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## ADMINISTRATIVE DECISION - MINOR HISTORIC REVIEW

**CASE NO.** Historic Review Case HIS14-33 / Amanda No. 14-117053-DR

**NOTICE OF DECISION DATE:** October 30, 2014

**REQUEST:** Minor historic review of a proposal to install a sculpture from the Salem Public Art Collection, *Untitled (Cube)*, in the right of way, at the northeast corner of Liberty Street NE and State Street, in the Salem Downtown Historic District.

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

**LOCATION:** Northeast corner of Liberty Street NE and State Street

**CRITERIA:** Salem Revised Code (SRC) Chapter 230; Criteria as established in HIS14-24 Condition No. 1

**FINDINGS:** The applicant is proposing to install a sculpture, *Untitled (Cube)*, in the right of way, at the northeast corner of Liberty Street NE and State Streets. The Salem Public Art Commission (SPAC) voted on June 19, 2014 to recommend that the sculpture, *Untitled (Cube)*, be relocated from the Salem Convention Center to the northeast corner of Liberty Street NE and State Street and proceed with Historic Landmarks Commission (HLC) approval as part of their Salem Public Sculpture project, which has as its mission to obtain and place original sculptures by northwest regional artists in downtown Salem. In February 2014, the Downtown Advisory Board and the Urban Renewal Agency approved allocating FY 2013-2014 Streetscape funds to the art pedestal project. Public art is recommended as a streetscape project in the Downtown Strategic Action Plan approved by the Urban Renewal Agency Board in 2011 to improve community livability and increase property values. The HLC voted on August 21, 2014 to approve the OASF proposal to install up to six sculptures within the Salem Downtown Historic District provided these sculptures meet specific conditions relating to material and scale. Staff determined that the standards in Condition No. 1 of HIS14-24 are applicable to this project. The Standard established in Condition No. 2 does not apply to this proposal:

**HIS14-24 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.

### **Findings**

The applicant is proposing to install the sculpture, *Untitled Cube*, within the Salem Downtown Historic District. The sculpture was designed and created by artist Bruce West in 1972 and is of polished stainless steel thereby meeting the Standard HIS14-24 Condition 1b. The sculpture is 4.5' wide, 4' tall and 1.5' deep, thereby meeting the Standard HIS14-24 Condition 1a. OASF is proposing to polish and relocate the sculpture *Untitled (Cube)* downtown at the corner of Liberty Street NE and State Street as part of Phase One of the Salem Public Sculpture project. At this location, the sculpture will have improved visibility by the public and therefore provide an improved benefit to the community. The sculpture is 4'5" in

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
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width by 4' in height and 1.5' deep and will be placed on a recessed base within an art well designed and installed by the City of Salem Public Works Department to ensure public safety thereby meeting the Standard HIS14-24 Condition 1c. The proposed sculpture will be located to the southwest of the Roth/McGilchrist building near the front entry to the building. The placement of the sculpture will not adversely impact the Roth/McGilchrist Building, or any significant features within the Downtown District. The addition of the sculpture is removable, clearly new and will not obscure, damage, or destroy the significant features of the District or the Roth/McGilchrist Building.

**DECISION:** Based upon the application materials deemed complete on, October 15, 2014 and the findings as presented in this report, the application is APPROVED.



Kimberli Fitzgerald, Historic Preservation Officer  
Urban Planning Administrator Designee

