

**TO:** Historic Landmarks Commission

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

**FROM:** Kimberli Fitzgerald, Historic Preservation Officer

**HEARING DATE:** March 16, 2023

**CASE NO.:** Historic Design Review Case No. HIS23-03

**APPLICATION SUMMARY:** A proposal to replace eight windows and siding on the Bishop House (c.1938).

**LOCATION:** 460 Leslie Street SE

**REQUEST:** A Class 3 Major Historic Design review of a proposal to replace eight windows and siding on the exterior of the Bishop House(1938), a historic contributing building in the Gaiety Hill/Bush's Pasture Park Historic District in the RS (Single Family Residential) zone, and located at 460 Leslie Street - 97301 (Marion County Assessor Map and Tax Lot Number: 073W27CA00500).

**APPLICANT:** Rich Bontrager, Kaufman's Home Maintenance on behalf of Cheryl Randall

**APPROVAL CRITERIA:** Salem Revised Code (SRC) 230.65 General Guidelines for Contributing Buildings

**RECOMMENDATION:** APPROVE

### **BACKGROUND**

On February 21, 2023, the applicant submitted materials for a Major Historic Design Review for a proposal to replace eight windows and siding on the exterior of the Bishop House (c.1938) (**Attachment A**). The application was deemed complete for processing on February 22, 2023.

Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on February 22, 2023. 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 public hearing for the case on March 16, 2023 at 5:30 p.m. in Council Chambers, Civic Center at 555 Liberty Street SE, Room 240.  
(<https://bit.ly/planningpublicmeetings>).

The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is June 22, 2023, unless an extension is granted by the applicant.

## **PROPOSAL**

The applicant is requesting approval to replace eight windows on the second story of this residence, which do not function properly, some have been painted shut and the sash counterweights have been cut. The windows are all single pane, and let the cold/heat in. The applicant is also proposing to replace the shingle siding on the dormers, on the front façade of the Bishop House (c.1938). Specifics of the proposal are as follows:

North Façade: Two wood double hung single paned windows (within the dormers, second story) proposed for replacement with two wood double hung, double paned windows, custom designed by Stayton Wood Windows. The cedar shake shingles will be replaced on the dormers with in-kind cedar shake shingles, and painted to match.

West Façade: Three wood double hung single paned windows (second story) proposed for replacement with three paintable fiberglass double hung, double paned Marvin Elevate Double Hung Windows.

South Façade: Two wood double hung single paned windows (second story) proposed for replacement with two paintable fiberglass double hung, double paned Marvin Elevate Double Hung Windows.

East Façade: One wood double hung single paned window (within the dormers, second story) proposed for replacement with one paintable fiberglass double hung, double paned Marvin Elevate Double Hung Window.

## **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: 23 104234 PLN.

## **APPLICANT'S STATEMENT**

A request for historic design review must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicants submitted a written statement, which is included in its entirety as **Attachment C** in this staff report.

Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report. Salem Revised Code (SRC) **Salem Revised Code (SRC) 230.065 General Guidelines for contributing buildings** are the applicable criteria for evaluation of this proposal.

## **FACTS & FINDINGS**

### **1. Historic Designation**

Under Salem Revised Code (SRC) Chapter 230, no development permit for a designated historic resource shall be issued without the approval of the Historic Landmarks Commission (HLC). The HLC shall approve, conditionally approve, or deny the application on the basis of the project's conformity with the criteria. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. The HLC shall render its decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

## **2. Historic Significance**

The Bishop house is a Cape Cod residence constructed c. 1938 by Jasper Bishop (**Attachment B**). The house remained in the Bishop family after Jasper's death in 1941 through 1988. Jasper worked as a member of the State Highway Department's engineering staff beginning in 1913, and had become the Chief Maintenance Engineer in 1932, working in this position until his death at the age of 52. In November 1941, all flags on highway maintenance shops throughout the state were flown at half-mast until funeral rites were concluded on November 26, 1941. This resource is historic contributing to Salem's Gaiety Hill/Bush's Pasture Park Historic District.

