

# NOTICE OF DECISION

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## DECISION OF THE HISTORIC LANDMARKS COMMISSION

HISTORIC DESIGN REVIEW CASE NO. HIS15-16

APPLICATION NO.: 15-107088-DR

NOTICE OF DECISION DATE: May 22, 2015

**REQUEST:** Major historic design review of a proposal to replace the first floor storefront, repair the front facade, re-establish six windows on the second floor front facade, and replace the roofing and cornice of the Starkey-McCully Building, a historic contributing resource within the Salem Downtown National Register Historic District, on property approximately 0.1 acres in size, zoned CB (Central Business District) and located at 223 Commercial Street NE (Marion County Assessors Map and Tax Lot number: (073W22DC08900).

**APPLICANT:** Gretchen Stone / CB Two Architects

**LOCATION:** 223 Commercial St NE

**CRITERIA:** Chapter 230.065

**DECISION:** The Historic Landmarks Commission **Approved** Historic Design Review Case No. HIS15-16 with the following condition:

**Condition 1:** The cornice and corbels on the second floor shall be made from materials from the period of significance.



Andrew Hendrie, Chair

Application Deemed Complete:	<u>April 28, 2015</u>
Public Hearing Date:	<u>May 21, 2015</u>
Notice of Decision Mailing Date:	<u>May 22, 2015</u>
Decision Effective Date:	<u>June 9, 2015</u>
State Mandate Date:	<u>August 26, 2015</u>

Case Manager: Chris Green, [CGreen@cityofsalem.net](mailto:CGreen@cityofsalem.net), 503.540.2326 *CSG*

The rights granted by this decision must be exercised by June 9, 2017, 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., June 8, 2015**. 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 Hearings Officer will review the appeal at a public hearing.

After the hearing, the Hearings Officer 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>

PLANNING DIVISION  
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**DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION**

**CASE NO.** Historic Review Case No. HIS15-16 / AMANDA No. 15-107088-DR

**FINDINGS:** Based upon the application materials, the facts and findings in the Staff Report dated May 21, 2015 incorporated herein by reference, and testimony provided at the Public Hearing of May 21, 2015 the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that the proposal complies with the applicable provisions of the Salem Revised Code (SRC) as follows:

***(a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing.***

The applicant proposes to continue the current ground floor use as the Salem-Keizer Education Foundation bookstore, which is consistent with the longstanding retail use of this space. The applicant's proposed use of the second story as offices for foundation staff and spaces to meet with students are consistent with the historic office and non-profit meeting space uses once found on the second floor of the resource. The applicant's proposal will not alter entrances, site design, or street access to the building. Other than re-establishing second story windows, the proposal will not alter any other exterior features of the resource. Therefore, the HLC finds that the proposal meets 230.065 (a).

***(b) Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods, rather than restored.***

***(c) Distinctive stylistic features or examples of skilled craftsmanship significance shall be treated with sensitivity.***

***(d) Historic features shall be restored or reconstructed only when supported by physical or photographic evidence.***

Findings: The original storefront, as well as lintels, sills, and windows on the second floor front façade, and second floor windows on the rear façade were removed several decades ago and will be restored and reconstructed. The cornice and corbels above the second floor were replaced after the period of significance; the applicant proposes to replace them with a reconstructed cornice and corbels based on the original features. In order to ensure that the reconstructed cornice and corbels are consistent with distinctive historic features of the resource, the HLC adopts the following condition of approval:

**Condition 1:** The cornice and corbels on the second floor shall be made from materials from the period of significance.

Therefore, the HLC finds that the proposal as conditioned meets 230.065 (b), (c), and (d).

***(e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.***

Findings: Prior to the hearing, the applicant withdrew the portion of the proposal relating to alterations on the rear (alley) façade. The remaining changes on the front façade took place after the period of

significance and generally had the effect of removing or obscuring original historic features. None of these changes have acquired significance in their own right. Therefore, the HLC finds that SRC 230.065 (e) does not apply to this proposal.

**(f) Additions and alterations to a historic resource shall be designed and constructed to minimize changes to the historic resource.**

**(g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed.**

Findings: Existing significant features, such as the original first floor cornice and corbels, will be retained. The proposal does not result removal or replacement of any existing historic materials or features; only materials from non-historic alterations made after the period of significance for the district would be removed. The proposal will also remove non-contributing elements, such as paneling over the second floor front façade and upper portion of the storefront that currently obscure significant features. The HLC finds that the proposal meets SRC 230.065(f) and (g).

