



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

Dan Ryan, Commissioner
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Date: May 9, 2022
To: Interested Person
From: Amanda Rhoads, Land Use Services
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Hannah Bryant, Land Use Services
503-865-6520 / Hannah.Bryant@portlandoregon.gov

NOTICE OF A TYPE I PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. Amanda and Hannah are the staff handling the case. Please call us if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 21 days, **we need to receive your written comments by 5 p.m. on May 23, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-103345 CU HR, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 21-103345 CU HRM

Applicant: Phillip Kitzes | J5 Infrastructure Partners
23035 SE 263rd St | Maple Valley, WA 98038
206-227-7445 | pkitzes@j5ip.com

Owner: Housing Authority of Portland Oregon
135 SW Ash St | Portland, OR 97204-3540

Site Address: 335 NW 19TH AVE

Legal Description: BLOCK 275 LOT 1-8 E 1/2 OF LOT 9&10, LAND ONLY SEE R670044 (R18022-6571) FOR IMPS, COUCHS ADD

Tax Account No.: R180226570
State ID No.: 1N1E33DB 02700
Quarter Section: 3028
Neighborhood: Northwest District, contact Greg Theisen at contact@northwestdistrictassociation.org
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-8877.
Plan District: Northwest

Other Designations: Non-contributing resource in the Alphabet Historic District, listed in the National Register of Historic Places on November 16, 2000.

Zoning: RM4d – Residential Multi-Dwelling 4 with “d” Design Overlay Zone
Case Type: CU HRM – Conditional Use Review and Historic Resource Review and Modification

Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant requests both Conditional Use Review and Historic Resource Review approval to install a new AT&T personal wireless service facility including 9 antennas and associated equipment on the rooftop of the existing east building on the site. The antennas, 12 RRH units, and 3 surge suppressors would be concealed behind three separate FRP (Fiber-Reinforced Plastic) screens, one for each sector, as shown on the plans.

With the Historic Resource Review, the applicant also requests approval of a Modification to increase the allowable height for the shrouds and accessory equipment (Zoning Code Section 33.846.070). For this site, the maximum building height is 75 feet (Zoning Code Table 120-3). Sector “A” and Sector “B” are located on the taller northern portion of the building. The FRP enclosures extend 10 feet above the roofline, which is 129 feet, 4 inches tall. Sector “C” is on the southern section of the building. The roof is 113 feet, 4 inches tall and the FRP enclosure extends up to 126 feet. Therefore, the applicant requests a Modification to Zoning Code Section 33.120.215.B.1 and Table 120-3 to allow three wireless shrouds to extend from 10 feet to 12 feet, 8 inches above the roof. A Modification is not required for the antennas or the antenna mounting structures, as these items are exempt from the height limit per Zoning Code Section 33.120.215.C.5 and 33.274.040.C.10, respectively.

The proposed facility requires Conditional Use Review because the site is within a residential zone (Zoning Code Sections 33.274.025 and 33.274.035.A). Historic Resource Review is required for this non-exempt exterior alteration to a non-contributing resource in the Alphabet Historic District.

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:

- Zoning Code Section 33.815.225 (Conditional Use Review)
- Community Design Guidelines
- Historic Alphabet District – Community Design Guidelines Addendum
- Zoning Code Section 33.846.070 – Modifications Considered During Historic Resource Review

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. This application was submitted on November 4, 2021 and determined to be complete on April 29, 2022.

Decision Making Process

The Bureau of Development Services will make a decision on this proposal. After we consider your comments, we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to

the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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 extended at the request of the applicant.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

Appeal Process

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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).

Enclosures:

Zoning Map
Site Plan
Detailed Site Plan
East Elevation