



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 30, 2019  
**To:** Interested Person  
**From:** Tim Heron, Land Use Services  
503-823-7726 / [Tim.Heron@portlandoregon.gov](mailto:Tim.Heron@portlandoregon.gov)

## **NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has 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 19-220925 DZ – RADIO FREQUENCY INSTALLATION AT THE CASEY EYE INSTITUTE**

#### **GENERAL INFORMATION**

**Representative:** Miles Anderson, Modus  
225 SW 1st Ave  
Portland, OR 97204  
Melissa Bodine, Verizon Wireless  
5430 NE 122nd Ave  
Portland, OR 97230

**Applicant/Owner:** Oregon State Board Of Higher Education  
3181 SW Sam Jackson Park Rd  
Portland, OR 97239-3011  
OHSU  
3181 SW Sam Jackson Park Rd  
Portland, OR 97239

**Site Address:** **545 SW CAMPUS DR**

**Legal Description:** TL 200 26.24 ACRES LAND & IMPS SEE R327745 (R991090552) FOR AIRSPACE & IMPS & R327746 (R991090555) FOR IMPS, SECTION 09 1S 1E; TL 500 1.94 ACRES LAND & IMPS SEE R327785 (R991091031) FOR AIRSPACE & IMPS, SECTION 09 1S 1E

**Tax Account No.:** R991090550, R991091030  
**State ID No.:** 1S1E09 00200, 1S1E09AD 00500, 1S1E09 00600  
**Quarter Section:** 3328, 3428  
**Neighborhood:** Homestead, contact at [land-use@homesteadna.org](mailto:land-use@homesteadna.org)  
**Business District:** None  
**District Coalition:** Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.  
**Plan District:** Marquam Hill

**Zoning:** EX d,c,p,s, Central Employment, with design overlay, conservation overaly, preservation overlay, and scenic 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 project consists of the addition of four cell antennas to an existing rooftop on the Casey Eye Institute at the Oregon Health Sciences and University. One 4G panel antenna and one 5G panel antenna with associated equipment are proposed on the penthouse, with an additional 5G panel antenna located inside a faux stack proposed on the Northeast and Southeast corner of the rooftop. The antennas will be mounted flush to face of the penthouse. Associated equipment will be mounted inside the penthouse. The 4G antenna and associated equipment will be painted to match the penthouse element it is attached to. The 5G panel antennas will be covered with a 3M film with the same color as the penthouse/stacks. Power and telco will be routed from the structure itself to each antenna.

Because the proposal includes development that is not exempt from Design Review, Design Review is required.

**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:

- Marquam Hill Design Guidelines

## ANALYSIS

**Site and Vicinity:**

The Casey Eye Institute, designed as the gateway to Oregon Health & Science University (OHSU), the Casey Eye Institute houses the research and educational programs of OHSU's renowned Department of Ophthalmology. The \$23 million facility consists of a five-story, 82,000 sq. foot building, a 320-car garage, and a bridge connection to University Hospital South.

Transportation infrastructure and services are provided to the site as follows: Bus service is provided to the site via SW Sam Jackson Park Road with the #8, #61, #64, #65, #66 and #68; SW Sam Jackson Park Road SW Gibbs Street and SW US Veterans Hospital Road are all designated as City Bikeways and City Walkways (per the Transportation Service Plan, TSP), SW Terwilliger Boulevard is designated as a Major City Bikeway and a City Walkway; the aerial Tram terminal is located adjacent to Peter O. Kohler Pavilion.

**Zoning:**

The Central Employment (EX) zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

The Environmental Conservation Zone "c" overlay conserves important resources and functional values in areas where the resources and functional values can be protected while following environmentally sensitive urban development.

The Design overlay "d" promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Environmental Protection Zone “p” overlay provides the highest level of protection to the most important resources and functional values. These resources and functional values are identified and assigned value in the inventory and economic, social, environmental, and energy (ESEE) analysis for each specific study area. Development will be approved in the environmental protection zone only in rare and unusual circumstances.

