

FOR THE MEETING OF: August 16, 2018
AGENDA ITEM: 4.b

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: August 16, 2018

CASE NO.: Historic Design Review Case No. HIS18-24

APPLICATION SUMMARY: A proposal to replace three (3) of the nine (9) panel antennas and accessory equipment on the roof of the Capitol Tower (1926).

LOCATION: 388 State Street NE

REQUEST Major Historic Design Review of a proposal to replace three (3) of the nine (9) panel antennas and accessory equipment on the roof of the Capitol Tower, (1926), a historic contributing building within Salem's Downtown Historic District, in the CB (Central Business District) zone, and located at 388 State Street (Marion County Assessors Map and Tax Lot number: 073W27AB/7200).

APPLICANT(S): Alison Cantor for T-Mobile

APPROVAL CRITERIA: Salem Revised Code (SRC) Chapter 230
230.065 General Guidelines for Historic Contributing Resources

RECOMMENDATION: CONTINUANCE TO SEPTEMBER 20, 2018

BACKGROUND

On July 5, 2018, the applicant submitted materials for a Major Historic Design Review for a number of proposed new alterations to the building and site. The application was deemed complete for processing on July 26, 2018.

Notice of public hearing was sent by mail to surrounding property owners pursuant to Salem Revised Code (SRC) requirements on July 26, 2018 (**Attachment A**). 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 August 16, 2018 at 5:30 p.m., in Council Chambers, Room 240, located at 555 Liberty Street SE.

The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is November 23, 2018, unless an extension is granted by the applicant.

RECOMMENDATION

The applicant's current proposal does not meet the applicable criteria. To allow the applicant additional time to revise their proposal in order to better meet the criteria, staff recommends that the HLC open the public hearing and continue it to September 20, 2018.

Attachments: A. Hearing Notice and Vicinity Map
B. Excerpt from National Register Historic Resource Documents

Prepared by Kimberli Fitzgerald, Historic Preservation Officer



HEARING NOTICE

LAND USE REQUEST AFFECTING THIS AREA

Audiencia Pública

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

CASE NUMBER:	Historic Design Review Case No.HIS18-24
AMANDA APPLICATION NO:	18-114352-DR
HEARING INFORMATION:	<u>Historic Landmarks Commission, Thursday, August 16, 2018, 5:30 P.M., Council Chambers, Room 240, Civic Center, 555 Liberty St SE, Salem, OR 97301</u>
PROPERTY LOCATION:	388 State Street, Salem OR 97301
OWNER(S):	MC Capitol LLC (Media Rogers)
APPLICANT / AGENT(S):	Alison Cantor for T-Mobile
DESCRIPTION OF REQUEST:	<p>Summary: A proposal to replace three (3) of the nine (9) panel antennas and accessory equipment on the roof of the Capitol Tower (1926).</p> <p>Request: Major Historic Design Review of a proposal to replace three (3) of the nine (9) panel antennas and accessory equipment on the roof of the Capitol Tower, (1926), a historic contributing building within Salem’s Downtown Historic District, in the CB (Central Business District) zone, and located at 388 State Street (Marion County Assessors Map and Tax Lot number: 073W27AB/7200).</p>
CRITERIA TO BE CONSIDERED:	<p><u>MAJOR HISTORIC DESIGN REVIEW</u></p> <p>General Guidelines for Historic Contributing Resources</p> <p>Pursuant to SRC 230.065, an application for a Major Historic Design Review proposing changes to a contributing building or structure may be approved if the proposal conforms to the following guidelines:</p> <ul style="list-style-type: none"> (a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing. (b) Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods, rather than restored. (c) Distinctive stylistic features or examples of skilled craftsmanship significance shall be treated with sensitivity. (d) Historic features shall be restored or reconstructed only when supported by physical or photographic evidence. (e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected. (f) Additions and alterations to a historic resource shall be designed and constructed to minimize changes to the historic resource. (g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed. (h) Structural deficiencies in a historic resource shall be corrected without visually changing the composition, design, texture or other visual qualities. (i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources.

HOW TO PROVIDE TESTIMONY:

Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.

HEARING PROCEDURE:

The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony.

Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.

CASE MANAGER:

Kimberli Fitzgerald, Case Manager, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2397; E-mail: kfitzgerald@cityofsalem.net.

