

# NOTICE OF DECISION

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## AMENDED DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

**CASE NO.** Historic Review Case No. HIS14-30 / AMANDA No. 14-116363-DR

**NOTICE OF DECISION DATE:** October 22, 2014

**OWNER/APPLICANT:** John Kleeman, for Salem Parks Department

**LOCATION:** 600 Mission Street SE, 97301

**REQUEST:** A Major historic design review of a proposal to replace playground equipment and install new fill within the Soroptimist playground, a historic, non-contributing feature at the south end of Bush's Pasture Park, within the Gaiety Hill/Bushs 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 October 16, 2014, incorporated herein by this reference, and testimony provided at the Public Hearing of October 16, 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 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.

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
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**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 while the Soroptimist Playground is a historic, non-contributing intrusion into the Bush's Pasture Park, the playground has been placed with sensitivity to the original pasture character of the Bush Estate, to the south of the Bush Barn and Annex, and not visible from these significant resources within the park. The HLC finds that the applicant is not proposing to change the use of the playground, and the proposed new equipment will not alter street access, entrance(s), height, footprint, fenestration, or massing. The HLC finds that the applicant is proposing a minor alteration to the landscape design of the park, excavating a 16" deep fall zone which will be filled with wood chips in order to meet current safety requirements. The HLC finds that the proposal will not adversely affect any character defining features of the resource or surrounding historic district, 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.***

***(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 while the Soroptimist Organization donated the playground in 1950 to the children of Salem, the specific playground equipment has already been replaced, therefore, there are no existing historic materials proposed for replacement. 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 to this proposal.

***(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 applicant is proposing to install new play equipment and fall material within the existing footprint of the Soroptimist Playground, and that no historic materials will be lost and no significant features will be obscured, damaged, or destroyed. The HLC finds that 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 is 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.***

Findings:

The HLC finds that the applicant's proposal does not address any structural deficiencies in the historic resource; therefore the HLC finds that this guideline does not apply.

***(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 excavation within the footprint of the existing Soroptomist Playground is not in the vicinity of 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.

**DECISION:** The Historic Landmark Commission voted to adopt the Staff Recommendation contained in the Staff Report dated October 16, 2014, and **APPROVES** the proposal.

**VOTE: YES 8 NO 0 ABST 0 Absent 0**



Andrew Hendrie, Chair  
Historic Landmarks Commission

Prepared by Kimberli Fitzgerald, Historic Preservation Officer

The rights granted by this decision must be exercised by November 7, 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: September 25, 2014

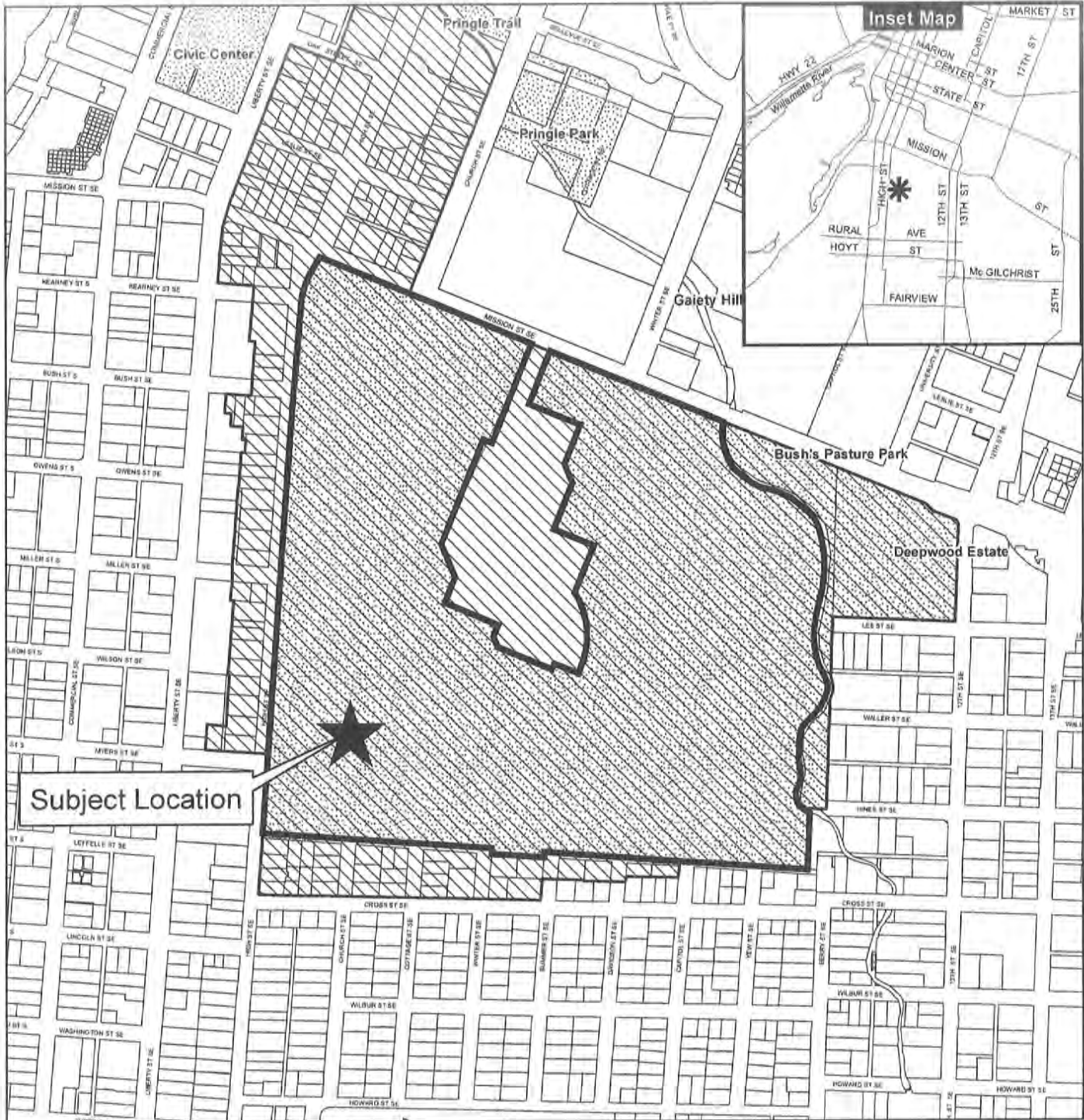
Notice of Decision Mailing Date: October 22, 2014

