

FOR THE MEETING OF: September 20, 2018
AGENDA ITEM: 4.a

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: September 20, 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: **APPROVE** with the following **CONDITION:**

Condition 1: Any new or replacement communication device(s), including but not limited to dishes, antennas and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas and associated equipment currently approved for installation.

BACKGROUND

On July 5, 2018, the applicant submitted materials for a Major Historic Design Review for replacing three (3) of the nine (9) T-Mobile antennas and associated equipment on the roof of the Capitol Tower. The application was deemed complete for processing on July 26, 2018. A previous Historic Landmarks Commission Decision (HIS16-01) included a Condition of Approval which requires that any future replacement antennas and associated equipment cannot exceed the cumulative size of the existing antennas and equipment (**Attachment D**).

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 opened the public hearing for the case on August 16, 2018 and at the request of the applicant, the Historic Landmarks Commission continued the hearing to September 20, 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.

PROPOSAL

The applicant, T-Mobile, is proposing modifications to the roof of the Capitol Tower which includes the replacement of three (3) of their nine (9) cellular antennas and associated equipment. According to their proposal, the proposed replacement antennas and associated equipment do not exceed the cumulative size of the existing antennas and equipment, and in fact represent a decrease in size (**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) **230.065 General Guidelines for Historic Contributing Resources** 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 projects 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

According to nomination documents the Capitol Tower Building was constructed in 1926 by T.A. Livesly, a prosperous hops farmer and the Mayor of Salem at the time of construction. The Capitol Tower is an eleven story commercial building designed by the Portland architect L. L. Dougan, and at the time of construction was Salem's tallest building. (**Attachment B**).

This resource is historic contributing to Salem's Downtown Commercial Historic District and retains a high degree of integrity.

3. Neighborhood and Citizen Comments

The subject property is located within the Central Area Downtown Neighborhood Association (CANDO). Notification of the public hearing was sent to the neighborhood association, all property owners within the Salem Downtown National Register District, and surrounding property owners within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on July 26, 2018. Notice of public hearing was also posted on the subject property. At the time of writing this staff report, no comments were received from the neighborhood association or from adjoining property owners.

4. City Department and Public Agency Comments

The Building and Safety Division indicates that the applicant must obtain required building permits.

5. Historic Design Review

SRC Chapter 230.065 specifies the standards and guidelines applicable to this project. The applicant is proposing to remove and replace three antennas as associated equipment on the resource. (Attachment 3). Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable guidelines.

FINDINGS

Criteria 230.065 General Guidelines for Historic Contributing Resources

(a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing.

Finding: The applicant will be removing and replacing three antennas and associated equipment on the roof of the Capitol Tower. While it is clear that the original building was not constructed for this use, the impact of the antennas has been minimized due to the height of the structure and the placement of the antennas. The installation of the antennas (and associated equipment) will not alter the use of the building, the street access, landscape design, entrance(s), height, footprint, fenestration, or massing of the affected building. Staff recommends that the HLC find that this use is compatible and that this guideline has been met.

(b) Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods, rather than restored.

Finding: Staff recommends that the HLC find that there are no historic materials or features proposed for removal, reconstruction, or repair and that Guideline 230.065 (b) is not applicable to the evaluation of this proposal.

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

Finding: Staff recommends that the HLC find that there are no distinctive stylistic features proposed for removal, reconstruction, or repair and Guideline 230.065 (c) does not apply to the evaluation of this proposal.

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

Finding: Staff recommends that the HLC find that there are no historic materials or features proposed for removal, reconstruction, or repair and that Guideline 230.065 (d) is not applicable to the evaluation of this proposal.

(e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.

Finding: Staff recommends that the HLC find that there are no distinctive historic materials or features that have acquired significance in their own right within the scope of this project and that SRC 230.065 (e) does not apply.

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

Finding: The replacement of three antennas would not increase the total number of antennas on the roof. The cumulative size of the antennas and associated equipment will be reduced by 443.84 square inches. The replacement of these antennas and associated equipment will not damage the integrity of the building and, although visible, will not adversely affect the resource, or surrounding historic district. The addition of the equipment will be visible, but will be minimized due to the height of the building, minimizing the adverse visual impact due to their addition. Staff recommends that the HLC find that the antennas and the addition of associated equipment are compatible with the size and scale of the Capitol Building, and that SRC 230.065(f) has been met.

(g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed.

Finding: In 2016, the HLC approved T-Mobile's proposal to remove and replace two (2) antennas, and associated equipment on the roof of the Capitol Tower. Due to concerns about the cumulative adverse effect resulting from adding more antennas to this resource, the HLC added a condition of approval which limited cumulative size of antennas and associated equipment. At that time the resource had approximately 33 antennas on the rooftop belonging to various carriers. The HLC has made it clear that their intent is to limit the cumulative adverse impact of too much wireless equipment attached to this historic resource. Therefore, in order to continue to limit the cumulative adverse effect of future wireless modification proposals on this resource, staff recommends that the HLC adopt the following CONDITION of APPROVAL:

Condition 1: Any new or replacement communication device(s), including but not limited to dishes, antennas, and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas, and associated equipment currently approved for installation.

