

NOTICE OF DECISION

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



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

DECISION OF THE HISTORIC LANDMARKS COMMISSION

HISTORIC DESIGN REVIEW CASE NO.: HIS18-24

APPLICATION NO. : 18-114352-DR

NOTICE OF DECISION DATE: September 21, 2018

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

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: Alison Cantor for T-Mobile

LOCATION: 388 State Street

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

FINDINGS: The findings are in the attached Decision dated September 21, 2018.

DECISION: The Historic Landmarks Commission **APPROVED** Historic Design Review HIS18-24 with 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.

VOTE:

Yes 6 No 0 Absent 0

Kevin Sund, Chair
Historic Landmarks Commission

The rights granted by the attached decision must be exercised, or an extension granted, by **October 9, 2020** or this approval shall be null and void. A copy of the decision is attached.

Application Deemed Complete: July 26, 2018
Public Hearing Date: September 20, 2018
Notice of Decision Mailing Date: September 21, 2018
Decision Effective Date: October 9, 2018
State Mandate Date: November 23, 2018

Case Manager: Kimberli Fitzgerald, kfitzgerald@cityofsalem.net; 503-540-3297

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., Monday, October 8, 2018.**

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>

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DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO. Historic Review Case No. HIS18-24 / AMANDA No. 18-114352-DR

FINDINGS: Based upon the application materials, the facts and findings in the Staff Report incorporated herein by reference, and testimony provided at the Public Hearing of September 20, 2018, 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:

FINDINGS

Salem Revised Code (SRC) Chapter 230.065 General Guidelines for Historic Contributing Resources (g) Alterations and Additions

(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 while it is clear that the original building was not constructed for antenna, the impact of the antennas has been minimized due to the height of the structure and the placement of the antennas. The HLC finds that 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 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: 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 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.

(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 replacement of three antennas would not increase the total number of antennas on the roof and that the cumulative size of the antennas and associated equipment will be reduced by 443.84 square inches. The HLC finds that 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. The HLC finds 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: The HLC finds that in order to limit the cumulative adverse impact of too much wireless equipment attached to this historic resource, and in order to ensure that significant features on this resource are not obscured, damaged, or destroyed by future wireless modification proposals on this resource, 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 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: The HLC finds 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.

DECISION: The Historic Landmarks Commission **APPROVES** the proposal with the following **CONDITION:**

