

## SALEM PUBLIC ART COMMISSION MEETING

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### Commissioners

Chris D'Arcy – Chair  
Vacant – Vice Chair  
Paula Booth  
Michael Hernandez  
Kelly James  
Spencer Emerick  
Zach Hull

### City Staff

Heather Dimke, Management Analyst  
Kimberly Spivey, Staff Assistant  
Marc Weinstein, Assistant City Attorney

### Next Meeting

April 13, 2022, 9:30-11:30 a.m.  
Digital

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### DIGITAL MEETING AGENDA

**Wednesday, March 9, 2022**

9:30 a.m. – 11:30 a.m.

This regular meeting of the Salem Art Commission will take place virtually, with remote attendance by the Commission. Please submit written comments or a request to provide in-person comments to Heather Dimke, Management Analyst, at [hdimke@cityofsalem.net](mailto:hdimke@cityofsalem.net) by 8:00 a.m. or earlier, on the day of the meeting. Any comments received will be addressed during the public comment period.

Interested persons may also view the meeting on the City of Salem You Tube Channel at the following link:  
[https://www.youtube.com/channel/UCQLj9RKZNHu4wfYcs\\_TC0TA](https://www.youtube.com/channel/UCQLj9RKZNHu4wfYcs_TC0TA)

1. **Call to Order / Introductions**
2. **Public Comment** (items not already on the agenda)
3. **Approval of Consent Agenda**
  - Agenda for March 9, 2022
  - Minutes of January 12 & February 16, 2022
4. **Adopt Hearings Procedure for Public Murals**  
(Procedures must be adopted prior to Public Hearing)
5. **Public Hearing**
  - a. Proposal for Public Mural
    - Valley Roofing & Exteriors - 4910 Turner Rd. SE
6. **Action Items**
  - a. Commission Officer Election – Vice-Chair
  - b. Preferred Maintenance/Base – *The Drummer* (Robert Hess)

## **7. Discussion Items**

### **a. Regional Mural Workshops**

### **b. Updates:**

- Intersectional Art – Street Painting
- Rivers Condo Mural Update
- Eco-Earth Globe
- Public Works Operations Bldg.  
- % Public Art
- Library Art Hall

## **8. Commissioner's Comments**

## **9. Adjourn**



## Public Works Department

555 Liberty Street SE / Room 325 • Salem OR 97301-3513 • Phone 503-588-6211 • Fax 503-588-6025

### Salem Public Art Commission

February 16, 2022

ONLINE

#### Commissioners Present

Chris D'Arcy, Chair  
Spencer Emerick  
Paula Booth  
Zach Hull (Portion of Mtng)

#### Guests

Christy Riddell (Mural Project – The Rivers Condominiums)  
Linda Nishioka (Mural Project – The Rivers Condominiums)

#### Staff

Heather Dimke, Public Works  
Courtney Knox Busch – City Manager's Office  
Chris Neider – Community Development

- 
1. **Call to Order** – With a quorum present, Chair D'Arcy called the meeting to order at 9:35 a.m.
  2. **Introductions**- Chair D'Arcy welcomed all Commissioners and guests to the meeting. Everyone introduced themselves for the record.
  3. **Public Comment**

Christy Riddell and Linda Nishioka joined the meeting to provide updates on planning efforts for a large mural on the Rivers Condominium in downtown Salem. Ms. Riddell shared that the Homeowner's Association Board (The Rivers) has approved the mural and that a mural application will be submitted shortly. To assist with the necessary funding (approximately \$100-130K) that will be needed, Ms. Riddell and Ms. Nishioka are looking into the possible formation of a separate nonprofit corporation. They are also looking into another non-profit organization out of the Portland (Forest for the Trees) that helps to facilitate mural projects. Two images of the proposed mural (by artist Andy Eccleshall) were shared with the group.

#### Transportation and Utility Operations

1410 20<sup>th</sup> Street SE / Building 2  
Salem OR 97302-1209  
Phone 503-588-6063  
Fax 503-588-6480

#### Parks Operations

1460 20<sup>th</sup> Street SE / Building 14  
Salem OR 97302-1209  
Phone 503-588-6336  
Fax 503-588-6305

#### Willow Lake Water Pollution Control Facility

5915 Windsor Island Road N  
Keizer OR 97303-6179  
Phone 503-588-6380  
Fax 503-588-6387

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Servicios razonables de accesibilidad se facilitarán por petición

#### 4. **Approval of Agenda and Minutes**

- a. Approval of the February 16, 2022, consent agenda and the January 12, 2022 minutes.

**A quorum of Commissioners was not present.**

#### 5. **Discussion Items**

##### a. **Salem Community Improvement Bond:**

Courtney Knox Busch (City Manager's Office) provided an update on the proposed Salem Community Improvement Bond. Staff are presently in the process of collecting feedback from the community on improvement projects that would be considered as part of the proposed bond package. This would be a general obligation bond (for large capital improvement projects) that would provide up to \$300M over next ten years without changing the existing tax rate. The complete bond proposal would be presented to voters in November 2022.

Ms. Busch shared slides showing the present funding needs by category (i.e., Streets & Sidewalks, Fire Engines & Equipment, Parks, Seismic Improvements, etc.), and clarified that bond funds can support improvement projects but cannot be used for ongoing operating/staffing costs. The Council Steering Committee will convene on Friday (February 18) to review existing feedback and survey results, will submit a recommended bond package to City Council in March. A City Council work session on the bond package is anticipated for April.

Chair D'Arcy asked about potential funding to replace the fencing around the Eco-Earth Globe as well as the potential for an improvement project in Bush Park that would recognize the history of the Native American Tribes. Mr. Hull asked if funding for streets/sidewalks projects could also incorporate public art. Ms. Busch confirmed that the City is open to all ideas and that Fire Station or Civic Center improvements would generate funds to public art per Salem Revised Code Chapter 15 (Public Art). Mr. Hull also asked about opportunities for the placement of murals. Chair D'Arcy also shared a project idea for artwork that would be part of a new proposed pathway/tunnel connecting Riverfront Park to City Hall (under the Commercial Street bridge). Ms. Busch confirmed that the Pringle Creek Trail has been suggested and that she would add the reference to public art. Commissioner Emerick asked about potential alley improvements and the potential for a community plaza area in downtown Salem.

Project ideas can continue to be submitted via the online portal on the City's website at: <https://www.cityofsalem.net/Pages/salem-infrastructure-bond.aspx>

##### b. **Peace Plaza/50<sup>th</sup> Anniversary Celebration:**

Ms. Busch shared that a funding request has been submitted to the legislature for improvements to Peace Plaza (including additional green space, additional parking, and repairs to the Crescent Probe) to better activate the space. If funding is received, additional ideas for improvements and priorities would be requested from the



community as part of the 50 Year Celebration (August 18). City staff will be meeting to continue planning efforts for the August event(s). Elements that will be incorporated into the celebration include the history/pre-history of the Civic Center location, the building architecture, and the people that were present and participating when the facility first opened, and additional education opportunities (historic interpretive panels). There are also opportunities to provide engagement efforts around public art. Several different community partners will be invited to participate in the planning process.

Chair D'Arcy noted that the spikes which surround the Crescent Probe are considered part of the artwork and that plans to renovate the sculpture and surrounding area should consider the original agreement and history of the piece. Ms. Busch confirmed that Civic Center has been nominated as a Historic Resource and, as such, renovations will require negotiation with the State Historic Preservation Office. Ms. D'Arcy further expressed interest that the celebration planning includes elements that incorporate and reflect the cultural diversity of the Salem community.

Carlee Wright (Guest - Press Play Salem) expressed an interest in participating in the celebration planning and in efforts that will help the space to be used more often by the community. Ms. Wright also expressed an interest in bringing a public art project called "Before I Die" (four large chalkboard panels) to a covered area at the Civic Center.

**c. Americans for the Arts National Economic Impact Study:**

Chris Neider (staff liaison to Cultural & Tourism Promotion Advisory Board - CTPAB) shared that Loira Sponko (Community Arts Coordinator - Oregon Arts Commission) recently visited the CTPAB to see if the City of Salem would have interest in participating in an Americans for the Arts (AFA) Economic Impact Study. The City of Eugene participated in this study in 2016 and received a report that outlines the economic impact of arts/cultural non-profit groups on local tourism. The CTPAB (and local organizations that participate in CTPAB and receive Transient Occupancy Tax funding) encouraged Salem participation with this study, and on January 24, 2022, the City Council authorized the City Manager to contract with the Americans for the Arts and Oregon Arts Commission for this study.

A contract is in place and small Subcommittee with members from local arts organizations is being formed to help facilitate the collection of 800+ surveys that will need to be completed using a proprietary form from the AFA. The subcommittee will also work to compile a list of arts related organizations in the Salem area. The survey effort is expected to begin in May of 2022.

Chair D'Arcy agreed that these types of studies can provide new information/data that may assist with funding requests that support local efforts. This will also provide an opportunity to highlight the level of related activity already underway in Salem. Chair D'Arcy asked if this study would gauge impact of individual artists or if it is limited to local non-profit organizations. Mr. Neider explained that the focus is anticipated to be on local organizations but has not yet received additional detail from the AFA.

Those that are interested in participating in the Subcommittee are encouraged to reach out to Mr. Neider ([CNeider@cityofsalem.net](mailto:CNeider@cityofsalem.net)). Staff will provide SPAC a copy of the report that was completed for the City of Eugene (this was shared with City Council on January 24).

**d. ½ Percent for Public Art – Public Works Operations Building:**

The Selection Committee (includes one representative from Hacker Architects, one representative from Salem Public Works, and two representatives from SPAC – Commissioner Booth and Commissioner Hernandez) met on February 11 to review the 27 artist qualification submittals that were received for the new Public Works building. Commissioner Booth noted she had been impressed with the list of artists that submitted information for this project but that it did include a lot of muralists (space for a mural may be a challenge). Commissioner Booth further noted that the discussion and final selection of artists for the second phase went smoothly amongst the group. Five very strong candidates were first initially identified by the Committee. After continued discussion another five artists (ten in all) were selected to move forward to the next phase.

For the second phase, each artist will be invited to create and present to the Committee a specific artwork proposal for the Public Works Operations Building. Each artist will be provided a stipend to create their proposal. Staff will look to schedule two different virtual “Open House” sessions next week to provide additional information to the selected artists about the building design, the final selection process, and to address questions. The final interviews with each artist will be scheduled for the last week in March.

