



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

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Date: September 5, 2019
To: Interested Person
From: Megan Sita Walker, Land Use Services
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NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has a approved proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 19-158414 DZ – NEW ANTENNAS & EQUIPMENT

GENERAL INFORMATION

Applicant: Tammy Hamilton | Acom Consulting Inc For Verizon Wireless
5200 SW Meadows Rd, Suite 150
Portland, OR 97035

Owner: City of Portland
1221 SW 4th Ave #130
Portland, OR 97204-1900

Site Address: 330 SW YAMHILL ST

Legal Description: BLOCK 51 LOT 1-3 6-8 TL 7100 SEE R684769 (R667706232) FOR SUBSURFACE & AIR SPACE / SEE R684770 (R667706231) FOR AIR SPACE, PORTLAND

Tax Account No.: R667706230
State ID No.: 1S1E03BA 07100
Quarter Section: 3129

Neighborhood: Portland Downtown, contact Wendy Rahm at wwrahm@aol.com
Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Downtown
Zoning: CXd – Central Commercial with Design Overlay
Case Type: DZ – Design Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Design Review approval for alterations to an existing wireless facility on the Pioneer Place Garage building in the Downtown Subdistrict of the Central City Plan District to include: the installation of four (4) new 5G antennas, and three (3) CBRS RRU's (Citizens Broadband Radio Service Remote Radio Units). Two (2) of the four (4) 5G antennas are proposed to be located within the openings of the garage on the 6th floor on the east and west facades. One of the remaining antennas is proposed to be located within the existing shrouded sector on top of the southwest stair tower, and one (1) is proposed to be mounted at the roof level onto a fin of an existing elevator overrun. Two (2) of the three (3) CBRS RRUs are proposed to be mounted on existing antenna mounts, and the third RRU is proposed to be located in an existing penthouse on the 8th floor.

Design Review is required for non-exempt exterior alterations within the Design (d) Overlay zone.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria specified in the Portland Zoning Code. The relevant approval criteria are:

- *Central City Fundamental Design Guidelines*
- *Oregon Statewide Planning Goals*

ANALYSIS

Site and Vicinity: The site is a Smart Park parking garage that occupies the eastern half of the block bounded by SW Yamhill Street, 3rd Avenue, Taylor Street, and 4th Avenue. The garage was constructed in 1990 with five above-ground levels. Two additional levels were later added to the garage, per LUR 96-00254 PR. Exterior materials for the original structure are brick; the two additional levels are composed of pre-cast concrete. The elevator shaft, which is located mid-block on the SW 3rd Avenue façade, features a vertical expanse of slightly tinted glazing that allows views of the elevator in operation. There are ground-floor retail spaces and the driveway entrances to the garage are located on the SW 3rd Avenue façade at the southeast corner of the garage. The building directly to the south is known as the Gilbert Building and is listed on the National Register of Historic Places. The MAX light rail alignment borders the site on SW Yamhill Street.

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 overlay zone [d] 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.

Land Use History: City records indicate that prior land use reviews since 1994 include the following:

- LUR 94-011592 DZ (94-00690): Approval for new awnings.
- LUR 96-013141 PR (96-00254): Approval with conditions to add two new levels to garage.
- LUR 96-013394 DZ (96-00507): Approval for change to decision LUR 96-013141 to allow exterior material to be pre-cast concrete rather than brick.
- LUR 00-006761 DZM (00-00206): Approval for alterations to ground-floor tenant space at northwest corner of building for new Tiffany & Co. store and approval for modification to Ground Floor Windows.
- LUR 01-007512 DZ (01-00113): Approval with conditions to construct a CMU wall.

