

NOTICE OF DECISION

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



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

DECISION OF THE HISTORIC PRESERVATION OFFICER

HISTORIC DESIGN REVIEW CASE NO.: HIS21-08

APPLICATION NO.: 21-110068-DR

NOTICE OF DECISION DATE: July 20, 2021

SUMMARY: A proposal to restore a window on the exterior of the Masonic Temple Building (1912).

REQUEST: Class 2 Minor Historic Design Review of a proposal to restore a previously removed window on the 4th floor on the exterior of the Masonic Temple Building (1912), a historic contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 495 State St (aka 101 High St NE, Marion County Assessors Map and Tax Lot number: 073W27AB/2700).

APPLICANT: Michael Stackpole on behalf of Jeffrey Machina

LOCATION: 495 State St, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.040(b) – Windows

FINDINGS: The findings are in the attached Decision dated July 20, 2021.

DECISION: The **Historic Preservation Officer** (a Planning Administrator designee) **APPROVED** Historic Design Review HIS21-08 based upon the application materials deemed complete on June 18, 2021 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by August 5, 2023, or this approval shall be null and void.

| | |
|----------------------------------|-------------------------|
| Application Deemed Complete: | <u>June 18, 2021</u> |
| Notice of Decision Mailing Date: | <u>July 20, 2021</u> |
| Decision Effective Date: | <u>August 5, 2021</u> |
| State Mandate Date: | <u>October 16, 2021</u> |

Case Manager: Kirsten Straus, kstraus@cityofsalem.net, 503-540-2347

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Wednesday, August 4, 2021. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 230. 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 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.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

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503-588-6173***

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**HISTORIC DESIGN REVIEW CASE NO. HIS21-08
DECISION**

**IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS21-08)
495 STATE STREET (AKA 101 HIGH)
ST NE)) JULY 20, 2021**

In the matter of the application for a Class II Minor Historic Design Review submitted by Mike Stackpole, on behalf of Jeffrey Machina, Gynn Family Trust, the Historic Preservation Officer (a Planning Administrator Designee), having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

SUMMARY: Summary: A proposal to restore a window on the exterior of the Masonic Temple Building (1912).

REQUEST: Class 2 Minor Historic Design Review of a proposal to restore a previously removed window on the 4th floor on the exterior of the Masonic Temple Building (1912), a historic contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 495 State St (aka 101 High St NE, Marion County Assessors Map and Tax Lot number: 073W27AB/2700).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this decision (**Attachment A**).

DECISION

APPROVED based upon the application materials deemed complete on June 18, 2021 and the findings as presented in this report.

FINDINGS

1. Class 2 Minor Historic Design Review Applicability

SRC 230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a 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.

PROPOSAL

The applicant is proposing to replace a window that was previously removed and the opening covered on the forth-floor northern facade. The newly placed window will be a Jeld-Wen wood sash double-hung window (W-2500) (**Attachment C**). The applicant submitted for Historic Design Review approval on May 27, 2021, and additional information was submitted on June 4, 2021 and June 9, 2021. The application was deemed complete and notice was mailed on June 18, 2021.

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

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 within **Attachment C** in this decision.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. 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. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their 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 Masonic Temple, also known as the Franklin Building is a contributing resource within Salem's Downtown National Register District. This six-story commercial building

was constructed in 1912 as Salem's Masonic Hall. The building was designed by Ellis F. Lawrence, founder and first dean of the University of Oregon School of Architecture (**Attachment B**).

3. Neighborhood and Citizen Comments

The subject property is located within the Central Area Downtown Neighborhood Association (CANDO). A Request for Comments was sent to the neighborhood association, and surrounding property owners and tenants within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on June 18, 2021. One comment in support was received. No comments from the Neighborhood Association were received.

4. City Department and Public Agency Comments

The Building and Safety Division indicates that the applicant must obtain building permits for the proposed work. The Planning Division, Fire Department, and Public Works had no concerns regarding the proposed work.