## **3. Neighborhood and Citizen Comments**

The subject property is located within the South-Central Association of Neighbors (SCAN). All property owners and tenants within Salem's Gaiety Hill/Bush's Pasture Park Historic District as well as property owners and tenants within 250 feet of the subject property were mailed notification of the proposal on February 22, 2023 pursuant to Salem Revised Code (SRC) requirements. Signs were also posted on the subject property pursuant to SRC 300.800. Jon Christensen, Chair of the SCAN Historic Preservation Parks and Gardens Committee, provided comments stating that the request for comments was received and circulated to members of their Committee. Mark Hestand submitted comments in support of the proposal (**Attachment D**).

## **4. City Department and Public Agency Comments**

Building and Safety Division indicated that building permits for the window and siding replacement are not required for a single family dwelling unless the structure is closer than three feet to a property line or other structure. The Planning Division, Public Works and the Fire Department did not have any concerns with the proposal.

## **5. Historic Design Review**

Salem Revised Code (SRC) 230.065 *General Guidelines for contributing buildings and structures* 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**

### **230.065. GENERAL GUIDELINES FOR HISTORIC CONTRIBUTING RESOURCES**

*(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.*

**Finding:** The applicant is not proposing to alter the use of the resource or the site as a single-family residence. The proposed siding and window replacement on the primary façade is an ‘in-kind’ replacement, matching material and design of the original double hung windows, and the siding on the dormers, thereby meeting SRC 230.065(a). While a change in material is proposed for the windows on secondary facades, the fenestration pattern, and window openings will be retained. Staff recommends that the HLC find that SRC 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.*

**Finding:** Given the poor condition of the existing original windows and the siding on the second story of the resource, it is not feasible for the applicant to repair or preserve any original historic materials as part of this proposal; therefore, staff recommends that the HLC find this guideline is not applicable to the evaluation of this proposal.

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

**Finding:** While it is not feasible to retain the original windows on the second floor of the resource due to their poor condition, the proposed siding and window replacement on the primary façade is an ‘in-kind’ replacement, matching material and design of the original double hung windows, and the siding on the dormers, thereby meeting SRC 230.065 (c). While a change in material is proposed for the windows on secondary facades, the proposed windows on these facades match the design of the original and the fenestration patterns will be retained. Staff recommends that the HLC find that SRC 230.065 (c) has been met.

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

**Finding:** While the applicant is not proposing to restore or reconstruct any missing historic features, the applicant is proposing to replace the existing original windows and dormer siding with windows and siding that match these original features, based upon physical evidence. Therefore, staff recommends that the HLC find that SRC 230.065(d) has been met.

*(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.*

**Finding:** There are no alterations proposed to historic features that have acquired significance, therefore staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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

**Finding:** The proposed new double hung wooden replacement windows and cedar shake siding on the primary façade match the design and material of the original windows to the greatest degree feasible, while improving both functionality and energy efficiency. The proposed new double hung fiberglass windows are paintable and match the design of the original windows and are proposed to be installed within the existing window openings, to retain the original fenestration pattern. Their location on the side and rear facades of the resource minimizes any adverse visual impacts due to the change in material. Staff recommends that the HLC find that SRC 230.065(f) has been met.

*(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.*

**Finding:** While the proposed window and siding replacement will result in the loss of some original historic material, the adverse effects of this loss have been minimized because the applicant is proposing to match the original material and design on the primary façade, and the character defining fenestration pattern and double hung window design features will be retained throughout. Staff recommends that the HLC find that SRC 230.065(g) has been met.

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

**Finding:** The applicant is not proposing to correct any structural deficiencies as part of this proposal, therefore Staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

*(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.*

**Finding:** The applicant is not proposing to any excavation or regrading as part of this proposal, therefore Staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

### **RECOMMENDATION**

Based upon the information presented in the application, plans submitted for review, and findings as presented in this staff report, staff recommends that the Historic Landmarks Commission **APPROVE** the proposal.

