



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

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**Date:** November 2, 2022  
**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 22-183862 HR- MONTGOMERY PARK  
PERSONAL WIRELESS SERVICE EQUIPMENT ALTERATIONS - VERIZON**

**GENERAL INFORMATION**

**Applicant:** Paul Slotemaker, Verizon Wireless c/o Tilson  
2450 NW 144th Ave  
Beaverton, OR 97006  
(503) 421-2258

**Owner's Agent:** Unico Properties LLC  
2710 NW Vaughn Street, Suite 323  
Portland, OR 97210

**Owner:** UPG Montgomery Park Property Owner LLC  
1215 4th Ave., Ste 600  
Seattle, WA 98161

**Site Address:** 2701 NW VAUGHN ST

**Legal Description:** TL 200 11.06 ACRES ALSO SEE SUBS -0291 -0292, SECTION 29 1N 1E

**Tax Account No.:** R941290290  
**State ID No.:** 1N1E29D 00200  
**Quarter Section:** 2826

**Neighborhood:** Northwest District, contact Greg Theisen at [planningchair@northwestdistrictassociation.org](mailto:planningchair@northwestdistrictassociation.org)

**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Darlene Urban Garrett at [darlene@nwnw.org](mailto:darlene@nwnw.org)

**Plan District:** None

**Other Designations:** Historic Landmark, Individually listed on the National Register of Historic Places on June 6, 1985

**Zoning:** EXd – Central Employment with Design and Historic Resource Protection Overlays

**Case Type:** HR – Historic Resource Review

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

**Proposal:**

The applicant seeks Historic Resource Review approval for removal and replacement of existing, RF antennas and equipment – currently located on the sign structure and behind the letters of the historic rooftop sign on the Montgomery Park Building. The proposed alterations include the following:

Removal of Existing Verizon Antennas and Equipment. Verizon is proposing to remove all existing Verizon antennas and equipment from the Montgomery Park sign on the building's rooftop, including removal of:

- Three (3) Alpha sector panel antennas and all related equipment.
- Four (4) beta sector panel antennas and all related equipment.
- Four (4) gamma sector panel antennas and all related equipment.

The additional accessory equipment located within the equipment room inside the building is proposed to remain in the equipment room.

Proposed Antennas and Equipment. Verizon proposes to replace and relocate Verizon's antennas and equipment on the Montgomery Park building rooftop as follows:

**Alpha Sector** - inside wall of north parapet near the northwest corner of the building:

- Four (4) panel antennas (2 LTE, 1 5G (L-Sub6), 1 CBRS)
- Two (2) RRUs (Remote Radio Units)
- One (1) mount for antennas and RRUs

**Beta Sector** - inside wall of south parapet:

- Four (4) panel antennas (2 LTE, 1 5G (L-Sub6), 1 CBRS)
- Two (2) RRUs (Remote Radio Units)
- One (1) mount for antennas and RRUs

**Gamma Sector** – relocate to within a FRP shroud at a rooftop penthouse structure (as shown in LU 21-065094 HR) and at the inside wall of west parapet near the northwest corner of the building:

- Two (2) panel antennas (2 LTE) within previously approved FRP screen
- Two (2) panel antennas (1 5G (L-Sub6), 1 CBRS) mounted to parapet wall
- Two (2) RRUs (Remote Radio Units)
- One (1) mount for parapet mounted antennas

Historic Resource Review approval is required for non-exempt alterations to a Historic Landmark.

**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:

- 33.846.060.G *Other approval criteria*

## ANALYSIS

**Site and Vicinity:** Constructed in 1920 and enlarged in 1936, the Montgomery Ward & Company Building was one of six similar catalog distribution centers developed by the company between 1920 and 1929. The Portland location was chosen for a catalog distribution facility because of Portland's prominence as a transportation hub and the home

of a strong, well-educated workforce. The building was designed by W. H. McCauley, an architect in the full-time employ of Montgomery Ward & Company. The building is listed in the National Register of Historic Places under Criterion "A" for its association with the evolution of mail-order retailing. It is also listed under Criterion "C" for its architectural expression as a massive warehousing facility. The building was vacated by the company in 1984. In 1989, the Naito Corporation rehabilitated the building and converted it into office space. At that time, the main entrance was shifted to a glass-enclosed light-well on the west façade. Until that time, the west façade had been the rear façade of the building.