**(h) Structural deficiencies in a historic resource shall be corrected without visually changing the composition, design, texture or other visual qualities.**

**(i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources.**

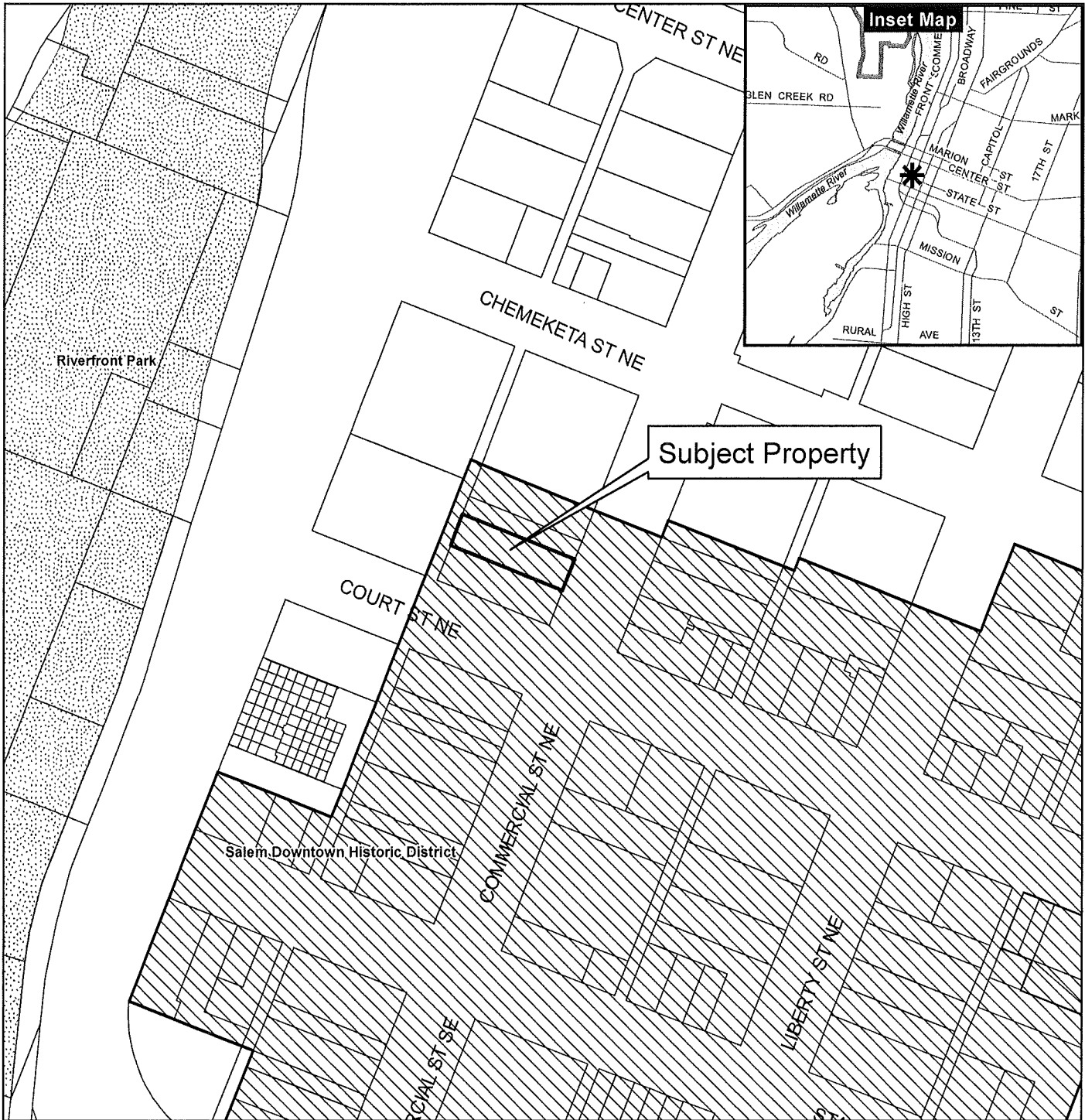
Findings: The HLC finds that the proposal does not include any plans to correct structural deficiencies or excavation and regrading, and that Guidelines 230.065 (h) and (i) do not apply.

**DECISION:** The Historic Landmarks Commission **GRANTS** approval of Historic Design Review Case No. HIS15-16, subject to the following condition of approval:








**Condition 1:** The cornice and corbels on the second floor shall be made from materials from the period of significance.

