

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 PLANNING ADMINISTRATOR

HISTORIC DESIGN REVIEW CASE NO.: HIS18-18

APPLICATION NO. : 18-110567-DR

NOTICE OF DECISION DATE: JUNE 13, 2018

SUMMARY: A proposal for in-kind replacement of 3 double-hung windows, replacement of the glazing within 7 windows, and in-kind replacement of 2 flagpoles on the fifth floor of the Franklin Building/Masonic Temple (1912).

REQUEST: Minor Historic Design Review of in-kind replacement of 3 double-hung windows, replacement of the glazing within 7 windows and in-kind replacement of 2 exterior wooden flagpoles on the fifth floor of the Franklin Building/Masonic Temple (1912), a historic contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 495 State Street; 97301; Marion County Assessor's Map and Tax Lot number: 073W27AB02700.

APPLICANT: Jeffrey Machina for Gynn Family Trust

AGENT: Chad Montgomery, Montgomery Construction Group

LOCATION: 495 State Street

CRITERIA: Salem Revised Code Chapter 230.020(b) Windows
Salem Revised Code Chapter 230.040(g) Lintels, Architraves, Sills
and other Architectural Details

FINDINGS: The findings are in the attached Decision dated June 13, 2018.

DECISION: The Historic Preservation Officer (a Planning Administrator Designee) **APPROVED** Historic Design Review HIS18-18 based upon the application materials deemed complete on June 11, 2018 and the findings as presented in this report.

The rights granted by this decision must be exercised by **June 29, 2020** or this approval shall be null and void.

Application Deemed Complete: June 11, 2018
Notice of Decision Mailing Date: June 13, 2018
Decision Effective Date: June 29, 2018
State Mandate Date: October 9, 2018

Case Manager: Kimberli Fitzgerald, kfitzgerald@cityofsalem.net; 503.540.2397

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., Thursday, June 28, 2018.**

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.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

**HISTORIC DESIGN REVIEW CASE NO. HIS18-18
DECISION**

**IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS18-18)
495 STATE STREET NE) JUNE 13, 2018**

In the matter of the application for a Minor Historic Design Review submitted by Chad Montgomery, Montgomery Construction Group 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: A proposal for in-kind replacement of 3 double-hung windows, replacement of the glazing within 7 windows, and in-kind replacement of 2 flagpoles on the fifth floor of the Franklin Building/Masonic Temple (1912).

REQUEST: Minor Historic Design Review of in-kind replacement of 3 double-hung windows, replacement of the glazing within 7 windows and in-kind replacement of 2 exterior wooden flagpoles on the fifth floor of the Franklin Building/Masonic Temple (1912), a historic contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 495 State Street; 97301; Marion County Assessor's Map and Tax Lot number: 073W27AB02700.

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 11, 2018 and the findings as presented in this report.

FINDINGS

1. 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.

2. Analysis of Minor Historic Design Review Approval Criteria

Summary and Background: 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).**

The applicants are proposing in-kind replacement of three windows on the fifth floor, as part of a tenant improvement. Two of the windows are located on the south façade, and one is located on the north façade. These windows are in poor condition, and cannot be repaired. The windows will be replaced with Jeld-Wen wood sash double-hung windows (W-2500) **(Attachment C)**. The applicants are also proposing in-kind replacement of 2 wooden flag poles on the exterior of the building. Additionally, the applicants will be replacing the glazing within 7 windows where the glass has been removed to install window air conditioning units. The applicants submitted for both Building Permit and Historic Design Review approval on May 16, 2018.

Staff finds that the applicants have adequately demonstrated that this proposal complies with the applicable provisions of the Salem Revised Code (SRC) as follows:

Window Replacement

Criteria: 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 applicants are proposing in-kind replacement of three windows on the fifth floor of the Franklin Building. These windows have broken hardware and glazing, and the wooden sashes have damage due to dry-rot. Staff finds that it is not feasible to repair or retain the original windows and that SRC 230.040(b)(1)(A) has been met.

