



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

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Date: February 14, 2013
To: Interested Person
From: Kate Marcello, Land Use Services
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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, via this link: <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the district coalition and 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 12-216466 CU DZM

New Telecom Equipment on Rooftop of Schrunk Riverview Tower

GENERAL INFORMATION

Applicant: Tom McAuliffe, Odelia Pacific Corporation (503) 936-0002
9301 SW Sagert Street, Apt 38 | Tualatin, OR 97062

Representative: Zach Phillips, PTS (503) 708-9200
1001 SE Water Ave, Suite 180 | Portland OR 97214

Owner: Rodger Moore, Home Forward
135 SW Ash St | Portland, OR 97204

Site Address: 8832 N Syracuse Street

Legal Description: BLOCK 31 LOT 2-4, JAMES JOHNS ADD
Tax Account No.: R425803270
State ID No.: 1N1W12BA 11300
Quarter Section: 2121
Neighborhood: Friends of Cathedral Park Neighborhood; contact Jason Starman at 503-432-8466

Business District: St. Johns Business Boosters; contact John Englund at 503-247-9113.
District Coalition: North Portland Neighborhood Serv; Mary Jaron Kelley at 503-823-4099
Plan District: St. Johns Plan District
Zoning: Residential 1,000 (R1) base zone; Design (d) overlay zone; Scenic Resource (s) overlay zone

Case Type: Conditional Use Review (CU); Design Review (DZ)
Procedure: Type II (an administrative decision), with appeal to Land Use Hearings Officer for Conditional Use Review portion; with appeal to Design Commission for Design Review portion

Proposal: The applicant requests approval for new telecommunications equipment on the rooftop of the Schrunk Riverview Tower apartment building, which is located in the St Johns Plan District.

On the rooftop on the north elevation:

- An existing quad antenna mounted on a pipe will be replaced with a new dual antenna. The existing pipe will be re-used for the new dual antenna. A remote radio unit (RRU) will also be installed on the pipe-mount.
- A new quad antenna and a combined over-voltage protection (COVP) device will be installed on an existing empty pipe-mount.
- An RRU will be installed on an existing pipe-mount that currently contains a quad antenna.

On the rooftop on the south elevation:

- Two new quad antennas will be installed. Each one will be installed on a new pipe-mount. A COVP will also be installed on each pipe-mount.
- Two existing dual antennas, each mounted on a pipe, will be replaced with two new quad antennas. The two existing pipes will be re-used for the new quad antennas. An RRU will also be installed on each pipe-mount.
- Two RRUs will be installed, each on an existing pipe-mount that currently contains a dual antenna.

Each new antenna is about 7'-0" tall. The new dual antenna is about 0'-6½" wide and 0'-3" deep. Each new quad antenna is about 1'-0" wide and 0'-6" deep. They will all be painted gray.

Each RRU is about 1'-10" long x 1'-7" wide x 0'-5" deep. Each COVP is about 1'-8" long x 1'-7" wide x 0'-7" deep. The RRUs and COVPs will be located completely behind the existing building parapet. They will all be painted gray.

The proposal is for non-exempt exterior alterations to an existing building on a site with design overlay zoning; therefore, **Design Review** approval is required prior to the issuance of building permits.

A **Modification** is requested as part of the Design Review. The site is located in the Scenic Resource overlay zone (33.480 of the Portland Zoning Code) because it is located within a designated scenic panorama (VP 09-01: *The Panorama View from the St Johns Bridge*, in the City of Portland's *Scenic Resources Protection Plan*). Therefore the site is subject to a 75-foot height limitation. The height limitation applies to all development and vegetation. Because the proposed antennas increase the mass and scope of development at the subject site, above the 75-foot height limit, a Modification must be approved. The Modification is processed as part of the Design Review.

Additionally, **Conditional Use Review** approval is required because the proposal is for new telecommunications equipment on a residentially zoned site.

Relevant Approval Criteria:

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

- 33.274 Radio Frequency Transmission Facilities;
- 33.815 Conditional Uses;
- 33.815.225.A. 1. through 3. Radio Frequency Transmission Facilities (*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*);
- 33.825 Design Review;
- 33.825.040 Modifications that will Better Meet Design Review Requirements; and
- *Community Design Guidelines*.

