



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

Charlie Hales, Mayor
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: April 16, 2013
To: Interested Person
From: Shawn Burgett, Land Use Services
503-823-7618 / shawn.burgett@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 the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 13-117294 CU

GENERAL INFORMATION

Applicant: Steve Bodine, /Odelia Pacific Corp Contractor For T-Mobile West Llc
8960 NE Alderwood Road / Portland OR 97220

Owner: University of Portland, property owner / Andre Hutchinson, contact
5000 N Willamette Blvd / Portland, OR 97203-5798

Site Address: 5000 N WILLAMETTE BLVD

Legal Description: TL 100 80.73 ACRES, SECTION 18 1N 1E
Tax Account No.: R941180010
State ID No.: 1N1E18A 00100
Quarter Section: 2324, 2424, 2325
Neighborhood: University Park, contact Andrew Noethe at 503-679-2347.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Zoning: R2 – Multu-Dwelling Residential 2,000
n – River Natural Greenway overlay
g – River General Greenway overlay
q – River Water Quality Greenway overlay

Case Type: CU, Conditional Use
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant, T-Mobile West, has an existing wireless facility located on the rooftop of the penthouse of the Buckley Center Building, one of multiple buildings on the University of Portland campus. Currently there are 3 antennas housed within a stealth canister along with related ancillary equipment located on the rooftop. T-Mobile proposes to swap out the existing canister housing the 3 antennas and related equipment with a new stealth canister to house a total of 6 antennas along with related ancillary equipment. The total number of antennas on site will be 6.

Relevant Approval Criteria:

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

- 33.815.225 A 1-3 Conditional Use Approval Criteria for Radio Frequency Transmission Facilities
- 33.274.040 Mandatory Development Standards for Radio Frequency Transmission Facilities

ANALYSIS

Site and Vicinity: The University of Portland (“University”) is located on the east bank of the Willamette River in North Portland. The northern boundary of the campus, east of N. Portsmouth Avenue, extends to N. Willamette Boulevard. West of N. Portsmouth Avenue, the northern campus boundary extends a half block north of N. Warren Street. The river bluffs form the eastern and southern boundaries of the campus, with an irregular western boundary extending to N. Monteith Avenue.

The University maintains an inventory of approximately 30 buildings on the campus, with approximately 1.1 million square feet of floor area. Several larger facilities are also located on the campus, including Chiles Center, Merlo Soccer Field, and Pilot Baseball Stadium.

The structure on which the new radio frequency transmission facility is proposed, Buckley Center, is a four-story, 63 foot high building measured to the top of the penthouse.

The building is located within the interior of the campus, approximately 1,000 feet south of the campus’ northern boundary, and approximately 7000 feet from the eastern boundary campus boundary, and approximately 1,600 feet from the western boundary. The Buckley Center is located adjacent to one of several landscaped quadrangles on campus, with mature conifers, approximately 60 to 100 feet in height, along the west façade of this building.

The neighborhood surrounding the campus is largely characterized by low-density, single-dwelling development. The exception is the area southwest and southeast of the campus, below the bluffs. These areas are industrial in nature, and primarily developed with Warehouse and Freight Movement uses.

Zoning: The portion of the campus where the radio frequency transmission facility is proposed is in an R2 (Multi-Dwelling Residential 2000) zone, with three Greenway Overlay Zones (“g”, “n” and “q”) mapped along the southern edge of the campus near the bluff.

The R2 zone is a low density multi-dwelling zone, with allowed housing characterized by one to three story buildings. While the R2 zone is primarily intended to provide opportunities for multi-dwelling housing, universities and other institutional uses are allowed if approved through a Conditional Use review.

The purpose of the Greenway overlay zones is to implement the land use pattern identified in the Willamette Greenway Plan, and the water quality requirements of Metro Code 3.07.340.B (Title 3). The requested Conditional Use does not include any development on the portion of the site located in a Greenway overlay zone

Land Use History: The University of Portland has been the subject of more than 30 land use reviews, dating back at least to the early 1960s. Previous land use reviews that directly relate to the current proposal are limited to amendments to the University’s Conditional Use Master Plan to allow radio frequency transmission facilities to be located on campus buildings, including a roof top installation on Mehling Hall, approved under LUR 97-00138 CU MS; and a previous roof top installation on the Buckley Center, which was approved under LUR 97-00143 CU MS. A conditional use approved in 2004 (LU 04-027390 CU) modified the antennae on Buckley Center, allowing the replacement of three whip antennae with 12 panel antennae. A conditional use was approved in 2005 for the installation of a radio frequency transmission

facility on the rooftop of the Swindell's Hall building (The University's current Conditional Use Master Plan allows the installation of rooftop radio frequency transmission facilities without an amendment to the Master Plan). LU 06-134210 CU approved the conditional use to install radio frequency facility on the rooftop of Buckley Center Building, which is being expanded under this proposal. LU 11-121748 allowed two additional antennas on the rooftop of the Swindles Hall Building.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **March 7, 2013**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Fire Bureau
- Site Development Section of BDS
- Water Bureau
- Urban Forestry
- Site Development Section of BDS
- Portland Bureau of Transportation