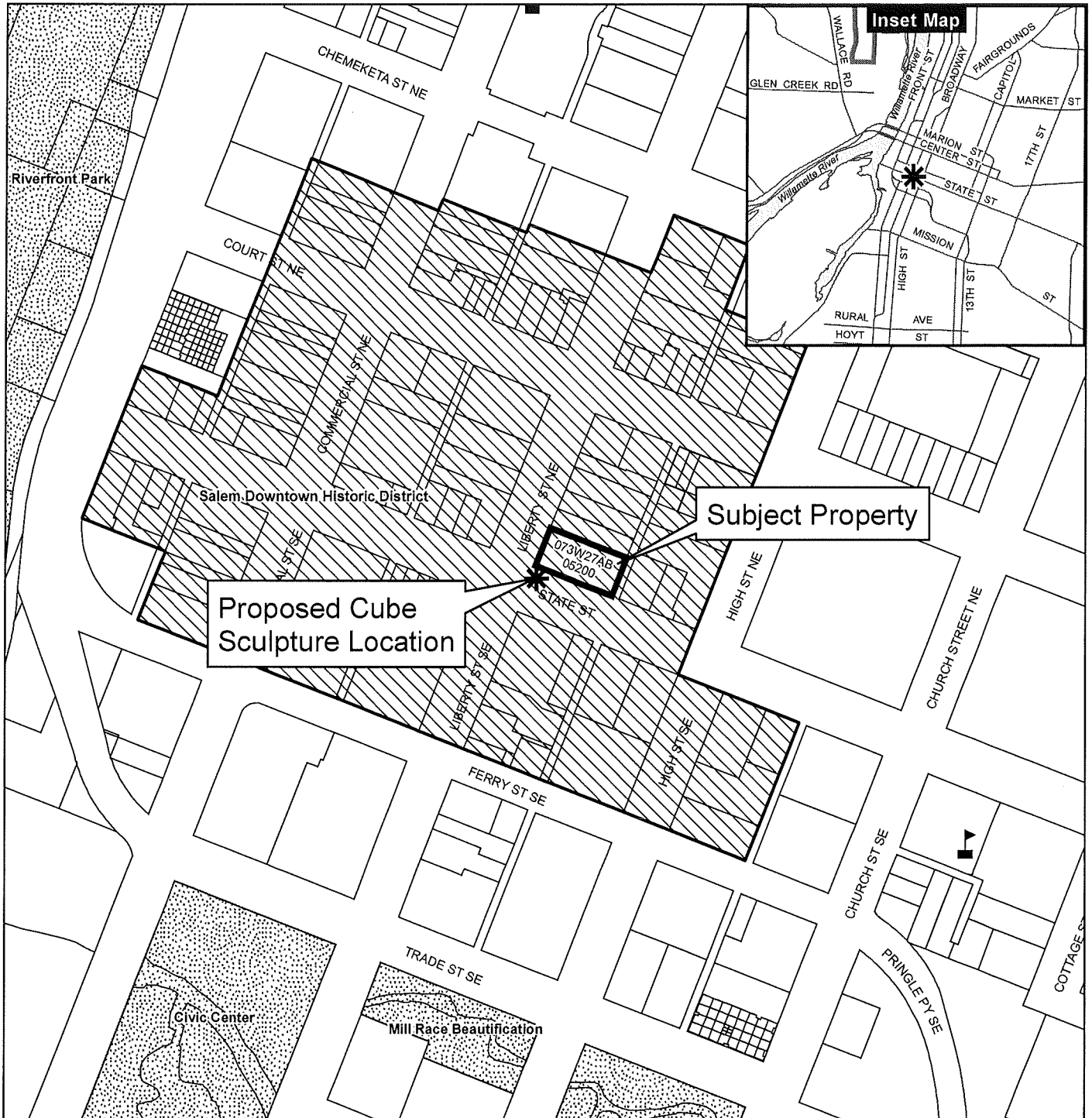
[kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net); Phone: (503)540-2397

Application Deemed Complete: October 15, 2014  
Notice of Decision Mailing Date: October 30, 2014  
Decision Effective: November 15, 2014  
State Mandated Decision Date: February 12, 2015








The rights granted by this decision must be exercised by November 15, 2016, or this approval shall be null and void.

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 5:00 p.m., November 14, 2014. 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 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.

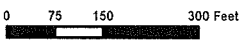
# Vicinity Map Proposed Cube Sculpture



## Legend

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

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Community Development Dept.