- LU 03-168696 DZ: Design Review approval with conditions for alterations to ground-floor tenant space at northeast corner of building for new Romano's Macaroni Grill restaurant; approval for modification to Title 32 Sign Code to allow curved corner projecting sign to be over 30sf in area.
- LU 07-163319 DZ: Design Review approval of telecommunications equipment in 7th floor window openings and an RF transparent shroud on a roof penthouse.
- LU 13-191136 DZ: Design Review approval of telecommunications equipment to include:
 - 8 antennas, mounted on poles within the two northeast corner window openings of the 6th floor to be painted matte black and not to extend beyond the exterior face of the surrounding walls;
 - One generator mounted on the northeast corner of the garage roof;
 - One RF transparent screen built on top of the southeast corner stair tower to hold antennas and equipment, painted, scored, and textured to match the stair tower walls; and
 - All conduit will not be visible from the street and will be painted to match the adjacent building surface.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **June 6, 2019**. No Bureaus responded with issues or concerns about the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **June 6, 2019**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

[1] Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

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

Section 33.825.055 Design Review Approval Criteria

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

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

Central City Fundamental Design Guidelines

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

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

Central City Plan Design Goals

This set of goals has been developed to guide development throughout the Central City. The goals apply within the eight Central City sub-districts, or policy areas. The nine goals for design review within the Central City and its sub-districts 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 that is safe, humane and prosperous; and
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.

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

A5. Enhance, Embellish, and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

B2. Protect the Pedestrian. Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

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 A4, A5, B2, C2, C3, C5, and C11: The proposal calls for new wireless equipment to be located on the upper-stories of an existing parking garage. The proposed antennas will be concealed from views from adjacent rights-of-way as described below. Two (2) of the four (4) proposed 5G antennas are proposed to be located within existing window type openings on the 6th floor of the parking garage. Consistent with the previous approvals for antennas and equipment mounted in the existing upper-story window type openings, all antennas, equipment, mounting hardware, cabling, and associated fencing located within the upper-story openings will be recessed and either colored or painted matte black to minimize their appearance from views from adjacent rights-of-way. Locating antennas on the upper stories of the building, recessing the antennas and all associated equipment within the existing openings, and coloring all recessed elements matte black greatly reduces visibility and therefore reduces visual clutter that detracts from the pedestrian environment, is a more coherent approach that respects the architecture of the building, and promotes quality and permanence. In order to ensure that this is achieved, conditions of

approval requiring that antennas and equipment proposed within openings be recessed and colored or painted matte black have been added by staff.

One (1) new 5G antenna is also proposed to be flush mounted to the façade of an existing fin element of the eastern elevator penthouse. This antenna would be considered exempt if it were flush mounted directly to the façade of the mechanical penthouse. While its location immediately adjacent to the façade of the penthouse and located on a fin of the penthouse necessitates review, the placement flush mounted to the façade of an existing rooftop element, not exceeding the top of the element to which it is being attached, and being colored to match the façade beyond helps support a coherent solution that limits visual clutter and addresses the approval criteria listed above. With a condition of approval that the proposed antenna, all associated equipment, hardware, and cabling be colored to match the façade behind the antenna, this placement limits visibility and addresses the approval criteria listed above.

The last new 5G antenna is proposed to be located within an existing roof-level shroud enclosure on the top of an existing stair overrun at the southwest corner of the building. An opening in the existing shroud is proposed directly in front of the proposed 5G antenna as the limitations of current technology limit the ability of the proposed antenna to transmit through the existing shroud material. The proposal would better meet the guidelines listed above by locating and concealing all equipment behind the existing radio frequency-transparent shroud. Placing the antenna behind the shroud would increase overall coherency, reduce visual impacts on the neighborhood, and respect the architectural integrity of the building by reducing visual clutter on the roof. Since this is not possible with current technology, due to the specific radio frequencies the antennas will use, the proposed antenna should be concealed by being colored to match the color of the existing shroud within which the antenna will be placed. A condition of approval has been added to require this.

Since the FCC requires that past approvals also apply to future installations, it is important to note that the requested installation technique proposed only meets these guidelines because current technology, and the currently-existing shrouds, do not permit transmission of the particular radio frequencies needed for this installation. If future antenna installations are proposed on the shroud and use a frequency that can transmit through the existing shrouds, those new or replacement antennas and equipment should be located entirely behind the shrouds. If, in the future, new materials are developed that allow for transmission of additional radio frequencies that are not allowed presently, replacement shrouding material should be proposed with future installations so that all antenna and equipment installations may be entirely concealed behind the shroud. Conditions of approval have been added to require this.