(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 applicants are proposing in-kind replacement of the original windows. 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 applicants are not proposing block or tinted, mirrored, opaque or colored glass, and it is not a historic glazing type found on the fifth floor of the Franklin Building, 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 applicants are proposing in-kind replacement of the three windows on the fifth floor of the Franklin Building. All features of the proposed new windows duplicate the appearance of the original, 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 to retain the size and shape of the original window openings, and the window configuration of both the north and south facades of the Franklin Building will not be altered, 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 applicants are not proposing any new window openings, nor 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 applicants are proposing to remove 7 in-window air-conditioning units, and replace the glazing within these windows on the fifth floor of the Franklin Building, 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 applicants are not proposing to install storefront type windows on the fifth 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 applicants are not proposing commercial window types to substitute for residential window types as part of this proposal. The applicants are proposing in-kind replacement of the original windows, 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 the original, 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, thereby meeting SRC 230.040(b)(2)(G).

Flag pole Replacement

Criteria 230.040(g) Lintels, Architraves, Sills, and other Architectural Details.

Replacement of lintels, architraves, sills and other architectural details in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was unfeasible due to poor condition of the original materials. If the feature 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) *Existing architectural details shall be retained.*

Finding: The applicants are proposing in-kind replacement of the existing wooden flag poles on the exterior of the Franklin Building which have deteriorated due to dry-rot. All features of the new flag poles will duplicate the appearance of the original, thereby meeting SRC 230.040(g)(1)(A).

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

Finding: The applicants are proposing in-kind replacement of two flag poles on the exterior of the Franklin Building. These flag poles have deteriorated beyond repair due to damage from the weather and dry-rot. Staff finds that it is not feasible to repair or retain the original flag poles and that SRC 230.040(g)(1)(B) has been met.

(C) *If replacement material is required, similar material shall be used.*

Finding: The applicants are proposing in-kind replacement of the wooden flag poles which will be of wood, thereby meeting SRC 230.040(g)(1)(C).

(2) Design.

(A) *The replacement shall, to the greatest extent feasible, match design, size, proportions, and profile of the original architectural details.*

Finding: The applicants are proposing in-kind replacement of the flag poles. All features of the new flag poles will be custom made to duplicate the appearance of the original flag poles, thereby meeting SRC 230.040(g)(2)(A).

(B) *Architectural details should not be added unless there is archival evidence suggesting their presence and design.*

Finding: The applicants are not proposing to add any new architectural details as part of this proposal thereby meeting SRC 230.040(g)(2)(B).

DECISION

Based upon the application materials deemed complete on June 11, 2018 and the findings as presented in this report, the application for HIS18-18 is **APPROVED**.



Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

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

Application Deemed Complete: June 11, 2018
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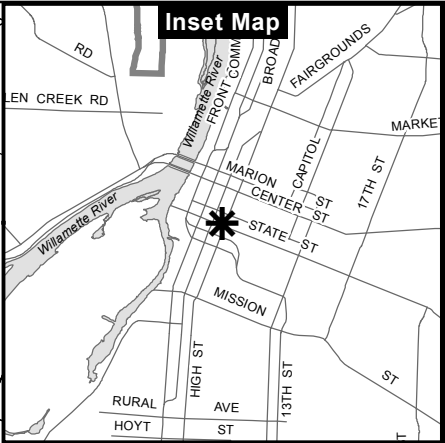
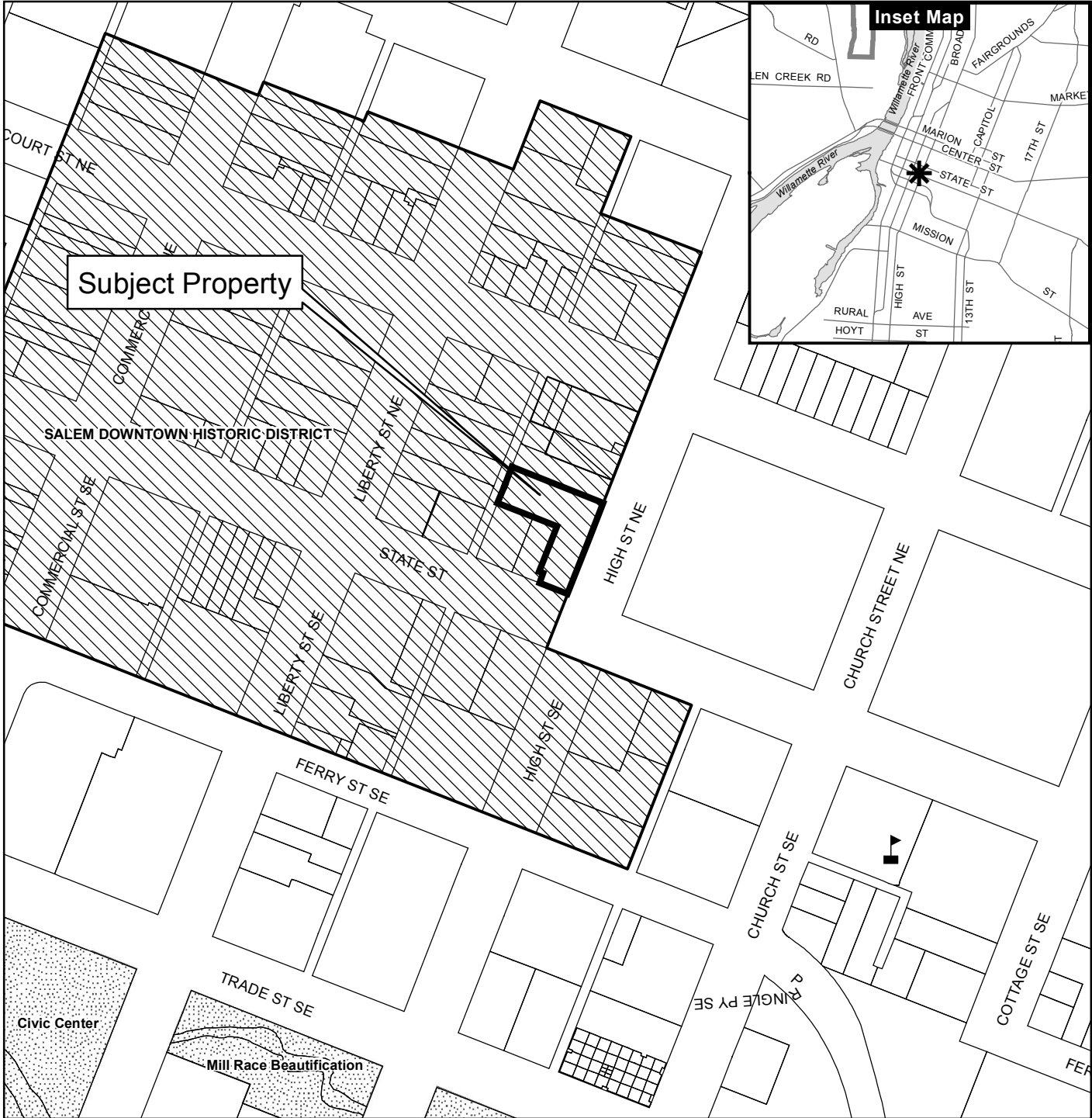
*This Decision becomes effective on **June 29, 2018**. No work associated with this Decision shall start prior to this date unless expressly authorized by a separate permit, land use decision, or provision of the Salem Revised Code (SRC).*

The rights granted by this decision must be exercised by **June 29, 2020** 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., Thursday, June 28, 2018.** 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.

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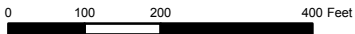
Vicinity Map 495 State Street



Legend

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

CITY OF Salem
AT YOUR SERVICE
 Community Development Dept.



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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.

Attachment C

Historic Alteration Review Worksheet

Site Address: 495 State Street, Salem OR 97301

Resource 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 - FLAGPOLES
- Roof/Cornice
- Masonry/Siding
- Storefront

Window(s) Number of windows: 3

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe)

New:

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

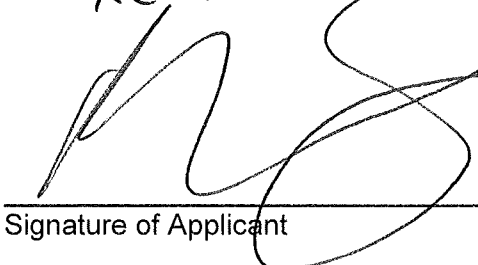
Will the proposed alteration be visible from any public right-of-way? Yes No

Project's Existing Material: 2 panel wood frame windows - headed glass x 3 Project's New Material: 2 panel wood frame windows 2 thermoglasses double hung
- 2 Ext. flag poles - wood - 2 ext wood flag poles

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 and replace 3 full broken wood sash double hung with like material and product.
- replace 7 broken seperated light on sill doors.
- Remove and replace 2 flag pulls with like materials.