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 7, 2013. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Conditional Use

33.815.010 Purpose

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

33.815.225 Radio Frequency Transmission Facilities

These approval criteria allow Radio Frequency Transmission Facilities in locations where there are few impacts on nearby properties. The approval criteria are:

- A.** Approval criteria for facilities operating at 1,000 watts ERP or less, proposing to locate on an existing building or other non-broadcast structure in an OS or R zone or in a C, E, or I zone within 50 feet of an R zone:
 1. The visual impact of an antenna must be minimized. For instance, it can be hidden behind a compatible building feature such as a dormer, mounted flush to the facade of the building and painted to match, mounted on a structure designed with minimal bulk and painted to fade into the background, or mounted by other technique that equally minimizes the visual impact of the antenna;

Findings: Currently there are 3 antennas housed within a 24" stealth canister along with related ancillary equipment located on the rooftop of the Buckley Center a building which measures 63 feet to the top of the penthouse roof. T-Mobile proposes to swap out the existing canister housing the 3 antennas and related equipment with a new stealth canister to house a total of 6 antennas along with related ancillary equipment. The new antennas will be housed within a new stealth canister located on the same pipe mast as the current stealth canister. Related ancillary equipment will be housed within the new

stealth canister as well as on a sleeper on the roof top that is not visible to the general public.

The antenna will be located inside 10 foot tall, 54" wide' transparent shroud to be mounted on the side of the existing penthouse. The antennae will extend approximately ten feet above the height of the penthouse roof line. The visual impact of the antenna will be minimized by camouflaging the shroud, which will be painted dark brown to match the color of the penthouse. In order to ensure that the facility is painted to match the building, a Condition of Approval has been added with this review which requires the new antennas and all visible cabling or conduit to be painted to match the existing building.

Because of their distance above grade, location away from the edge of the building wall, various proposed screening, the combination of these elements will reduce the visual impact of the proposed radio transmission facilities

Based on this information and the condition of approval, this criterion is met.

2. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area and be adequately screened; and

Findings: The stealth canister housing the antennas and related equipment are located in the previously approved equipment location on the roof which is located on the flat portion of the roof and painted to match the existing penthouse. The proposed upgrade will not include placement of additional cabinets or expansion of premises. As proposed, this criterion is met.

3. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.

Findings: The relevant regulations and standards for this proposal as discussed below, are the development standards of Chapter 33.274 - Radio Frequency Transmission Facilities. As discussed in detail under 33.274.040, all applicable regulations are met; therefore, 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 review prior to the approval of a building or zoning permit.

33.274.040 Development Standards Radio Frequency Transmission Facilities

Amended by Ord. No. 165376, effective 5/29/92.)

A. Purpose. *The development standards:*

- *Ensure that Radio Frequency Transmission Facilities will be compatible with adjacent uses;*
- *Reduce the visual impact of towers in residential and open space zones whenever possible;*
- *Protect adjacent populated areas from excessive radio frequency emission levels; and*
- *Protect adjacent property from tower failure, falling ice, and other safety hazards.*

B. When standards apply. Unless exempted by 33.274.030, above, the development standards of this section apply to all Radio Frequency Transmission Facilities. Applications to modify existing facilities regulated by this chapter are only required to meet the

standards of Paragraphs C.3, C.4, C.5, C.6, and C.9 in addition to any previous conditions of approval. Increasing the height of a tower is not considered modification of an existing facility.

C. General requirements

1. Tower sharing. Where technically feasible, new facilities must co-locate on existing towers or other structures to avoid construction of new towers. Requests for a new tower must be accompanied by evidence that application was made to locate on existing towers or other structures, with no success; or that location on an existing tower or other structure is infeasible.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

2. Grouping of towers. The grouping of towers that support facilities operating at 1,000 watts ERP or more on a site is encouraged where technically feasible. However, tower grouping may not result in radio frequency emission levels exceeding the standards of this chapter.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

3. Tower finish. For towers not regulated by the Oregon Aeronautics Division or Federal Aviation Administration, a finish (paint/surface) must be provided that reduces the visibility of the structure.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

4. Tower illumination. Towers must not be illuminated except as required for the Oregon State Aeronautics Division or the Federal Aviation Administration.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, these criteria are not applicable.

5. Radio frequency emission levels. All existing and proposed Radio Frequency Transmission Facilities are prohibited from exceeding or causing other facilities to exceed the radio frequency emission standards specified in Table 274-1, except as superseded by Part 1, Practice and Procedure, Title 47 of the Code of Federal Regulations, Section 1.1310, Radio Frequency Radiation Exposure Limits.