ANALYSIS

- I. **Site and Vicinity:** The subject site is 30,000 square feet in size. It is located on the block bounded by N Syracuse Street, Baltimore Avenue, Willamette Boulevard, and Chicago Avenue in St Johns neighborhood. The site is occupied by Schrunk Riverview Tower, an eleven-story

residential building constructed in 1971. The building is owned by Home Forward, formerly called the Housing Authority of Portland. The building contains 108 one-bedroom apartments, all of which are reserved for the elderly and persons with disabilities. Residents must be either 55 years of age or older, or they must have an annual income that does not exceed 80% of the area median income for their family size.

The immediate vicinity is occupied primarily by single-family homes and multi-family apartment buildings. The subject site is located approximately three-tenths of a mile from the east end of the St Johns Bridge. The commercial core of the St Johns neighborhood, which is on N Lombard Street, is located two blocks from the subject site. The site is located in the St Johns Pedestrian District.

II. Zoning:

The R1 zone allows multi-dwelling residential development up to a maximum density of one unit per 1,000 square feet of site area, and requires a minimum density of one unit per 1,450 square feet of site area. The current uses are allowed by-right in this zone.

The Design (d) overlay zone 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 Scenic Resource “s” zone is intended to: 1) Protect Portland's significant scenic resources as identified in the *Scenic Resources Protection Plan*; 2) Enhance the appearance of Portland to make it a better place to live and work; 3) Create attractive entrance ways to Portland and its districts; 4) Improve Portland's economic vitality by enhancing the City's attractiveness to its citizens and to visitors; and 5) Implement the scenic resource policies and objectives of Portland's *Comprehensive Plan*. The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

III. Land Use History:

City records indicate nine prior land use reviews.

- PC 5682: Approval with conditions for parking and maximum units.
- LUR 96-00034 CU AD: Conditional Use and Adjustment Review approval to construct a roof-mounted cellular communications facility.
- LUR 96-01115 CU AD: Conditional Use and Adjustment Review approval to reduce lot size; eliminate off-street parking; and install a permanent unmanned cellular telecommunications facility with antennas mounted on roof of building.
- LUR 97-0311 CU AD: Conditional Use and Adjustment Review approval to install rooftop antennas & equipment facility in building or on ground, and to reduce lot size and parking requirement.
- LU 02-129000 AD: Adjustment Review approval to install two 'receive-only' antennas mounted to a 20-foot-high pipe-mount on the roof of the existing building.
- LU 04-068273 CU DZM: Conditional Use and Design Review approval, with Modification, to install two flush-mounted antennas.
- LU 07-104456 DZM: Design Review approval, with Modification, for one microwave antenna, two base station antennas, four flat panel antennas, and one communication cabinet.
- LU 10-160381 CU DZM: Conditional Use and Design Review approval, with Modification, for three microwave antennas, six panel antennas, and two communication cabinets.

- LU 11-151195 DZM: Conditional Use and Design Review approval, with Modification, for the following elements located on the rooftop: two replacement antennas on existing pipe-mounts, one new antenna on a new pipe-mount, and new fiber optic and power cables.

IV. Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed on January 18, 2013. No City bureaus responded with comments or objections to the proposal.

V. Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on January 18, 2013. No written comments in response to the proposal have been received from the neighborhood association (Friends of Cathedral Park Neighborhood Association) or notified property owners.

ZONING CODE APPROVAL CRITERIA

I. CONDITIONAL USE REVIEW

Chapter 33.815 Conditional Uses

Section 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.

Section 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 for A-1: The visual impact of the proposed antennas is minimized as follows:

- The antennas will be placed in the same portions of the rooftop where existing antennas are located. At the north roof edge, the antennas will be evenly spaced at the mid-point of the façade. At the south roof edge, there will be two groups, each comprised of three evenly spaced antennas. The two groups will be located respectively near the east and west ends of the south façade.
- The proposed antennas will be painted gray to blend with the predominant color of the sky.
- The proposed antennas will be no taller than the existing rooftop antennas.
- The antennas will be located over 100 feet above the surrounding pedestrian environment.

Therefore 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.