**e. Intersectional Art – Street Painting**

Chair D’Arcy shared that a specific proposal for intersectional art from the Grant Neighborhood moved forward through City Council and that Councilor Stapleton put forth a Motion instructing City staff to develop a proposal for a Street Mural program for Salem. Staff confirmed that the Grant Neighborhood Association submitted a letter to Council in December proposing a street mural at the intersection of Cottage and Belmont Streets. Public Works staff has since created a draft Procedure for “Street Paintings” based off the City of Portland Street Painting Permit program. This draft has been reviewed by legal and other staff and was shared with members of the Grant Neighborhood Assoc. last week (staff will send a copy out to SPAC after this meeting).

Staff shared that through this new program, applications for a Street Painting Permit would be submitted to and approved by Public Works staff. If all required items for the permit (including documentation of support from neighbors), then the permit would be approved. As in Portland, these paintings will only be allowed on neighborhood streets (not high traffic areas), and that the painting designs cannot include words, recognizable symbols, or copyrighted material.

Staff reminded that street paintings are presently not allowed per City Code (SRC Chapter 900 – Signs). As such, the next step will be to move forward with proposed

code revisions for the addition of two new terms (“Street Painting” and “Community Art”) under Salem Revised Code Chapter 15 (Public Art). These would also be added as exemptions to SRC 900 as exemptions.

Chair D’Arcy asked if there will be a fee. Staff anticipates that there will indeed be a permit fee but has not yet seen that level of detail.

f. **Updates:**

Eco-Earth Globe

Chair D’Arcy has attended recent Salem Parks Foundation Board meetings and has learned that approximately \$21K has so far been raised for the globe. She further expressed gratitude for the support that has been received from the Foundation.

The letter of support from SPAC for Local Historic Resource nomination of the Eco-Earth was included with the staff report to the Historic Landmarks Commission (HLC) for their January 20 meeting. Chair D’Arcy and staff attended to and helped to address questions. The Commission did agree to move forward with the nomination and the next steps will include additional public notification, a public hearing at the HLC, and a public hearing at City Council.

The Parks Foundation recently requested a letter of support from the City to provide \$112K of the total estimated funds needed for Eco-Earth repairs. A letter of support was drafted and documents that this request will indeed be presented to City Council as part of the upcoming budget approval process (late spring).

Cost Estimates - *The Drummer* (Robert Hess)

Staff has solicited multiple estimates for the repair of *The Drummer* with the replacement of the base. Staff provided an update on the two detailed proposals that have been received (Architectural Resources Group and Cook Brothers Omnia LLC). The proposals are similar in cost (\$5500 - \$5700) but offer differing approaches to the stabilization of the sculpture and fabrication of the new base. It was suggested that staff reach out to the Oregon Artist Series Foundation, the Hallie Ford Museum, and/or others for additional feedback. Artist Mikkel Hilde may also be able to provide an estimate for this work.

6. **Action Items**

- a. Commission Officer Election – Vice Chair
- b. Preferred maintenance/base fabrication for *The Drummer*

**A quorum of Commissioners was not present. These items will be deferred.**

## 7. **Commissioner Comments**

Chair D'Arcy shared that the Oregon Artist Series Foundation has completed the new gallery space at the Salem Convention Center called the Level 2 Gallery 2, and that artwork from West Salem artist Kristin Kuhns is now on display.

Staff has removed and wrapped the artwork by Amanda Wojick that was previously on display in the new Art Hall at the Library. The artwork has been tucked in a secure space and is awaiting pickup by Ms. Wojick.

A new Request for Proposals has been issued Public Art Conservation & Maintenance contractors of record that will close in March. If anyone from SPAC is interested in participating in the proposal review and selection, please reach out to staff (Commissioner Cotter Howell participated in this process previously).

Staff requested input on potential options forward for murals to be categorized as "Community Artwork" without the need for these to be accepted into the Public Collection. This is still being discussed and would need to be approved by Legal staff with Code Revisions approved through City Council. Chair D'Arcy expressed an interest in seeing activity in all parts of the city as well as in seeing artwork that could become icons in the community. She shared that much of the success around the mural program in Portland is dependent on the collaboration between the City, an active Arts Council, and a non-profit organization. She would like to see better facilitation with the artists, more help provided to artists to navigate the process, and some of the barriers of this process removed. Commissioner Booth agreed that multiple supports that work together to connect artists and locations is important. Commissioner Emerick noted that we have not received any updates from the YMCA regarding a proposed mural at the new site.

**PROCEDURE FOR HEARINGS  
ON PUBLIC ART MURALS (Staff Proposed)**

1. Open the public hearing.
2. Ask if there are any conflicts of interest or ex parte contacts.
3. Call for Staff presentation, including review of section criteria.
4. Ask if the Commissioners have any questions of Staff.
5. Call for the Applicant's presentation. *(Total of 15 minutes for entire presentation—including all representatives).*
6. Ask if there is a Neighborhood Association representative wishing to speak. *(10-minute limit).*
7. Public Testimony, if any *(5-minute limit per person)*. Have written testimony included into the record of the hearing.
8. Ask if there are any additional questions of Staff.
9. Call for the Applicant's Rebuttal, if any.
10. Close the public hearing.
11. Call for a Motion on proposed mural.
12. Proceed to Commission deliberations on proposed mural Motion. *(No additional testimony can be received without formally re-opening the hearing.)*
13. Call for an open role count vote on the proposed mural Motion.
14. Report the result on the record.

**TO:** **SALEM PUBLIC ART COMMISSION**

**FROM:** Heather Dimke, Management Analyst  
Staff Liaison to Salem Public Art Commission (SPAC)

**HEARING DATE:** March 9, 2022

**SUMMARY:** Proposal for painting to be accepted into the Public Art Collection as a Public Mural

**LOCATION:** 4910 Turner Rd. SE, Salem, OR 97317

**APPLICANT(S):** Jon Taylor (Valley Roofing & Exteriors)

**REQUEST:** Review application materials and public testimony submitted for a Public Mural located at 4910 Turner Rd. SE (Marion County Assessors Map and Tax Lot number 082W07C000501)

**CRITERIA:** Salem Revised Code (SRC) Chapter 15 – Public Art  
SPAC Public Art Collection Guidelines, Policies And Procedures

**RECOMMENDATION:** APPROVE

**SUMMARY:**

The applicant is seeking to have an exterior painting on the north façade of a commercial building at 4910 Turner Rd. SE (**Attachment A – Vicinity Map**) accepted into the Public Art Collection as a public mural. The building is located within the Southeast Mill Creek Neighborhood Association (SEMCA). The painting is an Iwo Jima veteran tribute depicting the flag raising atop Mt. Suribachi on February 23, 1945.

**BACKGROUND:**

As stated in the Salem Public Art Commission Guidelines, Policies and Procedures, “The purpose of the Public Mural Program Procedures and Standards is to ensure that Public Mural Program enhances the aesthetics of the City, provides avenues for original artistic expression in the City, provides public edification through access to original works of public art, encourages community participation in the creation of original works of art, and reduces the incidence of graffiti and other crime while increasing community identity and fostering a sense of place.”

Pursuant to [Salem Revised Code \(SRC\) Chapter 15 – Public Art](#) (15.070 through 15.100) and the [Salem Public Art Commission \(SPAC\) Guidelines, Policies, and Procedures](#), all public murals require approval from the Salem Public Art Commission (SPAC) for acceptance into the Public Art Collection. Per the listed requirements, SPAC shall hold a public hearing and receive testimony on the proposed mural from interested members of the public. Public notice shall be provided to the Neighborhood Association where the proposed mural would be placed no later than 30 days before the hearing. This notice shall explain the purpose of the hearing and contain a picture and description

of the mural. A public hearing notice was sent to SEMCA via electronic mail, posted to the City of Salem website, and delivered to the applicant on January 28, 2022 (**Attachment B – Public Hearing Notice**).

The applicant is, in part, seeking approval of the exterior painting into the Public Art Collection as a public mural, to bring the painting into compliance with City codes as resolution of an enforcement action. City codes state that exterior paintings which are not public murals are subject to regulation under the City's sign code. However, City code and SPAC guidelines do not prohibit an existing exterior painting from being approved into the Public Art Collection as a public mural. That the exterior painting has already been created is not a factor of consideration for or against approval as a public mural.

### **FACTS AND FINDINGS:**

Staff reviewed the application materials and has the following findings for the applicable criteria and guidelines.

#### **Criteria: SRC 15.090 - Procedures, Mandatory Criteria for Public Murals.**

- (a) Public murals shall remain in place, without alterations, for a period of not less than seven years, except as may be specified by the Salem Public Art Commission in the conditions of approval.
- (b) In historic districts, public murals may only be allowed on buildings that are non-historic non-contributing buildings or structures. Murals in historic districts shall not be allowed on a building façade. For purposes of this paragraph, the building façade is defined as the wall that contains the main entrance onto the premises.
- (c) No public murals shall be allowed on single family dwellings, duplexes, or multi-family dwellings. As used in this subsection, single family dwellings, duplexes, or multi-family dwellings do not include mixed-use buildings which contain a single-family dwelling, duplex, or multi-family dwellings.
- (d) No public mural may contain electrical components, three dimensional structural elements; employ electrical lights as part of the image, moving structural elements, flashing or sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance of the public mural or changes the mural image or message.
- (e) Public murals shall be located in a manner that is accessible to the public.
- (f) The approval and acceptance of each public mural shall be contingent upon the conveyance of a public mural easement to the City from the owner of the building upon which the mural will be located, in a form approved by the City Attorney. The terms of the easement shall grant the right to create the public mural on the wall of the building and provide that the person granting the easement will maintain and restore the public mural in its original condition for the period of the easement, and state that upon termination of the easement, the mural shall be removed and the building restored to its prior condition.

## **Criteria 15.090 - Findings**

### *Valley Roofing & Exteriors Mural*

**Staff recommends that SPAC find that *Criteria: 15.090 Procedures, Mandatory Criteria for Public Murals (a) through (f)* have been met per the summary below:**

The applicant is requesting approval of an exterior painting on the north facing façade of 4910 Turner Rd. SE.

- The applicant has agreed to maintain the painting for seven years and has submitted a signed notarized public mural easement as part of the application. Staff recommends that the SPAC find that SRC 15.090 (a) and (f) have been met.
- The mural is not in a historic district. SRC 15.090(b) is not relevant to this case.
- Staff recommends that the SPAC find that SRC 15.090 (c) and (d) have been met. The location does not contain any dwelling units or electrical components, three dimensional structural components, electric lighting or moving structural elements.
- The painting is located on the north facing façade of a commercial building and is visible from Kuebler Boulevard and Turner Road SE. Staff recommends that the SPAC find that SRC 15.090 (e) has been met.