Table 274-1 Radio Frequency Emission Standards [1]			
Frequency Range	Mean Squared Electric (E^2) Field Strength (V^2/m^2) [2]	Mean Squared Magnetic (H^2) Field Strength (A^2/m^2) [3]	Equivalent Plane-Wave Power Density (mW/cm^2) [4]
100 KHz – 3 MHz	80,000	0.5	20
3 MHz – 30 MHz	4,000 ($180/f^2$) [5]	0.025 ($180/f^2$)	$180/f^2$
30 MHz – 300 MHz	800	0.005	0.2
300 MHz – 1500 MHz	4,000 ($f/1500$)	0.025 ($f/1500$)	$f/1500$
1500 MHz – 300 GHz	4,000	0.025	1.0

Notes:

[1] All standards refer to root mean square (rms) measurements gathered by an approved method.

[2] V^2/m^2 = Volts squared per meter squared.

[3] A^2/m^2 = Amperes squared per meter squared.

[4] mW/cm^2 = Milliwatts per centimeter squared.

[5] f = Frequency in megahertz (MHz).

Findings: The proposed antennas will operate within the frequency range of 1500 MHz to 300 GHz. The Effective Radiated Power for the facility is 550.85 watts, and the maximum allowed power density level is $1.0 mW/cm^2$ [Milliwatts per centimeter squared]. Calculations submitted by the applicant indicate that the power density exposure levels are approximately $0.0185 mW/cm^2$, which is 0.185% of the limit for uncontrolled areas.

Staff note: The Federal Telecommunications Act of 1996 prohibits a local government from denying a request to construct such facilities based on "harmful radio frequency emissions" as long as the wireless telecommunications facility meets the standards set by the FCC. Furthermore, the Act required the FCC to adopt standards for radio frequency emissions from wireless telecommunications by August, 1996. In a rule making procedure, the FCC adopted standards effective August 1, 1996, which are virtually the same as those reflected in Table 274-1. Because this land use review was submitted after those standards took effect, this conditional use review cannot be denied solely on the issue of harmful radio frequency emission levels.

5. Antenna requirements. The antenna on any tower or support structure must meet the minimum siting distances to habitable areas of structures shown in Table 274-2. Measurements are made from points A and B on the antenna to the nearest habitable area of a structure normally occupied on a regular basis by someone other than the immediate family or employees of the owner/operator of the antenna. Point A is measured from the highest point of the antenna (not the mounting device) to the structure, and Point B is measured from the closest point of the antenna to the structure.

Table 274-2 Distance Between Antenna and Habitable Area of Structure (Where f is frequency in megahertz.)			
Effective Radiated Power	Frequency (MHz)	Point A: Minimum Distance From Highest Point of Antenna To Habitable Area of Structure (feet)	Point B: Minimum Distance From Closest Portion Of Antenna To Habitable Area of Structure (feet)
< 100 watts		10	3
100 watts to 999 watts		15	6
1,000 watts to 9,999 Kw	< 7	11	5
	7 - 30	$f/0.67$	$f/1.5$
	30 - 300	45	20
	300 - 1500	$780/\sqrt{f}$	$364/\sqrt{f}$
	> 1500	20	10
10 Kw plus	< 7	17.5	8
	7 - 30	$f/0.4$	$f/0.91$
	30 - 300	75	33
	300 - 1500	$1300/\sqrt{f}$	$572/\sqrt{f}$
	1500	34	15

Findings: The antennas will operate at 550.85 watts ERP, and thus are required to be 15 feet for Point A and 6 feet for Point B, per Table 274-2. The proposed

antennas will be approximately 67 feet above grade, on the roof of the existing building. The antennas are mounted such that Point A will be approximately 20 feet above the ceiling of the fourth floor of the building, and Point B will be approximately 9 feet above the same ceiling height. Both of these distances exceed the required 15 and 6 feet of separation. This criterion is met.

7. Setbacks. All towers must be set back at least a distance equal to 20 percent of the height of the tower or 15 feet, whichever is greater, from all abutting R and OS zoned property and public streets. Accessory equipment or structures must meet the base zone setback standards.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

8. Guy anchor setback. Tower guy anchors must meet the main building setback requirements of the base zone.

Findings: The proposal is to mount the facility on an existing water tank. No new tower is proposed. Therefore, this criterion is not applicable.

9. Landscaping and screening. The base of a tower and all accessory equipment or structures located at grade must be fully screened from the street and any abutting sites as follows:

- a. In C, E or I zones more than 50 feet from an R zone. A tower and all accessory equipment or structures located in the C, E, or I zones more than 50 feet from an R zone must meet the following landscape standard:

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

- b. In OS or R zones or within 50 feet of an R zone. A tower and all accessory equipment or structures located in an OS or R zone or within 50 feet of an R zoned site must meet the following landscape standards:

- (1) Tower landscaping. A landscaped area that is at least 15 feet deep and meets the L3 standard must be provided around the base of the tower.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

- (2) Accessory equipment and structures. A landscaped area that is at least 10 feet deep and meets the L3 standard must be provided around the base of all accessory equipment or structures located at grade.

