



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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www.portlandoregon.gov/bds

Date: Monday, March 10, 2014
To: Interested Person
From: Kate Marcello, Land Use Services
503-823-7538 | kate.marcello@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, via the following 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 13-229760 HR

Telecom Equipment on Rooftop of Historic Pittock Block Building

GENERAL INFORMATION

Applicant: Reid Stewart, Lexcom Development (Verizon Wireless), 503-720-6526
4015 SW Battaglia Avenue | Gresham, OR 97080

Owner: Tom Bechtell, Alco Properties , 503-226-6777
921 SW Washington Street, Suite 100 | Portland, OR 97205

Site Address: 921 SW Washington Street

Legal Description: BLOCK 215 LOT 1-8, PORTLAND
Tax Account No.: R667723060, R667723060, R667723060, R667723060, R667723060,
R667723060, R667723060, R667723060, R667723060, R667723060,
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State ID No.: 1N1E34CC 04800, 1N1E34CC 04800, 1N1E34CC 04800, 1N1E34CC
04800, 1N1E34CC 04800, 1N1E34CC 04800, 1N1E34CC 04800,
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04800, 1N1E34CC 04800

Quarter Section: 3029
Neighborhood: Portland Downtown; contact Jennifer Geske at 503-750-9843
District Coalition: Neighbors West/Northwest; contact Mark Sieber at 503-823-4212
Plan District: Central City - Downtown, West End
Other Designations: Historic Landmark, pursuant to listing in the National Register of
Historic Places on September 8, 1987

Base Zoning: Central Commercial (CX) base zone
Overlay Zoning: Design (d) overlay zone; Historic Resource Protection overlay zone (due
to Historic Landmark status of the site)

Case Type: Historic Resource Review (HR)
Procedure: Type II, which is an administrative decision with appeal to the Historic
Landmarks Commission

PROPOSAL: The applicant requests Historic Resource Review approval for the following, located at the rooftop of the Pittock Block building, a designated Historic Landmark:

- Remove nine existing panel antennas from an existing penthouse.
- Install eight new panel antennas, five new remote radio units (RRUs), and one new diplexer on the penthouse. Each new RRU will be co-located with a new antenna. The new diplexer will be co-located with an antenna.
- Install two new cable ports on the northeast façade of the penthouse, adjacent to existing cable ports.
- Install one new surge suppressor on the southeast façade of an existing equipment room.
- Install new cabling on the rooftop to run between the penthouse and the equipment room.

Each RRU is approximately 1'-7" wide x 1'-7" tall x 0'-7" deep. The surge suppressor is approximately 2'-1½" tall x 1'-4" wide x 0'-10¼" deep. The diplexer is approximately 0'-6" wide x 0'-9" tall.

Five of the new antennas are each 6'-11" tall x 1'-8½" wide x 0'-7" deep. Two of the new antennas are each 4'-2½" tall x 1'-3" wide x 0'-7" deep. One of the new antennas is 4'-0" tall x 3'-0" wide x 0'-7" deep.

The proposal is for non-exempt exterior alterations to a building designated as a Historic Landmark. Therefore, the proposal must undergo Historic Resource Review prior to the issuance of permits.

Note: The attached drawings show a new surge suppressor to be located on the existing penthouse. This particular surge suppressor will be located on the interior of the penthouse; therefore it is not subject to Historic Resource Review.

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:

- 33.846.060 G: *Other Approval Criteria*; and
- The *Central City Fundamental Design Guidelines*.

ANALYSIS

I. Site and Vicinity: The site is the Pittock Block Building, which is a designated Historic Landmark listed on the National Register of Historic Places. The building occupies the entire block bounded by SW Stark Street, 9th Avenue, Washington Street, and 10th Avenue. This 20th-Century Classical landmark has smooth-faced buff-colored brick, with glazed terra-cotta ornamentation. Decorative motifs include antefixae, dentils, and cartouche. The upper floors have double-hung windows. On the interior, there's a terrazzo floor and marble wainscoting in the arcade. The roof contains several structures, including an elevator machine room, stair tower, penthouse, stack, and several mechanical units.