In general, the property is surrounded on the east and north by General and Heavy Industrial (IHk) Zones with area of Central Employment (EXd), General Employment (EG2) abutting the site to the east and north respectively. Across NW Wardway Street to the west and south, the site abuts a small section of General Employment 1 (EG1) and Commercial/Mixed Use 2 (CM2) with a majority of the south frontage abutting Residential 1,000 (R1) zoning. The building is considered the most important example of Reinforced Concrete Utilitarian style architecture in the city. When constructed, it was the largest building in Portland, and one of the largest concrete structures west of the Rockies. It continued to be the largest building in Portland until 1970 when the First National Bank Tower was constructed. By its sheer size relative to its surroundings, the Montgomery Park Building contributes strongly to the neighborhood and the sign structure and signage is a prominent element against Forest Park as a background to the west. The "massive steel-framed roof sign" is noted under Section 8 of the Nomination for being the largest (roof sign) in the City.

To the east of the site are restaurants, cafes. To the west and south is largely residential but also includes the Chapman Elementary School with subsequent open space. The site is served by frequent transit and is also surrounded by designated city bikeways including: NW Nicolai Street to the north, NW Wardway to the west, and NW Vaughn Street to the south. Although the site is not in the NW Pedestrian District, the site is immediately adjacent to the district at the southeast corner.

**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 Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

The historic resource overlay zone protects historic resources that have been identified as significant to the history of the city and region. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting education and enjoyment for those living in and visiting the region. The regulations foster awareness, memory, and pride among the region's current and future residents in their city and its diverse architecture, culture, and history. Historic preservation recognizes social and cultural history, retains significant architecture, promotes economic and environmental health, and stewards important resources for the use, education, and enjoyment of future generations.

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

- **HL 53-85** – Designation of the property through a Type III procedure
- **HL 80-89** – Type Ix approval of “Antennas and Dishes”. Noted, "Site plan, 8/22/89, paint into background, sectors G-4 & G5 set back". No additional information or drawings.
- **HL 81-89** – Type Ix approval of “Antennas and Dishes”. Noted, "paint into background". No additional information or drawings.
- **LUR 96-00331** – Design Review approval with conditions to install an unmanned cellular communications facility consisting of three antenna arrays: two wall mounted to the roof parapet of an existing nine-story office building and one array mounted on the support structure of the existing Montgomery Park sign.
- **LUR 96-00448** – Design Review approval with conditions to install an unmanned cellular telecommunications facility consisting of three "whip-style" antennas mounted on the support structure of the existing Montgomery Park sign.
- **LUR 98-00163** – Design Review approval with conditions to install three 2 inch by 10 feet tall "whip-style" antennas mounted to the roof of the existing mechanical penthouse; All associated electronic equipment housed inside the penthouse and out of view; Two Global Positioning System antennas (2" x 4" x 4"); and One diagnostic antenna (4" x 8" x 4") are to be installed at this time. Future expansion of the facility is approved to consist of up to a maximum of twelve panel style antennas, 1 foot x 4 feet, flush wall mounted to the sides of the existing mechanical penthouse.
- **LUR 00-00770 HDZ** – Historic Design Review approval with conditions to install eleven antennas on three metal pole masts attached to two penthouses on the roof of the historic Montgomery Ward & Company Building.
- **LU 02-126847 HDZ** – Historic Design Review approval to install two new antennas: one 6-inch tall antenna mounted to the top of a pole mount extending no more than 4'-0" above the sign structure, and the second GPS antenna, under 7-inches tall, mounted at the bottom of the same pole mount below the top of the sign structure.
- **LU 05-105768 HDZ** – Historic Design Review approval to install three (3) new PCS antennas within the “Montgomery Park” rooftop sign structure. Three existing antenna sectors will be affected by the proposal. Each sector currently includes two antennas. The proposal is to add one antenna to each of these three existing sectors. The proposed antennas are approximately 4' tall and will be pipe mounted – the application states they will match the existing antennas in size and color.
- **LU 06-100938 HDZ** – Historic Design Review approval to install 3 new antennas and to replace 3 existing antennas (for a total of 6 antennas).
- **LU 07-145772 HDZ** – Historic Design Review approval to install 2 panel antennas and 2 BTS units mounted on an existing penthouse with existing RFR equipment, and painted to match the penthouse; 2 panel antennas with 2 microwave dishes, 2 BTS units, and 1 GPS unit mounted behind the “M” on the existing Montgomery Park sign structure and painted to match; 2 panel antennas and 2 BTS units mounted behind the “K” on the existing Montgomery Park sign structure and painted to match; Replacement of 2 existing pole mounted microwaves on the north end of the rooftop and painted to match the steel pipe pole; and 2 new cable trays mounted on the roof and painted to match.
- **LU 11-135616 HDZ** – Historic Design Review approval with conditions to replace 3 antennas on the Montgomery Park sign which sits atop the Montgomery Ward & Company Building, and is listed on the National Register of Historic Place. Approval includes replacement antennas will include support equipment including 6 RRH units, 3 surge suppression units, a power fiber junction box, and a 19-inch equipment rack.
- **LU 13-167062 HR** – Historic Resource Review approval with conditions of the following at the historic Montgomery Ward & Company building located in the Northwest District neighborhood:
  - One new panel antenna and two new RRUs, at each of the following locations:
    - Building parapet at northeast corner of rooftop; antenna located on outer part of parapet and RRUs located on inner part of parapet;
    - Building parapet at southeast corner of rooftop; antenna located on outer part of parapet and RRUs located on inner part of parapet;
    - On rooftop sign structure, behind letter “R” of “MONTGOMERY”; and
    - Two new support cabinets, one with a GPS unit attached to it, on existing support cabinet platform