Findings: The proposal is to mount the facility on an existing building. No accessory structures or equipment will be located at grade. Therefore, this criterion is not applicable.

- c. In all zones, equipment cabinets or shelters located on private property that are associated with Radio Transmission Facilities mounted in a right-of-way must be screened from the street and any adjacent properties by walls, fences or vegetation. Screening must comply with at least the L3 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment.

Findings: The antennas will be mounted on the rooftop of an existing building. No tower is proposed. The accessory equipment will also be located on the rooftop, behind a screen wall, and not at grade. No antennas are proposed to be mounted in the right of way. Therefore this development standard is not applicable.

10. Tower design.

- a. For a tower accommodating a Radio Frequency Transmission Facility of 100,000 watts or more, the tower must be designed to support at least two additional transmitter/antenna systems of equal or greater power to that proposed by the applicant and one microwave facility, and at least three two-way antennas for every 40 feet of tower over 200 feet of height above ground.
- b. For any other tower, the design must accommodate at least three two-way antennas for every 40 feet of tower, or at least one two-way antenna for every 20 feet of tower and one microwave facility.
- c. The requirements of Subparagraphs a. and b. above may be modified by the City to provide the maximum number of compatible users within the radio frequency emission levels.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

11. Mounting device. The device or structure used to mount facilities operating at 1,000 watts ERP or less to an existing building or other non-broadcast structure may not project more than 10 feet above the roof of the building or other non-broadcast structure.

Findings: The proposed antennas will be mounted to poles that will project 10 feet above the building. This criterion is met.

12. Abandoned facilities. A tower erected to support one or more Federal Communication Commission licensed Radio Frequency Transmission Facilities must be removed from a site if no facility on the tower has been in use for more than six months.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

D. Additional requirements in OS, R, C, and EX zones and EG and I zones within 50 feet of an R zone.

1. Purpose. These additional regulations are intended to ensure that facilities operating at 1,000 watts ERP or less have few visual impacts. The requirements encourage facilities that look clean and uncluttered.
2. Standards. In addition to the regulations in Subsection C., above, facilities operating at 1,000 watts ERP or less located in OS, R, C, or EX zones or EG or I zones within 50 feet of an R zone must meet all of the following standards:
 - a. Antennas mounted on towers. Triangular “top hat” style antenna mounts are prohibited. Antennas must be mounted to a tower either on davit arms that are no longer than 5 feet, flush with the tower, within a unicell style top cylinder, or other similar mounting technique that minimizes visual impact.

Findings: The proposal is to mount the antennas on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

- b. Antennas mounted on existing buildings or other non-broadcast structures. This standard only applies to facilities located in OS or R zones or within 50 feet of an R zone. The visual impact of antennas that are mounted to existing buildings or other non-broadcast structures must be minimized. For instance, on a pitched roof, an antenna may be hidden behind a false dormer, mounted flush to the facade of the building and painted to match; mounted on a structure designed with minimal bulk and painted to fade into the background; or mounted by other technique that equally minimizes the visual impact of the antenna. The specific technique will be determined by the conditional use review.

Findings: As previously discussed under criterion 33.815.225 A 1, the visual impact of the antennas has been minimized by locating the antennas on a building. The new antennas will be housed within a new stealth canister located on the same pipe mast as the current stealth canister. Related ancillary equipment will be housed within the new stealth canister as well as on a sleeper on the roof top that is not visible to the general public. The antenna will be located inside 10 foot tall, 54 inch wide transparent shroud to be mounted on the side of the existing penthouse. The antennae will extend approximately 10 feet above the height of the penthouse roof line. The visual impact of the antennae will be minimized by camouflaging the shroud, which will be painted dark brown to match the color of the penthouse. This criterion is met.

- c. Lattice. Lattice towers are not allowed.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

E. Additional requirements in R zones. The minimum site area required for a tower in an R zone is 40,000 square feet. This regulation must be met in addition to the regulations in Subsections C. and D., above.

Findings: The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

CONCLUSIONS

The applicant proposes a Conditional Use Review to locate a wireless communications facility on top of the Buckley Center Building within the interior of the University of Portland campus. As noted in this report, the proposal is able to meet the applicable approval criteria with the condition of approval which requires that the antennas and accessory cables be painted to match the building, and the project's compliance with the standards of 33.247 Radio Frequency Transmission Facilities. With approval requiring that the permit drawings substantially conform with the elevation drawings and site plan attached, the request meets the approval criteria and should be approved.

ADMINISTRATIVE DECISION

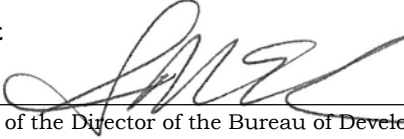
Approval of a Conditional Use Review (33.815.225.A 1-3), per the approved site plans, Exhibits C-1 and C-2, signed and dated April 11, 2013, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-117294 CU." All requirements must be

graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. Plans submitted for building permit must indicate that the antennas, mounting structures and all visible cabling or conduit must be painted to match the building.

