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

DECISION OF THE HISTORIC PRESERVATION OFFICER

CLASS 1 MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS22-11

APPLICATION NO.: 22-106562-DR

NOTICE OF DECISION DATE: May 11, 2022

SUMMARY: A proposal to replace three wireless antennae and associated equipment on the roof of the Capitol Tower (1926).

REQUEST: A Class 1 Minor Historic Design Review of a proposal to replace three wireless antennae and associated equipment on the roof of the Capitol Tower (1926), on property 2.13 acres in size, zoned CB (Central Business) within Salem's Downtown Historic District and located at 388 State Street, 97301 (Marion County Assessor's Map and Tax Lot number: 073W27AB07200).

APPLICANT: Patrick Evans

LOCATION: 388 State St, Salem, OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.040 – Standards for historic

contributing buildings in commercial historic districts

FINDINGS: The findings are in the attached Decision dated May 11, 2022.

DECISION: The **Historic Preservation Officer** (a Planning Administrator designee) **APPROVED** Class 1 Minor Historic Design Review Case No. HIS22-11 based upon the application materials deemed complete on May 11, 2022 and the findings are presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by May 12, 2024, or this approval shall be null and void.

Application Deemed Complete: May 11, 2022

Notice of Decision Mailing Date: May 11, 2022

Decision Effective Date: May 12, 2022

State Mandate Date: September 8, 2022

Case Manager: Kimberli Fitzgerald, kfitzgerald@citvofsalem.net, 503-540-2397

This decision is final.

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

http://www.cityofsalem.net/planning

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

| IN THE MATTER OF APPROVAL OF |) | MINOR HISTORIC DESIGN REVIEW |
|------------------------------|---|------------------------------|
| HISTORIC DESIGN REVIEW |) | |
| CASE NO. HIS22-11 |) | |
| 388 STATE STREET |) | May 11, 2022 |

In the matter of the application for a Minor Historic Design Review submitted by Patrick Evans on behalf of Verizon Wireless, the Historic Preservation Officer (a Planning Administrator Designee), having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

SUMMARY: A proposal to replace three wireless antennae and associated equipment on the roof of the Capitol Tower (1926),

REQUEST: A Class 1 Minor Historic Design Review of a proposal to replace three wireless antennae and associated equipment on the roof of the Capitol Tower (1926), on property 2.13 acres in size, zoned CB (Central Business) within Salem's Downtown Historic District and located at 388 State Street, 97301 (Marion County Assessor's Map and Tax Lot number: 073W27AB07200).

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

FINDINGS

Minor Historic Design Review Applicability

SRC230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

PROPOSAL

The applicant is proposing to replace three of the nine wireless antennae and associated equipment on the roof of the Capitol Tower (1926). In 2019 (HIS19-02) the HLC approved Verizon's request to replace six of nine existing antennae on the roof of the Capitol Tower with the condition that any new or replacement communication devices not exceed the total number and size of the existing equipment. A previous Historic Landmarks Commission Decision (HIS14-42) included a Condition of Approval which requires that any future replacement antennas and associated equipment cannot exceed a total of nine (9) antennae on the Capitol

HIS22-11 Decision May 11, 2022 Page 2

Tower and that any future replacement antenna panels shall not exceed the total cumulative size of the existing panels approved for installation. The current proposal includes the addition of associated equipment including three remote radio units and one surge suppressor which will be screened from view. Three existing wireless antennae and their associated equipment will be removed. According to their proposal, the proposed replacement antennas and associated equipment do not exceed the cumulative size of the existing antennas and equipment currently on the roof of the Capitol Tower.

SRC (Salem Revised Code) Ch. 230.040(j), Standards for historic contributing buildings in commercial historic districts – Mechanical Equipment, is applicable to this project.

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at https://permits.cityofsalem.net. You may use the search function without registering and enter the permit number listed here: 22-106562-DR.

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; an excerpt is included as **Attachment B** 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) 230.040(d) *Standards for historic contributing buildings in commercial historic districts -- Storefronts*, are the applicable criteria for evaluation of this proposal.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their decision supported by findings that explain

HIS22-11 Decision May 11, 2022 Page 3

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. Livesley, 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.

