

NOTICE OF DECISION

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



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. HIS 14-05 / AMANDA No. 14-104868-DR

NOTICE OF DECISION DATE: April 24, 2014

OWNER/APPLICANT: Pete Kanyer, Arbuckle Costic Architects, Inc., for McGilchrist, Roth Buildings LLC

LOCATION: 102-110 & 120 Liberty Street NE – 97301

REQUEST: Major historic design review of a proposal to install new roof flashing, French balconies, utility meters, and canopy awnings on the existing commercial McGilchrist and Roth Company Buildings and security fencing surrounding the parking lot at the rear of the buildings; historic contributing buildings in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 102-110 Liberty Street NE and 120 Liberty Street NE; 97301; Marion County Assessor's Map and Tax Lot numbers: 073W27AB-05200 and 073W27AB-05300.

CRITERIA: Salem Revised Code (SRC) Chapter 230.040
Standards for Historic Contributing Buildings in Commercial Districts

FINDINGS: The applicant has proposed changes to the original approved plan approved by the Historic Landmarks Commission (HLC) under HIS 13-10 in May 2013. The applicant submitted an application on March 7, 2014, with supplemental information submitted on March 26, 2014.

Based upon the application materials, the facts and findings in the Staff Report dated April 17, 2014, incorporated herein by this reference, and testimony provided at the Public Hearing of April 17, 2014, 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:

Criteria 230.040(k) Awnings and Canopies. Replacement or installation of awnings and canopies on historic contributing buildings is allowed.

(1) Materials.

(A) Materials that are compatible with the character of the building's period and style shall be used.

(B) Canvass is an approved material for awnings and canopies.

The applicant is proposing to install a combination of a fixed metal canopy system and a fabric awning system attached to the buildings. The HLC finds that historically, the original McGilchrist buildings utilized a fixed metal canopy on the corner of State and Liberty Street and fabric awnings on both street elevations. The HLC finds that these canopies will utilize material that is compatible with the character of the buildings period and style. The HLC finds that SRC 230.040 (k)(1) has been met for the awning/canopy installation on the Roth and McGilchrist Buildings.

(2) Design.

(A) Awnings shall be located within window openings, and below transoms.

- (B) Umbrella-type awnings and non-historic forms are not permitted.
- (C) Awnings shall be attached in such a manner that historic materials or features are not damaged.
- (D) Marquees may be used where compatible with the building and neighboring buildings.
- (E) Awnings, canopies, or marquees shall not obscure significant architectural features on the building.
- (F) Awnings, canopies, or marquees shall have size, scale and design that is compatible with the building and neighboring buildings. (Ord No. 34-10)

The HLC finds that both the fixed metal canopy and the fabric awning are compatible in size scale and design with the Roth and McGilchrist Buildings, and will be installed in such a manner so that historic materials or significant architectural features will not be obscured or adversely affected. The HLC finds that SRC 230.040(k)(2) has been met for the proposed design of the canopies and awnings.

Balconies, Utility Meters, Roof Flashing & Fencing

Criteria: 230.040(f) Alterations and Additions. Additions to, or alterations of, the historic contributing building may be made to accommodate uses other than the originally intended purpose.

- (1) **Materials.** Materials for alterations or additions shall:
 - (A) Building materials shall be of traditional dimensions.
 - (B) Material shall be of the same type, quality and finish as original material in the building.
 - (C) New masonry added to a building shall, to the greatest degree possible, match the color, texture and bonding pattern of the original masonry.
 - (D) For those areas where original material must be disturbed, original material shall be retained to the maximum extent possible.

Balconies Alley Façade / McGilchrist & Roth Building

The HLC finds that the proposed "French Balconies" include casement windows behind a metal railing system will be installed into original openings on the east elevation of the McGilchrist Building, and one will be installed in an existing opening on the south elevation of the Roth Company Building thereby meeting 230.040(f)(1). The HLC finds that the proposed materials for the balconies are of traditional dimensions, and the same type, quality and finish as the original material in the building. The HLC finds that SRC 230.040(f) has been met for the proposed French balconies.

Rear (East) façade, Roth Building

The applicant has indicated that portions of the existing brick on this façade will be retained, therefore this façade has been redesigned to maintain as much of the original brick façade as possible. The proposed metal railing installed between the brick walls will match the material and design of the security fencing on the site. The HLC finds that the proposed building materials are of traditional dimensions and of the same type as the original materials found on the building, and the maximum amount of original material has been retained in the redesign of this façade. The HLC finds that SRC 230.040 (f)(1) has been met for the new alley façade improvements on the southern façade of the Roth Building.