Staff Planner: Shawn Burgett

Decision rendered by:  **on April 11, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 16, 2013

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 February 19, 2013, and was determined to be complete on March 5, 2013.

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 February 19, 2013.

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 Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 30, 2013** 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.

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 Hearings Officer 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 Hearings Officer 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 **May 1, 2013**.
- 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.

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
 - 1. Narrative
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Portland Bureau of Transportation
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Urban Forestry
 - 7. Life Safety
- F. Correspondence: (None received)
- 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).

2/18/15

A circular professional engineer seal for Don Cushing, Oregon. The seal features the text "REGISTERED PROFESSIONAL ENGINEER" around the top and "DON CUSHING" around the bottom. In the center, it says "OREGON" and "DEC. 07, 1982". A signature, "Don Cushing", is written across the seal.

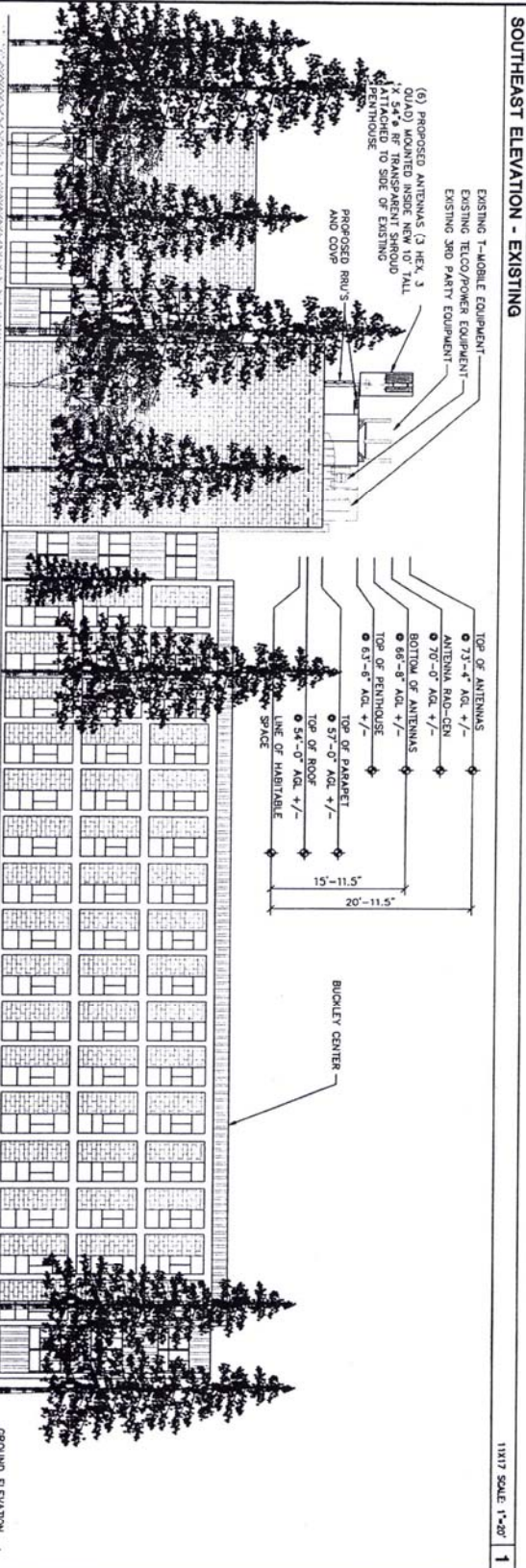
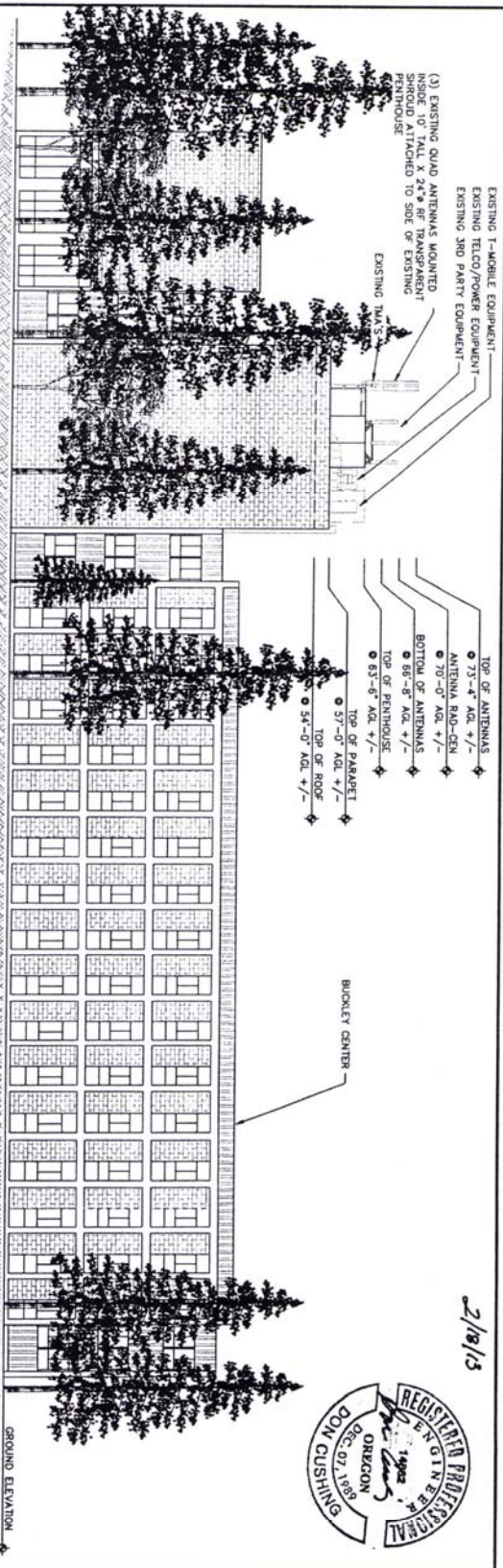