Any future additional or replacement antennas and their supporting equipment should be: 1) located to be concealed entirely behind the shroud unless new shrouding materials have not yet been developed that allow for such transmission, or 2) concealed by being recessed within existing upper-story openings and colored matte black; or 3) flush mounted to the façade of a mechanical penthouse and colored to match the façade beyond.

With the condition of approval that the proposed antennas, associated equipment, hardware, and cabling mounted within existing openings, shall be recessed within existing upper-story openings and colored matte black;

With the condition of approval that the proposed antenna, associated equipment, hardware, and cabling mounted to the facades of mechanical penthouses, shall be flush mounted and colored to match the surface of the façade beyond;

With the condition of approval that the proposed antenna located within the opening of the shroud shall be colored to match the color of the existing shroud within which the antenna is placed;

With the condition of approval that, for proposed future antenna installations which transmit on a frequency that can transmit through the existing shroud, those new or replacement antennas and associated equipment shall be: 1) located to be concealed entirely behind the shroud; or 2) concealed by being recessed within existing upper-story openings and colored matte black; or 3) flush mounted to the façade of a mechanical penthouse and colored to match the façade beyond; and

With the condition of approval that, pending the development of new shrouding materials, proposed future antenna installations shall replace the existing shrouds with new shrouding material that allows for a greater range of radio frequency transmission so they can be fully enclosed, these guidelines will be met.

[2] Oregon Statewide Planning Goals

Goal 1: Citizen Involvement

Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process.” It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

Findings: The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type Ix land use decisions if appealed. *For this application, a written notice seeking comments on the proposal was mailed to property-owners and tenants within 100 feet of the site, and to recognized organizations in which the site is located.*

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City’s ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon’s statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable “implementation ordinances” to put the plan’s policies into effect must be adopted. It requires that plans be based on “factual information”; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: Compliance with Goal 2 is achieved, in part, through the City’s comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. *As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.*

Goal 3: Agricultural Lands

Goal 3 defines “agricultural lands,” and requires counties to inventory such lands and to “preserve and maintain” them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will “conserve forest lands for forest uses.”

Findings for Goals 3 and 4: In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid and Goal 3 and Goal 4 do not apply.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

Findings: The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City’s Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection (“p”), Environmental Conservation (“c”), and Scenic (“s”) overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. *This site is not within any environmental or scenic overlay zones and is not part of any designated historic resource. Therefore, Goal 5 is not applicable.*

Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Compliance with Goal 6 is achieved through the implementation of development regulations such as the City’s Stormwater Management Manual at the time of building permit review, and through the City’s continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report. *In this case, the scope of the project does not warrant review by the Bureau of Environmental Services; Goal 6 is not applicable.*

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

Findings: The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City’s MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. *The subject site is not within any mapped floodplain or landslide hazard area, so Goal 7 does not apply.*

Goal 8: Recreation Needs

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

Findings: The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. *Therefore, the proposal is consistent with Goal 8.*

Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code. *Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.*

Goal 10: Housing

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards. *Since this proposal is not related to housing or to land zoned for residential use, Goal 10 is not applicable.*

Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Findings: The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. *In this case, the scope of the project does not warrant review by the City's public services bureaus; Goal 11 is not applicable.*

Goal 12: Transportation

Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

Findings: The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile

travel more efficiently, and drive less to meet their daily needs.” The extent to which a proposal affects the City’s transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT). *The scope of this project does not warrant transportation review; therefore Goal 12 is not applicable.*

Goal 13: Energy

Goal 13 seeks to conserve energy and declares that “land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

Findings: With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to “make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs.” This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code. *For these reasons, staff finds the proposal is consistent with Goal 13.*

Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an “urban growth boundary” (UGB) to “identify and separate urbanizable land from rural land.” It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro’s Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro’s Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan. *This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code’s compliance with Metro’s Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.*

Goal 15: Willamette Greenway

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

Findings: The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. *The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply.*

Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon’s 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those “management units.”