Security Fencing

The applicant is proposing to install wrought iron fencing to enclose the parking lot to the west of the McGilchrist Building and to the south of the Roth Building. The fencing will be spanned between columns of brick, with bands of decorative brick. The main entry to this secure area fronting State Street will include a new door inset into a brick wall, flanked by columns, and capped with globe lights. A similar, but smaller, entry is proposed on the east elevation fronting the alley. The HLC finds that brick and wrought iron are materials typically found throughout the historic district and that SRC 230.040(f)(1) has been met for the proposed fencing.

Utilities

The applicant has proposed to relocate the bank of electrical utility meters from the rear of the Roth Building along the alley, to the south façade of the Roth Building, fronting the parking area. Additionally, the applicant has proposed to locate the bank of gas utility meters at the rear of the Roth Building along the alley. Both of these meter banks are of metal, a traditional material and will disturb as little original material as is feasible. The HLC finds that SRC 230.040(f)(1) has been met for the proposed installation of the utility meters.

Roof

The applicant has proposed to add new flashing on the existing concrete coping on the McGilchrist Building and brick walls of the Roth Building in order to maintain the new membrane roofing warranty. This new metal cap flashing will be painted to match. The HLC finds that metal is a material typically found throughout the historic district, and is of the same type, quality and finish as original material on both the Roth and McGilchrist buildings. The HLC finds that SRC 230.040(f)(1) has been met for the proposed new roof flashing.

(2) Design. Alterations or additions shall:

- (A) Additions shall be located at the rear, or on an inconspicuous side, of the building.
- (B) Be designed and constructed to minimize changes to the building.
- (C) Be limited in size and scale such that a harmonious relationship is created in relationship to the original building.
- (D) Be designed and constructed in a manner that significant historical, architectural or cultural features of the building are not obscured, damaged, or destroyed.
- (E) Be designed to be compatible with the size, scale, material, and character of the building, and the district generally.
- (F) Not destroy or adversely impact existing distinctive materials, features, finishes and construction techniques or examples of craftsmanship that are part of the building.
- (G) Be constructed with the least possible loss of historic materials
- (H) Not create a false sense of historical development by including features that would appear to have been part of the building during the period of significance but whose existence is not supported by historical evidence.
- (I) Be designed in a manner that makes it clear what is original to the building and what is new.
- (J) Be designed to reflect, but not replicate, the architectural styles of the period of significance.
- (K) Preserve features of the building that has occurred over time and has attained significance in its own right.
- (L) Preserve distinguishing original qualities of the building and its site.
- (M) Not increase the height of a building to more than four stories.

The applicant proposes to install French balconies, new security fencing and utilities on the alley façades of the McGilchrist and Roth Buildings. The HLC finds that these alterations are located on secondary facades, at the rear of the buildings, fronting the alley and thereby meet SRC 230.040(f)(2)(A). The HLC finds that the applicant also proposes to remove the existing masonry which blocks the original historic building façade of the Roth Building, thereby meeting SRC 230.040(f)(2)(B), (D), (F), (G), (K) and (L). The HLC finds that the proposed alterations to the alley facade will not increase the height of the building and that the proposed new roof flashing, balconies, utilities and fencing are a contemporary design, clearly new, and yet compatible with the existing resource and surrounding Downtown Historic District, thereby meeting SRC 230.040(f)(2)(C), (E), (H), (I), (J) and (M). The HLC finds that SRC 230.040 (f)(2) has been met for the new alley façade improvements.

VI. RECOMMENDATION

According to Salem Revised Code (SRC) 230.020(f), historic design review approval shall be granted if the application satisfied the applicable standards set forth in Chapter 230. The Historic Landmarks Commission shall render its decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification

for the decision.

Based upon the information presented in the application, plans submitted for review, and findings as presented in this staff report, staff recommends that the Historic Landmarks Commission APPROVE the proposal as submitted.

DECISION: The Historic Landmark Commission voted to adopt the Staff Recommendation contained in the Staff Report dated April 17, 2014, and APPROVES the proposal.

VOTE: **YES 6 NO 0 ABST 1 (Holton) Absent 2 (Sears/Carmichael)**



Andrew Hendrie, Vice-Chair
Historic Landmarks Commission

The rights granted by this decision must be exercised by May 10, 2016, or this approval shall be null and void.

A copy of the complete Case File is available for review at the Planning Division office during regular business hours. Please contact the Case Manager, Kimberli Fitzgerald by email: kfitzgerald@cityofsalem.net, or phone: 503-540-2397.