## **Criteria: SPAC Guidelines Policies and Procedures (GPP) 8.A.(1) - Public Mural Selection Criteria**

In addition to the criteria established in the Public Art Collection Development Guidelines, criteria for approving public murals include:

- (a) Strength of artist's concept for, and originality of, proposed public mural.
- (b) Demonstrated craftsmanship of artist.
- (c) Appropriateness of scale of the public mural to the wall on which the proposed public mural will be painted/attached.
- (d) Appropriateness of the scale of the public mural to the surrounding neighborhood.
- (e) Architectural, geographical, socio-cultural and/or historical relevance of the public mural to the site.
- (f) General support/advocacy for the public mural from the building owner/user, surrounding neighborhood, adjacent businesses, and arts community.
- (g) Demonstrated ability to complete the proposed public mural on time and within budget.
- (h) If the proposed public mural will be located in a historic district, the proposed public mural:
  - Will be on a building or structure that is "non-historic non-contributing" under historic preservation laws.
  - Will not be located on the building façade. For purposes of this criterion, the building façade is defined as the wall that contains the main entrance onto the premises.
- (i) The proposed public murals will not be located on a single-family dwelling, duplex, or multi-family dwelling. As used in this subsection, single family dwellings, duplexes, or multi-family dwellings do not include mixed-use buildings which contain residences.
- (j) The proposed public mural will not contain electrical components, three dimensional structural elements; employ electrical lights as part of the image, moving structural elements, flashing or



sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance of the public mural or changes the mural image or message.

(k) The public murals will be located in a manner that is accessible to the public.

### **Criteria GPP - Findings**

#### *Valley Roofing & Exteriors Mural*

**Staff recommends that the SPAC find that GPP 8.A.(1)(a) through (f) have been met through the conditions provided below:**

The applicant is requesting SPAC approval of an exterior painting that has been placed on a commercial building 4910 Turner Rd. SE. This is an original painting by artist Mario De Leon. The painting depicts the raising of the American flag atop Mt. Suribachi during the battle of Iwo Jima. Per the application materials (**Attachment C – Application**), this artwork was selected to serve as a tribute to veterans and to “shed light on soldiers of color that served during WWII, including 25,000 Native Americans, 125,000 African Americans, and 500,000 Mexican Americans that fought for and some who paid the ultimate sacrifice for the freedoms we have today.” Artist Mario De Leon was selected to create the painting based on recent artwork and an after an onsite meeting to discuss the project.

The painting in question is on the north facing façade of a commercial building near the intersection of Turner Rd. SE and Kuebler Boulevard SE in Salem. The building sits in a high traffic area that has been zoned for Industrial Commercial use. The size of the painting has been scaled to fit the building façade and is visible to the public from Kuebler Boulevard and Turner Road SE. Continued development to the north of this address may partially obstruct the view from vehicle traffic once completed. Adverse impacts to the building or surrounding neighborhood have not been documented and are not anticipated. Letters from adjacent property owners and members of the community demonstrate public support for the painting to be accepted by SPAC into the Public Art Collection.

**Staff recommends that SPAC find that *Criteria: SPAC Guidelines Policies and Procedures (GPP). 8.A.(1) - Public Mural Selection Criteria (g) through (k)* have been met.**

- As this painting has been completed staff finds that GPP 8.A.(1)(g) does not apply.
- GPP 8.A.(1)(h) through 8.A.(1)(k) have already been addressed per SRC 15.090(b) through 15.090 (e). These conditions have been met.

### **Public Comment**

Summary of comments received during open public comment period (as of March 2, 2022).

- A. Neighborhood Association: The subject property is located in the Southeast Mill Creek Association (SEMCA) neighborhood boundaries. No comments received from SEMCA.
- B. Staff received one email of support and one phone call voicing support for the proposed mural. One additional email of support and signature of report were provided to staff from the applicant (see Attachment B).

Summary of comments received prior to open public comment period (before January 28, 2022).

- A. Approximately 50 emails were submitted to the City Council voicing support for the painting. An estimate of 75-80 phone calls were in the City Manager's Office further voicing support. Staff also received emails and phone calls expressing support. Staff have been informed that Valley Roofing also received high volumes of emails and calls expressing support (see Example Letter in Attachment B).

## **VI. RECOMMENDATION**

According to SRC Chapter 15 and the SPAC Guidelines, Policies, and Procedures Manual, the public mural enhances the aesthetics of the City, provides avenues for original artistic expression in the City, provides public edification through access to original works of public art, encourages community participation in the creation of original works of art, and reduces the incidence of graffiti and other crime while increasing community identity and fostering a sense of place.

Based upon the information presented in the application, the findings as presented in this staff report, and the public testimony received, staff recommends that the Salem Public Arts Commission APPROVE the proposal as submitted.

## **VIII. DECISION ALTERNATIVES**

- A. APPROVE the proposal as submitted by the applicant and indicated on the drawings.
- B. APPROVE the proposal with conditions to satisfy specific guideline(s).
- C. DENY the proposal based on noncompliance with identified guidelines in SRC 15, indicating which guideline(s) is not met and the reason(s) the guideline is not met.

## **VIII. APPEAL**

The decision of the Salem Public Art Commission in this matter is final and may not be appealed.

**Attachments:**

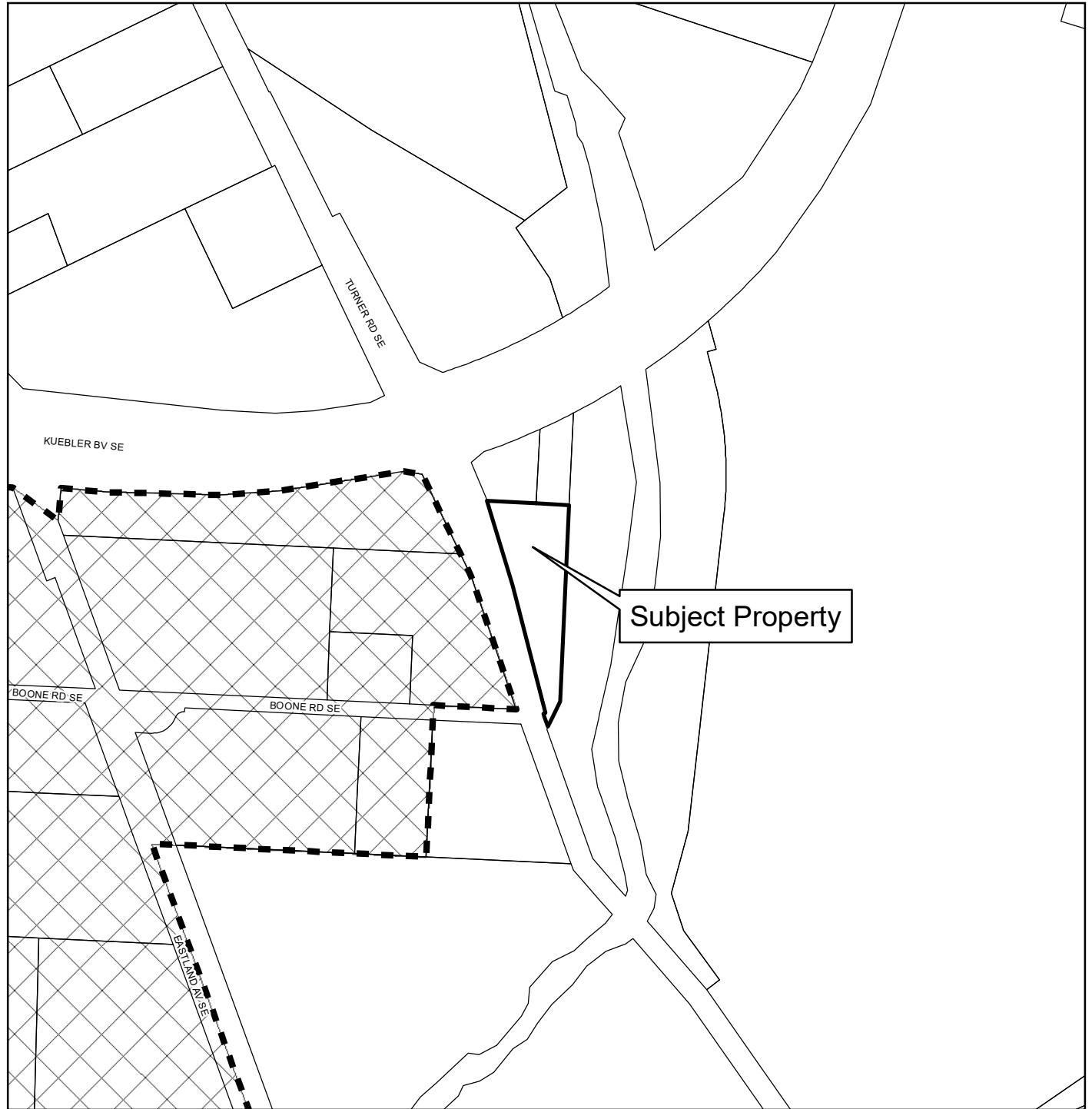
- A. Vicinity Map
- B. Public Hearing Notice and Comments Received
- C. Public Mural Application Materials

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Prepared by: Heather Dimke, Management Analyst - Salem Public Art Commission Staff

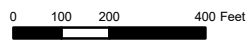
# Vicinity Map

## 4910 Turner Rd SE



### Legend

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



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# HEARING NOTICE

## Proposal for a Public Mural

*There is a public mural proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the staff person listed below. If you need help understanding this information, please call 503-588-2489.*

*Esta carta es un aviso sobre una propuesta de un muro público para la propiedad referida en este aviso y se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-2489.*

### PROPERTY LOCATION:

4910 Turner Rd. SE, Salem OR 97317

### SUMMARY:

The applicant is seeking to have a painting at the above listed property accepted into the Public Art Collection as a public mural. Pursuant to [Salem Revised Code \(SRC\) Chapter 15 – Public Art](#) (15.070 through 15.100), all public murals require approval from the Salem Public Art Commission (SPAC) for acceptance into the Public Art Collection.

### HEARING INFORMATION:

Pursuant to [Salem Revised Code \(SRC\) Chapter 15](#) (15.070 through 15.100) and the [Salem Public Art Commission \(SPAC\) Guidelines, Policies, and Procedures](#), SPAC will hold a public hearing to receive public testimony on a proposal that has been submitted for acceptance into the Public Art Collection as a public mural an exterior wall painting (already completed) on the northern exterior of the building located at 4910 Turner Rd. SE. This building is located within the Southeast Mill Creek Neighborhood Association (SEMCA).  
**Date And Time Of The Public Hearing: Salem Public Art Commission, Wednesday, March 9, 2022, 9:30 a.m.**

**DUE TO SOCIAL DISTANCING MEASURES IN PLACE TO HELP STOP THE SPREAD OF THE COVID-19 VIRUS THIS HEARING WILL BE HELD DIGITALLY.**

To view the meeting LIVE on YouTube please visit this link with any computer, tablet, or smart phone:  
[https://www.youtube.com/channel/UCQLj9RKZNHu4wfYcs\\_TC0TA](https://www.youtube.com/channel/UCQLj9RKZNHu4wfYcs_TC0TA)

### HOW TO PROVIDE TESTIMONY:

Both written and oral testimony will be accepted on this proposal.