Goal 17: Coastal Shorelands

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for “water-dependent” or “water-related” uses.

Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Goal 19: Ocean Resources

Goal 19 aims “to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.” It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19’s main requirements are for state agencies rather than cities and counties.

Findings: *Since Portland is not within Oregon’s coastal zone, Goals 16-19 do not apply.*

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 requirements of Title 11 can be met, and 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 of the City with special scenic, architectural, or cultural value. The proposed exterior wireless equipment will be located as far as possible from the sidewalk-level environment and will have a minimal impact on pedestrian views due to its careful placement, screening and color. With the added conditions of approval, the architectural integrity of the parking garage will be maintained. With the added conditions of approval the proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of exterior alterations to the Pioneer Place Garage building in the Downtown Subdistrict of the Central City Plan District that include the installation of four (4) new 5G antennas, and three (3) CBRS RRU’s (Citizens Broadband Radio Service Remote Radio Units). Two (2) of the four (4) 5G antennas are proposed to be located within the openings of the garage on the 6th floor on the east and west facades. Two (2) of the four (4) 5G antennas are proposed to be located within the openings of the garage on the 6th floor on the east and west facades. One of the remaining antennas is proposed to be located within the existing shrouded sector on top of the southwest stair tower, and one (1) is proposed to be mounted at the roof level onto a fin of an existing elevator overrun. Two (2) of the three (3) CBRS RRUs are proposed to be mounted on existing antenna mounts, and the third RRU is proposed to be located in an existing penthouse on the 8th floor.

Approved, per the approved site plans, Exhibits C-1 through C-12 signed and September 3, 2019, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through H) 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 19-158414 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

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

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

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

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **September 5, 2019** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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:

