



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

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**Date:** July 19, 2011  
**To:** Interested Person  
**From:** Tim Heron, Land Use Services  
503-823-7726 / [Tim.Heron@portlandoregon.gov](mailto:Tim.Heron@portlandoregon.gov)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 11-135616 HDZ**

REPLACEMENT ANTENNAS ON MONTOMERY PARK SIGN

#### **GENERAL INFORMATION**

**Applicant:** Montgomery Park, LLC  
2701 NW Vaughn St  
Portland, OR 97208

Zach Phillips, PTS  
1001 SE Water Ave, Ste 180  
Portland OR, 97214

**Site Address:** 2701 NW VAUGHN ST  
**Legal Description:** TL 200 11.06 ACRES ALSO SEE SUBS -0291 -0292, SECTION 29 1N 1E  
**Tax Account No.:** R941290290  
**State ID No.:** 1N1E29D 00200  
**Quarter Section:** 2826

**Neighborhood:** Northwest District, contact John Bradley at 503-313-7574.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Other Designations:** Historic Landmark

**Zoning:** EXd, Central Employment with design overlay  
**Case Type:** HDZ, Historic Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Historic Landmarks Commission.

#### **Proposal:**

The applicant is seeking Historic Design Review approval for a proposal to replace 3 antennas on the Montgomery Park sign. The replacement antennas will include support equipment including 6 RRH units, 3 surge suppression units, a power fiber junction box, and a 19 inch equipment rack. Historic Design Review is required because the property is a Portland Historic

Landmark pursuant to listing in the National Register of Historic Places as the Montgomery Ward & Company Building, on June 6, 1985.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- 33.846.060 G Other Approval Criteria
- Community Design Guidelines

## ANALYSIS

**Site and Vicinity:** The site for this proposal includes the Montgomery Park Building. Located on a large tract of land comprising 11.06 acres in Northwest Portland, this building was originally erected in 1921 as a warehouse for the Montgomery Ward Company. At approximately 152 feet in height to the tallest portion of the building, the Montgomery Park Building is considered to be non-conforming to the current height limitation of 65'-0" in the Central Employment Zone (EX). The sign structure, erected in 1925, with Montgomery Park spelled out in red neon illuminated letters; provides the building with additional 25 feet of presence in the Portland Skyline beyond the already grand presence of the building. The building was renovated and converted into a trade center with retail, office, and exhibit space in 1986. In 1985 the Montgomery Ward Building was approved as a Portland Historic Landmark (HLDZ 53-85). It was placed on the National Register of Historic Places in 1975.

In general, the property is surrounded on the east and north by General and Heavy Industrial Zones, on the west by General Employment Zones and to the south by Residential Zones. The building is considered the most important example of Reinforced Concrete Utilitarian style architecture in the city. When constructed, it was the largest building in Portland, and one of the largest concrete structures west of the Rockies. It continued to be the largest building in Portland until 1970 when the First National Bank Tower was constructed. By its sheer size relative to its surroundings, the Montgomery Park Building contributes strongly to the neighborhood and the sign structure and signage is a prominent element against Forest Park as a background to the west.

**Zoning:** The zoning for the site is Central Employment (EX). This zone implements the Central Employment map designation of the Comprehensive Plan. The zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Historic Resource Overlay Zone protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties

**Land Use History:** City records indicate that prior land use reviews *since 1995* include the following:

- LUR 96-00331 DZ approved [with conditions] an unmanned cellular communications facility consisting of 3 antenna arrays: 2 wall mounted to the roof parapet of an existing

nine-story office building and one array mounted on the support structure of the existing rooftop sign.

- LUR 96-00448 CU DZ approved [with conditions] an unmanned cellular telecommunications facility consisting of 3 “whip-style” antennas mounted on the support structure of the existing rooftop sign.
- LUR 98-00163 DZ approved [with conditions] 3 additional whip-style antennas mounted to the roof of the existing mechanical penthouse, 2 GPS antennas, 1 diagnostic antenna, and a future expansion of up to a maximum of 12 panel style antennas flush mounted to the sides of the existing mechanical penthouse.
- LUR 98-01027 DZ was a request for a roof-mounted telecommunications facility. This request was voided before a decision was issued.
- LUR 00-00770 HDZ approval of eleven antennas on three metal pole masts.
- LU 02-126847 HDZ approval two new antennas to the rooftop sign structure.
- LU 05-105768 HDZ approval to install three (3) new PCS antennas within the “Montgomery Park” rooftop sign structure.
- LU 06-100938 HDZ, approval of one new antenna to be mounted on an existing rooftop storage tank.
- LU 07-145772 HDZ, approval of new antennas, dishes and mechanical room.
- LU 09-126115 HDZ, AD, approval of upgrades to the perimeter and interior parking lot landscaping on the site.
- LU 10-116139 HDZ, approval of monument sign.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **June 27, 2011**.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **June 27, 2011**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### Historic Design Review, 33.846