The Capitol Tower has had wireless antennae on the roof for over twenty years. Due to concerns about the cumulative adverse effect resulting from adding more antennas to this resource, beginning in 2014, the HLC started to add a condition of approval to all wireless applications which limited the total number and cumulative size of antennas and associated equipment. At that time the resource had approximately 33 antennas on the rooftop belonging to various carriers. In 2020 the Salem City Council amended SRC 230 to include a design standard specifically restricting the total number of wireless antennae on historic resources.

3. Analysis of Minor Historic Design Review Approval Criteria

Staff determined that the following standards from *SRC 230.040 Standards for historic contributing buildings in commercial historic districts*, are applicable to this project.

FINDINGS:

Sec. 230.040 - Standards for historic contributing buildings in commercial historic districts.

- (j) <u>Mechanical Equipment</u>. Addition and replacement of mechanical equipment, including, but not limited to, heating and cooling systems, solar panels and telecommunications equipment, and service areas, including, but not limited to, dumpster enclosures, is permitted.
- (1) Materials. Materials shall be harmonious in type, color, scale, texture, and proportions with the building and the district generally.

Findings: The proposed materials for the new replacement antennas and associated equipment are primarily metal, a material commonly found throughout the Capitol Tower and the historic district generally. All antennas and associated equipment will be painted to match the existing antennas already on the roof of the Capitol Tower. Staff finds that SRC 230.040(j)(1) has been met.

- (2) Design.
- (A) Mechanical equipment and service areas should be located out of public view and designed as an integral part of the overall building design.

Findings: The replacement of these antennas and associated equipment will not damage the integrity of the building and, although visible on the roof, the new antennas are an integral part

of the rooftop wireless equipment which have existed on the top of the Capitol Tower for over 20 years. The applicant's proposal will not adversely affect the resource, or surrounding historic district. The addition of the equipment will be visible, but the adverse visual impact of the antenna will be minimized due to the height of the building. Staff finds that SRC 230.040(2)(A) has been met.

(B) Mechanical equipment and service areas should be placed at the rear of the building, recessed on the roof of the building, or screened by appropriate fencing.

Findings: The proposed new remote radio units and associated equipment to support the replacement wireless antennas will be screened from view, recessed on the roof of the building. Staff finds that SRC230.040(2)(B) has been met.

(C) Low-profile mechanical units and elevator shafts may be placed on rooftops if they are not visible from the street, or set back and screened from view.

Findings: While the applicant is not proposing to install low profile mechanical units or elevator shafts, the proposed three new replacement antennas will be replaced in the same location as the existing antennas. The associated equipment to support these antennas will be recessed on the roof of the Capitol Tower and screened from view. Staff finds that SRC 230.040(2)(C) has been met.

(D) Solar panels should have low profiles and not be visible from right-of-way, other than alleys, and shall be installed in a manner that minimizes damage to historic materials.

Findings: The application does not include any proposed solar panels, therefore SRC 230.040(j)(2)(D) is not applicable to the evaluation of this proposal.

(E) Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited.

Findings: The application does not include any proposed skylights, therefore SRC 230.040(j)(2)(E) is not applicable to the evaluation of this proposal.

(F) Mechanical equipment placed at street level should be screened in a manner that is compatible with the streetscape and adjacent buildings.

Findings: The application does not include any proposed street level mechanical equipment, therefore SRC 230.040(j)(2)(F) is not applicable to the evaluation of this proposal.

(G) New skylights and vents shall be placed behind and below the parapet level.

Findings: The application does not include any proposed skylights or vents, therefore SRC 230.040(j)(2)(G) is not applicable to the evaluation of this proposal.

(H) Any new or replacement communication device(s), including, but not limited to, dishes,

HIS22-11 Decision May 11, 2022 Page 5

antennas, and associated equipment, collocated on existing sites shall not exceed the total number and cumulative size of the dishes, antennas, and associated equipment which have been approved for installation under the most recent historic design review approval for such devices.

