

**TO:** Historic Landmarks Commission

**THROUGH:** Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director and Planning Administrator

**FROM:** Kimberli Fitzgerald, Historic Preservation Officer

**HEARING DATE:** January 18, 2024

**CASE NO.:** Historic Design Review Case No. HIS23-27

**APPLICATION SUMMARY:** A proposal to install a security gate on the primary facade of the Forstner Store Building (1887).

**LOCATION:** 241 Commercial St. NE

**REQUEST:** Class 3 Major Historic Design Review of a proposal to install a security gate on the east side (primary facade) of the Forstner Store Building (1887), a historic contributing building in the Downtown Historic District, zoned CB (Central Business District), and located at 241-247 Commercial Street NE - 97301; Marion County Assessor Map and Tax Lot number: 073W22DC-08700.

**APPLICANT:** Christi Finholt (Nicollet, LLC)

**APPROVAL CRITERIA:** Salem Revised Code (SRC) 230.065 General Guidelines for Historic Contributing Resources

**RECOMMENDATION:** **APPROVE** the proposal with the following **CONDITION:**

**Condition 1:** The applicant shall utilize a shutter that is not sight obscuring, such as the perforated design version of the QMI proposed shutter security gate which does not visually obscure the entry alcove. The applicant shall submit the final design specifications to the Historic Preservation Officer demonstrating that the shutter is not sight obscuring at the time of building permit submittal.

### **BACKGROUND**

The applicant submitted initial application materials for a Major Design Review (HIS23-27), requesting approval for installation of a roll up shutter type security gate on December 7, 2023. Additional information and documentation was later provided, and the application was deemed complete for processing on December 28, 2023. Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on December 29, 2023. Public hearing notice was also posted on the property in accordance with the posting provision outlined in SRC 300.620. The City of Salem Historic Landmarks Commission will hold a public hearing for the case on January 18, 2024 at 5:30

p.m. in Council Chambers, Civic Center at 555 Liberty Street SE, Room 240.  
(<https://bit.ly/planningpublicmeetings>).

The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is April 26, 2024, unless an extension is granted by the applicant.

## **PROPOSAL**

The applicant is requesting approval to install a security gate (QMI StoreSafe Rolling Shutter) on the east side (primary facade) of the Forstner Store Building (1887). The proposed security gate will be approximately 103 ¼" high and 107" wide, spanning the recessed storefront entry of the Wild Things primary entry space. The security gate is comprised of a 107" long 10 ½" head box which will house the rolled up shutter when it is open. The front of the box will be mounted underneath the existing awning and face the interior, with the back side of the box fronting Commercial Street (under the awning).

The proposed security gate is metal, and is comprised of ivory aluminum single wall slats approximately 2.5" wide, that nest together when rolled up. The ivory horizontal slats fit within vertical side rails approximately 4" wide on either side which are visible when the gate is extended. The security gate is manually operable, and when extended and open, the gate has the appearance of a shutter fully obscuring the opening behind the gate. There is a center lock located at the center of the bottom rail which locks the security gate in place when it is open. There is no hardware attached to the sidewalk/entry below.

## **SUMMARY OF RECORD**

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 23 124365.

## **APPLICANT'S STATEMENT**

A request for historic design review must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicants submitted a written statement, which is included in its entirety as **Attachment C** in this staff report.

Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report. Salem Revised Code (SRC) 230.065 General Guidelines for Historic Contributing Resources are the applicable criteria for evaluation of this proposal.

## **FACTS & FINDINGS**

## **1. Historic Designation**

Under Salem Revised Code (SRC) Chapter 230, no development permit for a designated historic resource shall be issued without the approval of the Historic Landmarks Commission (HLC). The HLC shall approve, conditionally approve, or deny the application on the basis of the project's conformity with the criteria. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. The HLC 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.