#### Section 33.846.010, Purpose of Historic Design Review

Historic Design Review ensures:

- Portland’s historic resources are protected;
- Significant parts of Portland’s heritage are preserved;
- Portland’s historic and architectural resources are protected and recognized; and
- Changes to designated historic resources preserve historic and architectural values.

#### Section 33.846.140, Historic Design Review Approval Criteria

An historic design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design district guidelines, any applicable area plan adopted by City Council, and in the case of an historic landmark, with the recognized values which the historic landmark designation preserves.

**Findings:** The site is designated with design overlay zoning (d) and is designated a Historic Landmark, therefore all exterior alterations require Historic Design Review approval. The applicable approval criteria are listed in 33.846.140.C: 1-10.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

1. **Historic character:** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property’s historic significance will be avoided.

**Findings for historic character:** The replacement antennas will have minimal visual impact on the historic building. The antennas will be mounted behind the “K” and the “M” on the Montgomery Park sign, on a penthouse with existing antennas, and replacing equipment on a freestanding pole with like equipment, that received prior approval. Cabling will be roof mounted and covered in metal cable trays painted to match the color of the roof. With the Condition of Approval that all antennas will be painted to match the surrounding conditions the historic character of the building will not change. No historic materials will be altered or removed.

*With the Condition of Approval that the new antennas and the associated rooftop coaxial cables will be painted to match the sign structure’s color, this criterion is met.*

- 2. Record of its time:** The historic resource will remain a physical record of its time, place and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.

**Findings for record of its time:** The proposed antennas will not alter the existing building with the addition of conjectural features or architectural elements. The proposed antennas and mounting hardware will have little visual impact as is feasible. *This criterion is met.*

- 7. Differentiate new from old:** New additions, exterior alteration, or related new construction will not destroy historic materials that characterize the property. New work will be differentiated from old.

**Findings for differentiate new from old:** The antennas will be mounted on the existing sign structure behind the letters “K” and “M” thus limiting their visibility from the east and impact on the historic structure. As with the above, the roof mounted cabling will be painted to match adjacent conditions. The proposed alterations are modern in design and materials and therefore distinct from the historic building materials. The antennas and associated equipment can be removed with permanent damage to the resource. No historic materials will be altered or destroyed. *This criterion is met.*

- 8. Architectural compatibility:** New additions, exterior alteration, or related new construction will be compatible with the resource’s massing, size, scale and architectural features. When retro-fitting building’s or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

**Findings for architectural compatibility:** The proposed antennas and associated equipment will be configured to have as little impact as feasible. The exterior alterations are limited to antennas, associated equipment, cabling, and mounting hardware that will have an insignificant visual impact on the existing building’s massing, size, scale and architectural features. *This criterion is met.*

- 9. Preserve the form and integrity of historic resources:** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

**Findings for preserving form and integrity:** If the proposed antennas, associated equipment, cabling, and mounting hardware were removed in the future, it is reasonable to assume that the essential form and integrity of the

existing roof, sign structure, and penthouse structure would remain unimpaired, because such installations are easily removed with little or no modification to the existing structure. *This criterion is met.*

**10. Hierarchy of compatibility:** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for hierarchy of compatibility:** The proposed radio frequency transmission facility is designed so that the externally visible components are limited to the mounting hardware, coaxial cables, and panel antennas. These exterior alterations are designed to have as little impact as possible through such methods as their overall size (which is relatively small in relation to the existing nine-story building). Such a configuration results in an installation that is designed to be compatible with the architectural values that are recognized as important enough to deserve both a Local and National Landmark designation.