Signature of Applicant

Date Submitted/Signed

Window Assessment – Exterior

Date:

Building:

<p>Click to insert photo</p>	<p>Location: <u>495 state St Salem OR</u></p>
	<p>Window Description: <u>Replace 3 wood sash windows with 3 Jeldnet wood sash (L. Ke)</u></p>
	<p>Sill: _____</p> <p><input type="checkbox"/> Remove paint</p> <p><input type="checkbox"/> Repair</p> <p><input checked="" type="checkbox"/> Replace</p>
	<p>Frame/Trim: _____</p> <p><input type="checkbox"/> Remove paint</p> <p><input type="checkbox"/> Repair</p> <p><input checked="" type="checkbox"/> Replace</p>
	<p>Sash/Muntins/Leading: _____</p> <p><input type="checkbox"/> Remove paint</p> <p><input type="checkbox"/> Repair</p> <p><input checked="" type="checkbox"/> Replace</p>
	<p>Glazing Putty: <u>N/A</u></p> <p>% to repair _____</p> <p>% to replace _____</p>
	<p>Dimensions of window:</p> <p><u>Windows are in disrepair and need to be replaced for safety reasons</u></p>
<p>Remarks:</p>	<p>Hardware Description: <u>Does not work</u></p> <p><input type="checkbox"/> Remove paint</p> <p><input type="checkbox"/> Missing</p>

Overall Condition: Poor

Window Assessment – Interior

Date:

Building:

<p>Click to insert photo</p>	Location: <u>4th floor SE corner 4th south & 5th north</u>
	Window Description: <u>Broken, loose, loose</u>
	Stool: _____ <input type="checkbox"/> Remove paint <input type="checkbox"/> Repair <input checked="" type="checkbox"/> Replace
	Frame/Pulley/Stiles: _____ <input type="checkbox"/> Remove paint <input type="checkbox"/> Repair <input checked="" type="checkbox"/> Replace
	Sash/Muntins/Leading: _____ <input type="checkbox"/> Remove paint <input type="checkbox"/> Repair <input checked="" type="checkbox"/> Replace
	Trim: _____ <input type="checkbox"/> Remove paint <input type="checkbox"/> Repair <input checked="" type="checkbox"/> Replace
Dimensions of window:	Hardware Description: <u>Broken</u> <input type="checkbox"/> Remove paint <input type="checkbox"/> Missing
	Ropes/Chains: <u>N/A</u> <input type="checkbox"/> Replace
Remarks:	Weatherstripping: _____ <input checked="" type="checkbox"/> Replace