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

- Numerous Land Use Reviews exist on the site, however none have an impact or Conditions that would apply to these limited RF antenna locations.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **September 26, 2019**. No Bureaus provided comments.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **September 26, 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

### DESIGN REVIEW (33.825)

#### 33.825.010 Purpose

Design Review ensures:

- That development conserves and enhances the recognized special design values of a site or area;
- The conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district;
- That certain types of infill development will be compatible with the neighborhood and enhance the area; and
- High design quality of public and private projects.

#### 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) and requires Type II Design Review approval. Because the site is located within the Marquam Hill Plan District, the applicable design guidelines are the Marquam Hill Design Guidelines.

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

#### Marquam Hill Design Guidelines

**2. Develop Integrated Building Rooftops.** Size and place rooftop penthouses, mechanical equipment and related screening elements to mitigate their impacts on views of the buildings. Consider the incorporation of rooftop gardens and/or roof-level stormwater management systems to enhance views of and views onto the rooftops of buildings and parking structures.

**6. Support the Pedestrian Network with New Development.** Support the pedestrian network by developing building facades that create strong physical and visual connections to the system. Incorporate building equipment and/or service areas in a manner that does not detract from the pedestrian environment, including trails.

**Findings for 2 and 6:** While small in size projecting 4’ above the top of the parapet wall, the two new antennas are located on the rooftop of the Casey Eye Institute and will have visual impact not only from above views down to the roof top, but also at the east and west elevations of the building as viewed from the pedestrian network along

SW Campus Drive. The two antennas will be screened with a tubular “chimney” shaft, painted to match the exterior elevation of the Casey Eye Institute. Due to documented technical challenges, the actual 5G antennas will be flush-mounted at the exterior of the tubular screening but have an applied film that will be colored to match the tubular screening element. This concealment method – tubular screening – reflects other curvilinear rooftop features on the Casey Eye Institute, such as the large-scale mechanical screening level at the north side rooftop of the building, as well as other similar rooftop venting chimneys that are also tubular shaped on other medical buildings in the Marquam Hill Plan District. Painting the tubular screening and having an applied film of also matching color to the building façade, will further integrate the faux elements with the building’s architectural design.

All associated mechanical equipment and wiring will be located below the parapet level elevation, within existing screening enclosure, or inside the building.

*With the condition of approval that the concealment for antennas is that they be: located within painted tubular screening with matching color film at the flush mounted antenna locations [necessary for the 5G antennas] to match the predominant color of the Casey Eye Institute exterior walls, 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 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. As indicated in detail in the findings above, the proposal meets the applicable design guidelines and therefore warrants approval.

## **ADMINISTRATIVE DECISION**

Design Review approval of two Radio Frequency screening and antennas at the south end roof top of the Casey Eye Institute on the OHSU Campus located in Subdistrict B of the Marquam Hill Plan District.

Approval per Exhibits C-1 through C-6, signed and dated October 25, 2019, 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 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 19-220925 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.

- C. The concealment for antennas is that they be: located within painted tubular screening with matching color film at the flush mounted antenna locations [necessary for the 5G antennas) to match the predominant color of the Casey Eye Institute exterior walls.
- D. NO FIELD CHANGES ALLOWED

**Staff Planner: Tim Heron**



**Decision rendered by:** \_\_\_\_\_ **on October 25, 2019**  
By authority of the Director of the Bureau of Development Services

**Decision mailed October 30, 2019**

**Procedural Information.** The application for this land use review was submitted on September 3, 2019, and was determined to be complete on **September 19, 2019**.

*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 September 3, 2019.