### **DECISION ALTERNATIVES**

1. APPROVE the proposal as submitted by the applicant and indicated on the drawings.

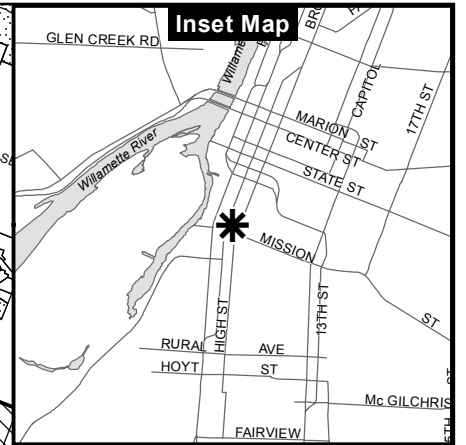
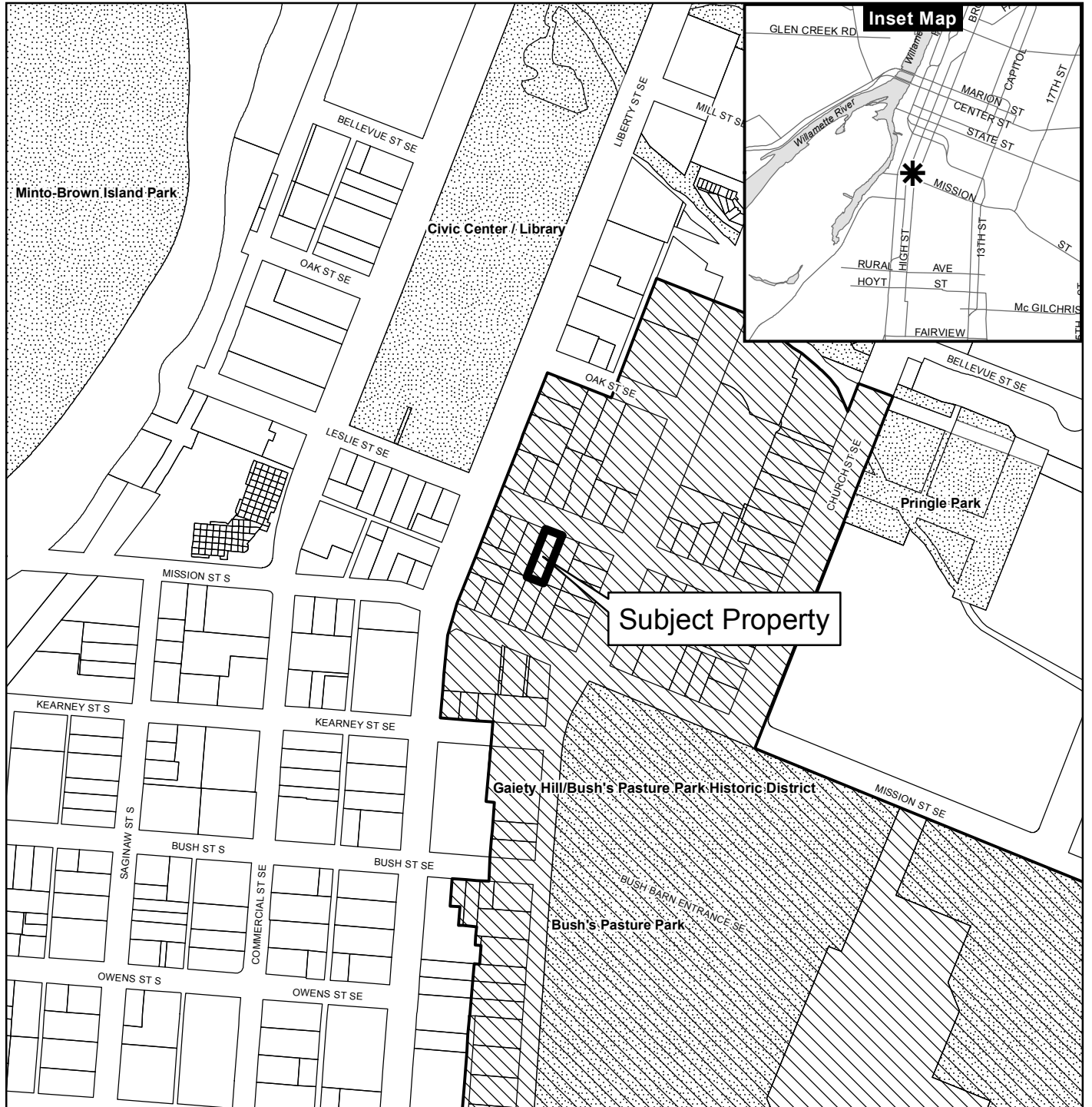
2. APPROVE the proposal with conditions to satisfy specific guideline(s).
3. DENY the proposal based on noncompliance with identified guidelines in SRC 230, indicating which guideline(s) is not met and the reason(s) the guideline is not met.