## **2. Historic Significance**

According to nomination documents the Benjamin Forstner Store Building/South First National Bank Block was constructed in 1887. This two-story Italianate commercial building was designed by Holly A. Cornell (1859-1911). The two Salem residences Cornell was believed to have designed (the Werner Breyman Mansion and the Governor Zenas Moody Mansion) no longer exist, leaving this property as the only known extant Cornell-designed building. Originally two stores, changes were made to this building by 1923. A central entranceway was established, and the exterior chimneys and ornamental cast iron cresting were removed. A one-story addition on the rear, c. 1960, is of concrete block. The street level is a historically compatible storefront with aluminum framed windows and a central entry alcove. The transoms have been covered. Both facade corners have cast-iron pilasters with fluted pedestals, a vertical recessed panel, and an "intermediate" capital at the top of the ground-floor windows, culminating in a fluted capital embellished with circles and folded ribbons immediately below the cornice.

The South First National Bank Block was constructed during Salem's first period of private redevelopment, which was stimulated primarily by a desire to avoid fire by replacing wood with brick. Benjamin Forstner and his family were members of the Aurora (Oregon) colony, a Christian cooperative society founded by Dr. William Keil. It was organized at the Rapite Colony in Harmony, Pennsylvania. Forstner is believed to have immigrated to Oregon in 1863. By 1874 he was living in Salem. The Forstner Store Building has a high degree of integrity and is a historic contributing resource to Salem's Downtown Historic District.

## **3. Neighborhood and Citizen Comments**

The subject property is located within Central Area Neighborhood Development Organization (CANDO). Notification of the public hearing was sent to the neighborhood association, tenants and surrounding property owners within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on December 29, 2023. Notice of public hearing was also posted on the subject property. At the time of writing this staff report, no comments have been received from tenants within the historic district or from adjoining property owners. On January 1, 2024, Michael Livingstone submitted comments on behalf of CANDO in support of the proposal (Attachment D).

#### 4. City Department and Public Agency Comments

The Building and Safety Division indicate that the applicant must obtain required building permits and further that gates must comply with 2022 OSSC 1010.3.4, or 1010.4 for egress sizing. Further, for B, F, M or S occupancies only, these gates may be used as a security feature and not part of the actual egress system. Both the Fire Department and the Building and Safety Division stated that at the time of permit submittal, verification will be required for occupancy type. Security gates/grills are allowed for B, F, M and S occupancies but not allowed for A occupancies per 2022 OSSC Section 1010.3.4. The Planning Division has no concerns. The Public Works Department has no concerns with the proposal.

#### 5. Historic Design Review

Salem Revised Code (SRC) 230.065 **General Guidelines for Historic Contributing Resources** are the criteria applicable to the evaluation of this proposal. Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable standards.

#### **FINDINGS**

**230.065. GENERAL GUIDELINES FOR HISTORIC CONTRIBUTING RESOURCES.** *In lieu of the standards for historic contributing buildings set forth in SRC 230.025 and SRC 230.040, an applicant may make a proposal for preservation, restoration, or rehabilitation activity, regardless of type of work, which shall conform to the following guidelines:*

(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.*

**Findings:** The applicant is proposing to continue to use the resource as a commercial property, its historic purpose; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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

**Findings:** The applicant is not proposing to restore or repair any original historic materials as part of this proposal; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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

**Findings:** The applicant is not proposing to alter any original distinctive stylistic features or examples of skilled craftsmanship as part of this proposal; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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



**Findings:** The applicant is not proposing to restore or reconstruct any historic features as part of this proposal; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

*(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:** Although not original to the building, the general storefront design with a central alcove has been in place since 1923. The applicant is not proposing to significantly alter any features that have acquired significance over time as part of this proposal; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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

**Findings:** In order to increase security on their property, the applicant is proposing to install a roll-up security shutter slightly recessed into the entry alcove on the primary facade of the building. This alteration is designed to be mostly hidden by the alcove header, and the side tracks are to be installed onto existing corner window assemblies, which will create minimal visual impact when the security shutter is open. The proposed new security gate is of metal, a traditional material available during the period of significance for the district, and the overall design is compatible with the resource and the surrounding historic district. Therefore, staff recommends that the HLC find that SRC 230.065 (f) has been met for this proposal.

