

# NOTICE OF DECISION

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

## ADMINISTRATIVE DECISION - MINOR HISTORIC REVIEW

CASE NO.: Historic Review Case 17-04 / Amanda No. 17-103119-DR

NOTICE OF DECISION DATE: February 23, 2017

**REQUEST:** Minor historic design review of a proposal to replace sidewalk panels and curb ramps adjacent to 800-868 Liberty Street SE, and 440 Mission Street SE (Marion County Assessor map and tax lot numbers: 073W27CA05300, 5200, 5100, 5000 and 4900) and located in the Gaiety Hill/Bush's Pasture Park National Register Historic District.

**OWNER:** Dr. Tyson Scott

**APPLICANT:** Gene Bolante, Studio 3 Architecture for Dr. Tyson Scott

**LOCATION:** Adjacent to 800-868 Liberty Street SE, and 440 Mission Street SE

**CRITERIA:** Salem Revised Code Chapter 230.075, Streetscape Standards

**DECISION:** Based upon the application materials deemed complete on February 22, 2017, and the findings as presented in this report, the application is **APPROVED** with the following **CONDITION**:

**Condition 1:** The scoring and finish pattern shall be constructed with historic four square tooled joints as approved by the City Engineer. A mock-up of at least one 5' x 5' panel shall be made with the prescribed tooling and approved concrete mixing ratio, for Public Works staff review and approval prior to full sidewalk panel replacement.

**FINDINGS:** The applicant received historic design review approval under HIS16-25 to construct a new podiatrist office on October 21, 2016. CPC-ZC-SPR-ADJ-DAP16-06 was approved on October 19, 2016, with Condition 6 requiring the applicant to replace existing sidewalks along the frontage of Mission Street SE and Liberty Street SE. The applicant is required to replace sidewalk panels and curb ramps to meet ADA and the City's acceptable condition standards including replicating the historic "four square" tooled joints in all new sidewalk panels. Staff determined that the following standards from SRC Chapter 230 are applicable to this project:

**230.075. Streetscape Standards.** *Streetscape improvements in historic districts shall comply with this section.*

**(a) Materials.**

**(1)** *Replacement materials should match as closely as possible to the original color, texture, size and finish of the original materials.*

**FINDING:**

The applicant is proposing to replace the existing sidewalk panels and curb ramps with a concrete mix that will replicate the color, texture and finish of the sidewalk

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

CITY OF Salem  
AT YOUR SERVICE

materials found throughout the Gaiety-Hill/Bush's Pasture Park Historic District. Public Works has provided comments on the application, and requires that the proposed sidewalk construction and design be approved by the City Engineer, and have recommended condition of approval (Attachment C). Therefore, in response to Public Works' recommendation and in order to better meet this standard, staff recommends a condition of approval requiring that the design be approved by the City Engineer, and that the applicant create a mock up for review and approval by Public Works:

Condition 1: The scoring and finish pattern shall be constructed with historic four square tooled joints as approved by the City Engineer. A mock-up of at least one 5' x 5' panel shall be made with the prescribed tooling and approved concrete mixing ratio, for Public Works staff review and approval prior to full sidewalk panel replacement.

*(2) Diseased street trees should be replaced in kind, if possible.*

**Finding:** No diseased trees are known to be on the site, therefore this standard is not applicable to the evaluation of this proposal.

***(b) Design.***

*(1) Historic street lamps shall be preserved, if feasible.*

**Finding:** No historic street lamps are on the site, therefore this standard is not applicable to the evaluation of this proposal.

*(2) Healthy, mature street trees shall be preserved if they are significant to the district.*

**Finding:** The applicant is proposing to install protective fencing at the dripline of the tree located at the northwest corner of the site. No work, storage or traffic will be allowed within the tree protection zone. Staff finds that SRC 230.075(b)(2) has been met.