NEIGHBORHOOD ORGANIZATION:

Central Area Neighborhood Development Organization (CAN-DO), Bruce Hoffman, Land Use Chair; Phone: (503) 781-8542; Email: bruhof@gmail.com

DOCUMENTATION AND STAFF REPORT:

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies can be obtained at a reasonable cost. The Staff Report will be available seven (7) days prior to the hearing, and will thereafter be posted on the Community Development website:

www.cityofsalem.net/notices

ACCESS:

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

NOTICE MAILING DATE:

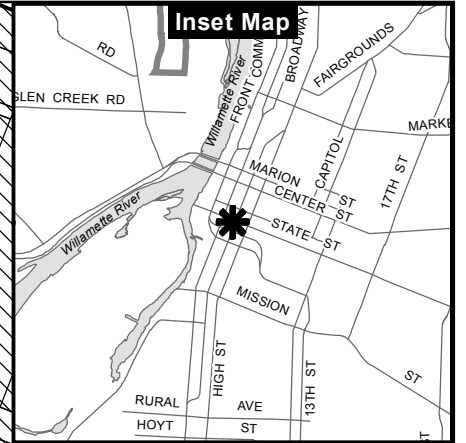
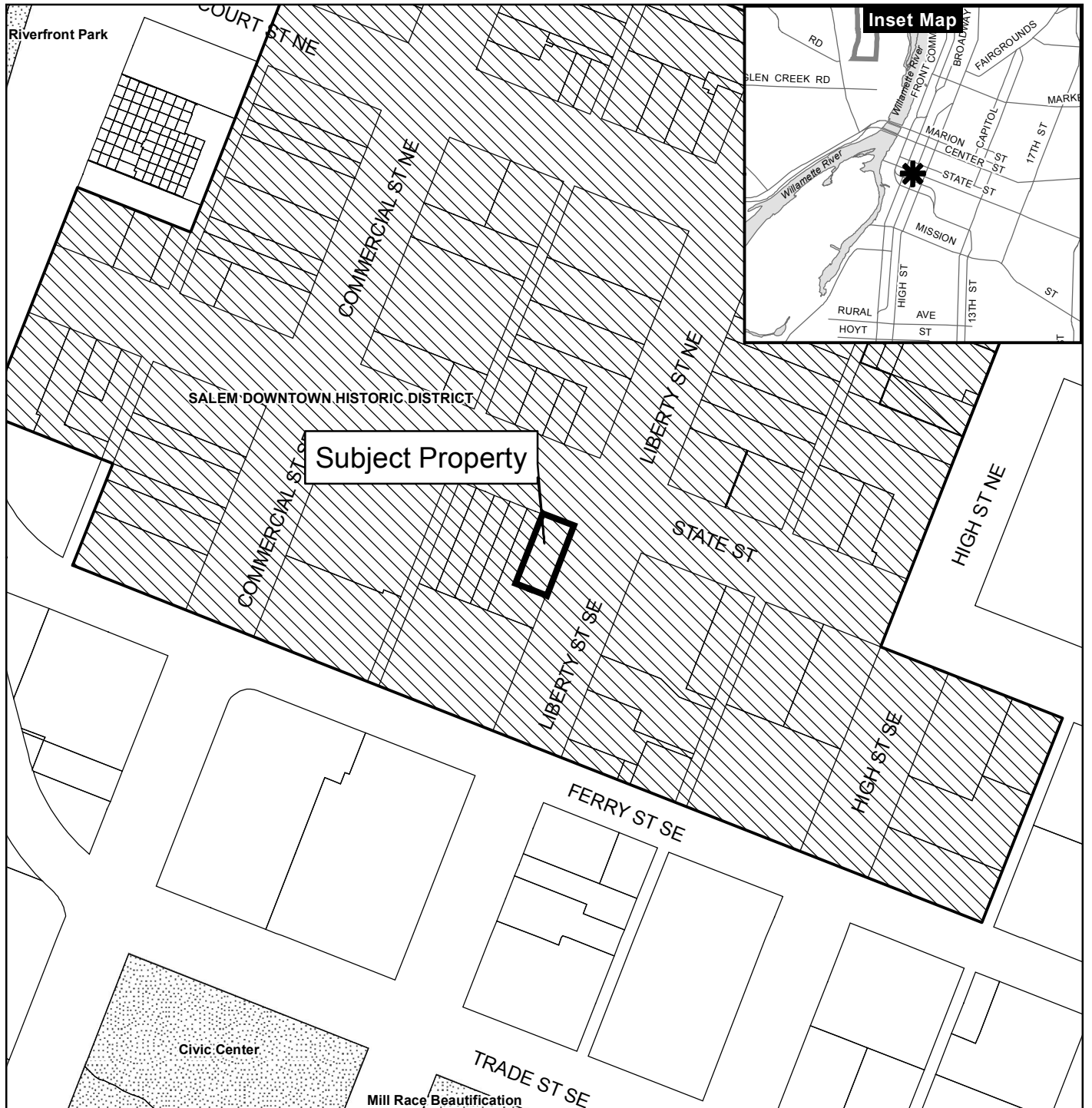
July 26, 2018

PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.
For more information about Planning in Salem:
<http://www.cityofsalem.net/planning>








It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.

TTD/TTY telephone 503-588-6439 is also available 24/7

Vicinity Map 388 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.