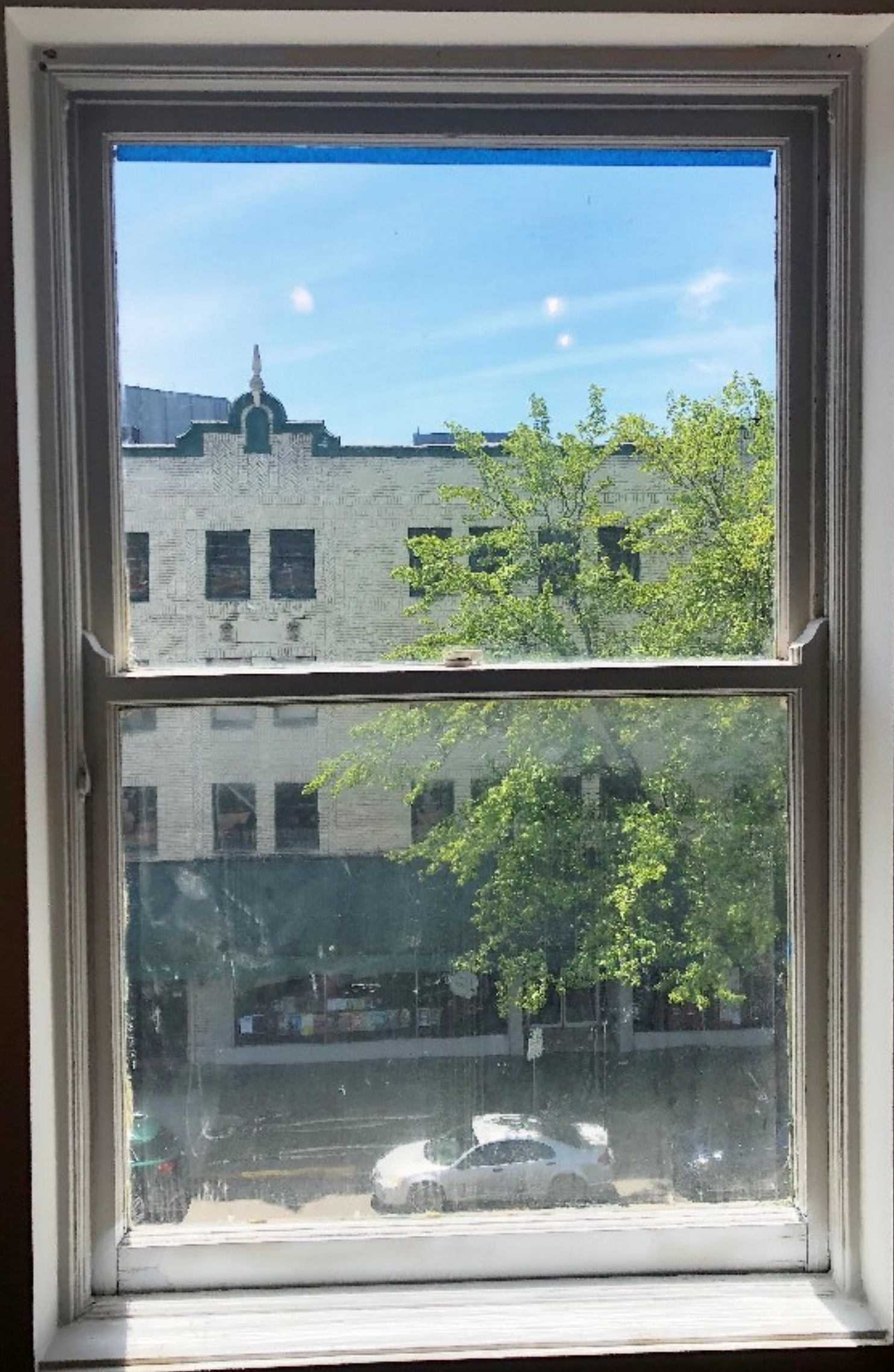
Overall Condition: Poor



Six Floor
→

Window 2

Window 1

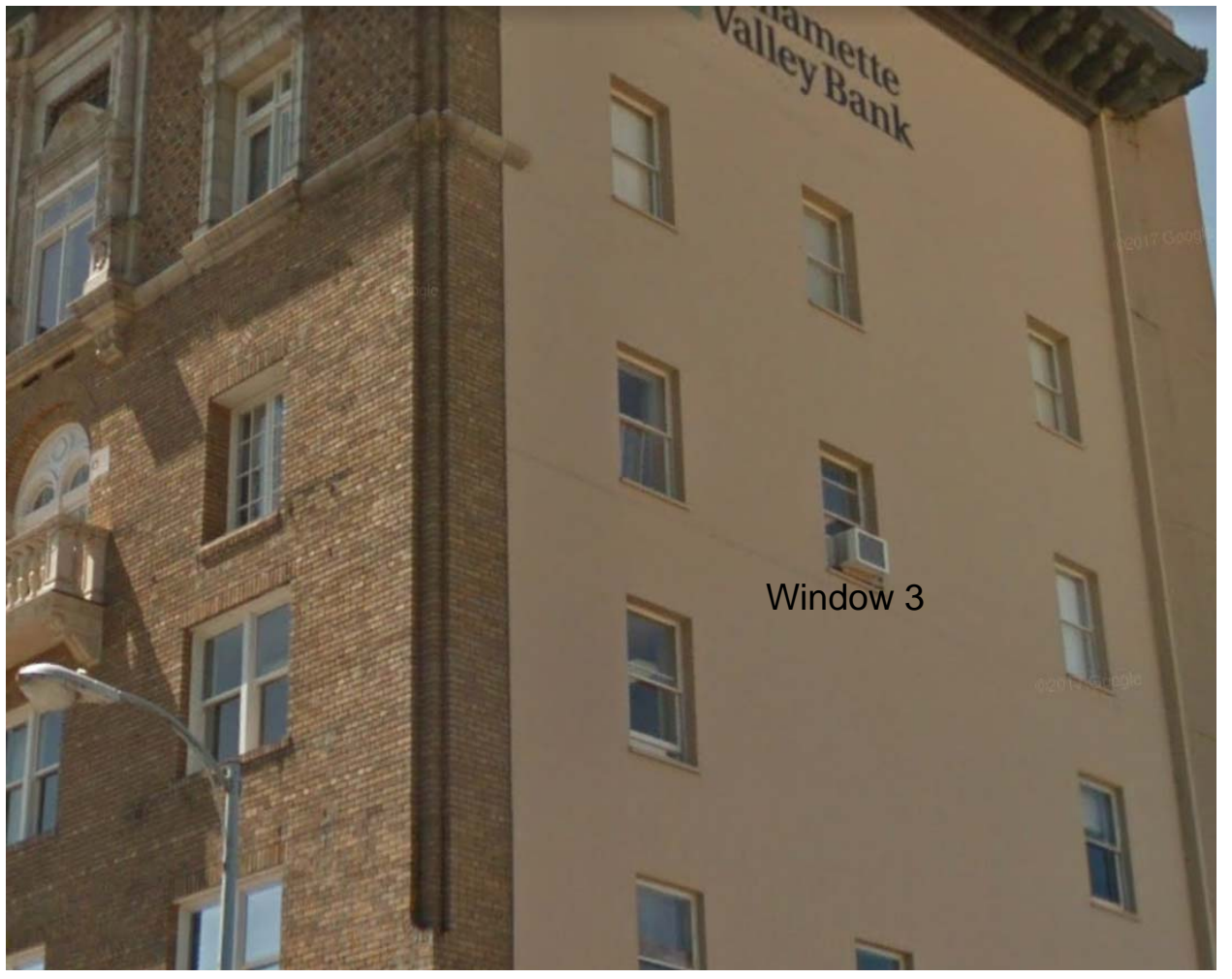


WINDOW 2



Hammett
Valley Bank

Window 3



WINDOW 3