Findings for A-2: There is an existing equipment cabinet located inside a mechanical room on the rooftop. The cabinet will remain in this location. The proposed RRUs and COVPs will be installed on pipe-mounts and will be fully obscured by the existing building parapet. *Therefore this criterion is met.*

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

Findings for A-3: The regulations of Chapter 33.274 are met as follows:

- The applicant has submitted an engineer's letter documenting that, with the proposed replacement antennas and additional antennas, the telecommunications facility complies with the radio frequency emissions standards of Table 274-1 in Chapter 33.274. The letter also states that the facility is in compliance with the minimum siting distance to habitable areas per Table 274-2 in Chapter 33.274.
- The visual impact of the antennas will be minimized as follows:
 - The antennas will be placed in the same portions of the rooftop where existing antennas are located. At the north roof edge, the antennas will be evenly spaced at the mid-point of the façade. At the south roof edge, there will be two groups of three evenly spaced antennas. The two groups will be located respectively near the east and west ends of the south façade.
 - The proposed antennas will be painted gray to blend with the predominant color of the sky.
 - The proposed antennas will be no taller than the existing rooftop antennas.
 - The antennas will be located over 100 feet above the surrounding pedestrian environment.

Therefore this criterion is met.

II. DESIGN REVIEW

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 Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian**

Emphasis, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

P1. Community Plan Area Character (St Johns/Lombard Plan – Urban Character Area 3: Hillside Neighborhood).

Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

Findings for P1: The replacement of three existing antennas and the addition of three new antennas to the roof of the subject building will have minimal impact on the character of the plan area. The replacement antennas and new antennas are the same height as existing antennas, and they will be placed in an orderly fashion on the rooftop. The overall impact of the antennas is further reduced given the height of the installation – over 100 feet above the pedestrian environment – and the gray paint color that will be used to help the antennas blend with the predominant color of the sky. *Therefore this guideline is met.*

D6. Architectural Integrity.

Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D7. Blending into the Neighborhood.

Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

D8. Interest, Quality, and Composition.

All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D6, D7, and D8: The proposed antennas, RRUs, and COVPs respect the original character of the subject building and allow it to remain a coherent composition, as follows:

- The antennas will be placed in the same portions of the rooftop where existing antennas are located. At the north roof edge, the antennas will be evenly spaced at the mid-point of the façade. At the south roof edge, there will be two groups, each comprised of three evenly spaced antennas. The two groups will be located respectively near the east and west ends of the south façade.
- The proposed antennas will be painted gray to blend with the predominant color of the sky.
- The proposed antennas will be no taller than the existing rooftop antennas.
- The proposed RRUs and COVPs will be installed on pipe-mounts and will be fully obscured from view by the existing building parapet.
- In relation to the overall size of the subject building, the proposed antennas, RRUs, and COVPs are relatively small. Each dual antenna is about 7'-0" tall x 0'-6½" wide x 0'-3" deep; each quad antennas is about 7'-0" tall x 1'-0" wide x 0'-6" deep; each RRU is about 1'-10" long x 1'-7" wide x 0'-5" deep; and each COVP is about 1'-8" long x 1'-7" wide x 0'-7" deep.

Thus the impact of the proposed rooftop equipment on the subject building and neighborhood is minimal. *Therefore these guidelines are met.*

III. MODIFICATION

33.825.040 Modifications That Will Better Meet Design Review Requirements

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the approval criteria below are met:

A. Better meets design guidelines.

The resulting development will better meet the applicable design guidelines; and

B. Purpose of the standard.

On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

The following modification is requested:

The site is located in the Scenic Resource overlay zone (33.480 of the Portland Zoning Code) because it is located within a designated scenic panorama (VP 09-01: *The Panorama View from the St Johns Bridge*, in the City of Portland's *Scenic Resources Protection Plan*). Therefore the site is subject to a 75-foot height limitation. The height limitation applies to all development and vegetation. Because the proposed antennas increase the mass and scope of development at the subject site, above the 75-foot height limit, a Modification must be approved.

As stated in the Zoning Code, the purposes of 33.480 are as follows:

The Scenic Resource zone is intended to:

- *Protect Portland 's significant scenic resources as identified in the Scenic Resources Protection Plan;*
- *Enhance the appearance of Portland to make it a better place to live and work;*
- *Create attractive entrance ways to Portland and its districts;*
- *Improve Portland 's economic vitality by enhancing the City's attractiveness to its citizens and to visitors;*
- *Implement the scenic resource policies and objectives of Portland 's Comprehensive Plan.*

The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

Findings for Criterion A: Placing the proposed antennas, RRUs, and COVPs on the rooftop of the subject building has significantly less impact on the neighborhood and the building than if they were placed lower on the building to comply with the 75-foot height limit imposed by the Scenic Resource overlay zone. Installing the equipment on the building façade instead of the rooftop would make it more visually prominent. The building is characterized by simple Brutalist design, with a smooth concrete façade punctuated by vinyl windows and doors and metal balcony screens and railings. The proposed equipment would appear as an obtrusion on such an unadorned building. The equipment will be significantly less visually prominent on the rooftop, where such utilitarian objects are often placed on buildings. Thus the proposal better meets Guidelines *D6: Architectural Integrity* and *D8: Interest, Quality, and Composition*.

