

# 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

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

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.*

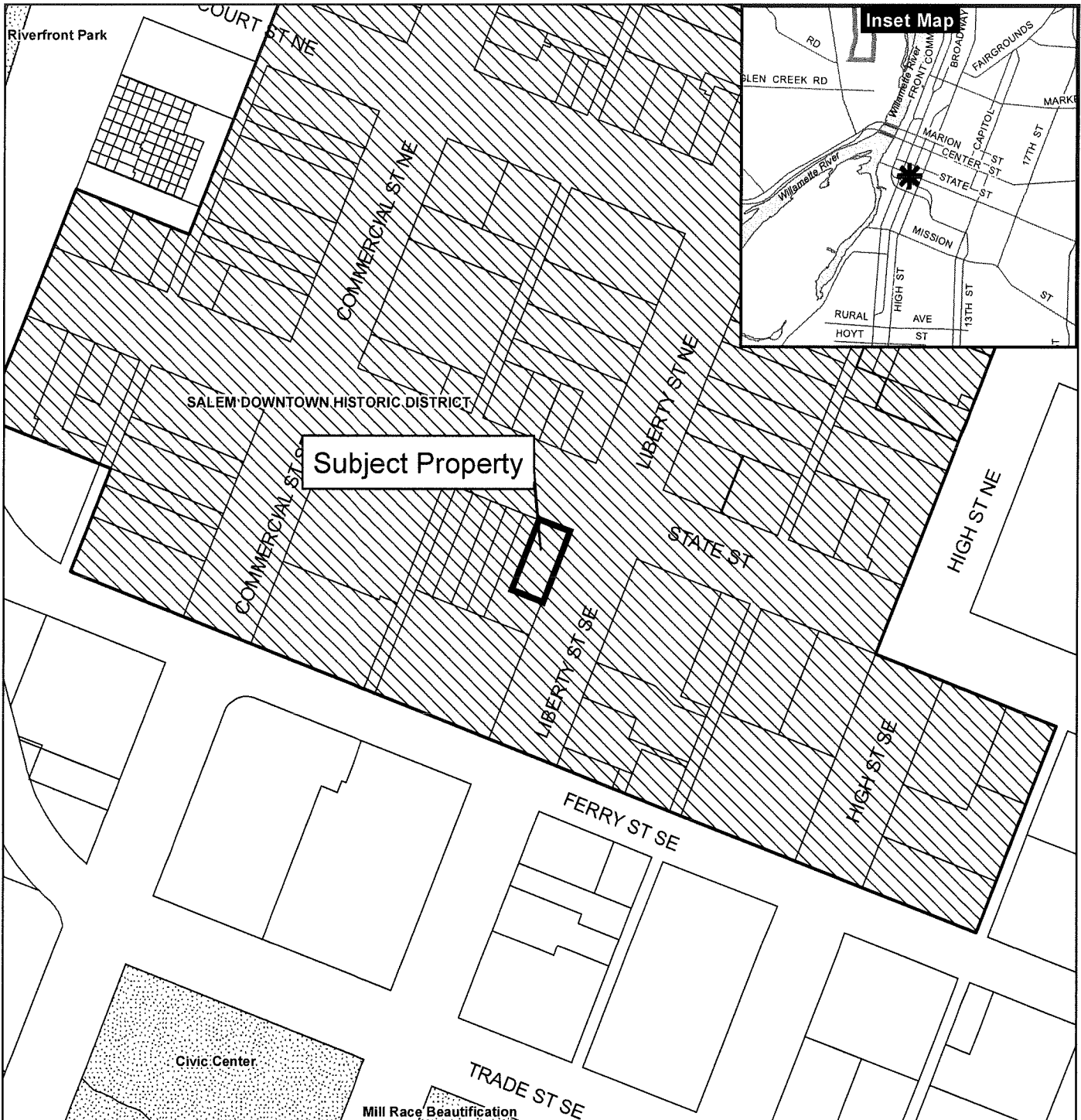
**Finding:** The HLC finds that the applicant has not proposed an excavation or regrading as part of this proposal and therefore SRC 230.065 (i) does not apply to the evaluation of this proposal.

**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)**

# 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.



T-Mobile USA, Inc.  
12920 S.E. 38<sup>th</sup> Street  
Bellevue, WA 98006

June 3<sup>rd</sup>, 2016

RE: Site Address: 388 State Street, Salem, OR 97301  
Site Name: PO00201A Salem Downtown  
Historic Design Review Narrative

To Kimberli Fitzgerald,

Please find below a detailed description of the proposed modification at the address of 388 State Street in Salem, Oregon. Per the email request on January 21st, 2016, please find the revised photo simulations and a detailed description and narrative of T-Mobile's proposed rooftop modification.

