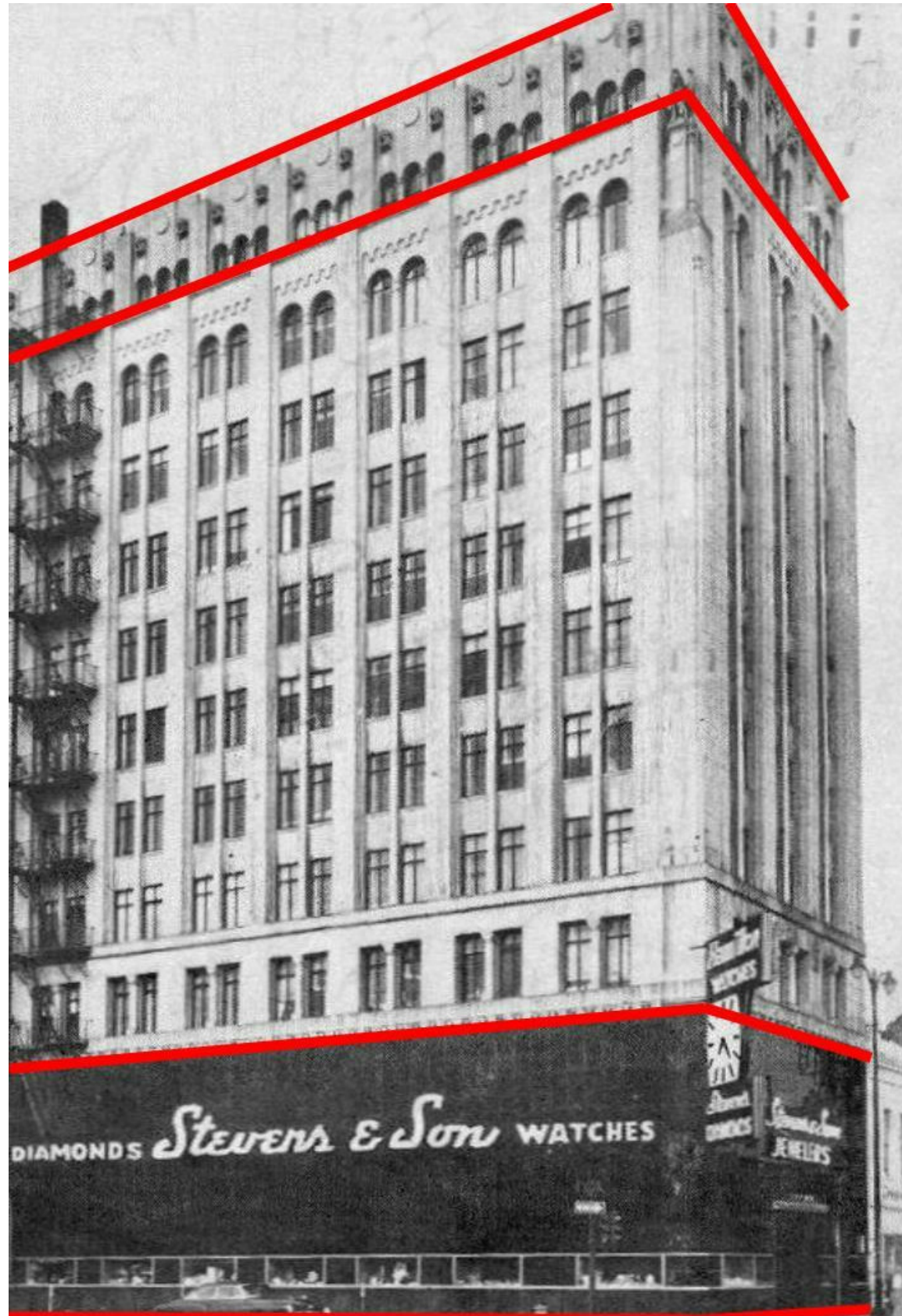
tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com