**To provide written testimony:** Direct written comment to the staff support listed below. Staff recommends emailing your comments to ensure receipt before the public hearing.



*Note: Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number.*

All written comments must be received by Monday, March 7, 2022, at 5:00 p.m.

**To provide testimony digitally at the public hearing:** Sign up by contacting the staff support listed below to receive the digital meeting instructions.

All requests to attend digitally must be received by Wednesday, March 9, 2022, at 8:30 a.m.

**STAFF SUPPORT:**

**Heather Dimke, Management Analyst**, City of Salem Public Works Department, 555 Liberty Street SE, Room 325, Salem, Oregon 97301. Telephone: 503-588-6211; Email: [hdimke@cityofsalem.net](mailto:hdimke@cityofsalem.net)

**NEIGHBORHOOD ASSOCIATION:**

Southeast Mill Creek Association (SEMCA), Cory Poole, Chair; Email: [robosushi@robosushi.com](mailto:robosushi@robosushi.com)

**MURAL DESCRIPTION:**

This is an Iwo Jima veteran tribute depicting the flag raising atop Mt. Suribachi on February 23, 1945, applied to the northern exterior of the building at 4910 Turner Rd. SE, Salem OR 97317.

**ADDITIONAL INFORMATION:**

Per the SPAC Guidelines, Policies, and Procedures, public notice shall be provided to the Neighborhood Association where the proposed mural would be placed no later than 30 days before the hearing. This notice shall explain the purpose of the hearing and contain a picture (attached) and description of the mural. A copy of this public notice will be placed on the exterior of the proposed location as well as on the City of Salem website under Public Notices: <https://www.cityofsalem.net/Pages/other-public-notices.aspx>

Any person wishing to provide testimony either for or against the proposal may do so in the manner provided in this public notice. The Salem Public Art Commission will receive testimony and make a final decision on the proposal. If the Public Mural Application is approved, notice of the decision will be mailed to the Southeast Mill Creek Neighborhood Association (SEMCA), anyone who participated in the hearing, and anyone who requested to receive notice.

The March 9, 2022 public hearing is an open, public meeting. Special accommodations are available, upon request, for persons with disabilities. Services may be requested for sign language interpretation or languages other than English. To request accommodations or services, please call 503-588-6211 at least two business days prior to the meeting.

**COMMISSION  
PACKET:**

The Salem Public Art Commission Packet will be available seven (7) days prior to the hearing, and will thereafter be posted on the City of Salem website: <https://www.cityofsalem.net/Pages/salem-public-art-commission.aspx>

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

**CRITERIA:**

Salem Revised Code (SRC) Section 15.090 – Procedures, mandatory criteria for public murals; Section 15.100 - Public mural neighborhood involvement.

The Salem Revised Code (SRC) is available to view at this link: <http://bit.ly/salemorcode>. Type in the chapter number(s) listed above to view the applicable criteria.

Salem Public Art Commission Public Art Collection Guidelines, Policies And Procedures Section 8.A.1. Public Mural Program Policy Selection Criteria.

The SPAC Public Art Collection Guidelines, Policies And procedures is available to view at this link:

<https://www.cityofsalem.net/citydocuments/salem-public-art-commission-policies-and-guidelines.pdf>

**NOTICE MAILING  
DATE:**

January 28, 2022 (via electronic mail to: [robosushi@robosushi.com](mailto:robosushi@robosushi.com))



# PROPOSAL FOR PUBLIC MURAL - 4910 Turner Rd. SE





## Heather Dimke

---

**From:** Liz Backer <lizmail217@gmail.com>  
**Sent:** Monday, January 31, 2022 10:01 AM  
**To:** Heather Dimke  
**Subject:** Public Mural - 4910 Turner Rd SE

Hello Heather,

Please allow this email to serve as my support for the mural listed at 4910 Turner Rd SE, Salem, OR 97317 to be approved and accepted into the Public Art Collection.

Thank you,  
Liz Backer



## Heather Dimke

---

**From:** Heather Dimke  
**Sent:** Friday, February 18, 2022 10:49 AM  
**To:** Heather Dimke  
**Subject:** Public Testimony - 4910 Turner Rd. SE

Received a call this morning (2/18) from Patricia Hollenbeck (541-981-1441) confirming support for the mural to stay.

### Heather Dimke

*Management Analyst II*

City of Salem | Public Works Department

555 Liberty St SE, Suite 325, Salem OR 97301-3515

[hdimke@cityofsalem.net](mailto:hdimke@cityofsalem.net)

Office: 503-588-6211 ext. 7389 | Cell: 503-480-4626

[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](http://CityofSalem.net)



**Re: New Message From Valley Roofing - Get An Estimate**

message

Ruth Rava &lt;uthyrava@gmail.com&gt;

Fri, Jan 28, 2022 at 11:03 PM

o: Tana Salinas &lt;office@valleyroofing.org&gt;

I'm so sorry I didn't respond, but we were waiting on our roofer to give us a time for repairs. Well he just let us know that he can't do it at all, so now we are open to meeting with you, again. Please let us know when is a convenient time to stop by. We also wanted to support your business when we saw how much grief you were given for your amazing patriot mural. God bless America! Thank you very much, Ruth

On Fri, Jan 21, 2022 at 3:11 PM Tana Salinas <office@valleyroofing.org> wrote:

Hello Ruth,

Thank you for your inquiry. I have our estimator in your area on Thursday the 27th between 9 am - 2 pm. Would you be okay with me having him stop by with a call ahead of time when he is in your area to take a look at it?

Let me know if this date works for you, and I will go ahead and put it on Joe, our estimator's schedule.

Thank you!

**Tana Salinas**

Office Manager, Valley Roofing &amp; Exteriors

503-383-1406 | 503-580-1325 | Tana@valleyroofing.org

<https://www.valleyroofing.org>

4910 Turner Rd SE Suite 500 Salem, OR 97317

Create your own **email signature**

On Fri, Jan 21, 2022 at 3:06 PM Ruth Rava <mail@valleyroofing.org> wrote:

Name: Ruth Rava

Email: [uthyrava@gmail.com](mailto:uthyrava@gmail.com)

Phone: 5035514705

Address: 16584 Herigstad Rd NE, Silverton, OR 97381,

Message: Looking for roof repair/possibly roof replacement Also wondering about how far out you are scheduled? Thank you, Ruth Rava 16584 Herigstad Rd NE, Silverton, OR 97381, #503-873-5472, #503-551-4705

This form came from the home page top get an estimate.

--

**Tana Salinas**

Office Manager, Valley Roofing &amp; Exteriors

503-383-1406 | 503-580-1325 | Tana@valleyroofing.org

<https://www.valleyroofing.org>

4910 Turner Rd SE Suite 500 Salem, OR 97317

# Support Petition

We support the IWO Jima Flag raising Mural to Stay

We are in support of the Mural to Stay without giving  
up rights to the private property.

We oppose the Mural to be taken down / rights of  
the mural to be taken from the owner  
Jon Taylor.

The undersigned shows support for the opposition of the following \_\_\_\_\_ (projects, construction)

[illegible]



Example: Comment Recieved Prior To Comment Period

STEPHEN M. STUDDERT

January 4, 2022

Mr. Jon Taylor  
Valley Roofing  
4910 Turner Road SE  
Salem, OR 97317

Dear Mr. Taylor:

I am not one to normally write such letters. However, I am more than appalled at the actions of the City of Salem and its officials to order the removal of your patriotic mural honoring our hero Americans in the battle of Iwo Jima.

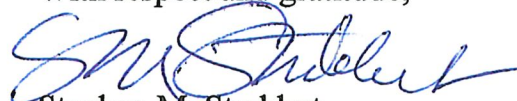
God bless you for standing firm to resist this totalitarian government absurdity.

I am a former senior White House advisor to three U.S. Presidents and have had the honor of representing American Presidents to over one hundred nations. By presidential assignment I have visited every American battle cemetery in Europe and the Pacific. I have been to the Iwo Jima Memorial with my family countless times and with President George H. W. Bush. I treasure the countless sacrifices those places represent, and join you in honoring those great American heroes.

If you do to have to litigate this matter, I will be more than happy to raise money to support those efforts. Just let me now at [sms@mantford.com](mailto:sms@mantford.com) or 801-900-1861.

Thanks for being a courageous American.

With respect and gratitude,

  
Stephen M. Studdert

# MURAL PROCESS APPLICATION FORM - GENERAL

## 1. GENERAL DATA REQUIRED [to be completed by the applicant]

**4910 Turner Rd SE, Salem OR 97317**

ADDRESS OF SUBJECT PROPERTY

**JSRE Investments LLC (ATTN: Jon Taylor)**

(Name of Applicant(s))

*Jon Taylor*

(Applicant's Mailing Address with ZIP Code)

*4910 Turner Rd SE Salem OR 97317*

(Applicant's E-mail Address)

*office@valleyroofing.org*

(Existing Use of Subject Property)

(Day-time Phone / Cell Phone)

*NA*

(Fax Number)

(Comp Plan Designation)

(Zoning)

► **Has contact been made with the Neighborhood Association?**

D Yes ☒ No

► **Owner's Representative** or Design Professional to be contacted by applicant:

**Mario Deleon Studios**

(Name)

*mariodeleonart@gmail.com*

(E-Mail Address)

(Phone/ Cell/ Fax)

## 2. SIGNATURES OF ALL PROPERTY OWNERS and/or Contract Purchasers are required:

Printed: *Jon Taylor*

*Jon Taylor*

(Mailing Address with ZIP Code)

Printed: \_\_\_\_\_

(Mailing Address with ZIP Code)

## 3. SUBMITTAL FEES

Application Fee..... \$ 125.00

Processing Fee.....\$ 12.50

Automation Fee..... \$ 5.00

**Total..... \$ 142.50**

## MURAL WORK PROPOSED

In a Commercial Historic District?

In a Public Historic District?

**NOTE:** There is an additional Archiving Fee of \$.50 per page, charged at time of submission. This fee is waived if electronic versions of all materials are also submitted.

### FOR STAFF USE ONLY

RECEIVED BY \_\_\_\_\_

DATE *1/14/22*

RECEIPT NO. \_\_\_\_\_

N.A. \_\_\_\_\_

WARD NO. *pw*

CASE NO. \_\_\_\_\_

Adjacent N.A. \_\_\_\_\_



## Salem Public Art Commission Public Mural Selection Criteria

### To be completed by Applicant

This form outlines the selection **criteria** that the Salem Public Art Commission uses to select or commission a work of art. Because the Commission uses this information to evaluate the proposed acquisition of public art, please respond thoroughly. [If more space is needed, attach additional statements to this form.]