Findings: The replacement of three antennas will not increase the total number of antennas on the roof. 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. Staff finds that SRC 230.040(j)(2)(H) has been met.

DECISION

Based upon the application materials deemed complete on May 11, 2022 and the findings as presented in this report, the application for HIS22-11 is **APPROVED.**

Kimberli Fitzgerald, AICP Historic Preservation Officer Planning Administrator Designee

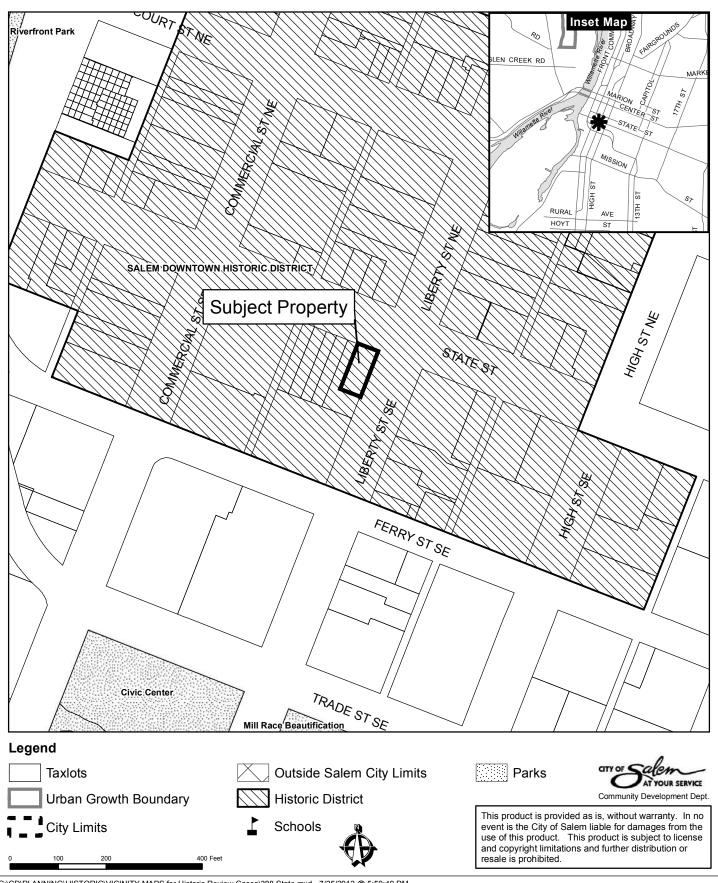
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Attachments: A. Vicinity Map

B. Applicant's Submittal Materials- Excerpt

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verizon

PROJECT NAME:

SLM SALEM HD

PROJECT LOCATION:

388 STATE ST **SALEM, OR 97301**

FUZE PROJECT ID: 16327441

VICINITY MAP Glen Creek Rd NW TRS. CENTRAL AREA DRIVING DIRECTIONS

JURISDICTION CITY OF SALEM LATITUDE: 44*56'21 43"N 44.939286° ZONING CLASS: CB (CENTRAL BUSINESS DISTRICT) ZONING OVERLAY: HISTORIC DISTRICT LONGITUDE: 123°02'21.35"W PARCEL NUMBER: 073W27AB07200 -123.039263* TAX NUMBER: 589242 GROUND ELEVATION: ACCOUNT ID: 589242 STRUCTURE HEIGHT 146'-0" (TOP OF PENTHOUSE) SEC 27, TWN 7S, RNG 3W HIGHEST APPURTENANCE: 150'-10" (TOP OF ANTENNA) PARCEL SIZE: 0.11 ACRES SCOPE OF WORK VERIZON WIRELESS PROPOSES TO MODIFY AN EXISTING WIRELESS FACILITY WITH THE FOLLOWING SCOPE OF WORK: REMOVE (3) PANEL ANTENNAS MODIFY (1) ANTENNA MOUNT MODIFT (1) ANTENNA MOUNT ADD (3) PANEL ANTENNAS ADD (3) LS6 RRU'S (RRUS8863) AT ANTENNAS ADD (2) RRU SHROUDS