The following items are included in this re-submittal package:

- Proposal Summary Information
- Response to SRC 230.065(f-g)
- Response to previous Condition of Approval (HIS 14-42)
- Checklist for Alteration Review of Historic Resources
- Exemption from WCF Siting Permit
- Historic Review Process Application Form (Commercial/Major)
- Recorded Deed/Land and Sales Contract with Legal Description
- Assessor's Map
- Revised Photo Simulations
- (15) Sets of Building Plans

Please notify me at (503) 422-9965 or [Hannah.Skreen@taec.net](mailto:Hannah.Skreen@taec.net) with any additional questions or concerns.

Thank you,

Technology Associates EC, Inc.

Hannah Skreen

Project Manager

(503) 422-9965

[Hannah.Skreen@taec.net](mailto:Hannah.Skreen@taec.net)

## Proposal Summary Information

---

Applicant: T-Mobile  
[c/o Technology Associates EC, Inc. \(TAEC\)](#)  
7117 SW Beveland Road, Suite 101  
Tigard, Oregon 97223  
[Phone: 503-422-9965](tel:503-422-9965)

Applicant's Agent: Hannah Skreen  
[Technology Associates EC, Inc. \(TAEC\)](#)  
7117 SW Beveland Road, Suite 101  
Tigard, Oregon 97223  
[503-422-9965](tel:503-422-9965)

Property Owner: QA Investment LLC  
189 Liberty Street NE, #203A  
Salem, OR 97301

Site Location: 388 State Street  
Salem, OR 97301

Request: A minor Historic Review for a modification to an existing rooftop wireless communication facility.

Detailed Proposal: Swap (2) existing antennas for (2) new antennas of similar size (No visible changes).  
Swap (3) existing TMA's for (3) new TMA's (No visible changes).  
Remove (3) FXFB's, relocate (1) from antenna area to equipment area (Behind antenna, no visible changes).  
Remove (3) FRIA's from equipment area (No visible changes).  
Install (1) FRIG & (4) FHFB's to antenna area (Behind antenna, no visible changes).  
Install (8) diplexers (Visible).  
Install (2) FSMF & (2) FBBC's to existing cabinet (No visible changes).



**Response to SRC 230.065 (f-g):**

---

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

**Applicant's Response:** As shown in the attached photo simulations, T-Mobile's proposed changes are constructed to minimize the changes to the historic building. Majority of the proposed equipment will result in no visible changes. The new antennas, radio units and TMA's will be similar in size to the existing equipment. Please see the attached site plan and photo simulations for additional details.

(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.

**Applicant's Response:** As shown in the attached photo simulations and site plan, T-Mobile's proposed changes will be constructed with the least possible loss of historic materials. No features will be obscured, damaged or destroyed. As stated above, majority of the proposed equipment will result in no visible changes. Please see the attached site plan and photo simulations for additional details.

**Response to the Condition of Approval (HIS 14-42):**

---

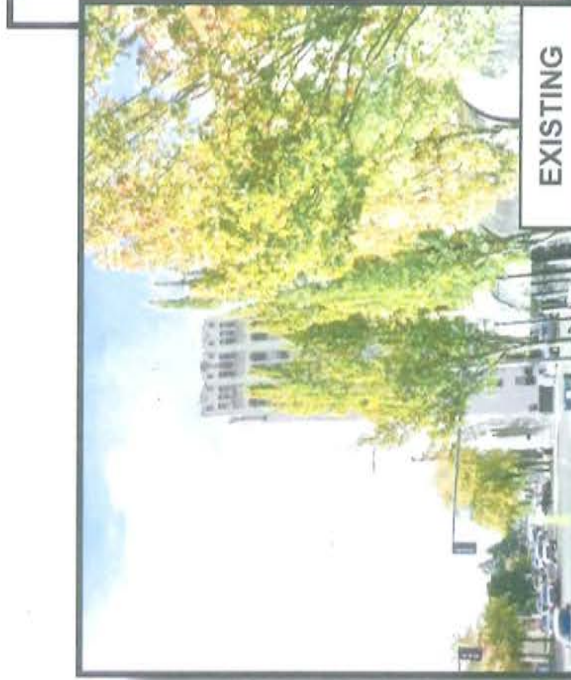
**Condition 1.** In order to limit the cumulative adverse effect of the installation of new antennae on this historic resource and the surrounding site, future installation of antennae by this applicant shall not exceed a total of nine antennae on the Capitol Tower. Any future replacement antenna panels shall not exceed the total cumulative size of the existing panels currently approved for installation.

