

TO: Historic Landmarks Commission

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

FROM: Kimberli Fitzgerald, AICP, Historic Preservation Officer

HEARING DATE: December 16, 2021

CASE NO.: Historic Design Review Case No. HIS21-28

APPLICATION SUMMARY: A proposal to replace the transom windows and storefront systems on the primary facade and add a permanent outdoor covered dining area with a canopy adjacent to the Odd Fellows Annex Building (c.1900).

LOCATION: 466 Court Street NE (See Attachment A)

REQUEST Class 3 Major Historic Design Review of a proposal to replace the transom windows and storefront systems on the primary facade and add a permanent outdoor covered dining area with a canopy and drapes adjacent to the Odd Fellows Hall Annex Building, a historic contributing building in Salem's Downtown Historic District, zoned CB (Central Business District), and located at 466 Court Street NE; 97301; Marion County Assessor's Map and Tax Lot number: 073W27AB-90004.

APPLICANT(S): Curt Renfro, Kaufman Homes on behalf of Bernard Malherbe and Jim Vu, FUD Properties LLC

APPROVAL CRITERIA: Salem Revised Code (SRC) Chapter 230.050 - Standards for New Construction in Commercial Historic Districts and SRC 230.040(d) Storefronts

RECOMMENDATION: **APPROVE** the proposal with the following CONDITIONS of Approval:

Condition 1: Applicant to maintain Revocable License pursuant to SRC 76.160. The dining platform is restricted to the area with the four parking spaces authorized by the Revocable License.

Condition 2: The dining platform roof cover shall not extend beyond the platform base.

Condition 3: The applicant shall salvage the 1936 transom window glass after removal, using accepted preservation and storage methods. The 1936 transom glass

shall be retained in a secure storage area on-site, so future restoration of this glazing from the 1936 storefront remodel is potentially feasible.

BACKGROUND

Last summer, Salem City Council directed staff from the Urban Development and Public Works Departments to develop criteria and a process for downtown food/beverage businesses to temporarily use on-street parking spaces for expanded outdoor dining to help offset the seating limitation impacts from the COVID-19 crisis. Public Works developed a Sidewalk Café process to temporarily allow tents and other seating options in on-street parking spaces, which are located entirely within the public right-of-way and therefore exempt from all land use reviews, historic design review and building permit requirements. Businesses were temporarily allowed to have tents, tables, chairs in on-street parking spaces until October 1, 2021.

Over the summer 15 businesses were using 60 on-street parking spaces for expanded dining. Many restaurants found the use of expanding outdoor dining in parking spaces to be successful and expressed an interest that the City develop a long-term program. City staff hired CBTwo Architects to develop Platform Design Guidelines and PW created a Revocable License to use on-street parking spaces for outdoor dining pursuant to SRC 76.160. Policies relating to a business qualifying for a Revocable License, include a requirement to be open a minimum days and certain number of meals each day the days, and limited number of on-street spaces for expanded dining use.

One business, the Kitchen on Court, located at 466 Court Street NE, constructed their dining platform prior to the design standards and policies being adopted by City Council. Their awning currently extends over the sidewalk and overlaps the existing awning attached to the Odd Fellows Hall Annex Building, and therefore this platform is no longer exempt from historic design review

Concerns were expressed by downtown restaurants about the significant cost of a platform so on July 26, 2021 the Urban Renewal Agency Board approved a new “Open for Business” grant program within the Riverfront-Downtown Urban Renewal Area which can provide financial assistance to help businesses in the downtown area create new permanent spaces/platforms for outdoor seating at food and beverage establishments. The maximum grant per project is \$20,000. On September 27, 2021 the City Council adopted a fee schedule for the Sidewalk Café/On-Street Platform program based upon the total number of parking spaces used (i.e. 4 spaces will cost \$1,768.64 annually), which will be effective in July 2022.

Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on November 24, 2021. 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 December 16, 2021 at 5:30 p.m., virtually (<https://bit.ly/planningpublicmeetings>). The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is March 24, 2022, unless an extension is granted by the applicant.

PROPOSAL

The applicant is proposing to replace the storefront window on the north façade of the Odd Fellows Store Annex building (c.1900). Currently, the single-pane transoms are original glazing stopped-in with wood in & out, similar to the large single panes below. If the owner has budget enough these transoms could possibly be replaced. The current condition of the existing single-paned windows are starting to show their age, especially at exposed corners. Furthermore, they desired to improve the energy performance of the building envelope with the introduction of these new storefront systems.

The applicant is also requesting retroactive approval for an outdoor covered dining area constructed as part of the sidewalk café permit program. This platform is located within the right of way on the north side of the existing Kitchen on Court restaurant. The dining platform is 12'-0" by 38'-0" in size and is comprised of a 456 square foot canopy cover which extends to the south over the existing canopy attached to the Odd Fellows Store Annex building (c.1900), a historic contributing resource within the Salem Downtown National Register Historic District (**Attachment C**).

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant and 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 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) **Criteria: Chapter 230.050 - Standards for New Construction in Commercial Historic Districts** and **SRC 230.040(d) Storefronts** 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 Odd Fellows Hall was designed and constructed in 1900 by Architects Walter D. Pugh of Portland and John Gray of Salem. This building originally was the 'mother lodge', Chemeketa Lodge No. 1, of the Independent Order of Odd Fellows (IOOF) in the Pacific Northwest. The building also held the Grand Theater in the main Odd Fellows Hall with John Philip Sousa's comic "El Capitan" opening on November 29, 1900. According to nomination documents, a one-story brick addition with a flat roof (the Annex) was built in the fall of 1900. Initially there was only one entrance on the north façade of this building. In 1922, a concrete addition was added to this 1900 annex and in 1936 both additions were rebuilt at which time two entrances were created, and the transom windows and canopies were also added. In 1961 the storefronts were replaced and reconfigured (**Attachment B**).

3. Neighborhood and Citizen Comments

The subject property is located within Central Area Neighborhood Development Organization (CANDO). Notification of the public hearing was sent to the neighborhood association, tenants and surrounding property owners within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on November 24, 2021. Notice of public hearing was also posted on the subject property. At the time of writing this staff report, no comments have been received from tenants within the historic district or from adjoining property owners. Comments were received from Michael Livingston representing the neighborhood association, who stated CANDO does not oppose the proposal to replace the transom windows and storefront or the outdoor canopy (**Attachment D**).

4. City Department and Public Agency Comments

The Building and Safety Division indicate that the applicant must obtain required building permits. Both the Fire Department and the Planning Division have no concerns provided the outdoor dining platform and canopy do not attach to the building and are contained to the right of way as required under the Revocable License and City of Salem Platform Design Guidelines.

The Public Works Department issued a revocable license to 'The Kitchen on Court Street' located at 466 Court Street NE on April 28, 2021 to install and maintain an outdoor dining facility over four (4) parking spaces in accordance with Salem Revised Code Chapter 76.160 **Encroachments into the Right of Way**. This license states: *The encroachment shall comply with all applicable codes of the City of Salem, including those with regard to structural safety, traffic, sanitation and land use, and fire requirements. The placing of the outdoor dining facility in a portion of the aforesaid public right-of-way does not give licensee or anyone else any permanent right to its continued use or occupancy of the right-of-way for such purpose. This license is revocable, and when requested to do so by the Public Works Director, the license, at the licensee's own expense, will remove the encroachment from the right-of-way. Upon failure to do so, the Public Works Director may cause removal of encroachment at the cost and expense of the licensee. Annual permit fees shall be established by the City Council.*

Public Works staff emphasize that the license is revocable and the use of the parking spaces in the right of way is a temporary use and not intended to grant approval for a continued use of the right of way. Public Works staff acknowledge that this license was issued prior to the City Council adoption of design standards for dining platforms, and the awning was constructed to extend beyond the platform over the sidewalk and overlaps the building awning. However, any future dining platforms must meet the Council adopted design guidelines which do not allow awnings of this type, therefore Public Works recommends the HLC adopt the following Condition of Approval in order to ensure that the dining platform and awning do not encroach beyond the area authorized by the revocable license, better meeting the intent of the current Council adopted applicable design guidelines for on-street platforms:

Condition 1: Applicant to maintain Revocable License pursuant to SRC 76.160. The dining platform is restricted to the area with the four parking spaces authorized by the Revocable License.