Attachments: A. Vicinity Map  
B. Excerpt from Oregon Historic Sites database  
C. Applicant's Submittal Materials  
D. Jon Christenson (SCAN) written response; Mark Histan testimony








Prepared by Kimberli Fitzgerald, Historic Preservation Officer

# Vicinity Map

## 460 Leslie Street SE (073W27CA00500)



**Legend**

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



0 100 200 400 Feet



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# Oregon Historic Site Record

LOCATION AND PROPERTY NAME			
<b>address:</b>	460 Leslie St SE Salem, Marion County	<b>historic name:</b>	
<b>assoc addresses:</b>		<b>current/other names:</b>	
<b>location descr:</b>		<b>block/lot/tax lot:</b>	
		<b>twnshp/rng/sect/qtr sect:</b>	7S 3W 27
PROPERTY CHARACTERISTICS			
<b>resource type:</b>	Building	<b>height (stories):</b>	1.5
<b>elig evaluation:</b>	eligible/contributing	<b>total elig resources:</b>	
<b>prim constr date:</b>	1938	<b>NR Status:</b>	Listed in Historic District
	<b>second date:</b>	<b>date indiv listed:</b>	
<b>primary orig use:</b>	Single Dwelling	<b>orig use comments:</b>	
<b>second orig use:</b>		<b>prim style comments:</b>	
<b>primary style:</b>	Colonial Revival	<b>sec style comments:</b>	
<b>secondary style:</b>		<b>siding comments:</b>	
<b>primary siding:</b>	Horizontal Board	<b>architect:</b>	
<b>secondary siding:</b>	Brick:Other/Undefined	<b>builder:</b>	
<b>plan type:</b>			
<b>comments/notes:</b>			
Cape Cod - Ca. 1938; a one and one-half story, wood frame, rectangular structure with a weatherboard over common bond brick facade. The sloped gable roof is of composition shingles and has two gabled dormers. Changed to EC 6/1987			
GROUPINGS / ASSOCIATIONS			
<b>Survey/Grouping Included In:</b>	<b>Type of Grouping</b>	<b>Date Listed</b>	<b>Date Compiled</b>
Gaiety Hill/Bush's Pasture Park Historic District	Listed Historic District	10/10/1986	1986
SHPO INFORMATION FOR THIS PROPERTY			
<b>NR date listed:</b>	N/A	<b>106 Project(s):</b>	None
<b>ILS survey date:</b>		<b>Special Assess Project(s):</b>	None
<b>RLS survey date:</b>		<b>Federal Tax Project(s):</b>	None
ARCHITECTURAL / PROPERTY DESCRIPTION			
<i>(Includes expanded description of the building/property, setting, significant landscape features, outbuildings and alterations)</i>			
Refer to scanned documents links.			
HISTORY			
<i>(Chronological, descriptive history of the property from its construction through at least the historic period - preferably to the present)</i>			
Refer to scanned documents links.			
RESEARCH INFORMATION			
Title Records	Census Records	Property Tax Records	Local Histories
Sanborn Maps	Biographical Sources	SHPO Files	Interviews
Obituaries	Newspapers	State Archives	Historic Photographs
City Directories	Building Permits	State Library	
<b>Local Library:</b>		<b>University Library:</b>	
<b>Historical Society:</b>		<b>Other Respository:</b>	
<b>Bibliography:</b>			





Legend

- Centerline (Labels)
- Historic Buildings
- Annexations (delayed)
- Taxlots
- Creeks
  - 50 - 200
  - 200 - 640
  - 640 - 6400
  - GT 6400
- Hydrology
- Street Class
  - Future Minor Arterial
  - Future Collector
  - Major Arterial
  - Minor Arterial
  - Parkway
  - Collector
  - Highway/Freeway
- Urban Growth Boundary
- City Limit

Notes

Enter notes here...