- **LU 14-138147 HR** – Historic Resource Review approval with conditions of alterations to the Montgomery Ward building, a Historic Landmark listed in the National Register of Historic Places. Alterations include:
  - Replacement of one Radio Frequency Antenna and RRU on the back of the “Y” on the “Montgomery Park” sign;
  - Installation of one Radio Frequency Antenna and RRU on the back of the “R” on the “Montgomery Park” sign; and
  - Replacement of two Radio Frequency Antennas and RRUs on the south side roof parapet
- **LU 14-230793 HR** – Historic Resource Review approval with conditions of the following at the historic Montgomery Ward & Company building located in the Northwest District neighborhood:
  - Replace six of the nine existing wireless panel antennas
  - Add two new wireless panel antennas (for an end total of eleven (11) wireless panel antennas)
  - Add five Remote Radio Units (RRUs)
  - Add four DC Surge Suppressors: 2 of these are proposed to be located inside the existing Verizon equipment shelter in the existing penthouse.
  - Add twelve diplexers:
    - 6 within the structural supports of the rooftop lettering, similar to the previously mentioned RF equipment
    - 6 are proposed to be located inside the existing Verizon equipment shelter in the existing penthouse.
- **LU 16-273445 HR** – Historic Resource Review approval with conditions for alterations to sign mounted antennas and equipment to include the following:
  - Replace eight (8) existing antennas with eight (8) new panel antennas;
  - Remove three (3) lines of 7/8” coax cable;
  - Install sixteen (16) Remote Radio Units (RRUs);
  - Install two (2) OVPs; and
  - Install one (1) hybrid cable.
- **LU 18-162238 HR** – Withdrawn Historic Resource Review application for a similar scope of work as the current proposal.
- **LU 18-270955 HR** – Partially approved Historic Resource Review for:  
Alterations associated with the “Gamma Sector”
  - Removal of existing antenna and associated equipment;
  - Installation of (2) new panel antennas;
  - Installation of two (2) new RRUs; and
  - Installation of a new RF shroud to match the existing penthouse.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **July 21, 2021**. No responses were received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **July 21, 2021**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **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 a designated Historic Landmark outside the Central City Plan

District and not within in a Historic or Conservation District, and the proposal is for non-exempt treatments. Therefore, the proposal requires Historic Resource Review approval. The approval criteria are those listed in 33.846.060 G – *Other Approval Criteria*.

*Staff has considered all of the approval criteria and addressed only those applicable to this proposal.*

### **33.846.060 G - Other Approval Criteria**

- 1. Historic character.** The historic character of the landmark or contributing resource will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the historic significance of the landmark or contributing resource will be avoided.