5. Historic Design Review

The applicable criteria and factors are stated below in **bold** print. Following each criterion is a response and/or finding relative to the proposal.

FINDINGS

DINING Platform

Criteria: 230.050. Standards for New Construction in Commercial Historic Districts. *New buildings may be constructed in commercial historic districts, subject to the following standards:*

(a) Materials.

(1) *The primary façade shall be constructed of traditional building materials such as brick or stone. Stucco or pre-cast concrete block shall not be used in the primary façade.*

Finding: The new structure will not have a permanent façade. Therefore, SRC 230.050 (a)(1) is not applicable to the evaluation of this proposal.

(2) *Materials used in the construction shall be identical or similar to those available for similar buildings or structures built during the period of significance.*

Finding: The new dining platform and awning is comprised of wood and metal. The applicant is also proposing to add a new fire-retardant canvas to the 'walls' of the dining platform, with a clear vinyl panel drapery awning retracted by draw string which will be to the platform base. The wood and metal are traditional materials found on contributing buildings throughout the historic district. The clear vinyl and canvas are more modern materials, however these are removable, compatible materials also found throughout the historic district. Staff recommends that the HLC find that SRC 230.050 (a)(2) has been met.

(3) *Materials shall be similar in scale, proportion, texture, and finish to those found on nearby historic structures.*

Finding: The materials used on the dining platform, rail and canopy are similar in scale, proportion, texture and finish to similar materials found on commercial buildings throughout the Downtown Historic District. Staff recommends that the HLC find that SRC 230.050 (a)(3) has been met.

(b) Design.

(1) *The design shall be compatible with the general character of historic contributing buildings in the historic district. Factors in evaluating compatibility include, but are not limited to:*

- (A)** *The height, width, proportions, size and scale is consistent with those used in similar historic contributing buildings in the district generally.*
- (B)** *The design reflects, but does not replicate, the architectural style of historic contributing buildings in the district.*
- (C)** *Architectural elements that are similar to those found on historic contributing buildings in the historic district are used.*
- (D)** *Architectural elements such as lintels, cornices, doors, storefronts and windows reflect the spacing, placement, scale, orientation and proportion of buildings in the district.*
- (E)** *The front façade is designed with human-scaled proportions that are compatible with adjacent buildings and the district as a whole.*

Finding: The new permanent outdoor eating platform is designed where the structure has human scaled proportions, is simple in design and is generally compatible with the historic contributing buildings in the Downtown Historic District.

However, the awning over the dining platform extends across the sidewalk and overlaps with the existing awning extending from the front façade of the Odd Fellows Annex building. While this awning is not attached to the structure, it creates a visual adverse effect and the appearance of an addition to the front of this historic resource. In order to better meet SRC 230.050(1) staff recommends the HLC adopt the following CONDITION:

Condition 2: The dining platform roof cover shall not extend beyond the platform base.

(2) *Buildings shall be placed contiguous with the right-of-way line.*

Finding: Provided the HLC adopts the recommended Condition #2 above, the proposed new permanent outdoor eating area structure will be contiguous with the right-of-way lines and staff recommends that the HLC find that SRC 230.050 (b)(2) will be met.

(3) *Buildings shall be designed without above-ground pedestrian walkways which are prohibited across any public street.*

Finding: The applicant has not proposed an above ground pedestrian walkway. Staff recommends that the HLC find that SRC 230.050 (b)(3) has been met.

(4) *Walls shall include storefronts along each ground floor that is adjacent to a public street. Windows shall not be tinted, mirrored or treated in such a way as to block views into the interior.*

Finding: The outdoor dining area structure will have removable canvas and clear soft vinyl 'windows' attached to the structural framing in order to protect diners from the weather. The structure will not have a storefront or permanent windows, therefore staff recommends that the HLC find that SRC 230.050 (b)(4) is not applicable to the evaluation of this proposal.

(5) *Parking within a building on the ground floor shall only be allowed behind secondary façades. Commercial storefronts or office uses shall be provided between any ground floor parking area and the primary façades fronting the public street. Parking is prohibited between the building and the street.*

Finding: No parking is proposing within the new permanent structure. therefore, SRC 230.050 (b)(5) is not applicable to the evaluation of this proposal.

(6) *No new building shall be designed to allow drive-through uses, except banks and credit unions where construction of the bank or credit union is commenced on or after October 1, 2011 may include a drive-through use as a conditional use subject to the following standards:*

- (A) *All components of the drive-through, including kiosk, structure, and drive aisle, shall be located on a secondary façade, not visible from the right-of-way, other than an alley,***
- (B) *Queuing lanes shall not be permitted between the building and the right-of-way, other than an alley,***
- (C) *Up to two queuing lanes may be permitted,***
- (D) *If the subject property abuts an alley, access to and from the drive-through from the alley is encouraged.***

Finding: The applicant is not proposing a drive-through use as part of their proposal. Staff recommends that the HLC find that SRC 230.050 (b)(6) is not applicable to the evaluation of this proposal.

(7) *Manufactured dwelling units are prohibited*

Finding: The applicant is not proposing a manufactured dwelling as part of the proposal. Staff recommends that the HLC find that SRC 230.050 (b)(7) has been met.

Storefront and Transom Windows

SRC 230.040(d). Storefronts. Replacement of storefronts or components of storefronts in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was determined to be unfeasible due to poor condition of the materials. If the storefront 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.*

Response: The original glass within both the storefront and the transom windows is single pane, in poor condition and cannot be easily repaired. While the original glass and framing is

proposed for replacement, the original window and storefront openings will be retained. Staff recommends that the HLC find that SRC 230.040(d)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 storefront.

Response: The applicant is proposing to replace the 1961 era single paned glass and aluminum framing with a new double paned glass and black metal frame within the existing storefront window and transom window openings. While the proposed replacement glass and metal framing is not an exact in-kind replacement, the proposed materials are metal and glass and fit within the existing openings. Staff recommends that the HLC find that SRC 230.040(1)(B) has been met.

2. Design.

(A) To the extent practicable, original storefront components such as windows, door configuration, transoms, signage and decorative features shall be preserved.

Response: The applicant is proposing to retain the existing 1961 storefront and transom window openings. The single paned glass will be replaced with double paned glass within the storefronts. The aluminum framing components are deteriorated and will be replaced with a slightly wider dark metal framing to better ensure the large double paned glass is secure within the storefront. Some of the single paned glass within the transom windows is clouded, and the applicant is proposing to replace this glass with double paned glass. While the transom windows are not original to the structure, they were added as part of the 1936 remodel. While not original to the structure, this glazing was added during the historic period for the Downtown Historic District and is unique to this structure. Therefore, while staff recommends that the HLC finds that replacement with clear glass within new framing is acceptable, staff recommends that the HLC adopts the following **CONDITION** to better meet this standard:

Condition 3: The applicant shall salvage the 1936 transom window glass after removal, using accepted preservation and storage methods. The 1936 transom glass shall be retained in a secure storage area on-site, so future restoration of this glazing from the 1936 storefront remodel is potentially feasible.