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

Finding: Staff recommends that the HLC find that the proposal does not include any

plans to correct structural deficiencies, and that Guideline 230.065 (h) does not apply to the evaluation of this proposal.

(i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources.

Finding: Staff recommends that the HLC find that the proposal does not include any plans for excavation or regrading, and that Guideline 230.065 (i) does not apply 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 CONDITION:

Condition 1: Any new or replacement communication device(s), including but not limited to dishes, antennas, and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas, and associated equipment currently approved for installation.

DECISION ALTERNATIVES

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

Attachments: A. Hearing Notice and Vicinity Map
B. Excerpt from National Register Historic Resource Document
C. Applicant's Submittal Materials
D. HIS 16-01 Decision

Prepared by Kimberli Fitzgerald, AICP, 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:

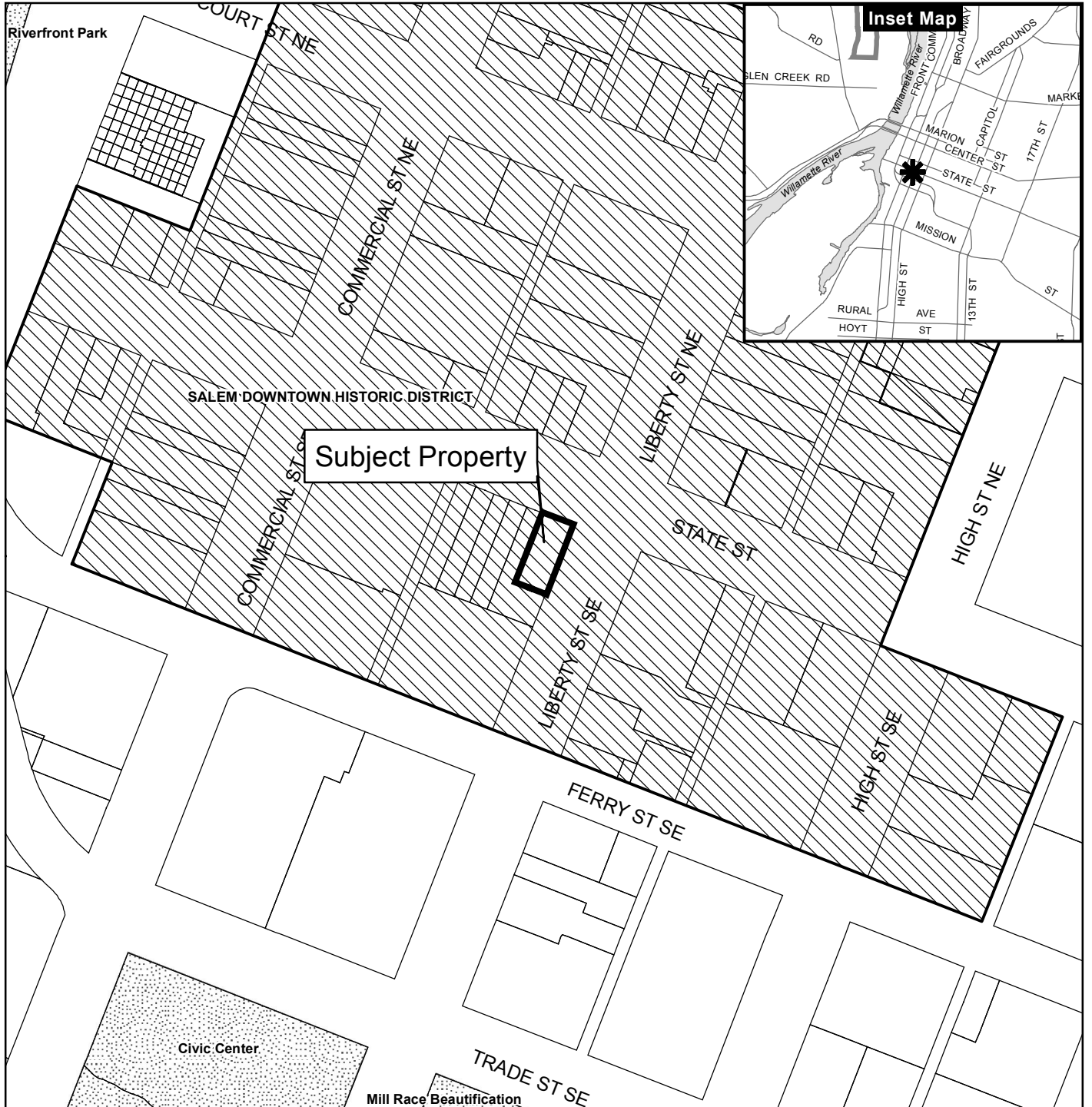
July 26, 2018

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



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

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
National Park Service

National Register of Historic Places

Continuation Sheet

Section number: 7 Salem Downtown Historic District

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.*

STATE OF OREGON INVENTORY
OF HISTORIC PROPERTIES
State Historic Preservation Office
Oregon State Parks, Salem, OR 97310