003  
PRECEDENT

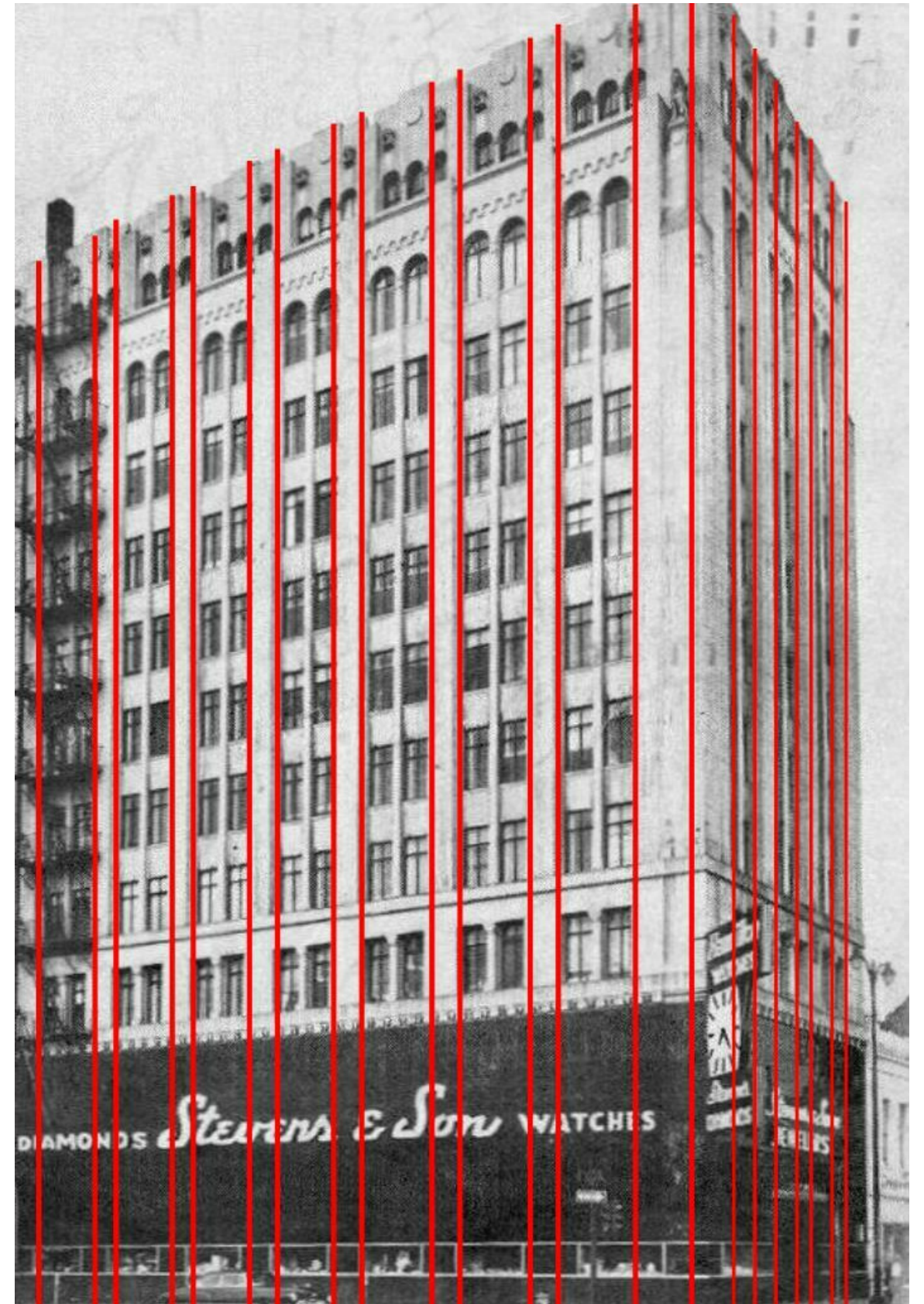
NOV 16, 2018

HOLMAN RIVERFRONT PARK HOTEL  
195 COMMERCIAL ST, SALEM, OR





PRECEDENT: CAPITOL CENTER | TRIPARTITE ARRANGEMENT



PRECEDENT: CAPITOL CENTER | VERTICAL MASONRY PIERS AND GROUPED WINDOWS



tva architects inc.  
 920 sw sixth avenue | suite 1500 | portland, oregon 97204  
 phone: 503 220 0668 | www.tvaarchitects.com