1. Strength of artist's concept for, and originality of, mural.

Describe how your proposal meets this criteria.

The artwork has been completed. The artist was chosen due to his current book of work, and on site meeting confirming he was the right artist for the job. The goal of the project was a patriotic piece that was a tribute to our veterans, both living and fallen. It was commissioned with artist providing draft concepts for consideration, and giving liberty to the artist to complete the piece his own style and individual input.

2. Demonstrated craftsmanship of artist.

Describe how your proposal meets this criteria.

The work has been completed, see attached. He also has an Instagram to see other work at #supermariopaints.

3. Appropriateness of the design and scale of the mural to the wall on which the mural will be painted / attached.

Describe how your proposal meets this criteria.

The artist was directed to use his best judgment as an artist as to the scale of the project. This was left in artist control

4. Appropriateness of the scale of the mural to the surrounding neighborhood.

Describe how your proposal meets this criteria.

The side wall is well off the main Rd, and not facing Turner Rd traffic. The neighboring two property owners were given a draft design of the project prior to engaging the artist and throughout the process. Both neighboring property owners were supportive of the project.

5. Architectural, geographical, socio-cultural and/or historical relevance of the mural to the site.

Describe how your proposal meets this criteria.

This two Jima mural is a tribute to all soldiers, past an present, with a nod to an important time in history  
This mural also was intended to shed light on soldiers of color that served during WW2, including  
25,000 Native Americans, 125,000 African Americans, and 500,000 Mexican Americans that fought  
for and some who paid the ultimate sacrifice for the freedoms we have today.

6. General support/advocacy for the mural from the building owner/user, surrounding neighborhood, adjacent businesses, and arts community.

Describe how your proposal meets this criteria.

Letters from two adjacent property owners, and local businesses and community members to be provided in supplement to this application. Additionally, there is a petition circulating showing additional support.

7. Demonstrated ability to complete the mural on time and within budget.

Describe how your proposal meets this criteria.

It went slightly over the initial budget, yet is completed and we are quite happy with the work.

8. If the mural will be located in a historic district, the mural:

- Will be on a building or structure that is "non-historic non-contributing" under historic preservation laws.
- Will not be located on the building façade. For purposes of this criterion, the building façade is defined as the wall that contains the main entrance onto the premises.

Describe how your proposal meets this criteria.

Not located in a historic district

9. The mural will not be located on a single family dwelling, duplex, or multi-family dwelling. Single family dwellings, duplexes, or multi-family dwellings do not include mixed-use buildings which contain residences.

Describe how your proposal meets this criteria.

Not located in a residential area.

10. The mural will not contain electrical components, three dimensional structural elements, employ electrical lights as part of the image, moving structural elements, flashing or sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance of the mural or changes the mural image or message.

Describe how your proposal meets this criteria.

Paint and concrete wall are the only two materials used.

11. The mural will be located in a manner that is accessible to the public.

Describe how your proposal meets this criteria.

Yes.

12. Maintenance: Explain how you will maintain the mural for 7 years.

Describe how your proposal meets this criteria.

Property owner is committed to maintaining this mural, and expenses related to this mural, for at minimum 7 years

13. Public Safety: Explain how the mural will not present a safety hazard to the public and will meet applicable federal, state, and local building codes and regulations.

Describe how your proposal meets this criteria

No additional explanation needed. See picture of completed mural.

I certify that the responses are true and correct representations of the mural proposal and may be used as findings and evidence in the decisions made by the Salem Public Arts Commission:

Applicant's Signature: \_\_\_\_\_

Name (Print or Type):

JON TAYLOR

Applicant's Mailing Address: \_\_\_\_\_

4910 Turner Rd SE Salem, OR 97317

Applicant's Phone Number(s) \_\_\_\_\_

Property Owner(s) Signature(s) \_\_\_\_\_

Name(s) (Print or Type):

JON TAYLOR

Property Owners(s) Phone Number(s) \_\_\_\_\_

↓ ↓

Date: \_\_\_\_\_

1/14/2022



Valley Roofing  
& Exteriors



Mario De León studios LLC

Work to be done — IWO JIMA veteran tribute

My rendition of the flag raising atop Mt. Suribachi on February 23rd 1945. Is to show a pivotal part of our history that shaped the world and our country.

Known as one of the "bloodiest wars", over 6000 thousand marines were killed and 20,000 injured.

Something that we cannot fathom today.

With this mural, we honor all who given their life defending our freedom. 27 medals of honor were awarded in this battle. The most in any battle in U.S. history.

This was a group effort involving all ethnicities and religions. Even with the late American hero Ira Hayes being in this painting.

To all our service member past and present we  
thank you.

## Valley Roofing & Exteriors



Mario De León studios LLC

### Work to be done — IWO JIMA veteran tribute

#### Supplies (Columbia art and drafting)

- Montana gold spray paint
- Montana black
- Montana 94
- Scissor lift
- white primer
- various spray paint caps (Level 1 and level 6 caps)
- paint rollers and paint brushes
- various latex paints

#### Application of mural-

No projectors or chalk or pencil is used to apply the painting on the wall. From the mind to the wall.



Wall is checked for cracks, peeling paint. Minor dust, dust dirt or debris are removed if necessary. With the use of spray paint, the direction of the wind also must be taken into account







**After recording return to:**

City of  
SalemCity  
Recorder  
555 Liberty St.  
SERoom 205  
Salem, OR 97301-3503

**EASEMENT**

THIS EASEMENT is between JSRE Investments LLC, Grantor, and the City of Salem, an Oregon municipal corporation, Grantee.

**RECITALS**

- A. The Grantee has adopted a program for the placement of public murals within the Grantee's corporate limits as part of its public art program. The Salem Public Art Commission administers the Grantee's public art program.
- B. Grantor owns the property legally described in "Exhibit A" ("the Property"), which is attached hereto and incorporated herein by reference, and is willing to make the exterior wall of a building or structure on the property available to Grantee for the placement of public mural, as defined in SRC 15.010(k). The public mural is described in "Exhibit B" ("the Artwork"), which attached hereto and incorporated herein by reference.

IN CONSIDERATION of the mutual promises and performances set forth below, the parties agree as follows:

- 1. Grant of Easement.** Grantor conveys, grants and warrants to Grantee, its successors and assigns, an easement for the purpose of inspecting the condition of the Artwork and exhibiting the Artwork on the exterior wall of the building or structure located on the Property. The Artwork and its location on the Property shall be as approved by the Salem Public Art Commission.
- 2. Term of Easement.** This easement shall be for a period of seven years from the date of placement of the Artwork on the Property. Unless terminated as provided in Section 5, this easement shall automatically renew thereafter, and shall remain in full force and effect unless and until terminated.
- 3. Maintenance and Removal of Artwork.** Grantor shall be responsible for maintaining and, if necessary, restoring and repairing the Artwork during the existence of this easement. Grantee may require Grantor to remove the Artwork from the Property if, in the sole judgment of Grantee, the Artwork is being excessively damaged, and Grantor fails or refuses to maintain or repair the Artwork after thirty days written notice from Grantee requesting Grantor to do so.

**4. Right of Entry.** Grantee shall have the right to enter the Property during normal business hours, and at all other times with advance approval of the Grantor, for the purposes described in this easement.

**5. Termination.**

(a) At the expiration of the seven year easement period, this easement shall renew for successive one year terms, unless either party provides thirty days written notice of termination to the other party. Grantor expressly agrees that upon termination, Grantor shall remove the Artwork and repair the Property such that its appearance is consistent with the Salem Revised Code. Such removal shall occur within thirty days of termination of the easement, unless this period is extended in writing by Grantee.

(b) Within the initial seven year easement period, this easement may be terminated by Grantor with Grantee's consent in writing upon Grantor's showing of any of the following:

(i) The Property is to be sold and the buyer requires removal of this easement as a condition of the purchase and sale; or

(ii) The Property is to be refinanced and the lender requires removal of this easement as a condition of the refinancing; or

(iii) The Property is to be substantially remodeled or altered in a way that precludes continued maintenance of the Artwork; or

(iv) Circumstances have materially changed and the continued existence of this easement or maintenance of the Artwork substantially impedes Grantor's reasonable use and enjoyment of the Property.

Grantee shall not unreasonably withhold consent to termination upon Grantor's satisfactory demonstration of any of the foregoing conditions of termination.

(c) Grantee may terminate this easement at any time at its sole discretion upon thirty days written notice to Grantor, should Grantor fail to substantially perform Grantor's obligations under Section 3. Should Grantee elect to exercise this right of termination, Grantor expressly agrees that the Artwork shall be removed and the Property restored to its prior condition. Such removal shall occur within thirty days of the termination of this easement, unless this period is extended in writing by Grantee.

**6. Remedies.** The parties acknowledge that breaches of this easement will affect substantial harm to the public interest, that is difficult or impossible to prove as actual damages. The parties agree that the prevailing party in an action for the breach of this agreement shall be entitled to:

(a) Liquidated damages in an amount of \$2,500 per material breach;

(b) Specific performance of the terms of this agreement;

(d) Any other remedies available at law or in equity.

The remedies under this easement are cumulative. The failure to exercise on any occasion any remedy shall not operate to forfeit the remedy on another occasion. The use of one remedy shall not be taken to exclude or waive the right to use another. The parties agree that Salem Hearings Officer, has jurisdiction over any disputes arising out of this agreement.

**7. Notice.** Notice shall be made to the following addresses, unless otherwise agreed upon, in writing, by the parties:

To Grantor:

JSRE Investments LLC

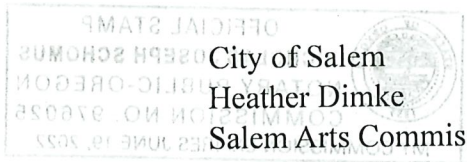
With a copy to:

Jon Taylor

4910 Turner Rd SE

Salem OR 97317

To Grantee:

  
City of Salem  
Heather Dimke  
Salem Arts Commission  
555 Liberty St. SE Salem,  
OR 97301-3503

With a copy to:

Salem City Attorney's

Office 555 Liberty St. SE

Salem, OR 97301-3503

**8. Binding Effect.** This easement shall run with the land and be binding upon and inure to the benefit of the Grantor and Grantee, and their respective successors or assigns, and any person or entity acquiring any right, title, or interest in the Property.