II. Zoning:

Base Zone: 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.

Overlay 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.

Overlay Zone: The Historic Resource Protection overlay zone is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

III. Land Use History: City records indicate the following prior land use reviews within the past 12 years at the subject site:

- **LUR 01-00615 HDZ:** Historic Design Review approval for storefront renovation.
- **LU 02-125483 HDZ:** Historic Design Review approval for telecommunications equipment attached to an existing penthouse.
- **LU 07-145802 HDZ:** Historic Design Review approval for eight panel antennas and 10 microwave dishes on the rooftop.
- **LU 08-154391 HDZ:** Historic Design Review approval for storefront rehabilitation.
- **LU 11-172744 HDZ:** Historic Design Review approval for restoration of four storefront bays on the south façade of the building. Restoration to original condition. Approval also to alter two non-historic storefront bays on the north façade.

IV. Public Notice: A *Notice of Proposal in Your Neighborhood* was mailed on February 4, 2014.

Agency Review: No City bureaus/agencies were provided with the *Notice of Proposal*; thus no City bureaus/agencies responded with comments or objections to the proposal.

Neighborhood Review: No written comments in response to the proposal have been received from the neighborhood association (Portland Downtown Neighborhood Association) or notified property owners.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

Purpose of Historic Design Review

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

Historic Design Review Approval Criteria

Requests for historic design 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 a designated Historic Landmark. Therefore the proposal requires Historic Resource Review approval. The relevant approval criteria are *33.846.060 G: Other Approval Criteria*. In addition, because the site is located within the Central City Plan District, the approval criteria also include the *Central City Fundamental Design Guidelines*.

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

I. 33.846.060 G: OTHER APPROVAL CRITERIA

1. Historic character.

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

2. Record of its time.

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

Findings for 1 and 2: The proposal will not alter the building's exterior façade or materials. Installing the equipment on rooftop structures that are substantially set back from the building's edges and are painted to match the rooftop structures' respective surfaces help to reduce the equipment's visibility and maintain the existing historic character of the building. These mitigation measures also ensure that the building's retail and office occupancy remains the dominant apparent use of the building, as it has been historically. Thus the character and physical record of the Pittock Block building will be preserved. *Therefore these criteria are met.*

3. Historic changes.

Most properties change over time. Those changes that have acquired historic significance will be preserved.

4. Historic features.

Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

5. Historic materials. Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

Findings for 3, 4, and 5: The building's façade will not be altered, nor will any historic materials or features be modified as a result of the proposal. The proposed telecommunications equipment will be entirely located on the roof and affixed to rooftop structures. These rooftop structures – a penthouse and an equipment room – are not character-defining features of the building, nor do they contribute to the building's historic significance or to any historically significant changes that have occurred over time. *Therefore these criteria are met.*

7. Differentiate new from old.

New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings for 7: The proposal preserves the historic materials of the building's façade. The antennas, RRUs, surge suppressor, diplexer, and cabling will be clearly distinguishable from the historic features of the building, in that these pieces of equipment are obviously elements of modern technology. Moreover, these pieces of equipment will be attached to fairly nondescript rooftop structures that lack historically significant architectural features. *Therefore this criterion is met.*

8. Architectural compatibility.

New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

9. Preserve the form and integrity of historic resources.

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

10. Hierarchy of compatibility.

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

Findings for 8, 9, and 10: The proposed equipment will be located entirely on the rooftop of the building, on existing structures that do not contribute to the building's historic character or significance. The two structures – penthouse and equipment room – are substantially set back from the building's edges, significantly reducing the equipment's visibility on this 100-foot-tall full-block building. In addition, each piece of proposed equipment will be painted to match the surface to which it is affixed. Specifically, the mounting pipes, antennas, RRUs, and diplexer will be painted to match the penthouse; the surge suppressor will be painted to match the equipment room; and the cabling will be painted to match the penthouse, equipment room, or rooftop surface, in accordance with the location of each segment of cabling. Thus visibility is further reduced.