0.01 0 0.01 0.01 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
City of Salem, Oregon

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Kaufman Home Maintenance – 460 Leslie Street, Salem Oregon 97301 – Cheryl Randall

We are looking to replace the windows on the 2<sup>nd</sup> level of Cheryl Randall’s home. The current windows do not function properly, some have been painted shut over the years and the sash counter weight cords have been cut. The windows are all single pane letting the cold and heat in.

There are 2 windows that face the street, located in the dormers. There is one on the east side of the home that is not really visible from the street. There are three on the west side of the home that are somewhat visible from the street, and lastly 2 that face south into the back yard.

When we replace the windows, we will also be replacing the cedar shake shingles on the dormers. I have put pictures below for your reference.

If there are questions, please feel free to contact me at the number or email address below.

Rich Bontrager / Project Manager

**Rich Bontrager** | Project Manager | Cell 503.949.4566

**Kaufman’s Home Maintenance** | Office 503.798.4357

5797 State St. | Salem, OR 97317



These two windows we propose using Stayton Windows to make new double hung sashes only and preserve the existing window frame and trim if possible.

**SPECIFICATION**

Proposed for the Front

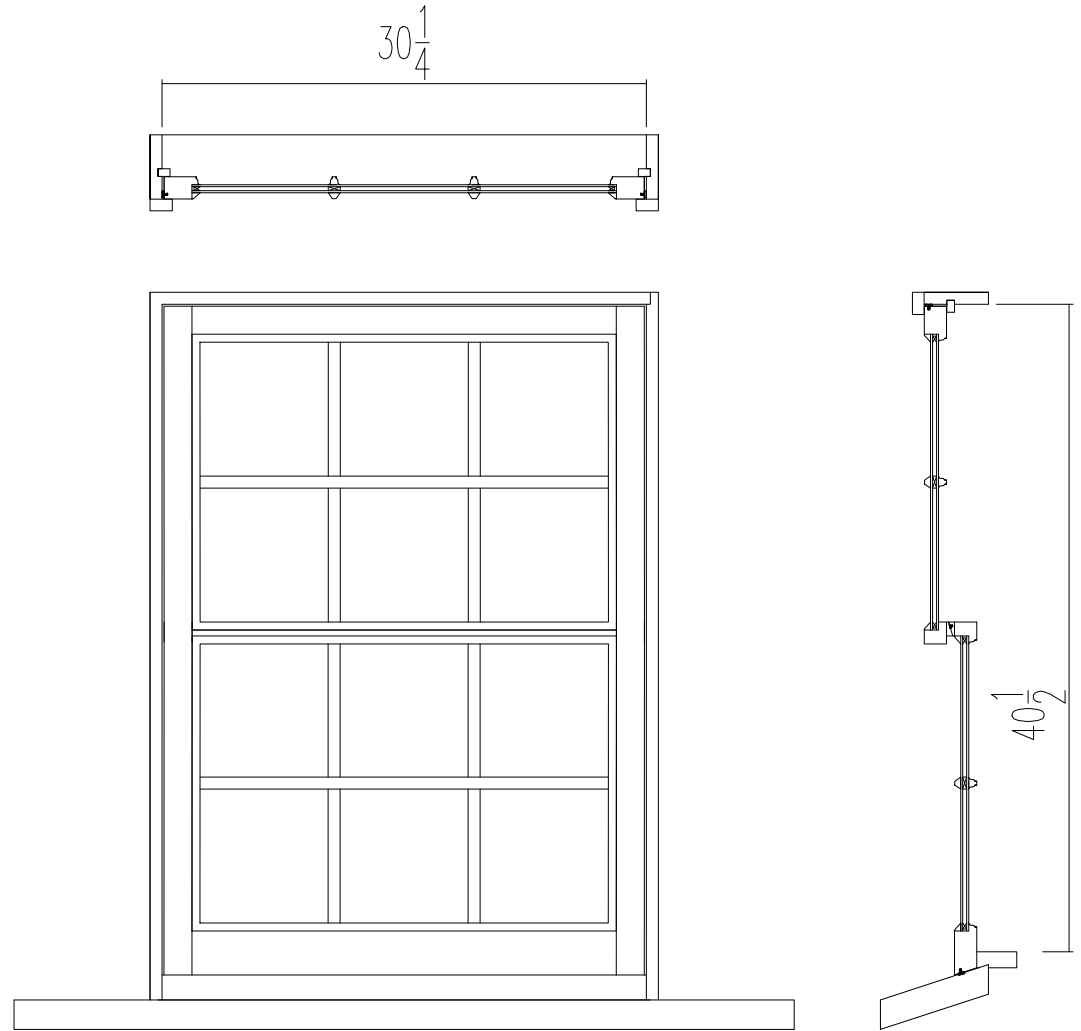
OVERALL JAMB DIMENSIONS:  $31 \frac{3}{4}$ " X  $45 \frac{1}{2}$ " X  $4 \frac{3}{4}$ "  
(VIF BEFORE CONSTRUCTION)