**9. Contractual Relationships; Assignment.** This easement does not constitute either party as the agent or legal representative of the other for any purpose whatsoever. The parties are not granted any express or implied right or authority to assume or create any obligation or responsibility on behalf of the other or to bind the other in any manner whatsoever.

**10. Amendments.** The parties expressly reserve the right to modify this easement, from time to time, by mutual agreement. No modification or amendment of this easement shall be effective unless in writing, signed by authorized representatives of the parties, and recorded in the deed



records of the appropriate county.

11.

**12.Invalidity of Particular Provisions.** Should any term, provision, condition or other portion of this easement or the application thereof be held to be inoperative, invalid or unenforceable, the remainder of this easement or the application of the term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby and shall continue in full force and effect.

**13.No Waiver.** No waiver of full performance by any party shall be construed, or operate, as a waiver of any subsequent default or breach of any of the terms, covenants or conditions of this easement.

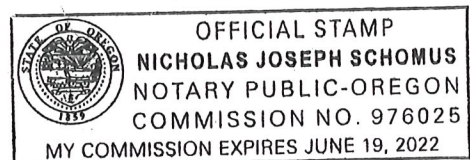
IN WITNESS WHEREOF, the City of Salem has caused this agreement to be executed by its duly authorized representative(s) on 1/14/2022 (date).

GRANTOR:

By: *Jon Taylor*  
JSRE Investments LLC, Grantor

( Jon Taylor, Member JSRE Investments LLC)

STATE OF Oregon )  
SS. )  
County of Marion )



This instrument was acknowledged before me on January 14<sup>th</sup>, 2022 by Nicholas Schomus as witness of the Grantor.

*Nick Schomus*

Notary Public – State of Oregon

GRANTEE:

Accepted on behalf of the City of Salem:

By: \_\_\_\_\_  
City of Salem, Grantee

Salem City Manager

After recording return to: Doug Vande Griend, Atty at Law, 317 Court St. NE, Salem, Oregon 97301 (tel: 503-364-7612)  
Tax statements shall be sent to: (No Change from before)

**Bargain and Sale Deed - Statutory Form (DVG-5410)**

JSRE Investments II, LLC, an Oregon limited liability company, Grantor, conveys to JSRE Investments LLC, an Oregon limited liability company, the following described real property situated in Marion County, Oregon:

A parcel of land lying in Section 7 and 18, Township 8 South, Range 2 West, Willamette Meridian,  
Marion County Oregon and being that property designated as Parcel 13 and described in that deed to  
the State of Oregon, by and through its Department of Transportation, Highway Division, Recorded on  
Reel 623, Page 308 of Marion County Records.

The true consideration for this conveyance is \$0.

Dated this 30 day of November, 2018.

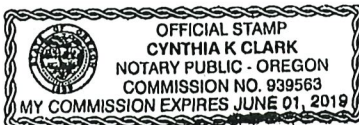
JSRE Investment II, LLC, by:

Jon Isaac Taylor, Member  
Jon Isaac Taylor, Member

Before signing or accepting this instrument, the person transferring fee title should inquire about the person's rights, if any, under ORS 195.300, 195.301 and 195.305 to 195.336 and Sections 5 to 11, Chapter 424, Oregon Laws 2007, Sections 2 to 9 and 17, Chapter 855, Oregon Laws 2009, and Sections 2 to 7, Chapter 8, Oregon Laws 2010. This instrument does not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify that the unit of land being transferred is a lawfully established lot or parcel, as defined in ORS 92.010 or 215.010, to verify the approved uses of the lot or parcel, to determine any limits on lawsuits against farming or forest practices, as defined in ORS 30.930, and to inquire about the rights of neighboring property owners, if any, under ORS 195.300, 195.301 and 195.305 to 195.336 and Sections 5 to 11, Chapter 424, Oregon Laws 2007, Sections 2 to 9 and 17, Chapter 855, Oregon Laws 2009, and Sections 2 to 7, Chapter 8, Oregon Laws 2010.

State of Oregon - County of Marion ) ss.

Personally appeared before me this 30 day of November, 2018, the above named Jon Isaac Taylor, who acknowledged the foregoing instrument to be his/her voluntary act and deed, in the capacity herein indicated.



Notary Public - Oregon  
My Commission Expires June 01, 2019



**REEL: 4146**

**PAGE: 318**

**December 04, 2018, 08:59 am.**

CONTROL #: 532727

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

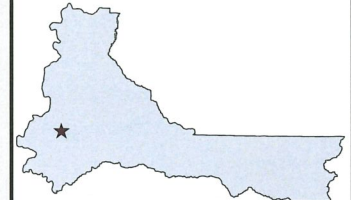
FEE: \$ 86.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

08 2W 07C

24 01 0

08 2W 07C  
SALEM

MARION COUNTY, OREGON  
SW1/4 SEC7 T8S R2W W.M.  
SCALE 1" = 200'

## LEGEND

## LINE TYPES

Taxlot Boundary	Historical Boundary
Road Right-of-Way	Easement
Railroad Right-of-Way	Railroad Centerline
Private Road ROW	Taxcode Line
Subdivision/Plat Bndry	Map Boundary
Waterline - Taxlot Bndry	Waterline - Non Bndry

## CORNER TYPES

+ 1/16TH Section Cor.	1/4 Section Cor.
⊙ DLC Corner	16 15 21 22 Section Corner

## NUMBERS

Tax Code Number

00 00 0

Acreage 0.25 AC All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

## NOTES

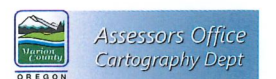
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