Exhibit C-1 (Page 2).

[illegible]

LV13 117294CV

2/8/13



SOUTHEAST ELEVATION - PROPOSED

<p>...T-Mobile...</p> <p>8960 NE ALDERWOOD ROAD PORTLAND, OREGON 97220 PHONE: (503) 813-8800 FAX: (503) 726-2614</p> <p>PO04010A UNIVERSITY OF PORTLAND 6000 N WILLAMETTE BLVD, PORTLAND, OR 97203</p>		<p>cushing Don Cushing Associates Civil Engineers 107 SE Washington Street, Suite 263, Portland, OR 97214 (503) 387-5331 • www.cushing-engr.com</p> <p><small>THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE ENGINEER. IT IS FORWARDED SOLELY FOR THE USE OF THE CLIENT AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.</small></p>	<p>REGISTERED PROFESSIONAL ENGINEER DON CUSHING OREGON DEC. 07/10/08 EXPIRATION DATE 12/31/13</p>
<p>DATE: 01/17/12 BY: [Signature] CHECKED: [Signature] DATE: 01/17/12 BY: [Signature] DATE: 01/17/12 BY: [Signature]</p>		<p>PROJECT: [Blank] SHEET: [Blank] SHEET NUMBER: [Blank]</p>	

2/18/13



THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

Exhibit (-2 (page 3))

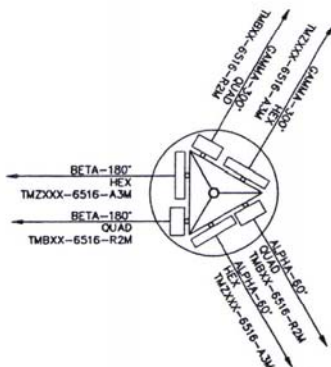


DIAGRAM REPRESENTS ANTENNA SECTORS ONLY AND MAY NOT ACCURATELY REPRESENT THE ACTUAL POSITIONING OF THE ANTENNAS MOUNTED TO THE ROOF

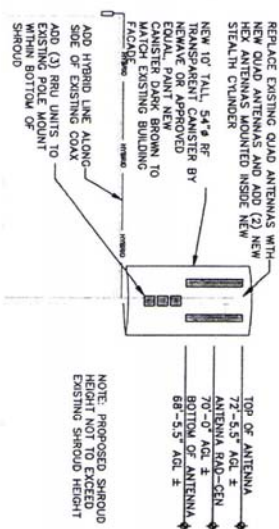


...T...Mobile...

8960 NE ALDERWOOD ROAD
PORTLAND, OREGON 97220
PHONE: (503) 813-9000
FAX: (503) 736-3014

PO04070A

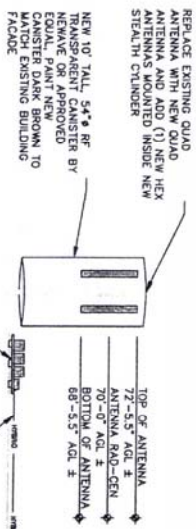
UNIVERSITY OF PORTLAND
5000 N WILLAMETTE BLVD, PORTLAND, OR 997203



NOTE: PROPOSED SHROUD
HEIGHT NOT TO EXCEED
EXISTING SHROUD HEIGHT

ALPHA/BETA SECTOR ELEVATION

SCALE: MTS



—ADD HYBRID LINE ALONG
SIDE OF EXISTING COAX
RE-USE EXISTING COAX
FOR UMTS AWS

GAMMA SECTOR ELEVATION

SCALE: MTS 2

SCALE: MTS

4

1. ALL WORK PERFORMED ON THE PROJECT AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS, AND ALL CITY, COUNTY, STATE, AND FEDERAL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWS, ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES RELATING TO THE PERFORMANCE OF THE WORK.
2. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE
3. CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THE DRAWING MUST BE VERIFIED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IDENTIFICATION OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
4. ALL SAFETY PRECAUTIONS MUST BE TAKEN WHEN WORKING AROUND EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. A TOLERANT SHOULD BE NOTIFIED PRIOR TO ANY WORK THAT COULD BE DANGEROUS TO THE WORKERS TO DANGER. PERSONNEL AT EXPOSURE MONITOR ARE ADVISED TO BE ON ALERT FOR ANY DANGEROUS EXPOSURE LEVELS.

