



# MEDFORD PLANNING

***Date of Notice: September 13, 2022***

***File No.: HC-22-257***

***Contact: Steffen Roennfeldt***

## **NOTICE OF PUBLIC HEARING – LANDMARKS & HISTORIC PRESERVATION COMMISSION**

**Hearing Date:** Tuesday – October 4, 2022  
**Hearing Time:** 5:30pm  
**Hearing Location:** Medford City Council Chambers  
City Hall, 411 W 8<sup>th</sup> Street, Third Floor

This notice is to inform you of an upcoming opportunity to participate in a public hearing before the Medford Landmarks and Historic Preservation Commission.

**What is being considered?** Landmarks and Historic Preservation Commission Review for proposed exterior modifications to the Holly Theater, including the addition of metal-faced concrete bollards; the modification of the sidewalk to provide for accessible egress; the addition of metal canopies to three doors; the creation of a new opening to allow access to the stage area with a loading dock, an accessible ramp and a set of metal stairs; a new electrical panel service; the addition of a masonry trash enclosure; and a new HVAC system with equipment located on the roof.

The structure is located at the northeast corner of the West 6<sup>th</sup> Street and North Holly Street intersection (226 W Sixth St) and the site is zoned C-C (Community Commercial) and is within the CB (Central Business) and H (Historic) zoning overlay districts. Please see the attached map.

**How do I obtain additional information?** You may visit the Planning Department on the second floor of the Lausmann Annex, 200 S. Ivy Street, between the hours of 8 a.m. and 5 p.m. weekdays to review the application, all documents and evidence submitted, and the criteria relating to this proposal. The agenda and the staff report for this project will be available seven days prior to the public hearing, and can also be viewed on the City web site ([www.medfordoregon.gov](http://www.medfordoregon.gov)). Copies may be obtained at the Planning Department at reasonable cost.

**Who do I contact?** Questions can be directed to the contact listed above at 541-774-2380, or by visiting the Planning Department in person.

**How do I participate?** The Landmarks and Historic Preservation Commission is encouraging written comments. Public comments will be accepted via first class mail or email until noon on Tuesday, October 4, 2022. Please email comments or public hearing testimony pertaining to this agenda item to [steffen.roennfeldt@cityofmedford.org](mailto:steffen.roennfeldt@cityofmedford.org). Be sure to include your name, address and phone number. All comments pertaining to this item, received by noon, will be provided to the Landmarks and Historic Preservation Commission at the meeting.

**What happens at a Public Hearing?** At the public hearing, the Chair will open the hearing and invite all interested parties to direct their testimony and evidence toward the regulations found in the Medford Land Development Code, specifically the criteria that apply to this project. The applicable criteria are included with this notice. You are invited to speak at the hearing stating why you favor or oppose this proposal. You may also write a letter to the Commission prior to the hearing that can be submitted as a part of the public record. You must provide oral or written testimony to have standing; standing gives you the legal ability to appeal a decision that is made by the Commission on this project. Oregon Revised Statutes state that failure to raise an issue in a hearing, either in person or by letter, or failure to provide statements or evidence sufficient to afford the Commission an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

If you would like to testify but are unable to attend in person or submit written comments, you may participate by telephone. Please contact the Planning Department at 541-774-2380 at least three business days in advance of the hearing to make arrangements.

Please be aware that communications made through Email and Messaging systems shall in no way be deemed to constitute legal notice to the City of Medford or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the City or any of its agencies, officers, employees, agents, or representatives, where notice to the City is required by any federal, state or local laws, rules, or regulations.

Respectfully,



Matt Brinkley, AICP CFM  
Planning Director

ds/Attachments (map and criteria)





Project Name:




**Holly Theater Exterior Modifications**

Map/Taxlot:

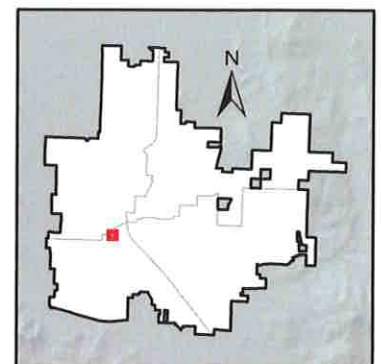
372W25AD 1600, 1700



**Legend**

-  Subject Area
-  Tax Lots
-  Zoning Districts

*Date: 8/17/2022*



## 10.188 Historic Review.

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(3) *Historic Review, Approval Criteria.* Approval of Historic Review applications shall require findings that the proposal is consistent with the indicated approval criteria:

(a) *Changes to the Historic Preservation Overlay.* The extent of the Historic Preservation Overlay may be changed to include a historic resource other than those specified in Section 10.402 (1), (2), and (3) through a Type III Historic Review process if findings can be made substantiating that the proposal is consistent with the criteria below:

(i) It has been demonstrated that the designation of the historic resource is consistent with the purposes of the Historic Preservation Overlay in Section 10.401; and,

(ii) It has been demonstrated that the designation of the historic resource is appropriate, considering the historic value of the resource and any other conflicting values, and will not result in a loss of substantial beneficial use of the property; and,

(iii) It has been demonstrated that the historic resource has a significance rank of "primary" or "secondary" on an historical survey conducted in conformance with the standards of the Oregon State Historic Preservation Office; or, the historic value of the resource has sufficient local significance to merit designation as a Local Historic Resource.