5. Historic Design Review

SRC Chapter 230.020, Table 230-1 defines this activity as a Class 2 Minor Historic Design Review. Staff reviewed the project proposal and has the following findings for the applicable criterion:

Window Replacement

Criteria: Standards for historic contributing buildings in commercial historic districts

230.040 (b) Windows. *Replacement of windows in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair unfeasible due to poor condition of the materials. If the window is not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.*

(1) Materials.

(A) *Original material shall, if possible, be retained or repaired.*

Finding: The applicant is proposing to replace a window that was previously removed. No original material remains and SRC 230.040(b)(1)(A) is not applicable to the evaluation of this proposal.

(B) *Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and configuration of the original materials in the windows.*

Finding: The applicant is proposing to install a wood sash, double-hung window that matches the design of existing, historic windows that are still extant throughout the building. The proposed new windows are of wood, replicating the original material of the windows. All features of the new windows duplicate the appearance of the original windows, thereby meeting SRC 230.040(b)(1)(B).

(C) *Glass block or tinted, mirrored, opaque, or colored glass is not permitted, unless it is the historic glazing type.*

Finding: The applicant is not proposing block or tinted, mirrored, opaque or colored glass, and it is not a historic glazing type found on the fourth floor of the Masonic Temple (1912), thereby meeting SRC 230.040(b)(1)(C).

(2) Design.

(A) *A replacement window shall, to the greatest extent feasible, match design, size, proportions, configuration, reflective qualities, and profile of the original window.*

Finding: The applicant is proposing to replace a window that was previously removed from the fourth floor of the Masonic Temple (1912). The configuration of the opening still exists and has been covered with CMU. The new window will be installed within the existing opening. While the original window in this opening is no longer extant, all features of the proposed new window duplicate the appearance of the original windows that do remain throughout the resource, thereby meeting SRC 230.040(b)(2)(A).

(B) *The size and shape of original window openings should be preserved so that the configuration of the façade is not changed.*

Finding: The applicants are retaining the size and shape of the original window opening, and the window configuration of the north facade of the Masonic Temple (1912) will be restored to a configuration that more closely matches the original, thereby meeting SRC 230.040(b)(2)(B).

(C) *New window openings into the principal elevations, enlargement or reduction of original window openings and infill of original window openings are not permitted.*

Finding: The applicant is not proposing any new window openings and are restoring a window that was previously removed and blocked with CMU. They are not proposing to enlarge or reduce any existing window openings, thereby meeting SRC 230.040(b)(2)(C).

(D) *Original openings that have been covered or blocked should be re-opened when feasible.*

Finding: The applicant is proposing to reopen a window opening that has been blocked and filled with CMU. Re-opening this original window space and reinstalling

the window is feasible and will restore the historic window pattern on this façade, thereby meeting SRC 230.040(b)(2)(D).

(E) Windows historically used on upper levels shall not be installed at storefront level, and storefront windows shall not be installed on upper levels.

Finding: The applicant is not proposing to install storefront type windows on the fourth floor as part of this proposal, thereby meeting SRC 230.040(b)(2)(E).

(F) Commercial window types shall not be substituted with residential window types.

Finding: The applicant is not proposing commercial window types to substitute for residential window types as part of this proposal. The applicants are proposing to utilize a new window within the restored opening which matches the design, material, and configuration of the original windows found throughout the resource, which are wood sash, one over one light, double-hung windows, a typical residential type window. All features of the new windows duplicate the appearance of these original window types, thereby meeting SRC 230.040(b)(2)(F).

(G) Interior grilles, grilles between layers of insulating glass, or stenciled mullions in lieu of true divided lights or exterior mullions are not permitted.

Finding: The applicants are not proposing new windows with interior grilles or stenciled mullions. The original windows do not have divided lights or exterior mullions. All features of the windows duplicate the appearance of the original windows found throughout the resource, thereby meeting SRC 230.040(b)(2)(G).

DECISION

Based upon the application materials deemed complete on June 18, 2021 and the findings as presented in this report, the application for HIS21-08 is **APPROVED**.