## CANCELLED NUMBERS

700	
800	
1100A1	
1100A2	
1100A3	
1100A4	
1201	
1401	
1601	
1602	
1701	
1803	
1804	
1901	
2001	

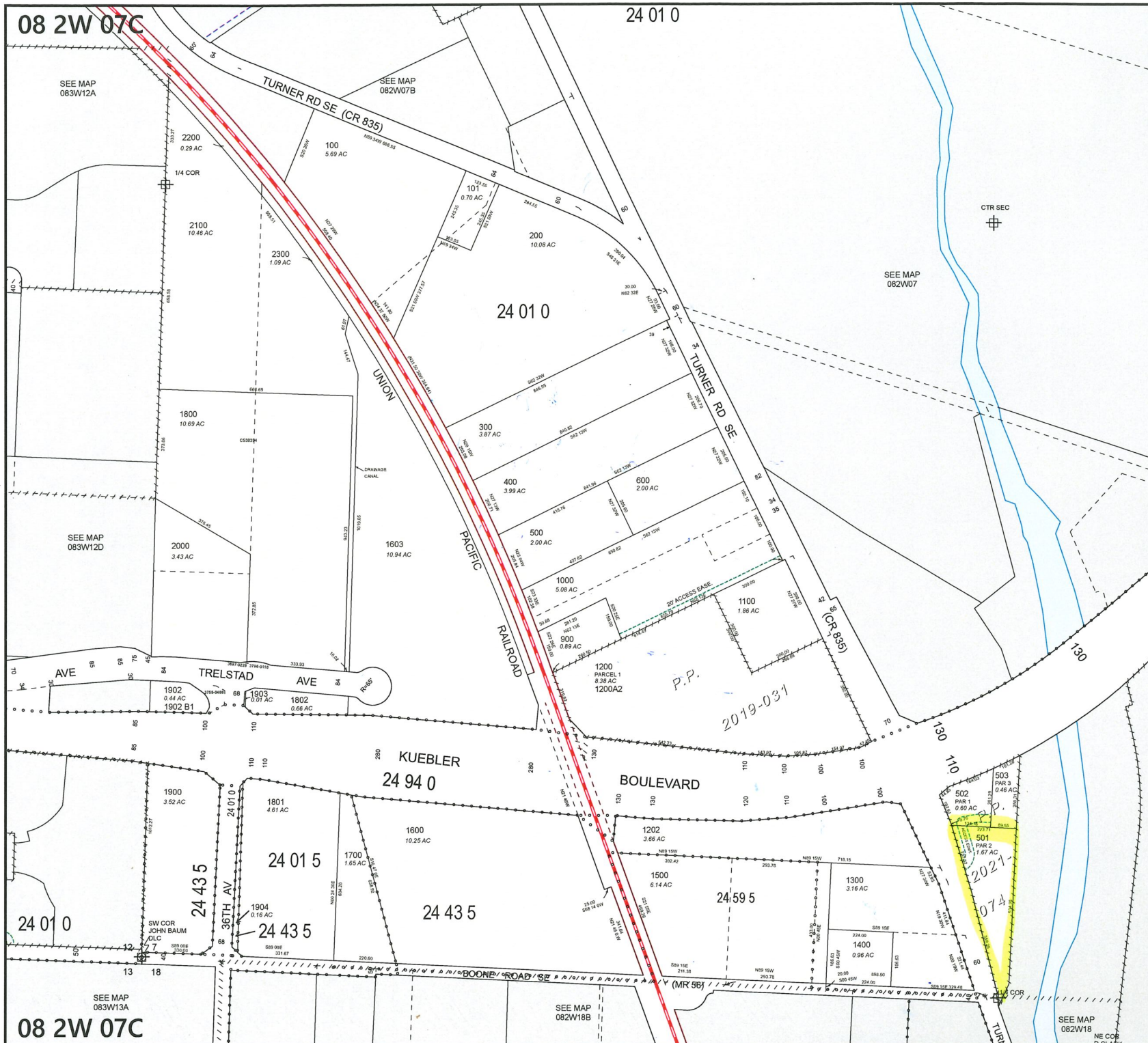
DISCLAIMER: THIS MAP WAS PREPARED  
FOR ASSESSMENT PURPOSES ONLY



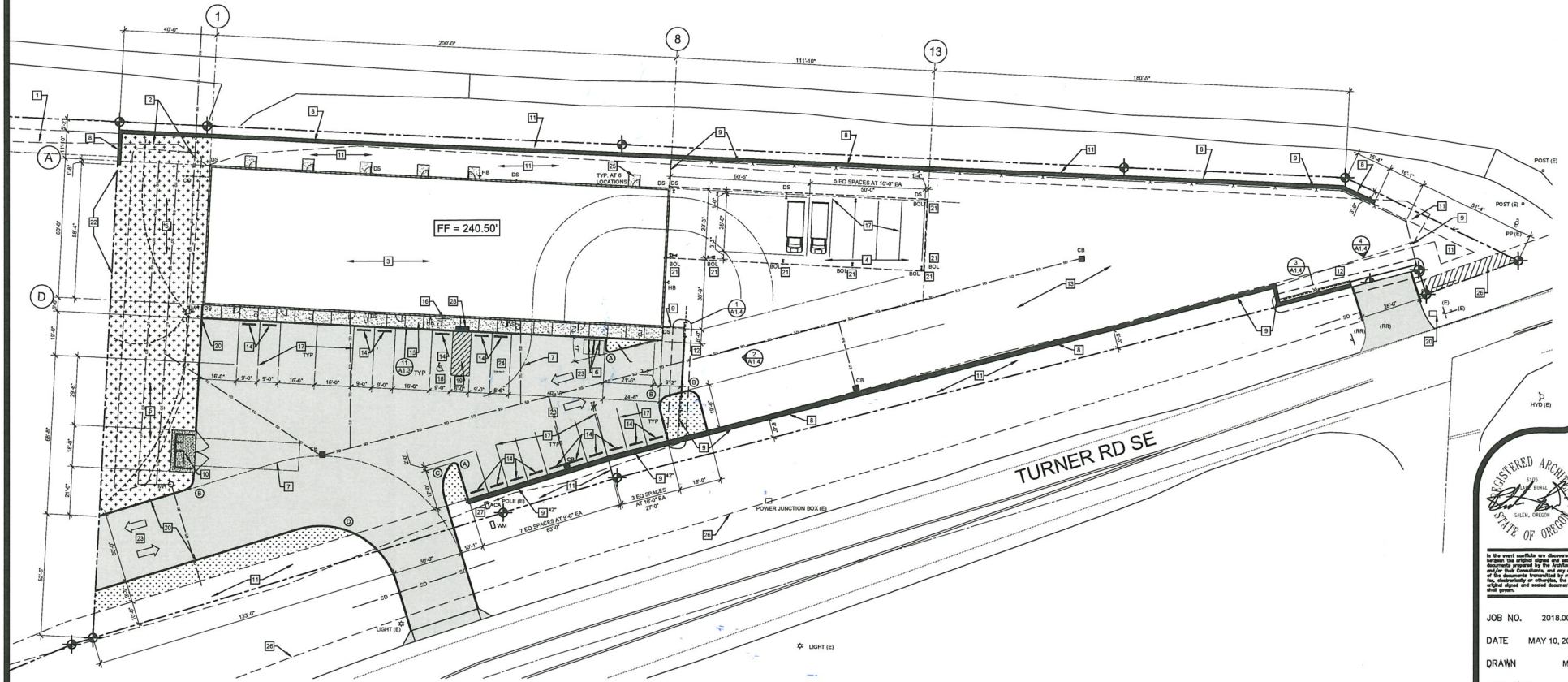
FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
www.co.marion.orus

PLOT DATE: 12/7/2021

SALEM  
08 2W 07C







# 1 PARTIAL SITE PLAN SCALE: 1" = 20'-0"

## GENERAL NOTES:

- GENERAL NOTES APPLY TO ALL DRAWINGS.
- DIMENSIONS ARE TO FACE OF STUDIOS, FACE OF MASONRY AND FACE OF CONCRETE, UNLESS OTHERWISE NOTED. CLEAR DIMENSION IS TO FACE OF FINISHED SURFACE.
- DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT OF ANY DISCREPANCIES OR QUESTIONABLE DIMENSIONS FOR CLARIFICATION PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.

## CURB RADII:

- (A) 2'-0" RADIUS
- (B) 5'-0" RADIUS
- (C) 15'-0" RADIUS
- (D) 35'-0" RADIUS

## SYMBOL LEGEND:

- EXISTING (OR PROPOSED) PROPERTY LINE, REFER TO SURVEY SETBACK LINE
- NEW PARKING LOT LANDSCAPE AREA (SITE LANDSCAPE AREAS NOT HATCHED, REFER TO NOTES SHOWING LOCATIONS)
- CONCRETE SIDEWALK AND/OR PAVEMENT, REFER TO CIVIL DRAWINGS
- ASPHALT PAVING, REFER TO CIVIL DRAWINGS
- NEW CHAIN LINK FENCE, HEIGHT PER PLAN
- NEW CONCRETE CURB, REFER TO CIVIL DRAWINGS AND
- MH (E) EXISTING MANHOLE TO REMAIN, (N) DENOTES NEW, REFER TO CIVIL DRAWINGS
- PP (E) EXISTING POWER POLE TO REMAIN, REFER TO CIVIL DRAWINGS
- (E) EXISTING TREE TO REMAIN, PROTECT AT ALL TIMES, REFER TO LANDSCAPE DRAWINGS
- (E) EXISTING STREET LIGHT TO REMAIN, REFER TO CIVIL DRAWINGS
- (E) EXISTING FIRE HYDRANT TO REMAIN, REFER TO CIVIL DRAWINGS
- (E) EXISTING SIGN TO REMAIN, (N) DENOTES EXISTING TO BE REMOVED AND REINSTALLED, (N) DENOTES NEW
- (E) NEW BOLLARD, REFER TO
- (E) EXISTING VAULT TO REMAIN, REFER TO CIVIL DRAWINGS
- (E) CONTROL JOINT, REFER TO
- NEW STORM DRAIN AT CULVERT, REFER TO CIVIL DRAWINGS
- NEW STORM DRAIN, REFER TO CIVIL DRAWINGS
- GREEN STORMWATER INFRASTRUCTURE, REFER TO CIVIL DRAWINGS
- PERF PIPE, REFER TO CIVIL DRAWINGS
- CATCH BASIN, REFER TO CIVIL DRAWINGS
- Y HB HOSE BIBBE, REFER TO PLUMBING DRAWINGS
- \* DS DOWN SPOUT, REFER TO CIVIL DRAWINGS
- CO CLEAN OUT, REFER TO CIVIL DRAWINGS

## REFERENCE NOTES:

- 1 UTILITY EASEMENT
- 2 FLOOD PLAN REMOVAL LINE, REFER TO CIVIL DRAWINGS
- 3 NEW BUILDING
- 4 NEW STEEL COVERED PARKING AREA
- 5 GREEN STORM INFRASTRUCTURE, REFER TO CIVIL AND LANDSCAPE DRAWINGS
- 6 BIKE RACK, REFER TO
- 7 ACCESS EASEMENT
- 8 RETAINING WALL, REFER TO CIVIL AND STRUCTURAL
- 9 6 FOOT CHAIN LINK FENCE WITH PRIVACY SLATS, U.O.N.
- 10 NEW TRASH CONCRETE PAD WITH ANGLE STOP, REFER TO
- 11 LANDSCAPE AREA, REFER TO LANDSCAPE DRAWINGS
- 12 NEW ROLLING GATE
- 13 GRAVEL STORAGE YARD, REFER TO CIVIL
- 14 WHEEL STOP, REFER TO
- 15 CONCRETE SIDEWALK AT GRADE
- 16 HANDICAPPED PARKING SIGN, REFER TO
- 17 4" PAINTED PAVEMENT MARKINGS
- 18 HANDICAP ACCESSIBLE MARKINGS
- 19 4" DIAGONAL STRIPES AT 24" O.C.
- 20 EXISTING GAS POST AND JUNCTION BOX TO BE REMOVED AND RELOCATED, REFER TO MECHANICAL DESIGN/INSTALL DRAWINGS
- 21 CONCRETE FILLED BOLLARD, REFER TO
- 22 NEW DIMENSION PROPERTY LINE
- 23 PAINTED DIRECTION ARROW
- 24 PAINTED 'COMPACT' AT PAVEMENT
- 25 5'-0" SQUARE LANDINGS AT EACH DOOR
- 26 28 FOOT R.O.W. DESIGNATION, AREA OF HATCH IS LAND TO BE DEDICATED TO CITY OF SALEM
- 27 EXISTING GUY SUPPORT TO BE REMOVED AND REINSTALLED BY UTILITY COMPANY
- 28 TACTILE DOME SURFACING



In the event conflicts are observed between the original digital and printed documents, the printed documents shall prevail. The user of these documents is responsible for any and all errors and omissions and may not rely on the accuracy of electronic files without verification of the printed documents.

JOB NO. 2018.0011  
DATE MAY 10, 2019  
DRAWN MLH  
REVIEWS



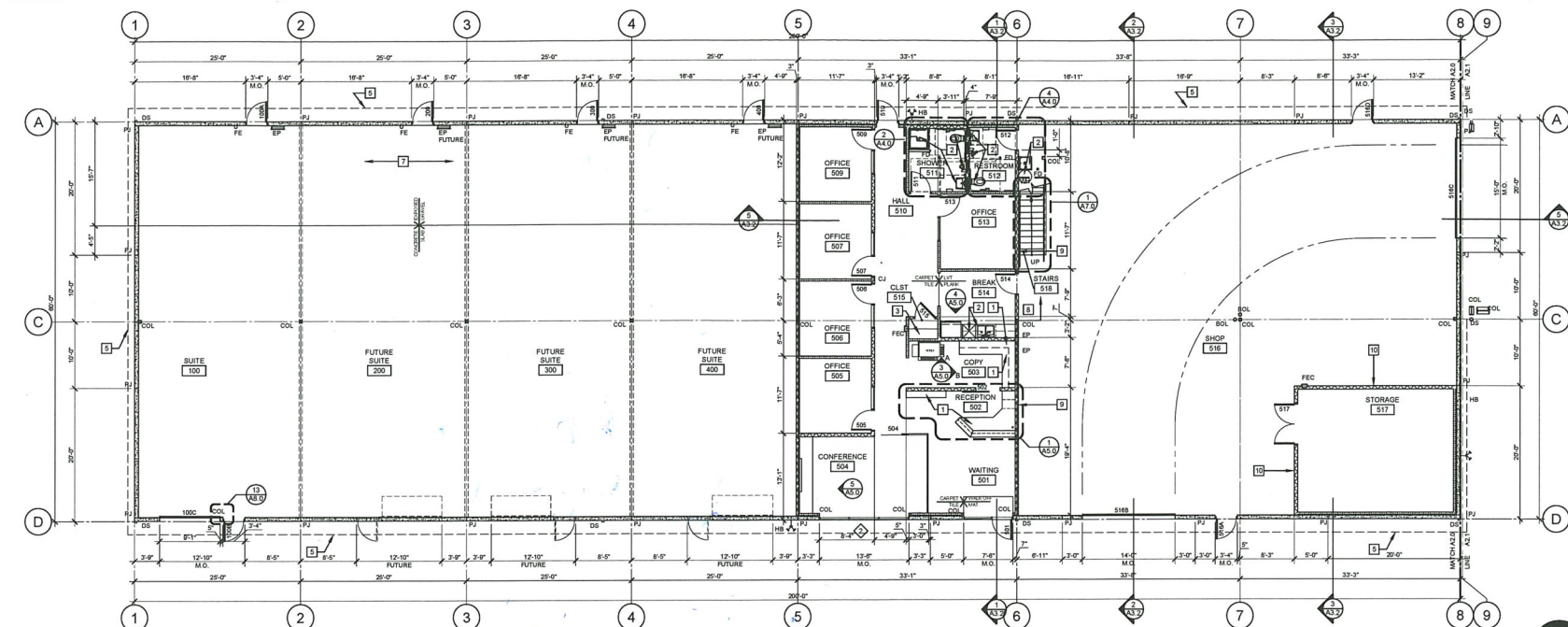
ARCHITECTURE  
COMMUNITY  
CO.  
383 State Street  
Salem, OR  
97301  
P: 503.591.4114  
503.591.4115

