

DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO. Historic Review Case No. HIS14-14 / AMANDA No. 14-109344-DR

NOTICE OF DECISION DATE: June 25, 2014

OWNER/APPLICANT: Toni Whitler for Salem Parks Department

LOCATION: 600 Mission Street SE

REQUEST: A Major historic design review of a proposal to replace the play equipment within the Crooked House Playground with new ADA accessible equipment. The playground is a non-contributing resource 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, 97302; Marion County Assessor Map and Tax Lot number: 073W27D-00100.

CRITERIA: Salem Revised Code (SRC) Chapter 230  
230.065 General Guidelines for Historic Contributing Buildings

FINDINGS: Based upon the application materials, the facts and findings in the Staff Report dated June 19, 2014, incorporated herein by this reference, and testimony provided at the Public Hearing of June 19, 2014, the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that the proposal complies with the applicable provisions of the Salem Revised Code (SRC) as follows:

**Criteria: 230.065. General Guidelines for Historic Contributing Resources.** In lieu of the standards for historic contributing buildings set forth in SRC 230.025 and SRC 230.040, an applicant may make a proposal for preservation, restoration or rehabilitation activity, regardless of type of work, which shall conform to the following guidelines:

- (a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration or massing.
- (b) Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods rather than restored.
- (c) Distinctive stylistic features or examples of skilled craftsmanship significance shall be treated with sensitivity.
- (d) Historic features shall be restored or reconstructed only when supported by physical or photographic evidence.
- (e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
- (f) Additions and alterations to a historic resource shall be designed and constructed to minimize changes to the historic resource.
- (g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged or destroyed.
- (h) Structural deficiencies in a historic resource shall be corrected without visually

NOTICE OF  
DECISION

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

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changing the composition, design, texture or other visual qualities.

- (i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift or fail, or have a similar effect on adjacent historic resources.

**Findings:**

***(a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing.***

**Findings:**

While the Crooked House Playground is a non-historic, non-contributing intrusion into the Bush's Pasture Park, as noted in the original National Register Nomination documents, the playground has been placed with sensitivity to the original pasture character of the Bush Estate, to the southeast of the Bush Barn and Annex, not easily visible from the park or right of way. The applicant is not proposing to change the use of the playground, and the proposed new equipment will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing. The HLC finds that this use is compatible and that this guideline has been met.

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

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

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

**Findings:**

The HLC finds that there are no distinctive historic materials or features proposed for removal, reconstruction, or repair and that Guidelines 230.065 (b)(c) and (d) do not apply.

***(e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.***

**Findings:**

The HLC finds that there are no distinctive historic materials or features that have acquired significance in their own right within the scope of this project and that SRC 230.065 (e) does not apply.

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

***(g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed.***

**Findings:**

The applicant is proposing to remove the existing play equipment and fall material and install new play equipment and fall material within the existing footprint of the Crooked House Playground. The new play equipment will be of steel, aluminum, and polyethylene and the fall material will be of rubber. No historic materials will be lost, and no significant features will be obscured, damaged, or destroyed. The Crooked House will be removed temporarily, and after public outreach and a redesign, will apply for

approval to reconstruct the house within the playground. The replacement and addition of the new play equipment will not be an adverse visual impact to the adjacent historic Bush House and Barn, or the surrounding park. The HLC finds that the addition of new equipment are compatible with the size and scale of the adjacent historic Bush House and Barn, Gaiety Hill/Bush's Pasture Park and surrounding district, and that SRC 230.065(f) and (g) have been met.

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

**(i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources.**

Findings:


The removal of the existing wood fiber fall material and associated excavation will occur within the footprint of the existing Crooked House Playground which is not directly adjacent to the historic Bush Barn or Bush House foundations, therefore there is no potential adverse affect which may cause the foundation of these resources to settle, shift, or fail. The HLC finds that SRC 230.065(i) has been met for this proposal. The HLC finds that the proposal does not include any plans to correct structural deficiencies and that Guideline 230.065 (h) does not apply.

**DECISION:** The Historic Landmark Commission voted to adopt the Staff Recommendation contained in the Staff Report dated June 19, 2014, and **APPROVES** the proposal.

