



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

Dan Saltzman, Commissioner  
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**Date:** September 10, 2015  
**To:** Interested Person  
**From:** Amanda Rhoads, Land Use Services  
 503-823-7837 / [Amanda.Rhoads@portlandoregon.gov](mailto:Amanda.Rhoads@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 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 15-192683 HR – WIRELESS FACILITY UPGRADES IN ALPHABET HISTORIC DISTRICT**

**GENERAL INFORMATION**

**Applicant:** Laurel Reimer / Core Development Services For Verizon Wireless  
 4110 SE Hawthorne Blvd #131 / Portland, OR 97214

**Owner:** Worthington Limited Partnership  
 3662 SW Tunnelwood St / Portland, OR 97221-4147

**Site Address:** 708 NW 19TH AVE  
**Legal Description:** BLOCK 176 LOT 2&3, COUCHS ADD  
**Tax Account No.:** R180216110  
**State ID No.:** 1N1E33AC 06500  
**Quarter Section:** 2928  
**Neighborhood:** Northwest District, contact John Bradley at 503-313-7574.  
**Business District:** Nob Hill, contact Mike Conklin at 503-226-6126.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Northwest  
**Zoning:** RH – High-Density Residential  
**Case Type:** HR – Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**  
 Verizon Wireless proposes to replace 6 existing antennas with 6 new antennas, along with additional associated equipment including 3 additional Remote Radio Units (RRUs); 1 new surge suppressor (approved in a 2014 land use review); and 4 notch filters to reduce interference of Verizon Wireless antennas from other signals of similar frequency. The new antennas and additional equipment will be located in the same areas as the existing wireless installation. Four of the antennas will continue to be mounted onto a penthouse in the center of the roof and are proposed to be painted the same color as the penthouse. The other two antennas are located on a pipe mount near the east side of the building and are proposed to be painted grey.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations to a contributing building in a historic district.

**Relevant Approval Criteria:**

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

- Community Design Guidelines
- Historic Alphabet District – Community Design Guidelines Addendum

## ANALYSIS

**Site and Vicinity:** The subject property, known as the Worthington Apartments, was completed in 1929 by contractor Steven E. Henderson to a design by architect Elmer Feigs, producer of many apartment building plans within the area today encompassed by the Alphabet Historic District. The four story structure is straightforward in form, a U-shaped plan incorporating an internal light well. The building features minimal ornamentation, mostly concentrated at the street-facing parapets, and in a loosely interpreted Jacobean stylistic vein.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19<sup>th</sup> and early 20<sup>th</sup> Century middle class housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, etc. The area is also characterized by a gridwork of narrower, tree-lined, residential streets crossed by occasional more robust commercial avenues.

**Zoning:** The High Density Residential (RH) is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

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

- LU 14-189680 CU HR approved three new antennas and associated equipment in the same general areas as previous installations.
- LU 11-177926 HDZ CU approved removal and replacement of antennas and minor alterations to an existing rooftop radio frequency equipment array.
- LU 10-196161 HDZ CU approved replacement antennas and minor alterations to an existing rooftop radio frequency equipment array.
- LU 09-102622 HDZ CU partially approved a proposal to install rooftop radio frequency equipment, and denying a shroud structure around the entire existing penthouse.

**Public Review:** A “Notice of Proposal in Your Neighborhood” was mailed **August 10, 2015**. No comments were requested from other City Bureaus and no responses were received from neighboring property owners or the neighborhood association.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - Historic Resource Review**

#### **Purpose of Historic Resource Review**

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

#### **Historic Resource Review Approval Criteria**

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

**Findings:** The site is located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

### **Historic Alphabet District - Community Design Guidelines Addendum**

- 1. Historic Changes.** Most properties change over time; those changes that have acquired historic significance will be preserved.
- 2. Differentiate New from Old.** New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

**Findings for 1 and 2:** Although the building is listed as a contributing resource in the Alphabet District the proposed antenna alterations to the roof do not affect changes to the historic significance of the building or historic materials on the building. *Therefore these criteria do not apply.*

- 3. 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. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

**Findings:** The proposed replacement of existing radio frequency (RF) antennas will be located on the roof of the contributing resource in a similar manner to those existing antennas on the building. The proposed antennas and associated equipment will be painted to match those existing RF equipment so as to minimize possible negative visual effects. The proposed RF equipment will also be recessed behind the parapet and set back 20 feet from the west and north building faces and approximately 60 feet from the south face. These setbacks help to ensure that the primary façades of the contributing resources are least impacted by the proposed additions and alterations. In fact, the four antennas mounted to the penthouse are not visible from adjacent streets, and the two antennas on the east side are only visible from limited view corridors. *Therefore this criterion is met.*