(B) Where the original storefront is too deteriorated to save, the commercial character of the building shall be retained through:

- (i) A restoration of the storefront based on historical research and physical evidence.
- (ii) Contemporary design that is compatible with the scale, design, materials, color and texture of historic compatible buildings in the district.

Response: The applicant is not proposing to significantly alter the appearance and design of the 1961 storefront. However, the applicant is proposing a new black metal trim element placed at the joint where the two large storefront glass panels come together on the interior & exterior. The single paned storefront glass will be replaced with new double paned glass that will be set within new black metal framing within the existing storefront window openings. Staff

recommends that the HLC find that these proposed design changes are compatible with the scale, design and materials of the Odd Fellows Annex Building and that SRC 230.040(2)(B) has been met.

(C) *For buildings that provide a separate upper-story entrance on the exterior facade, the street-level entrance should be the primary focus of the building facade.*

Response: This building does not have a separate upper story entrance that will be impacted by the project; therefore, staff recommends that the HLC find that SRC 230.040(2)(C) 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 with the following CONDITIONS of Approval:

- Condition 1:** The dining platform is temporarily authorized to be located in the right of way and shall be restricted to the area within the four parking spaces authorized by the Revocable License issued by the Public Works Department in compliance with SRC 76.160.
- Condition 2:** The dining platform roof cover shall not extend beyond the platform base.
- Condition 3:** The applicant shall salvage the 1936 transom window glass after removal, using accepted preservation and storage methods. The 1936 transom glass shall be retained in a secure storage area on-site, so future restoration of this glazing from the 1936 storefront remodel is potentially feasible.

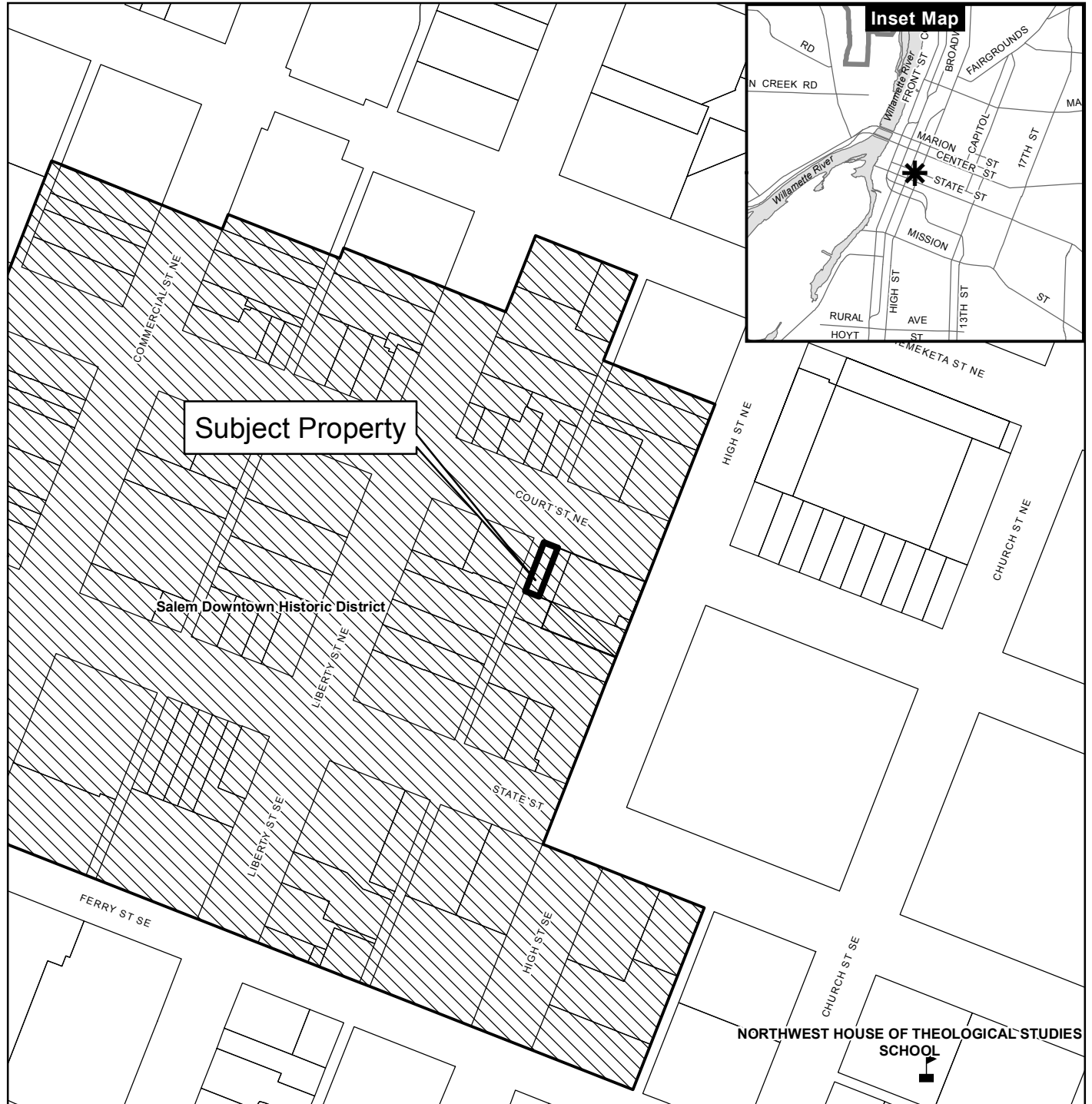
DECISION ALTERNATIVES

1. APPROVE the proposal as submitted by the applicant and indicated on the drawings.
2. APPROVE the proposal with conditions to satisfy specific standard(s).
3. DENY the proposal based on noncompliance with identified standards in SRC 230, indicating which standard(s) is not met and the reason(s) the standard is not met.






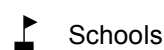

Attachments: A. Vicinity Map
B. Excerpt from National Register Historic Resource Documents
C. Applicant's Submittal Materials
D. Email testimony from CANDO

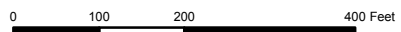
Prepared by Kimberli Fitzgerald, Historic Preservation Officer

Vicinity Map 466 Court St. NE



Legend

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



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Salem Downtown Historic District
Salem, Marion County

National Register of Historic Places

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History and Significance: The Central Stage Terminal and Hotel contributed to social and commercial developments in Salem during the first half of the twentieth century. This addition to the Odd Fellows Hall (see 195 High Street NE), designed by Morris H. Whitehouse, was completed in 1921. Whitehouse was born in Portland, graduated from MIT in 1906, and entered into several partnerships. This building dates from a period when he had no partners, however. The Mediterranean style he utilized in the design of this building include round arched windows and roofing tiles. In 1935-1937 and in 1951, Frank H. Strubble made revisions to this building and the building to the north. James L. Payne made further revisions in 1952.

The Odd Fellows were responsible for having this building constructed. The Odd Fellows was one of the most successful of over 200 fraternal orders found in nineteenth-century America. The IOOF contributed, socially, to Salem by providing benefits to its members for the cost of illness and funerals, administrative training, and an array of community services (including the founding of a cemetery for all and a public reading room).