Decision Effective Date: November 7, 2014

State Mandated Decision Date: January 23, 2015








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 November 6, 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



Subject Location

## Legend

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

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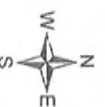
0 100 200 400 Feet





0 25 50 75 100 Feet

**Bush's Pasture Park**  
**Swing set location**



## Swings

Each swing set includes:

- Hangers, chains and seats (as shown)
- Stainless steel double clevis and bolt-link chain connectors
- Your choice of ProShield™ colors

Contact your Landscape Structures representative for additional configuration options.

### A. Arch Belt Swings

- Complements any PlayBooster® structure
- For ages 2 to 12
- Two belt seats per bay (Double Bay shown)
- Add more swing bays; add 11' 10" x 32' (3,61 m x 9,75 m) use zone per bay
- Choose TenderTuff-coated chain or galvanized chain
- Maximum fall height 96" (2,44 m)
- Minimum area required for Single Bay 24' 3" x 32' (7,39 m x 9,75 m)

#100050A Single Bay  
#111579A Additional Bay

### B. Arch Tire Swing

- The industry's only self-lubricating, stainless steel hanger
- For ages 2 to 12
- 5"-diameter aluminum arches with a 5"-diameter steel support beam
- TenderTuff-coated chain
- Maximum fall height 78" (1,98 m)
- Minimum area required 22' x 27' 6-1/2" (6,71 m x 8,39 m)

#120891A

### C. 5000 Series Swings

- Extra-long, heavy-duty galvanized-steel beam on sturdy tripod legs
- For ages 2 to 12
- 8'- or 10'-high beams
- Features oil-impregnated bearings in the hangers
- Two belt seats per bay (Double Bay shown)
- Choose TenderTuff-coated chain or galvanized chain
- Anti-Wrap Swing Hangers optional
- Maximum fall height 96" (2,44 m), 8'-high beam
- Minimum area required (Double Bay, 8'-high beam as shown) 43' 7" x 32' (13,28 m x 9,75 m)
- Minimum area required (Single Bay, 8'-high beam) 32' 1" x 32' (9,78 m x 9,75 m)

#157107C Single Bay  
#157108C Additional Bay



A.



B.

### Innovative by Design



**Steel tire swing hangers designed with durability in mind** Made from 100% stainless steel, our hangers utilize Oilite® bushings for a smooth, 360-degree rotation. With no bearings to replace or messy grease to worry about, they're virtually maintenance free. The swing chains thread directly through the hanger for a cleaner, safer connection. Hangs 9" below the beam for added safety.

Oilite® is a registered trademark of Beemer Precision, Inc.

- Total recycled content: 60%
- Post-consumer content: 25%
- Recyclable



C.

Independent Play SWINGS