GLASS SIZE:  $18 \frac{1}{4}$ " X  $26 \frac{1}{4}$ " X  $\frac{1}{2}$ " (WHITE SPACERS AND BARS)

VISIBLE GLASS SPACE  $25 \frac{1}{2}$ " X  $17 \frac{1}{2}$ " PER SASH

SASH WEIGHT 17.75 LBS

\*TEMPERED CLEAR  
INVISIBLE BALANCE



**STAYTON**  
**WOOD WINDOWS**

Very Good Windows & Doors

CUSTOMER : KAUFMAN

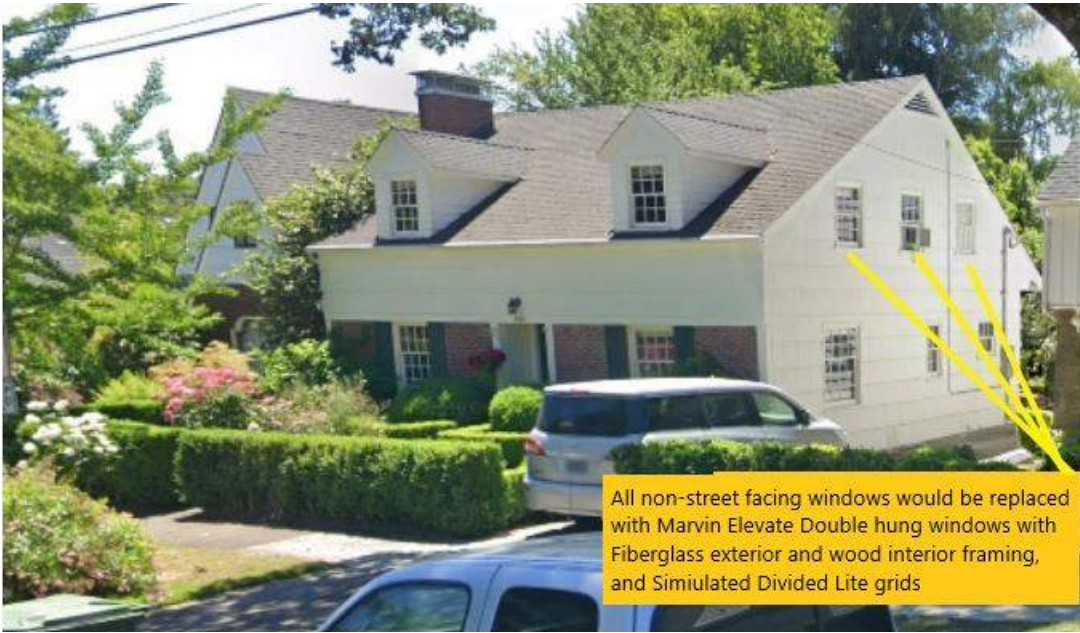
LOCATION : SALEM

SPECIES : DOUGLAS FIR

SERIES : DOUBLE HUNG

SCALE : 1=12

DATE : 2 20 23



All non-street facing windows would be replaced with Marvin Elevate Double hung windows with Fiberglass exterior and wood interior framing, and Simulated Divided Lite grids

