



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

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Date: June 17, 2015
To: Interested Person
From: Jeff Mitchem, 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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-130559 DZ
VERIZON CELL ANTENNAS AT ALDER GARAGE

GENERAL INFORMATION

Applicant/Contact: Konrad Hyle | Black Rock Llc
 22135 SW Cole Ct | Tualatin, OR 97062
 Peter Mauro | Verizon Wireless
 3245 158th Ave SE MS 231 | Bellevue, Wa 98008

Owner: Mark Schlesinger | BPM Associates (1995)
 610 SW Alder St Ste 1221 | Portland, OR 97205

Site Address: 620 SW WASHINGTON ST

Legal Description: BLOCK 177 LOT 1 EXC NWLY 1' N 1/2 OF LOT 2 EXC NWLY 1' LAND ONLY SEE R246304 (R667718062) FOR IMPS, PORTLAND; E 60' OF LOT 3&4 BLOCK 177, PORTLAND; W 40' OF LOT 3&4 BLOCK 177, PORTLAND; EXC NWLY 1' LOT 1 BLOCK 177 EXC NWLY 1'-N 1/2 OF LOT 2 BLOCK 177 IMPS ONLY SEE R246302 (R667718060) FOR LAND, PORTLAND; BLOCK 177 S 1/2 OF LOT 2 EXC NWLY 1', PORTLAND

Tax Account No.: R667718060, R667718120, R667718140, R667718062, R667718090
State ID No.: 1N1E34CC 07500, 1N1E34CC 07200, 1N1E34CC 07100, 1N1E34CC 07500A1, 1N1E34CC 07501

Quarter Section: 3029
Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - Downtown
Zoning: CXd, Central Commercial with a Design Overlay
Case Type: DZ, Design Review

Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

Verizon Wireless seeks design review approval for new wireless equipment to install four small-cell antennas – three (3) mounted from head of garage deck openings within shrouds painted dark grey and one (1) mounted to roof-top parking garage wall column within a shroud painted to match concrete. Equipment Cabinets are proposed to be located on the roof-top parking deck not visible from the public right-of-way.

Design review is required because the proposal is an exterior alteration to an existing structure within a design overlay zone.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines

ANALYSIS

The parking garage occupies a 7,425-square-foot lot in the northeast corner of the block bounded by SW 6th Avenue, SW Broadway, SW Washington Street and SW Alder Street. The site is located in the heart of the downtown retail core, and in close proximity to a number of historic landmark buildings. It is between the northbound transit mall of SW 6th Avenue and major retail and hotels of SW Broadway.

Portland's Transportation System Plan classifies SW Washington Street as a Transit Access Street, Local Service Bikeway, and City Walkway. SW 6th Avenue is classified as a Regional Transitway, Local Service Bikeway, Central City Transit/Pedestrian Street, and Community Main Street. SW Broadway is designated as a Traffic Access Street, City Bikeway and Walkway, and Community Main Street. SW Alder Street is a Local Service Bikeway and a City Walkway. The site is also within the Downtown Pedestrian District.

Zoning: The **Central Commercial (CX) zone** is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together.

The **design (d) overlay zone** 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 must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

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

- LUR 92-009882 CU (Reference File # 92-00763): Conditional Use Approval for a new, 8-story parking structure with retail space on the ground floor.
- LUR 93-010105 DM (Reference File # 93-00106): Demolition Approval for Hibernian Building (at 505 SW 6th Avenue).
- LUR 94-011139 DZ (Reference File # 94-00237): Design Review Approval for 3/4 block of commercial retail and parking development for BPM Associates garage.
- LUR 94-011530 CU (Reference File # 94-00628): Conditional Use Approval of uncontested proposal for BPM Associates' proposal for an 11-story building with retail space on the first two above-grade levels and nine levels of parking above.
- LUR 95-012496 CU (Reference File # 95-00603): Conditional Use Approval which amended LUR 94-00628 to allow up to 56 spaces to be used as accessory parking for retail uses