### **Community Design Guidelines**

**P2. Historic and Conservation Districts.** Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

**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.

**Findings for P2, D6 and D7:** The proposed RF equipment makes no effort to enhance the identity of the resource or the district. However, the careful placement of the RF on the building rooftop through adequate setbacks and height limitations does limit the negative effect on the aesthetic of the contributing resource and the district at large. This effort is further echoed through the condition of approval that the proposed equipment be painted to match existing and that all accessory equipment will be installed below the top of the nearest adjacent parapet wall. Collectively, this will help ensure that the resource continues to maintain its architectural integrity and value to the district as a contributing resource as it also continues to age and employ previously unforeseen uses into the future. *Therefore these criteria 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

It is possible to accommodate the applicant's desire to make alterations to components of the rooftop antenna array because the existing configuration, which was previously approved through Historic Resource Review and Conditional Use Review, will not have a negative impact on the character of the Alphabet Historic District. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review guidelines and therefore warrants approval.

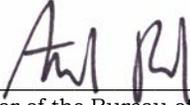
## ADMINISTRATIVE DECISION

Approval of a proposal by Verizon Wireless to replace 6 existing antennas with 6 new antennas, along with additional associated equipment including 3 additional Remote Radio Units (RRUs); 1 new surge suppressor (approved in a 2014 land use review); and 4 notch filters, in the same locations as existing wireless antenna sectors, per the approved site plans, Exhibits C.1 through C.9, signed and dated September 8, 2015, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 15-192683 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. All proposed new and replacement antennas as well as all accessory equipment: surge protectors, surge protector sector boxes, PCS, TMA, AWS, RRU, etc.:

1. Those on the penthouse are to be painted to match the penthouse to which they are attached.
  2. Those attached to the east of the penthouse, on the existing "tube steel strut", to be painted grey to minimize visual impact and not detract from the resource.
- C. All proposed new and replacement support equipment: surge protectors, surge protector sector boxes, PCS, TMA, AWS, RRU, etc. to be mounted and located so they are entirely below the nearest adjacent parapet wall.
- D. No conduit will be exposed on any of the four (4) building façades.

**Staff Planner: Amanda Rhoads**

**Decision rendered by:**  **on September 8, 2015**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: September 10, 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 June 26, 2015, and was determined to be complete on **August 3, 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 June 26, 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: December 1, 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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 24, 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 5<sup>th</sup> 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](http://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 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 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 **September 25, 2015 – the day following the last day to appeal.**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

