

ORDINANCE BILL NO. 13-22

AN ORDINANCE DESIGNATING THE ECO EARTH GLOBE, LOCATED AT 230 FRONT STREET SE, SALEM, OREGON, AS A LOCAL HISTORIC RESOURCE

The City of Salem ordains as follows:

Section 1. Findings.

(a) The Historic Landmarks Commission, at its April 21, 2022 meeting, after having carefully considered whether the Eco Earth Globe, located at 230 Front Street SE., should be designated as a local historic resource, found that the Eco Earth Globe meets the resource designation criteria of SRC 230.010(e) related to age, significance and integrity, and recommends that the Eco Earth Globe be listed as a “Local Historic Resource.”

(b) Following a public hearing, the City Council, having carefully considered the Historic Landmarks Commission recommendation, the evidence and testimony, finds that the Eco Earth Globe is sixty years old; The Globe has both human and cultural significance for its association with the Oregon Pulp and Paper Mill and Boise Cascade and as one of Salem’s first community projects that adaptively reused an industrial structure, converting it to a piece of art representing the earth and symbolizing world peace and cultural diversity; and the Globe has retained the integrity of its original form and is in its original location.

(c) Those certain facts and findings in the staff report dated April 21, 2022, and the Final Recommendation of the Historic Landmarks Commission, which are attached hereto as “Exhibit A” and “Exhibit B,” and incorporated herein by reference, are hereby adopted as additional findings.

Section 2. Local Historic Resource Designation. Pursuant to SRC 230.010(e), the City Council hereby designates the Eco Earth Globe, located at 230 Front St. SE, Salem, Oregon, Marion County Assessor’s Map and Tax Lot number 073W27BA01492 as an historic resource, as more particularly depicted on “Exhibit C,” which is attached hereto and incorporated herein by reference.

PASSED by the City Council this _____ day of _____, 2022.

ATTEST:

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City Recorder

Approved by City Attorney: _____

Checked by: K. Fitzgerald

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TO: Historic Landmarks Commission

THROUGH: Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director and Planning Administrator

FROM: Kimberli Fitzgerald, Historic Preservation Officer

HEARING DATE: April 21, 2022

CASE NO.: Historic Local Designation Case No. HIS22-05

APPLICATION SUMMARY: A proposal to designate the Eco Earth Globe as a local historic resource

LOCATION: 230 Front Street SE

REQUEST: Class 4 Legislative Major Historic Review of a proposal to designate the Eco Earth Ball (c.1962), as a local historic resource, zoned CB (Central Business District), and located at 230 Front Street SE 97301; Marion County Assessors Map and Tax Lot number: 073W27BA01492.

APPLICANT: Chris D'Arcy on behalf of the Salem Public Art Commission

APPROVAL CRITERIA: Salem Revised Code (SRC) Chapter 230.010 Historic Designation

RECOMMENDATION: Recommend to the City Council **APPROVAL**

BACKGROUND

On February 15, 2022, the applicant submitted materials for a Class 4 Legislative Major Historic Review of a proposal to designate the Eco Earth Ball as a local historic resource. The application was deemed complete for processing on April 1, 2022. At their March 17, 2022 meeting, the HLC adopted Resolution 2022-01 initiating the Local Historic Resource Designation for the Eco Earth Globe (**Attachment B**).

Notice was provided to DLCD on March 17, 2022. Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on April 1, 2022. Public hearing notice was also posted on the property in accordance with the posting provision outlined in SRC 300.620. The City of Salem Historic Landmarks Commission will hold a virtual public hearing for the case on April 21, 2022 at 5:30 p.m. (<https://bit.ly/planningpublicmeetings>).

The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is July 30, 2022, unless an extension is granted by the applicant.

PROPOSAL

The applicant, the Salem Public Art Commission, has requested that the Salem Historic Landmarks Commission (HLC) recommend the local historic resource nomination for the Eco Earth Globe (1960). The Eco-Earth Globe is significant for its association with the Oregon Pulp and Paper Mill and Boise Cascade as well as for significance as one of Salem's first community projects that adaptively reused an industrial structure, converting it to a piece of art representing the earth and symbolizing world peace and cultural diversity(**Attachment C**).

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22-103987

FACTS & FINDINGS

1. Historic Designation

According to SRC 230.010(c)(2) any person may file a request with the Council or the Historic Landmarks Commission for initiation of the designation of a local historic resource. Designation is a Type IV procedure under SRC 300. The HLC may choose to initiate a designation, hold a public hearing on the nomination and make a recommendation to City Council regarding the proposed designation. Provided owner consent is granted per SRC 230.010(f), under Salem Revised Code (SRC) Chapter 230.010 an application for the designation of a local resource designation may be granted by the Salem City Council if the resource meets the criteria for age, significance and integrity as outlined in SRC 230.010(e).