The Central Stage Terminal and Hotel company was incorporated September 10, 1921 by J.E. Lewis, L.R. Applegate, and John H. Carson. By 1925 W.W. Chadwick was president and Richard Shepard of Eugene was secretary/treasurer of the company. Transportation was a big part of the history of this building. Buses from surrounding communities and larger cities drove down the alley to the west and received and discharged passengers at the back of this building. The Central Stage Terminal and Hotel Company leased the facility for \$650, and sub-leased space to auxiliary businesses, including a barber shop, a coffee shop and a cigar shop. In 1928 Chadwick moved the business across the street to the northwest corner of High and Court (the Senator Hotel), and from then on Chemeketa Lodge utilized the Hotel which remained the principle business upon which service industries depended.

The first floor of this building was used as a restaurant, a hotel bus depot entrance, and a store. The second floor contained rooms for a manager and an office, with rooms with baths and closets for hotel accommodations, lit by skylights, off a central hall in the back. The third floor was used by the Odd Fellows for a billiard room and library.

195 High Street, NE

Classification: Historic Contributing (Listed in the National Register of Historic Places, 1988; see also 181 High Street)

Historic Name: Odd Fellows Hall and the Annex

Current Name: Office/Condominium Project

Year of Construction: 1900

Legal Description: 073W27AB02400; Salem Addition, Lot 1 and from Lot 2 in Block 21

Owner(s): Carole Smith
363 Court Street NE
Salem, Oregon 97301

Description: This building is addressed as 195 High Street, NE, as well as 456 and 466 Court Street. It consists of a three-story and a one-story addition on the west end. The main portion of this building, constructed in 1900, is a stone, concrete-faced Richardsonian Romanesque style edifice designed by Walter D.

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Pugh and John Gray. It stands at the busy southwest corner of High and Court streets across from the historic and contemporary site of the Marion County Courthouse. It was originally constructed with a central bell tower on the east facade (now gone). The building's symmetry, its utilization of rounded arches, its prominent bell tower base, its third floor lintel course, and its large arched windows make this building a fine example of the Richardsonian Romanesque style.

Both east and north elevations are systematically organized and have a prominent cornice with a flat parapet above. The third floor has nine rectangular bays on the north facade, each containing paired one-over-one, double-hung sash windows. The east facade of the third floor has six such bays with paired windows as well as two arched windows centered in the bell tower base. The ground floor has retained the original theater entrance, complete with box offices and multiple entry doors. This entrance has a historic tile floor that says "Grand Theater." The foundation is of brick and rock. A one-story brick addition, 24 feet along Court Street and 80 feet across the west end was built in the fall of 1900. It has a flat roof. Originally two small stores shared an entrance. In 1922, a concrete addition was added to this addition. In 1936 both additions were rebuilt.

Canopies were added in the 1930s, and some modifications have occurred since then. In 1961 the corner store walls were faced with used brick and the window sill was raised. On the Court Street side, the original narrow window and blank wall were replaced with three storefront-type windows with brick trip. Overall, the building retains its historic character and contributes to the qualities of the district.

History and Significance: The Odd Fellows Hall contributed to social and commercial developments in Salem during the first half of the twentieth century. Architects Walter D. Pugh of Portland and John Gray of Salem designed the 1900 Odd Fellows Hall. Erixon & Van Patten constructed the building. The adjoining Central State Terminal and Hotel and bus terminal addition, designed by Morris H. Whitehouse, was completed in 1921. Income from the rental of the opera house, retail shops and office space supported the work of the Odd Fellows. James DeYoung redesigned the theater in 1935. In 1935-1937 and in 1951, Frank H. Strubble made revisions to this building and the one to the north; James L. Payne made further revisions in 1952. The attached store to the west, on the alley, was rebuilt according to Frank H. Strubble's design in 1936.

The Chemeketa Lodge No. 1, Independent Order of Odd Fellows (IOOF), founded in Salem in 1852 (and located on this site since 1869), is the "Mother lodge" of Odd Fellows in the Pacific Northwest. The Odd Fellows was one of the most successful of over 200 fraternal orders found in nineteenth-century America. The IOOF contributed, socially, to Salem by providing benefits to its members for the cost of illness and funerals, administrative training, and an array of community services (including the founding of a cemetery for all and a public reading room). Additionally, the Odd Fellows Hall is one of only two remaining buildings in the commercial district designed in the Richardsonian Romanesque style.

When the Grand Theater in the Odd Fellows Hall opened in the early 1900s, Salem had a population of 4,258. Opera admissions ranged from \$1.00 for orchestra seats to twenty-five cents for the highest gallery seats. John Philip Sousa's comic "El Capitan" opened the Grand Theater on November 29, 1900. Silent movies came in the 1920s; the Grand String Orchestra often accompanied them. After the arrival of movies with sound, stage shows were presented in the afternoon and movies were screened at night.

In 1927 the Elsinore Theater opened a block down the street, and the crowds slowly abandoned the Grand. Finally, with the advent of television, the Grand closed in the late 1950s. In the early

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1960s it reopened its doors, hosting Salem wrestling matches, which continued until the building became the venue of the Salem Theater of Performing Arts in 1984.⁶⁵

The first offices in the Odd Fellows Hall were rented by Dr. Grace Albright (March 1, 1901), and by Dr. W.H. Byrd (March 16, 1901). The corner retail space (High and Court streets) was rented in July of 1901 to Fred Haas who operated a drug store. Drug stores continued to operate at that same location for over sixty years.

Other long-term businesses and their tenure in this building included: D.H. Mosher, a tailor, from 1908-1942; V.E. Kuhn, a cobbler, from 1920 to 1956; a barbershop; a jewelry store; and Roen's Typewriters.

223 - 233 High Street, NE

Classification: Historic Contributing

Historic Name: T.G. Bligh Building

Current Name(s): Olson Florist, etc. (Quiznos, La Estrelita, Hair Studio)

Year of Construction: 1923

Legal Description: 073W22DC06000; Salem Addition from Lots 3 and 4 in Block 22

Owner(s): Betty L. and Kelley J. Peters, Trustees
c/o Fred Van Natta
499 Court Street, NE
Salem, Oregon 97301

Description: This is a one-story Revival style concrete commercial building on the northwest corner of High and Court streets. This-82-by-120-foot building has a Mission Revival style multi-curved parapet at the building corners, and small ornamental brickwork elements below the cornice.

The storefront appears to retain the original bulkhead materials and proportions, with the windows replaced to include aluminum sash. Some of the storefront windows and transoms have been painted over, but they remain in place. A fabric awning extends out from the building above the transoms. The building retains its integrity and contributes to the historic qualities of the district.

History and Significance: The one-story T.G. Bligh Building, constructed in 1923, has retained substantial physical integrity of design, materials and decorative details since the mid-1900s. Additionally, it is associated with the life of Thomas G. and Anna Bligh, prominent in the commercial and cultural life of Salem.

Born in Halifax, Nova Scotia, Canada, in 1874, Thomas Gregor Bligh came to the United States with his wife and family from Vancouver, British Columbia, around the turn of the century, settling, first, in Portland, Oregon, and, around 1910, in Salem. T.G. Bligh and his son, Frank, soon opened the Star Theater. In 1912 the Blighs built the combined Bligh Hotel and Bligh Theater on the north side of State Street, next to the Masonic Building, between High and Liberty streets. (This complex is now gone and the site occupied by a parking lot.) In August 1922, T.G. Bligh bought this corner lot, then occupied by a one-story wood frame dwelling and office building, from the Salem Elks fraternal organization (BPOE lodge #336). In November 1924, T.G. Bligh died suddenly in an automobile accident on the highway just west of Grand Ronde. He and builder L.C. Davis were returning to Salem from Neskowin, where Bligh had intended to have Davis build a

⁶⁵ Vertical files, "Salem" file, Salem Public Library.