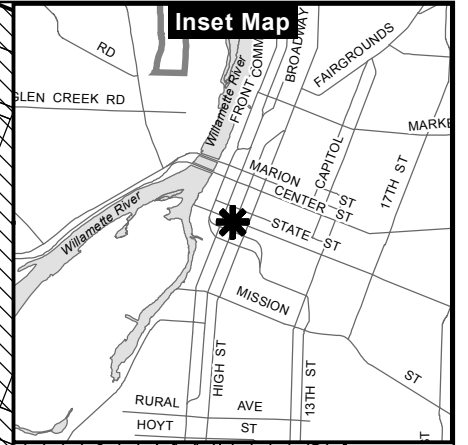
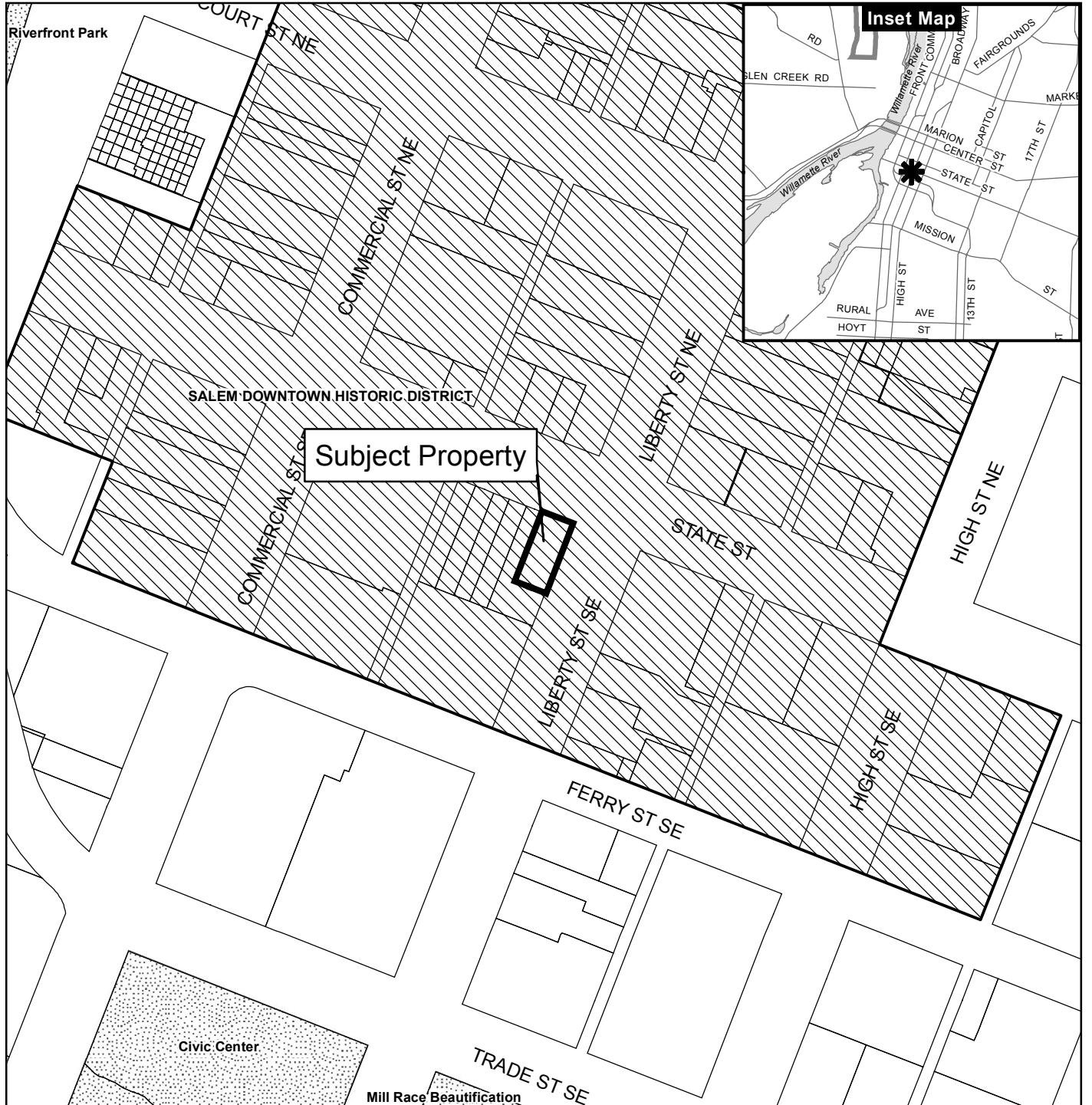
Condition 1: Any new or replacement communication device(s), including but not limited to dishes, antennas, and associated equipment shall not exceed the total number and cumulative size of the dishes, antennas, and associated equipment currently approved for installation.

VOTE: Yes 6 No 0 Absent 0 Abstain 0

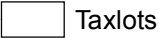




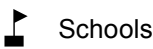

Attachments: A. Vicinity Map
 B. Excerpt from National Register Historic Resource Document
 C. Applicant's Submittal Materials

Prepared by Kimberli Fitzgerald, Historic Preservation Officer

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
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.

8/31/18Signature of ApplicantDate Submitted/Signed

Narrative Summary of Equipment Specifications

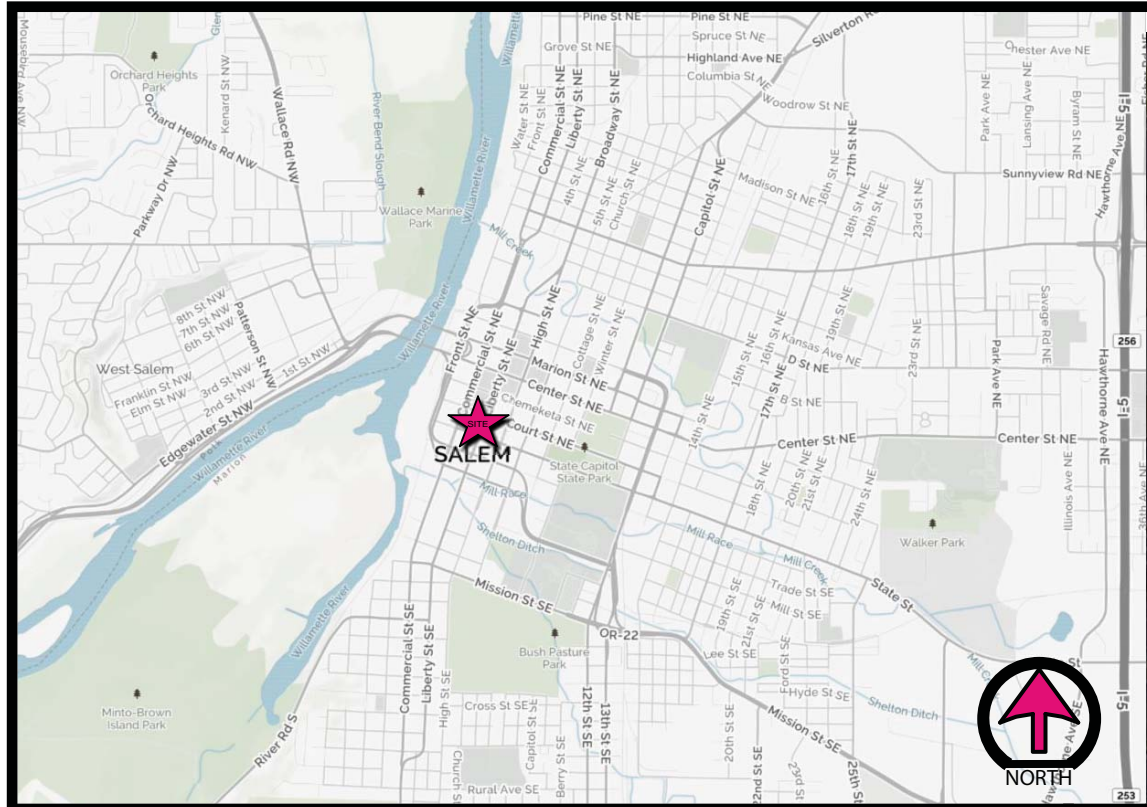
T-Mobile's **Existing** Cumulative equipment size (area in square inches):