004  
 PRECEDENT

NOV 16, 2018

HOLMAN RIVERFRONT PARK HOTEL

195 COMMERCIAL ST, SALEM, OR



**PROPOSAL:** TRIPARTITE ARRANGEMENT



**PROPOSAL:** VERTICAL MASONRY PIERS AND GROUPED WINDOWS



tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com

**005**  
PRECEDENT

NOV 16, 2018

**HOLMAN RIVERFRONT PARK HOTEL**  
195 COMMERCIAL ST, SALEM, OR



SOUTHEAST CORNER FACING FERRY ST SE AND COMMERCIAL ST SE



tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com

006  
RENDERING

NOV 16, 2018

HOLMAN RIVERFRONT PARK HOTEL

195 COMMERCIAL ST, SALEM, OR



SOUTH ELEVATION FACING FERRY ST SE



tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com

007  
RENDERING

NOV 16, 2018

HOLMAN RIVERFRONT PARK HOTEL  
195 COMMERCIAL ST, SALEM, OR



EAST ELEVATION FACING COMMERCIAL ST SE



tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com

008  
RENDERING

NOV 16, 2018

HOLMAN RIVERFRONT PARK HOTEL  
195 COMMERCIAL ST, SALEM, OR



NORTHEAST CORNER FACING COMMERCIAL ST SE



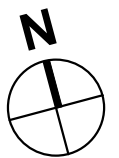
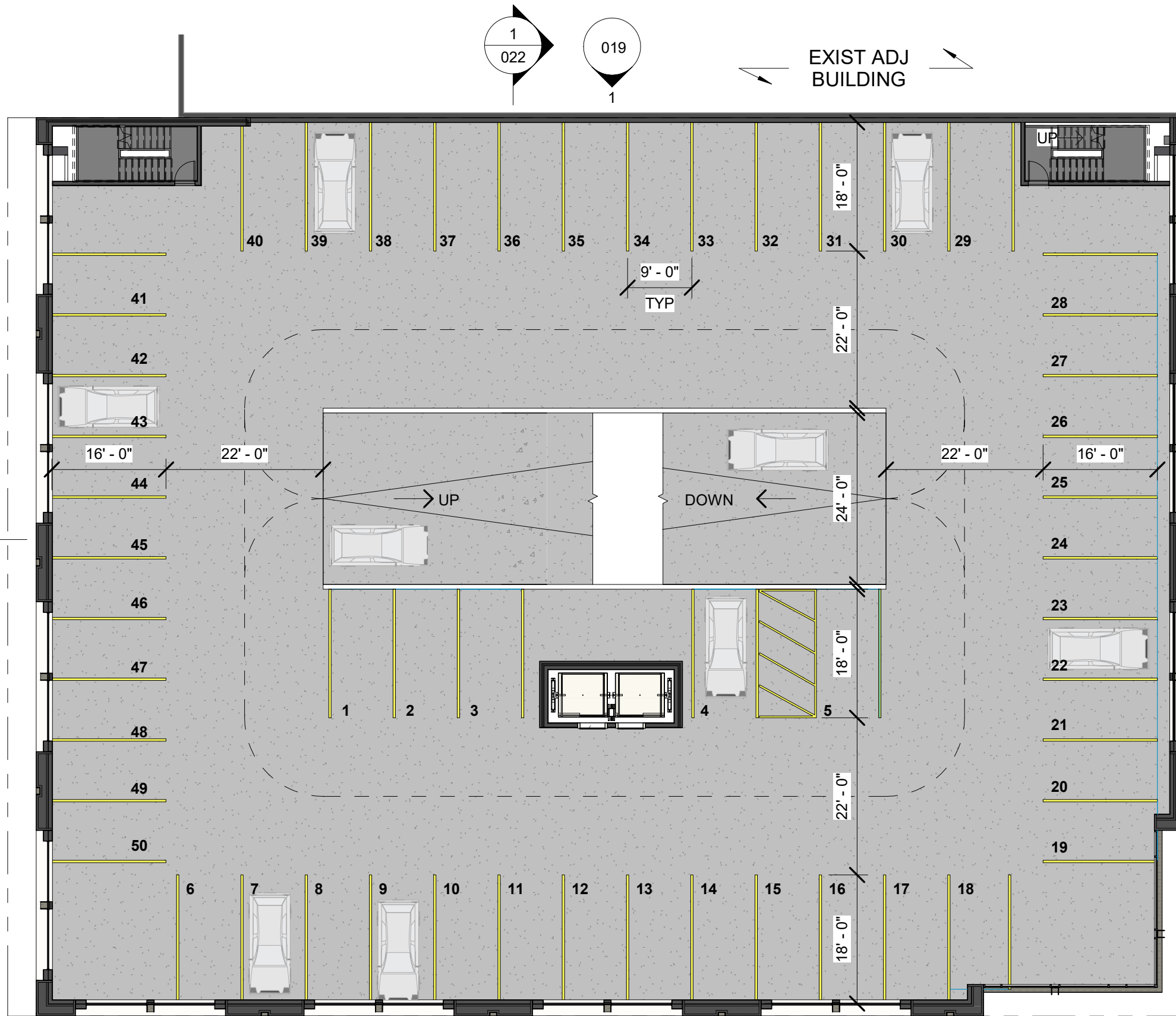
tva architects inc.  
920 sw sixth avenue | suite 1500 | portland, oregon 97204  
phone: 503 220 0668 | www.tvaarchitects.com