GLASS JOINT AUGMENTATION / PLATFORM COVER PERMANENCY W/ DRAW-UP DRAPERY APPLIQUE

PROJECT DATA

REFERENT CODE

2019 OREGON STRUCTURAL SPECIALTY CODE

OCCUPANCY CLASSIFICATION (CHAPTER 3)

GROUP: A-2
 USE: RESTAURANT
 OCCUPANT LOAD: OVER 50
 NUMBER OF STORIES: 1

COVERED PLATFORM

REQUEST FOR PERMANENCY

SPACES OCCUPIED = 4 PARKING SPACES
 COVERED PLATFORM
 DEPTH = 12'-0"
 LENGTH = 38'-0"
 OUTDOOR EATING PAVILION = 456 SF

PROJECT CONTACTS

OWNER

BERNARD MALHERBE
 KITCHEN ON COURT ST
 466 COURT ST NE
 SALEM, OREGON 97301
 503.559.3971

GLAZING INSTALLER

DARAND & AARON DAVIES
 KASSAUNDR HUTCHINS
 BLACK LINE GLAZING
 2763 22ND STREET SE
 SALEM, OREGON 97302
 503.878.8585
 EMAIL: kassaundra@blacklineglazing.com

CONTRACTOR

KAUFMAN HOMES INC. #55421
 CURT RENFRO, DESIGNER
 3625 KASHMIR WAY SE
 SALEM, OREGON 97317
 503.370.8390

EMAIL: curt@kaufman.net

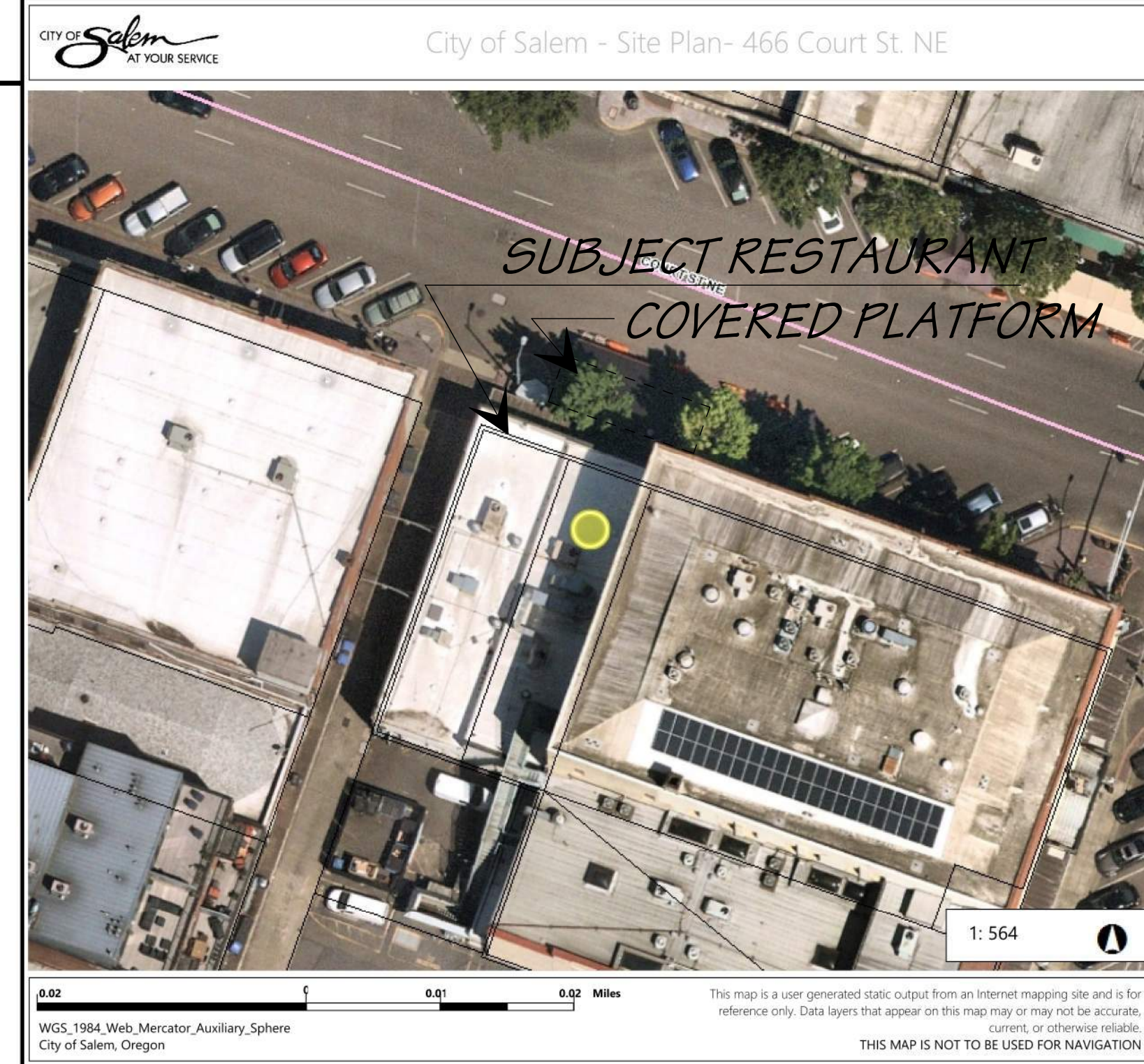
SITE SUPERINTENDENT:

TROY BATSON
 503.586.6319

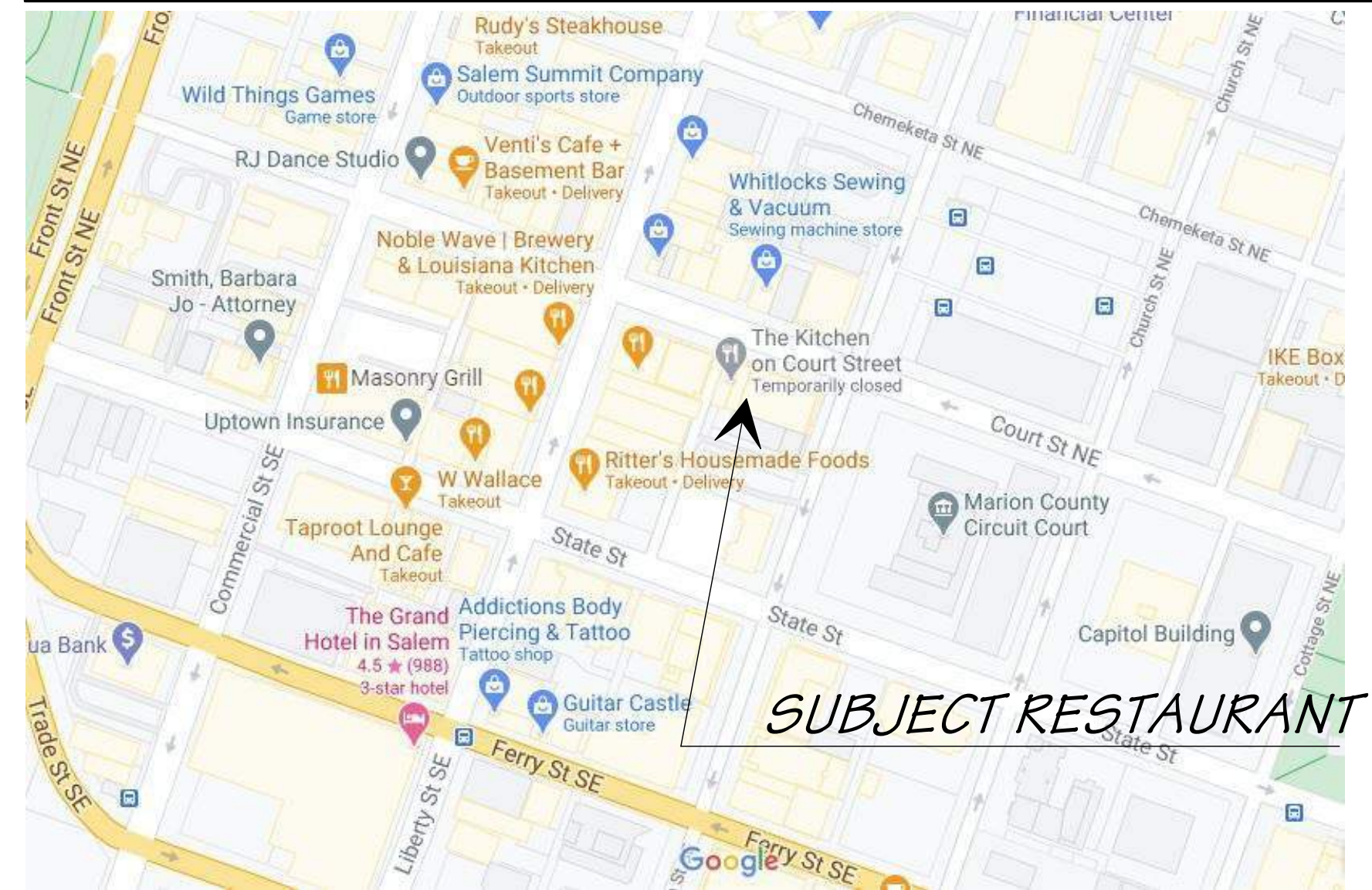
EMAIL: troy@kaufman.net

ROPE & PULLEY DRAPE INSTALLER

RORY FAUST
 SALEM TENT & AWNING
 280 WALLACE RD NW
 SALEM, OREGON 97304
 503.363.4788
 EMAIL: sales@salemstent.com



SITE PLAN VICINITY MAP



DRAWING INDEX

G1	COVER PROJECT DATA PROJECT CONTACTS SITE PLAN VICINITY MAP
A1	STOREFRONT & COVERED PLATFORM ELEVATIONS FLOOR PLAN
A2	IRL 1:1 SCALE CORNER GLASS DETAIL - AUGMENTED
A3	DRAPERY AWNING INFORMATION

VERIFY ALL CONDITIONS & DETAILS PRIOR TO CONSTRUCTION

Kaufman HOMES INC.
 "Building extraordinary homes and remodels with thoughtful and timeless appeal
 Creating enduring value and relationships that last a lifetime"
 3625 Kashmir Way SE, Salem, OR 97317 (503) 370-8390

COMMENTS & REVISIONS

A GLASS JOINT AUGMENTATION & COVERED PLATFORM PERMANENCY W/ DRAPERY (CLASS III HISTORICAL REVIEW) FOR

KITCHEN ON COURT ST

466 COURT ST NE • SALEM, OREGON • 97301

DATE
11/19/2021
SCALE
PER PLAN/
DETAIL
PLOT DATE

SHEET
G1

Historic Alteration Review Worksheet

Site Address: 466 Court St Ne, Salem, Oregon 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
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: 4 joints

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe)
Wdw - Joint Metal Trim, Interior & Exterior

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: 135 degree glass joint filled with sealant Project's New Material: 135 glass joint with Metal trim applied interior & exterior

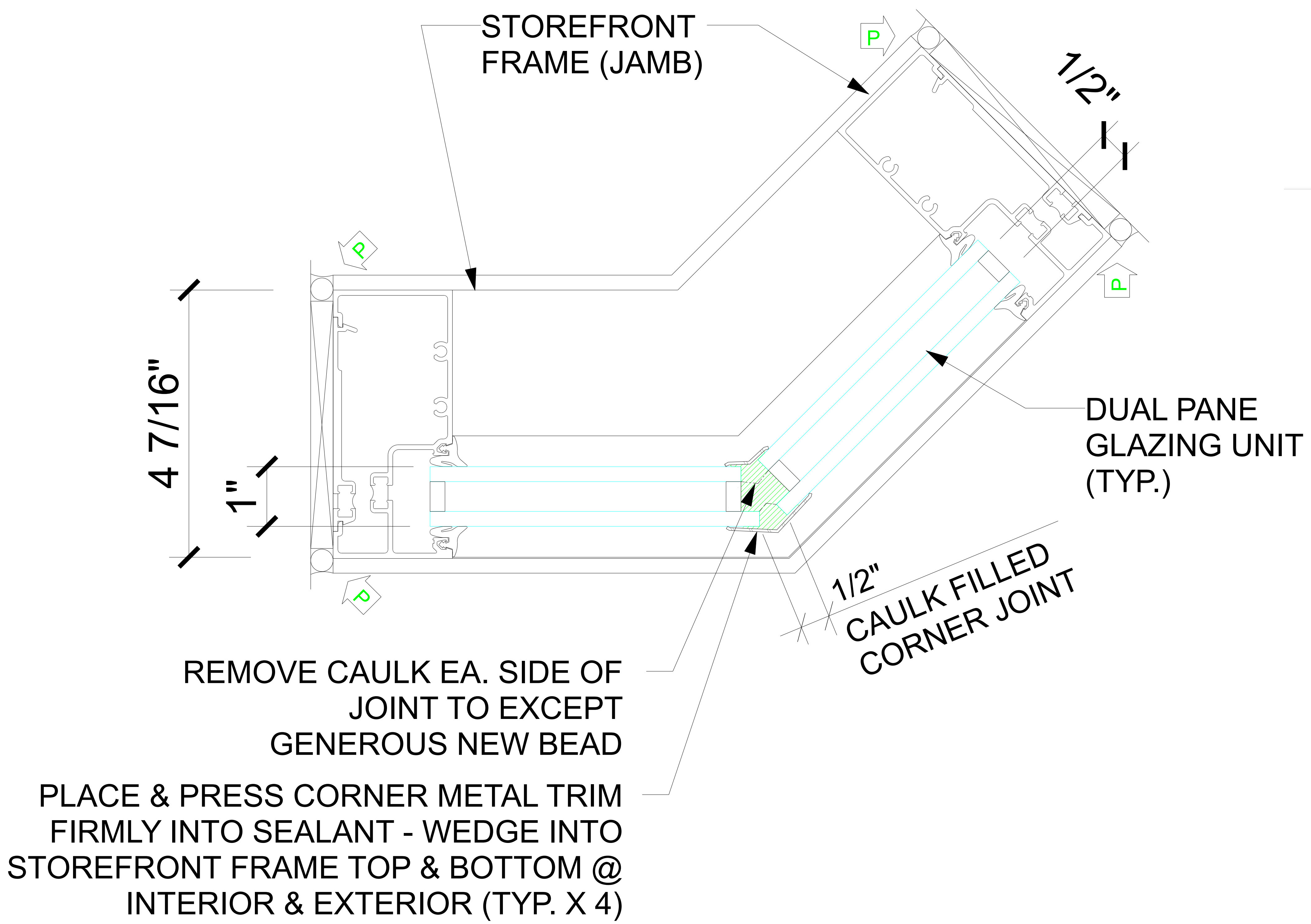
Project Description

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:

1. Glass Storefront approved under Class I HDR with desire to add Metal Trim Element at 135 degree glass joints, (4) locations, at Interior & Exterior (See Mock-up of Storefront provided to Kimberli Fitzgerald) This trim will be secured in place within the window frame each end and bedded into joint with sealant to match installation material.
2. Request Temporary Covered Platform on Court St to be made Permanent - To provide Seasonal protection of patrons by way of custom fabricated Canvas & Clear Vinyl Draw-Up Panels applied to all 4 sides except the platform entry which is to remain open at all times during normal business hours.