*(3) Historic landscaped buffer zones, such as the grassy median between the sidewalk and curb shall be preserved.*

**Finding:** The applicant is proposing to preserve the landscaped buffer zone between the sidewalk and the curb abutting both Liberty Street SE (6'6") and Mission Street SE (4'), with the exception of that portion of the sidewalk that is adjacent to the tree at the northwest corner of the site. At this location the applicant is proposing to meander the sidewalk out to the curb line, to better ensure that the tree will be protected. Staff finds that SRC 230.075(2)(b)(3) has been met for this proposal.

*(4) Historic retaining walls should be preserved, if feasible.*

**Finding:** No historic retaining walls are on the site, therefore this standard is not applicable to the evaluation of this proposal.

*(5) Significant sidewalk and driveway features should be preserved when they contribute to*



*the character of the district.*

**Finding:** The applicant is proposing to replace sidewalk panels and curb ramps to meet ADA and the City's acceptable condition standards including replicating the historic "four square" tooled joints in all new sidewalk panels thereby meeting SRC 230.075(2)(b)(5).

*(6) Original driveway locations and curb cuts should be preserved when they contribute to the character of the district.*

**Finding:** The driveway accesses and curb cuts located adjacent to Mission Street SE and Liberty Street SE were vacated at the time these contributing buildings were demolished. While these driveway accesses no longer contribute to the district, the original driveway location adjacent to Liberty Street will be adapted for reuse as the access to the parking lot for the new development at this location thereby meeting SRC 230.075(2)(b)(6).

*(7) Only those portions of character-defining streetscape that are deteriorated beyond repair shall be replaced.*

**Finding:** The applicant is only proposing to replace portions of the sidewalk adjacent to the site that are in disrepair and do not currently meet Public Works design standards, thereby meeting SRC 230.075(2)(b)(7).

*(8) New sidewalks should align with existing historic sidewalks on the block, if present.*

**Finding:** The applicant is proposing to align all new replacement sidewalks with existing sidewalks on the block, thereby meeting SRC 230.075(8).

*(9) When feasible, replacement or new sidewalks should exhibit scoring lines and brush patterns consistent with the historic material when those elements contribute to the historic character of the district.*


**Finding:** The applicant is proposing to replicate the historic "four square" tooled joints in all new sidewalk panels that will replace original historic sidewalk panels in poor condition. Where the original sidewalk has already been replaced, the applicant will also install the historic "four square" tooled joints.

Staff finds that SRC 230.075 (b)(2),(3) and (5)- (9) are met for this proposal. SRC 230.075 (b)(1) and (4) do not apply to this proposal.

**DECISION:** Based upon the application materials deemed complete on February 22, 2017 and the findings as presented in this report, the application is APPROVED with the following CONDITION.

Condition 1: The scoring and finish pattern shall be constructed with historic four square tooled joints as approved by the City Engineer. A mock-up of at least one 5' x 5' panel shall be made

with the prescribed tooling and approved concrete mixing ratio, for Public Works staff review and approval prior to full sidewalk panel replacement.

  
Kimberli Fitzgerald, AICP, Historic Preservation Officer  
Planning Administrator Designee

[kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net), Phone: (503)540-2397

Attachments: A. Vicinity Map  
B. Applicant's Submittal Materials  
C. Public Works Memo

*This Decision becomes effective on **March 11, 2017**. No work associated with this Decision shall start prior to this date unless expressly authorized by a separate permit, land use decision, or provision of the Salem Revised Code (SRC).*

Application Deemed Complete: February 22, 2017  
Notice of Decision Mailing Date: February 23, 2017  
Decision Effective: March 11, 2017  
State Mandated Decision Date: June 22, 2017