PROJECT INFORMATION

LEGAL DESCRIPTION

CONTACTS

SALEM, BLOCK 34, LOT FR 1,2

(FROM PORTLAND INTERNATIONAL AIRPORT)

- MERGE ONTO I-205 S.
- MERCE ONTO 1-203 S.
 USE THE LEFT 2 LANES TO TAKE THE EXIT TOWARD SALEM. MERGE ONTO 1-5 S.
 KEEP RIGHT AT THE FORK TO STAY ON 1-5 S, FOLLOW SIGNS FOR INTERSTATE 5 S/SALEM.
 TAKE EXIT 260A FOR OR-99E BUS TOWARD SALEM PKWY
- CONTINUE ON OR-99EBUS S. DRIVE TO STATE ST IN SALEM.
 CONTINUE ONTO OR-99EBUS S/SALEM PKWY.
 CONTINUE STRAIGHT ONTO COMMERCIAL ST NE.
 TURN LEFT ONTO STATE ST. DESTINATION WILL BE ON THE RIGHT

PROPERTY OWNER:

PO BOX 8236

PROFESSIONAL OF RECORD:

BERT WHITE LYNX CONSULTING, INC 17311 135TH AVE NE, SUITE A-100 WOODINVILLE, WA 98072 PHONE: (253) 230-2335

APPLICANT: CAMILLE COPE 5430 NE 122ND AVE

PORTLAND, OR 97230 PHONE: (503) 408-3464

APPLICANT AGENT: JULEI CAMPOS LYNX CONSULTING, INC

17311 135TH AVE NE SUITE A-100 WOODINVILLE, WA 98072 PHONE: (206) 388-7611 jcampos@lynxconsulting.org

TOWER OWNER CONTACT:

3245 158TH AVE SE, MS 231 BELLEVUE, WA 98009

PERMITTING CONTACT:

AILEEN ZAVALES LYNX CONSULTING, INC 17311 135TH AVE NE SUITE A-100

CODE COMPLIANCE

LIST OF DRAWINGS

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT CONDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

OREGON STATE AND LOCAL BUILDING CODES WITH THE FOLLOWING REFERENCE CODE:

2019 OREGON STRUCTURAL SPECIALTY CODE 2019 OREGON ELECTRICAL SPECIALTY CODE 2019 OREGON MECHANICAL SPECIALTY CODE 2017 NATIONAL ELECTRIC CODE (NFPA 70)

DESCRIPTION

COVER SHEET

GENERAL NOTES

PROPOSED SITE PLAN

PROPOSED ROOF PLAN

CONSTRUCTION DETAILS

PROPOSED IT DIAGRAM

EXISTING AND PROPOSED FOUIPMENT PLANS

EXISTING AND PROPOSED EAST ELEVATIONS

EXISTING AND PROPOSED SOUTH ELEVATIONS

STRUCTURAL NOTES AND PLAN AND SECTION

EXISTING ANTENNA CONFIGURATION

PROPOSED ANTENNA CONFIGURATION

SHEET

T-1

N-1

C-1

A-2

A-4

A-5

RF-1

RF-2

RF-3

ANSI/TIA-222-H (REVISION H)

APPROVALS

| TITLE | SIGNATURE | DATE | |
|----------------|-----------|------|-------------|
| REPRESENTATIVE | | | FUZI |
| RF ENGINEER | | | 163 DRAI |
| PROPERTY OWNER | | | BJG REVI |
| | | | |
| | | | |

verizon

IMPLEMENTATION TEAM/CLIENT:



DO NOT SCALE DRAWINGS, CONTRACTOR MUST VERIFY ALL DRAWINGS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS, NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHAUL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL ALL PREVIOUS ISSUES OF THIS DRAWINGS ARE SUPERSEDED BY THE LATEST REVISION, ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF LYNX CONSULTING, INC. NETHER LYNX CONSULTING, INC. NETHER LYNX CONSULTING, INC. NETHER CONSTRUCTION REVIEW OF THIS PROJECT.