County Marion
 Theme 8d, 6d
 Name
 (Common) Capitol Tower
 (Historic) Livesly Building
 Address 388 State Street NE
Salem, Oregon 97301
 Present Owner The Livesly Company
 Address 388 State Street NE
 Original Use Office Structure
 Date of Construction 1927

Historical description of property and statement of historical significance:

This was one of the tallest fire resistant buildings and Salem's first skyscraper. It was originally built as the South First National Bank Building, but became more commonly known as the Livesly Building. This is a reinforced concrete structure. Of note are the decorative heads and caryatids on the upper floors. The original ground floor entrance has been covered over. *? really?*

T.A. Livesly was a prosperous Hop Merchant and vice president of Oregon Linen Mills. He was Mayor of Salem in the early 1930's. The builders were Hanson and Hammond.

 continue on back if necessary

Recorded by Mark Siegel Date 12/16/80

Sources consulted (continue on back if necessary): Interview with David Duniway
 Oregon Statesman, 1/1/27; "Historic Salem" brochure
 City Directories

Please enclose map. Township 7 ^N/_S ^E/_W Section 22

1529C/10/210A

41

69

Historic Alteration Review WorksheetSite Address: 388 State Street, Salem, OR 97301Resource 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: _____

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe)
Replace antennas, radios, cabinets

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: (3) panel antennas, (3) radios, (2) cabinets Project's New Material: (3) panel antennas, (4) radios, (2) cabinets**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:

Replace (3) antennas, (3) radios. Install (1) additional radio, (1) Hybrid. Replace (1) cabinets. Remove (2) cabinets. Attach (1) FXFB, (1) ESMB, and (2) FSMF on side of remaining cabinets. Please see plans for details.

8/31/18

Signature of Applicant

Date Submitted/Signed

Narrative Summary of Equipment Specifications

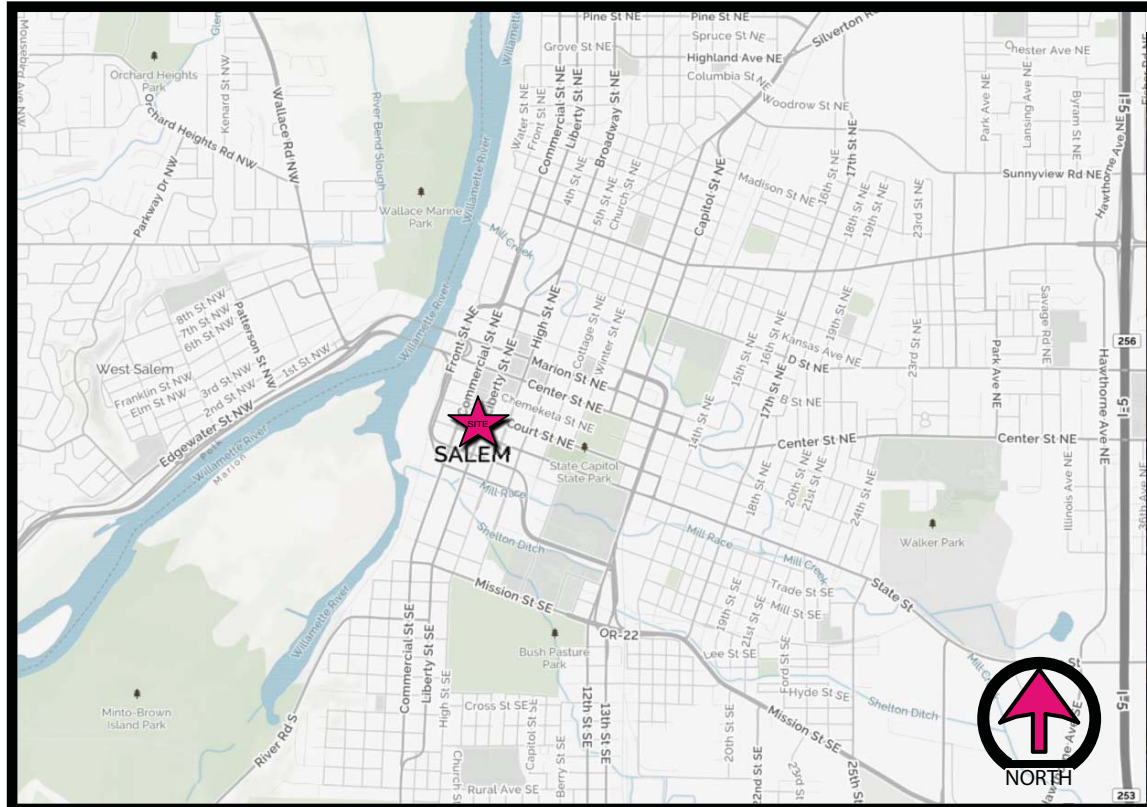
T-Mobile's **Existing** Cumulative equipment size (area in square inches):