0 100 200 400 Feet



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United States Department of the Interior
National Park Service

National Register of Historic Places

Continuation Sheet

Section number: 7 Salem Downtown Historic District

388 State Street

Classification: Historic Contributing (Listed in the National Register in 1986)

Historic Name: First National Bank, Old/Capitol Tower

Current Name: Bank of the Cascades

Year of Construction: 1926

Legal Description: 073W27AB07200; Salem Addition from Lots 1 and 2 in Block 34

Owner(s): Salem Gargoyle, LLC
c/o Jennings and Company
Attention: Ted Pikes
POB 70407
Eugene, Oregon 97401

Description: This eleven-story reinforced architectural scored concrete, skyscraper, the tallest building in Salem, was designed by L.L. Dougan. A Commercial style building, it is situated on the southwest corner of State and Liberty streets. It has two primary facades. The north-facing facade is 45 feet wide and comprised of three bays; the east-facing facade is 100 feet wide with seven bays.

Characteristic of the Commercial style, this 145-foot tall building is architecturally divided into three parts: a two-story ground-level section, a seven-story central or shaft section, and the upper two stories. Each of the three sections is architecturally distinctive. A massive two-story arch dominates the ground floor of the north elevation over the main building entryway. The east-facing facade has five two-story arched window bays that echo the entryway arch. The second and third stories are separated by a prominent masonry belt course that is decorated with dentil molding consisting of a series of four different faces that alternate between human and mythological faces.

Four undecorated masonry pilasters extend up from this belt course to the parapet. These pilasters divide the north facade (above the third floor) into three bays. From the fourth to the tenth floors these bays are bisected by narrow engaged columns, which appear to buttress semi-circular arches (two per bay) directly above the tenth-story windows. There are fourteen two-light steel casement windows with transoms in each bay. All the windows are rectangular except the six tenth-story windows that have arched transoms.

The building has elaborate ornamentation on the north and east elevations from the eleventh floor upward to the parapet. The outer bay has a standing human figure with stylized wings surrounding it, bearded human faces in relief, and statuary of griffins at both the northwest and northeast corners of the building. A third such statue is also near the southeast corner. The parapet itself is divided above each bay into three rectangular segments; the center one is somewhat higher and more protruding than the two flanking it. Aside from its longer horizontal dimension and additional bays (seven as opposed to three on the north facade), the east elevation is substantially similar to the north. Recently, an elevated, covered walkway has been extended out from the south facade to connect with a multi-level parking structure.

This building retains its historic integrity and contributes to the character of the downtown district.

History and Significance This building was designed by Portland architect L.L. Dougan, financed by Thomas A. Livesley (through the First National Bank), and constructed in 1926. Three years earlier when the First National Bank was organized, Thomas Livesley, who sat on the bank's board of directors had announced that the directors "would erect as a home for the bank and for other important business institutions in Salem, a modern steel and concrete building on the corner of State and Liberty streets." When completed in 1926, seventy-five percent of available office space was leased, with physicians and dentists predominating as

United States Department of the Interior
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tenants.¹³¹ The First National Bank occupied the ground floor until the late 1940s when Stevens & Sons Jewelers became tenants through 1982. The building is locally significant for its integrity and physical dominance in the historic district. It is the premiere example of reinforced concrete construction in Salem. The building is also significant for its association with Thomas Livesley, leading hop grower in the Northwest, politician, and Salem entrepreneur.

Thomas A. Livesley was born December 8, 1863, in Ironton, Wisconsin. His father is reputed to be the first person to export hops from Wisconsin to Great Britain. In 1887 Thomas Livesley's father relocated his family to Seattle where he continued in the hops trade. Young Livesley worked in the family hops business until he was thirty-one. In 1894 he began his own hop business in Salem, and came to own one of the largest hop farms in the Northwest.¹³² Additionally, Livesley served as Salem's mayor and filled an unexpired term in the state senate.

Leigh L. Dougan, the Portland architect, grew up in Indiana, studied architecture at the Armour Institute of Technology in Chicago, and spent fourteen years with the Portland, Oregon, firm of Houghtaling & Dougan. In 1925 the firm disbanded; Dougan continued practicing on his own. Dougan became well known for his broad knowledge and use of classical style design elements in his buildings. In addition to Salem's First National Bank, he is credited with the design of the Medical Dental Building in Portland, Oregon, the Oregon State Tuberculosis Hospital in Salem, the Lake Oswego grade school building, the John Day high school, the Jesuit Novitiate in Sheridan, Oregon, and the monastery at the Sanctuary of Our Sorrowful Mother in Portland. Dougan was also known for his sketches in both oil and water colors. During the Great Depression he began a series of illustrations, "Wildlife of the Pacific Northwest."¹³³

¹³¹ John M. Tess, "Nation Register of Historic Places Inventory-Nomination," First National Bank Building, 1985

¹³² *Ibid.*

¹³³ *Ibid.*