

DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO. Historic Review Case No. HIS14-24 / AMANDA No. 14-113182-DR

NOTICE OF DECISION DATE: August 27, 2014

OWNER/APPLICANT: Steven Addams/Oregon Artists Series Foundation (OASF)

LOCATION: Various sites within the Salem Downtown Historic District

REQUEST (AMENDED): Major historic review of a proposal to install up to six sculptures created from traditional materials, with dimensions up to 7ft wide x 7ft deep and 16ft tall, from the Salem Public Art Collection, to be installed in the right of way within the Downtown Historic District, on properties zoned CB (Central Business District).

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 and the Supplemental Staff Report dated August 21, 2014 incorporated herein by reference, and testimony provided at the Public Hearing of August 21, 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
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- (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:

(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:

The HLC finds that the installation of new sculptures within art wells in the streetscape/right of way will not change the existing uses found within the Downtown District. The HLC further finds that placement of the sculptures will not significantly alter the street access or entrance surrounding the front entry of the adjacent resources and that the addition of a sculpture is removable, clearly new, and will not obscure, damage or destroy street access, the entrance, height, footprint, fenestration or massing of the resources within the District. The HLC finds that 230.065 (a) 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.

(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 proposed for removal, reconstruction, or repair and that Guidelines 230.065 (b)(c) (d) and (e) do 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 HLC finds that the addition of the sculpture is removable, clearly new and will not obscure, damage or destroy the significant features of the District. The HLC finds that 230.065 (f) and (g) have been met for adding sculptures within the District. The HLC finds that any future sculptures be of a compatible scale and of traditional materials typically found in the district and a condition of approval shall be

adopted with this decision defining scale and material in order to better meet these guidelines. The HLC further finds that should the applicant request approval to install a sculpture on any of the permanent bases within the art wells within the Downtown District, which are significantly larger in scale (exceeding 7' x 7' x 16' in size), or using modern materials, a condition of approval shall be adopted with this decision requiring that the placement of these sculptures shall be reviewed by the Historic Landmarks Commission for compatibility.

(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 HLC finds that the proposal does not include any plans to correct structural deficiencies or excavation and regarding, and that Guidelines 230.065 (h) and (i) do not apply to this proposal.

DECISION: The Historic Landmark Commission voted to adopt the Staff Recommendation contained in the Staff Report and Supplemental Staff Report dated August 21, 2014, and **APPROVES** the proposal, subject to the following **CONDITIONS:**

Condition 1. Future sculptures within the Salem Downtown Historic District shall receive Minor Historic Design Review approval and shall meet the following standards:


- a. Sculptures shall not exceed 7' x 7' x 16' in size,
- b. Sculptures shall be of traditional materials typically found in the district (metal, stone and glass).
- c. Sculptures shall be installed on existing bases within art wells approved and constructed by the Salem Public Works Department.

Condition 2. Future sculptures within the Salem Downtown Historic District which are larger in scale, or made of modern materials, shall be reviewed by the Historic Landmarks Commission for compatibility with the surrounding historic district.

VOTE: YES 5 NO 0 ABST 0 Absent 3 (Carmichael, Mangini, Morris)



Joy Sears, Chair
Historic Landmarks Commission

Prepared by Kimberli Fitzgerald, Historic Preservation Officer 

The rights granted by this decision must be exercised by September 12, 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, or phone: 503-540-2397.

Application Deemed Complete: July 31, 2014
Notice of Decision Mailing Date: August 27, 2014
Decision Effective Date: September 12, 2014
State Mandated Decision Date: November 28, 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 September 11, 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.

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SALEM DOWNTOWN HISTORIC DISTRICT



Legend

-  Historic District Boundary
-  Taxlots
-  Parks

0 62.5 125 250 Feet



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HIS14-28