- (4) Andrew – TMBXX-6516-R2M Panel antennas at 59" x 11.9" each = **2,808.4 square inches**
 - (3) Andrew – DBXNH-6565B-A2M Panel antennas at 72.7" x 11.9" each = **2,595.39 square inches**
 - (2) Andrew – HBXX-3817B1-VTM Panel antennas at 54.7" x 11.9" each = **1,301.86 square inches**
 - (3) Commscope – ETW190VS12UB TMAs at 10.2" x 6.7" each = **205.02 square inches**
 - (4) FRIG RRUs at 23.81" x 17.24" each = **1,641.94 square inches**
 - (3) FRLB RRU at 15.75" x 15.75" each = **744.2 square inches**
 - (6) Raycap – RNSNDC-7771-PF-48 COVPs at 20.22" x 18.86" each = **2,288 square inches**
 - (4) FHFB RRU at 23" x 12.6" each = **1,159.2 square inches**
 - (8) Andrew – E15S08P77 Diplexers at 2.8" x 7.6" = **170.24 square inches**
 - (4) Equipment Cabinets at 61" x 30.3" on a 150square ft platform = **7,393.2 square inches**
- Total square inches of existing equipment = 20,307.45 square inches**

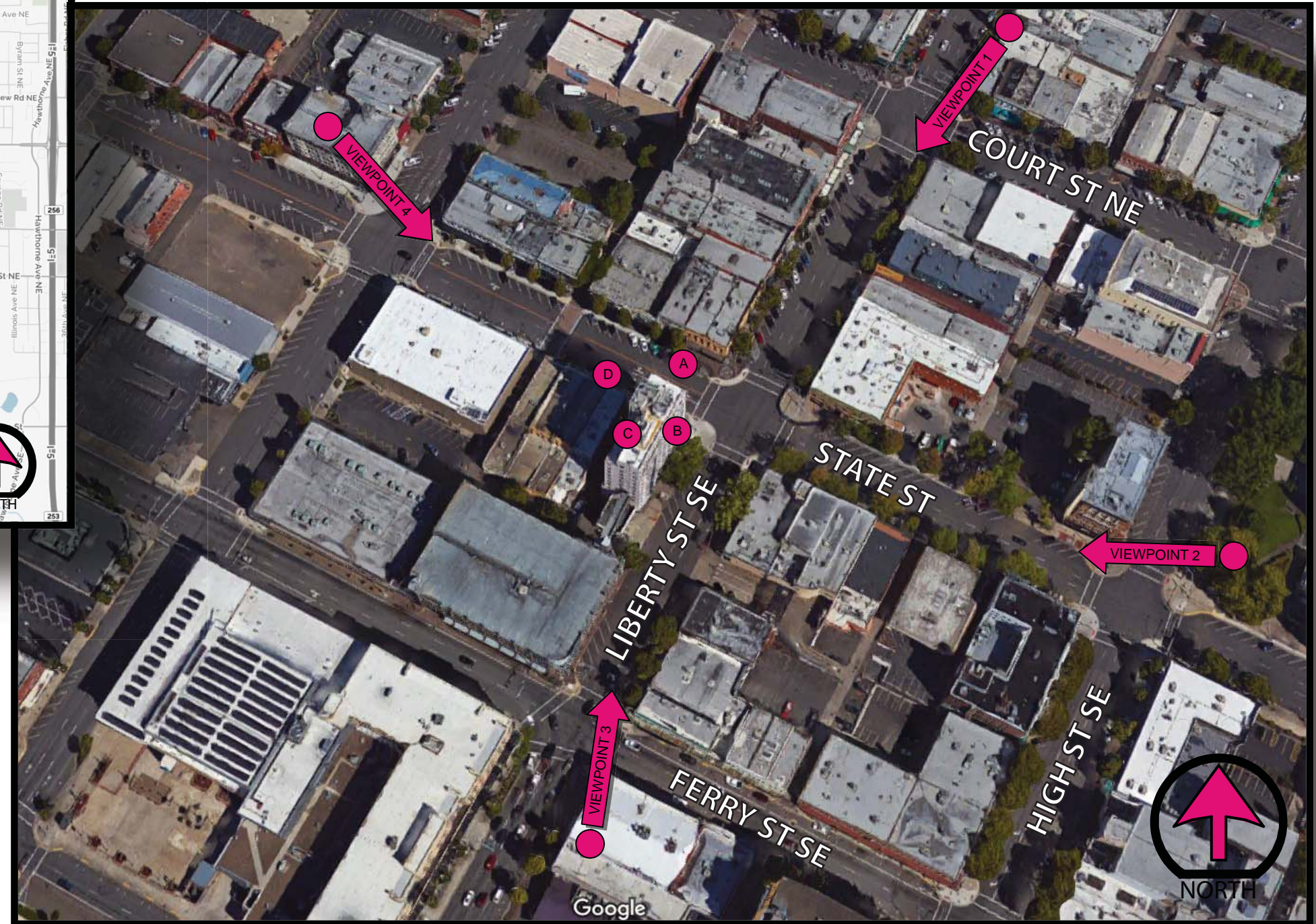
T-Mobile's proposed Final Equipment Inventory equipment size (area in square inches):