With the condition of approval that each piece of equipment be painted to match the surface to which it is affixed, these criteria are met.

II. CENTRAL CITY FUNDAMENTAL DESIGN GUIDELINES

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.

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 for C2, C3, C5, and C11: The proposed telecommunications equipment is sufficiently integrated with the roof of this Historic Landmark building. This integration, which is achieved in large part through appropriate location of the equipment on non-character-defining rooftop structures substantially set back from roof edges, respects the integrity of the building. Integration is also achieved by locating the new equipment immediately adjacent to existing telecommunications equipment.

The visual impact of the antennas, which are the largest pieces of proposed equipment, is reduced in part by their approximate alignment with one another; in other words, the antennas will all be located within the same region – the upper portion – of the penthouse façades. The visual impact of the RRUs on the penthouse is reduced by their diminutive size and their consistent location at the lower portion of the antenna pipe mounts. In addition, the antennas and RRUs will be located as close to their respective pipe-mounts as feasible, minimizing projection from the penthouse façade. Projection from the penthouse façade is also minimized by the thin profile of the antennas and RRUs; specifically, the antennas and RRUs are each about 0'-7" deep.

In addition, each piece of proposed equipment will be painted to match the surface to which it is affixed. Specifically, the mounting pipes, antennas, RRUs, and diplexer will be painted to match the penthouse; the surge suppressor will be painted to match the equipment room;

and the cabling will be painted to match the penthouse, equipment room, or rooftop surface, in accordance with the location of each segment of cabling.

Thus the proposal promotes quality and permanence in development, respects the architectural integrity of the building, allows the building to remain a coherent composition, and achieves integration with the rooftop.

With the condition of approval that each piece of equipment be painted to match the surface to which it is affixed, these guidelines are 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 telecommunications equipment does not negatively impact or alter character-defining features of the Pittock Block building. Due to appropriate location of each piece of equipment, it will be difficult to view the equipment from the surrounding streetscape. The proposal meets the applicable criteria and guidelines; therefore approval is warranted.

ADMINISTRATIVE DECISION

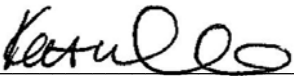
Approval of the following telecommunications equipment-related alterations on the rooftop of the Pittock Block building, which is a designated Historic Landmark located in the Downtown Subdistrict of the Central City Plan District:

- Removal of nine existing panel antennas from existing penthouse,
- Installation of eight new panel antennas, five new RRUs, and one new diplexer on aforementioned penthouse;
- Installation of two new cable ports on northeast façade of penthouse;
- Installation of one new surge suppressor on southeast façade of existing equipment room; and
- Installation of new cabling on rooftop, to run between penthouse and equipment room.

Approval per the approved plans and drawings, Exhibits C-1 through C-7, signed and dated March 6, 2014, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition must be noted on each of the four 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 13-229760 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The diplexer, surge suppressor, and cabling, and all mounting pipes, antennas, and RRUs shall be painted to match the surfaces to which they are affixed (penthouse, equipment room, and roof surface).
- C. No field changes allowed.

Staff Planner: Kate Marcello

Decision rendered by:  on March 6, 2014
By authority of the Director of the Bureau of Development Services

Decision mailed: March 10, 2014

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 November 19, 2013, and was determined to be complete on January 30, 2014.

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 November 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. Unless extended by the applicant, **the 120 days will expire on: May 30, 2014.**

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

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

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

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

Appealing this decision. This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on Monday, March 24, 2014** 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 Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

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

Recording the final decision.