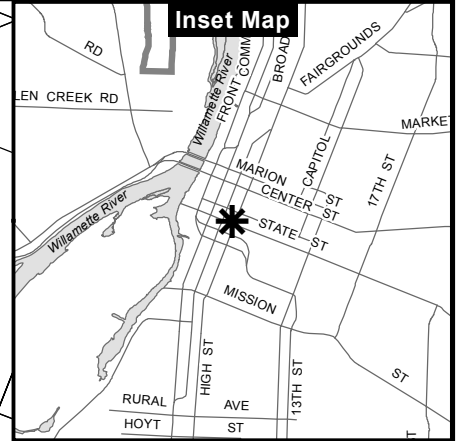
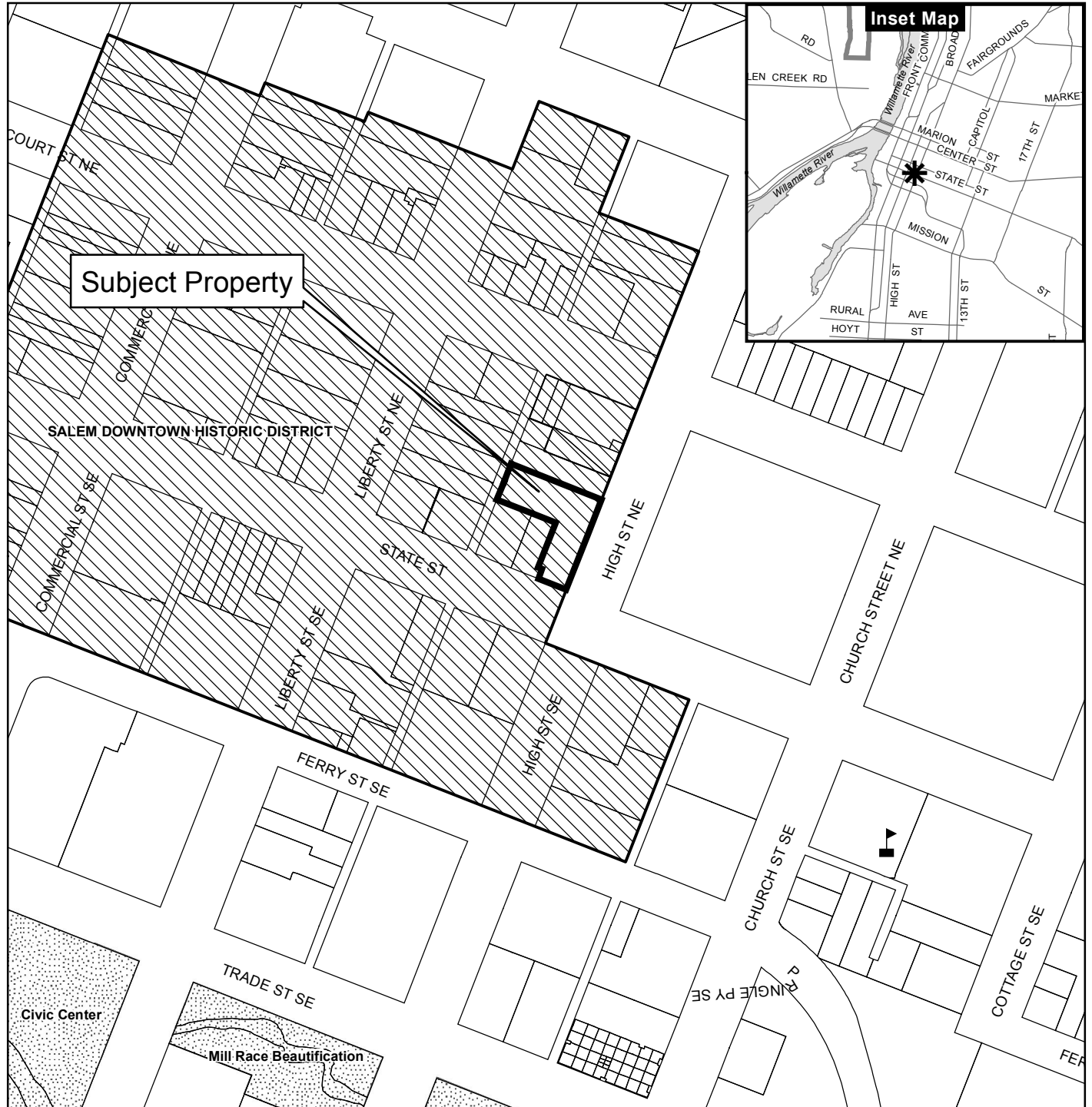


Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

Prepared by Kirsten Straus, Planner I

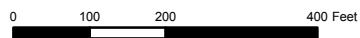
Attachments: A. Vicinity Map
B. Excerpt from National Register Nomination
C. Applicant's Submittal Material

Vicinity Map 495 State Street



Legend

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



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Attachment B

EXCERPT FROM NATIONAL REGISTER NOMINATION DOCUMENTS: Salem Downtown Historic District

101 High Street NE

Classification: Historic Contributing (Listed as a Local Landmark in 1989)

Historic Name: Masonic Temple

Current Name: Franklin Building

Year of Construction: 1911-1912

Legal Description: 073W27AB02700; Salem Addition, from Lots 3 and 4 in Block 21.

Owner(s): County of Marion
100 High Street
Salem, Oregon 97301

Description: This six-story Commercial style building, designed by Ellis F. Lawrence, is on the northwest corner of the intersection of High and State streets. It is constructed of reinforced concrete faced with light brown brick and terra cotta detailing on the east and south (primary) facades. An overhanging cornice with copper brackets adorns the top of the building. The sixth floor incorporates a highly decorative fenestration pattern, consisting of windows flanked by rounded, fluted pilasters rising from bracketed, square piers at the sill belt course that terminate in a decorative lintel band. Decorative urns are placed atop each pilaster and above each pedimented window.

The fifth floor east and south facades have arched, double French doors opening onto cantilevered balconies with decorative brackets and stone-cut balustrades. The third and fourth floors have paired one-over-one, double-hung wood sash windows. A sill belt course separates the third from the second floor, which has casement windows. The ground floor has display windows consisting of newer windows with painted metal sash, compatible with the historic building. Canvas awnings are used along the east and south facades.

The building was constructed with stores on the ground level, offices on levels two through five, and the lodge room on the sixth floor. It was designed and built with the modern conveniences of the day, including hot and cold water, gas and electric lights, electric power, and an elevator. The builders used Oregon-made goods and materials wherever possible.

Changes to the building have occurred primarily along the west and north elevations, where the surface has been covered with stucco, the fenestration pattern has been altered, and stair/elevator towers have been added. The original window openings on the west facade are discernible through the ghosting pattern that reads through the stucco surface. Some of the original windows on the north facade remain. The two- and three-story buildings that were originally adjacent to these elevations have been removed, leaving at least the lower levels without a historic fenestration pattern. These are secondary elevations that face parking lots and the changes to their appearance do not significantly alter the overall contribution of this building to the character of the historic district.

History and Significance: Designed by Ellis Lawrence, founder and first dean of the University of Oregon School of Architecture, this building was built in 1912 as a Masonic Hall. It is significant both historically, for its contribution to the social history (fraternal movements) in Salem, and architecturally, as one of the few commercial buildings in the Salem Downtown Historic District that makes liberal use of terra cotta on the exterior facade. This Commercial style skyscraper is handsomely detailed on its street elevations in an eclectic Mediterranean/Venetian Gothic vein. Its architect, Ellis F. Lawrence, became known throughout the Pacific Northwest as a prolific designer of numerous commercial, residential, and public buildings, as a leader in developing the architecture profession in Oregon, and as the founder of the University of Oregon's School of Architecture.

