

DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO. Historic Review Case No. HIS14-04 / AMANDA No. 14-103538-DR

NOTICE OF DECISION DATE: March 26, 2014

OWNER/APPLICANT: Mark Rush, for Cricket Communications

LOCATION: 1313 Mill Street SE, 97301

REQUEST: Major historic design review of a proposal to modify an existing wireless communication facility, replacing 6 wireless antennae with 3 antennae on an existing water tank (1925) within the Willamette Heritage Center/ Thomas Kay Historic Park, individually listed on the National Register of Historic Places, on property zoned CR (Retail Commercial), and located at 1313 Mill Street SE, 97301; Marion County Assessor Map and Tax Lot number: 073W26BC04100.

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

FINDINGS: Based upon the application materials, the facts and findings in the Staff Report dated March 20, 2014, incorporated herein by this reference, and testimony provided at the Public Hearing of March 20, 2014, the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that the proposal complies with the applicable provisions of the Salem Revised Code (SRC) as follows:

Criteria: 230.065. General Guidelines for Historic Contributing Resources. In lieu of the standards for historic contributing buildings set forth in SRC 230.025 and SRC 230.040, an applicant may make a proposal for preservation, restoration or rehabilitation activity, regardless of type of work, which shall conform to the following guidelines:

- (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.

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

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.

Findings:

The HLC finds that the applicant will be removing six existing antennae, and adding three new antenna panels on the water tower. The HLC finds that while the original tower was not constructed for this use, the applicant has proposed to reduce the overall number of antennae on the tower, minimizing the visual impact of this proposed alteration and that the proposed new antennae do not significantly alter the appearance of the water tower. The HLC finds that this proposed use is compatible with the historic use 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.

(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.

Findings:

The HLC finds that there are no distinctive historic materials or features proposed for removal, reconstruction, or repair and that Guidelines 230.065 (b)(c) and (d) do not apply to 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.

Findings:

The HLC finds that while the existing water tower is not the original tower, it was constructed in 1925, within the period of significance for the Thomas Kay Woolen Mill, and that the water tower is evidence of the history and development of the Thomas Kay Woolen Mill. The HLC finds that while the original tower was not constructed to accommodate cellular antennae, the applicant has proposed to reduce the overall number of antennae on the tower, minimizing the visual impact to the tower and the adjacent Mill building and surrounding site. The HLC finds that this Guideline has been met for this proposal.

(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.

Findings:

The HLC finds that the existing antennas are located within three sectors, with two antennae in each sector. The applicant is proposing to remove six of their existing antennae and install three new antennae one in each sector. The proposed panels will be of high strength fiberglass and metal, painted to match the tower. The HLC finds that while each antenna will be about two feet longer and slightly deeper than the existing antennae, there will be three fewer antennae on the water tower, reducing the overall cumulative effect of the addition of cellular antennae on the water tower. The HLC finds that the addition of the new supporting equipment will not be visible, and there will not be an adverse visual impact due to their addition. The HLC finds that the installation of the antennae and the addition of the associated equipment are compatible with the size and scale of the water tower and the surrounding buildings within the historic Thomas Kay Historic Park, and that

SRC 230.065(f) and (g) have been met.

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

Findings:

The applicant's proposal does not address any structural deficiencies in the historic resource; therefore the HLC finds that this guideline does not apply.

(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.

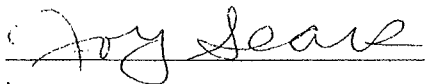
Findings:

The applicant's proposal does not involve any excavation or re-grading, therefore the HLC finds that this guideline does not apply.

DECISION: The Historic Landmark Commission voted to adopt the Staff Recommendation contained in the Staff Report dated March 20, 2014, and **APPROVES** the proposal with the following 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 three antennae on this water tower. Any future replacement antenna panels shall not exceed the total cumulative size of the existing panels currently approved for installation.

VOTE: YES 7 NO 0 ABST Absent 2 (Johnson /Mangini)



Joy Sears, Chair
Historic Landmarks Commission

The rights granted by this decision must be exercised by April 10, 2016, or this approval shall be null and void.

A copy of the complete Case File is available for review at the Planning Division office during regular business hours. Please contact the Case Manager, Kimberli Fitzgerald, by email: kfitzgerald@cityofsalem.net, or phone: 503-540-2397. 