009  
RENDERING

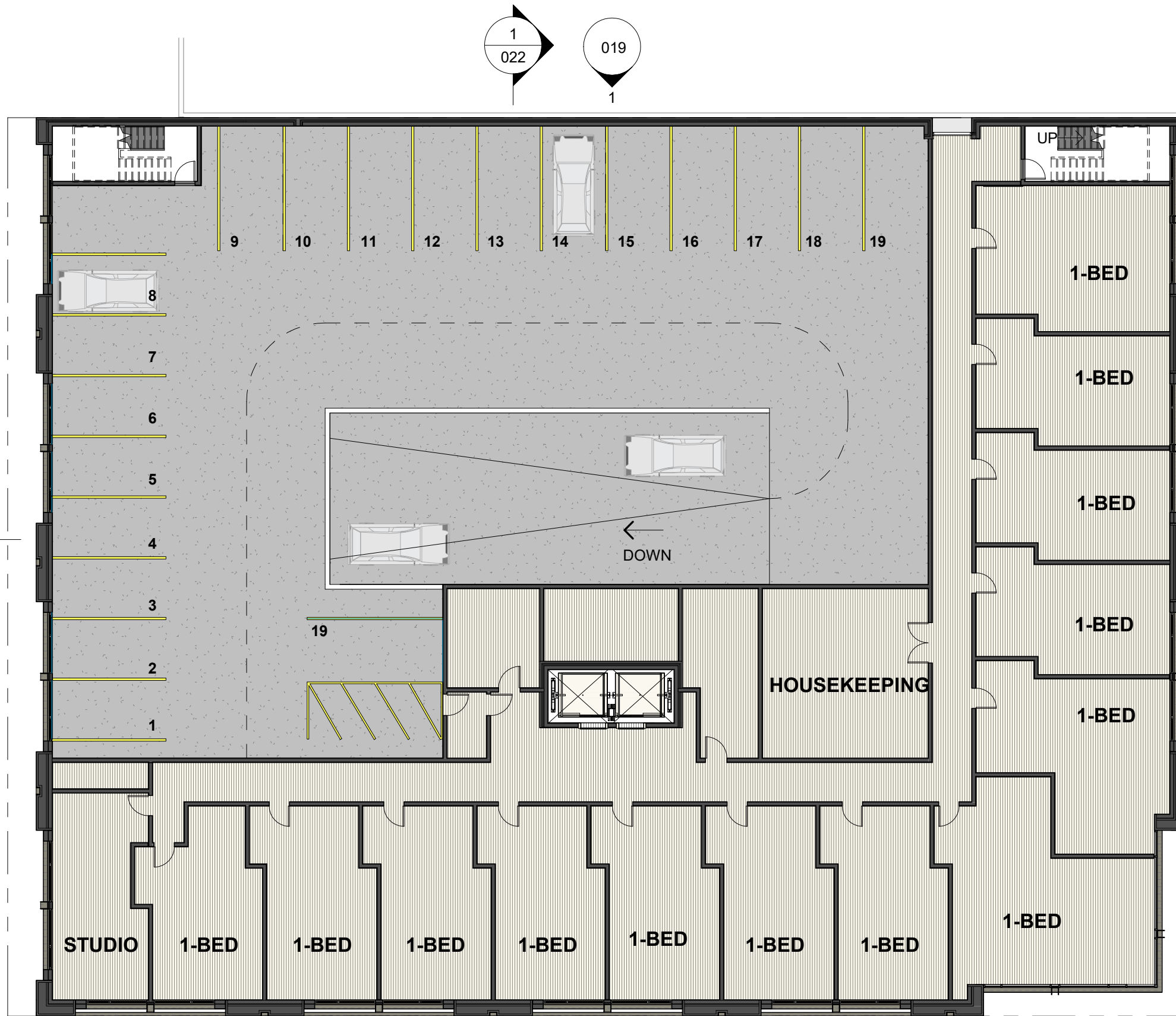
NOV 16, 2018

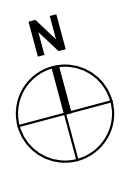
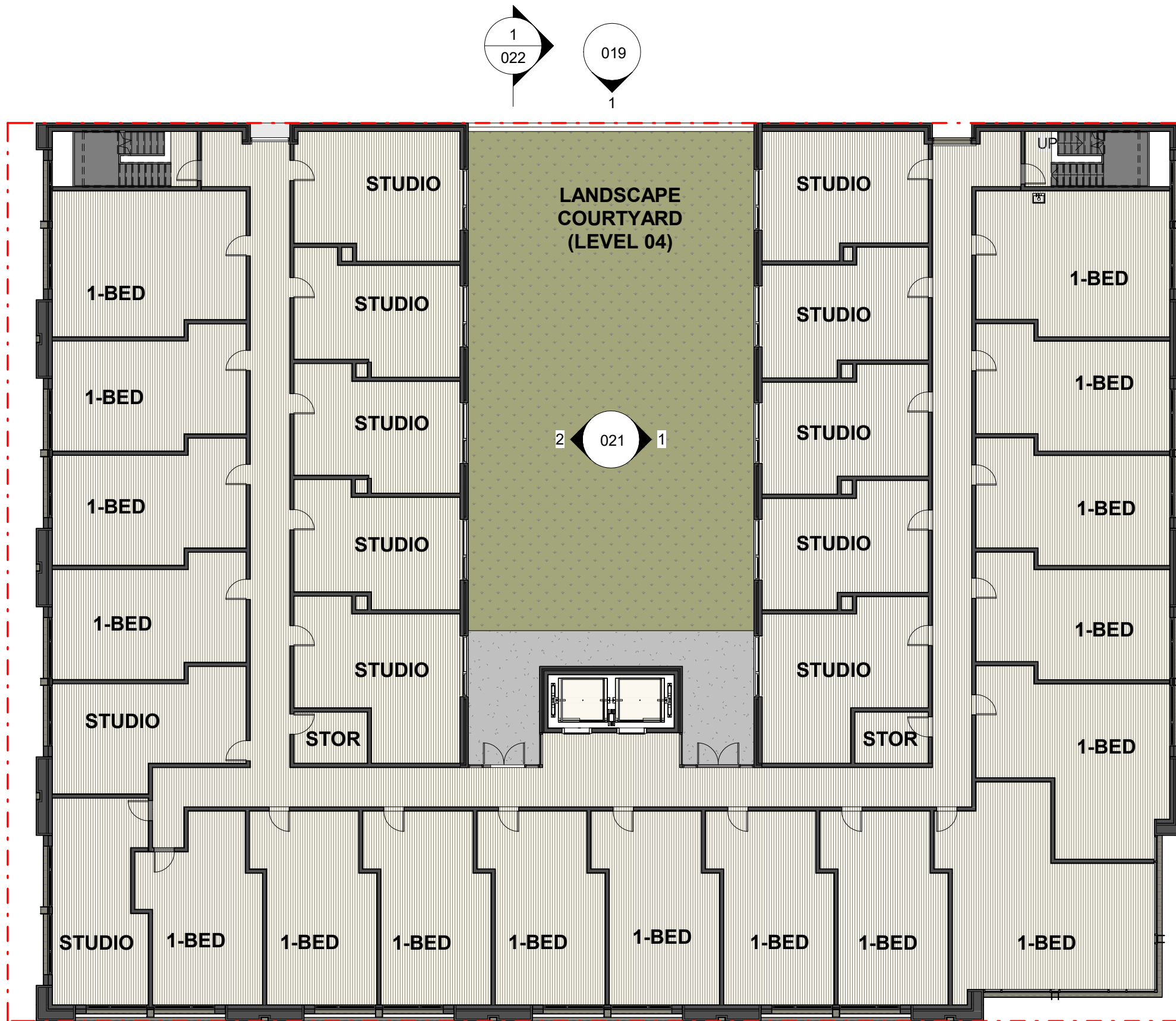
HOLMAN RIVERFRONT PARK HOTEL  
195 COMMERCIAL ST, SALEM, OR