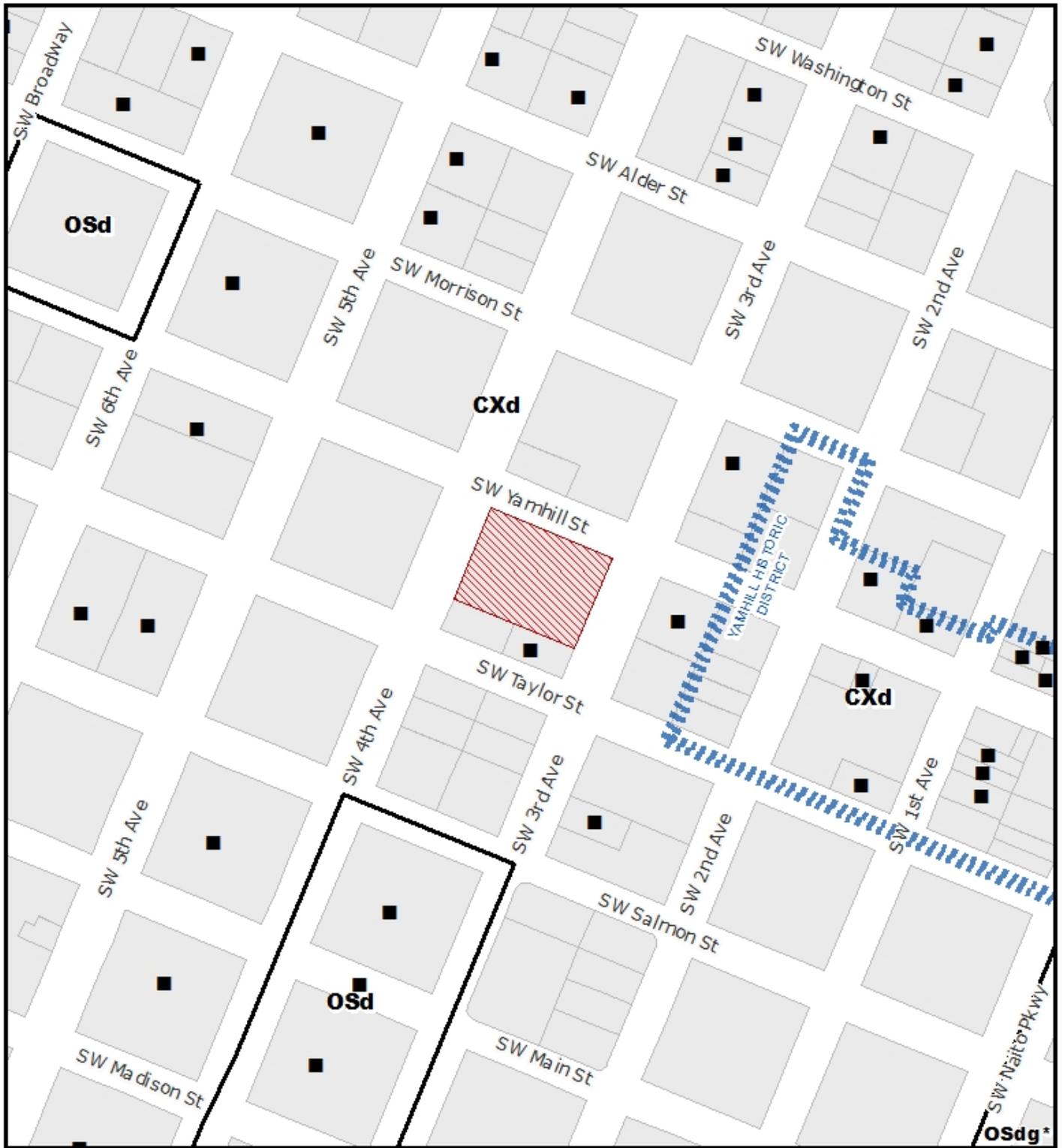
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
1. Original Project Description & Response to Approval Criteria
 2. Original Drawing Set
 3. Personal Wireless Service Facility Land Use Review Application Minimum Submittal Checklist
 4. Response to Incomplete Letter
 5. Revised Drawing Set, Rec'd May 21, 2019 – Not Approved/ For Reference Only
 6. Site Photo, Rec'd May 21, 2019
 7. Draft Revised Drawing Set, Rec'd July 24, 2019 – Not Approved/ For Reference Only
 8. Revised Drawing Set, Rec'd August 16, 2019 – Not Approved/ For Reference Only
 9. Personal Wireless Service Facility Voluntary Tolling Agreement Extending Processing Timeline
 10. Extension to the 120-Day Review Period
 11. Extension to the 120-Day Review Period
- B. Zoning Map (attached)
- C. Plans/Drawings:
1. Overall Site Plan (attached)
 2. Proposed 6th Floor Plan
 3. Proposed 7th Floor Plan
 4. Proposed Roof Plan (attached)
 5. Existing and Proposed West Elevation
 6. Existing and Proposed East Elevation
 7. Existing and Proposed North Elevation
 8. Existing and Proposed South Elevation
 9. Existing and Proposed Enlarged/Partial Elevations – West and East
 10. Existing and Proposed Enlarged/Partial Elevations – North and South
 11. Construction Details
 12. Construction Details
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
1. Original LU Application
 2. Incomplete Letter, May 9, 2019
 3. Email Correspondence between staff and the applicant

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

NORTH

THIS SITE LIES WITHIN THE:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT

-  Site
-  Historic Landmark

File No.	LU 19-158414 DZ
1/4 Section	3129
Scale	1 inch = 200 feet
State ID	1S1E03BA 7100
Exhibit	B May 01, 2019

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

A. 10/29/19 EG 90% P2D REVIEW

NO.	DATE	DRAWN	REVISION
0	10/29/19	JG	100% FINAL IZ
1	04/09/18	EG	100% FINAL IZ
2	05/14/19	EG	PLAN CHECK COMMENTS
3	07/23/19	EG	PLAN CHECK COMMENTS
4	08/08/19	EG	JN CLIENT ILL COMMENT
5	08/14/19	RM	SG ANTENNA ROUTE REV