The proposal also better meets Guidelines *P1: Community Plan Area Character* and *B7: Blending into the Neighborhood*. Placed on the rooftop, the proposed antennas, RRUs, and COVPs will be over 100 feet above the surrounding sidewalk-level environment. This location, coupled with the equipment's gray paint color to match the predominant color of the sky, ensures that the equipment will have less impact on the neighborhood's character than if it were placed lower on the building to meet the 75-foot height limit. *Therefore Criterion A is met.*

Findings for Criterion B: The intent of the Scenic Resource overlay zone for view corridor designations is to establish maximum heights within view corridors to protect significant

views from specific viewpoints. The subject site lies within designated view corridor VP 09-01: *The Panorama View from the St Johns Bridge*. The City of Portland's Scenic Views, Sites, and Drives Inventory Report describes this view as follows:

The view from the St Johns Bridge provides a 360-degree panorama up and down the Willamette River, to the west hills and the St Johns area. Mt Hood and Mt St Helens are visible, as are Mt Adams and Mt Rainier on particularly clear days. Downtown Portland is visible in the distance to the south. Access to the bridge is from either side of the river- St Helens Road on the west and N Philadelphia Street on the east. The bridge has sidewalks on both sides, but heavy truck and automobile traffic make it a relatively unattractive pedestrian route. However, the bridge is part of the 40-Mile Loop system.

It is important to note that when this Panorama was designated, the subject 11-story building had already been constructed. Therefore, the existing 110-foot-tall building is part of the panorama view in the direction of the St Johns area; in fact, it can be seen in the supporting photograph of the northerly view from this panorama viewpoint, on page 64 of the *Inventory Report*. Although the building is taller than surrounding development and thus is a prominent built feature within the panorama, it is not a dominating visual obstruction. Rather, it helps to distinguish the general St Johns area to the north of the east bridgehead. The replacement of existing antennas with similar ones, the addition of three new antennas, and the addition of six RRUs and three COVPs – all on the rooftop – will not significantly detract from, obstruct or destroy the scope, vista or visual delight associated with this designated Panorama View. The additional height of the antennas will not result in a perceptible diminishment of the designated Panorama Viewpoint. *Therefore Criterion B 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 proposed rooftop antennas, RRUs, and COVPs comprise a relatively minor addition to the subject building that does not detract from the building's architectural integrity or the character of the surrounding neighborhood. The proposed equipment also does not adversely affect the City-designated Panorama View from the St Johns Bridge. Additionally, the proposed equipment meets the approval criteria for this type of radio-frequency transmission facility. Therefore, approval is merited for the Conditional Use Review, Design Review, and Modification.

ADMINISTRATIVE DECISION

Conditional Use Review approval and **Design Review** approval of the following rooftop telecommunications equipment alterations at Schunk Riverview Tower located in the St Johns Plan District:


- Replacement of 1 existing quad antennas with 1 dual antenna, painted gray;
- Replacement of 2 existing dual antennas with 2 quad antennas, each painted gray;
- 1 new quad antenna, painted gray, on an existing pipe-mount;
- 2 new quad antennas, each painted gray and located on a new pipe-mount; and
- 6 new RRUs and 3 new COVPs, all painted gray, co-located with antennas on pipe-mounts, and located fully behind the existing building parapet.

Approval of a **Modification** to 33.480 (Scenic Resource Zone) to allow the proposed antennas to project above the 75-foot height limit associated with the site's location within designated scenic panorama VP 09-01 (*Panorama View from the St Johns Bridge*).

Approval per the approved site plans, Exhibits C-1 through C-5, signed and dated February 12, 2013, 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 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-216466 CU DZM. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  **on February 12, 2013**

By authority of the Director of the Bureau of Development Services

Decision mailed: February 14, 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 December 18, 2012, and was determined to be complete on January 11, 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 December 18, 2012.