*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: January 17, 2020.**

**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.

**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](http://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 **October 30, 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
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Roof Plan (attached)
  3. West Elevation (attached)
  4. East Elevation (attached)
  5. Antennas details
  6. Antennas details
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: No responses were received.
- G. Other:
  1. Original LU Application

**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).**



verizon



CAPITAL DESIGN SERVICES  
1101 N. W. 10TH AVE. SUITE 200  
PORTLAND, OR 97227  
WWW.CAPITALDESIGNSERVICES.COM



DRAWN BY: MS  
CHECKED BY: BU

VER	DATE	DESCRIPTION
1	08/27/19	PRELIM CD DRAWINGS
2	05/01/19	CLIENT COMMENT
3	06/04/19	FINAL LU DRAWINGS
4	06/27/19	CC - FINAL LU DRAWINGS
5	07/29/19	CC - FINAL LU DRAWINGS

APPROVED  
City of Portland  
Bureau of Development Services  
Planner  
Date 10.28.19

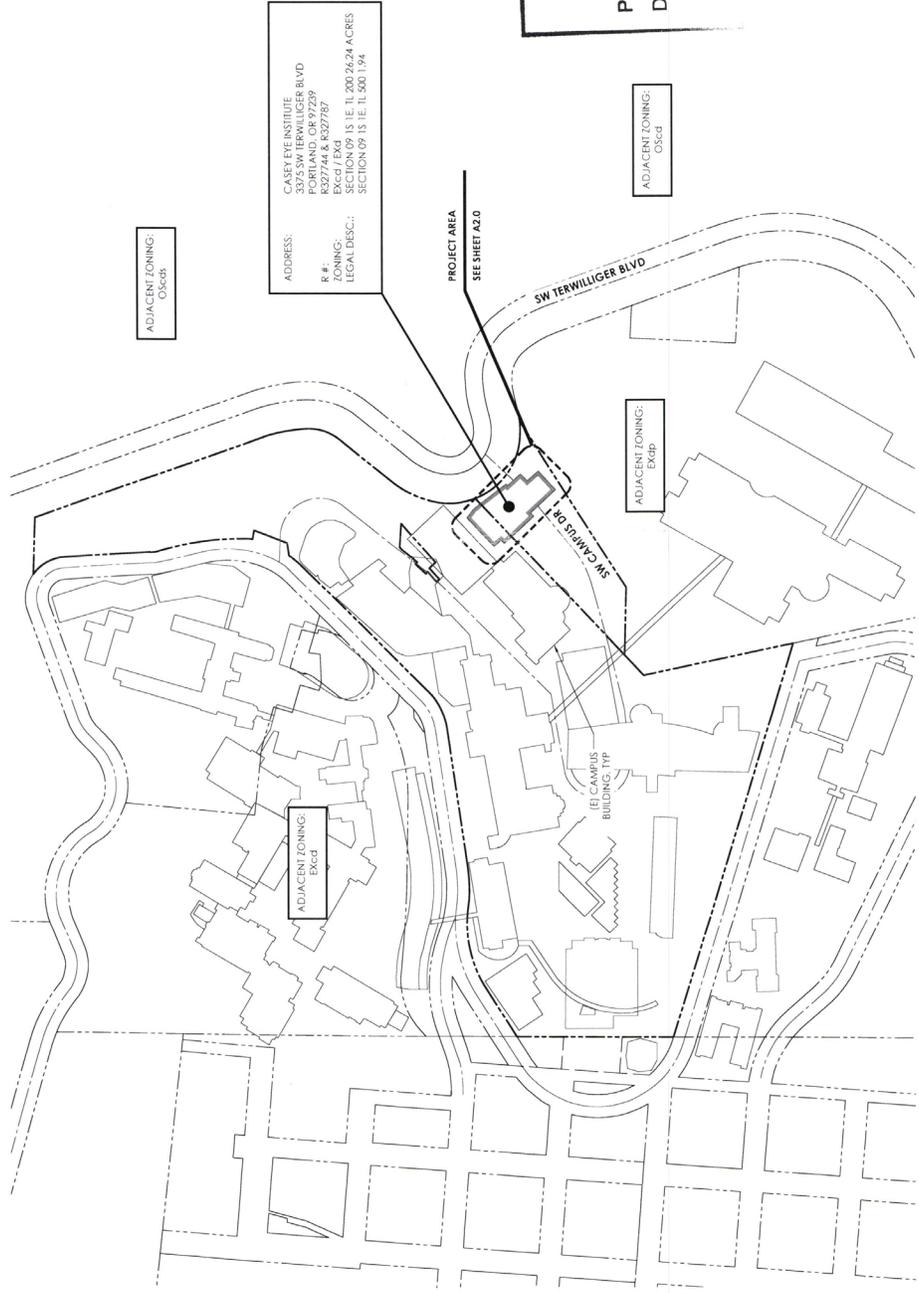
\* This approval applies only to the reviews requested and is subject to all conditions of approval.  
City of Portland Bureau of Development Services  
1101 N. W. 10TH AVE. SUITE 200  
PORTLAND, OR 97227  
WWW.CITYOFPORTLAND.ORG