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**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

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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](mailto: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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**DECISION OF  
SALEM CITY MANAGER  
PUBLIC ART REVIEW – CASE NO. 14-02**

**NOTICE OF  
DECISION**

**NOTICE OF DECISION:** July 22, 2014

**REQUEST:** Salem Public Art Commission (SPAC) review of a proposal to remove the sculpture, "*Untitled (Cube)*", from the Convention Center Sculpture Garden, authorize \$345 to polish the *Cube* and relocate it to the northeast corner of Liberty Street NE and State Street.

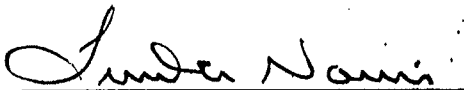
**APPLICANT:** Oregon Artist Series Foundation (OASF)

**LOCATION:** Northeast corner of Liberty Street NE and State Street

**CRITERIA:** SRC Chapter 15.020(d)  
SPAC Policy & Guidelines Manual Section 6A(2), Section 7D

**FINDINGS:** Based upon the application materials; the facts and findings in the Staff Report dated June 11, 2014 and the Salem Public Art Commission (SPAC) recommendation dated June 19, 2014, the City Manager finds that the applicant adequately demonstrated that the proposal complies with the applicable provisions of the Salem Revised Code and the Salem Public Art Commission Policy and Guidelines Manual and APPROVES the application, with the following Condition:

1. The proposed relocation of the sculpture, *Untitled (Cube)* from the Salem Convention Center to the northeast corner of Liberty Street NE and State Streets shall be approved by the Salem Historic Landmarks Commission.

  
Linda Norris, City Manager

A copy of the SPAC Recommendation and Staff Report is attached.

The case file and copies of the staff report are available upon request at Room 305, Civic Center, during city business hours, 8:00 a.m. to 5:00 p.m. Contact Kimberli Fitzgerald, Case Manager at 503-540-2397 or [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net) to review the case file.

CF

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**Public Art Commission**  
Art Inventory Form

Object Name/Title: Untitled (Cube) Artist: Bruce West

Date Art Created: 1972

Description:

Type: (Painting; Sculpture; Other)  
**Sculpture**

Medium/Material:  
**Polished Stainless Steel**

Dimensions:  
**4.5' wide x 4' tall x 1.5' deep**

Signed by Artist?(Y/N) **N** Location of Signature:

Overall Condition: (Excellent/Good/Fair/Poor)  
**Good (needs polishing)**

Current Location:  
**Convention Center, Sculpture Garden, west edge, adjacent to Commercial Street SE**

Recommended Location:  
**Relocate to northeast corner of Liberty Street NE and State Street**

Notes: *Bruce West was born in Shandong Province, China, the son of missionaries, and eventually settled with his family in Medford, Oregon. After traveling in Europe, West studied sculpture and jewelry-making at the University of Oregon, where he completed a degree in Design in 1963. He was artist-in-residence at Mount Angel College in the 1960s and taught for a year at Moore College of Art in Philadelphia before moving to Portland where he taught for thirty-four years at Lewis and Clark College. West is known for his sculptures made of stainless steel and other metals that can be brought to a highly reflective finish. Bruce West's "Cube," installed in the Salem Conference Center's Sculpture Garden which is Phase One of the Salem Public Sculpture project, has been in the City's art collection since 1972 and illustrates that quality art remains timeless and is the kind of sculpture that we would like included with the expansion of the Salem Public Sculpture project.*

Source/Donor: Dr. & Mrs. Joseph Moreland Appraised/Insured Value: \_\_\_\_\_

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Staff Use Only

AR# \_\_\_\_\_

SPAC Approval Date: \_\_\_\_\_

*Untitled (Cube), by Bruce West*



Current Location



Proposed relocation



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AR14-02

June 11, 2014

Proposal: Remove the sculpture "Untitled (Cube)" from Convention Center Sculpture Garden  
Authorize \$345 to polish cube.