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 extended by the applicant, **the 120 days will expire on May 13, 2013.**

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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on February 28, 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 Design 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 Design 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 **March 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:

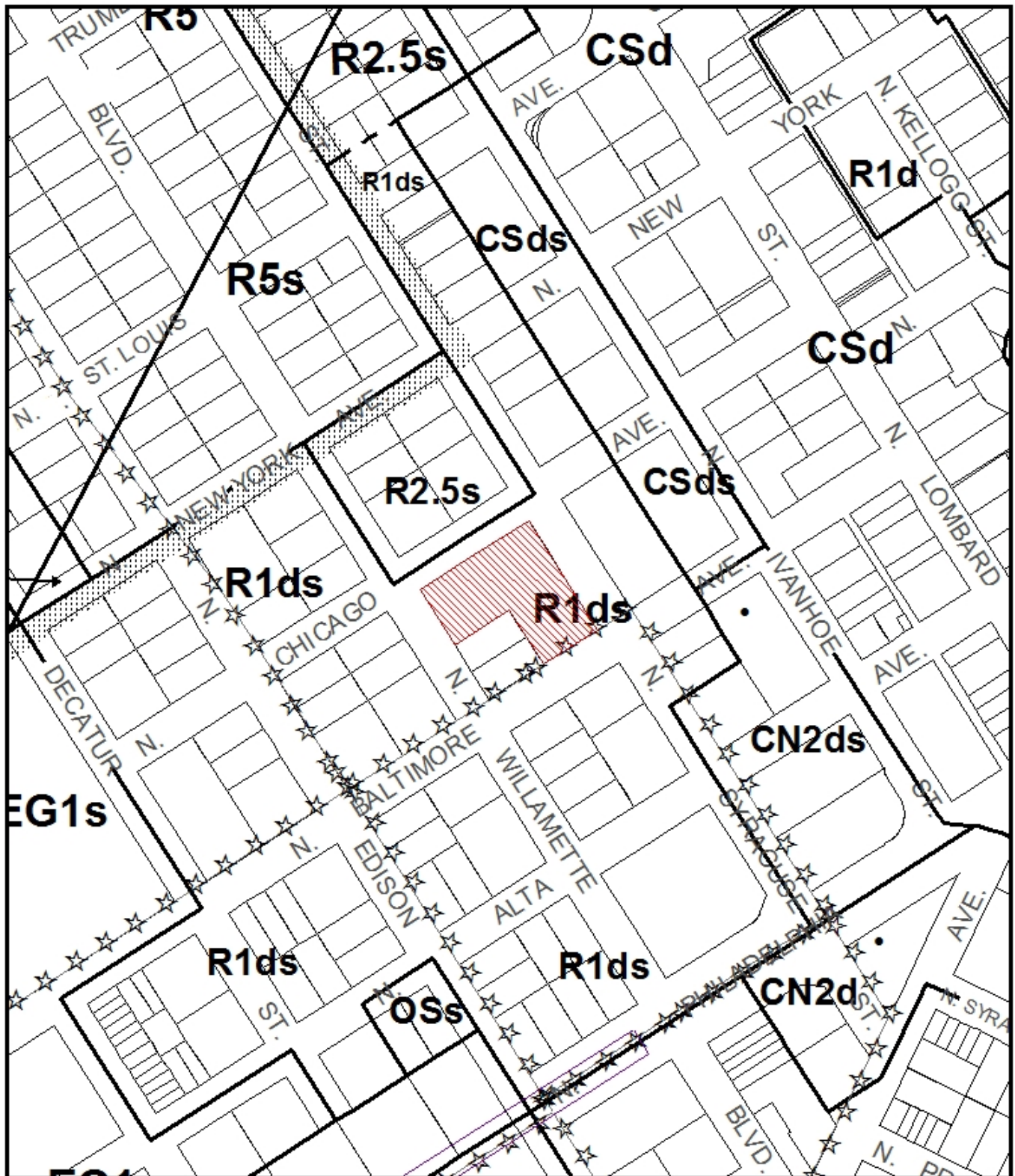
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Site/Roof Plan
 - 2. Enlarged Site/Roof Plan
 - 3. North Elevation Drawings – Existing and Proposed (Proposed attached)
 - 4. South Elevation Drawings – Existing and Proposed (Proposed attached)
 - 5. Enlarged Elevation Drawings of Equipment
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None received.
- F. Correspondence: None received.
- G. Other
 - 1. Original Land Use Review Application
 - 2. Google Maps photographic views
 - 3. Letter confirming frequency level of subject telecommunications facility
 - 4. Photographic Simulations
 - 5. Letter of Incompleteness