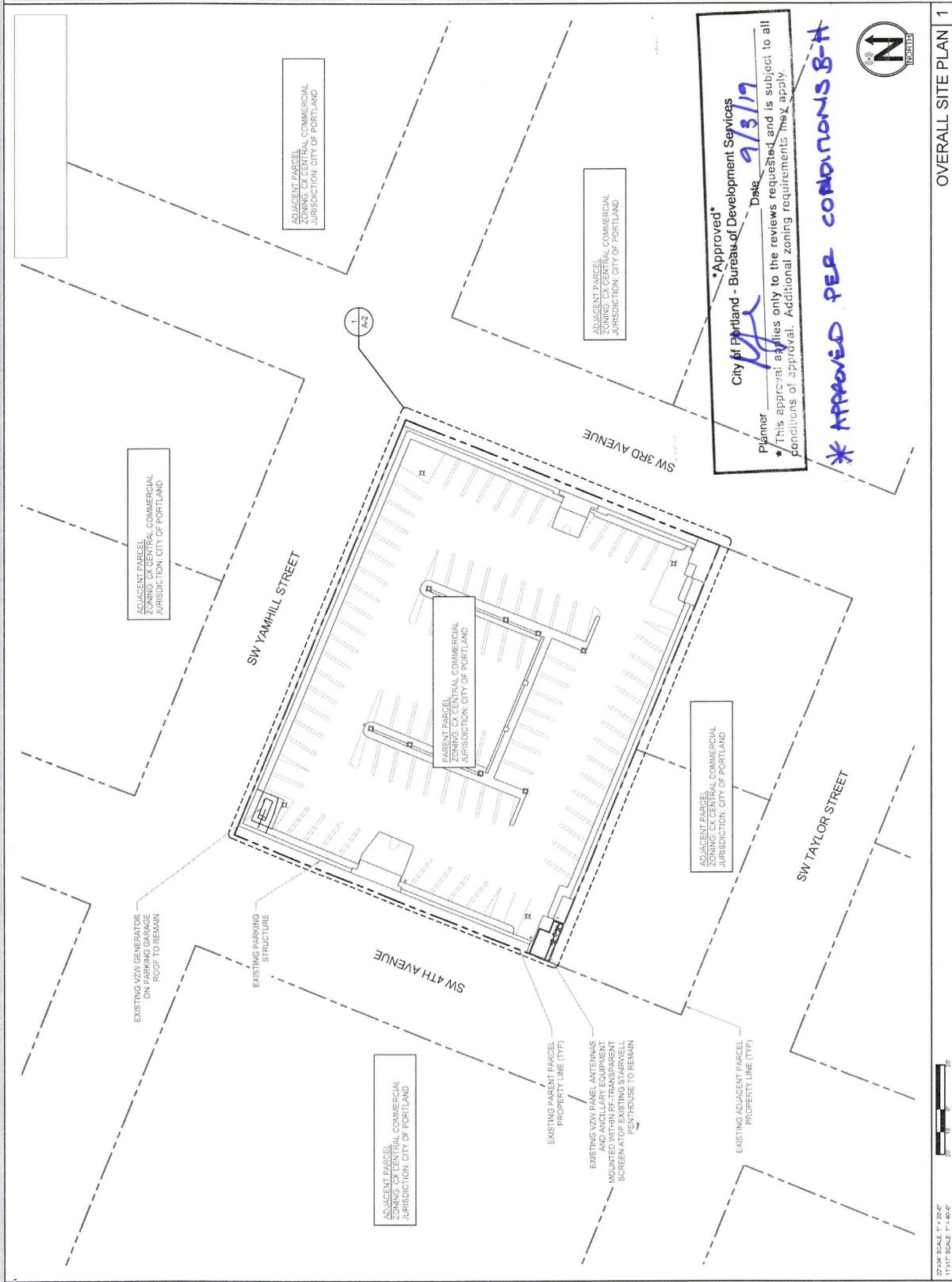
CLIENT

THE CONSULTANT, SITE ACQUISITION AND PERMITTING

POR
THE CLEARING
330 SW YAMHILL ST
PORTLAND, OR 97204

OVERALL
SITE PLAN

A-1 **Ext c-1**



Approved
City of Portland - Bureau of Development Services
Planner *MP* Date *9/3/19*
*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