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

- *Unless appealed*, The final decision may be recorded on or after **Tuesday, March 25, 2014**.
- 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:

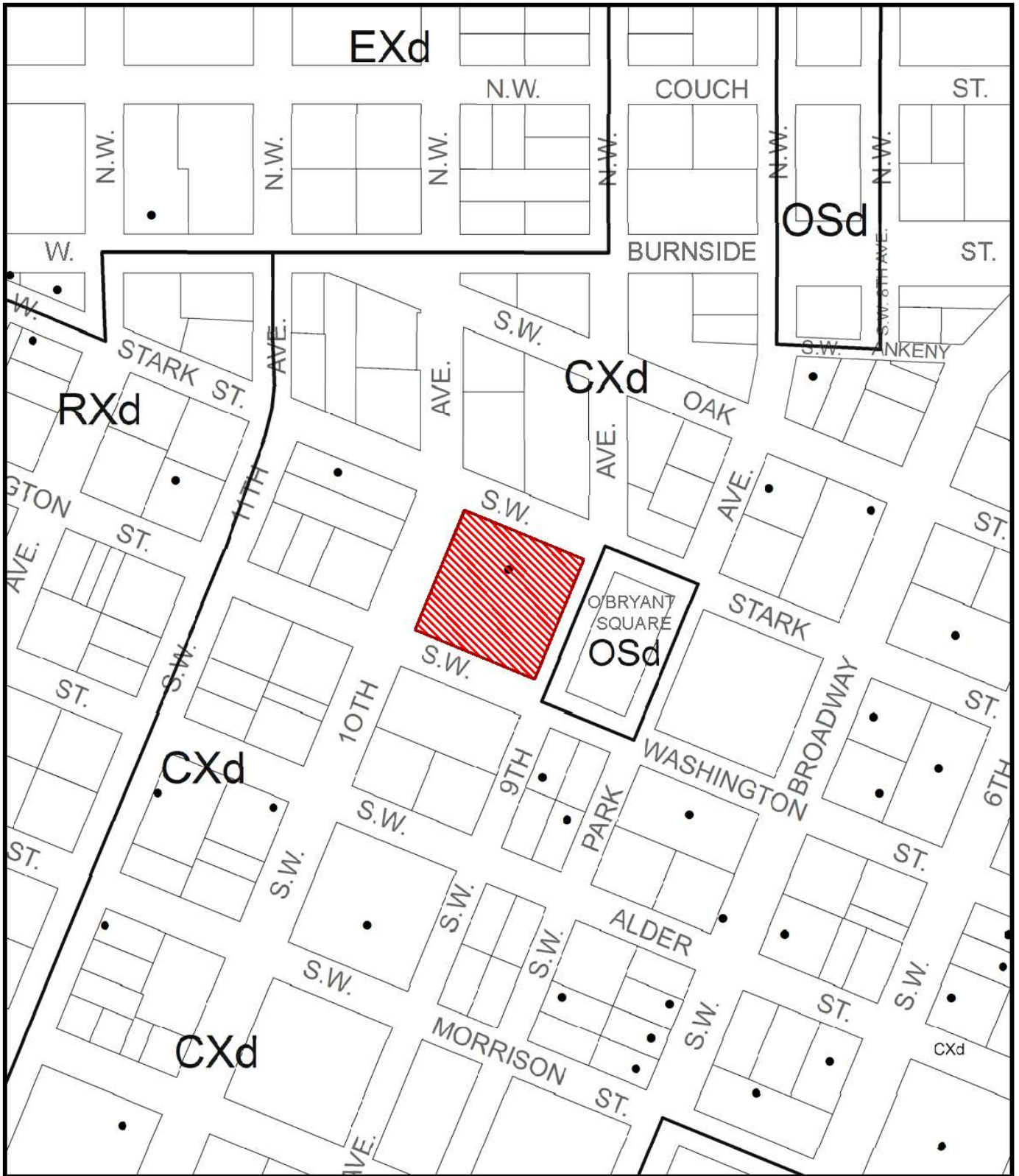
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings
 - 1. Overall Site/Roof Plan (attached)
 - 2. Enlarged Antenna Plan (attached)
 - 3. Southwest Building Elevation Drawing (attached)
 - 4. Enlarged Elevation Drawings for Penthouse (attached)
 - 5. Southeast Elevation Drawing for Equipment Room and Detail Drawing for Cable Ports
 - 6. Detail Drawings for Antennas, RRUs, and Diplexer
 - 7. Enlarged Drawings for RRUs and Surge Suppressor
- D. Notification information
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Response: None received.
- F. Correspondence: None received.
- G. Other
 - 1. Original Land Use Review Application
 - 2. Letter of Completeness/14-day Letter
 - 3. Site Visit Photographs
 - 4. Photos Provided by Applicant
 - 5. Radio Frequency Transmission Facilities Registration Form
 - 6. Acknowledgment and Consent Letter from Applicant to Building Owner