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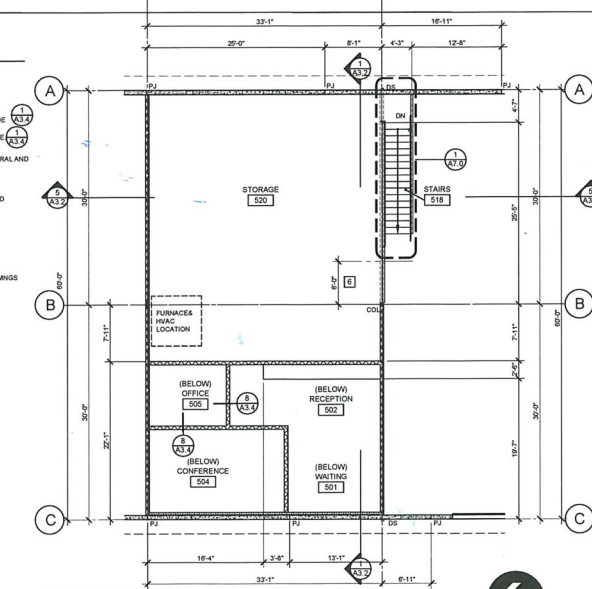


1 MAIN FLOOR PLAN - NORTH  
SCALE: 1/8"=1'-0"

- GENERAL NOTES:**
1. GENERAL NOTES APPLY TO ALL DRAWINGS
  2. DIMENSIONS ARE TO EXISTING FACE OF WALL, FACE OF NEW FRAMING, AND FACE OF EXISTING CONCRETE UNLESS NOTED OTHERWISE.
  3. DRAWINGS ARE DIAGNOSTIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR QUESTIONABLE DIMENSIONS PRIOR TO PROCEEDING WITH AREA OF QUESTIONABLE WORK.

- LEGEND:**
- COL STEEL COLUMN PER STRUCTURAL
  - W WINDOW UNIT, REFER TO A&S
  - 2x4 WOOD STUD WALL WITH 3/4" GYPSUM WALLBOARD EACH SIDE
  - 2x6 WOOD STUD WALL WITH 3/4" GYPSUM WALLBOARD EACH SIDE U.O.N.
  - 2x4 WOOD STUD WITH 1/2" PLYWOOD SHEARWALL PER STRUCTURAL AND 3/4" GYPSUM WALLBOARD EACH SIDE U.O.N.
  - TILT-UP CONCRETE WALL PER STRUCTURAL
  - TILT-UP CONCRETE WALL WITH 1/2" AIR GAP AND 2x4 WOOD STUD FURRING AND 3/4" GYPSUM WALL BOARD ON INTERIOR FACE
  - DOOR AND FRAME, REFER TO DOOR SCHEDULE
  - PANEL JOINT
  - FP ELECTRICAL PANEL, REFER TO ELECTRICAL DESIGN/BLUEPRINTS
  - FEC FIRE EXTINGUISHER CABINET
  - FE FIRE EXTINGUISHER
  - CJ CONTROL JOINT
  - DS DOWNSPOUT

- REFERENCE NOTES:**
- 1 CASEWORK, REFER TO ELEVATIONS
  - 2 PLUMBING FIXTURE, REFER TO PLUMBING DESIGN/BLUEPRINTS
  - 3 ADJUSTABLE SHELVES
  - 4 PAINT COLUMN
  - 5 LINE OF ROOF ABOVE
  - 6 AREA OF EXPOSED COMPACTED GRAVEL
  - 7 EXTEND PLYWOOD TO MATCH TO SHEER WALL
  - 8 1/2" GYPSUM LEAVE PLYWOOD EXPOSED AT SHOP
  - 9 1/2" PLYWOOD FINISH AT SHOP
  - 10 GFG T.V., MOUNT PER ELEVATION



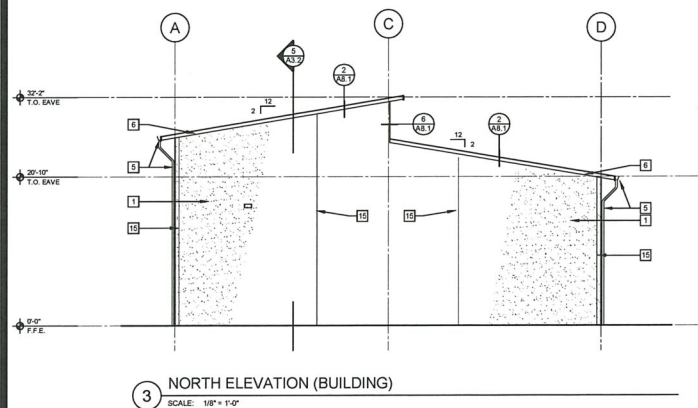
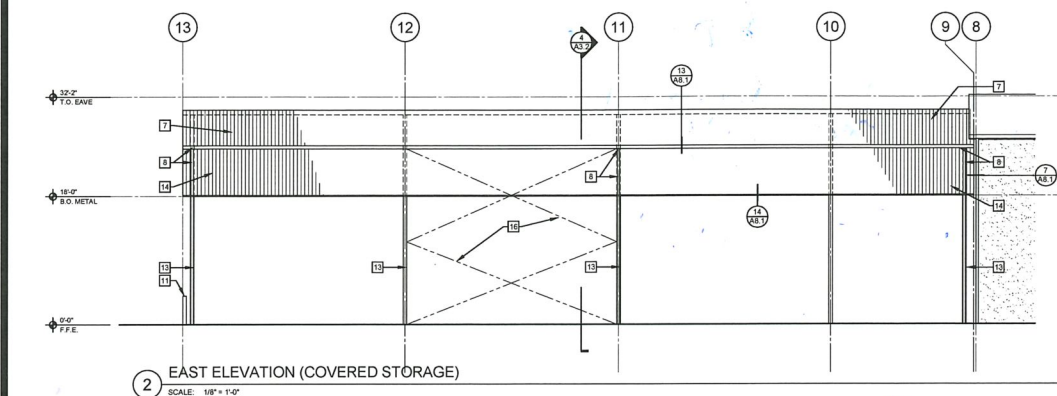
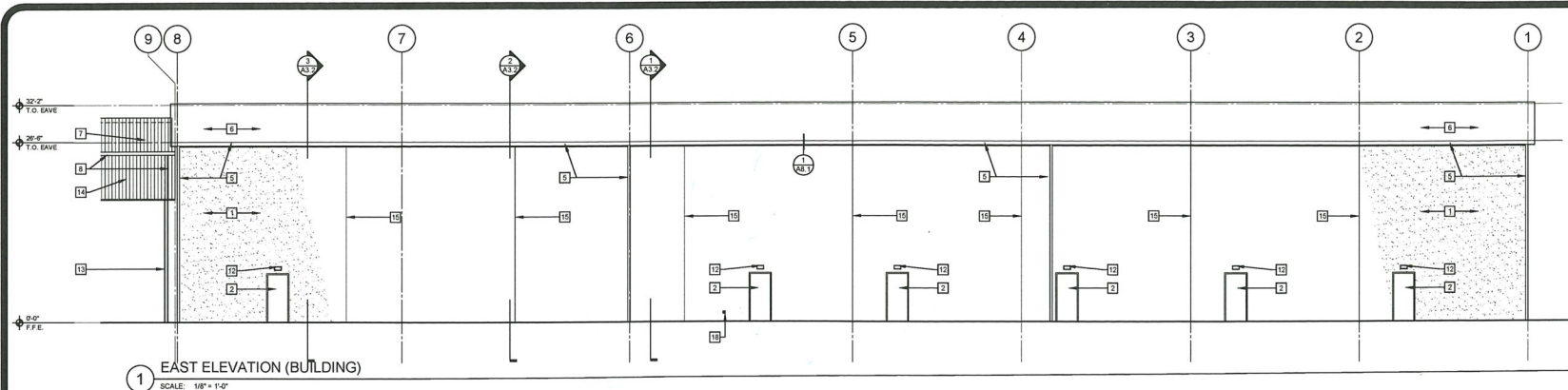
2 MEZZANINE PLAN - NORTH  
SCALE: 1/8"=1'-0"



JOB NO. 2018.0011  
DATE MAY 10, 2019  
DRAWN BB, MLH  
REVISIONS

**ac co**  
ARCHITECTURE  
COMMUNITY  
383 State Street  
Salem, OR 97301-2513  
P: 503.581.4114  
www.accoinc.com  
VALLEY INDUSTRIAL PARK

SALEM, OREGON  
SHEET  
**A2.0**



#### REFERENCE NOTES:

- 1 CONCRETE TILT PANEL, PER STRUCTURAL, PAINT
- 2 DOOR PER PLAN
- 3 WINDOW PER PLAN
- 4 FUTURE DOORS
- 5 PRE-FINISHED GUTTER AND DOWNSPOUT (SEE TYP)
- 6 STANDING SEAM METAL ROOF ASSEMBLY (INSULATED) (SEE TYP)
- 7 PEMB METAL ROOF ASSEMBLY (INSULATED)
- 8 PEMB PRE-FINISHED METAL GUTTER AND DOWNSPOUT
- 9 CEMENTITIOUS BOARD SIDING, PAINT
- 10 CEMENTITIOUS TRAIL PAINT
- 11 BOLLARD (SEE TYP)
- 12 LIGHT, REFER TO ELECTRICAL DESIGN/BUILD DRAWINGS
- 13 PEMB COLUMN, PAINT
- 14 METAL SIDING BY PEMB MFG
- 15 CONCRETE TILT JOINT, TYP (SEE TYP)
- 16 X BRACING BY PEMB MFG, PAINT
- 17 TENANT SIGN NIC, PROVIDE POWER TO LOCATION
- 18 HOSE BIBB, REFER TO PLUMBING DESIGN/BUILD DRAWINGS



In the event conflicts are discovered between the original signed and sealed documents prepared by the Architect and/or their consultants, and any other documents, the original signed and sealed documents shall prevail.

JOB NO. 2018.0011

DATE MAY 10, 2019

DRAWN BB

REVISIONS



ARCHITECTURE  
COMMUNITY  
585 State Street  
Salem, OR  
97301-3633  
P: 503.581.4114  
WWW.ACCOMM.COM

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