***APPROVED PER CONDITIONS B-H**

OVERALL SITE PLAN 1

22"X36" SCALE: 1" = 20'-0"
11"X17" SCALE: 1" = 16'-0"

LV 19-150414 DZ

NOTES:
 FIBER/AC CONDUIT IS TO BE INSTALLED TO AVOID VISUALLY OBSCURING SIGNAGE IN THE ELEVATOR LOBBIES.

PRELIMINARY DRAWINGS
 NOT FOR CONSTRUCTION

City of Portland - Bureau of Development Services
 Approved
 Planner: *[Signature]*
 Date: 9/3/17
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

NO.	DATE	BY	REVISION
0	02/28/19	JG	100% FINAL ZD
1	04/05/19	EG	100% FINAL ZD
2	05/22/19	EG	PLAN CHECK COMMENTS
3	06/05/19	EG	PLAN CHECK COMMENTS
4	06/20/19	EG	J.A. CLIENT ILL COMMENT
5	08/14/19	RM	AS ANTENNA ROUTE RECS

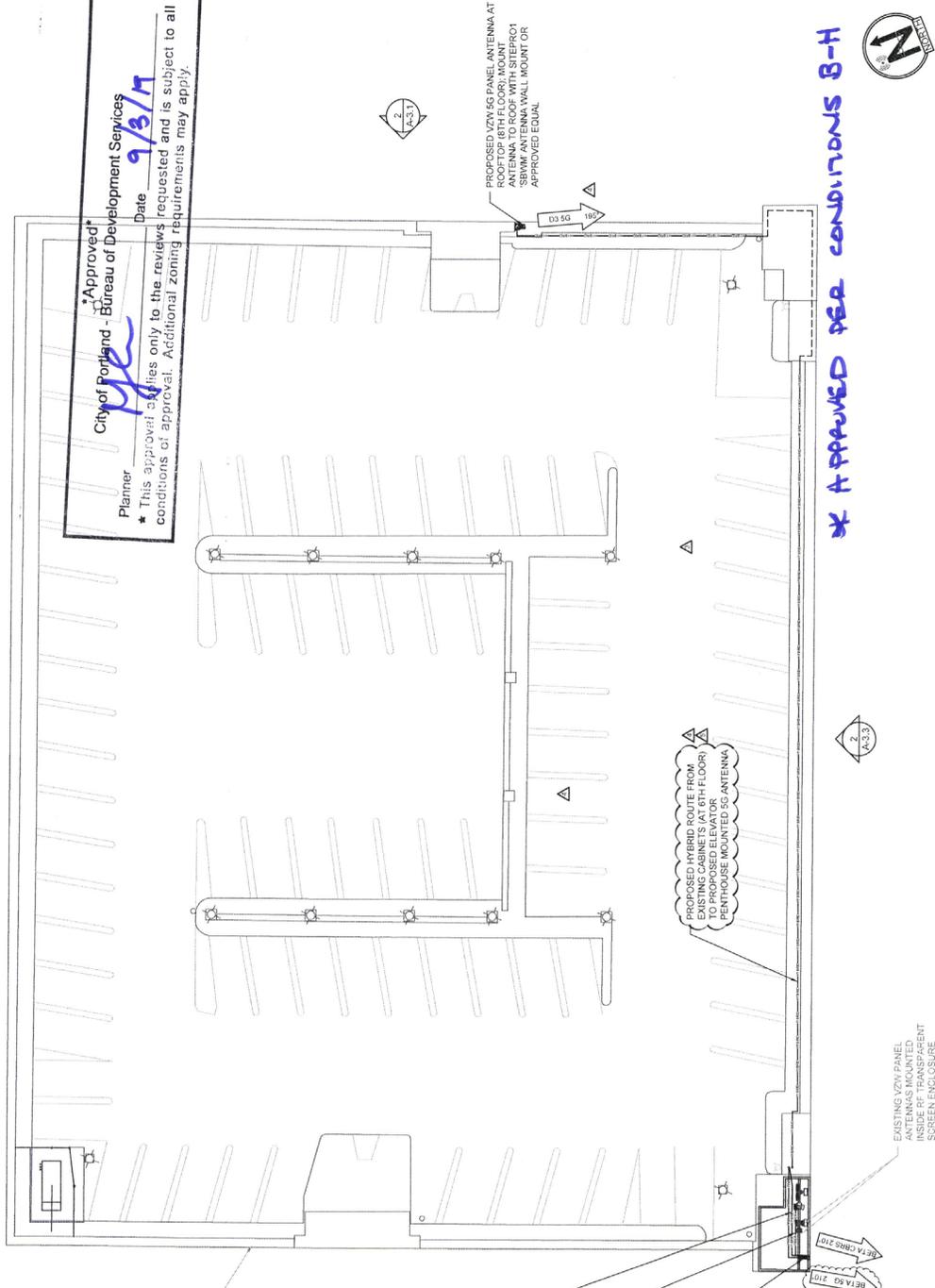


POR
 THE CLEARING
 338 SW MAIN ST
 PORTLAND, OR 97204

PROPOSED ROOF
 PLAN

A-2.2 EXHIBIT C-4

LV 19-156414 DB



- NOTES:
- ALL NON-SHROUDED ANTENNAS, ANCILLARY PIPES AND CONDUITS TO BE INSTALLED AT THE SOUTH END OF BUILDING. ALL ANTENNAS AND CONDUITS WILL BE PAINTED AND/OR COLORED TO MATCH THE BUILDING EXTERIOR AND WHEN INSTALLED IN THEIR FINAL POSITION, WILL NOT EXTEND BEYOND THE EXTERIOR FACE OF THE SURROUNDING WALLS.