*(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:** The proposed roll-up security shutter will not result in any loss of historic materials, and no significant features will be damaged or destroyed by the proposal. When closed, the roll-up gate will cover and prevent physical access to the entry alcove. It will not impact the remaining storefront display window assemblies on the façade. However, when closed, the shutter fully obscures the storefront entry alcove, a significant feature of the Forstner Building. There is an alternative product design offered within the QMI StoreSafe Rolling Shutter series, which is comprised of a security mesh that is perforated which is not sight obscuring. Therefore, in order to better meet this Guideline, staff recommends that the HLC approve the proposal with the following condition:

**Condition 1:** The applicant shall utilize a shutter that is not sight obscuring, such as the perforated design version of the QMI proposed shutter security gate which does not visually obscure the entry alcove. The applicant shall submit the final design specifications to the Historic Preservation Officer demonstrating that the shutter is not sight obscuring at the time of building permit submittal.

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

**Findings:** The applicant is not proposing to correct any structural deficiencies as part of this proposal; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

- (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:** No excavation or regrading is proposed as part of this proposal; therefore, staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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 with the following Condition:

- Condition 1:** The applicant shall utilize a shutter that is not sight obscuring, such as the perforated design version of the QMI proposed shutter security gate which does not visually obscure the entry alcove. The applicant shall submit the final design specifications to the Historic Preservation Officer demonstrating that the shutter is not sight obscuring at the time of building permit submittal.

### **DECISION ALTERNATIVES**

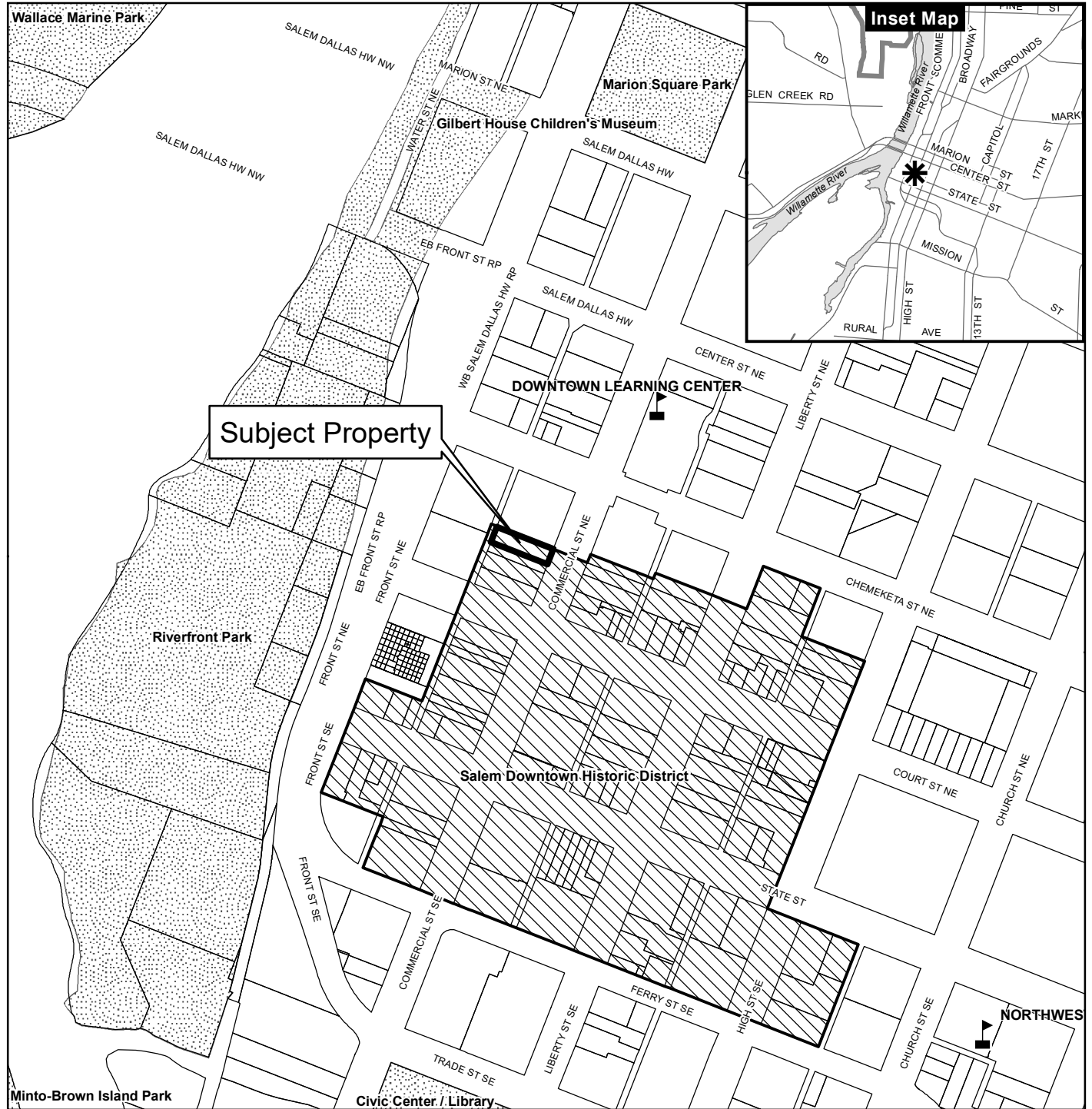
1. APPROVE the proposal as submitted by the applicant and indicated on the drawings.
2. APPROVE the proposal with conditions to satisfy specific guideline(s).
3. DENY the proposal based on noncompliance with identified guidelines in SRC 230, indicating which guideline(s) is not met and the reason(s) the guideline is not met.