- (4) Andrew – TMBXX-6516-R2M Panel antennas at 59" x 11.9" each = **2,808.4 square inches**
 - (2) Andrew – HBXX-3817B1-VTM Panel antennas at 54.7" x 11.9" each = **1,301.86 square inches**
 - (3) Commscope – FFHH-65C-R3 Panel antennas at 72.7" x 25.2" each = **5,496 square inches**
 - (3) Commscope – ETW190VS12UB TMAs at 10.2" x 6.7" each = **205.02 square inches**
 - (4) FRIG RRUs at 23.81" x 17.24" each = **1,641.94 square inches**
 - (6) Raycap – RNSNDC-7771-PF-48 COVPs at 20.22" x 18.86" each = **2,288 square inches**
 - (4) FHFB RRU at 23" x 12.6" each = **1,159.2 square inches**
 - (8) Andrew – E15S08P77 Diplexers at 2.8" x 7.6" = **170.24 square inches**
 - (3) AHLOA RRUs at 22.05" x 12.13" each = **813.65 square inches**
 - (2) Equipment Cabinets at 61" x 30.3" on a 150square ft platform = **3696.6 square inches**
 - (1) FXFB at 5.2" x 11.76" attached to cabinet = **61.2 square inches**
 - (1) ESMB at 5.25" x 18.9" attached to cabinet = **99.2 square inches**
 - (2) FSMF at 5.2" x 11.76" each attached to cabinet = **122.3 square inches**
- Total Square inches of the proposed final equipment inventory = 19,863.61 square inches**

T-Mobile's proposal will have an overall DECREASE of 443.84 square inches.



VICINITY MAP



- A** VIEWPOINT 1:
CLOSE UP VIEW LOOKING SOUTH
- B** VIEWPOINT 2:
CLOSE UP VIEW LOOKING WEST
- C** VIEWPOINT 3:
CLOSE UP VIEW LOOKING NORTH
- D** VIEWPOINT 4:
CLOSE UP VIEW LOOKING EAST