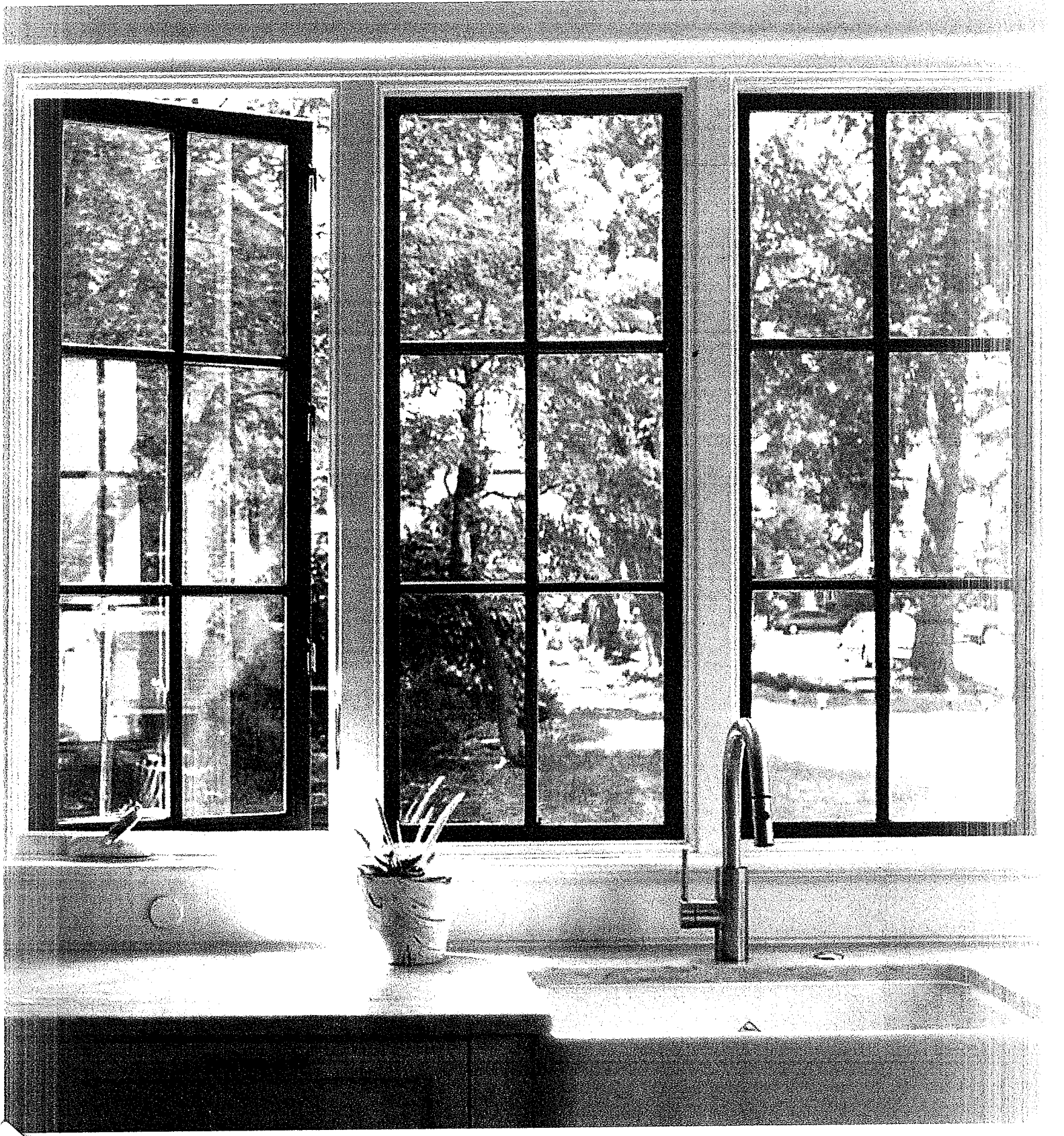




JELD-WEN
WINDOWS & DOORS

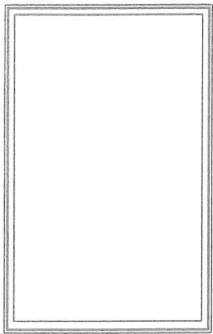
Wood Windows and Patio Doors

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





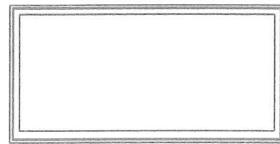
What Type of Window or Patio Door?



CASEMENT

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

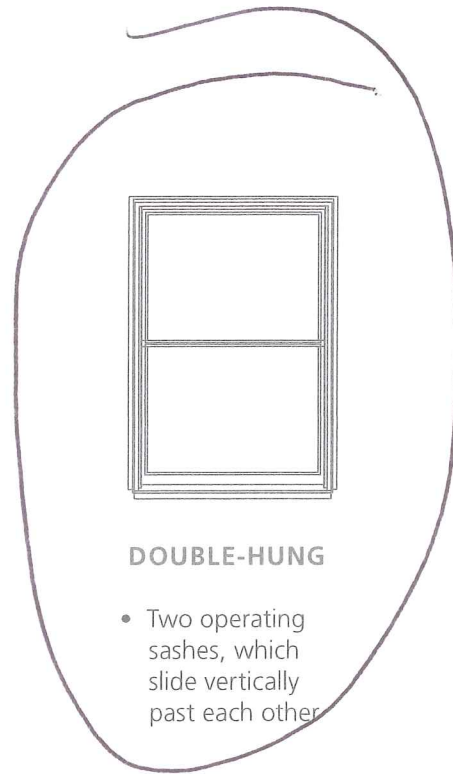
Pages 9, 13



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