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



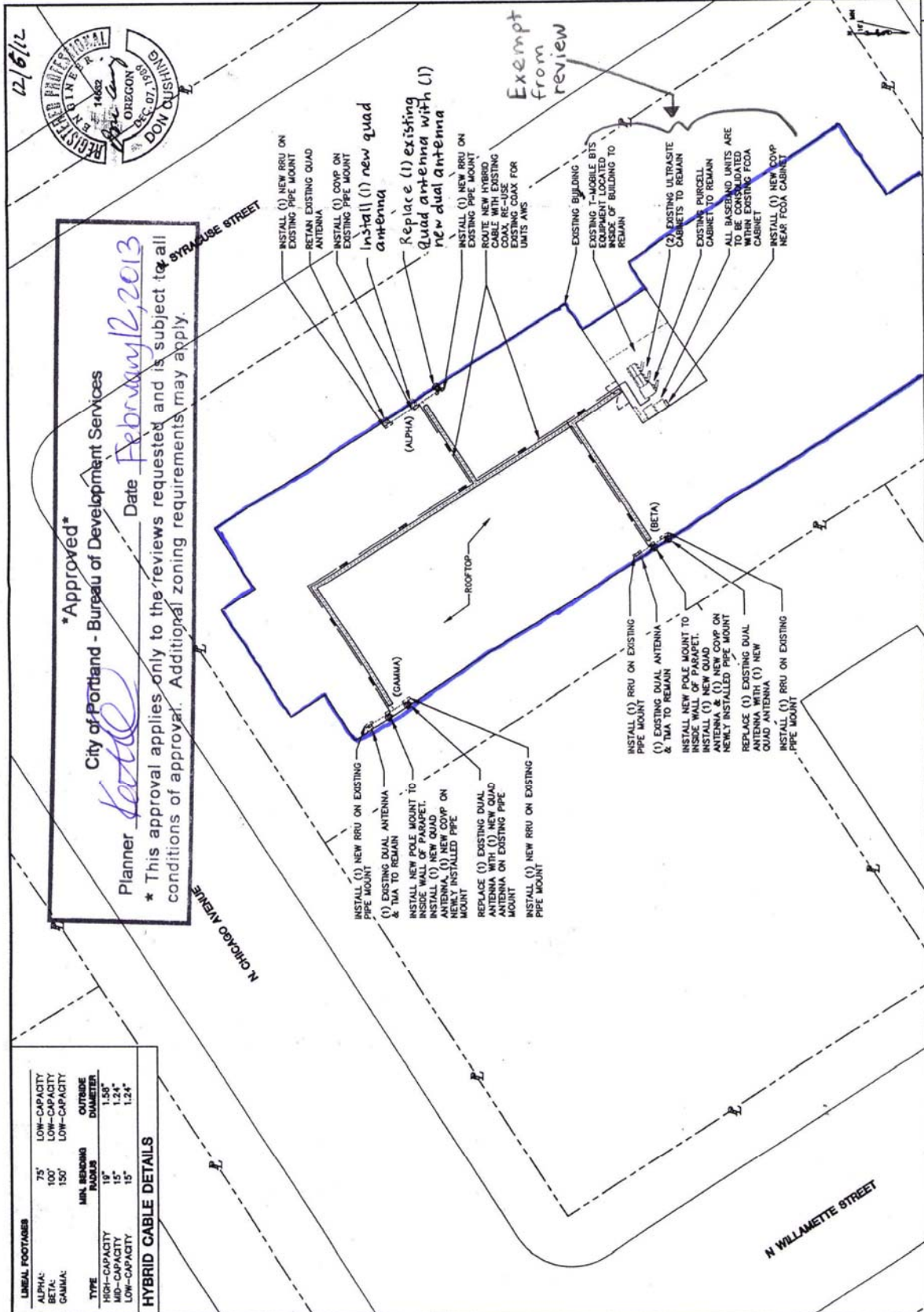
NORTH

This site lies within the:
ST. JOHNS PLAN DISTRICT

File No.	LU 12-216466 CU,DZ
1/4 Section	2121
Scale	1 inch = 200 feet
State_Id	1N1W12BA 11300
Exhibit	B (Dec 19,2012)

LINEAL FOOTAGES			
ALPHA:	75'	LOW-CAPACITY	
BETA:	100'	LOW-CAPACITY	
GAMMA:	150'	LOW-CAPACITY	
HYBRID CABLE DETAILS			
TYPE	MIN. BENDING RADIUS	OUTSIDE DIAMETER	
HIGH-CAPACITY	18"	1.50"	
MID-CAPACITY	15"	1.24"	
LOW-CAPACITY	15"	1.24"	

