



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

Dan Saltzman, Commissioner
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Date: May 2, 2016
To: Interested Person
From: Puja Bhutani, Land Use Services
503-823-7226 / Puja.Bhutani@portlandoregon.gov

NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. 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 16-123478 HR – REPLACEMENT ANTENNAS

GENERAL INFORMATION

Applicant: Shanin Prusia
Verizon Wireless
10376 SE Sunburst Way
Portland, OR 97086

Jayne Stevens
Mincheff & Mincheff Investments
537 SE Ash Street,
Suite 101
Portland, OR 97214

Site Address: 1006 SE GRAND AVE
Legal Description: BLOCK 127 LOT 1&2 EXC PT IN ST, PARK ADD TO E P
Tax Account No.: R644500090
State ID No.: 1S1E02BC 01300
Quarter Section: 3131
Neighborhood: Buckman, contact Zachary Brooks at 503-482-8252.
Business District: Central Eastside Industrial Council, contact Debbie Kitchin at ceic@ceic.cc.
District Coalition: Southeast Uplift, contact Anne Dufay at 503-232-0010.
Plan District: Central City Plan District - Central Eastside Subdistrict
Other Designations: Contributing Resource in the East Portland-Grand Avenue Historic District.

Zoning: EXd, Central Employment with a design and historic resource protection overlay
Case Type: HR, Historic Resource Review
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

Verizon wireless is proposing the following exterior alterations on the roof top of the Arcoa building. All existing base station equipment is located in the basement of the building, and no changes to these are proposed.

- Replace six of the nine existing panel antennas mounted on the existing penthouse. All new antenna panels will be mounted so that their tops are aligned with those of the existing antenna panels.
- All new and existing antenna's and mounts will be painted a matte gray.
- Nine new remote radio units (RRU's) and three new surge suppressors (OVP's), with a maximum height of 3.8 feet.
- Rerouting the existing shrouded cable route on sleepers. Replace and repair the shroud and paint it to match the existing.

Historic Resource Review is required as the proposal is for non-exempt exterior improvements on a contributing resource in a historic district.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Adopted design guidelines East Portland/Grand Avenue Historic Design Zone.

ANALYSIS

Site and Vicinity: The quarter-block site is located in the East Portland/Grand Avenue Historic District, at the south-east corner of SE Grand Avenue and SE Yamhill Street. The building, with the historic name of US Laundry Company Building, was constructed in 1915 in the commercial style. Historically, East Portland specialized in businesses related to transportation and commerce. The Historic District is the heart of the Central Eastside District, an area where light industry, distribution/ warehousing, and transportation continue to be important components of the district's personality today.

Zoning: The Central Employment (EX) 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 "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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 Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the East Portland /Grand Avenue Subdistrict of this plan district.

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

- 1) LU 09-111775 Approval of three new glazed garage doors, three new light fixtures and two new awnings on an annex building.
- 2) LU 00-007304, LU 01-008143, LU 02-128861 approvals to install RF antennas and associated equipment attached to pole-mounted bracket on penthouse with equipment in basement.
- 3) LUR 99-00952 DZ was a 3/14/2000 approval [amended 9/8/2000] of Historic Design Review. Approval of AMENDED DECISION: 9 cellular antennas on a 3-story commercial building, with equipment installed within the building; antennas to be placed in groups of three (2 to be placed now, a third in the future) on walls on three sides of the building; with antennas on the west elevation to be 3 feet 2.5 inches high and 14 inches wide; and antennas on the south and east sides of the building to be 7 feet 6.5 inches high and 12 inches wide; all mounted just below the top of the parapet and painted to match the color of the painted brick walls; all per the approved REVISED Exhibits C-1 through C-4, signed and dated 9/7/00, subject to the following conditions:
 - A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 #LUR 99-00952.” All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled “REQUIRED.”
 - B. Antennas will be mounted no further than 4 inches from the wall, to be as flush to the building wall as possible.
 - C. Antennas and mounting hardware will be painted to match the painted brick of the walls where they are mounted.
 - D. The third antenna on the west elevation is to be centered on a column line, near the corner, and a 4th “dummy” antenna will be placed on the 4th column line.
- 4) LUR 98-01059 DZ, 1999 approval of Historic Design Review for a new awning at the south face of the building and new directory plaque [3'-4" high by 3'-0" wide].
- 5) LUR 97-00748 DZ, 1997 approval of Historic Design Review for storefront improvements: replacing the existing storefront entrance with a new storefront system, two new shed awnings flanking the entry, two new banners, a new light fixture at the entry, and cleaning and restoring the tile surround at the entry.
- 6) LUR 97-00509 DZ, 1997 approval of Historic Design Review to install awnings at entrance, banners between first and second level, and parking sign. Install light fixture at entrance; landscape existing planter.
- 7) DZ 112-90, 1990 approval of Design Review for an awning with signage, with the condition that the awning will be a traditional, box-shaped awning.
- 8) DZ 071-90, 1990 approval of Design Review for a painted wallscape, 17'-6" by 40'-0", with the condition that the sign aligns with the [existing] windows.
- 9) HLDZ 047-90 was a 1990 approval of the designation of the site for inclusion within the East Portland/Grand Avenue Historic District.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **March 28, 2016**. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Life-Safety, responded with “A complete Life Safety plan review will be provided at the time of Building Permit submittal.” Please refer to Exhibit E.1 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 28, 2016**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

