

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



*Si necesita ayuda para comprender esta informacion, por favor llame
503-588-6173*

DECISION OF THE HISTORIC PRESERVATION OFFICER

MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS21-04

APPLICATION NO.: 21-107256-DR

NOTICE OF DECISION DATE: May 20, 2021

SUMMARY: A proposal to restore the brick pavers and install a new bench in the Rose Garden at Bush's Pasture Park.

REQUEST: Class 2 Minor Historic Design Review of a proposal to remove and replace the brick within the circular brick sundial, install three new 6ft x 10ft brick/concrete bench pad bases, and install one new bench within the Municipal Rose Garden, a historic contributing feature within Bush's Pasture Park, within the Gaiety Hill/Bush's Pasture Park National Register Historic District on property zoned PA (Public Amusement) and located at 600 Mission Street SE, (Marion County Assessors Map and Tax Lot number: 073W27D00100).

APPLICANT: Christine Chute, Mission Street Parks Conservancy, on behalf of Jennifer Kellar, City of Salem – Parks Department

LOCATION: 600 Mission St SE, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapters 230.025 Site Features

FINDINGS: The findings are in the attached Decision dated May 20, 2021.

DECISION: The **Historic Preservation Officer (a Planning Administrator designee) APPROVED** Historic Design Review HIS21-04 based upon the application materials deemed complete on April 19, 2021 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by June 4, 2021, or this approval shall be null and void.

Application Deemed Complete:	<u>April 21, 2021</u>
Notice of Decision Mailing Date:	<u>May 20, 2021</u>
Decision Effective Date:	<u>June 4, 2021</u>
State Mandate Date:	<u>August 19, 2021</u>

Case Manager: Kimberli Fitzgerald, kfitzgerald@cityofsalem.net, 503-540-2397

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Thursday, June 3, 2021. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 230. The

appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Historic Landmarks Commission will review the appeal at a public hearing. After the hearing, the Historic Landmarks Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

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503-588-6173***

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**HISTORIC DESIGN REVIEW CASE NO. HIS21-04
DECISION**

**IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS21-04)
600 MISSION STREET SE) MAY 20, 2021**

In the matter of the application for a Minor Historic Design Review submitted by Christine Chute, Mission Street Parks Conservancy, on behalf of Jennifer Kellar, City of Salem – Parks Department, the Historic Preservation Officer (a Planning Administrator Designee), having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

SUMMARY: A proposal to restore the brick pavers and install a new bench in the Rose Garden at Bush's Pasture Park.

REQUEST: Class 2 Minor Historic Design Review of a proposal to remove and replace the brick within the circular brick sundial, install three new 6' x 10' brick/concrete bench pad bases, and install one new bench within the Municipal Rose Garden, a historic contributing feature within Bush's Pasture Park, within the Gaiety Hill/Bush's Pasture Park National Register Historic District on property zoned PA (Public Amusement) and located at 600 Mission Street SE, (Marion County Assessors Map and Tax Lot number: 073W27D00100).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this decision (**Attachment A**).

DECISION

APPROVED based upon the application materials deemed complete on April 21, 2021 and the findings as presented in this report.

FINDINGS

1. Minor Historic Design Review Applicability

SRC230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

PROPOSAL

The applicant is proposing to remove and replace the brick within the circular brick sundial, install three new 6' x 10' brick/concrete bench pad bases, and install one new relocated bench

within the Municipal Rose Garden, a historic contributing feature within Bush's Pasture Park. Each of the bench pads will be comprised of a concrete base topped with grouted brick pavers. The existing bench at location "A", which is a pair of two benches will be removed along with the existing brick and a new pad will be installed in location "A1" slightly to the south but more aligned with the overall design of the garden. One of the existing benches will be reinstalled on this pad. A new pad will be installed at location "B" directly to the west of this along the garden axis line on the other side of the garden, and one of the benches from location "A" will be installed on this new pad. At location "C" the masonry bench will be removed and reinstalled after the pad is completed. The benches proposed for installation are either metal and wood or masonry. The bricks within the brick sundial ring will be removed and cleaned, bricks in good condition will be reinstalled and those in poor condition will be replaced with new bricks matching existing in appearance and material. The brick pavers will be reinstalled in the same circular design and pattern and mortared in place over a new concrete base (installed over a compacted aggregate base). The center sundial area will be raised 3-6" to ensure that the paths slope away from the center, ensuring adequate drainage and alleviate ponding of water. Additional alterations proposed include installation of 1 1/2" conduit sleeves under each of the four pathways within the circle in order to accommodate for irrigation. (**Attachment B**). Staff determined that the following standards from SRC 230.025(l) *Standards for Contributing Resources in Residential Historic Districts, Site Features* are applicable to this project.