Lawrence was born in Malden, Massachusetts, in 1879. He graduated from the Massachusetts Institute of Technology (MIT) with a degree in architecture. After working for three New England firms, he moved to Portland, Oregon, in 1906. His first business partners were E.B. McNaughton (architect) and Henry Raymond (engineer), both of whom also graduated from MIT. Some of Lawrence's early buildings include the Whitman College Conservatory of Music in Walla Walla, Washington, and several Portland, Oregon, buildings, including the Washington High School Gymnasium, the Albina Branch Library, the Peter Kerr House, and the Paul C. Murphy House. Lawrence also designed seventeen buildings on the University of Oregon campus in Eugene as well as the general campus layout. During his career, Lawrence designed over 500 buildings; a survey in 1993 reported that 260 buildings he designed were still standing.

Historic Alteration Review WorksheetSite Address: 495 State Street Salem, ORResource Status: Contributing Non-Contributing Individual Landmark Type of Work Activity Proposed: Major Minor Chose One: Commercial District Individual Resource Public District
Residential District Sign **Replacement, Alteration, Restoration or Addition of:****Architectural Feature:**

- Awning
 Door
 Exterior Trim, Lintel
 Other architectural feature
 Roof/Cornice
 Masonry/Siding
 Storefront
 Window(s) Number of windows: 1

Landscape Feature:

- Fence
 Streetscape
 Other Site feature (describe)

New:

- Addition
 Accessory Structure
 Sign
 Mural
 Accessibility Ramp
 Energy Improvements
 Mechanical Equipment
 Primary Structure

Will the proposed alteration be visible from any public right-of-way? Yes NoProject's Existing Material: CMU Project's New Material: Wood Sash Window**Project Description**

Briefly provide an overview of the type of work proposed. Describe how it meets the applicable design criteria in SRC Chapter 230. Please attach any additional information (i.e., product specification sheets) that will help staff and the HLC clearly understand the proposed work:

Remove CMU from exterior wall used to infill an older window and install new wood sash window like the windows we added to the building a couple years ago.



Signature of Applicant

6/4/2021

Date Submitted/Signed

[SRC 230.040 \(b\)](#)

Windows. Replacement of windows in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was unfeasible due to poor condition of the materials. If the window is not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.

(1) *Materials.*

(A) Original material shall, if possible, be retained or repaired.

The original window does not exist and it is not possible to repair it. This standard does not apply.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and light configuration of the original materials in the windows.

The proposed JeldWen window is wood sash, double hung, of the same type and style as the windows on the upper stories of the building.

(C) Glass block or tinted, mirrored, opaque, or colored glass is not permitted, unless it is the historic glazing type.

The proposed windows are not glass block, tinted, mirrored, opaque or colored glass.

(2) *Design.*

(A) A replacement window shall, to the greatest extent feasible, match design, size, proportions, configuration, reflective qualities, and profile of the original window.

The proposed JeldWen window matches the design and profile of the windows throughout the building.

(B) The size and shape of original window openings should be preserved so that the configuration of the facade is not changed.

The proposed new window will fit within the original window opening which still exists and has been filled in with CMU.

(C) New window openings into the principal elevations, enlargement or reduction of original historic window openings, and infill of original historic window openings are not permitted.

We are not proposing to create any new window openings.

(D) New window openings at the rear facade or sides if not visible from the public right-of-way are allowed.

No new window openings are being proposed.

(E) Original openings that have been covered or blocked should be re-opened when feasible.

We are proposing to reopen an original window opening that has been filled in with CMU and covered.

(F)Windows historically used on upper levels shall not be installed at storefront level, and storefront (large paned) windows shall not be installed on upper levels.

We are not proposing to install any storefront type windows within this opening.

(G)Commercial window types shall not be substituted with residential window types on storefronts.

No alterations are proposed for the storefront level windows.

(H)Interior grilles, grilles between layers of insulating glass, or stenciled mullions in lieu of true divided lights or permanently attached exterior mullions are not permitted.

The proposed new window will not have any divided lights or interior grilles.