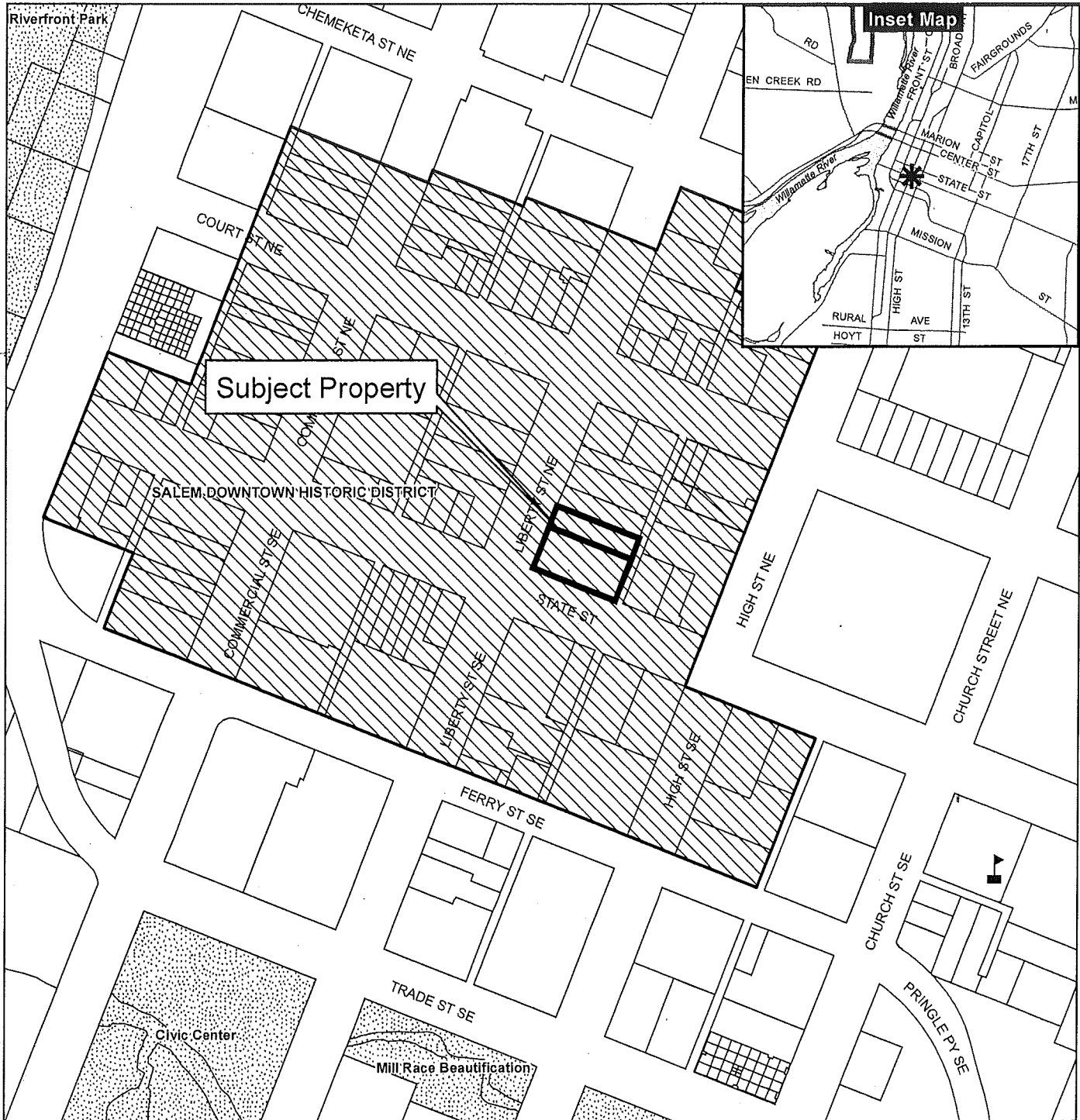
Application Deemed Complete: March 27, 2014
Notice of Decision Mailing Date: April 24, 2014
Decision Effective Date: May 10, 2014
State Mandated Decision Date: August 22, 2014

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 May 9, 2014, 5:00 p.m.** Any person who presented evidence or testimony for the hearing may appeal the decision. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or firm the action, or refer the matter to staff for additional information.

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Vicinity Map

102-120 Liberty Street NE



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

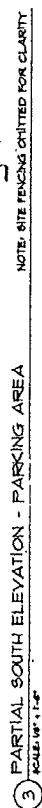
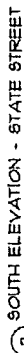
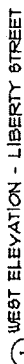
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Community Development Dept.

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REFERENCE NOTE 67.



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AGENCY
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PAGE 01 OF 02

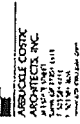
**WRESCULE COSTIC
ARCHITECTS, INC.**
600 N. 11th St.
Tomball, TX 77480
713/261-1111

MOGILCHRIST,
PROTH BLDG9

102 LIBERTY STREET
EAST OREGON



DEPT-5

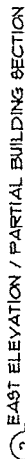
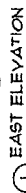


**McGILCHRIST,
ROTH BLDGS
HISTORIC REVIEW**

102 LIBERTY STREET
SALEM, OREGON
2400

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