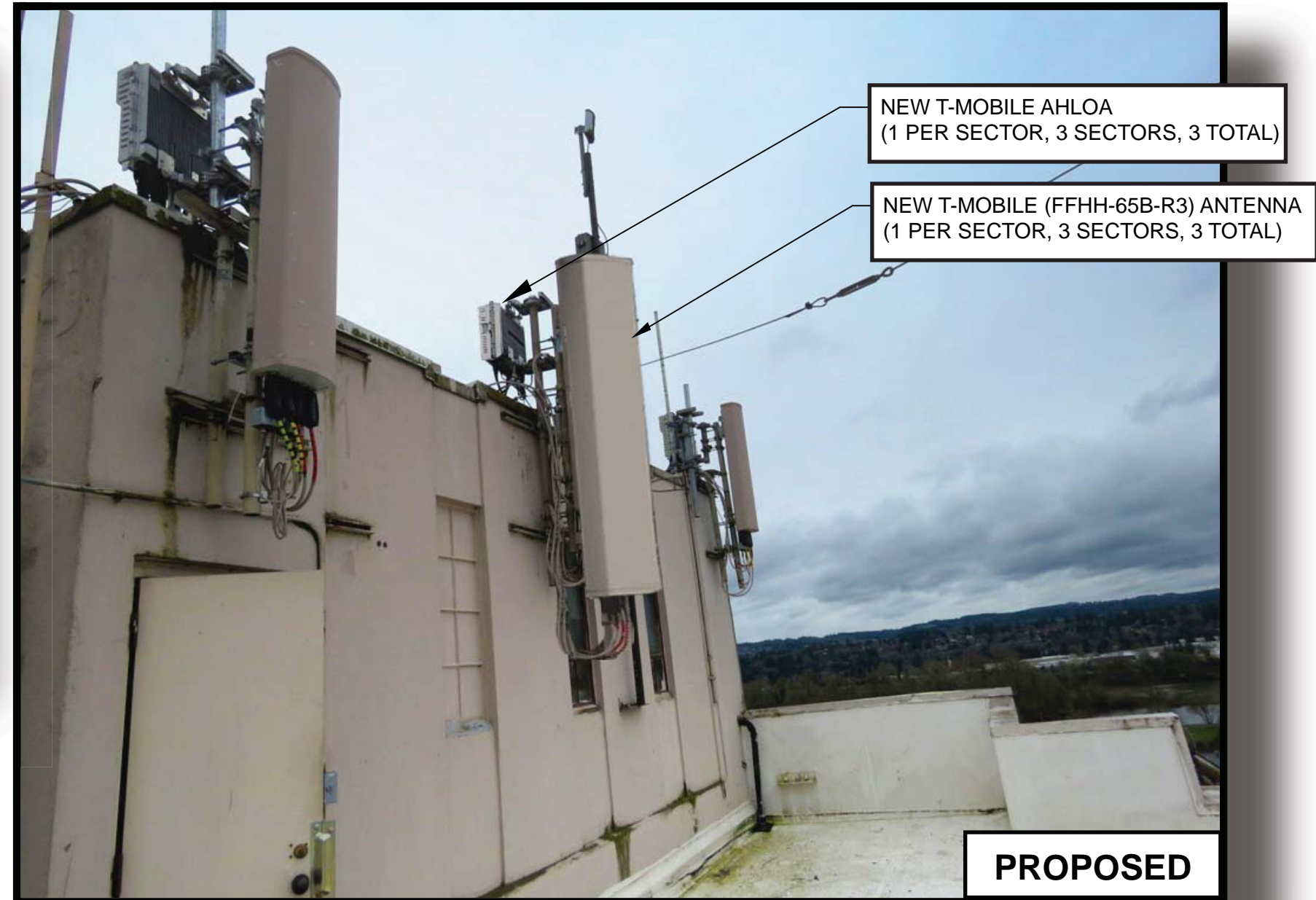
EXISTING



PROPOSED

**VIEWPOINT A:
CLOSE UP VIEW LOOKING SOUTH**

VIEWPOINT 1

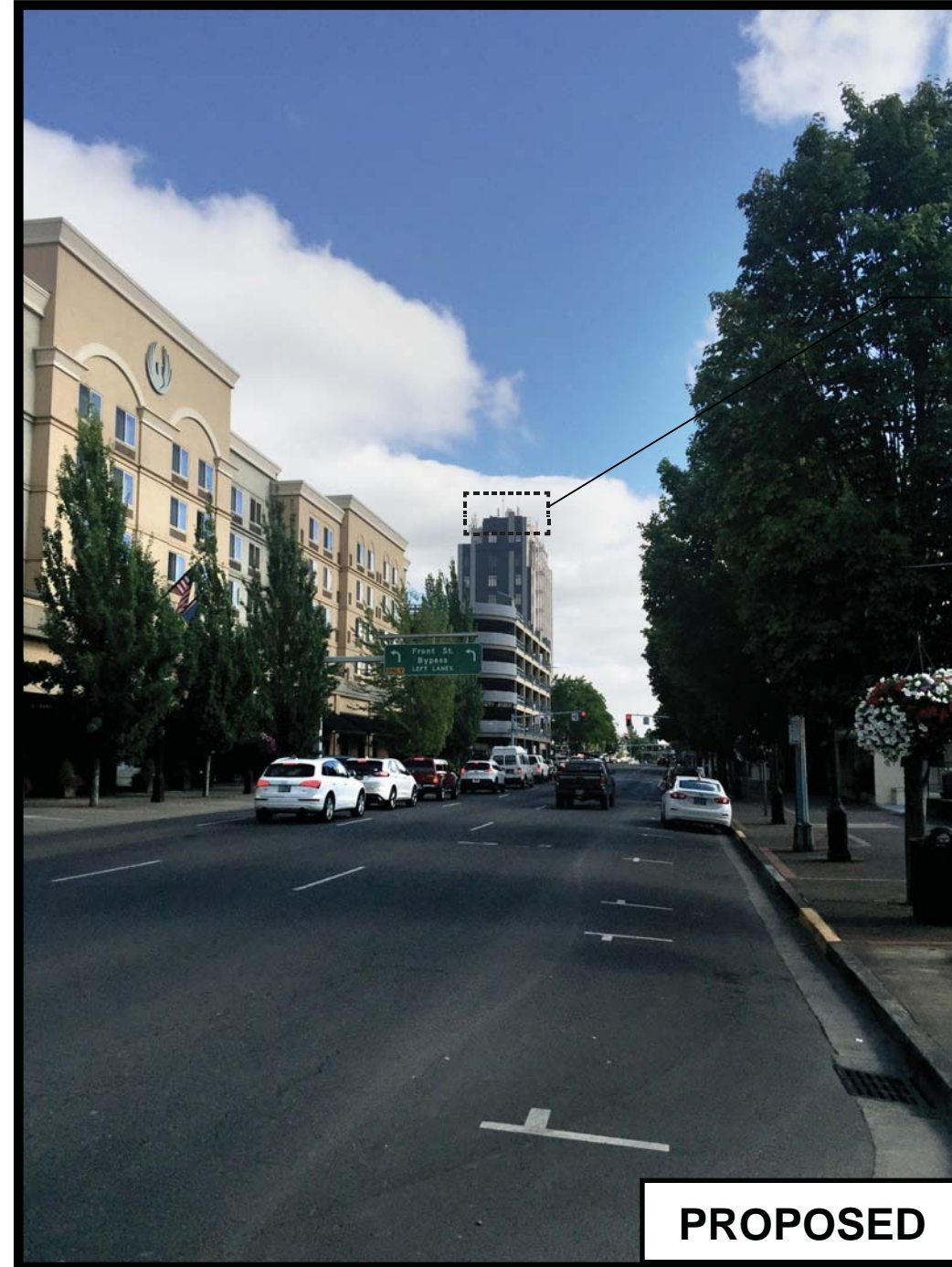
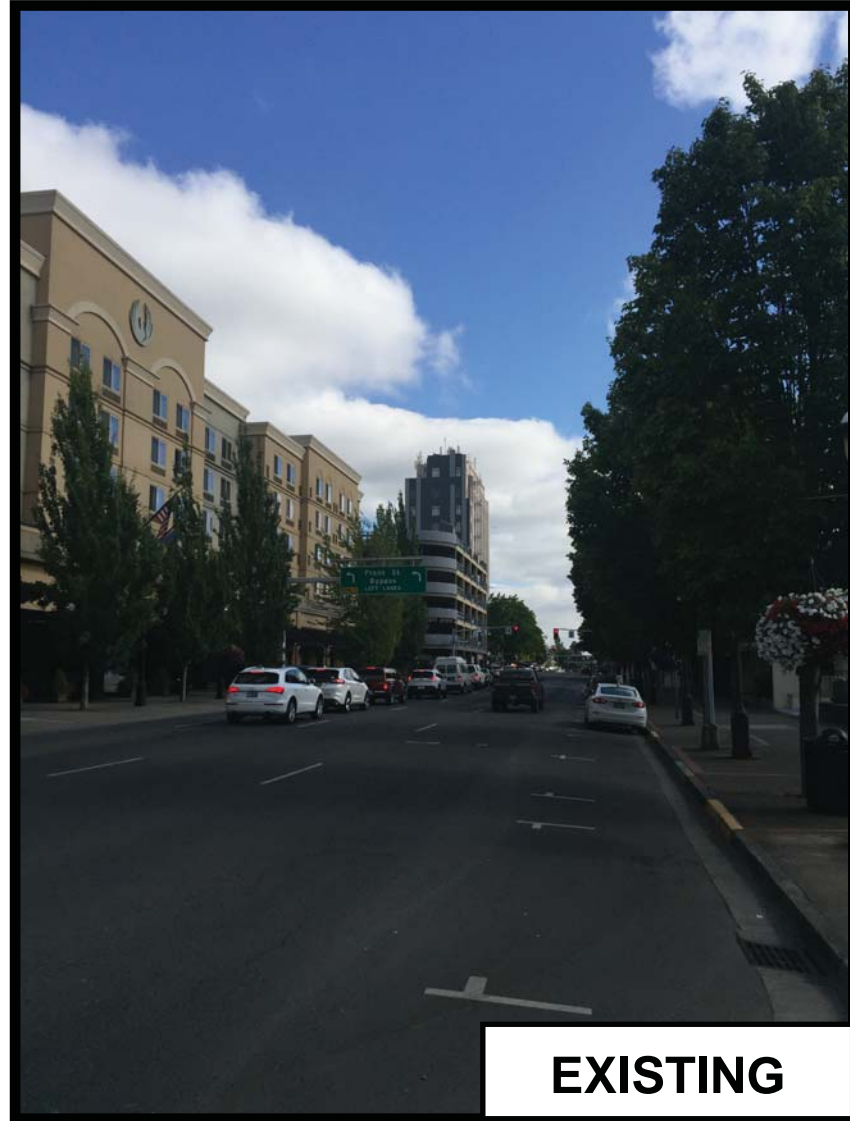




VIEWPOINT B:
CLOSE UP VIEW LOOKING WEST

VIEWPOINT 2





VIEWPOINT C:
CLOSE UP VIEW LOOKING NORTH

VIEWPOINT 3



PO00201A
SALEM DOWNTOWN
388 STATE STREET
SALEM, OR 97301



EXISTING



NEW T-MOBILE (FFHH-65B-R3) ANTENNA
(1 PER SECTOR, 3 SECTORS, 3 TOTAL)

PROPOSED

VIEWPOINT C



EXISTING



PROPOSED

VIEWPOINT D:
CLOSE UP VIEW LOOKING EAST

VIEWPOINT 4



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

DECISION OF THE HISTORIC LANDMARKS COMMISSION

MAJOR HISTORIC DESIGN REVIEW CASE NO. HIS16-01

APPLICATION NO. : 15-122431-DR

NOTICE OF DECISION DATE: JULY 22, 2016

REQUEST: Major Historic Design Review of a proposal to remove and replace 2 existing panel antennas and associated 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: Hannah Skreen, Technology Associates EC, INC. for T-Mobile

LOCATION: 388 State Street SE

CRITERIA: Salem Revised Code Chapter 230.065

DECISION: The Historic Landmarks Commission **GRANTED** Major Historic Design Review Case No. HIS16-01 subject to the following condition of approval:

Condition 1: Any new or replacement communication device(s), including but not limited to dishes, antennas and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas and associated equipment currently approved for installation.