(b) *Exterior Alteration and/or New Construction.* The Landmarks and Historic Preservation Commission shall approve a Historic Review application for exterior alteration and/or new construction within an Historic Preservation Overlay after consideration during a public hearing, if findings can be made substantiating that the proposal is consistent, or can be made consistent through the imposition of conditions, with all of the following criteria:

(i) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the purposes of the Historic Preservation Overlay in Section 10.401; and,

(ii) It has been demonstrated that the proposed exterior alteration and/or new construction will preserve the historic character, form, and integrity of the historic resource; and,

(iii) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the most current version of the The Secretary of the Interior's Standards for the Treatment of Historic Properties; and,

(iv) It has been demonstrated that the proposed exterior alteration and/or new construction is compatible with the historical and architectural style of the historic resource, of adjacent historic properties, and of the historic district within which it is located, if any. Assessment of compatibility may include consideration of the design,



arrangement, proportion, detail, scale, color, texture, and materials, and the way new features will be differentiated from the old; and,

(v) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with all other applicable provisions of this Code.

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(D) *Demolition and Relocation.* The Landmarks and Historic Preservation Commission shall temporarily delay issuance of a demolition or relocation permit for all or part of a building, structure, object or site in an Historic Preservation Overlay, unless, during a public hearing:

1. It is demonstrated that a temporary suspension of the demolition or relocation permit would not aid in avoiding the demolition or relocation of the historic resource; in informing the owner of the benefits of renovation; nor in pursuing public or private acquisition or restoration; and,
2. In the case of a demolition, it is demonstrated that there is no practical opportunity to relocate the historic resource to another site, nor to salvage historic or architectural elements; and,
3. It is demonstrated that the proposed demolition or relocation would not adversely affect the protection, enhancement, perpetuation, improvement, or use of any historic district or other historic resource; and,
4. It is demonstrated that the benefits of protecting the historic resource no longer outweigh the benefits of allowing the demolition or relocation.

(E) *Temporary Suspension of a Demolition or Relocation Permit.*

1. In the case of temporary suspension of a demolition or relocation permit by the Landmarks and Historic Preservation Commission, issuance of the permit shall be delayed for a period of 120 days from the date of application for Historic Review or for the demolition or relocation permit, whichever is earlier.
  2. The Landmarks and Historic Preservation Commission may invoke an extension of the suspension period for an additional period not exceeding 90 days if it determines during a subsequent public hearing that there is a program underway that could result in public or private acquisition, or preservation or restoration of such building, structure, object, or site, and that there are reasonable grounds to believe that such a program will be successful.
  3. During the period of suspension, no permit shall be issued for demolition or relocation, nor shall any person demolish or move the building, structure, object, or site.
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4. At the end of the suspension period, if all such programs have been unsuccessful, the Medford Building Safety Director shall issue a demolition or relocation permit as long as the application otherwise com-plies with all other city ordinances.

(4) *Historic Review, Conditions of Approval.* In approving a Historic Review application, the Landmarks and Historic Preservation Commission may impose conditions necessary to ensure compliance with the standards of this Code and the criteria in this section, and to otherwise protect the health, safety and general welfare of the surrounding area and community as a whole. These conditions may include, but are not limited to the following:

- (a) Limiting the number, height, location and size of signs;
  - (b) Requiring the installation of appropriate public facilities and services and dedication of land to accommodate public facilities when needed;
  - (c) Limiting the visibility of mechanical equipment through screening or other appropriate measures;
  - (d) Requiring the installation or modification of irrigated landscaping, walls, fences or other methods of screening and buffering;
  - (e) Limiting or altering the location, height, bulk, configuration or setback of buildings, structures and improvements;
  - (f) Requiring the improvement of an existing, dedicated alley which will be used for ingress or egress for a development;
  - (g) Controlling the number and location of parking and loading facilities, points of ingress and egress and providing for the internal circulation of motorized vehicles, bicycles, public transit and pedestrians;
  - (h) Requiring the retention of existing natural features;
  - (i) Modifying architectural design elements including exterior construction materials and their colors, roofline, fenestration and restricting openings in the exterior walls of structures;
  - (j) Restricting the height, directional orientation and intensity of exterior lighting.
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