2. Neighborhood and Citizen Comments

The subject property is located within the Central Area Neighborhood Development Organization (CANDO). All property owners and tenants within 250 feet of the subject property were mailed notification of the proposal on April 1, 2022 pursuant to Salem Revised Code (SRC) requirements. Notice of public hearing was also posted on the subject property. At the time of writing this staff report, no comments were received from the neighborhood association or adjoining property owners.

3. City Department and Public Agency Comments

Notice was provided to DLCD on March 17, 2022. At the time of writing this staff report, no comments were received from public agencies or city departments.

4. Historic Designation Criteria

SRC Chapter 230.010 (e) are the criterion applicable to the evaluation of this proposal. Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable standards:

FINDINGS

1. **SRC 230.010 (e) (1) Age:** *The proposed historic resource is at least 50 years old, or demonstrates exceptional significance if less than 50 years of age.*

Findings: The resource is approximately 60 years of age; therefore, staff recommends the HLC find that this criterion has been met.

2. **SRC 230.010 (e) (2) Significance:** *The proposed historic resource demonstrates significance in at least one of the following areas:*

- a. **Cultural Significance:** *(i) Contributes to the character and historic identity of the neighborhood or City; (ii) Makes a contribution to the historic character of a historic resource, neighborhood, district, or City as a whole*

Findings: Staff recommends that the HLC find that the potential resource has cultural significance for its association with the Oregon Pulp and Paper Company and Boise Cascade as an example of a low-pressure accumulator that allowed the plant to reuse sulfur dioxide, the residue from the chip cooking process. The process saved the company from having to buy more sulfur dioxide and cut down on pollution. The potential resource also has cultural significance for its association with the Salem community efforts to adaptively reuse this industrial structure, which residents requested be left behind when Boise Cascade was demolished in 1982. Citizens and volunteers worked over the course of many years to convert it to a piece of art representing the earth and symbolizing world peace and cultural diversity.

- b. **Human Significance:** *(i) Is associated historically with the life or activities of a person, group, organization or institution that has made a significant contribution to the local community; or (ii) Is associated with events that have made a significant contribution to the broad patterns of local history; or (iii) Has yielded, or may be likely to yield, important information concerning prehistory or history.*

Findings: The pulp mill closed in June 1982, and the City of Salem asked that Boise Cascade leave the acid ball with the idea that it could become an amenity in the new Riverfront Park. The community art project was funded by the Salem community-businesses and individuals. Volunteers worked an estimated 30,000 hours over a five-year period to convert the one-time eyesore into a public work of art in the south end of Salem's Riverfront Park. Staff recommends that the HLC find that the resource has human significance for its association with the local Salem community who worked for five years to adaptively reuse this industrial structure, converting it to a piece of art.

- c. **Architectural Significance**: *(i) Is significant as an example of a particular architectural style, building type, structural type, or method of construction; or (ii) Is the work of an acknowledged master or architect, or possesses high artistic values.*

Findings: The Eco-Earth Ball retains the original form and is in its original location, however the exterior has changed due to the addition of the tiles and does not reflect the work of an acknowledged master or architect. Therefore, staff recommends the HLC find that the resource is not currently a significant example of a particular architectural style.

3. **SRC 230.010 (e) (3) Integrity**: *The proposed historic resource retains sufficient original design characteristics, craft work, or material to serve as an example of an architectural period, significant building type or structural type, or recognized architectural style.*

Findings: The Eco-Earth Ball retains the original form and is in its original location. While the exterior surface has changed due to the addition of the artistic tiles, this alteration does not impact the overall form of the structure itself and conveys the association to the significant community effort to adaptively reuse the acid ball into a community art piece. Staff recommends that the HLC find that the resource retains sufficient original integrity to convey its historical and cultural significance and this criterion has been met.

Owner Consent

4. **SRC 230.010.(f). Owner Consent**: *A property owner may refuse to consent to local historic resource designation at any point during the designation process. A refusal to consent shall remove the property from consideration for local historic resource designation. No permit for the demolition or modification of property removed from consideration for local historic resource designation shall be issued for 120 days following the date of the property owner's refusal to consent to local historic resource designation.*

Findings: The property is owned by the City of Salem, and therefore the Salem City Council would need to consent to the designation which they have not yet done. The City Council consent (or refusal) can occur at any time during the designation process; it is expected that consent, or refusal, would occur when review of this request is before the City Council.

RECOMMENDATION

Based upon the information presented in the application and findings as presented in this staff report, staff recommends that the Historic Landmarks Commission RECOMMEND to CITY COUNCIL **APPROVAL** of the proposal to designate the Eco Earth Ball as a Local Historic Resource.