**Findings:** The proposed removal of existing antennas and equipment and installation of the proposed two (2) new antennas and RF transparent shroud associated with the “Gamma Sector” retain and preserve the historic character of the individually listed Montgomery Ward & Company Building by integrating proposed antennas with existing rooftop elements. Thus, limiting views of the proposed antennas and visual clutter, effectively concealing them and responding to the simplicity and uniform spacing of the significant reinforced concrete frame of the resource.

Architecturally, the resource is Portland’s most prominent example of the Reinforced Concrete Utilitarian style, primarily due to its size and highly visible location. The proposed antennas associated with the “Alpha Sector” at the north parapet edge, and the “Beta Sector” at the south parapet edge would be better placed set back from the parapet edge and incorporated into an existing or extended rooftop element (as seen in the “Gamma” sector) in order to defer to the iconic parapet. However, with the following proposed concealment measures, the overall proposal defers to the iconic parapet pier caps and character-defining structural rhythm of the resource: the tops of proposed antennas will not extend higher from the parapet edge than the height of the proposed antenna (see Exhibits C-6, C-8, C-10, and C-12); the antennas will be placed behind the outward face of the parapet piers (see Exhibit C-4); all accessory equipment associated with the antennas shall be mounted to the inside face of the parapet and located below the top of the parapet with no structural components or pole-mounts extending beyond the outside face of the parapet; and the antennas will be placed within 2’-8” (the width of the parapet pier) on either side of parapet piers (see Exhibit C-4).

To ensure that the proposed HR antennas and associated equipment adequately respond to the character defining elements of the resource and limit visual clutter and impact on character defining elements and historic material. staff has added concealment measures in Conditions of Approval ‘C’, ‘D’, ‘E’ and ‘F’.

*With Condition of Approval “C” that, “As a concealment measure, the antennas proposed at the parapet shall be mounted to the inside face of the parapet and the top of the proposed antennas shall not extend higher from the parapet edge than the height of the proposed antenna (see Exhibits C-6, C-8, C-10, and C-12)”;*

*With Condition of Approval “D” that, “As a concealment measure, the antennas shall be placed behind the outward face of the parapet piers (see Exhibit C-4)”;*

*With Condition of Approval “E” that, “As a concealment measure, all accessory equipment associated with the antennas shall be mounted to the inside face of the parapet and located below the top of the parapet with no structural components or pole-mounts extending beyond the outside face of the parapet”;*

*With Condition of Approval “F” that, “As a concealment measure, the antennas shall be placed within 2'-8” (the width of the parapet pier) on either side of parapet piers (see Exhibit C-4); and*

*With Condition of Approval “E” that, “As a concealment measure, the proposed RF transparent shroud shall match the color and texture of the existing penthouse to which it is attached”, these criteria are met.*

- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the historic feature in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

**Findings for 4, and 5:** The proposal does not involve repair or replacement of historic features and the proposal does not affect any historic materials on the building. *Therefore these criteria do not apply.*

- 3. Historic changes.** Most resources change over time. Those changes that have acquired historic significance will be preserved.

**Findings:** No changes acquiring historic significance will be impacted from the proposed RF alterations and additions. *Therefore, this criterion does not apply.*

- 6. Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

**Findings:** The proposed alterations and additions are to the roof of this landmark resource - archaeological resources will not be affected. *Therefore this criterion is does not apply.*

- 2. Record of its time.** The landmark or contributing resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a landmark or contributing resource. New work may be differentiated from the old if the differentiation does not diminish the character, features, materials, form, or integrity of the landmark or contributing resource and, if in a Historic District, the district as a whole.
- 9. Preserve the form and integrity of historic resources.** New additions, exterior alterations, or new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the landmark or contributing resource and, if in a district, the district as a whole would be unimpaired.

**Findings for 2, 7, and 9:** Both in appearance and function, the antennas and associated equipment and the shroud at the “Gamma” sector are elements of modern telecommunications technology; thus, they are easily differentiated as new additions that cannot be confused with the historic materials that characterize the building. Thus, allowing the resource to remain a record of its time, place, and use. Additionally, if the proposed antennas, shroud, and associated equipment and mounting hardware were to be removed in the future, it is reasonable to assume that the essential form and integrity of the building’s roof would remain unimpaired. As designed with concealment measures for the antennas mounted to the interior face of the parapet as shown in the proposed “Alpha” and “Beta” sectors, such

installations are easily removed with minimal alteration to the existing historic structure.