Approved
 City of Portland - Bureau of Development Services
 Planner Kurt Date February 2, 2013
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



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 ST. JOHNS
 5832 N. SYRACUSE STREET, PORTLAND, OR 97203

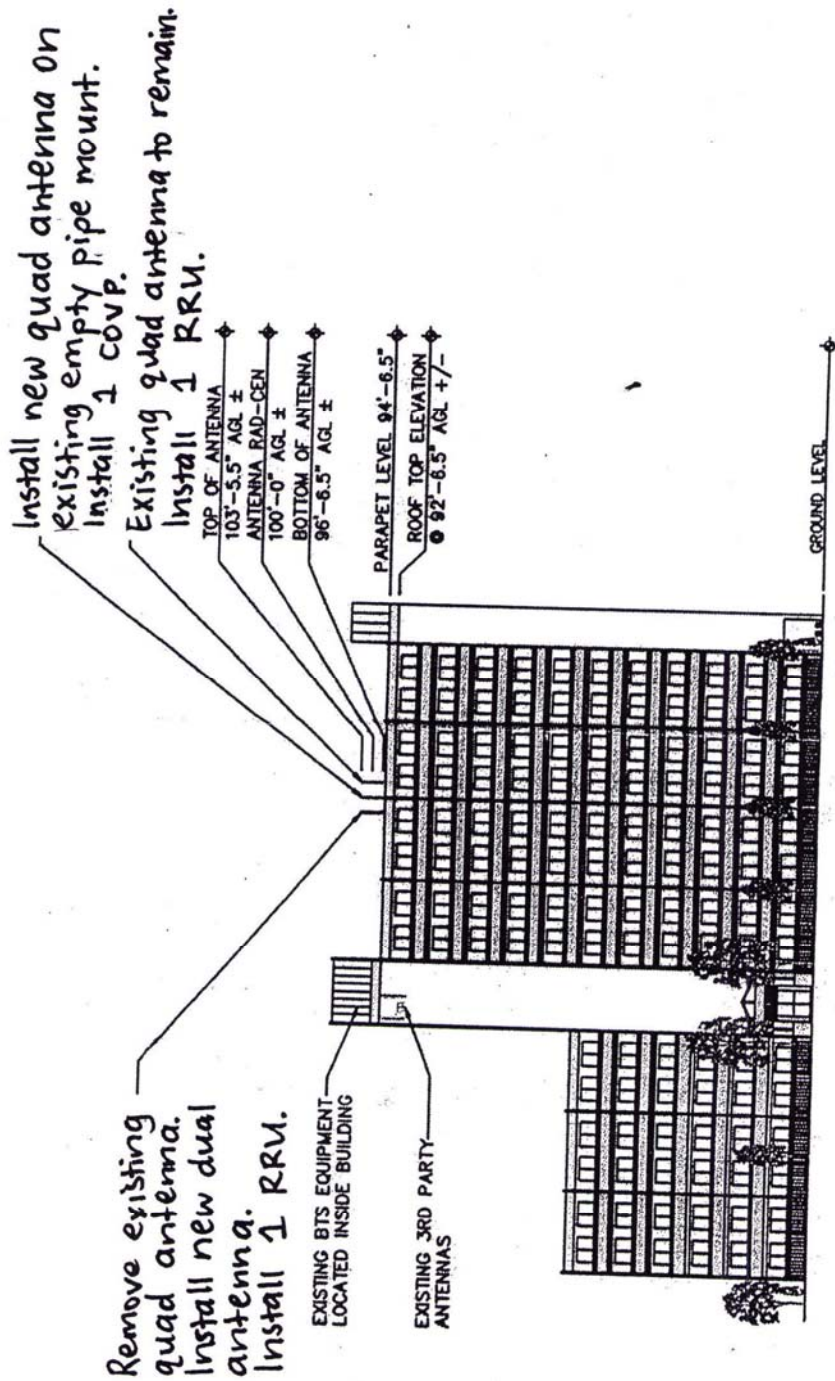
PORTS&A
 ENLARGED PROJECT AREA PLAN
 SHEET NUMBER
 C-1

Scale: 1" = 40'

Scale is for 11x17-size sheet.

Case #: LU 12-216466 CUPDM

Exhibit C-2



North Elevation (N Syracuse St)

Scale: 1" = 1' = 40' Scale is for 11x17-size sheet.