DECISION ALTERNATIVES

1. **RECOMMEND APPROVAL**. Should the HLC find that the applicant has made the case for designation of this historic resource, the HLC can find that the proposed resource is eligible for designation and therefore recommend that the City Council approve the designation.

2. **RECOMMEND DENIAL**. Should the HLC find that the applicant has not made the case for designation of this historic resource, the HLC can find that the proposed resource is not eligible for designation and therefore recommend that the City Council deny the designation.

Attachments: A. Vicinity Map
B. HLC Resolution 2022-01
C. Applicant's Submittal Materials

Prepared by Kimberli Fitzgerald, Historic Preservation Officer

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

**RECOMMENDATION OF HISTORIC LANDMARKS COMMISSION
LOCAL HISTORIC RESOURCE DESIGNATION CASE NO. HIS22-05**

APPLICATION NO.: 22-101412-DR

NOTICE OF RECOMMENDATION DATE: April 28, 2022

SUMMARY: A proposal to designate the Eco Earth Globe as a Salem Local Historic Resource.

REQUEST: Class 3 Major Historic Review of a proposal to designate the Eco Earth Ball (c.1962), as a local historic resource, zoned CB (Central Business District), and located at 230 Front Street SE 97301; Marion County Assessors Map and Tax Lot number: 073W27BA01492.

APPLICANT: Salem Public Art Commission

LOCATION: 230 Front St SE, Salem OR 97301

WHEREAS, a Council priority is Welcoming and Livable Neighborhoods which includes ensuring that Salem residents have access to historic and cultural opportunities by supporting Salem's historically and culturally significant buildings and sites; and

WHEREAS, the Salem City Council adopted the updated 2020-2030 Salem Historic Preservation Plan (Plan) as components and support documents to the Salem Area Comprehensive Plan in 2020; and

WHEREAS, the Plan's adopted Goal 6 is: Survey and Designate Historic Resources; and

WHEREAS, the City of Salem is a Certified Local Government and has a historic preservation program that includes a preservation ordinance and a local Historic Landmarks Commission (HLC) that meets regularly and maintains a register of locally designated historic resources; and

WHEREAS, Salem's Public Art Commission (SPAC) submitted a request to the HLC to initiate the local historic resource designation of the Eco Earth Globe in January 2022 for its association with the Oregon Pulp and Paper Mill and Boise Cascade as well as for significance as one of Salem's first community projects that adaptively reused an industrial structure, converting it to a piece of art representing the earth and symbolizing world peace and cultural diversity; and

WHEREAS, the HLC voted unanimously to initiate the local historic resource designation of the Eco Earth Globe at their January 20, 2022 meeting; and

WHEREAS, the HLC voted unanimously to adopt a resolution for the local historic resource designation of the Eco Earth Globe at their March 17, 2022 meeting; and

WHEREAS, the HLC voted unanimously to recommend approval of the local historic resource designation of the Eco Earth Globe at their April 21, 2022 meeting; and

**NOTICE OF
RECOMMENDATION**

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

CITY OF Salem
AT YOUR SERVICE

WHEREAS, A local historic resource designation may be initiated by the Historic Landmarks Commission by resolution pursuant to SRC 230.010(c)(1)(B); and

WHEREAS, the Historic Landmarks Commission is required to provide appropriate public notice, consider the matter at a public hearing and make a recommendation regarding the findings relating to the applicable criteria for local historic resource designation in SRC 230.010 to the City Council pursuant to SRC 300.720(e); and

BE IT RESOLVED BY THE HISTORIC LANDMARKS COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Historic Landmarks Commission hereby adopts as its findings of fact the staff report on this matter dated April 22, 2022 herewith attached and by this reference incorporated herein.

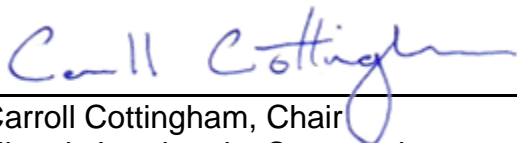
Section 2. ORDER:

Based upon the foregoing findings and conclusions, the Historic Landmarks Commission RECOMMENDS the City Council take the following action:

That the City Council accept first reading of an ordinance bill for the purpose of designation of the Eco Earth Globe as a Local Historic Resource.

HISTORIC LANDMARKS COMMISSION VOTE

YES 6 NO 0 ABSENT 3 (Fuller, Inman, Mulvihill) ABSTAIN 0



Carroll Cottingham, Chair
Historic Landmarks Commission

The City Council will make a final decision on the proposal. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the mailing date of the Council decision.

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 to review the case file.