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

APPLICANT'S STATEMENT

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

Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report. Salem Revised Code (SRC) SRC 230.025(l) *Standards for Contributing Resources in Residential Historic Districts, Site Features* are applicable to this project.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

2. Historic Significance

According to nomination documents the rose garden located at the northwest corner of Bush's Pasture Park was originally designed by landscape architect Arthur Erfelat, a landscape architect and planted in the 1950s. Mrs. A. Roscoe Tartar donated a large number of her roses to this rose garden. Edith Schryver designed the Victorian style garden north of the big rose planting, which is the subject of this review. Additional newspaper research indicates that the Salem municipal rose garden was initially sponsored by the nationally known rose growing firm Peterson & Dering who donated 1000 rose bushes in 1955.

3. Neighborhood and Citizen Comments

The subject property is located within the South-Central Association of Neighbors Association (SCAN). A Request for Comments was sent to the neighborhood association, and surrounding property owners and tenants within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on April 21, 2021. Comments were received from Jon Christenson, SCAN Historic Preservation, Parks & Gardens Committee (**Attachment D**), Richard Pine, Ross Sutherland (Director of the Bush House Museum) (**Attachment E**) and Laurie Sequeira, with only support for the project expressed.

4. City Department and Public Agency Comments

The Building and Safety Division indicates that the applicant must obtain required permits. The Planning Division has reviewed the proposal and has no concerns. The Fire Department and the Public Works Department have no concerns.

5. Historic Design Review

SRC Chapter SRC 230.025(l) *Standards for Contributing Resources in Residential Historic Districts, Site Features* are applicable to this project. Table 230-1 defines this activity as a Class 2 Minor Historic Design Review. Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable criterion.

FINDINGS:

Criteria: 230.025(l) Site Features. *Replacement or alteration of site features of a historic contributing building that are identified as significant features on the historic resource inventory for the district, including, but not limited to, driveways, sidewalks, gardens, significant trees, or geological features is allowed, unless the replacement or alteration would materially alter or destroy the features.*

(1) Materials.

Materials shall duplicate, to the greatest degree possible, the appearance and physical qualities of the original materials. Example: Rhododendron hedge planted during the period of significance is replanted with heritage varieties available during the period of significance.

Finding: The applicant is proposing to restore the sundial pavers, and existing brick bench pads with brick and materials that match the exterior appearance of the original material. The applicant is proposing to remove and salvage as much original material as possible from the existing brickwork path that encircles the sundial. Two new bench pads constructed of concrete and topped by mortared brick pavers will be installed within this garden utilizing materials that match the exterior appearance of the existing historic brickwork bench pad. Any failing brick pavers will be replaced with salvaged brick that matches the existing to the greatest degree possible. Staff finds that this standard has been met.

(2) Design.

The design shall reproduce, to the greatest extent possible, the appearance of the original site feature. Example: If the site contains a Lord and Schryver garden, the replacements shall be allowed provided the original design and location of plantings of the historical garden are retained.

Finding: The applicant is proposing to restore and reconstruct the historic brickwork encircling the sundial and the Mae Tarter Old Rose collection, retaining and restoring the original appearance of this brickwork. The proposed restoration and alterations to the bench locations and bench pads are and based upon both physical evidence and evidence from Lord & Schryver plans and photographs and will restore the appropriate alignment of these bench locations along the original design axis of this significant garden. Staff finds that this standard has been met.