*Therefore, these criteria are met.*

**8. Architectural compatibility.** New additions, exterior alterations, or new construction will be compatible with the massing, size, scale, and architectural features of the landmark or contributing resource and, if in a district, the district as a whole. When retrofitting to improve accessibility for persons with disabilities or accommodate seismic improvements, design solutions will not compromise the architectural integrity of the landmark or contributing resource.

**10. Hierarchy of compatibility.** New additions, exterior alterations, or new construction will be designed to be compatible primarily with the landmark or contributing resource and, if located within a district, secondarily with contributing resources within 200 feet and, finally, with the rest of the district. Where practical, compatibility in districts will be pursued on all three levels.

**Findings for 8, and 10:** Previous methods to conceal antennas were designed to limit visibility and impact on the resource to maintain compatibility with the resource. These installations were designed to include limited face mounting of antennas to surfaces with consideration to the height of these and alignment relative to significant architectural features such as pier caps, parapet, and placed to align with columns or window mullions.

The antennas and equipment associated with the proposed “Gamma Sector” will be utilizing concealment measures as follows: mounted to the west face of the existing penthouse and screened from view by the installation of a continuous RF transparent fiber reinforced plastic shroud that will extend the perceived height and depth of the penthouse. The mounting method of the proposed antennas onto a solid surface, of an existing rooftop element, recessed from roof edges, and shielded from view by a continuous extension to match the existing penthouse is a concealment measure that is consistent with the intent of previous approvals and continues to be compatible with the resource’s character-defining architectural features and the resource as a whole. As a concealment measure, to ensure that the proposed shroud adequately references the color and texture of the existing penthouse that it is proposed to “extend”, staff has added Condition of Approval ‘E’.

As mentioned above, the proposed antennas associated with the “Alpha Sector” at the north parapet edge, and the “Beta Sector” at the south parapet edge would be better placed set back from the parapet edge and incorporated into an existing or extended rooftop element (as seen in the “Gamma” sector) in order to defer to the iconic parapet. However, with the following proposed concealment measures, the overall proposal defers to the iconic parapet pier caps and character-defining structural rhythm of the resource: the tops of proposed antennas will not extend higher from the parapet edge than the height of the proposed antenna (see Exhibits C-6, C-8, C-10, and C-12); the antennas will be placed behind the outward face of the parapet piers (see Exhibit C-4); all accessory equipment associated with the antennas shall be mounted to the inside face of the parapet and located below the top of the parapet with no structural components or pole-mounts extending beyond the outside face of the parapet; and the antennas will be placed within 2’-8” (the width of the parapet pier) on either side of parapet piers (see Exhibit C-4). Deferring to and responding thoughtfully with concealment measures to how elements are placed adjacent to the historic parapet and pier caps is a necessary component to achieving compatibility with these prominent architectural features of the resource which are associated with its significance for being one of the most prominent reinforced concrete structures in the city. To ensure that the proposed antennas and associated equipment adequately respond to the character defining elements of the resource and limit visual clutter and impact on character defining elements and



historic material. staff has added concealment measures in Conditions of Approval 'C', 'D', 'E' and 'F'.

*With Condition of Approval "C" that, "As a concealment measure, the antennas proposed at the parapet shall be mounted to the inside face of the parapet and the top of the proposed antennas shall not extend higher from the parapet edge than the height of the proposed antenna (see Exhibits C-6, C-8, C-10, and C-12)";*

*With Condition of Approval "D" that, "As a concealment measure, the antennas shall be placed behind the outward face of the parapet piers (see Exhibit C-4)";*

*With Condition of Approval "E" that, "As a concealment measure, all accessory equipment associated with the antennas shall be mounted to the inside face of the parapet and located below the top of the parapet with no structural components or pole-mounts extending beyond the outside face of the parapet";*

*With Condition of Approval "F" that, "As a concealment measure, the antennas shall be placed within 2'-8" (the width of the parapet pier) on either side of parapet piers (see Exhibit C-4)"; and*

*With Condition of Approval "E" that, "As a concealment measure, the proposed RF transparent shroud shall match the color and texture of the existing penthouse to which it is attached", 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 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 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. Elements of this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## **ADMINISTRATIVE DECISION**

Approval of the following exterior alterations to the Landmark Montgomery Ward & Company building located in the Northwest District neighborhood, to include the following:

Removal of Existing Verizon Antennas and Equipment. Verizon is proposing to remove all existing Verizon antennas and equipment from the Montgomery Park sign on the building's rooftop, including removal of:

- Three (3) Alpha sector panel antennas and all related equipment.
- Four (4) beta sector panel antennas and all related equipment.
- Four (4) gamma sector panel antennas and all related equipment.