Among the values preserved include the building's historical significance as a massive, utilitarian warehouse serving as the West Coast distribution center for Montgomery Ward Company's catalog sales. As such, the building serves as a symbol of the nation's first and largest mail order business. Architecturally, the building is Portland's most prominent example of Reinforced Concrete Utilitarian style primarily due to its massive size and location. This particular style is very common in Portland architecture with 92 examples identified in the city's Historic Resource Inventory. The proposal to affix telecommunication antennas to the building's existing sign structure does not diminish the building's historical values, nor does the proposal detract from the architectural qualities of the building. *This criterion is met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The Historic Resource Overlay Zone protects certain historic resources in the region and preserves significant parts of the region's heritage. Historic Design Review ensures that proposed alterations to historic resources are compatible with the character defining features of the resource, its significance, and will preserve the integrity of the resource. As noted in the findings above, the proposed Radio Frequency Facility will not adversely impact the character defining features of the Montgomery Park building and sign structure and will continue to maintain its historic integrity.

## ADMINISTRATIVE DECISION

Approval replace 3 antennas on the Montgomery Park sign which sits atop the Montgomery Ward & Company Building, and is listed on the National Register of Historic Place. Approval includes replacement antennas will include support equipment including 6 RRH units, 3 surge suppression units, a power fiber junction box, and a 19 inch equipment rack.

Approved Exhibits C-1 through C-8, signed and dated July 15, 2011, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-135616 HDZ . No field changes allowed."
- B. New antennas and the associated rooftop coaxial cables and equipment will be painted to match the sign structure's color.

**Staff Planner: Tim Heron**



**Decision rendered by:** \_\_\_\_\_ **on July 15, 2011**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 19, 2011**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on April 29, 2011, and was determined to be complete on **June 22, 2011**.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on April 29, 2011.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on August 2, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **August 3, 2011 – (the day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

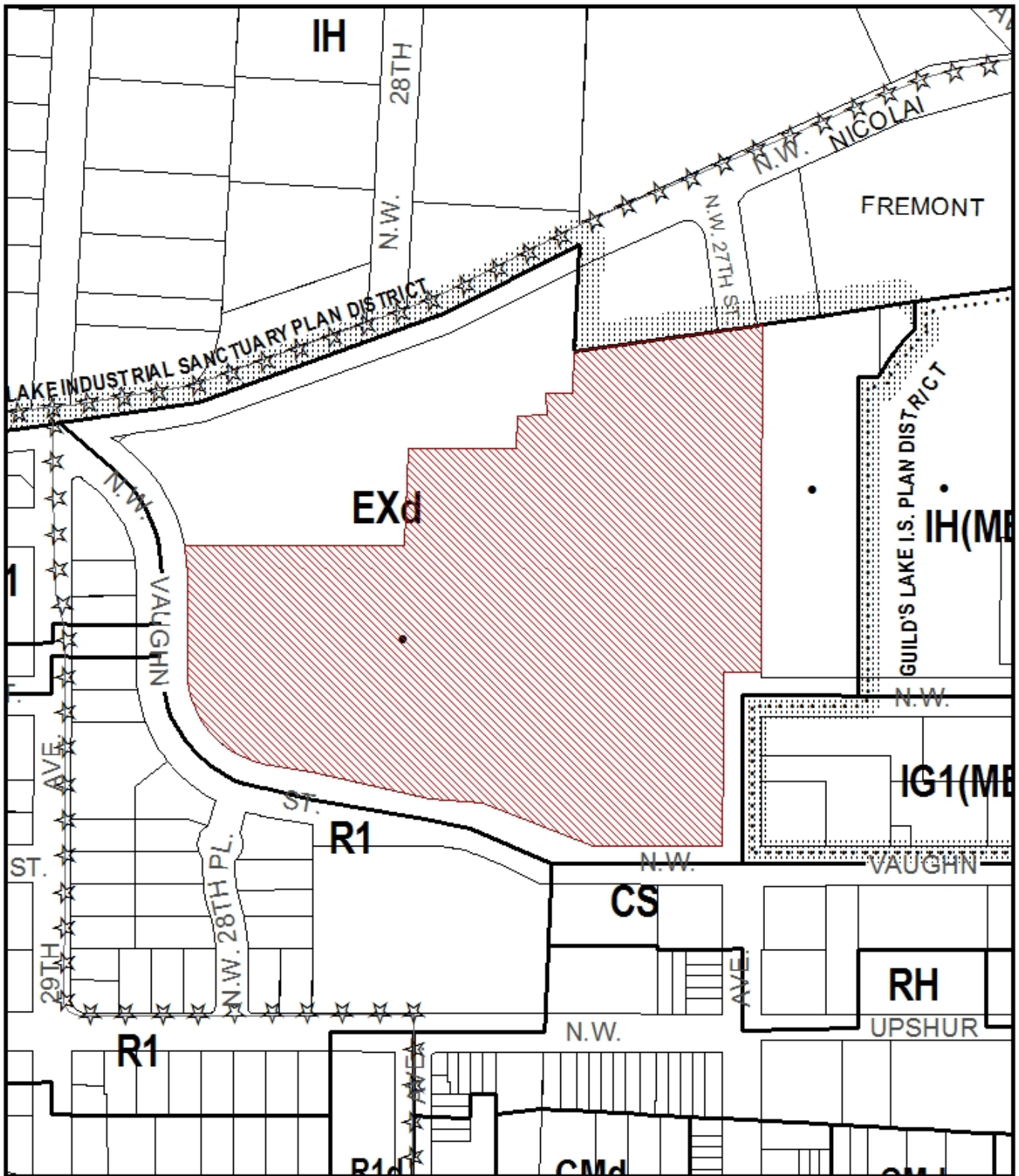
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Enlarged Proposed Roof Plan [attached]
  - 3. Enlarged Mechanical Equipment Room Plan
  - 4. Existing/Proposed North Elevation
  - 5. Existing/Proposed West Elevation [attached]
  - 6. Existing/Proposed South Elevation
  - 7. Enlarged Parapet Plan/Antennas Attachment details 1
  - 8. Enlarged Parapet Plan/Antennas Attachment details 1
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**