GROVER 09  
CASEY EYE INSTITUTE  
3375 SW TERWILLIGER BLVD  
PORTLAND, OR 97239

OVERALL SITE PLAN

EXHIBIT C.1

NOTES:  
1. THE OVERALL SITE PLAN IS GENERATED FROM MULTIPLE SOURCES: PHOTOGRAPHS, AERIALS, MAPS, PHOTOS, IMAGES, AND TOPOGRAPHIC SURVEY (IF PROVIDED).



ADJACENT ZONING:  
ORCdp

ADDRESS:  
CASEY EYE INSTITUTE  
3375 SW TERWILLIGER BLVD  
PORTLAND, OR 97239  
R #:  
ZONING:  
EXCD / EXRP  
LEGAL DESC.:  
SECTION 09 IS 1E, 1L, 200 26.24 ACRES  
SECTION 09 IS 1E, 1L, 500 1.94

PROJECT AREA  
SEE SHEET A2.0

ADJACENT ZONING:  
ORC

ADJACENT ZONING:  
EXRP

ADJACENT ZONING:  
Excd



1 OVERALL SITE PLAN

19-220925.DZ





DRAWN BY: MS  
 CHECKED BY: BU

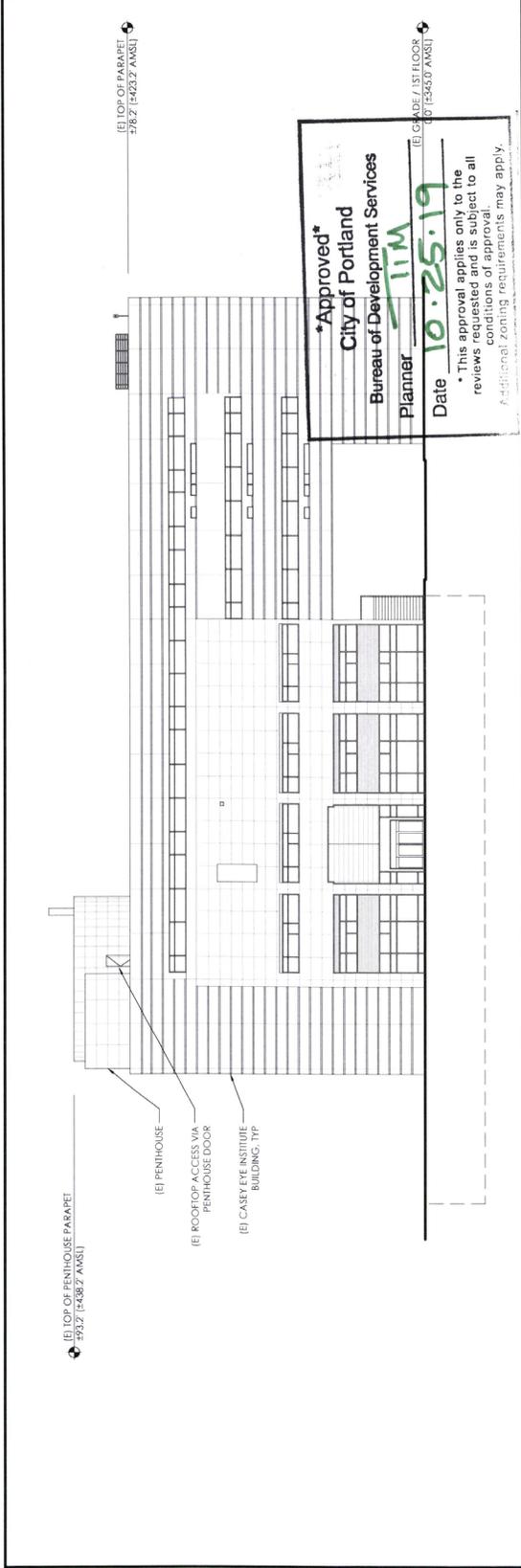
VER	DATE	DESCRIPTION
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2	05/01/19	CLIENT COMMENT
3	06/04/19	FINAL LUDRAWINGS
4	06/27/19	CC - FINAL LUDRAWINGS
5	07/29/19	CC - FINAL LUDRAWINGS