← LOCATION OF ORIGINAL WINDOW.
 Restore to original location to match to existing original
 (See Spec sheet for new glass)

FRANKLIN BLDG
 BUILDING REMODELS & TENANT IMPROVEMENTS
 495 STATE STREET NE SALEM OR 97301

A1.24

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 1000 N. 10TH ST. SALEM, OR 97301
 503.595.1234
 WWW.FRANKLINBLDG.COM



REGISTERED ARCHITECT
 1000 N. 10TH ST. SALEM, OR 97301
 503.595.1234
 WWW.FRANKLINBLDG.COM

STUDIO 3





Location of proposed window opening restoration



Proposed location of
restored window

495 State St

HIS21-08

City of Salem

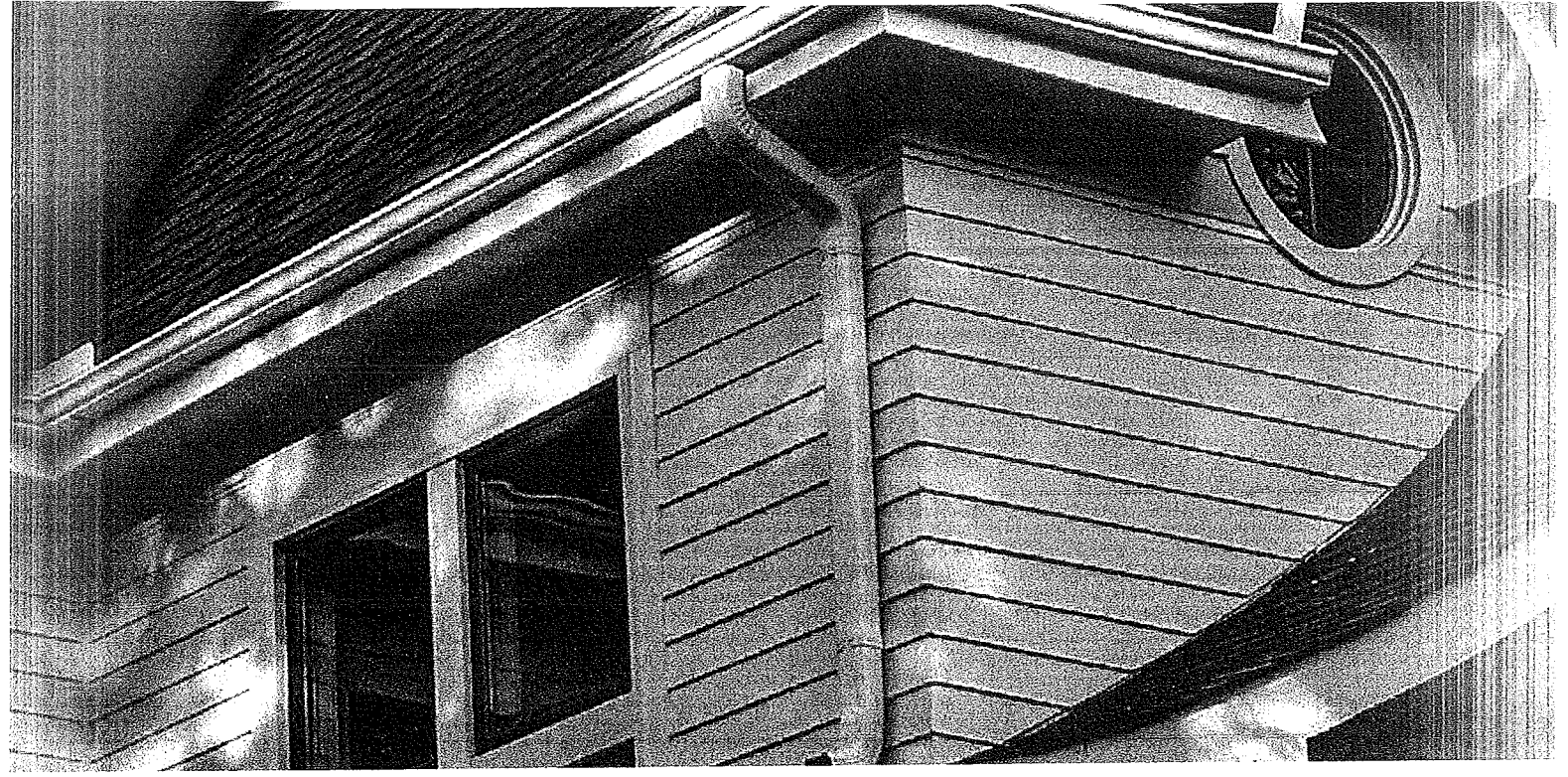


JELD-WEN
WINDOWS & DOORS

Wood Windows and Patio Doors

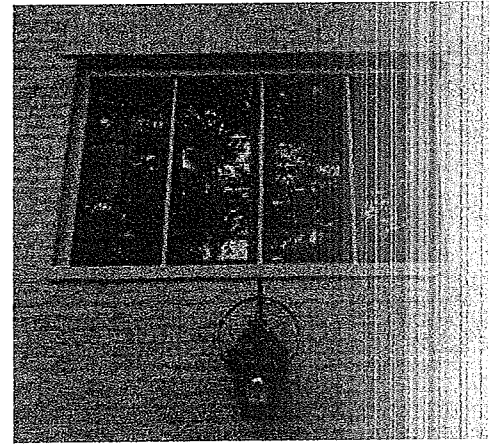
W-2500™ | W-2500™ with Traditional Sash





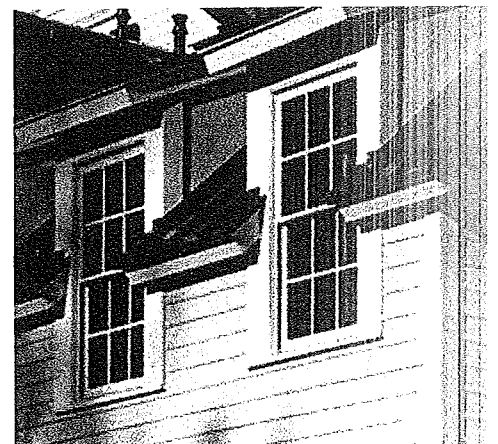
W-2500™ Series

- Great style and budget friendly
- Long-lasting and energy efficient
- Constructed with AuraLast® pine
- Ideal for new construction, remodeling or replacement
- Backed by a Limited Lifetime Warranty*