RENEWS: JUNE 30, 2022

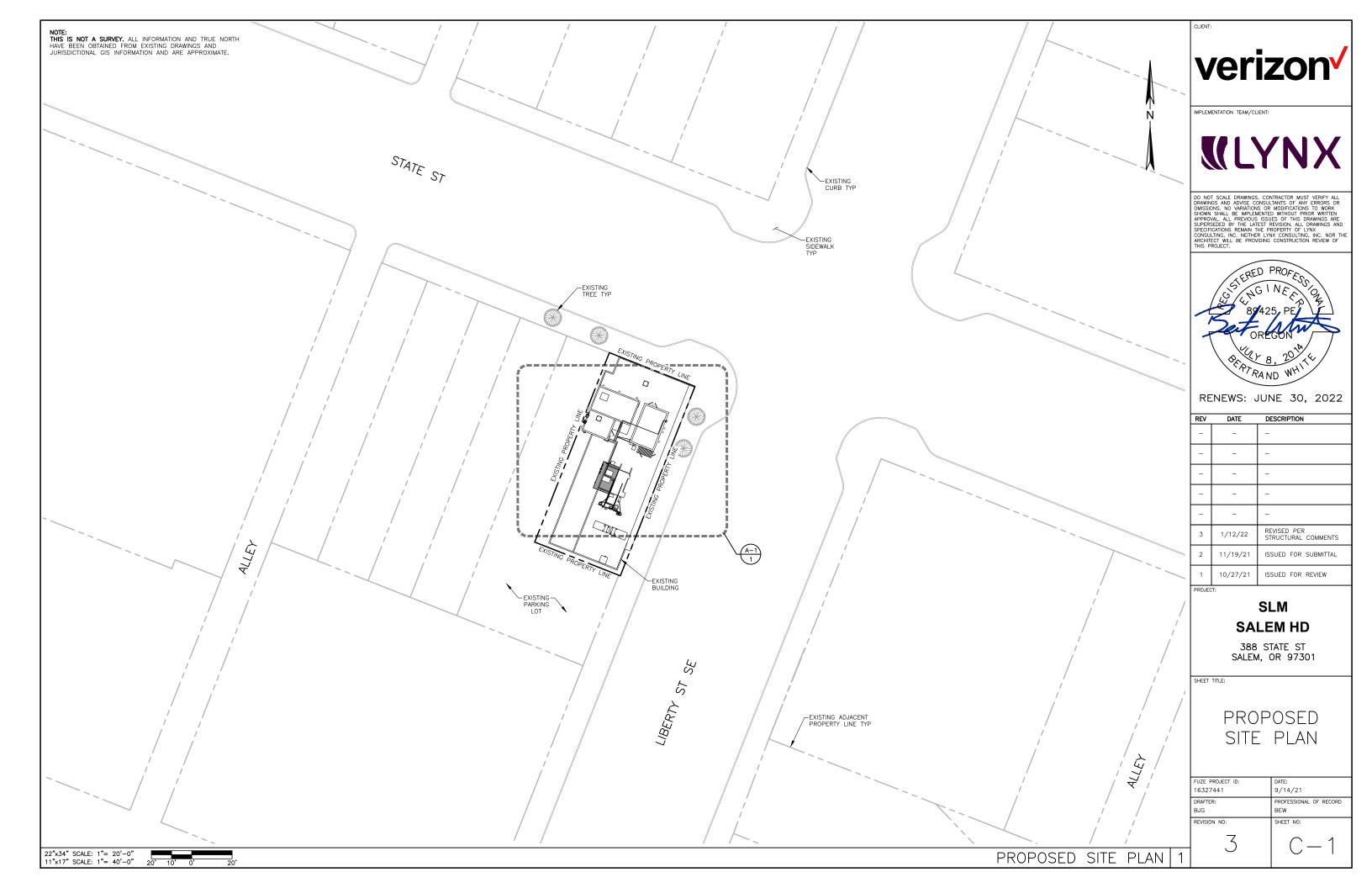