DECISION

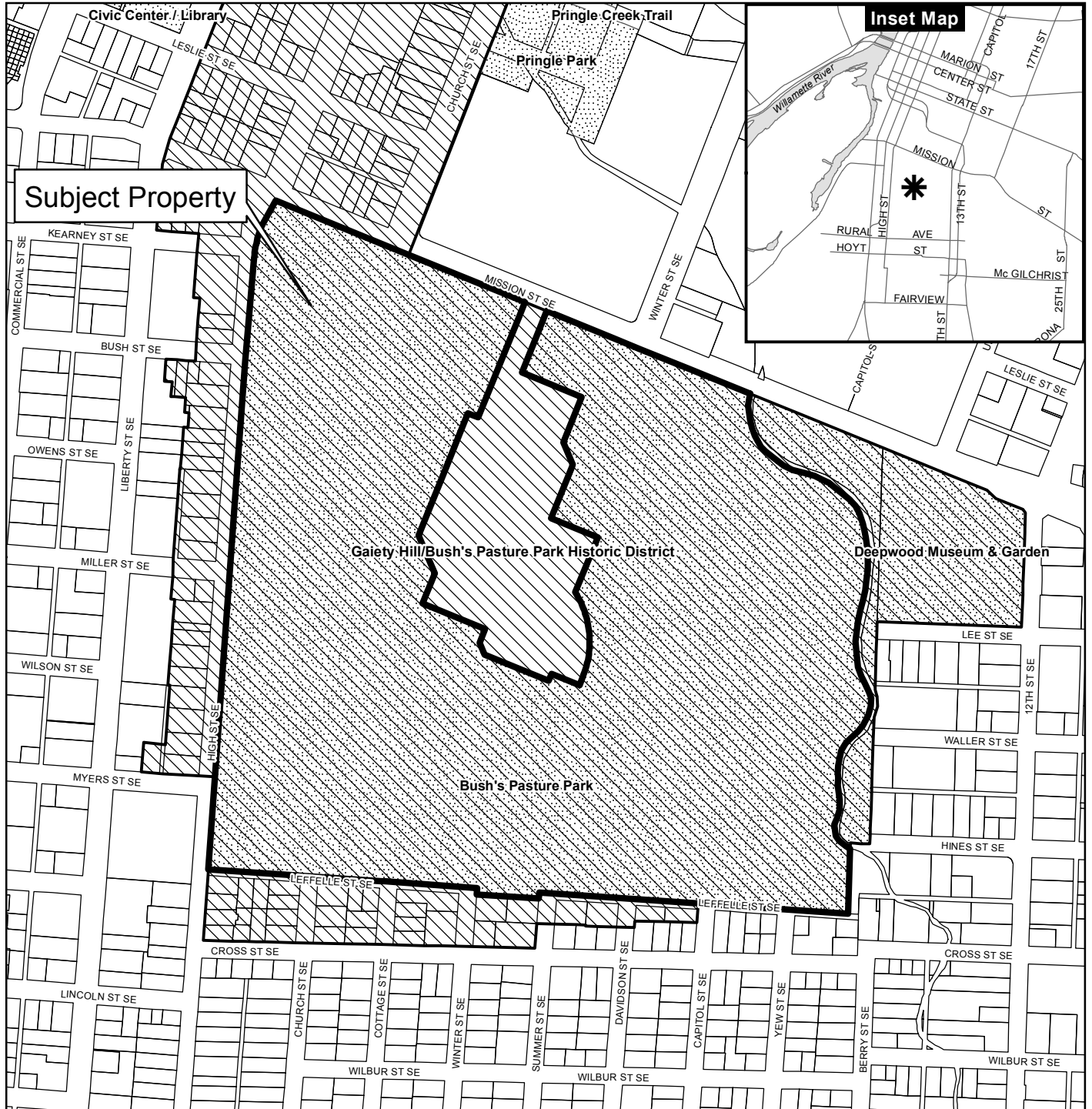
Based upon the application materials deemed complete on April 21, 2021 and the findings as presented in this report, the application for HIS21-04 is **APPROVED**.



Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

- Attachments: A. Vicinity Map
B. Site Plan
C. Portion of Applicant's Submittal Materials
D. Letter of Support from SCAN Historic Preservation, Parks & Gardens
E. Letter of Support from Bush House Museum








Vicinity Map 600 Mission Street SE



Subject Property

Inset Map

Legend

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



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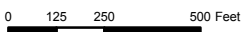




EXHIBIT 1

INVITATION TO BID

Subj.: Historic Bush's Pasture Park (Municipal Rose Garden)

OWNER: Mission Street Parks Conservancy
600 Mission ST SE
Salem, Oregon 97301

OWNER's AGENT: Michael Slater, Project coordinator
202-425-5493
michael.k.slater@gmail.com

Site Address: 600 Mission St, Salem OR 97302

Bid Invitations: OPEN BID

Date: Monday, 6th August, 2018

Bids Due: Friday, 21 September, 2018, end of business, via email to
michael.k.slater@gmail.com

Scope of Work

Construct/replace brick pads for 3 park benches and remove and replace (in-kind) circular brick sundial focal point of the Mae Tarter Old Rose Collection in the Municipal Rose Garden. Project is in a Historic Cultural Landscape Garden

Introduction & Landscape Context:

Bush's Pasture Park is one of Salem's iconic parks and is located in a historic district. Its 90.5 acres include The Municipal Rose Garden, a historic house and conservatory, mixed flowerbeds, an ornamental tree and deciduous azalea collection, two native oak groves, a riparian zone, several playgrounds, and picnic areas. It attracts a diverse cross-section of the City's population and is popular with tourists. The park and all its assets are owned and maintained by the City of Salem. It also receives support from the Mission Street Parks Conservancy (MSPC), which exists to help the City preserve, maintain, enhance, and interpret the parks on and near Mission Street.

The Municipal Rose Garden consists of three parts: a Lord and Schryver-designed section that contains the Mae Tarter Old Rose Collection, Sally Bush's Roses original to the Bush farmstead, and a hybrid tea and floribunda rose collection. The City and Conservancy recently rehabilitated the hybrid tea and floribunda collection by raising the planting beds with a mixture of topsoil and compost, and planting

650 new rose cultivars. Now, the city and MSPC are turning their attention to the rehabilitation of the Lord & Scryver-designed portion of the rose garden.

* * *

PROJECT DESCRIPTION:

The City and MSPC want to rehabilitate the historic brickwork that encircles and defines the focal point of the Old Rose Collection by removing the existing bricks, installing a concrete base, then reinstalling the bricks in the exact pattern in which they were originally installed. The Contractor's responsibility includes documenting the existing installation with sufficient detail to recreate the pattern, removing the existing bricks, determining which bricks may be used and which should be discarded, installing the concrete pad and reinstalling the brickwork. The City will provide bricks to replace any removed bricks that are too damaged or too worn to be reused. Wherever possible, the awarded Contractor shall engage best practices for the treatment of the historic landscaping, as outlined in "Guidelines for the Treatment of Cultural Landscapes" as per the Secretary of the Interior's Standards for the Treatment of Historic Properties at: <http://www.nps.gov/tps/standards/four-treatments/landscape-guidelines/index.htm>, utilizing the utmost care to protect and preserve all extant plant material, carpentry, landscape, turf, and irrigation elements in the rose garden. Wherever possible, careful hand/manual labor is the preferred method of construction.

IMPORTANT NOTES:

This site is a historic cultural landscape garden. Some of the plants contained in the garden are considered heritage and are rarely available for purchase in the current nursery trade, and cannot be replaced if damaged. Therefore, every effort shall be made by the installing contractor, to preserve and protect all existing plants at all times.

This site is a public place. It is maintained by volunteers and City employees. Therefore, every effort shall be made by the installing contractor to coordinate all onsite activities with the OWNER's Agent.

There is to be no smoking onsite at any time.

The use of gas-powered equipment is discouraged on the site. (See comments on trenching, below.)

Contractor may provide bathroom unit in designated location approved by OWNER's Agent prior to construction, OR they may use the public restroom located in the Bush Barn.