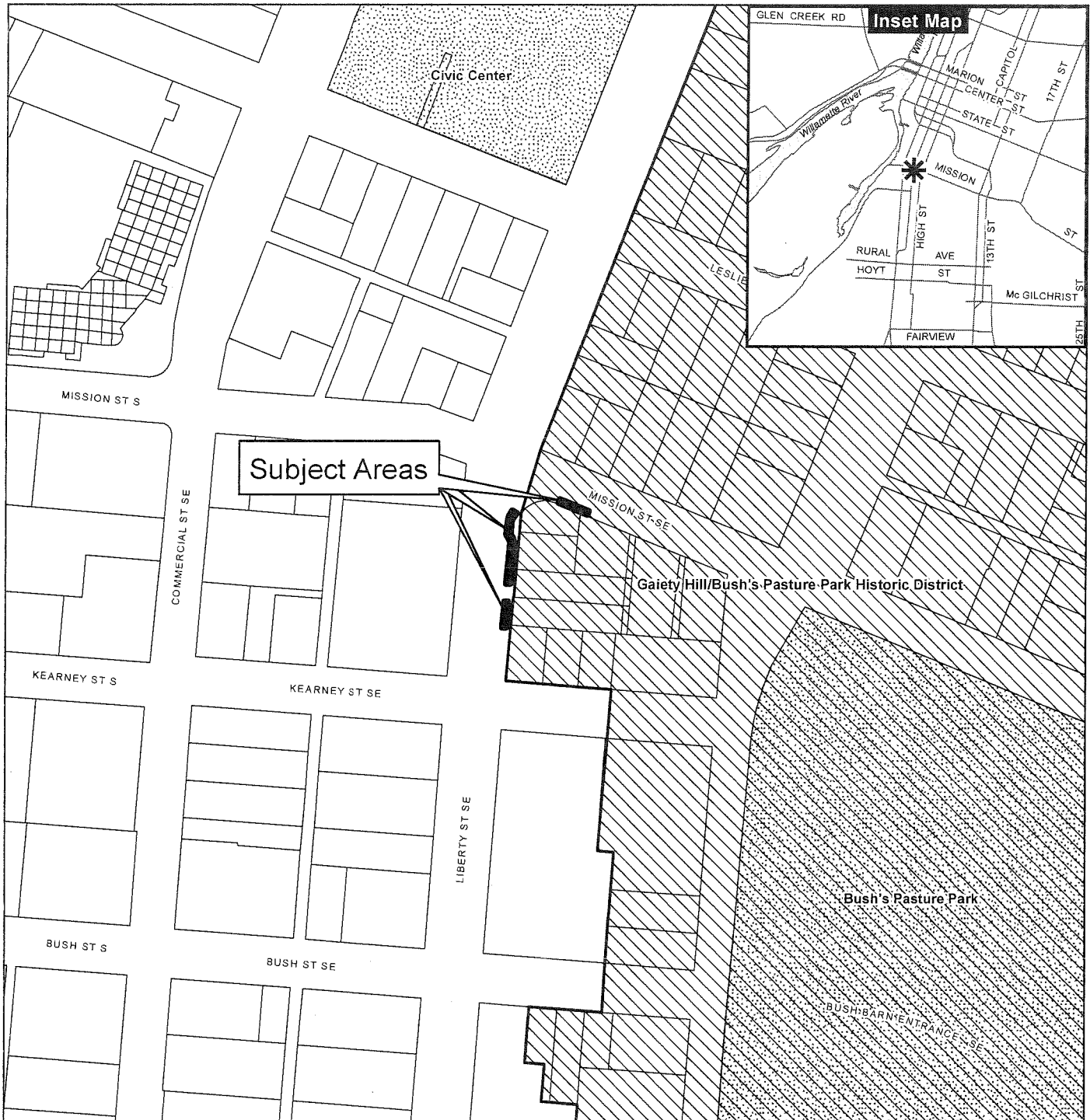
The rights granted by this decision must be exercised by **March 11, 2019** or this approval shall be null and void.