Attachments: A. Vicinity Map  
B. National Register Nomination  
C. Applicant's Submittal Materials  
D. Comments from CANDO






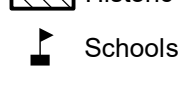

Prepared by Jacob Morris, Historic Preservation Planner

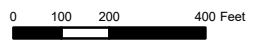
\\allcity\CDGroup\CD\PLANNING\HISTORIC\CASE APPLICATION Files - Processing Documents & Staff Reports\Major Type III\2023\Staff Reports\HIS23-27 241 Commercial St. NE. Security Gate.docx

# Vicinity Map 241 Commercial St NE



**Legend**

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



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United States Department of the Interior  
National Park Service

Salem Downtown Historic District  
Salem, Marion County

## National Register of Historic Places

Continuation Sheet

Section number: 7

Page: 26

and Sylvia Dorney purchased the South Eldridge Block in May of 1999. Greenbaum's Quilted Forest continues to occupy the building in 2000.

### **241 - 247 Commercial Street, NE**

*Classification:* Historic Contributing (Listed in National Register, 1982)

*Historic Name:* Benjamin Forstner Store building/South First National Bank Block

*Current Name(s):* Mary Anne's Wordshop

*Year of Construction:* 1887/c.1923

*Legal Description:* 073W22DC08700; Salem Addition, from Lots 2 & 3, Block 49

*Owner(s):* John and Nina Honey, Trustees

POB 247

Salem, Oregon 97308

**Description:** This is a two-story unreinforced brick, stucco-faced commercial building of Italianate style designed by Holly A. Cornell. It has a sloping roof with a bracketed cornice with egg-and-dart ornamentation. Two bays on the upper facade contain three double-hung wood sash windows in each bay. Cast iron quoin pilasters frame the bays.

Originally two stores, changes were made to this building by 1923. A central entranceway was established, and the exterior chimneys and ornamental cast iron cresting were removed. A one-story addition on the rear, c.1960, is of concrete block.

The street level is comprised of aluminum-framed display windows. Although not original to the structure, it is a compatible storefront. The transoms have been covered. Both facade corners have cast-iron pilasters with fluted pedestals, a vertical recessed panel, and an "intermediate" capital at the top of the ground-floor windows, culminating in a fluted capital embellished with circles and folded ribbons immediately below the cornice. The building retains its historic qualities and contributes to the character of the downtown district.