The limited site parking is open to the public. The Contractor needs to be aware of events and courteous to patrons of the park and not take up more spaces than necessary especially when loading and unloading of materials/equipment. Driving and/or parking vehicles off pavement is discouraged, and will only be allowed with approval from OWNER's Agent. All materials are to be stored or staged offsite unless space is given or approved by the Park staff during construction.

All Masonry to be preserved OR saved must be kept in the same area from which it was removed. Numbering or marking bricks is encouraged to safeguard the historic continuity as much as possible.

Contractor shall at all times maintain an orderly and clean jobsite, and is responsible for all erosion control during the course of the work, regardless of weather conditions. At the end of each work day, Contractor shall sweep effected hardscape areas, neatly stack construction supplies, cover, mark and tape off all open trenches with brightly colored safety tape and signage to protect the public or visitors to the garden during construction.

Sundial/ Bench Project: Contractor shall,

Remove/replace and install all new and salvaged masonry to current industry standards. Provide & install all areas with proper compacted base material. Project estimate must include proper removal of existing brick, cleaning and care of salvaged brick, sand, mortar, concrete, reinforcement, equipment, mobilization, hand labor, and LCP (Licensed Construction Professional in Oregon) supervision, as well as the following components:

SEE (EXHIBITS 1-8) for existing site plan and images

The Job Captain or Supervisor must schedule the project instillation in consultation with the parks supervisor. The parks supervisor must agree in writing to any proposed changes in the instillation schedule. The site supervisor can facilitate special needs, such as material storage, access to water, power, etc.

Parks Supervisor: Jake Snell, City of Salem
Site Supervisor: Tom Beatty, City of Salem
Project Manager: Gretchen Carnaby, MSPC

Field verify all measurements prior to start. Brick must be laid in exact orientation and pattern as it is removed.

Additional drawings can be provided if needed.

Carefully Remove, clean and preserve all edging, pathway/bench pad brick in areas noted on (Exhibits 1,2,6,7,8)

In the event that the existing breaks, after removal and review, are not sufficient to complete the project, the Owner will provide the additional necessary bricks (New or Historic significant bricks) to complete the project.

Construct (3) new 6'x10' concrete pads with solid grouted brick finish for the bench locations. See (Exhibit 1) for area callouts

Remove bench and brick at location (A) install to new brick/concrete pad at location (A1) (see also Exhibit 1, 2 3), and affix existing off-site bench.

Install new brick/concrete pad at location (B) for existing, off-site bench. (see Exhibit 1,4)

Remove existing and install new brick/concrete pad at location (C) for existing bench. (see Exhibit 6)

Provide lime based mortar to set and grout bricks in to keep them from shifting.

Carefully Remove and Reinstall ring and pathway bricks at sundial area, (see Exhibit 1, 7,8). Sundial pedestal and column should be carefully removed and then re-installed in the exact location from which it was taken.

Provide and install 1 ½” conduit sleeves under each of the 4 pathways for future expansion of the irrigation system see (Exhibit 7). Consult with Project Manager in field for best locations.

Provide and install water sealant on pathways per product standards. (Contractor do determine best product to use for the application if it is recommended)

It is recommended that grade be shot to ensure proper drainage to alleviate ponding and that a string line grid be installed prior to construction to ensure accuracy of the reinstalled masonry at the sundial area.

The center Sundial pedestal area will be raised 3-6” (roughly) in elevation to ensure the paths slope away from the center point in each direction. The whole circle may need to be raised to account for the years of settling and thatch buildup around it.

Park Volunteers or Employees will remove or move plants in these areas, do NOT removed any vegetation/plants/Roses/trees without the Project managers approval.

The Scope of work is in the Rose Garden area only unless otherwise directed. Any changes to the Scope of Work shall be agreed upon, in writing, by the OWNER, and OWNER’s Agent.