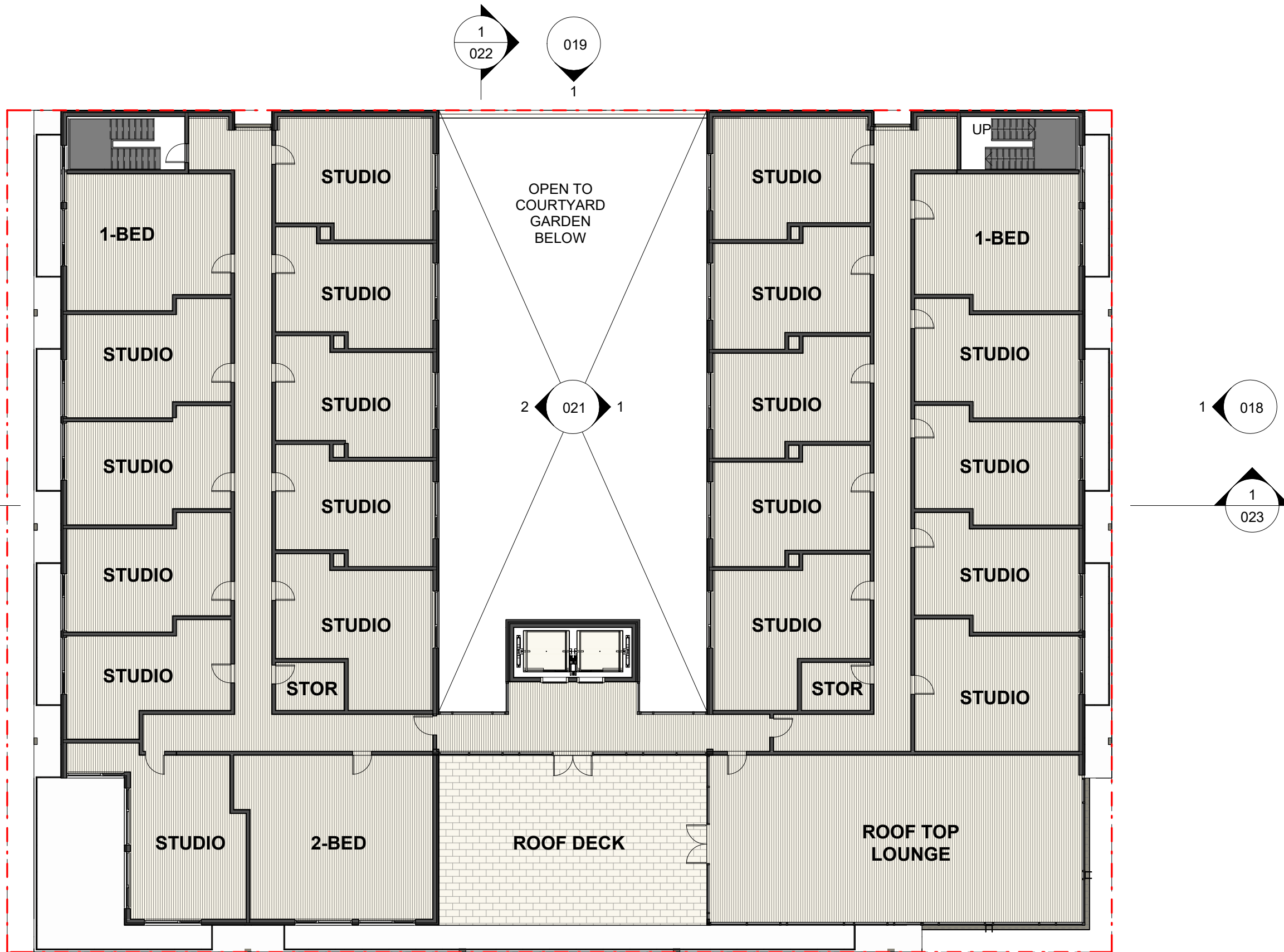


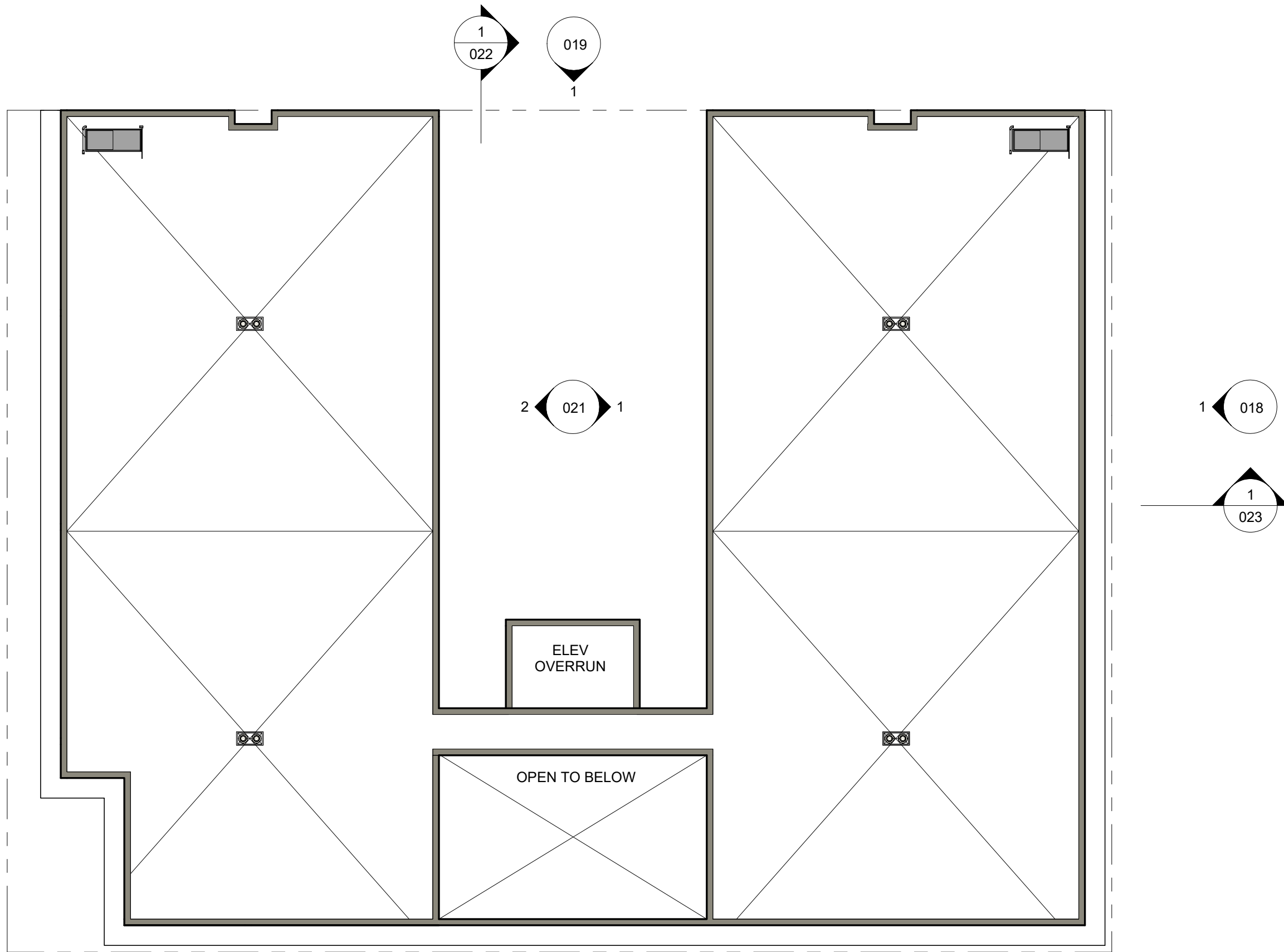


















tva architects inc.  
 920 sw sixth avenue | suite 1500 | portland, oregon 97204  
 phone: 503 220 0668 | www.tvaarchitects.com

**016**  
 PLAN - ROOF

1/16" = 1'-0"  
 NOV 16, 2018







**HOLMAN RIVERFRONT PARK HOTEL**  
 195 COMMERCIAL ST, SALEM, OR

**BUILDING ELEVATION LEGEND**

-  BRICK VEENEER
-  PORCELAIN TILE 1
-  PORCELAIN TILE 2
-  METAL PANEL
-  ARCHITECTURAL LOUVER
-  ALUMINUM CLAD WOOD WINDOWS