**History and Significance:** The South First National Bank Block was constructed during Salem's first period of private redevelopment, which was stimulated primarily by a desire to avoid fire by replacing wood with brick.

Holly A. Cornell (1859-1911) who practiced architecture in Salem for several years designed the building. Cornell is believed to have also designed two residences in Salem: the Werner Breyman Mansion and the Governor Zenas Moody Mansion. Both mansions are now gone. After his Salem practice, Cornell worked as a foreman of several sash and door companies. The South First National Bank Block is believed to be the only identified, extant building designed by Cornell.

Benjamin Forstner and his family were members of the Aurora (Oregon) colony, a Christian cooperative society founded by Dr. William Keil. It was organized at the Rapite Colony in Harmony, Pennsylvania. Forstner is believed to have immigrated to Oregon in 1863. By 1874 he was living in Salem.

### **305 - 321 Court Street**

*Classification:* Historic Contributing

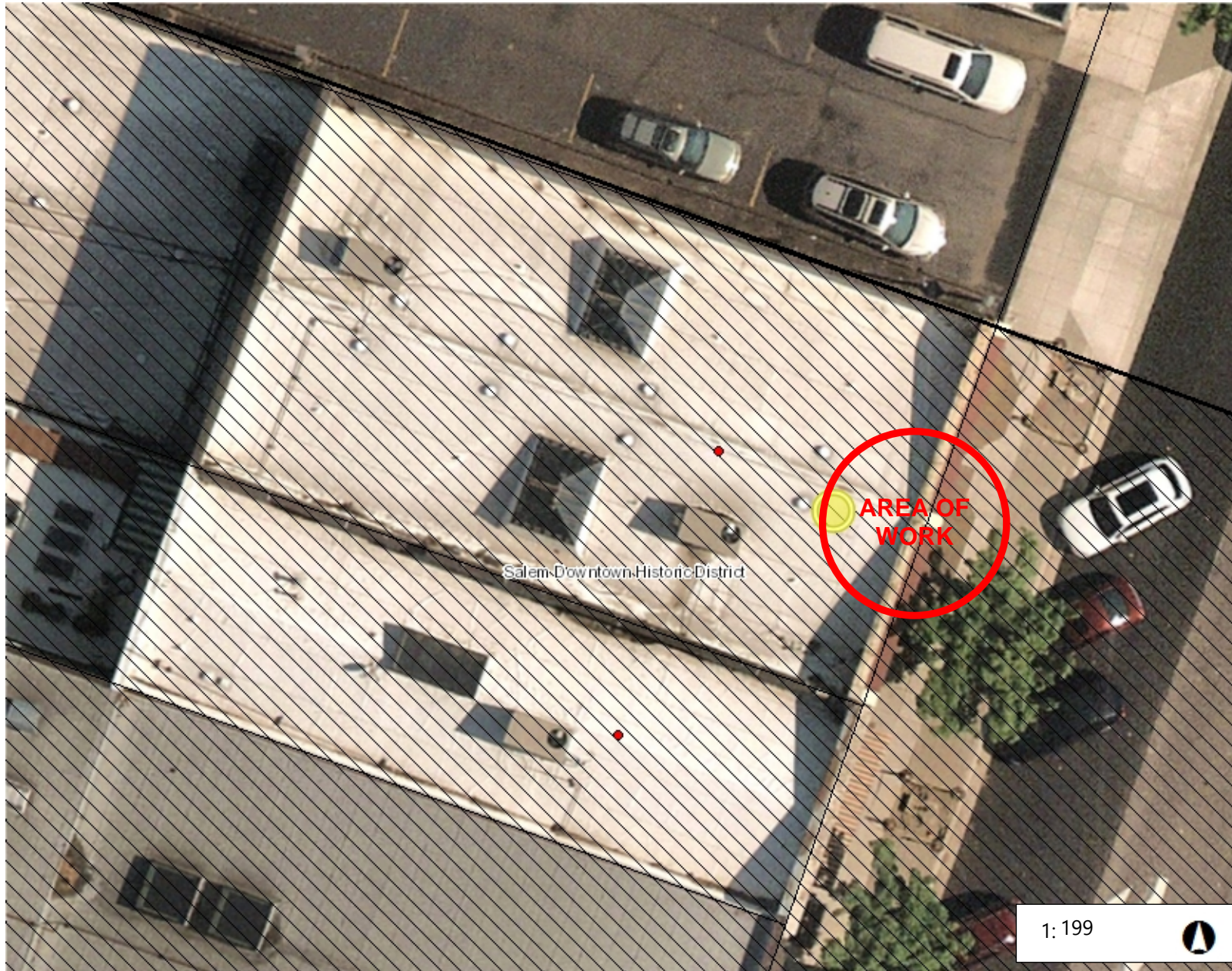
*Historic Name:* Pearce Building

*Current Name(s):* Beauty Salon; Roz John; Green Thumb

*Year of Construction:* 1940

*Legal Description:* 073W22DC08000, Salem Addition, front of Lot 5, Block 32





Legend

- Centerline (Labels)
- Historic Buildings
- ▣ Historic Districts
- ▣ Annexations (delayed)
- Taxlots
- Creeks
  - 50 - 200
  - 200 - 640
  - 640 - 6400
  - GT 6400
- Hydrology
- Street Class
  - Future Minor Arterial
  - Future Collector
  - Major Arterial
  - Minor Arterial
  - Parkway
  - Collector
  - Highway/Freeway
- Overlay Zones
  - ▣ Overlay Zones
  - ▣ Compact Development Overlay Zor
  - ▣ Mixed-Use Overlay Zone
- ▣ Urban Growth Boundary
- ▣ City Limit

1: 199