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., March 10, 2017**. The appeal must state where the decision failed to conform to the provisions of the historic preservation ordinance (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 Salem Historic Landmarks Commission will review the appeal at a public hearing. After the hearing, the Historic Landmarks Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

# Vicinity Map

## 800-868 Liberty Street SE; 440 Mission Street SE

### Public Right-of-way



#### 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 50 100 200 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.



Case No. \_\_\_\_\_

## Historic Alteration Review - Residential Resource Worksheet

Site Address: 800 Liberty St SEResource Status: ☐ Contributing☐ Non-Contributing

### Type of Work Activity Proposed

Major ☐ Minor ☒

### Replacement, Alteration, Restoration or Addition of:

#### Architectural Feature:

- ☐ Deck
- ☐ Door
- ☐ Exterior Trim
- ☐ Porch
- ☐ Roof
- ☐ Siding
- ☐ Window(s) Number of windows: \_\_\_\_\_
- ☐ Other architectural feature (describe) \_\_\_\_\_

#### Landscape Feature:

- ☐ Fence
- ☐ Retaining wall
- ☐ Other Site feature
- ☒ Streetscape

#### New Construction:

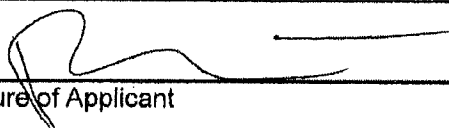
- ☐ Addition
- ☐ New Accessory Structure

Will the proposed alteration be visible from any public right-of-way? ☒ YES ☐ NOProject's Existing Material: Concrete SidewalkProject's New Material: Concrete Sidewalk

### 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:

As a condition of site plan approval for this site (CPC-ZC-SPR-ADJ-DAP16-06), we are replacing the old sidewalks on both frontages of the property with new "four square" pattern sidewalks to match the neighborhood.


  
Signature of Applicant

12/7/16  
Date Submitted/Signed



## Clarification Letter

2/9/16

Kimberli Fitzgerald, AICP  
Historic Preservation Officer,  
Cultural Resources Planner  
Community Development Department  
City of Salem

### **RE: Historic Sidewalk- Corner of Liberty and Mission for Coastline foot and Ankle.**

Thank you for the opportunity to provide you with additional information and detail on the historic sidewalk.

We have received the following direction on the construction of the sidewalk from Public works. Below is the tools and layout they used, which we will match.

From Public works Brandon Klukis:

In Gaiety Hill we cut sidewalks with a 305 brass cutter with a 1/4" radius that had been modified to a 2 1/2" width. These cuts were placed approximately every 5ft on a 5ft width walk, or 6ft on a 6 ft width walk. The panels were then bisected in each direction using a 2 1/2" x 4 1/4" pain groover. The border shines were done with a 3" shiner with a 3/8" radius.

The end shines were done with a 2 1/4" shiner with a 3/8" radius. I will attach some photos as well. In the first is the pain groover, used for bisecting the panels. In the second is the 305 brass cutter. On the left is the original, on the right the modified 2 1/2" width. The last photo is of a standard layout on a 5 ft walk.

We will submit a concrete mix design for approval of Public works and The Historic Preservation department prior to pouring.

We will also do an onsite review with public works once the forms are installed to discuss exact layout of joints, etc.

There is the one large tree we will protect. Tree fencing will be installed prior to any work occurring on site. Fencing will consist of 6'-0" high steel fencing on concrete blocks and braced to prevent movement by the contractor. All tree fencing shall have signage that states the purpose of the fencing and how it shall not be moved or modified. No work, storage or traffic will be allowed within the tree protection zone. The fence shall be located at the drip line of the tree. Where work must occur within the tree canopy zone, an arborist will be on site full time during construction. With the replacement of the existing public sidewalk and curb with new, the new sidewalk is being pushed out to the curb, this will allow more soil closer to the trunk of the tree. The gutter is being replaced with a new curb and gutter, the depth of the curb and gutter would be the same what is being removed.