LICENSER

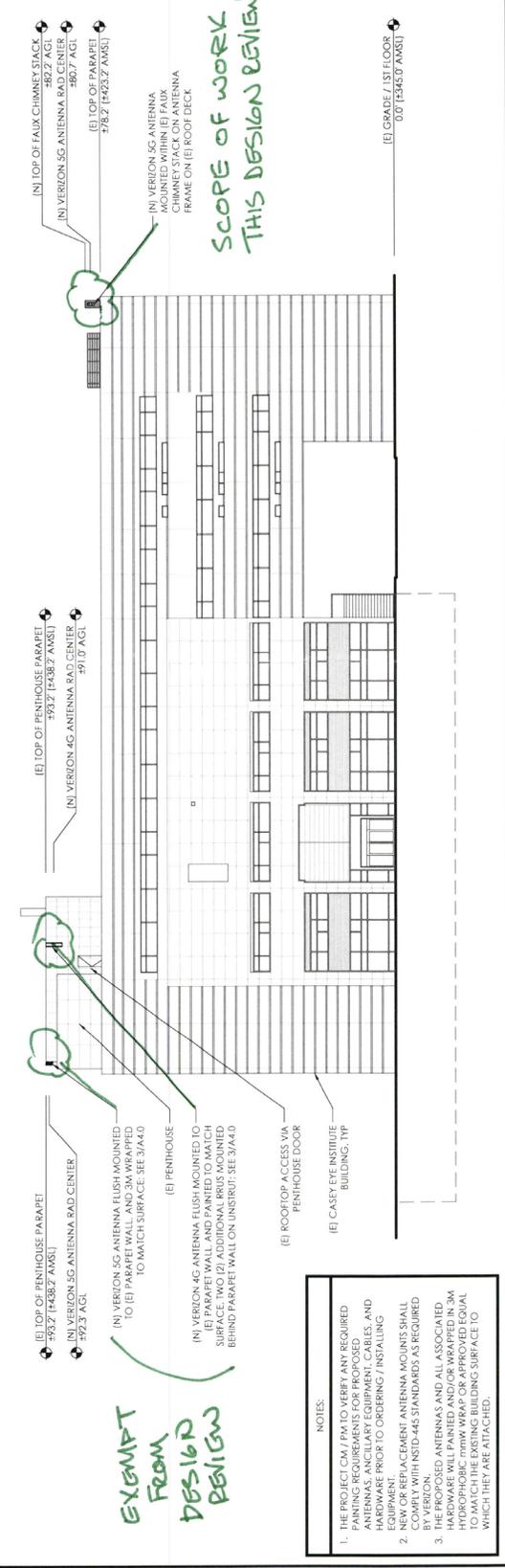
PROJECT INFORMATION  
 GROVER 09  
 CASEY EYE INSTITUTE  
 3375 SW TERWILLIGER BLVD  
 PORTLAND, OR 97239