0.01 0 0.00 0.01 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
City of Salem, Oregon

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Enter notes here...





107"

7"

99 1/2"

103 1/4"

92 1/4"

3 3/4"

3 3/4"

WILD THING GAMES

WILD THING GAMES

WILD THING GAMES

WILD THING GAMES

WILD THING GAMES

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# SECURE YOUR STORE **with** EASE

## Rolling Shutters



Store owners have peace of mind while working late hours.



The P-51 perforation shown above is one of three available patterns.

*An urban eye glass store owner showcases his store while protected with QMI Shutters.*

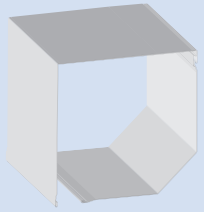
### **Safe Selling All Night Long**

Punched slats allow protected nighttime store views, but disappear into the shutter's box housing during the day. - **Security with Vision™**

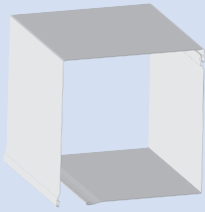
- The ultimate in security
- High visibility
- Reduces energy costs
- Prevents break-ins
- Protects against extreme weather
- Smallest roll up coil available



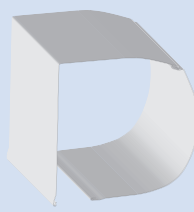
## Box Housing Styles



45°



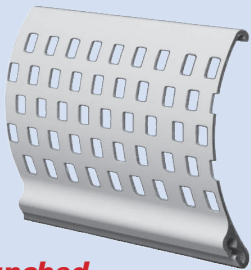
90°



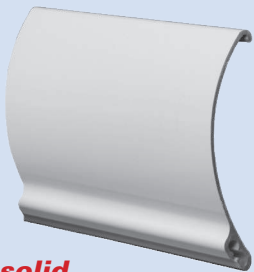
Round

\* Box size varies 150-800mm, see website for technical charts.

## Available Options



punched



solid

## Housing, Side Tracks & Curtain Colors

Custom colors available with additional lead time.

Not all colors are available in all styles. Consult actual mfr. product samples for exact color representation.



## Control Options



Manual push-up/pull-down



Motor-operated



Remote control



Manual gear

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# PROTECTION **with** VISION



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mounting provisions may be required.