Exhibit C-3

Case #: LU 12-216466 CU DZM

Approved	
City of Portland - Bureau of Development Services	
Planner <i>Kat</i>	Date February 12, 2013
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.	

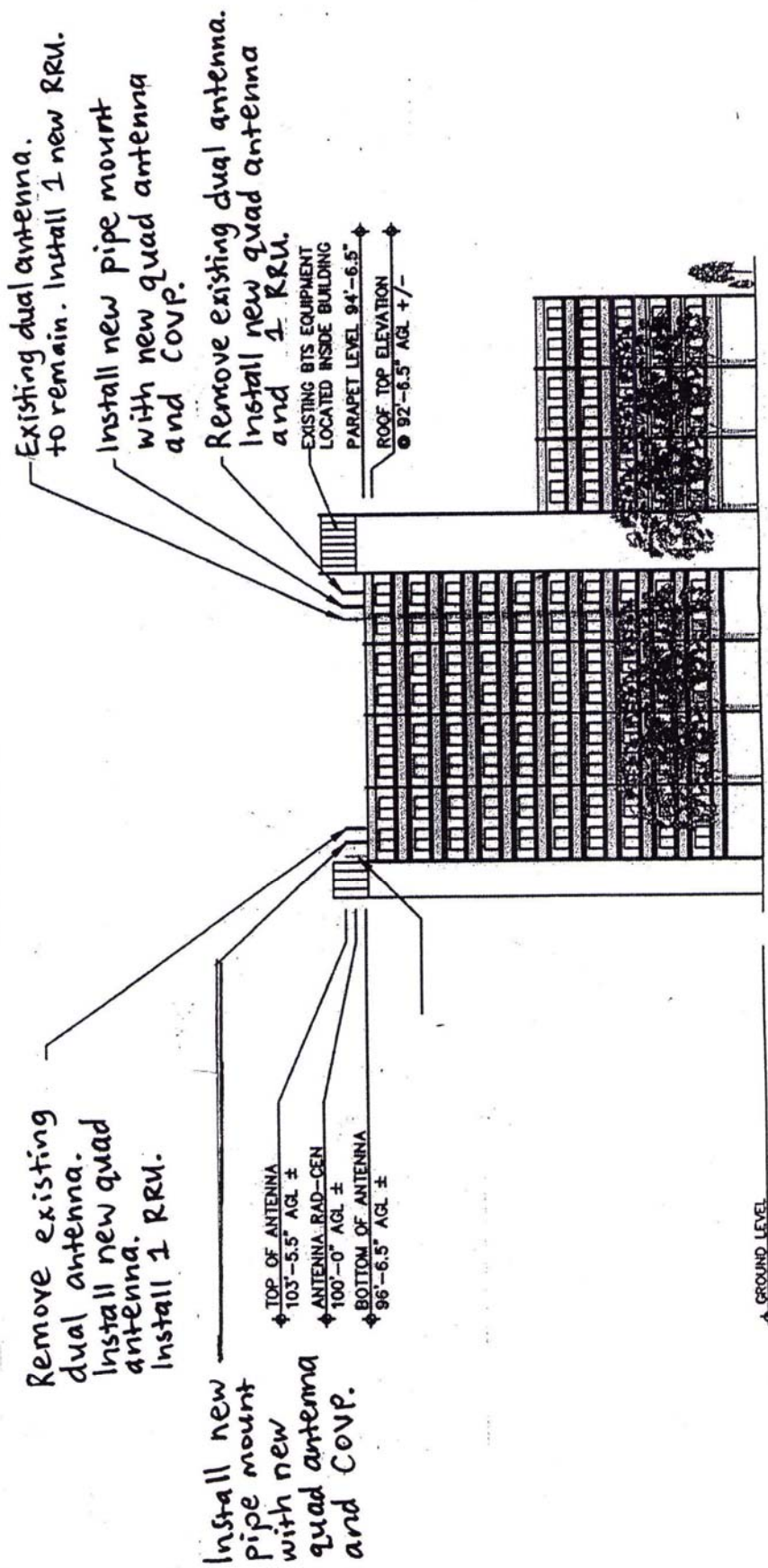


Exhibit C-4

South Elevation (facing parking lot)

Case #: LU 12-216466 CUDZM

Scale: 1" = 40' Scale is for 11x17-size sheet.

* Approved *

City of Portland - Bureau of Development Services

Planner: Kate Date: February 12, 2013

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.