- LUR 95-012568 DZ (Reference File # 95-00675 DZ): Design Review Approval of the modifications to the garage that were approved through the Conditional Use Review, LUR 95-012496.
- LUR 96-013025 AD (Reference File # 96-00138): Adjustment Approval to waive requirement for one on-site loading space for the proposed development on the site.
- LUR 96-013140 AD (Reference File # 96-00253): Adjustment Approval to reduce aisle widths and parking space stall sizes.
- LUR 96-013715 DZ (Reference File # 96-00828): Design Review Approval to modify previous design review approval for hotel design – Add three stories, increasing from 17 to 20 stories (at 510-520 SW Broadway).
- LUR 97-014668 DZ (Reference File # 97-00622): Design Review Approval for signage.
- LUR 99-016797 DZ (Reference File # 99-00392): Design Review Approval for awnings and signs.
- LU 03-175777 PR: Central City Parking Review Approval of the proposal to convert 200 Visitor Parking spaces to Preservation Parking spaces.
- LU 07-151996 DZ: Design review Approval for installation of eyebolts for span wire for new Max line
- LU 10-203936 DZ: Replacement of existing double entry doors and overhead door at the SW Alder Street frontage.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 30, 2015**. No Bureaus have responded with issues or concerns.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 30, 2015. 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 and the River District 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 the River District as well as to the other seven 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.

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

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

C11. Integrate Roofs and Use Rooftops. 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 view from other buildings or vantage points.

Findings for C2, C3, C5 and C11: The use of durable and weather proof materials for the shrouds, antennas and mounting hardware promotes permanence in development. The most visible equipment – three Omni small cell antennas – will be mounted to the head of the parking garage deck openings. The fourth antenna (not visible from the public right-of-way) will be mounted to the top of a roof-top parking garage wall column and will be similarly concealed within a shroud fabricated to match the concrete column. As a condition of approval, the shrouds will be fabricated to match the material to which they are mounted. The design of the shrouds respects the architectural integrity of the existing structure by being placed within building voids and painted dark grey. The unified massing relationship between the shrouds and the building voids and the well-ordered positioning within the voids will result in a coherent design composition.

Therefore these guidelines are met.

Chapter 33.815 Conditional Uses

Section 33.815.225 Radio Frequency Transmission Facilities

- A. Approval criteria for personal wireless service facilities 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 façade 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;
 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
3. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.

Findings for A1, A2 and A3: The visual impact associated with the antennas will be mitigated to insignificance through architecturally compatible shrouding. The antennas will be concealed by shrouds will be placed within dark building voids and painted dark grey to blend with shadow (Nodes 1-3) and concrete parking garage wall column (Node 4, not visible from the public right-of-way). The shrouds for Nodes 1-3 will be mounted from the head of the garage deck openings near the jamb edge. From limited vantage points from the adjacent right-of-way, the shrouds will appear as a partially visible as mechanical elements within shadowed building recesses and, as such, will fade into the background. Accessory equipment (equipment cabinet, filters, diplexers and RRUs) will be installed behind the existing roof-top parking garage parapet wall. As such, views of the equipment will be entirely obstructed from the public right-of-way.

Therefore, these guidelines are 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 design review process exists to promote the conservation, enhancement, and continued vitality of areas in the City with special scenic, architectural, or cultural value. The following features of the proposal are consistent with the Central City Fundamental Design Guidelines and Conditional Use Approval Criteria – the compact size of the support equipment concealed within the parking garage, the shrouded antennas at pilaster bases and the fabricated-to-match shrouds. The proposal uses design principles and building materials that promote quality and permanence, respects the architectural integrity and is well integrated with existing architectural features.

ADMINISTRATIVE DECISION

Approval of new wireless equipment – three (3) small-cell antennas mounted from the head of the garage deck openings within shrouds painted dark grey and one (1) small-cell antenna mounted to the roof-top parking garage wall column within a shroud painted to match concrete. Equipment Cabinets are proposed to be located on the roof-top parking deck not visible from the public right-of-way, per the approved site plans, Exhibits C-1 through C-8, signed and dated June 15, 2015, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-130559 DZ. No field changes allowed."

Staff Planner: Jeff Mitchem

Decision rendered by:  **on June 15, 2015.**

By authority of the Director of the Bureau of Development Services

Decision mailed: June 17, 2015

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 March 9, 2015, and was determined to be complete on **March 27, 2015**.

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 March 9, 2015.

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: July 27, 2015**.