- (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**

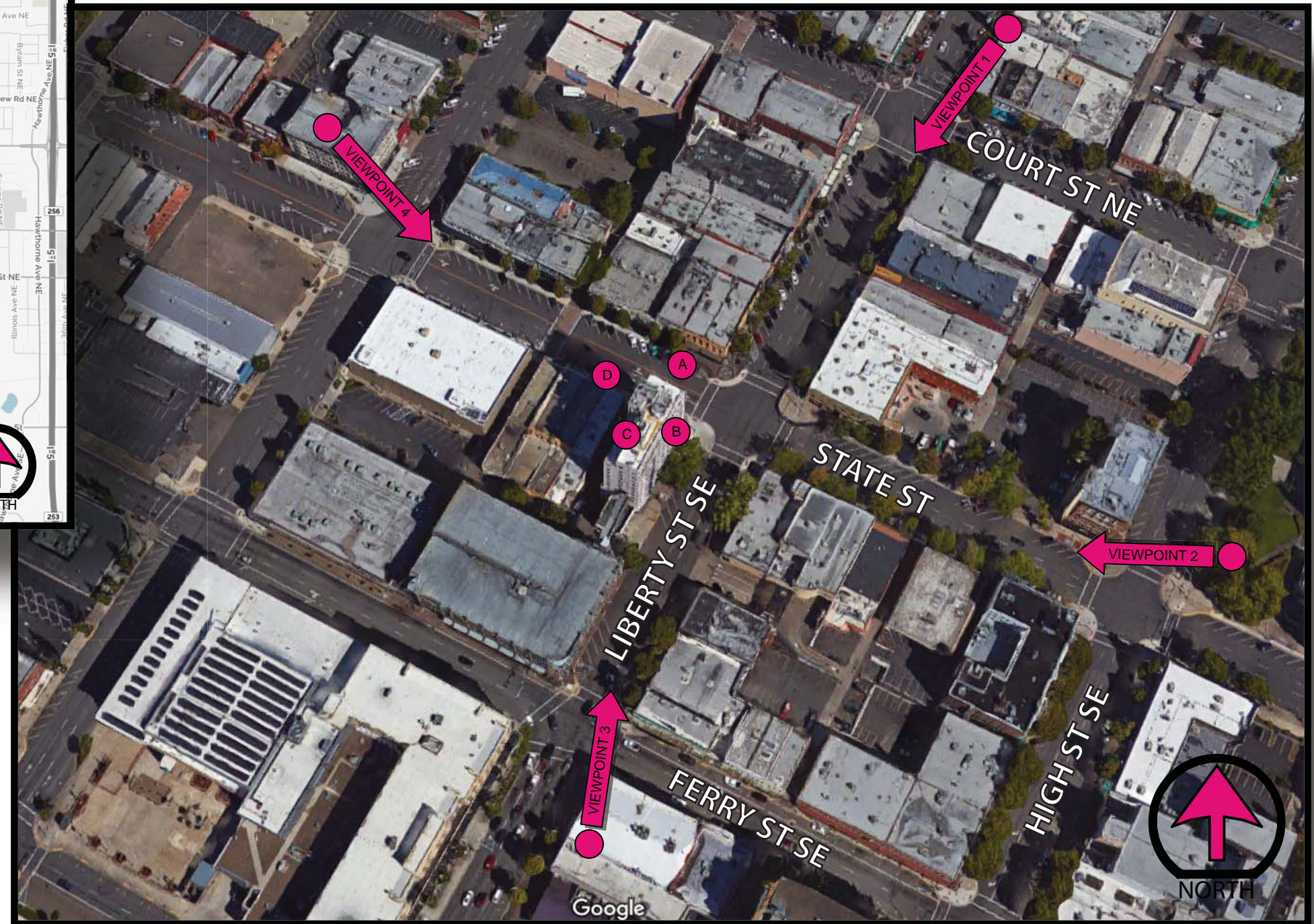
T-Mobile's proposed Final Equipment Inventory equipment size (area in square inches):