**Applicant's Response:** T-Mobile proposes to swap two (2) existing panel antennas for two (2) new smaller panel antennas. The existing panel antennas (TMBXX-6517-R2M) are 84" in length with a total cumulative size of 84 square feet. The proposed panel antennas (HBXX-3817TB1-VTM) are 54.7" in length with a total cumulative size of 54 square feet. The above condition of approval is met.

**T-Mobile**

**PO00201A**  
**SALEM DOWNTOWN**  
388 STATE STREET  
SALEM, OR 97301

**Technology Associates**



**VIEWPOINT 1 - LOOKING SOUTHWEST**



PO00201A  
SALEM DOWNTOWN  
388 STATE STREET  
SALEM, OR 97301



EXISTING

PROPOSED

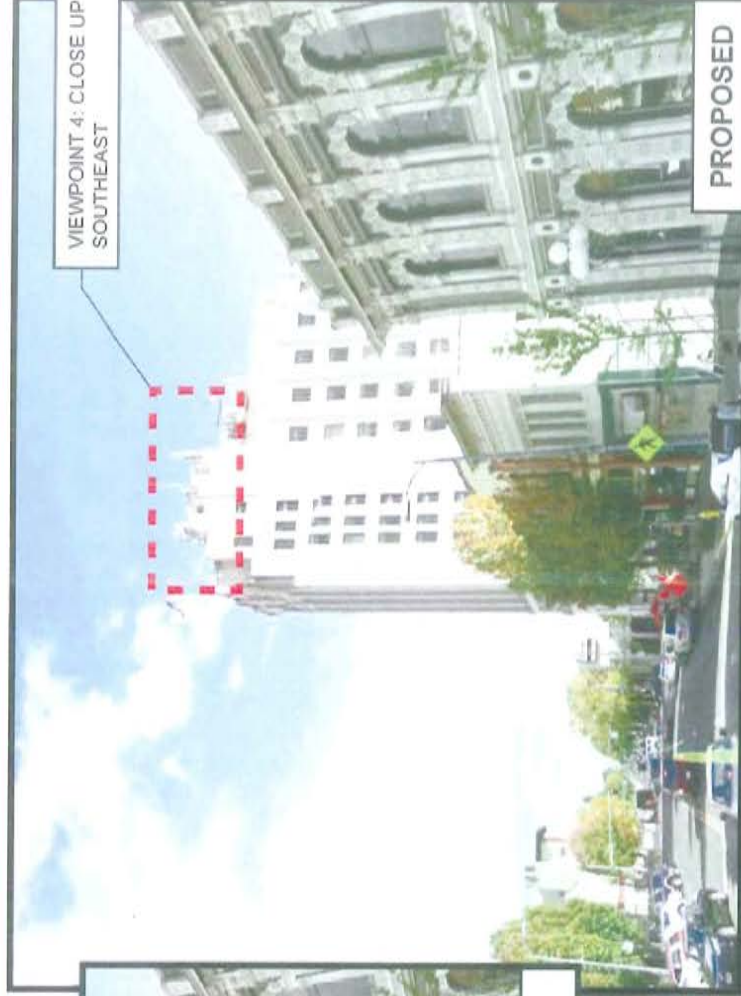
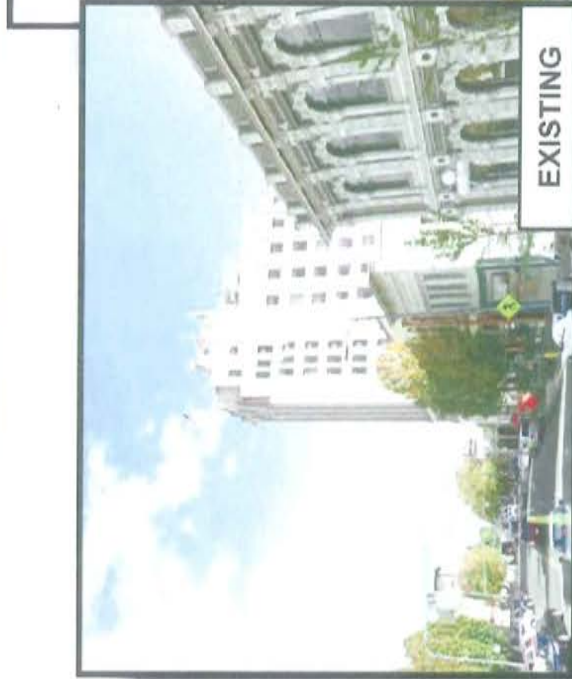
- 1 NEW T-MOBILE HBXX-3817TB1-VTM ANTENNAS (2 TOTAL FOR SECTOR A & D DISPLAYED)
- 2 NEW T-MOBILE FRIG (1 TOTAL)
- 3 NEW T-MOBILE DIPLEXERS (4 PER SECTOR A & D, 8 TOTAL)
- 4 NEW T-MOBILE TMA (1 PER SECTOR, 3 SECTORS, 3 TOTAL)