NOT IN USE

SCALE: NT

6

GENERAL NOTES

SCALE: MTS

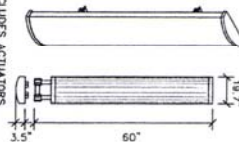
On

[illegible]

ELEVATIONS

9

MANUFACTURED	MODEL NUMBER	MOUNTING BRACKET
ANDREW	TM2XX-65178-ASM	INCLUDED
LENGTH	WIDTH	DEPTH
60"	19.7"	3.5"
		WEIGHT
		35.2 lbs



HEX ANTENNA DETAIL

SCALE: NTS

1	QUAD ANTENNA DETAIL
---	---------------------

SCALE: MTS

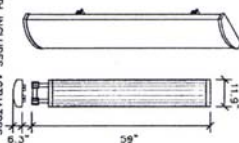
COVER DETAIL

3	RRU DETAIL
---	------------

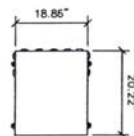
SCALE: MTS

4

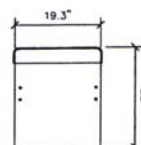
MANUFACTURER	MODEL NUMBER	MOUNTING BRACKET
ANDREW	IMBX-6516-R2M	INCLUDED
LENGTH	WIDTH	DEPTH
50"	11.8"	6.3"
		WEIGHT
		34.6 lbs



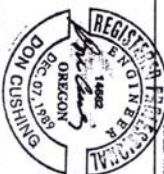
MANUFACTURER	MODEL NUMBER	MOUNTING BRACKET
RAYCAP	CR100-1076R06	INCLUDED
LENGTH	WIDTH	DEPTH
20.2"	18"	7"
		WEIGHT
		15 lbs



MANUFACTURER		MODEL NUMBER	MOUNTING BRACKET
NOKIA		FXB, FRIG	INCLUDED
LENGTH	WIDTH	DEPTH	WEIGHT
22"	19.5"	5.2"	55 lbs



2/18/13



EQUIPMENT DETAILS						
ACTION	QUANTITY	ITEM	MODEL	DIMENSIONS	WEIGHT	
ADD NEW	(3)	ANTENNA (NEW)	ANDREW	TLX200-6516-AJM	60"x19"x3.5"	35.2 lbs
ADD NEW	(3)	ANTENNA (DUAL)	ANDREW	TLB50-6516-R2M	59"x11"x6.5"	34.6 lbs
ADD NEW	(2)	COPE	RATCAP	CR100-1078006	20"x19"x7"	15 lbs
ADD NEW	(6)	PIRU	NOKIA	FXR8, FRIG	19.3"x22"x5.5"	55 lbs
ADD NEW	(1)	CIRCULAR RIP SHROUD	NETWORK	-	10" Hx15.4"	- lbs
EXISTING TO REMAIN	(3)	TLA	ANDREW	ETSS09P94	10" Wx17.2"	13.3 lbs
REMOVE	(3)	ANTENNA (DUAL)	ANDREW	A0701820-65565-X0M	80"x17"x5.5"	48 lbs
REMOVE	(1)	CIRCULAR RIP SHROUD	-	-	10"Hx14.4"	- lbs

GRILES

INSTALL (4) NEW 6" AND (8) NEW 15" LONG FIBER JUMPER, CONTRACTOR TO VERIFY PER CURRENT RFDs. RE-USE EXISTING COAX AND TMA6 FOR UNITS AWS.

NO NEW ANTENNA SHALL EXCEED THE EXISTING TIP HEIGHT OF EXISTING ANTENNAS. ALL ANTENNAS, RU'S, COV'S AND TNA'S SHALL BE PAINTED TO MATCH SURROUNDING SURFACES IN MOUNTING LOCATIONS. THE FRP SHROUD WILL NOT BE INCREASING IN HEIGHT.

- 1) INSERT SCISSOR BRACKETS BETWEEN THE UPPER ANTENNA MOUNTING BRACKET AND THE UPPER POLE ADAPTER BRACKET SECURE USING 1/2 INCH HARDWARE PROVIDED.
- 2) TO SET THE DEGREE OF DOWNTILT, ALIGN THE DESIRED HOLES ON THE SCISSOR BRACKETS AND SECURE USING 5/16 INCH HARDWARE PROVIDED.
- 3 THE NUMBER OF CONNECTIONS WILL VARY BASED ON ANTENNA TYPE.