C11. Integrate Roofs and Use Rooftops. Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

Findings: Verizon wireless is proposing to replace six of the nine existing panel antennas mounted on the existing penthouse. All new antenna panels will be mounted so that their tops are aligned with those of the existing antenna panels. Nine new remote radio units (RRU's) and three new surge suppressors (OVP's) are also proposed, with a maximum height of 3.8 feet. These are mounted on sleepers, and will be shrouded. The installation of this cable shroud has been moved to be closer to the south parapet wall, so as to be completely screened. Furthermore, the new cable route will be integrated with the existing conduits route on the south elevation. The existing base station equipment is located in the basement of the building, and no changes to these are proposed. All new and existing antenna's and mounts will be painted a matte gray so as to blend in with the sky. The proposed RF equipment has been integrated with the existing RF facility and painted so as to minimize its visibility and visual impact. *This criterion is therefore met.*

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the East Portland Grand Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Design Guidelines - East Portland Grand Avenue Historic Design Zone*. Because the site is within the *Central City Plan District*, the *Central City Fundamental Design Guidelines* are also approval criteria.

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

Design Guidelines - East Portland Grand Avenue Historic Design Zone

Introduction: Exterior Mechanical Systems and Auxiliary Service Elements.

The character of the district may be damaged by the introduction of distracting visual elements which clutter building exteriors. When updating a building's mechanical systems, locating its trash areas and installing electronic communications equipment, care must be taken to avoid visual clutter.

A61-d. Exterior Mechanical Systems and Auxiliary Service Elements. Avoid unnecessary clutter and unsightliness of mechanical systems, auxiliary structures, and service elements such as trash containers, storage sheds, satellite dishes, etc.

Findings for A6-1d: Verizon wireless is proposing to replace six of the nine existing panel antennas mounted on the existing penthouse. All new antenna panels will be mounted so that that their tops are aligned with those of the existing antenna panels. Nine new remote radio units (RRU's) and three new surge suppressors (OVP's) are also proposed, with a maximum height of 3.8 feet. These are mounted on sleepers, and will be shrouded. The installation of this cable shroud has been moved to be closer to the south parapet wall, so as to be completely screened. Furthermore, the new cable route will be integrated with the existing conduits route on the south elevation. The existing base station equipment is located in the basement of the building, and no changes to these are proposed. All new and existing antenna's and mounts will be painted a matte gray so as to blend in with the sky. The proposed RF equipment has been integrated with the existing RF facility and painted so as to minimize its visibility and visual impact. *This criterion is therefore 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 proposed RF equipment has been integrated with the existing RF facility and painted so as to minimize its visibility and visual impact. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of modification of the existing Verizon wireless facility on the roof top of the Arcoa building. All existing base station equipment is located in the basement of the building, and no changes to these are proposed.

- Replace six of the nine existing panel antennas mounted on the existing penthouse. All new antenna panels will be mounted so that that their tops are aligned with those of the existing antenna panels.
- All new and existing antenna's and mounts will be painted a matte gray.
- Nine new remote radio units (RRU's) and three new surge suppressors (OVP's), with a maximum height of 3.8 feet.
- Rerouting the existing shrouded cable route on sleepers. Replace and repair the shroud and paint it to match the existing.

Approved as per the approved site plans, Exhibits C-1 through C-9, signed and dated 4/28/2016, 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.9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-123478 HR."

Staff Planner: Puja Bhutani



Decision rendered by: _____ **on April 28, 2016**
By authority of the Director of the Bureau of Development Services

Decision mailed May 2, 2016

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, 2016, and was determined to be complete on March 21, 2016.

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, 2016.

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. Unless further extended by the applicant, **the 120 days will expire on 7/19/2016.**

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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS

197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **May 2, 2016**.

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 503-823-7617.

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.