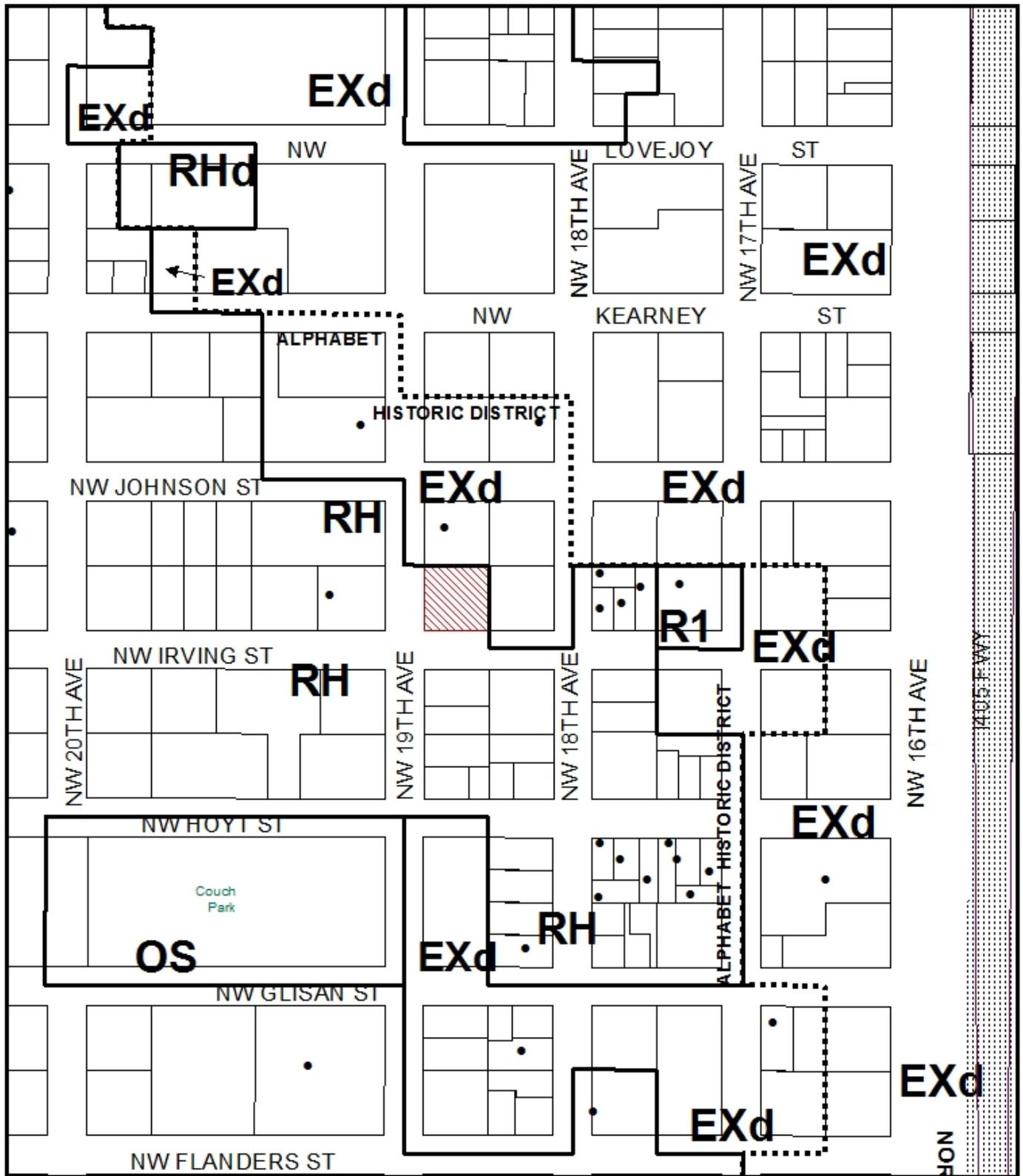
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  1. Original Narrative, June 26, 2015
  2. Site Photos
  3. Electromagnetic Exposure Analysis, June 2015
  4. Response to Incomplete Letter, August 3, 2015
  5. Acoustical Report, submitted August 3, 2015
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan
  2. Enlarged Site Plan (attached)
  3. Proposed Elevations (attached)
  4. Antenna Plan
  5. Antenna Plan cont. and Mounting Plan
  6. Antenna Specifications
  7. Remote Radio Head Specifications
  8. Surge Suppressor Specifications
  9. A2 Unit Specifications
  10. Existing Elevations
  11. Full-Sized, Scaled Plan Set
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses: none requested
- F. Correspondence: none received
- G. Other:
  1. Original Land Use Application and Receipt
  2. Incomplete Letter, July 17, 2015

**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
- Historical Landmarks



This site lies with the:  
 NORTHWEST PLAN DISTRICT  
 ALPHABET HISTORIC DISTRICT

File No.	<u>LU 15-192683 HR</u>
1/4 Section	<u>2928</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E33AC 6500</u>
Exhibit	<u>B (Jun 29, 2015)</u>



See conditions regarding paint and location of accessory equipment.