# ZONING



Site



Historic Landmark



File No.	LU 11-135616 HDZ
1/4 Section	2826
Scale	1 inch = 200 feet
State_Id	1N1E29D 200
Exhibit	B (Jul 18, 2011)







Your world. Delivered.



PACIFIC TELECOM SERVICES, LLC

REGISTERED ARCHITECT  
RICHARD B. HALL  
SEATTLE, WA  
5088  
STATE OF OREGON

EXPIRATION DATE OF THE LICENSE: 06/30/12

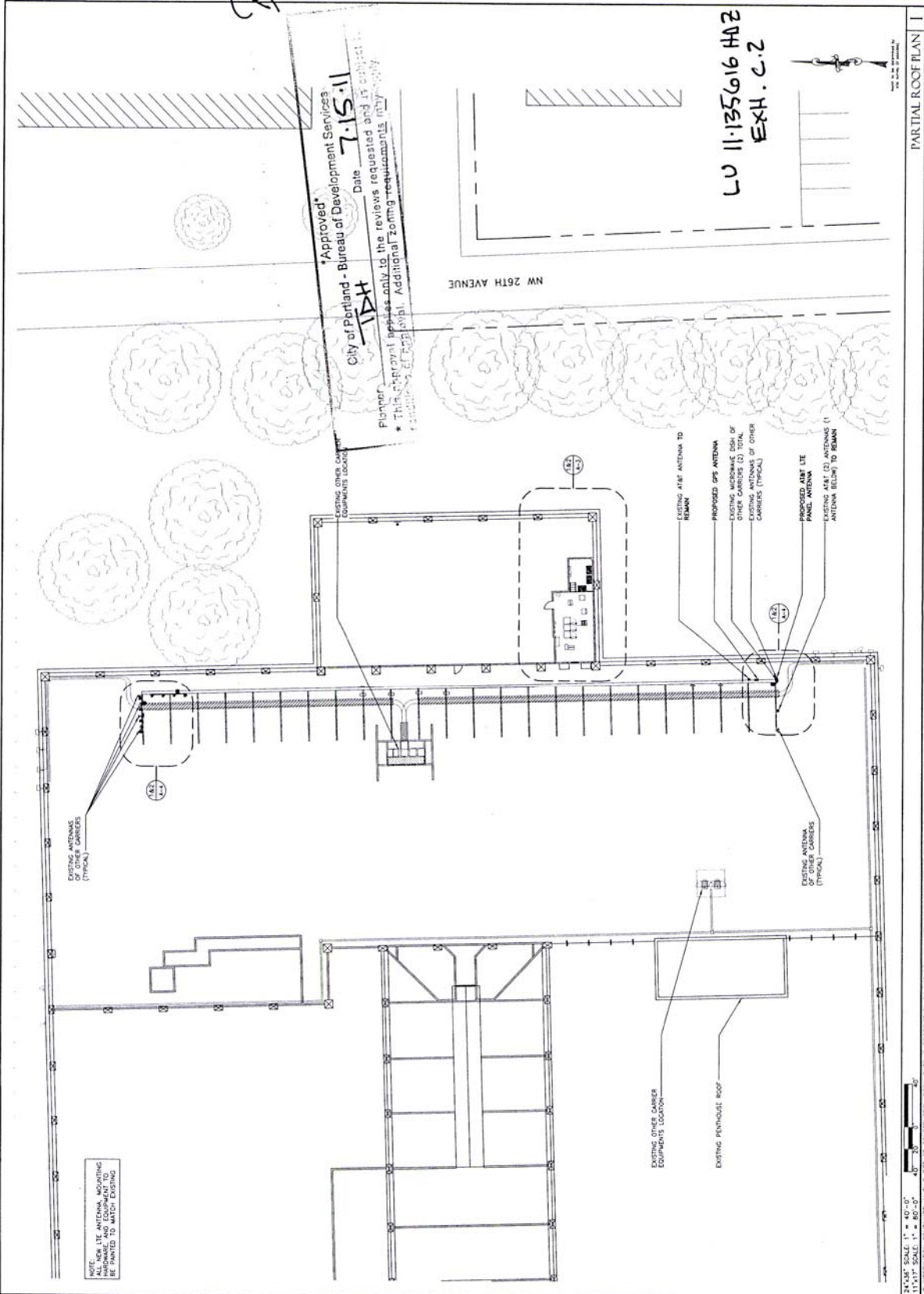
MONTGOMERY PARK  
PR14  
2701 NW WAUGHN STREET  
PORTLAND, OR 97201

NO.	DATE	DESCRIPTION	BY
1.		ISSUED FOR PERMIT	DR
2.		REVISIONS	DR
3.		REVISIONS	DR
4.		REVISIONS	DR

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE  
PARTIAL ROOF PLAN

SHEET NUMBER  
A-2



1" = 40'-0"  
1/4" = 80'-0"

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY INTUSE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.