**VOTE: YES 7 NO xx ABST Absent 2 (Carmichael / McKinley)**



Joy Sears, Chair  
Historic Landmarks Commission

Prepared by Christopher Green, Planner II 

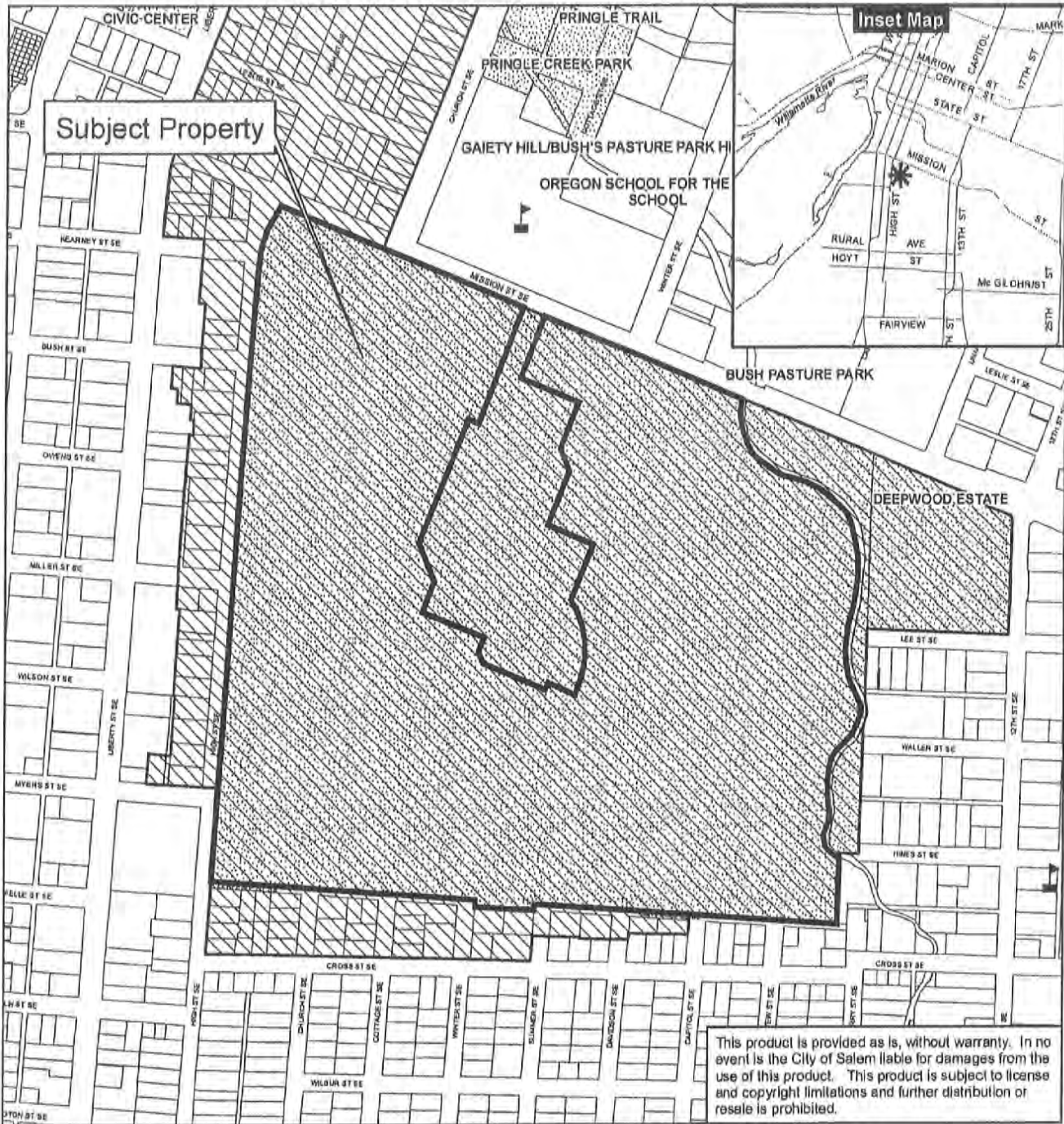
The rights granted by this decision must be exercised by July 11, 2016, or this approval shall be null and void.

A copy of the complete Case File is available for review at the Planning Division office during regular business hours. Please contact the Case Manager, Kimberli Fitzgerald, by email: [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net), or phone: 503-540-2397.