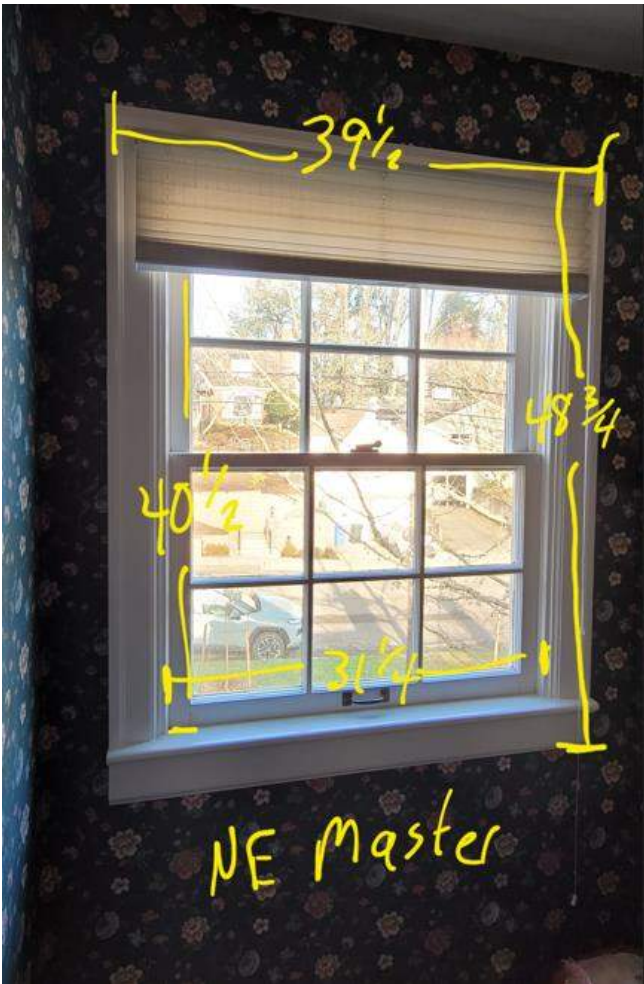


All non-street facing windows will be replaced with Marvin Elevate Double hung windows with Fiberglass exterior and wood interior framing and Simulated Divided Lite grids