Signature of Applicant

11/19/21
Date Submitted/Signed



1 SECTION @ METAL/GLASS JOINT

A2 45 DEGREE CORNER - ADD MTL TRIM 12" = 1'-0"

VERIFY ALL CONDITIONS & DETAILS PRIOR TO CONSTRUCTION

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KITCHEN ON COURT ST
 466 COURT ST NE ♦ SALEM, OREGON ♦ 97301

DATE	11/21/2021
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SHEET
A2

TOPGUN® FR TOPGUN® FR LITE
8 and 13 ounce Acrylic Coated Flame Retardant Polyester

751 Raven Black (13 oz)
751-LT Raven Black (8 oz)

710-LT Royal Blue* (8 oz)
710 Royal Blue* (13 oz)

779 Chocolate Brown (13oz) 719 Tan (13oz) 740 Hunter Green* (13oz) 765 White (13oz) 776 Burgundy* (13oz)
779-LT Chocolate Brown (8oz) 719-LT Tan (8oz) 740-LT Hunter Green*(8oz) 765-LT White (8oz) 776-LT Burgundy* (8oz)

707 Ivory (13oz) 783 Silver Gray (13oz) 731 Ocean Blue (13oz) 743 Terra Cotta (13oz) 736 Red (13oz) †
707-LT Ivory (8oz) 783-Lt Silver Gray (8oz) 731-LT Ocean Blue (8oz) 743-LT Terra Cotta (8oz) 736-LT Red (8oz) ††

Marlen Textiles

MADE IN U.S.A.

To order 13 ounce Top Gun FR use Txx number. To order 8 ounce Top Gun FR Lite use Txx-LT.

* Premium Color, subject to change

TOPGUN® FR TOPGUN® FR LITE

Top Gun FR is an acrylic coated, 100% woven flame retardant polyester fabric (600 denier) utilizing a proprietary formula and process to coat the top and bottom, allowing the fabric to be completely reversible. Top Gun FR meets most known flame retardant specifications, both initial and leaching. That means that unlike other fabrics, you don't have to worry about still meeting a flame specification after it has been exposed to the elements. As the part of the Top Gun family of premium coated fabrics, it is characterized by excellent strength, durability, tear and abrasion resistance, dimensional stability, UV and mildew resistance, making Top Gun FR the ultimate flame retardant coated fabric. Top Gun FR is perfect for awnings, tents, gazebos, canopies or any application requiring colorfastness and flame resistance.

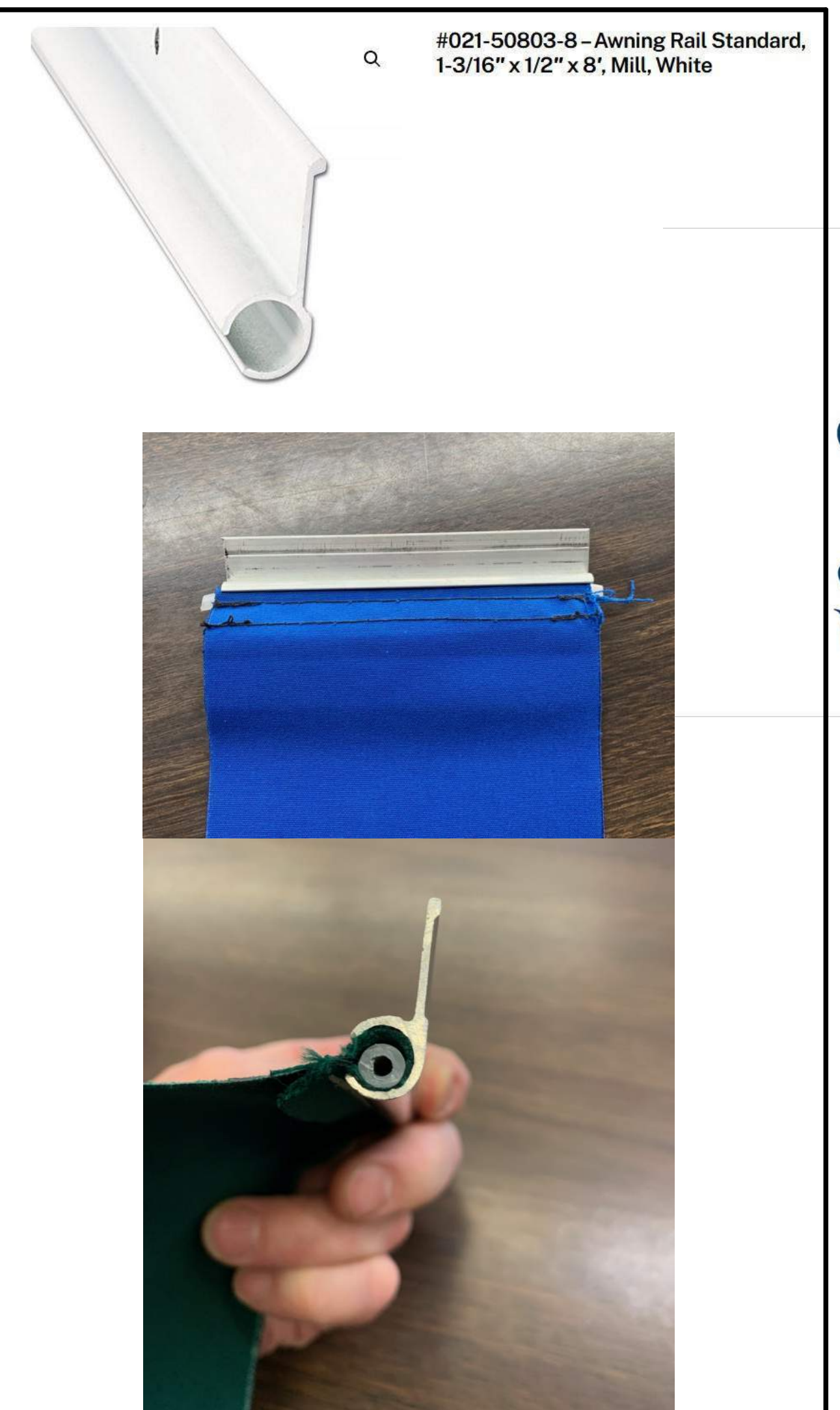
Top Gun FR, a hot alternative in flame retardant fabrics.