Application Deemed Complete: May 29, 2014  
Notice of Decision Mailing Date: June 25, 2014  
Decision Effective Date: July 11, 2014  
State Mandated Decision Date: September 26, 2014







This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, **no later than July 10, 2014, 5:00 p.m.** Any person who presented evidence or testimony for the hearing may appeal the decision. The appeal must state where the decision failed to conform to the provisions of the historic preservation ordinance, SRC Chapter 230. The appeal must be filed in duplicate with the City of Salem Planning Division. 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 Salem Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or firm the action, or refer the matter to staff for additional information.

# Vicinity Map 600 Mission Street SE



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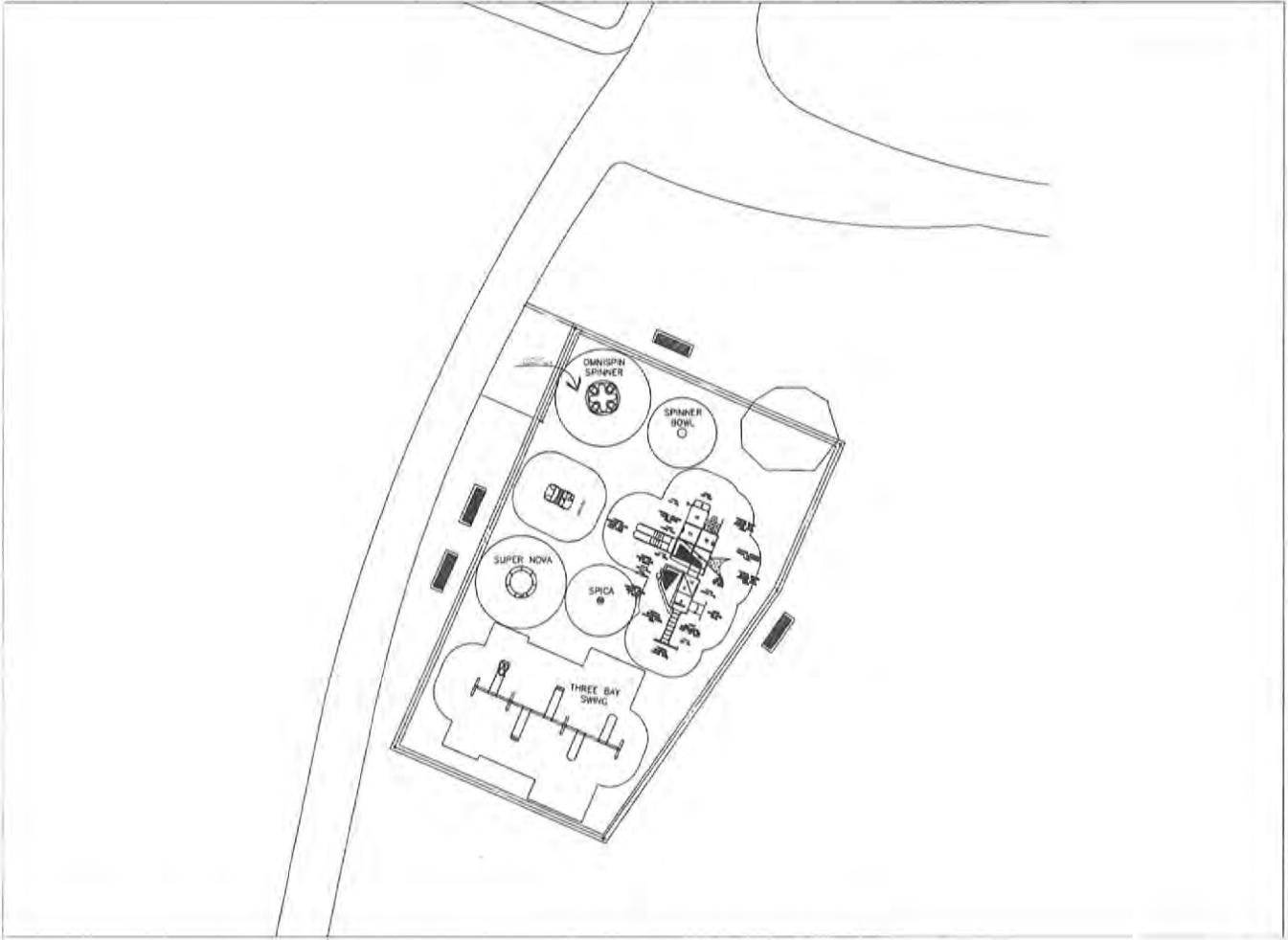
### Legend