[SSRS-V5-500](#)









RELEASE LOCKS  
BEFORE CRANKING

BELL STORE EQUIPMENT CO.  
(800) 257-2333

Clearance Items  
\*ALL SALES FINAL\*  
No Returns

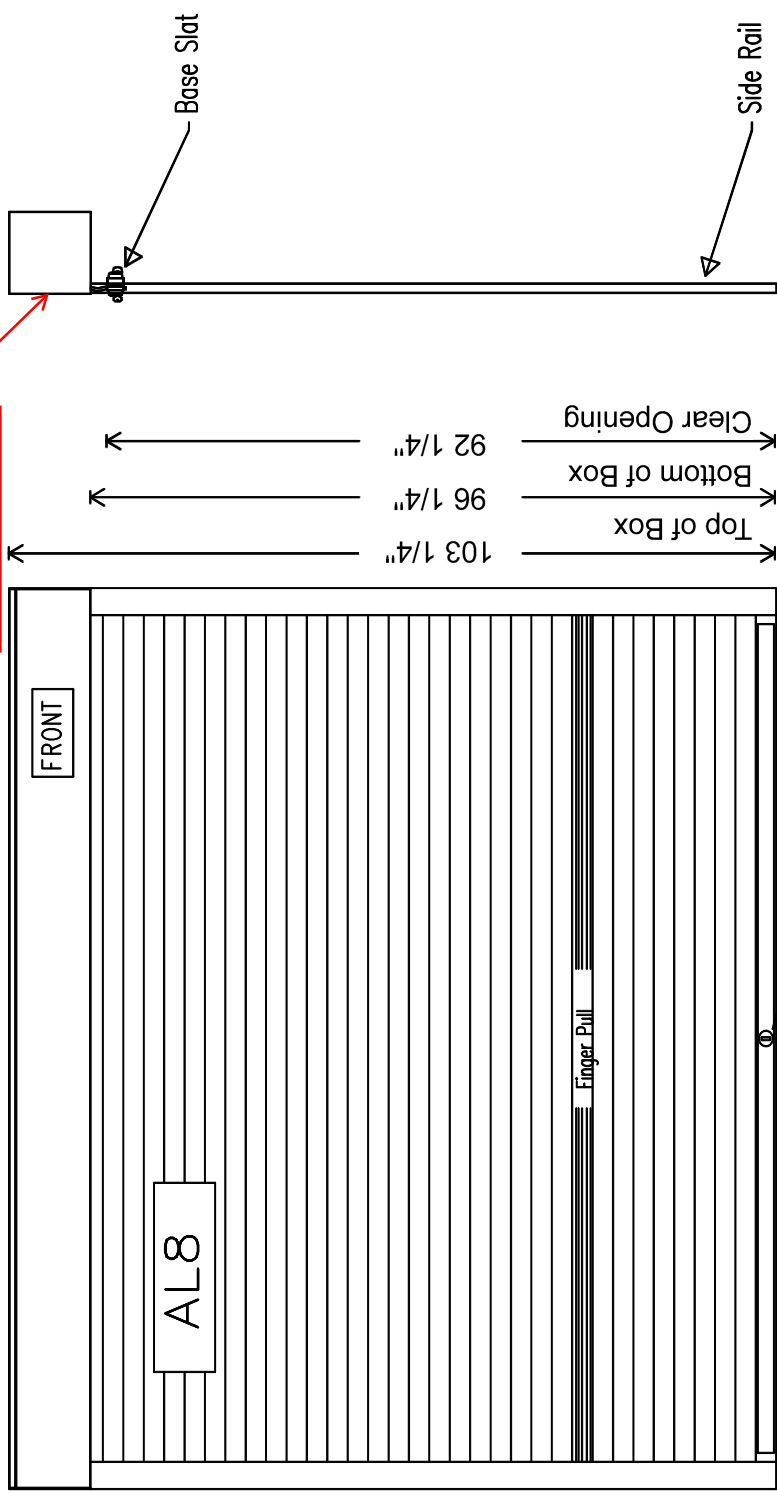
Ring Slings  
50% OFF  
This Case

Ring Slings  
50% OFF  
This Case

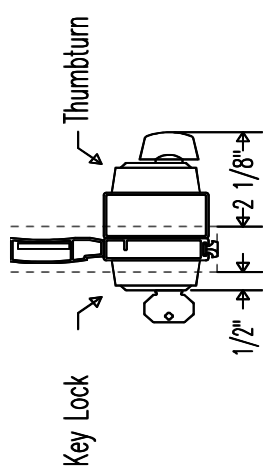
Clearance  
\*ALL SALES FINAL\*



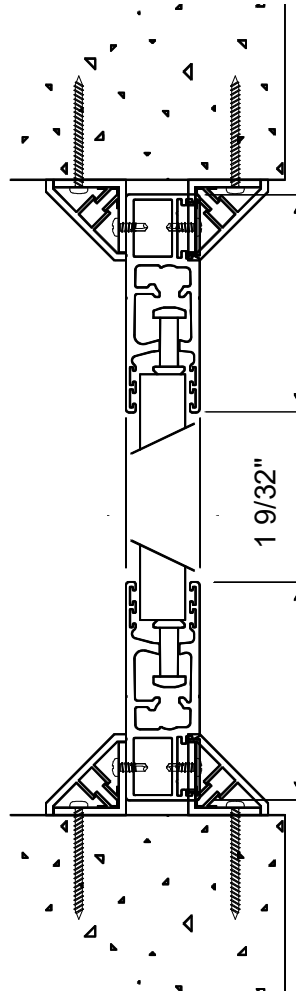
Back Side of Box will face Commercial St. BP - 12/29/23



**SECTION**



**LOCK \ STOP DETAIL**



**MOUNTING DETAIL \***

**CONTROL LOCATION**

No Control Location

**By:**  Approved for manufacture

Approved for manufacture as noted below

Make changes as noted below and resubmit

Seacoast Application: YES  NO

Hurricane Rated: \* YES  NO

Width	Inside of Rail: 99 1/2"	Outside of Rail: 107"
Height	Clear Opening: 92 1/4"	
	Bottom of Box: 96 1/4"	
	Top of Box: 103 1/4"	
	Housing Size: 7	
Color	Rail: IVORY	
	Housing: IVORY	
	Slat: IVORY	
	Base Slat: IVORY	
Curtain	Slat Type: SL8-2	
	Slat Style:	

Curtain Weight:	91.0 lbs.
Control Side:	NONE
Control Type:	SPRING-AT-7-C-1
Mounting	Left Rail: 2 ANGLES+2COVER
	Ø1: 1/2" Ø2: 3/16" ⌀ ~12" ↗
Right Rail: 2 ANGLES+2COVER	Ø1: 1/2" Ø2: 3/16" ⌀ ~12" ↗
	Mounting Style: WINDOW

#: **208472-1** SD Date: **12/29/23**

Customer: **Overhead Door Co. of**

Job Name: **quote 12/27**

Shutter #: **1 of 1** QTY: **1**

\*It shall be the responsibility of the contractor to verify the soundness of the structure where shutter is to be attached to insure proper anchorage.

**From:** MICHAEL LIVINGSTON <michaellivingston1@comcast.net>  
**Sent:** Monday, January 1, 2024 12:36 PM  
**To:** Zachery Cardoso <ZCardoso@cityofsalem.net>  
**Cc:** Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>; Irma Coleman <IColeman@cityofsalem.net>; Owens, Sarah <HLOWENS2@msn.com>; Bryant Baird <mbbaird@hotmail.com>  
**Subject:** Re: Request for Comments - Case No. HIS23-27 for 241 Commercial St NE

ZACHERY,

On behalf of CANDO, I am submitting this comment in response to your revised request below in Case No. HIS23-27 for 241 Commercial St NE:

**CANDO supports the proposal to install to install a security gate on the primary facade of the Forstner Store Building (1887). The proposed security gate will preserve, rather than detract from, the historic qualities of the building.**

Michael Livingston  
CANDO Chair