SHEET TITLE  
 (E) & (N) WEST  
 ELEVATIONS

SHEET NO.  
 A3.0  
 EXHIBIT C-3



1 (E) WEST ELEVATION  
 11 X 17 SCALE: 1" = 30'-0"  
 22 X 34 SCALE: 1" = 15'-0"



1 (N) WEST ELEVATION  
 11 X 17 SCALE: 1" = 30'-0"  
 22 X 34 SCALE: 1" = 15'-0"

NOTES:

- THE PROJECT OWNER MUST VERIFY ANY REQUIRED PAINTING REQUIREMENTS FOR PROPOSED ANTENNAS, ANCILLARY EQUIPMENT, CABLES, AND HARDWARE PRIOR TO ORDERING / INSTALLING EQUIPMENT.
- ALL VERICON ANTENNA MOUNTS SHALL COMPLY WITH NSTD-446 STANDARDS AS REQUIRED BY VERIZON.
- THE PROPOSED ANTENNAS AND ALL ASSOCIATED HARDWARE SHALL BE PROTECTED FROM WEATHER BY HYDROPHOBIC TYPAR WRAP OR APPROVED EQUIVAL TO MATCH THE EXISTING BUILDING SURFACE TO WHICH THEY ARE ATTACHED.

10-19-220925 DZ



DRAWN BY: MS  
 CHECKED BY: BU

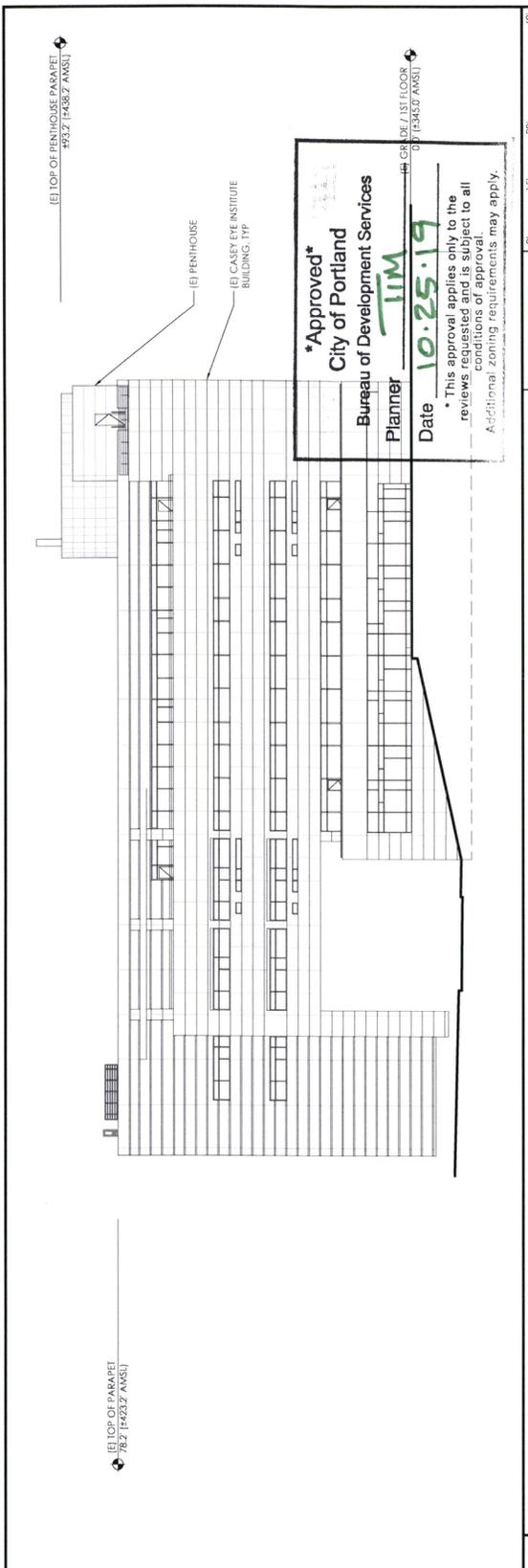
VER	DATE	DESCRIPTION
1	04/19/19	PRELIM DRAWINGS
2	05/01/19	CLIENT COMMENT
3	06/04/19	FINAL DRAWINGS
4	06/27/19	CC - FINAL DRAWINGS
5	07/29/19	CC - FINAL DRAWINGS