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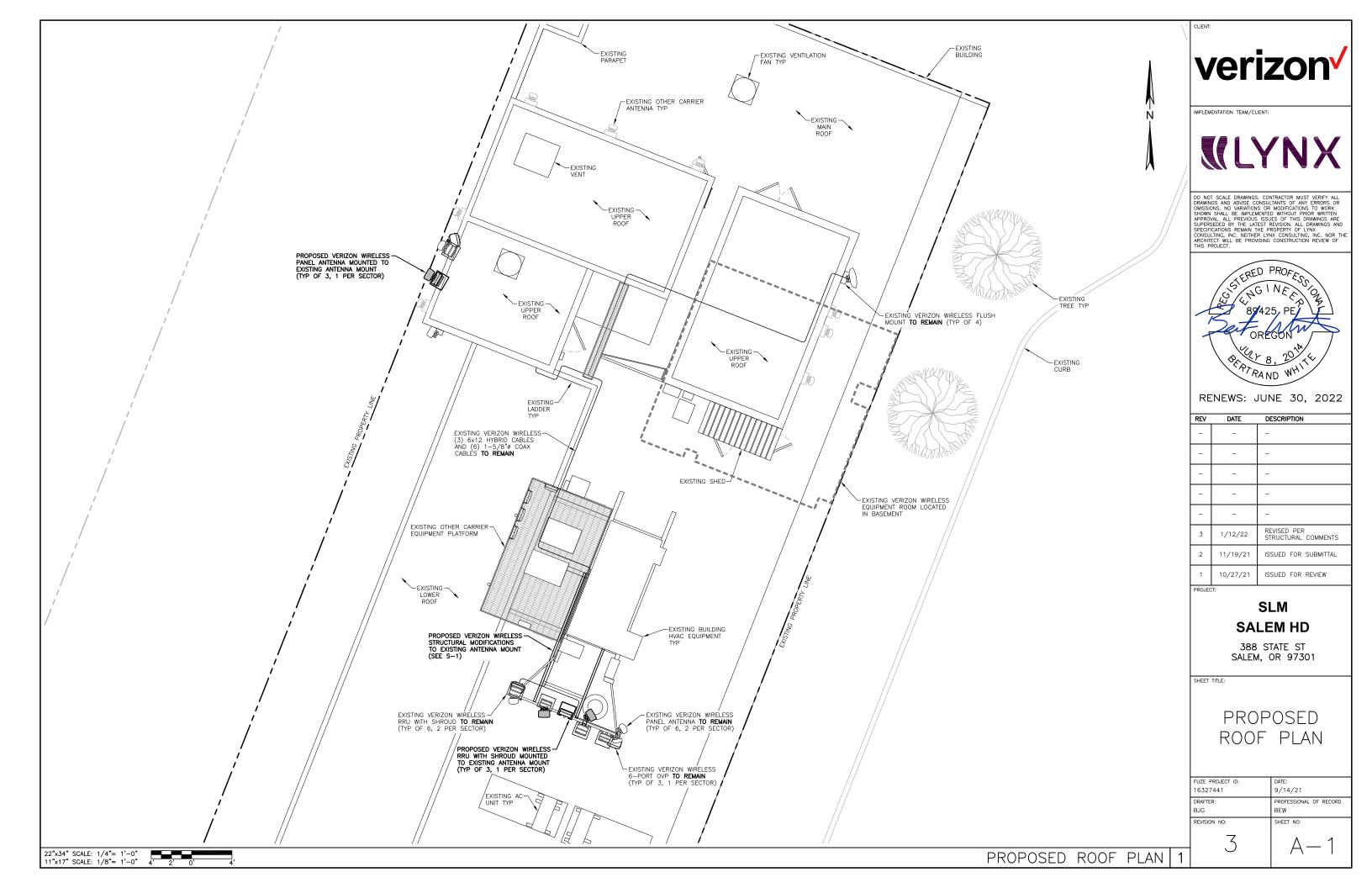
SLM **SALEM HD**

