

MINUTES
HISTORIC LANDMARKS COMMISSION WORK SESSION
September 16, 2021

COMMISSIONERS PRESENT

Carroll Cottingham, Vice-Chair
Jessica Curteman
Jamie French
Brett Fuller
Steven Ponce
Patricia Mulvihill
Kelly Thomas
Andrew Zimmerman

STAFF PRESENT

Kimberli Fitzgerald, Historic Preservation Officer
Lisa Anderson-Ogilvie, Deputy Community Development Director and Planning Administrator
Thomas Cupani, Deputy City Attorney
Zachery Cardoso, Recorder

COMMISSIONERS ABSENT

Tracy Schwartz, Chair

1. CALL TO ORDER:

Vice-Chair Cottingham called the meeting to order at 5:30 P.M.

2. Roll call was taken and quorum was established.

3. PUBLIC COMMENT:

Marvin Sannes, 640 15th St NE, Salem

4. APPROVAL OF MINUTES

a. Minutes of July 15, 2021

Motion: Move to approve the minutes.

Motion by: Commissioner Zimmerman

Seconded by: Commissioner Fuller

Questions or Comments by: The Recorder pointed two small errors

Vote:

Aye: Cottingham, Curteman, French, Fuller, Ponce, Mulvihill, Thomas, Zimmerman

Nay:

Absent: Schwartz

Abstentions:

Action: Moved to approve the minutes with corrections.

VOTE:

Yes 7 No 0 Abstain 0 Absent 2 (Mulvihill, Schwartz)

.....

5. DESIGN REVIEWS

a) Historic Design Review – Case No. HIS19-19MOD1 for 195-197 Commercial St SE

Major Historic Design Review of a proposal to modify a previous historic design review approval (HIS19-19) to modify the originally approved window type on the upper stories of the proposed new seven-story hotel on property totaling approximately 0.47 acres in size, zoned CB (Central Business District) within the Salem Downtown Historic District, and located at 195 to 197 Commercial Street SE (Marion County Assessor Map and Tax Number(s):

The Vice-Chair opened the public hearing at 5:42 p.m. and directed staff to read the applicable criteria into the record. The recorded needed time to prepare the statement. The Vice-Chair asked if there were any conflicts of interest or ex parte contacts and whether anyone had not gone in to view the physical resource for this case. All commissioners present have viewed the physical resource except Commissioner French.

Kimberli Fitzgerald, Historic Preservation Officer, entered the Staff Report, all attachments and testimony into the record. Ms. Fitzgerald then summarized the proposal and outlined the applicable criteria, highlighting each criterion and how specific proposal components addressed that criterion.

Staff Recommendation: 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.

Commissioner Mulvihill joined the meeting at 5:48. She confirmed that she did see the physical resource.

Questions for Staff by: Commissioner Thomas

Persons Testifying

- Bob Thompson and Iain Mackenzie, 920 SW 6th Ave, Portland OR

Questions for the applicant: None

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Rebuttal: None

Additional questions for staff: None

The Vice-Chair asked if anyone would like to keep the record open for additional testimony.

With no request, the Vice-Chair closed the public hearing 6:01 p.m. and the Commission proceeded to deliberations.

Motion: Move to approve staff recommendation.

Motion by: Commissioner Thomas
Seconded by: Commissioner Mulvihill

Questions or Comments by: Commissioners Thomas, Cottingham

Vote:
Aye: Cottingham, Curteman, Fuller, Mulvihill, Ponce, Thomas, Zimmerman
Nay:
Absent: Schwartz
Abstentions: French

Action: Moved to approve Staff recommendation.

VOTE:
Yes 7 No 0 Abstain 1 (French) Absent 1(Schwartz)

6. ACTION ITEMS:

- a) Salem Heritage Neighborhood Program – Highland Nomination

Kimberli made a presentation on the designation of Highland Neighborhood as a designated Heritage Neighborhood.

STAFF RECOMMENDATION: Approved the Designation and draft a letter to the Highland Neighborhood.

Testimony: Christian Kelly, 2045 Laurel Ave SE, Salem
Leigha Gaynair, 1915 Maple Ave NE, Salem

Questions for Testimony: Commissioner Curteman, Thomas, Zimmerman, Fuller

Motion: Move to approve staff recommendation.

Motion by: Commissioner French
Seconded by: Commissioner Zimmerman

Questions or Comments by: Commissioners French, Zimmerman, Cottingham

Vote:
Aye: Cottingham, Curteman, French, Fuller, Ponce, Mulvihill, Thomas, Zimmerman
Nay:
Absent: Schwartz
Abstentions:

Action: Moved to approve staff recommendation.

VOTE:

Yes 8 No 0 Abstain 0 Absent 1 (Schwartz)

b) State Library National Register Nomination

Kimberli gave a presentation on the nomination of the State Library to the National Register. SHPO is requesting comments on the application

STAFF RECOMMENDATION: Direct staff to write a letter of support for this nomination.

Questions for Staff: None

Motion: Move to instruct staff to write a letter of support with the addition of suggesting separating out the contributing and non-contributing features for a stronger nomination.