 - THE STEALTH ENCLOSURE WILL BE DETAILED, SCORED, TEXTURED AND COLORED TO MATCH THE BUILDING EXTERIOR. DETAILING, SCORE PATTERNING, TEXTURE AND COLOR OF THE EXISTING STAIR OVER-RUN.

PROPOSED 5G HYBRID ROUTE (ROUTED THROUGH EXISTING V2W CONDUIT AND MECHANICAL CHASE) TO PROPOSED SCREEN WALL MOUNTED 5G ANTENNA

PROPOSED FIBER ROUTE THROUGH EXISTING V2W CONDUIT AND MECHANICAL CHASE TO PROPOSED SCREEN WALL MOUNTED CBRS ANTENNA

PROPOSED V2W CBRS RRU WITH AN ENCLOSURE TO BE MOUNTED TO EXISTING ANTENNA SCREEN WALL ENCLOSURE AT ROOFTOP (SEE EXISTING COMA PANEL ANTENNA AT THIS LOCATION TO PIPE MOUNT APPROX. 6'-0" EAST OF EXISTING ANTENNA SCREEN WALL OF PROPOSED ANTENNAS

PROPOSED HYBRID ROUTE FROM EXISTING CABINETS (AT 6TH FLOOR) TO PROPOSED ELEVATOR PENITROUSE MOUNTED 5G ANTENNA

EXISTING V2W PANEL ANTENNAS MOUNTED INSIDE RE TRANSPARENT SCREEN ENCLOSURE

* APPROVED PER CONDITIONS 8-H

PROPOSED ROOF PLAN 1

22'-0" SCALE 1" = 16'-0"
 11'-0" SCALE 1" = 6'-0"