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

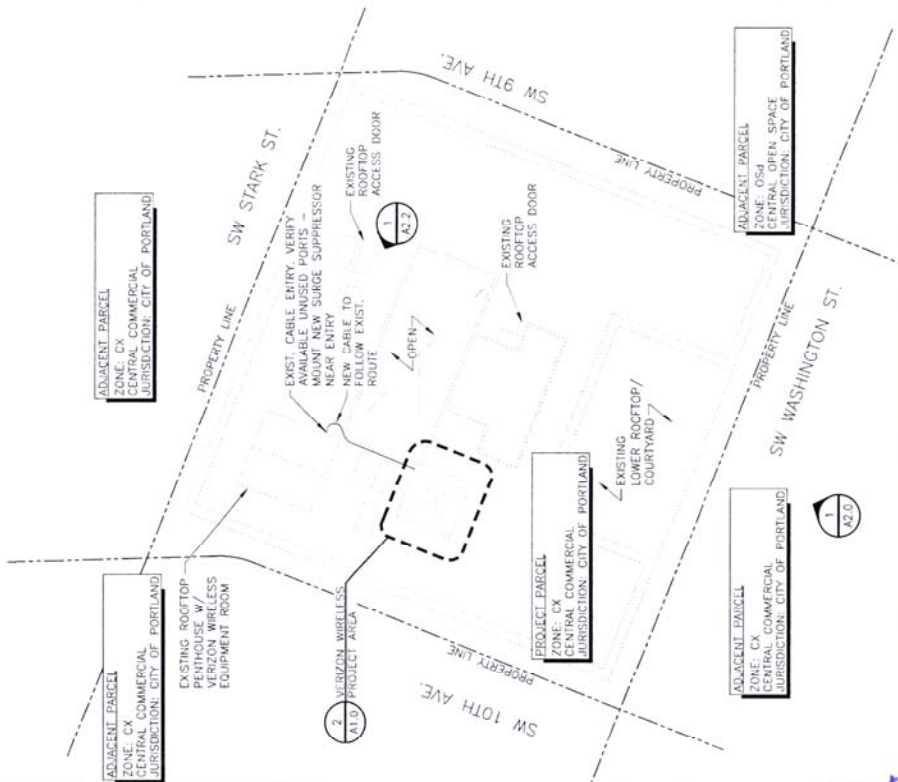
This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN, WEST END



File No. LU 13-229760 HR
 1/4 Section 3029
 Scale 1 inch = 200 feet
 State_Id 1N1E34CC 4800
 Exhibit B (Nov 20, 2013)