Andrew Hendrie, Chair, Historic Landmarks Commission

This Decision becomes effective on **August 9, 2016**. 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).

Application Deemed Complete:	<u>June 24, 2016</u>
Public Hearing Date:	<u>July 21, 2016</u>
Notice of Decision Mailing Date:	<u>July 22, 2016</u>
Decision Effective Date:	<u>August 9, 2016</u>
State Mandate Date:	<u>October 22, 2016</u>

The rights granted by this decision must be exercised by **August 8, 2018**, or this approval shall be null and void. A copy of the decision is attached.

Case Manager: Kimberli Fitzgerald, AICP, Historic Preservation Officer
kfitzgerald@cityofsalem.net, 503.540.2397

NOTICE OF DECISION

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

CITY OF Salem
AT YOUR SERVICE

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., August 8, 2016.**

Any person who presented evidence or testimony at the hearing may appeal the decision. 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 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer 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>

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

DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO. Historic Review Case No. HIS16-01 / AMANDA No. 15-122431-DR

FINDINGS: Based upon the application materials, the facts and findings in the Staff Report dated July 21, 2016 incorporated herein by reference, and testimony provided at the Public Hearing of July 21, 2016, the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that their proposal complies with the applicable provisions of the Salem Revised Code (SRC) 230.065 as follows:

Criteria: 230.065. General Guidelines for Historic Contributing Resources.

FINDINGS

(a) *Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing.*

Finding: The HLC finds that while it is clear that the original building was not constructed for this use, the impact of the removal and replacement of the two antennas has been minimized due to the height of the structure and the placement of the antennas. The HLC find that this use is compatible and that 230.065(a) has been met for this proposal.

(b) *Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods, rather than restored.*

Finding: The HLC finds that there are no historic materials or features proposed for removal, reconstruction, or repair and that Guideline 230.065 (b) is not applicable to the evaluation of this proposal.

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

Finding: The HLC finds that the proposed antenna replacement will be placed on the roof of the Capitol Tower and that there are no distinctive stylistic features proposed for removal, reconstruction, or repair and Guideline 230.065 (c) does not apply to the evaluation of this proposal.

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

Finding: The HLC finds that there are no historic materials or features proposed for removal, reconstruction, or repair and that Guideline 230.065 (d) is not applicable to the evaluation of this proposal.

(e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.

Finding: The HLC finds that there are no distinctive historic materials or features that have acquired significance in their own right within the scope of this project and that SRC 230.065 (e) does not apply to the evaluation of this proposal.

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

Finding: The HLC finds that the antennas proposed for installation on the top of the roof will not have a significant adverse visual impact to the Franklin Building. The proposed location of the antennas on the roof of the Capitol Tower minimizes the visual impact on the resource; therefore, the HLC finds that 230.065(f) has been met.

(g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed.

Finding: The HLC finds that the removal and replacement of the proposed new wireless antennas and associated equipment will result in this applicant having a total of nine antennas and associated equipment on the roof of the Capitol Tower Building. The HLC finds there is a potential for significant features to be obscured resulting from adding more antennas and associated equipment to the roof of the Capitol Tower. In 2015, the HLC adopted a Condition of Approval (HIS15-25) limiting the total number of antennas on the roof to nine for this applicant. The HLC finds that a condition of approval is necessary in order to limit the cumulative adverse impact of too much wireless equipment attached to this historic resource. Therefore, in order to limit the cumulative adverse effect and for this proposal to better meet SRC 230.065(g), the HLC adopts the following CONDITION of APPROVAL:

Condition 1: Any new or replacement communication device(s), including but not limited to dishes, antennas and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas and associated equipment currently approved for installation.

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

Finding: The HLC finds that the applicant has not proposed any plans to correct structural deficiencies as part of this proposal and therefore SRC 230.065(h) does not apply to the evaluation of this proposal.

(i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources.

Finding: The HLC finds that the applicant has not proposed an excavation or regrading as part of this proposal and therefore SRC 230.065 (i) does not apply to the evaluation of this proposal.

DECISION: The Historic Landmarks Commission APPROVES the HIS16-01 proposal with the following CONDITION:

Condition 1: **Any new or replacement communication device(s), including but not limited to dishes, antennas and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas and associated equipment currently approved for installation.**

VOTE: YES 5 NO 0 ABST 0 ABSENT 3 (Carmichael, Sund, Timbrook)