Provide hand labor for trenching in planter areas as deemed appropriate and necessary. NO MECHANICAL TRENCHING IN PLANTER BED. Contractor shall make every effort to provide irrigation trenching (conduit) under pathways and lawns in the garden. Trenching in plant beds is not permitted at any time, other than with prior arrangement in writing with Owner’s Agent. The same goes for compaction machine. There is to be no mechanical (gas-powered) equipment in planting bed and pathway areas. This includes the use of a trenching and compaction machines. The use of trenching or compaction machinery may be used if arranged in advance with OWNER and with OWNER’s Agent oversight during construction activities.

Contractor shall provide full restoration of all disturbed areas, including pathway hardscapes, Flower beds, damaged plants, carpentry, turf, and irrigation.

For More information or further detailed drawings and instruction feel free to call or email Michael Slater with the MSPC at (202) 425-5493

Kimberli Fitzgerald

From: ed scan <edscannewsletter@gmail.com>
Sent: Saturday, May 1, 2021 2:11 PM
To: Kimberli Fitzgerald
Cc: Jennifer Kellar; Jacob Snell; Christine Chute
Subject: SCAN Historic Preservation Parks & Gardens Committee Review - Case No. HIS21-02

RE: HISTORIC DESIGN REVIEW - CASE NO. HIS21-02 - 600 MISSION ST. SE -- REPLACEMENT OF 3 - 6' x 10' BRICK PADS AND THE CIRCULAR BRICK SUNDIAL FOCAL POINT IN THE MAE TARTER OLD ROSE GARDEN (IN THE MUNICIPAL ROSE GARDEN)

Kimberli Fitzgerald, ACIP/RPA
City Historic Preservation Officer & Archaeologist
Planning Division Room 305
Civic Center

Dear Ms. Fitzgerald:

Thank you for the opportunity to comment. Our Committee has received and reviewed the Notice - RFC pdf, the MSPC original scope of work solicitation and completed application (2021) (Agent, Jennifer Kellar, Park Operations). We find the project to be compatible, in compliance with SRC 230.025, a fine and select use of materials, and high measure of accuracy in design.

We are pleased to support and endorse the project. The project is a model of collaboration and cooperation between Parks Operations, leadership and staff-in-the field and the community, the careful attention to detail in a National Historic District.

The City ordinance, SRC 230, is founded on the standards of the U. S. National Park Service, U. S. Department of Interior.

Sincerely,

Jon Christenson
Chair, SCAN Historic Preservation, Parks & Gardens



May 3, 2021

Kimberli Fitzgerald, Historic Preservation Officer
City of Salem Planning Division
555 Liberty Street SE, Room 305
Salem, Oregon 97301

Dear Kimberli Fitzgerald:

As Director of Salem's Bush House Museum, I would like to lend my support to the Mission Street Parks Conservancy's efforts to refurbish the brickwork and sundial focal point in the Mae Tarter Old Rose Collection. This historic landscape feature is a highlight of Salem's Civic Rose Garden, located in the northwest corner of Bush's Pasture Park. Historic Design Review Case No. HIS21-04

Having worked at the Bush House Museum for over a decade, I am very familiar with the quality of the Conservancy's management of projects in the Park. One of their most memorable projects was the 2011 restoration of the Bush Conservatory constructed in 1882. After extensive planning, in cooperation with the City of Salem, they administered a successful capital campaign and secured project funding through grants, private donations and other sources. In addition to raising funds for the restoration project, volunteers assisted with removing the plants from the Conservatory and cleaning the hundreds of panes of glass comprising the walls and roof of the structure.

Similarly, the Mission Street Parks Conservancy has developed a thorough plan for the sundial project in consultation with you and your office. The brickwork and sundial are a significant historic feature, designed by landscape architect Edith Schryver. The Conservancy is working with the same mason who refurbished the brick garden pathways at Gaiety Hollow, Schryver's nearby home and office with business partner Elizabeth Lord.

Based on the Mission Street Parks Conservancy's past success with restoration and landscape rehabilitation projects in Bush's Pasture Park, I encourage the Historic Landmarks Commission to approve this valuable project. This enhancement to Salem's Civic Rose Garden will increase the historic integrity of this civic treasure and will be a gathering place for Salem residents and visitors for years to come.

Cordially,

Ross Sutherland, Director
Bush House Museum