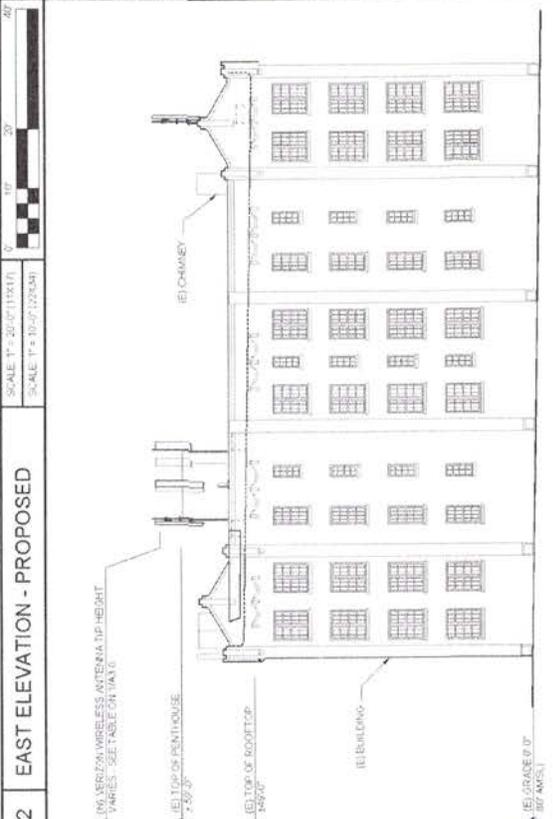
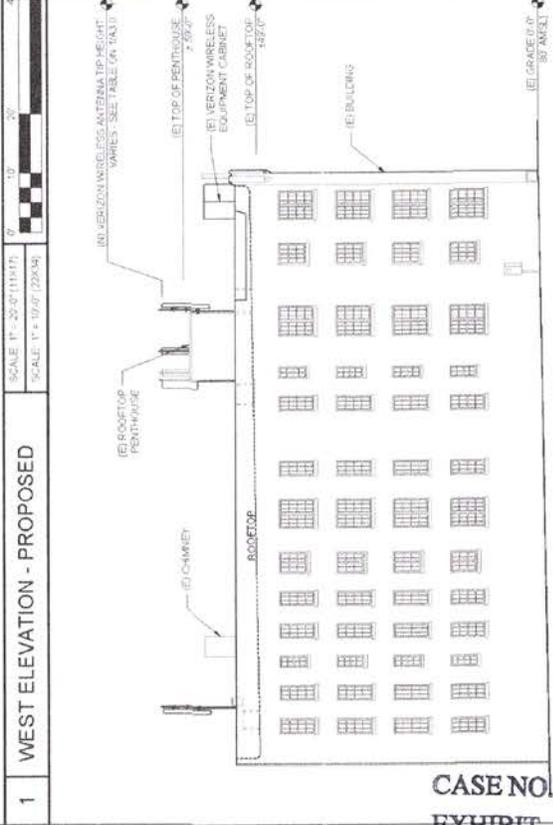
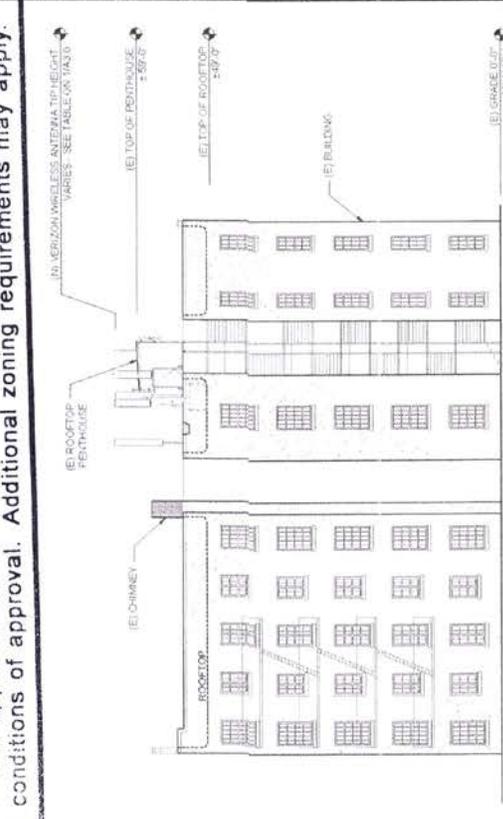
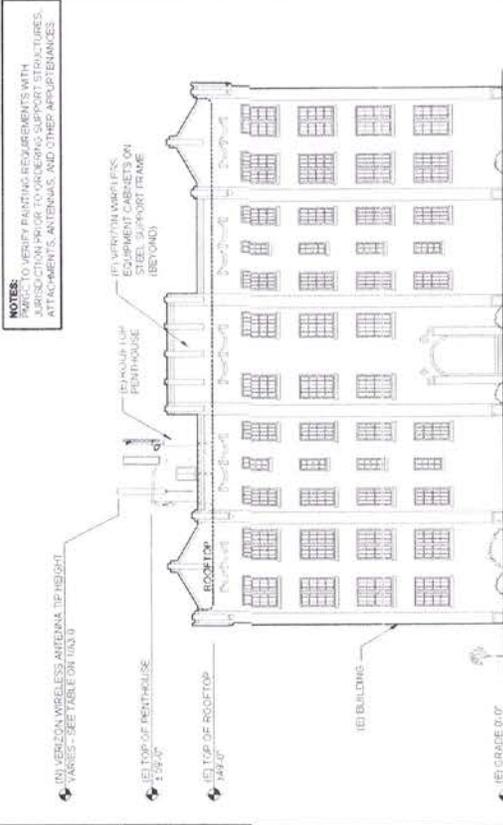
\*Approved\*

City of Portland - Bureau of Development Services

Date Sept. 8, 2015

Planner JM

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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CASE NO. LS-192683 HR  
 EXHIBIT C.3