Site/Roof Plan

Plan View of Penthouse



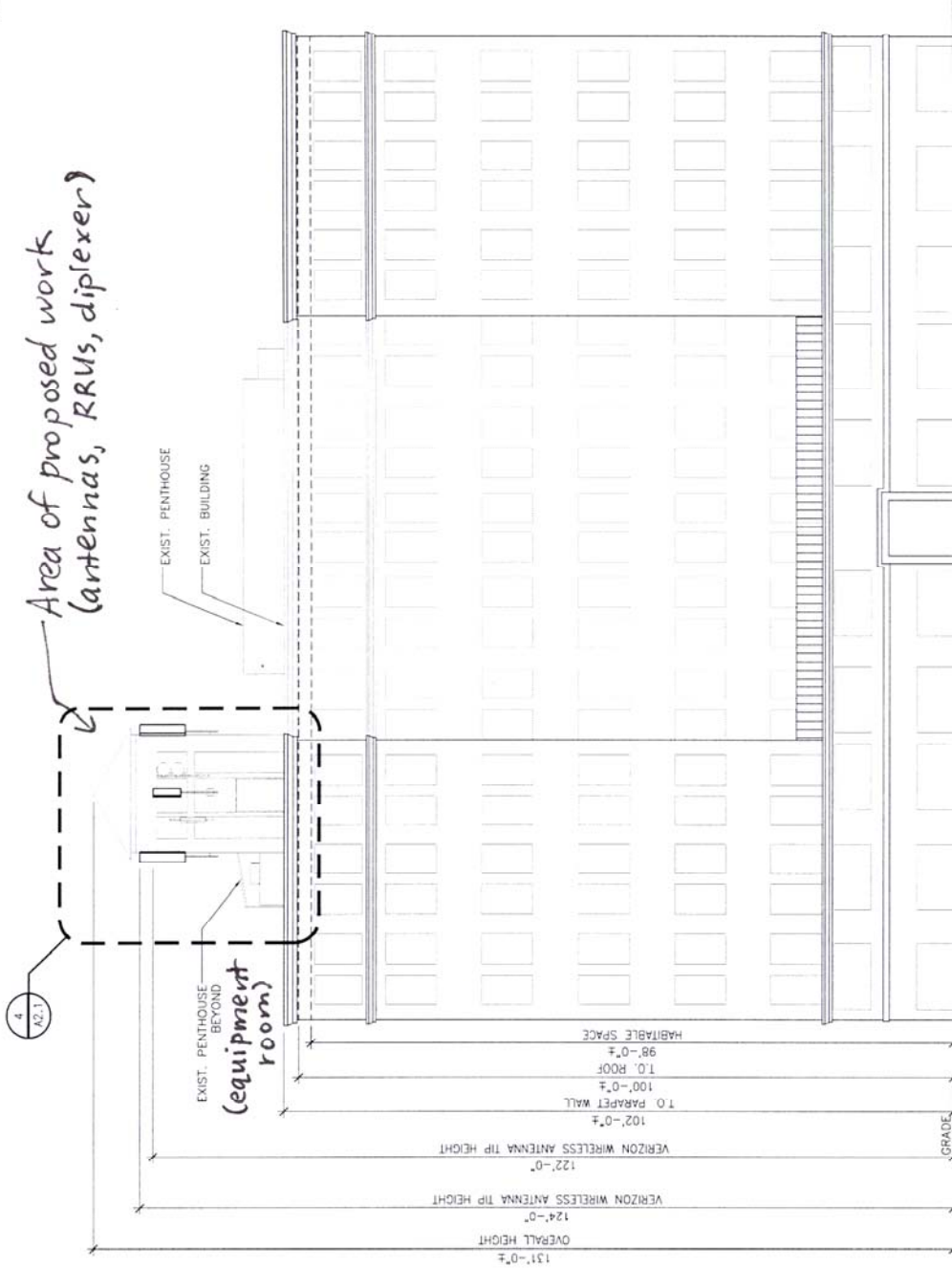
City of Portland - Bureau of Development Services
 Planner *W. Hill* Date *March 6, 2014*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Case #: LU 13-229760 HR Exhibits C-1 and C-2

Reduced sheet size.