**BUILDING ELEVATION LEGEND**

-  BRICK VEENEER
-  PORCELAIN TILE 1
-  PORCELAIN TILE 2
-  METAL PANEL
-  ARCHITECTURAL LOUVER
-  ALUMINUM CLAD WOOD WINDOWS









**BUILDING ELEVATION LEGEND**

-  BRICK VEENEER
-  PORCELAIN TILE 1
-  PORCELAIN TILE 2
-  METAL PANEL
-  ARCHITECTURAL LOUVER
-  ALUMINUM CLAD WOOD WINDOWS









**BUILDING ELEVATION LEGEND**

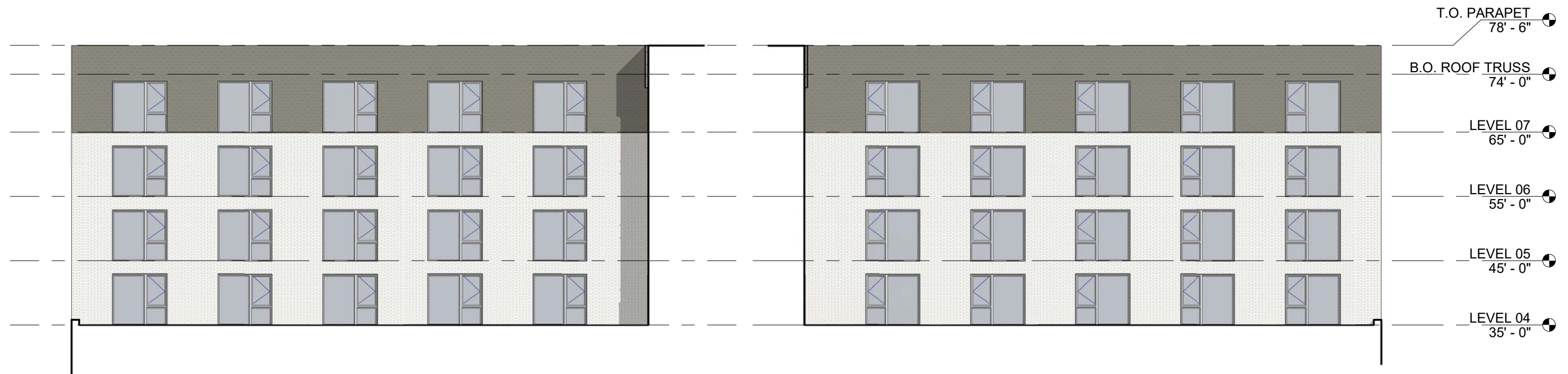
-  BRICK VEENEER
-  PORCELAIN TILE 1
-  PORCELAIN TILE 2
-  METAL PANEL
-  ARCHITECTURAL LOUVER
-  ALUMINUM CLAD WOOD WINDOWS