LICENSER

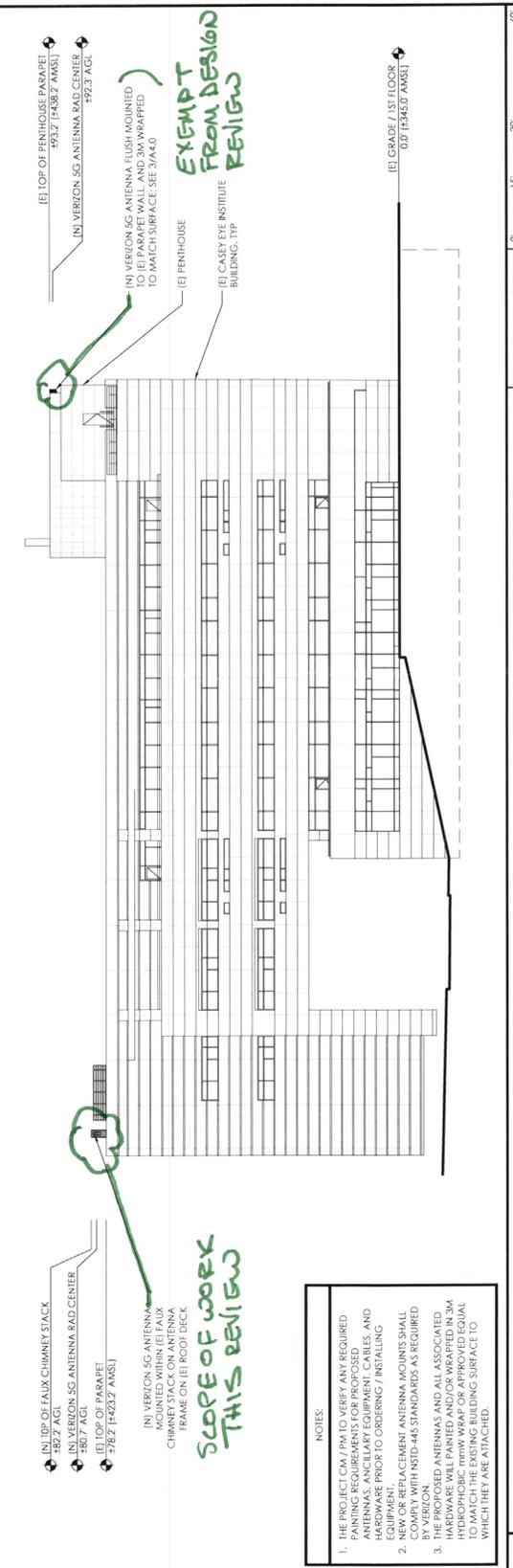
PROJECT INFORMATION  
 GROVER 09  
 CASEY EYE INSTITUTE  
 3375 SW TERWILLIGER BLVD  
 PORTLAND, OR 97239

SHEET TITLE  
 (E) & (N) EAST  
 ELEVATIONS

SHEET NO.  
 A3.1  
 EXHIBIT C.4



1 (E) EAST ELEVATION  
 11 X 17 SCALE: 1" = 30'-0"  
 22 X 34 SCALE: 1" = 15'-0"



1 (N) EAST ELEVATION  
 11 X 17 SCALE: 1" = 30'-0"  
 22 X 34 SCALE: 1" = 15'-0"

let 19-220925 DZ