PARTS:		
Item	Qty	PN Description
1	1	602355--6 Adaptor, Pole, Lower
2	2	601542--2 Brocetti, Donnell, Pole
3	1	601543--3 Brocetti, Donnell, Antenna
4	4	571000H4323P 1/2 X 1 1/4 Hex Head Bolt
5	4	57200515SP 1/2 Spill Washer
6	571000H43023P	3/16 X 1 1/4 Hex Head Bolt
7	2	57200513SP 3/16 Spill Washer

NOT IN USE

SCALE: MTS

5

SCALE: NTS

REMOVE

ANDREW	ADFD1820-656
--------	--------------

8 lbs

NOT IN USE

SCALE: MTS

6 ANTENNA MOUNTING

SCALE: NTS

EQUIPMENT DETAILS

SCALE: MTS

8

cushing
Don Cushing Associates
Civil Engineers
107 SE Washington Street, Suite 265, Portland, OR 97214
(503) 387-5331 • www.cushing-onr.com

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF THE OWNER IS PROHIBITED.

...T...Mobile...

8960 NE ALDERWOOD ROAD
PORTLAND, OREGON 97220
PHONE: (503) 813-9000
FAX: (503) 738-3014


PO04010A
UNIVERSITY OF PORTLAND
5000 N WILLAMETTE BLVD. PORTLAND, OR 997203

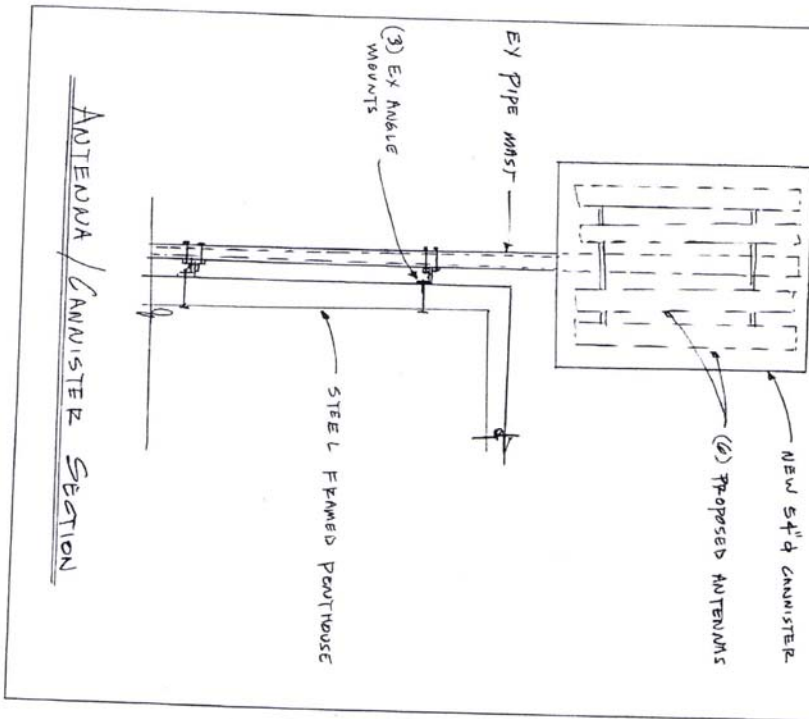
EQUIPMENT DETAILS

9-5

Exhibit C-2 (Page 4)

LV 13 117294CV

 AC Rolin Consulting <small>STRUCTURAL DESIGN & ENGINEERING</small>		Project T-Mobile - Up P	Drawn by AKR	Sheet No. 3
Client CUSHING		Date SEP 4	Title T1242	



NOT IN USE

SCALE: NTS 1 DETAIL 1

SCALE: NTS 2

<p align="center">...T-Mobile...</p> <p align="center">8960 NE ALDERWOOD ROAD PORTLAND, OREGON 97220 PHONE: (503) 933-8000 FAX: (503) 736-3014</p> <p align="center">PO04010A UNIVERSITY OF PORTLAND 5000 N WILLAMETTE BLVD, PORTLAND, OR 97203</p>		<p align="center">cushing Don Cushing Associates Civil Engineers 107 SE Washington Street, Suite 265, Portland, OR 97214 (503) 387-5331 • www.cushing-engr.com</p>	<p align="center">REGISTERED PROFESSIONAL ENGINEER DON CUSHING EXPIRATION DATE 12/31/12</p>
<p>DATE: 11/17/12 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature] PROJECT: T1242 SHEET: 1 OF 1</p>		<p>THESE DOCUMENTS ARE THE PROPERTY OF THE ENGINEER. IT IS THE RESPONSIBILITY OF THE USER TO RETURN THESE DOCUMENTS TO THE ENGINEER. NO PART OF THESE DOCUMENTS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE ENGINEER.</p>	

Exhibit C-2 (Page 5)