The additional accessory equipment located within the equipment room inside the building is proposed to remain in the equipment room.

Proposed Antennas and Equipment. Verizon proposes to replace and relocate Verizon's antennas and equipment on the Montgomery Park building rooftop as follows:

**Alpha Sector** - inside wall of north parapet near the northwest corner of the building:

- Four (4) panel antennas (2 LTE, 1 5G (L-Sub6), 1 CBRS)
- Two (2) RRUs (Remote Radio Units)
- One (1) mount for antennas and RRUs

**Beta Sector** - inside wall of south parapet:

- Four (4) panel antennas (2 LTE, 1 5G (L-Sub6), 1 CBRS)
- Two (2) RRUs (Remote Radio Units)
- One (1) mount for antennas and RRUs

**Gamma Sector** – relocate to within a FRP shroud at a rooftop penthouse structure (as shown in LU 21-065094 HR) and at the inside wall of west parapet near the northwest corner of the building:

- Two (2) panel antennas (2 LTE) within previously approved FRP screen
- Two (2) panel antennas (1 5G (L-Sub6), 1 CBRS) mounted to parapet wall
- Two (2) RRUs (Remote Radio Units)
- One (1) mount for parapet mounted antennas

Approval per Exhibits C-1 through C-14, signed and dated October 31, 2022, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through G) 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 22-183862 HR." 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. *As a concealment measure, the antennas proposed at the parapet shall be mounted to the inside face of the parapet and the top of the proposed antennas shall not extend higher from the parapet edge than the height of the proposed antenna (see Exhibits C-6, C-8, C-10, and C-12).*
- D. *As a concealment measure, the antennas shall be placed behind the outward face of the parapet piers (see Exhibit C-4).*
- E. *As a concealment measure, all accessory equipment associated with the antennas shall be mounted to the inside face of the parapet and located below the top of the parapet with no structural components or pole-mounts extending beyond the outside face of the parapet.*
- F. *As a concealment measure, the antennas shall be placed within 2'-8" (the width of the parapet pier) on either side of parapet piers (see Exhibit C-4)".*
- G. No field changes allowed.

**Staff Planner: Megan Sita Walker**

**Decision rendered by:**  **on October 31, 2022**

By authority of the Director of the Bureau of Development Services

**Decision mailed November 2, 2022**

**Procedural Information.** The application for this land use review was submitted on September 15, 2022, and was determined to be complete on September 26, 2022.

*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 15, 2022.

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 24, 2023.**

**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.

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 is 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>.

**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 **November 2, 2022**, 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 Narrative
  - 2. Original Drawing Packet
  - 3. Prior Land Use Approvals
  - 4. EA Summary
  - 5. RF Justification Report
  - 6. Prior Land Use Approvals List
  - 7. BDS Records Request
  - 8. NIER Report
  - 9. Photo Simulations
  - 10. Alternate Site Analysis
  - 11. Rooftop Conditions and Photos
  - 12. Street View Photos
  - 13. Wireless Forms
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Enlarged Site Plan
  - 3. Existing Antenna Configuration – Alpha, Beta, Gamma Sectors – for reference only
  - 4. Proposed Antenna Configuration – Alpha, Beta, Gamma Sectors
  - 5. North Elevation – Existing
  - 6. North Elevation – Proposed (attached)
  - 7. West Elevation – Existing
  - 8. West Elevation – Proposed (attached)
  - 9. South Elevation – Existing
  - 10. South Elevation – Proposed (attached)
  - 11. East Elevation – Existing
  - 12. East Elevation – Proposed (attached)
  - 13. RF and Equipment Details
  - 14. RF and Equipment Details
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
  - 1. Original & Updated LU Application Form
  - 2. Email Correspondence between staff and the applicant(s)

**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).**