TECHNICAL DATA					
Characteristic	TOP NOTCH FR®	TOP GUN FR®	TOP GUN FR LITE®	ODYSSEY FR®	ODYSSEY OPEN®
Width, inches	60	62	62	64	64
Roll Size, yards	50	45	50	100	100
Weight, oz/yard ²	11.5	13.0	8.0	7.25	5.75
Tensile (lbf), Warp x Fill	500 x 240	498 x 380	275 x 200	300 x 240	300 x 215
Tongue Tear (lbf), Warp x Fill	24 x 14	25 x 18	12 x 10	12 x 12	14.5 x 12
Spray Rating	90+	90+	90+	90+	n/a
3 Drop Rating (cm)	90	70	60	21	0
Warranty Period (years)	8	8	5	3	3
Shrinkage (%), Warp x Fill	0 x 0	0 x <1	<1 x <1	0 x <1	<1 x <1.25
Stretch (%), Warp x Fill	<1 x <1	<1 x <1	<1 x <1.25	<1 x <1.25	<1 x <1.5
Flame Retardant Specification					
MVSS-302	X	X	X	X	X
NFPA 701	X	X	X	X	X
California State Fire Marshall	X	X	X	X	X
CPAI 84	X	X	X	X	X
CAN/ULC-S109-03	X	X	X	X	X
FAA/FAR 25.853	X	X	X	X	X

Marlen Textiles

500 Orchard Street New Haven, MO 63068
(800) 343-6326 (573) 237-4444 Fax (573) 237-4491
www.marlentextiles.com

Contact Marlen Textiles for specific details of warranty coverage.
Colors identified with † have limited warranty for color fastness.
0201907



CANVAS MATERIAL SELECTION - COLOR SELECTION & MATERIAL

SIMILAR PULLEY SYSTEM TO BE UTILIZED

INSTRUCTIONS TO THREAD ROPE FOR A ROPE & PULLEY DROP CURTAIN.

Start at side away from tie off cleat. Take one end of rope. Tie off to screw that holds pulley or separate screw. Make sure to run rope down behind curtain.

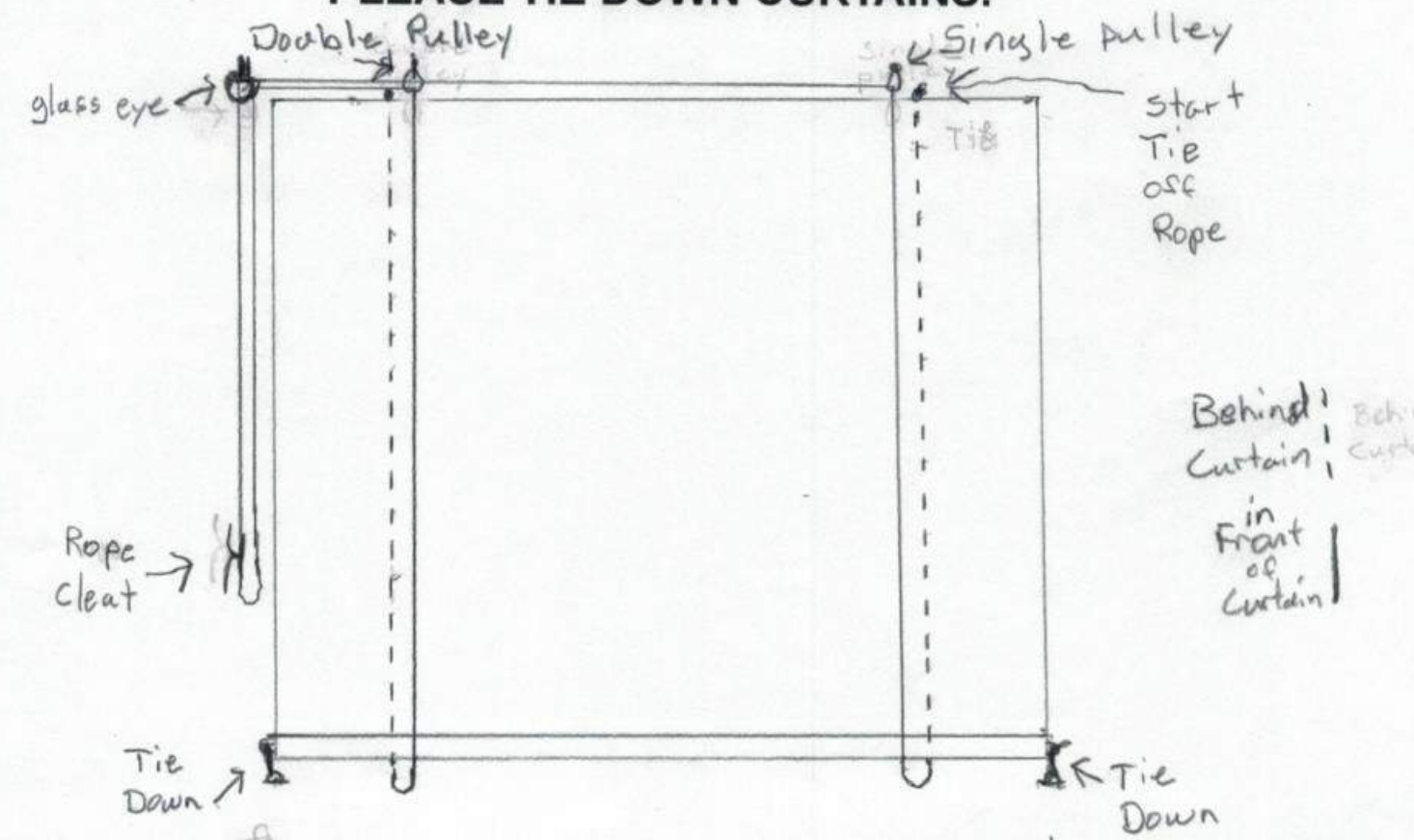
At bottom of curtain, run rope in front of curtain up to and through single pulley and through back (side away from you) of double pulley.

Run rope through glass eye down around cleat and back up through glass eye.

Then though double pulley down front of curtain and up the back of curtain. Tie off to screw holding pulley or use separate screw.

Tie downs on ends of roller in curtain, can be tied on curtains or on ground rings. Make them tight enough to hold curtains but loose enough to be unhooked.

FOR YOUR SAFETY AND THE SAFETY OF OTHERS, PLEASE TIE DOWN CURTAINS.



AWNING PULLEY OPERATION ILLUSTRATION

AWNING RAIL TO BE UTILIZED



SIMILAR ROPE CLEAT TO BE UTILIZED



SIMILAR DRAPERY AWNING EXAMPLE

N.T.S.

COMMENTS & REVISIONS

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KITCHEN ON COURT ST

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SHEET A3

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Zachery Cardoso

From: MICHAEL LIVINGSTON <michaellivingston1@comcast.net>
Sent: Wednesday, November 24, 2021 10:19 AM
To: Zachery Cardoso
Cc: Kimberli Fitzgerald; Irma Dowd; Owens, Sarah
Subject: Re: Request for Comments - Case No. HIS21-28 for 466 Court St NE

ZACHERY,

On behalf of CANDO, I am submitting this comment in response to your request below in Case No. HIS21-28 for 466 Court St NE :

CANDO does not oppose the proposal to replace the transom windows and storefront systems on the primary facade and add a permanent outdoor covered dining area with a canopy adjacent to the Odd Fellows Annex Building (c.1900). Given the design and location of these changes and taking into account the adaptations necessitated by the continuing pandemic, the substantive historical value and characteristics of the building will not be materially diminished by this proposal.

Michael Livingston
CANDO Vice Chair

On 11/24/2021 10:02 AM Zachery Cardoso <zcardoso@cityofsalem.net> wrote:

Hello,

The Request for Comments for Historic Design Review Case No. HIS21-28 for 466 Court St NE is attached for your information. Comments are due **Wednesday, December 8, 2021 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 the transom windows and storefront systems on the primary facade and add a permanent outdoor covered dining area with a canopy adjacent to the Odd Fellows Annex Building (c.1900).

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

Kimberli Fitzgerald

kfitzgerald@cityofsalem.net

503-540-2397

Thank you,

Zachery Cardoso

Admin Analyst I

City of Salem | Community Development Department

555 Liberty St SE, Suite 305, Salem OR 97301

zcardoso@cityofsalem.net | 503-540-2304

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