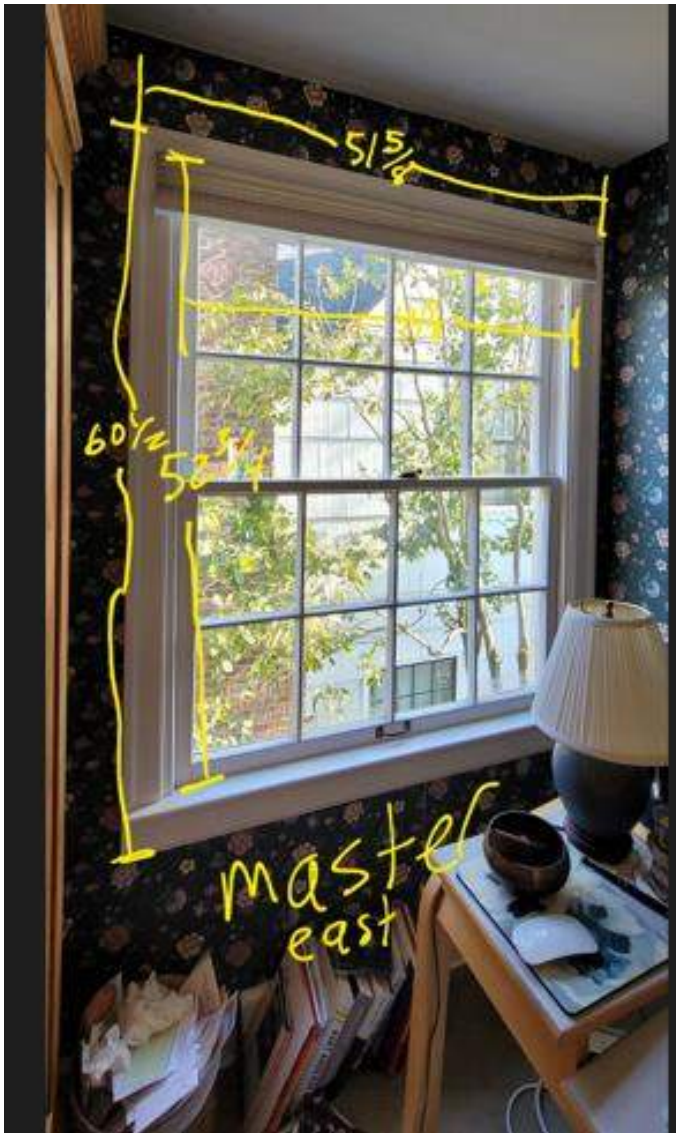
All non-street facing windows will be replaced with Marvin Elevate Double hung windows with Fiberglass exterior and wood interior framing and Simulated Divided Lite grids.

This is one of the two windows facing the street, all 7 match the style but will vary in size a little.



NE master

This is the east window that I could not get a picture of due to the trees:



### Marvin Elevate Double Hung Window

- Paintable fiberglass clad exterior
- Wood clad interior
- Tilt sash
- Dual pane glass with LowE coating and Argon insulating gas
- Simulated Divided Lite (SDL) – Wood bars permanently adhered to both interior and exterior glass.
- Match grid to existing windows

Sample below is from manufacture's website, windows ordered would be white to match current windows.



This window would be used at the east, west and south sides of the home.

**Kimberli Fitzgerald**

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**From:** HPPG <scanparks2023@gmail.com>  
**Sent:** Sunday, February 26, 2023 7:47 PM  
**To:** Kimberli Fitzgerald  
**Cc:** Zachery Cardoso  
**Subject:** Request for Comments - Case No. HIS23-03 for 460 Leslie St SE

Dear Kimberli:

Thank you for the Request for Comments and Notice of the Hearing.

The Request has been received and circulated to members of the SCAN Historic Preservation, Parks & Gardens Committee for review.

Your staff report and technical analysis of the materials will help our understanding.

My personal assumption is staff advises, provides counsel to applicants on materials prior to issuance of a RFC. Also to the elasticity on some materials not front exterior.

Windows are also an energy audit factor and openable windows are a safety consideration.

Look forward to your technical review.

Jon Christenson  
Chair, SCAN Historic Preservation, Parks & Gardens Committee

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On Wed, Feb 22, 2023 at 11:54 AM Zachery Cardoso <[ZCardoso@cityofsalem.net](mailto:ZCardoso@cityofsalem.net)> wrote:

Hello,

The Request for Comments for Major Historic Design Review Case No. HIS23-03 for 460 Leslie St SE is attached for your information. Comments are due **Wednesday, March 8, 2023 by 5:00 p.m.** Hard copies go out in the mail today for those of you who are to receive one.

Application Summary: A proposal to replace eight windows and siding on the Bishop House (c.1938).

Please direct questions or comments to the **CASE MANAGER:**



## Kimberli Fitzgerald

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**From:** markhstand@gmail.com  
**Sent:** Tuesday, February 28, 2023 4:45 PM  
**To:** Kimberli Fitzgerald  
**Subject:** Comments on historic design review case # HIS23-03

Hi Kimberly,

I wanted to submit the following comments regarding the case In the subject heading of this email:

The proposal for new windows and siding at 460 Leslie St SE look great and will help improve the energy efficiency of the house while keeping the historic character of the structure. We are in full support of this project!

Thank you!  
-Mark Hstand