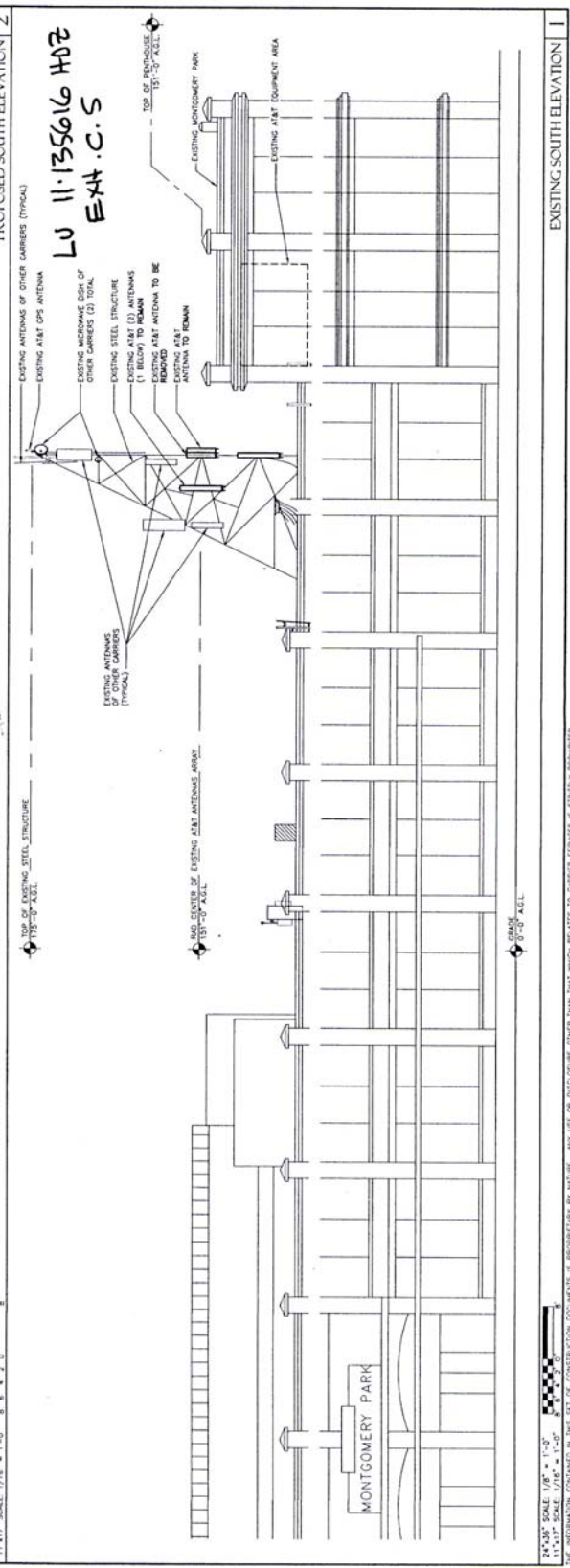
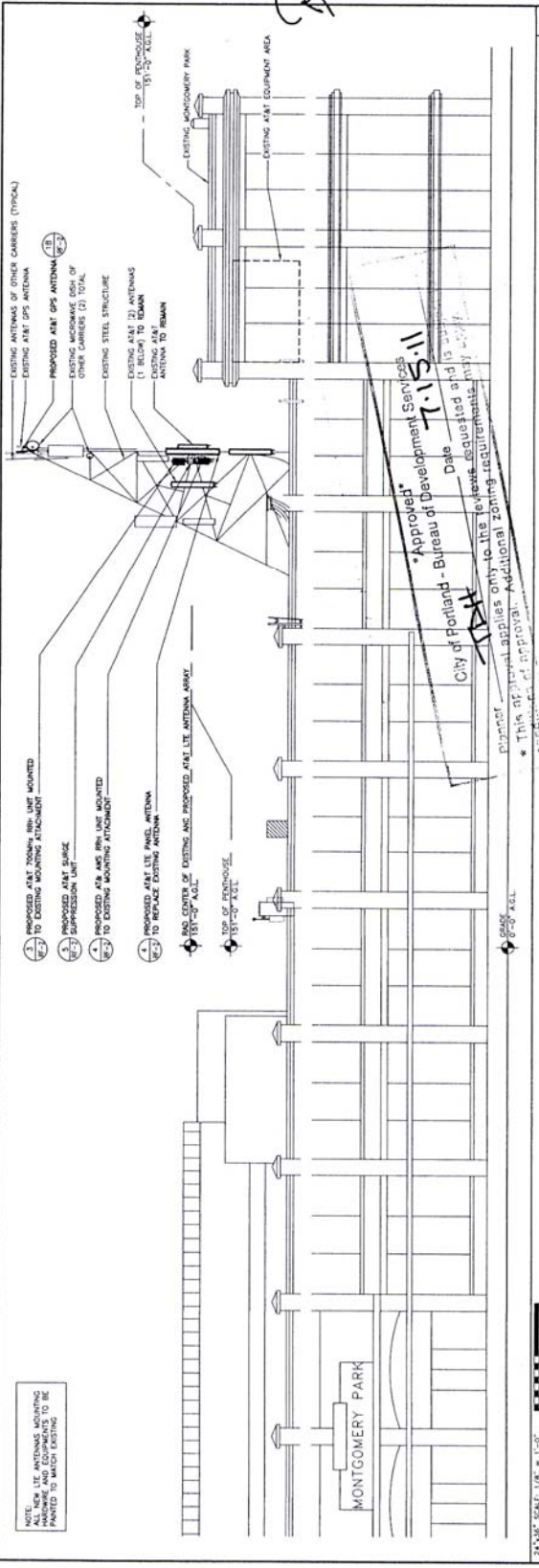
REGISTERED ARCHITECT  
 RICHARD B. HALL  
 SEATTLE, WA  
 5008  
 STATE OF OREGON  
 EXPIRATION DATE OF THE LICENSE 08/01/12

PORTLAND, OR 97201  
 2701 NW WAUGHN STREET  
 PR4  
**MONTGOMERY PARK**

NO.	DATE	DESCRIPTION	BY
1		ISSUED FOR PERMITS	
2		ISSUED FOR PERMITS	
3		ISSUED FOR PERMITS	
4		ISSUED FOR PERMITS	
5		ISSUED FOR PERMITS	
6		ISSUED FOR PERMITS	
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8		ISSUED FOR PERMITS	
9		ISSUED FOR PERMITS	
10		ISSUED FOR PERMITS	

SHEET TITLE  
 DOWNSIDE & PROPOSED SOUTH ELEVATION

SHEET NUMBER  
**A-5**



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