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 July 1, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 **July 2, 2015**.
- 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:

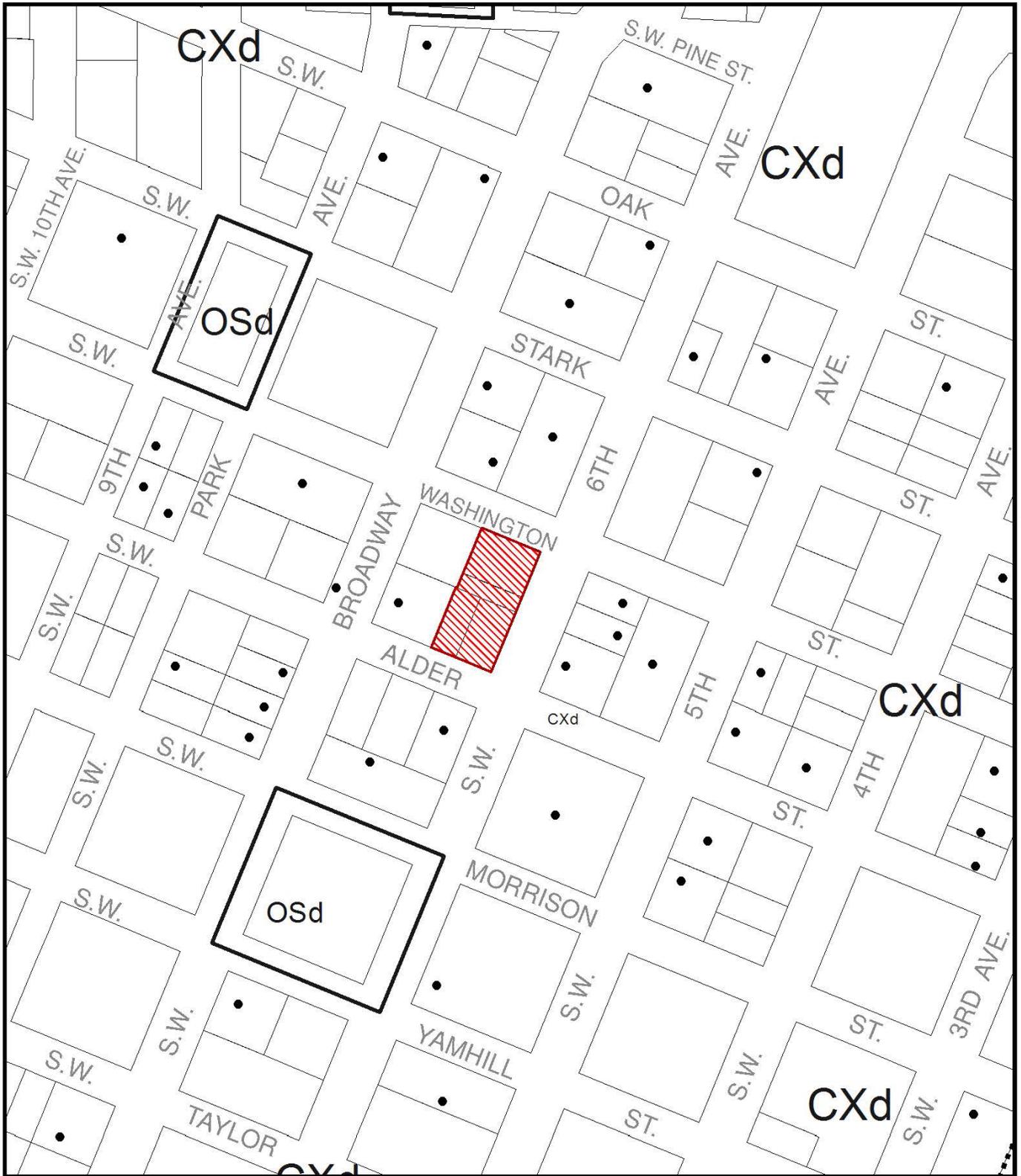
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Context
 - 2. General Notes
 - 3. Site Plan (attached)
 - 4. Enlarged Plans
 - 5. East Elevation (attached)
 - 6. South Elevation (attached)
 - 7. Equipment Details
 - 8. Antenna Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - None
- F. Correspondence:
 - None
- G. Other:
 - 1. Original LU Application
 - 2. Early Assistance Notes
 - 3. Engineering Certification
 - 4. Equipment Specifications
 - 5. Radio Frequency Transmission Facility Registration Form

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



This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT

File No. LU 15-130559 DZ

1/4 Section 3029

Scale 1 inch = 200 feet

State_Id 1N1E34CC 7100

Exhibit B (Mar 11, 2015)