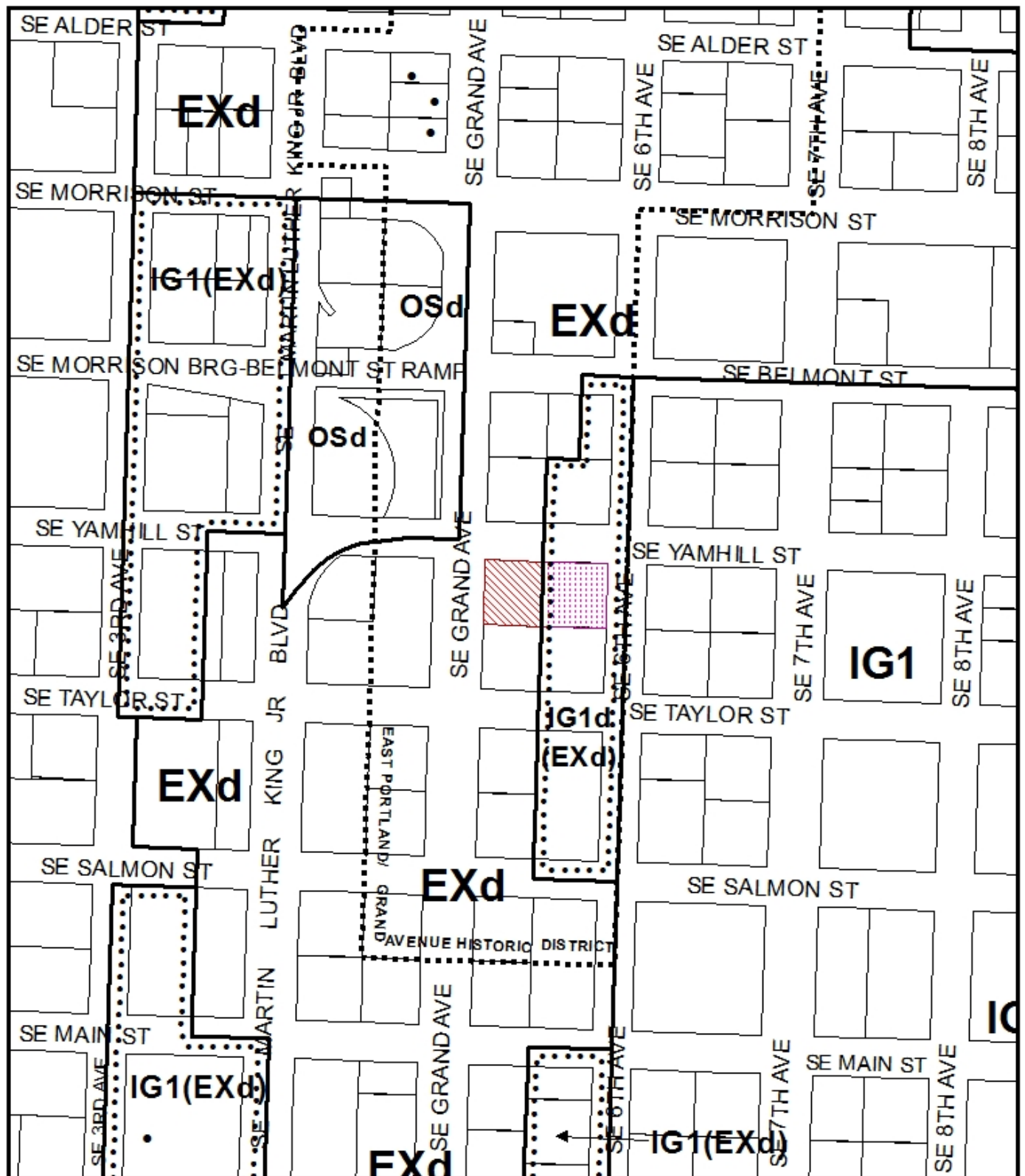
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 for 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. Applicant Narrative
 - 2. Photographs
 - 3. Non Ionizing Electromagnetic Exposure Analysis
 - 4. RF facility registration form
 - 5. Original Drawings- NOT APPROVED, FOR REFERENCE ONLY
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Vicinity Plan
 - 2. Existing Roof Plan
 - 3. Enlarged Roof Plan
 - 4. Site Plan(attached)
 - 5. Existing elevations
 - 6. Proposed elevations(attached)
 - 7. Antenna Plan
 - 8. Antenna Mount
 - 9. Remote Equipment Plan and Elevations
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Life-Safety
- F. Correspondence: none received
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete letter sent by staff on 3/8/2016
 - 3. Oregon Historic Site Record

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
- Also Owned Parcels
- Historic Landmark

This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 CENTRAL EASTSIDE SUBDISTRICT
 EAST PORTLAND / GRAND AVENUE HISTORIC DISTRICT



File No. LU 16-123478 HR

1/4 Section 3131

Scale 1 inch = 200 feet

State_Id 1S1E02BC 1300

Exhibit B (Feb 23, 2016)

EXHIBIT A