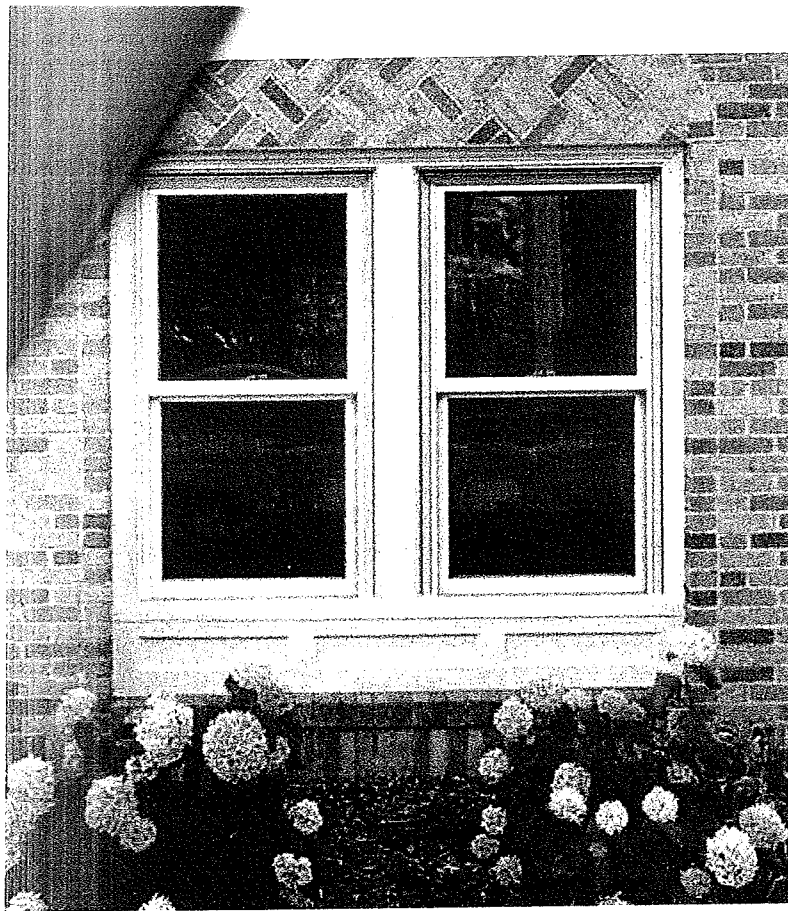


W-2500™ with Traditional Sash Series

- Wider sash and stile profile
- Customizable in 1/8" increments
- Constructed with AuraLast® pine
- Ideal for new construction, remodeling or replacement
- Backed by a Lifetime Limited Warranty*

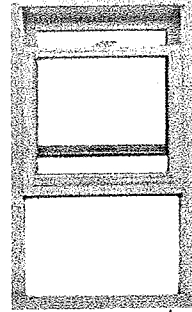


*For full warranty details please visit jeld-wen.com



Double-Hung

- Versatile appearance for any style
- Enjoy fresh air by either raising from the bottom or lowering the window from the top
- Both top and bottom sash tilt in for easy cleaning



Minimum:
21 3/8" x 36"

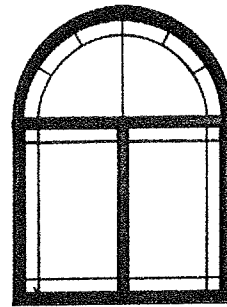
Maximum Width:
41 3/8" x 64"

Maximum Height:
37 3/8" x 76"



Fixed, Radius and Geometric

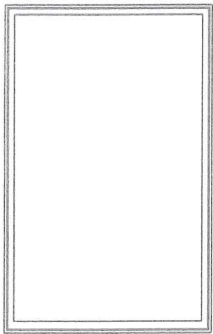
- Many design possibilities to match your style
- Custom shapes and sizes
- Glass is set directly into frame for maximum light and visibility



Minimum and maximum sizing depends on the shape and configuration of window selected.



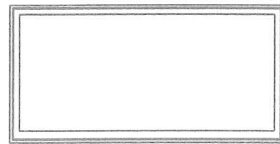
What Type of Window or Patio Door?



CASEMENT

- Hinged on either the left or right
- Opens wide for maximum ventilation
- Frequently used in kitchens and bathrooms

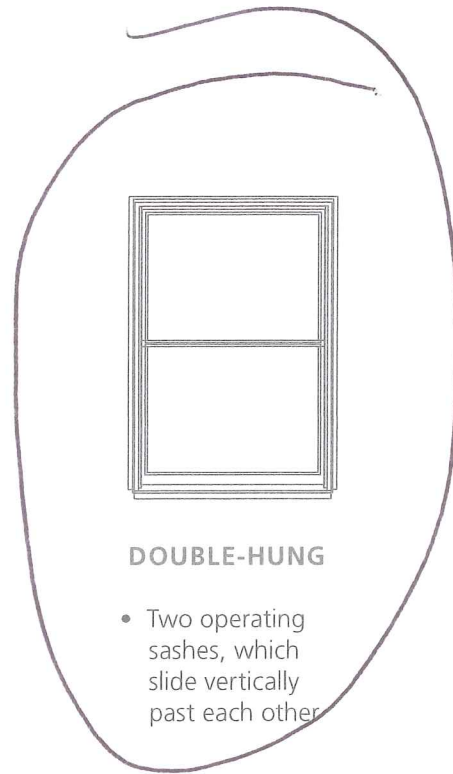
Pages 9, 13



AWNING

- Hinged at the top to open outward
- Often placed above doors
- Great accent windows
- Provide light and ventilation

Pages 9, 13



DOUBLE-HUNG

- Two operating sashes, which slide vertically past each other

Pages 10, 14