REMOVE EXISTING DRIVEWAY  
DROP AND CURB. REPLACE  
WITH NEW TYPE "C" CURB  
PER C.O.S. STD DWG 303

REMOVE EXISTING DRIVEWAY  
DROP AND CURB. REPLACE  
WITH NEW TYPE "C" CURB  
PER C.O.S. STD DWG 303

4'-0" BETWEEN CURB  
AND SIDEWALK, TYP.

COASTLINE FOOT AND  
ANKLE CLINIC  
FF = 168.60

FILTRATION PLANTER,  
SEE DRAINAGE PLAN,  
SHEET C200

EXISTING  
BUILDING

TAX I  
TAX MAP:

TAX LOT 2100  
TAX MAP: 7 3W 27CA

TAX LOT 2200  
TAX MAP: 7 3W 27CA

TAX LOT 2300  
TAX MAP: 7 3W 27CA

RAIN GARDEN,  
SEE DRAINAGE PLAN,  
SHEET C200

TAX LOT 2400  
TAX MAP: 7 3W 27CA

6'-6" BETWEEN CURB  
AND SIDEWALK, TYP.

CONSTRUCT NEW  
24' WIDE  
DRIVEWAY PER  
CITY OF SALEM  
STD DETAIL

LIBERTY ST SE

CURB END,  
SEE DETAIL

CURB END,  
SEE DETAIL

CURB END,  
SEE TYPE C  
CURB DETAIL

CURB END,  
SEE TYPE C  
CURB DETAIL

ZERO EXPOSURE  
CURB TC=AC

CURB END,  
SEE TYPE C  
CURB DETAIL

CURB BREAK,  
SEE STANDARD  
DETAIL

6  
C401

EXISTING  
BUILDING

EXISTING  
BUILDING

S85°47'14"E 150.00'

N04°26'06"E 149.32'

N04°26'06"E 134.19'

S87°50'21"E 112.50'



Respectfully Submitted  
Chad Elliott  
Project Manager

---

Rich Duncan Construction, Inc. • 2295 Rural Ave Se • Salem OR 97302  
Phone 503-390-4999 • Fax 503-390-3633 CCB # 158330
















# MEMO

**TO:** Kimberli Fitzgerald, Planner III  
Community Development Department

**FROM:** Robin Dalke, CFM, Administrative Analyst III  
Public Works Department

**DATE:** February 23, 2017

**SUBJECT:** **PUBLIC WORKS RECOMMENDATIONS**  
**HIS 17-04 (17-103119)**  
**800 LIBERTY STREET SE**



## ISSUE

Construction of sidewalk improvements along Liberty Street SE and Mission Street SE within the Gaiety Hill, Bush's Pasture Park Historic District.

## RECOMMENDED CONDITION

The applicant shall construct sidewalk improvements according to the accessibility, slope, and thickness standards pursuant to Public Works Design Standards (PWDS) 6.12. The scoring and finish pattern shall be constructed with historic four-square tooled joints as approved by the City engineer. Prior to full sidewalk panel replacement, a mock-up of at least one 5' x 5' panel shall be made with the prescribed tooling and approved concrete mixing ratio for Public Works staff review and approval.

## FINDINGS

1. Sidewalk construction shall comply with PWDS and specifications pursuant to SRC Chapter 78. Streetscape standards in PWDS 6.33 specify unique material and location requirements in certain geographic areas, but not in Gaiety Hill, Bush's Pasture Park Historic District.
2. Historic Review Case HIS 13-40 approved a project to replace sidewalk panels within the Gaiety Hill, Bush's Pasture Park Historic District where the panels were proposed for replacement by panels constructed with historic four square tooled joints. The proposed condition requires the same four-square style of sidewalk panel as has been used previously throughout the district.

JH/G:\Group\pubwks\PLAN\_ACT\PAF\17\Misc\17-103119 HIS 800 Liberty St SE.doc

Prepared by James Suing, Project Coordinator

cc: File