Re-Locate: Northeast corner of Liberty Street NE and State Street.

**Kimberli Fitzgerald - Cube Proposal**

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**From:** Steven <stevenaddams@hotmail.com>  
**To:** "kfitzgerald@cityofsalem.net" <kfitzgerald@cityofsalem.net>  
**Date:** 9/30/2014 3:25 PM  
**Subject:** Cube Proposal  
**Attachments:** City Worksheet.JPG; City Application - Minor.JPG; City - Location 1 (Cube).bmp; Notes on the Cube Installation.docx

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Hello Kimberli,

(Please let me know if this what is needed. Thank you.)

The Oregon Artists Series Foundation (OASF) would like to recommend that the untitled Cube sculpture by Bruce West, which is owned by the City of Salem, be placed on the NE corner of the State Street and Liberty Street intersection.

Please see the attached Historic Alteration Review Worksheet, Review Process Application-Minor, and map showing the location.

On September 11th, OASF representatives Steven Addams, Jim Bauer, and Rich Harcourt, met with Gayle Caldarazzo-Doty, an owner of 447 State Street, to discuss what kind of sculpture the owners would like to see on that corner. Previous to this meeting the owners were not sure that the Cube was the best fit, but after their investigation into the Cube and into the exact location they changed their minds and came to the above meeting excited about having the Cube on that corner. The following day Ms Caldarazzo-Doty wrote an email stating:

"Good morning Jim....I am confirming we are good to go with placing the Cube out in front of our building...we are excited to have a beautiful piece of art on our corner....thanks for thinking of us. We are happy to support your idea of placing art all over downtown. Have a wonderful Friday!! Thanks."

If approved, the Cube can be moved to the site as soon as the sidewalk-artwell is ready to accept it. OASF has been told by the owner's representative that the site could be ready during the first week or two of November. The Cube could stay at that location relatively permanently or, if later it seemed appropriate to move it somewhere else that could also be an option.

I am familiar with the installation requirements of the Cube, and I have offered to help the City with the installation. In either case, I have written a few notes on how the installation might proceed (see "Notes" attachment).

Thank you for considering this proposal. Please let me know if there is something else you need from me or the OASF.

Sincerely,  
Steven Addams

**Kimberli Fitzgerald - RE: Cube- Roth/McGilchrist**

---

**From:** "doug@dpwcpas.com" <doug@dpwcpas.com>  
**To:** Kimberli Fitzgerald <kfitzgerald@cityofsalem.net>  
**Date:** 10/28/2014 5:06 PM  
**Subject:** RE: Cube- Roth/McGilchrist  
**CC:** 'David Holton' <davidholtndesign@comcast.net>

---

Hi Kimberli. Gayle and I have decided to encourage the arts in downtown Salem and wish to accept the proposal to have the work of art on our corner.  
Please refer to David Holton our owner's representative as to the placement of the art piece. Thanks for helping us in this matter. Best regards  
Doug Doty+

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Kimberli Fitzgerald  
Date: 10/28/2014 4:58 PM (GMT-08:00)  
To: doug@dpwcpas.com  
Subject: Cube- Roth/McGilchrist

Good Afternoon Doug;

I'm working on processing the approval for the placement of the Cube at the corner outside of your new main entrance-- and I just wanted to confirm whether or not you have any concerns about the placement of this sculpture. I recall that prior to this case being heard by the HLC, there were some concerns. I have been in ongoing communication with Steven Addams, who indicated you have been coordinating with him on this issue, but I just wanted to verify your support directly, prior to writing up my findings and address any remaining concerns or issues you might have.

Thanks,  
Kimberli

*Kimberli Fitzgerald  
Historic Preservation Officer,  
Cultural Resources Planner  
Community Development Department  
City of Salem  
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