# VIEWPOINT 2 - LOOKING SOUTHWEST

**T-Mobile**

PO00201A  
SALEM DOWNTOWN  
388 STATE STREET  
SALEM, OR 97301

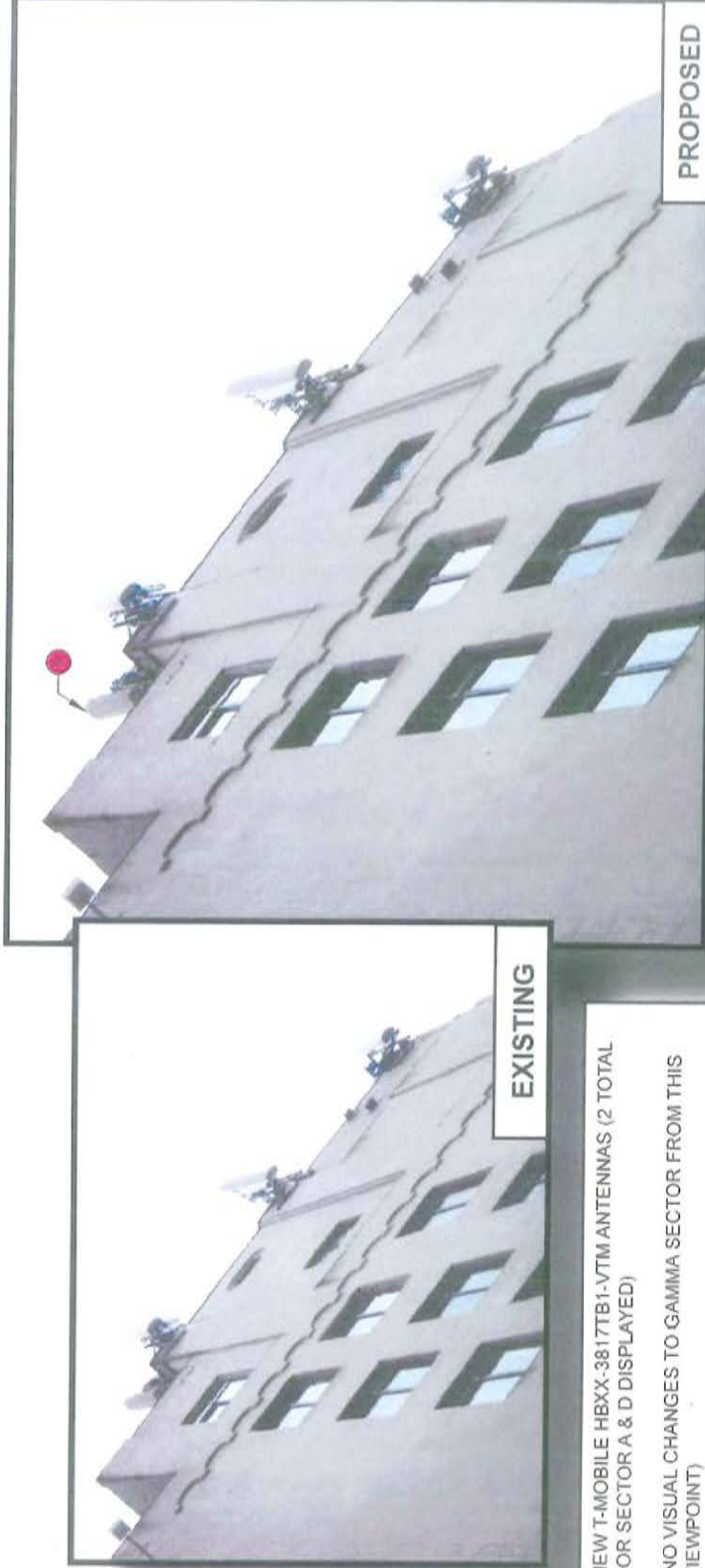
**Technology Associates**



**VIEWPOINT 3 - LOOKING SOUTHEAST**



PO00201A  
SALEM DOWNTOWN  
388 STATE STREET  
SALEM, OR 97301



EXISTING

PROPOSED

NEW T-MOBILE HBXX-3817TB1-VTM ANTENNAS (2 TOTAL FOR SECTOR A & D DISPLAYED)  
(NO VISUAL CHANGES TO GAMMA SECTOR FROM THIS VIEWPOINT)

**VIEWPOINT 4 - LOOKING SOUTHEAST**