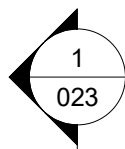
**BUILDING ELEVATION LEGEND**

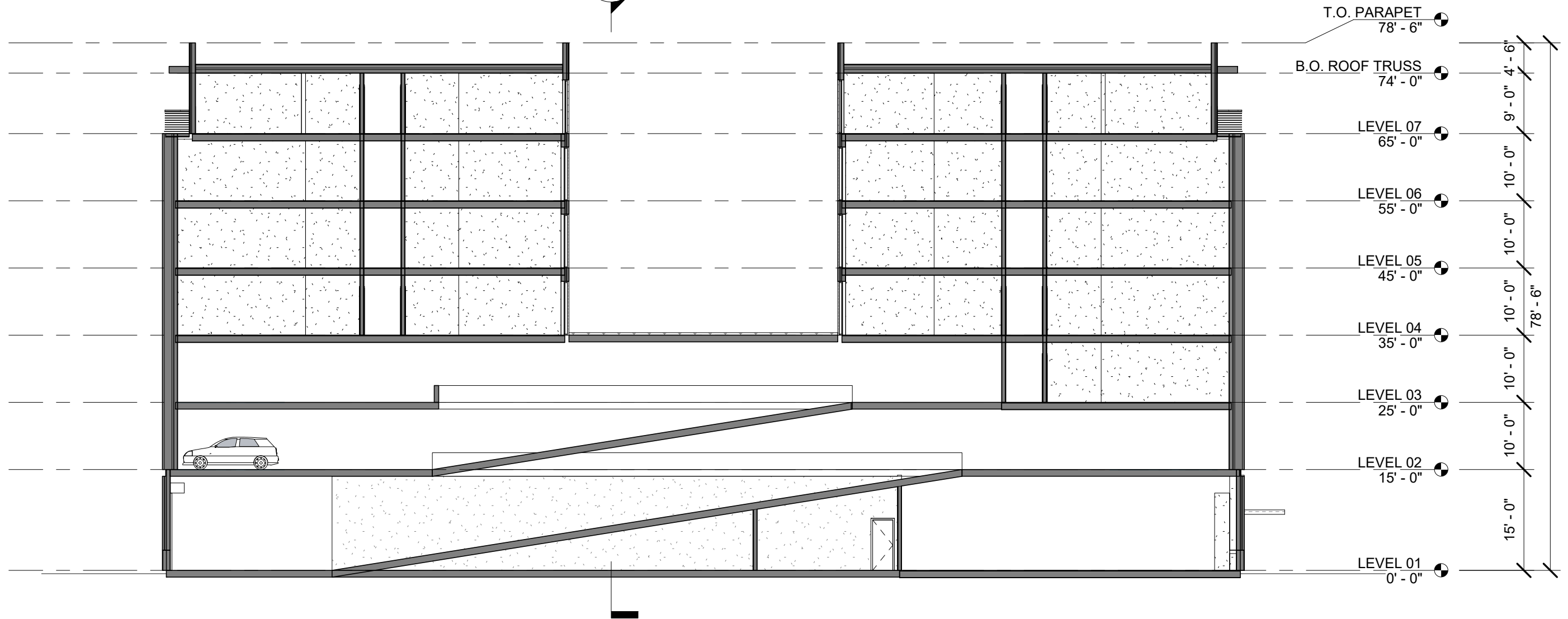
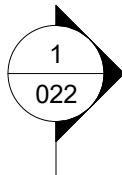
-  BRICK VEENEER
-  PORCELAIN TILE 1
-  PORCELAIN TILE 2
-  METAL PANEL
-  ARCHITECTURAL LOUVER
-  ALUMINUM CLAD WOOD WINDOWS



① ELEVATION - COURTYARD EAST  
1/16" = 1'-0"

② ELEVATION - COURTYARD WEST  
1/16" = 1'-0"





**REQUEST FOR COMMENTS***Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

CASE NO: HIS18-34

AMANDA APPLICATION NO.: 18-121764-DR

ADDRESS: 195-197 COMMERCIAL ST SE

ZIPCODE: 97301

HEARD BY: HISTORIC LANDMARKS COMMISSSION

CASE MANAGER: Kimberli Fitzgerald

**SUMMARY: A proposal to demolish the Marion Car Park (1950).****REQUEST: Major Historic Design Review of proposal to demolish the Marion Car Park (1950), a historic contributing resource within Salem's Downtown Historic District and located at 195-197 Commercial St SE, Marion County Assessors Tax Lot Number 073W27BA00500 and 073W27BA00700.**

Attached is a copy of the proposal and any related maps. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request. A staff report for this proposal will be prepared by the planning staff from information available to staff. You are invited to respond with information relating to this property and this request. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents.