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



0 100 200 400 Feet

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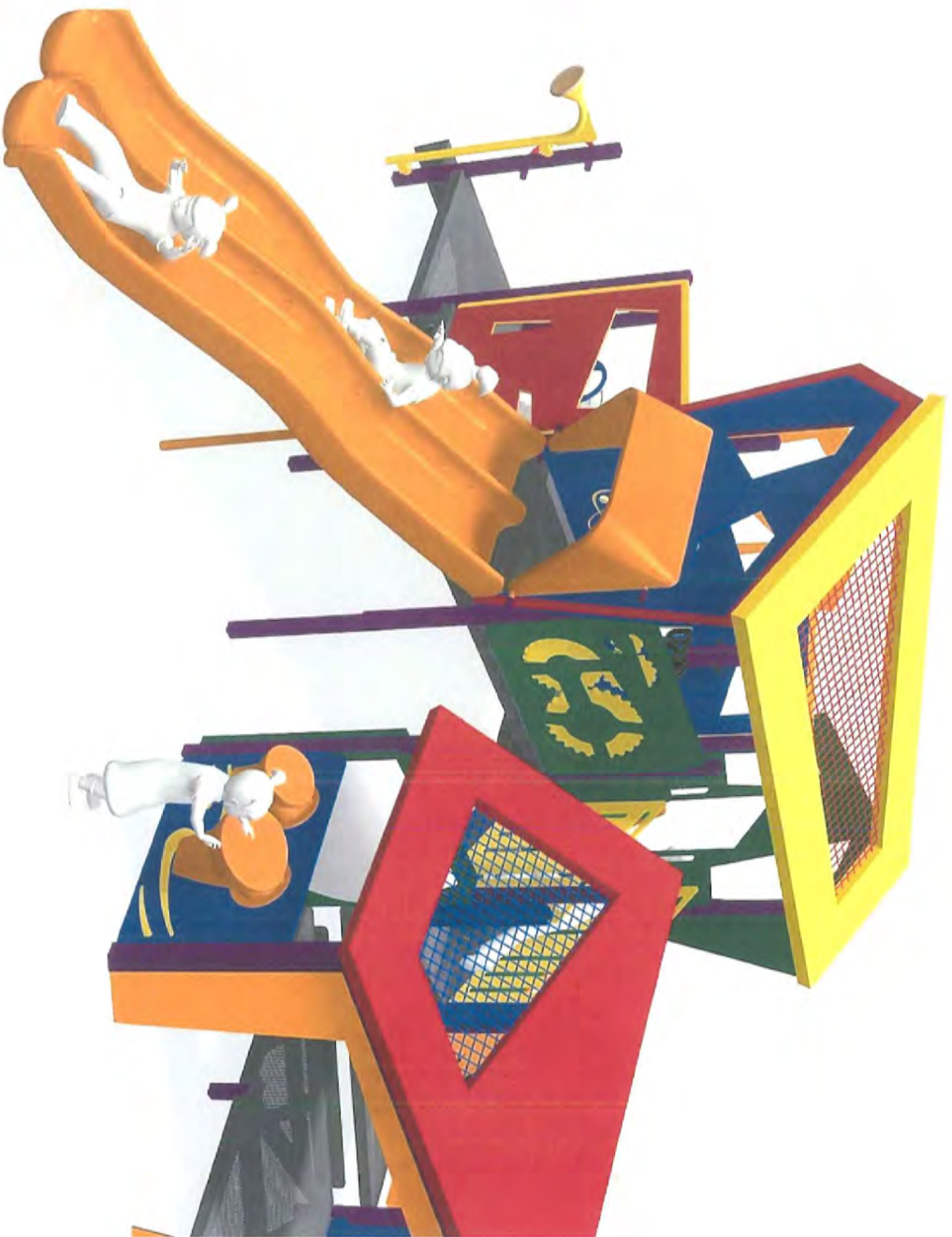
SITE PLAN  
SCALE 1/8" = 1' - 0"

Crooked House  
Bush's Pasture Park  
Salem, Oregon



GRADING PLAN

DATE: 08/20/2014  
BY: JESSIE SCHMIDT



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