Motion by: Commissioner French
Seconded by: Commissioner Mulvihill

Questions or Comments by: Commissioners French, Ponce, Mulvihill, Cottingham

Commissioner Mulvihill left the meeting at 6:45

Vote:

Aye: Cottingham, Curteman, French, Fuller, Ponce, Thomas, Zimmerman
Nay:
Absent: Mulvihill, Schwartz
Abstentions:

Action: Moved to approve staff recommendation.

VOTE:

Yes 7 No 0 Abstain 0 Absent 2 (Mulvihill, Schwartz)

c) Mill Creek Correctional Facility Proposed Mitigation

Commissioner French declared a conflict of interest and abstained from participating in this action item.

Kimberli led a presentation on the Mill Creek Correctional Facility.

Staff Recommendation: Write a letter of support for the mitigation.

Testimony:
Tracy Wilder, 3601 State St, Salem OR

Questions from Commissioners: Zimmerman, Fuller, Curteman, Thomas, Ponce, Cottingham

Motion: Direct staff to write a letter and include additional mitigation for archeological resources and on-site interpretation and a cleared explanation of what resources are being mitigated.

Motion by: Commissioner Fuller

Seconded by: Commissioner Curteman

Questions or Comments by: Commissioners Fuller, Thomas, Curteman

Motion: Amend the motion to clarify the letter is in support, include additional mitigation for archeological resources and on-site interpretation and a clearer explanation of what resources are being mitigated. The letter also contains a recommendation for a donation of .1% of sale to the city of Salem, and permits be required for any ground disturbing activity in known archaeological sites and includes stronger language to protect any future discovered archaeological sites.

Motion by: Commissioner Thomas

Seconded by: Commissioner Fuller

Questions or Comments by: Commissioners Fuller

Vote:

Aye: Cottingham, Curteman, Fuller, Ponce, Thomas, Zimmerman

Nay:

Absent: Mulvihill, Schwartz

Abstentions: French

Action: Amend the motion to clarify the letter is in support, include additional mitigation for archeological resources and on-site interpretation and a clearer explanation of what resources are being mitigated. The letter also contains a recommendation for a donation of .1% of sale price to the city of Salem Historic Preservation Program, and permits be required for any ground disturbing activity in known archaeological sites and includes stronger language to protect any future discovered archaeological sites.

VOTE:

Yes 6

No 0

Abstain 1 (French)

Absent 2 (Mulvihill, Schwartz)

Amended Motion: Staff write a letter in support, including additional mitigation for archeological resources and on-site interpretation and a clearer explanation of what resources are being mitigated. The letter also contains a recommendation for a donation of .1% of sale price to the city of Salem Historic Preservation Program, and permits be required for any ground disturbing activity in known archaeological sites and includes stronger language to protect any future discovered archaeological sites.

Motion by: Commissioner Fuller

Seconded by: Commissioner Curteman

Questions or Comments by: Commissioners Fuller

Vote:

Aye: Cottingham, Curteman, Fuller, Ponce, Thomas, Zimmerman

Nay:

Absent: Mulvihill, Schwartz

Abstentions: French

Action: Staff write a letter in support, including additional mitigation for archeological resources and on-site interpretation and a clearer explanation of what resources are being mitigated. The letter also contains a recommendation for a donation of .1% of sale to the city of Salem, and permits be required for any ground disturbing activity in known archaeological sites and includes stronger language to protect any future discovered archaeological sites.

VOTE:

Yes 6 No 0 Abstain 1 (French) Absent 2 (Mulvihill, Schwartz)

At 7:24 Vice Chair Cottingham called for a brief recess.

At 7:30 the meeting resumed

d) SHPO Oregon Heritage: Disaster Preparedness, Recovery, & Resilience

Kimberli led a presentation on the program.

STAFF RECOMMENDATION: Write a letter of support asking to participate in the program

Commissioner French declared an exparte contact as an employee of Oregon SHPO. Commissioner Curteman declared that they work on disaster relief with FEMA

Questions and Comments: Commissioner French, Curteman, Ponce.

Motion: Move to approve staff recommendation.

Motion by: Commissioner French

Seconded by: Commissioner Zimmerman

Questions or Comments by: Commissioners French, Cottingham

Vote:

Aye: Cottingham, Curteman, French, Fuller, Ponce, Mulvihill, Thomas, Zimmerman

Nay:

Absent: Schwartz

Abstentions:

Action: Moved to approve staff recommendation.

VOTE:

Yes 7 No 0 Abstain 0 Absent 2 (Mulvihill, Schwartz)

7. DISCUSSION ITEMS:

- a. Hispanic Heritage Month
- b. Heritage Grant – 2022-2023

Commissioner Thomas left the meeting due to technical difficulties at 7:42

- c. Workplan Check-in
 - i.
- d. Newsletter Assignments
 - i.

8. HISTORIC PRESERVATION OFFICER REPORT

- a) Restore Oregon granted an award to Fork Forty for Historic Preservation

With no further business to discuss, the meeting was adjourned at 7:53 p.m.

Prepared by: *Zachery Cardoso, Recorder*
September 16, 2021

APPROVED: October 21, 2021