**SEND QUESTIONS OR COMMENTS TO:** Kimberli Fitzgerald, Historic Preservation Officer, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 5035402397; Fax: 503-588-6005; E-Mail: [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net); <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING ITEMS THAT APPLY:

1. We have reviewed the proposal and have no comments.
2. We have reviewed the proposal and have the following comments:

Please See Attached

---



---

3. Other:

---



---

Name:            Sheri Wahrgren  
 Address:            350 Commercial St. NE  
 Agency:            Urban Development Department  
 Phone No.            503.540.2495  
 Date:            12.5.2018

**IMPORTANT: PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM**

Case No. HIS18-34

#### COMMENTS

Over the last five years on more than three occasions, I have received inquiries from Hotel site selectors inquiring about possible locations in downtown to develop a Hotel.

Representatives who contacted me indicated that downtown Salem had been identified as a location for additional lodging units based on hotel industry benchmarks including market demand.

The proposed location for a Hotel at 195-197 Commercial Street SE, will meet the needs of several sectors in Salem, including year-round events/activities for Willamette University, Salem Convention Center, Chemeketa Center for Business & Industry, Riverfront Park, Visitors to the Capitol and softball events at Wallace Marine Park.



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

December 12, 2018

Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Community Development Department  
City of Salem  
555 Liberty Street SE, Room 305  
Salem OR 97301-3503  
Phone: (503) 540-2397  
Fax: (503) 588-6005

RE: CODE ENFORCEMENT HISTORY: 195-197 Commercial

There was a case back on 3-1-12 involving junk, sign, zoning and building code violations for 197 Commercial St SE, We had contact with the tenant, the property manager and owner at that time. It took some time to finally get permits for the items that needed permits and the rest of the violations were brought into compliance on 8-17-12 During this time DMV also had a separate case and was dealing with the tenant at 197 Commercial St SE. The Salem Police Department also had issues with this tenant and his activities that were criminal in nature. The tenant at the time was arrested and spent time in the Polk County Jail.

The most recent case this is still on-going started on 5-2-13 involving sign, zoning, building, nuisance, solid waste, junk, property maintenance, fire and occupancy code violations. The former owner was non-responsive until the city required all occupants to cease using the spaces at 195 & 197 Commercial St SE and then during this process he lost the property due to foreclosure. The case has involved the Senior Building Inspector, who started a case back in 2009 for the dangerous conditions of the railing system on the roof that need engineering and that to this date has never been corrected. The Building Official, Deputy Fire Marshall, Code Compliance Officer, NED Administrator, Senior Building Official and the Deputy City Manager have all been on-site to discuss the violations with past and current owner's of the property.

We received information that the new owner, who foreclosed on the property was now in possession of the property on 11-15-13 and we immediately made contact with that party to make sure they were aware of the issues, We then had a meeting at City Hall with all the new owner's on 11-21-13 and discussed all the violations with the property. We met with the new owner's Donald Burdick and Austin Peebles, who had their wives present. Also present was the



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

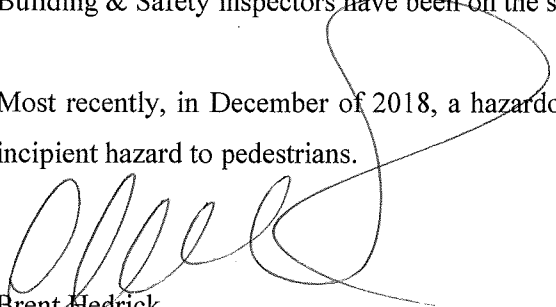
Deputy City Manager Kasey Duncan, the Building Official Rebai Tamerhoulet, the AIC Community Development Director Glenn Gross, the NED Administrator Brady Rogers, Operations Supervisor Patrick Long 5913, the Senior Building Inspector Ken Eatwell, the Senior Historic Planner Kimberli Fitzgerald, Deputy Fire Marshall Sean Mansfield and myself. The owner's were given a verbal time line to start working on the conditions and eventually received an official Enforcement Order on 12-23-13 listing the violations with time lines to correct all the violations,

The new owner's appealed the Enforcement Order and had a hearing on 02-26-14, where the hearings officer ruled in favor of the city on all counts, The owner was placed on a time by the Hearings Office to start correcting the violations and have plans in place to remove all the violations, More inspections occurred on-site to check progress and eventually 195 & 197 Commercial St SE were completely vacated. The written order by the Hearings Officer was received on 03-11-14, which gave the appellant thirty days from the written order to being in compliance with all the violations and to work with all the staff from the City of Salem. The appellant then asked for extra time and was granted an amended order from the Hearings Officer to be in compliance by 05-23-14.

I then received information that the Real Estate agent had contacted the City and Deputy City Manager asking for six months to complete an assessment to determine their intent on the property. The owner had a basic letter also from an Engineer declaring the property a Dangerous Building and that was given to the Building & Safety division for consideration, I was directed to provide the City Attorney Dan Atchinson with the original Hearings Officer decision and to wait until we had a response before making further contact with the owner's.

As of 2018, transients have trespassed into the secured areas of the parking garage leading to the basement. These areas are not open to the public. Multiple Salem Police officers have responded to clear the structure. They have issued warnings and made arrests. Code Compliance officers have secured the structure on multiple occasions and Building & Safety inspectors have been on the site.

Most recently, in December of 2018, a hazardous sign detached from the building over a public sidewalk that is an incipient hazard to pedestrians.



Brent Hedrick  
Code Compliance Officer  
Compliance Services Division