SW Elevation of Pittock Block Building

Area of proposed work
(antennas, RRUs, diplexer)

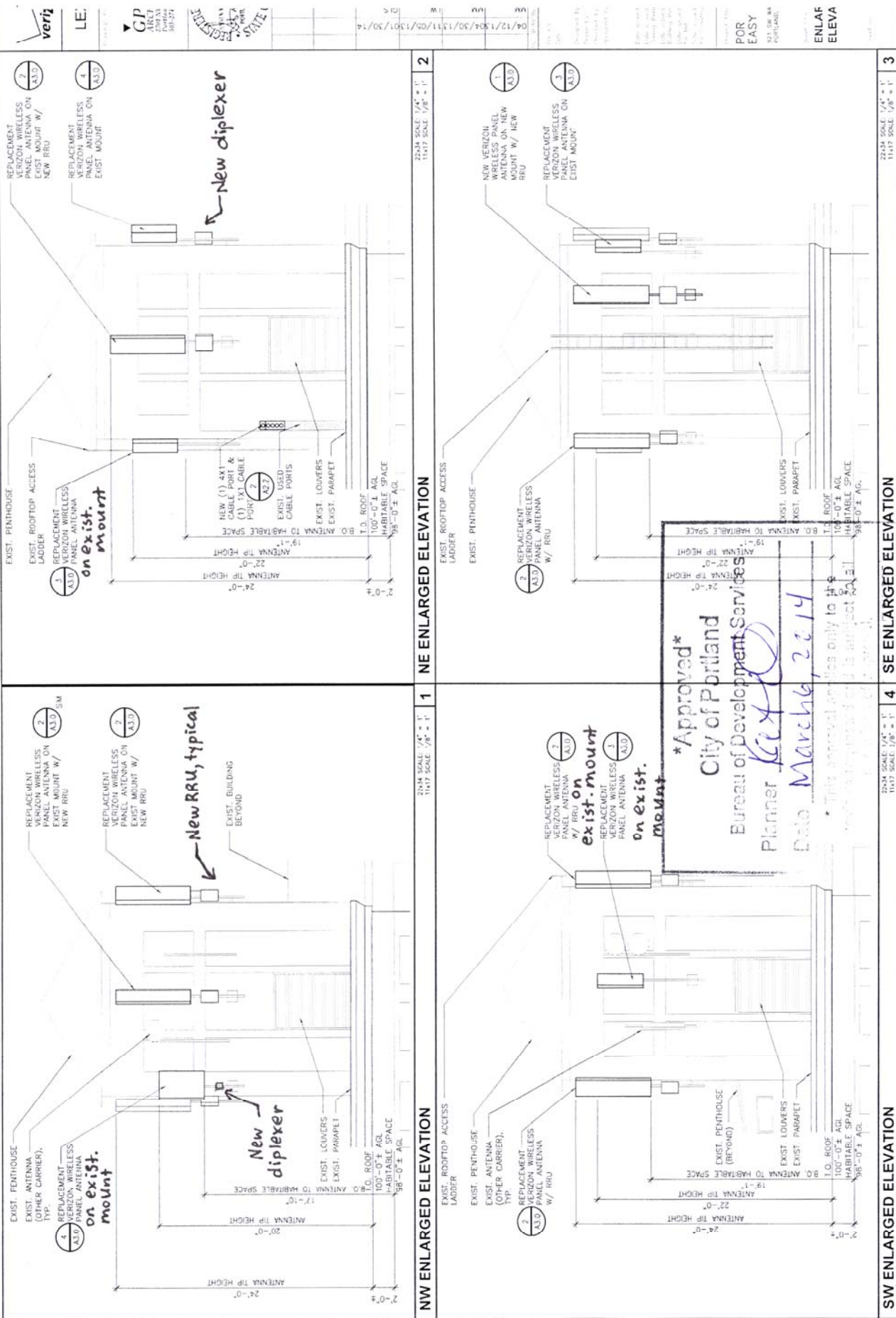


Planner KATIE Date March 6, 2014
 City of Portland - Bureau of Development Services
 * Approved *
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SOUTHWEST ELEVATION (5W Washington St) case #: LU 13-229760 HR
 Reduced sheet size. exhibit C-3

22x34 SCALE: 1" = 10'-0"
 11x17 SCALE: 1" = 20'-0"

Penthouse Elevations



case #: LU 13-229760 HR Exhibit C-4

Reduced sheet size