- (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



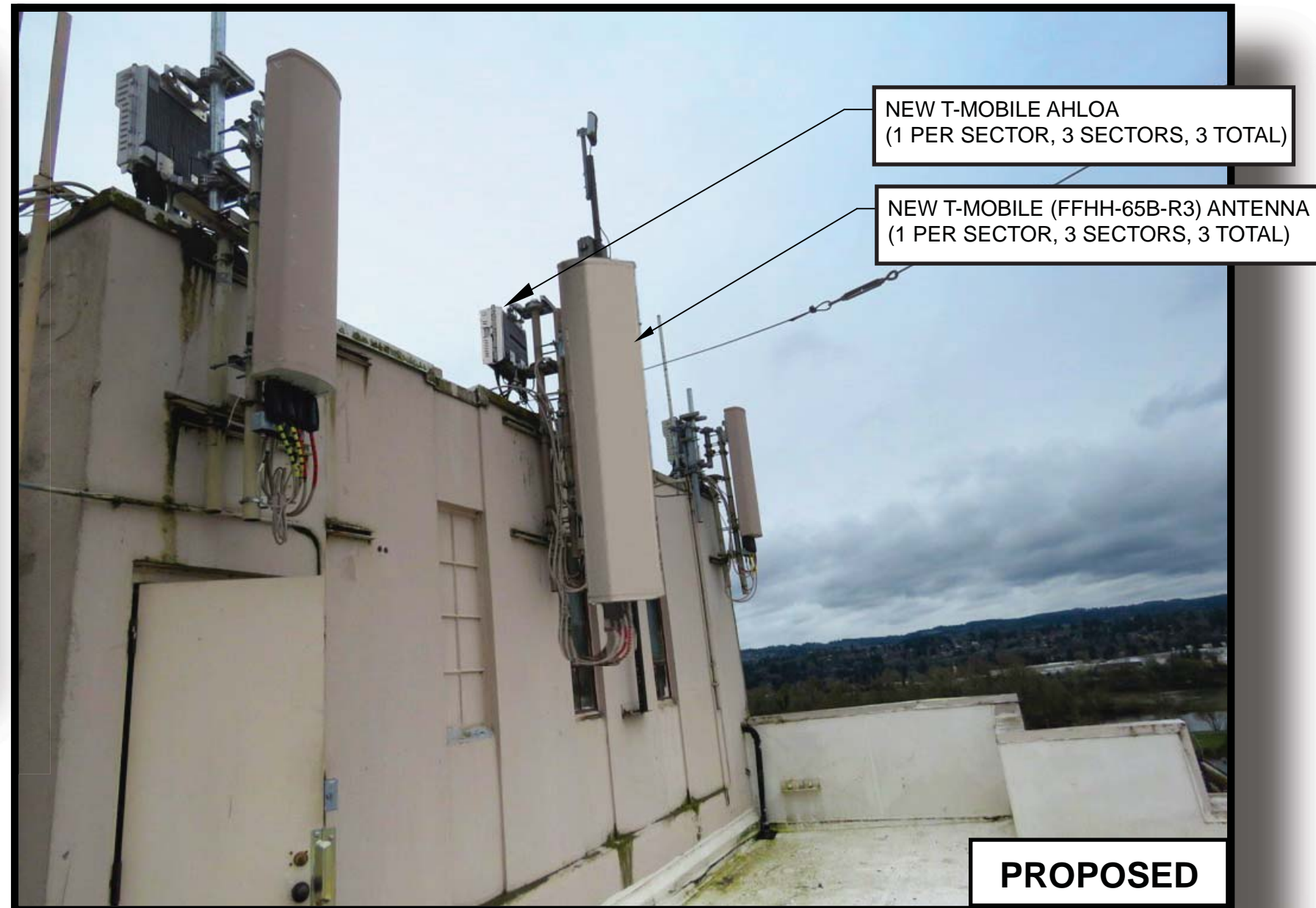
EXISTING



PROPOSED

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

VIEWPOINT 1





VIEWPOINT B:
CLOSE UP VIEW LOOKING WEST

VIEWPOINT 2



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 B



EXISTING



PROPOSED

**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