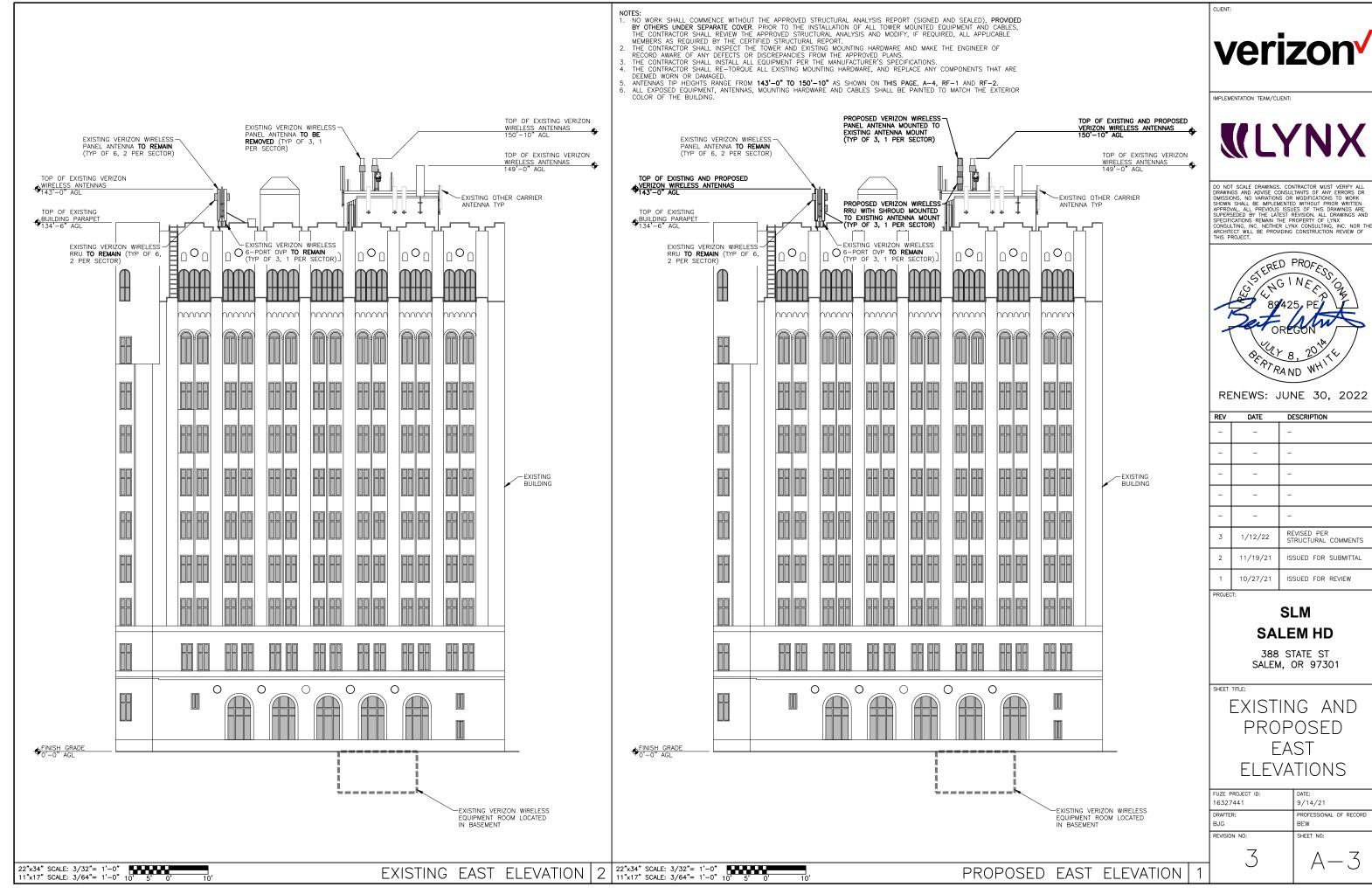
388 STATE ST SALEM, OR 97301

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