Application Deemed Complete: February 27, 2014

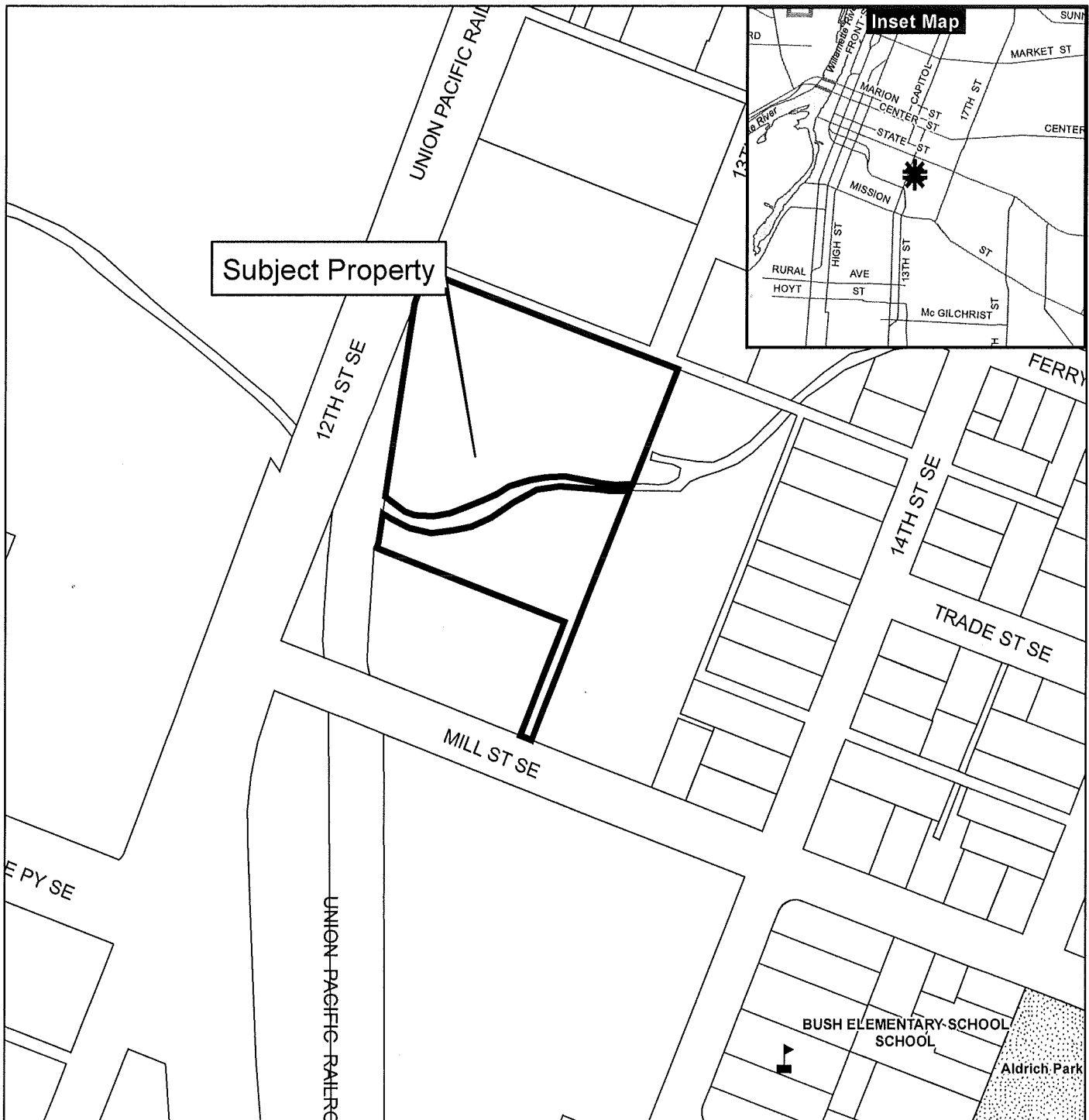
Notice of Decision Mailing Date: March 25, 2014

Decision Effective Date: April 10, 2014

State Mandated Decision Date: July 23, 2014

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 April 9, 2014, 5:00 p.m.** Any person who presented evidence or testimony for the hearing may appeal the decision. The appeal must state where the decision failed to conform to the provisions of the historic preservation ordinance, 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 Salem Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or firm the action, or refer the matter to staff for additional information.

Vicinity Map 1313 Mill Street SE



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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.

0 100 200 400 Feet



Existing



View of Site Looking West