**VOTE: YES 7 NO 0 ABST 2 (Morris & Sund) Absent 0**

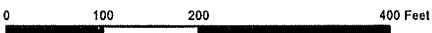
# Vicinity Map 223 Commercial St NE



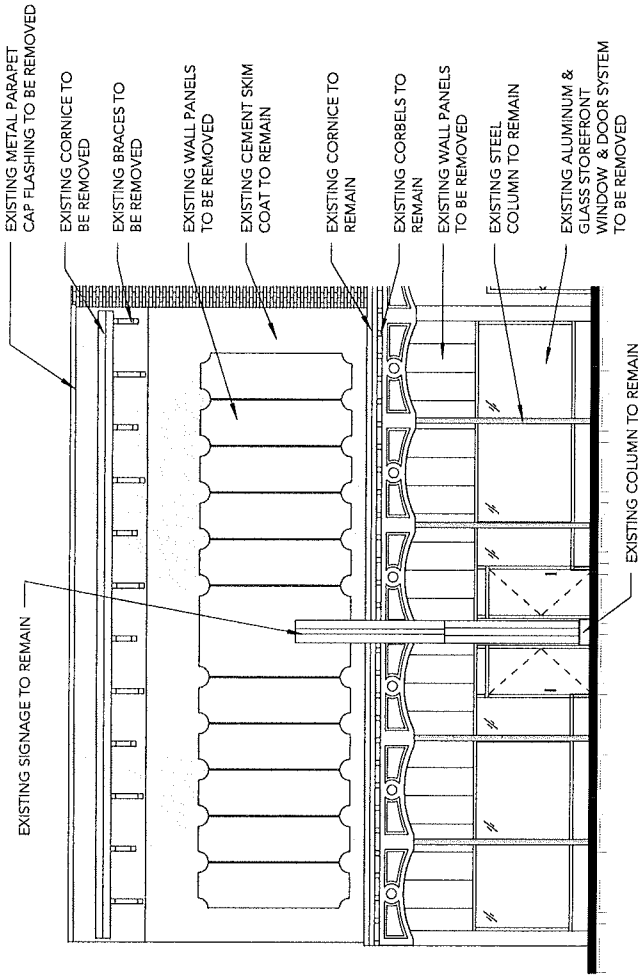
## Legend

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

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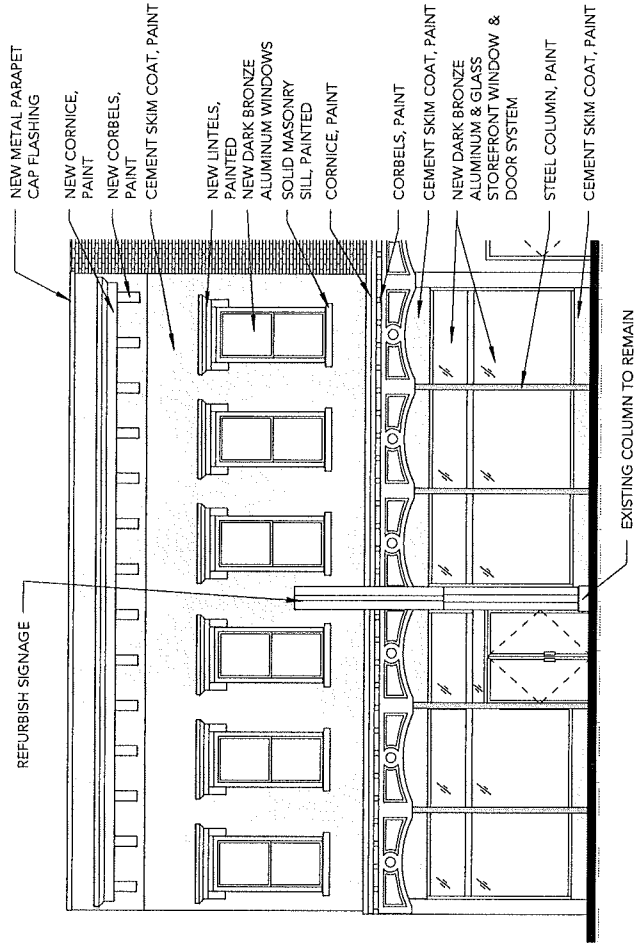


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1 EXISTING EAST ELEVATION (FRONT)

SCALE: 1/8" = 1'-0"



2 PROPOSED EAST ELEVATION (FRONT)

SCALE: 1/8" = 1'-0"