

City of Portland

Bureau of Development Services

Land Use Services Division

1900 SW Fourth Ave. Suite 5000 Portland, Oregon 97201 Telephone: 503-823-7300

TDD: 503-823-6868 FAX: 503-823-5630 www.portlandonline.com/bds

Date: August 8, 2008
To: Interested Person

From: Dave Skilton, Land Use Services

503-823-0660 / dave.skilton@ci.portland.or.us

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

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 08-101208 HDZM – ILLUMINATED PROJECTING SIGN

GENERAL INFORMATION

Applicant: SKB-Portland Office

1211 SW 5th Avenue #2600 Portland, OR 97204-3726

Investments LLC

1211 SW 5th Avenue #2600 Portland, OR 97204-3726

Representative: Robert Mawson, Consultant (503-228-0272)

Heritage Consulting Group 1120 NW Northrup Street Portland, OR 97209

Site Address: 621-633 SW Morrison Street

Legal Description: Block 178 Lots 3-6 TL 1800 Historic Property 1996 15 Year Potential

Additional Tax, Portland

Tax Account No.: R667718270

State ID No.: 1S1E03BB 01800

Quarter Section: 3029

Neighborhood: Downtown Cmty Assoc., contact Jennifer Geske at 503-750-9843. **Business District:** Downtown Retail Council, contact Portland Business Alliance at 503-

224-8684.

Plan District: Central City - Downtown

Other Designations: Portland Historic Landmark, pursuant to listing in the National

Register of Historic Places on September 12, 1996.

Zoning: CXd, Central Commercial with Design Overlay

Case Type: HDZM, Historic Design Review, with a modification requested

Procedure: Type I, an administrative decision with appeal to the Oregon Land Use

Board of Appeals (LUBA).

Proposal:

Applicant is seeking Historic Design Review of a proposal to place an illuminated, diagonally projecting signs on the historic Northwestern National Bank Building, which occupies approximately the southerly third of the block bounded by SW Morrison Street, SW 6th Avenue, SW Alder Street, and SW Broadway. The sign is to be located at the corner of SW Morrison and Broadway, and will be centered on mating rails of the second floor windows of the building. The signs will be 32.5 square feet in face area with halo lit, 3" deep, stainless steel, reverse pan channel letters, and an internally illuminated clock. The bronze color of the cabinet will match the color of the building's bronze window system, and the sign supports will match the color of the adjacent terra cotta. Design Review is required because the building is a Portland Historic Landmark pursuant to listing in the National Register of Historic Places on September 12, 1996.

Modification sought through Historic Design Review - 33.846.070

• 32.32.030 A. 1. B. Maximum Sign Face Area in the Right-of-Way – No more than 30 square feet of a projecting sign may extend into a right-of-way. A modification is required because the proposal is for 32.5 square feet of sign face.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 32, Signs and Related Regulations, and Title 33, Portland Zoning Code. The relevant approval criteria are:

- 32.32.030 Additional Standards in All Zones (Signs)
- 33.846.060 Historic Design Review
- Central City Fundamental Design Guidelines
- 33.846.070 Modifications Considered During Historic Design Review

ANALYSIS

Site and Vicinity: The subject property, listed in the National Register of Historic Places on September 12, 1996, was originally known as the Northwestern Bank Building. It was designed in the Classical Revival style by the firm of Doyle, Patterson, and Beach and completed in late 1913. It is significant for its architectural design and for its use of glazed terra cotta as a cladding material. In its original context the building faced the full-block Portland Hotel, but today it is much more exposed to view, forming as it does the "north wall" of Pioneer Courthouse Square.

At the time of the Northwestern Bank Building's construction in 1913, this area, which is today thought of as the center of downtown Portland, was just emerging as a significant commercial locale. The namesake bank was located on the ground floor, but unlike the financial institutions clustered further north along SW 5th and 6th Avenues, this building leased office space To many other users from the very beginning. As such it housed a large workforce which in turn attracted other development to the area. The ground floor, originally more integrated has been converted to multiple storefront type uses.

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. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Design Overlay Zone (d) promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. 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 or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards 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 within the last ten years include the following:

- LU 07-110055 HDZ, relating to entry improvements at southwest corner of building;
- LU 07-181975 HDZ, LUR 01-00026 HDZ, LUR 01-00514 HDZ, LUR 01-00634 HDZ, LUR 99-00229 HDZ, and LUR 99-00667 HDZ, all relating to tenant signage; and
- LUR 01-00660 HDZ, relating to installation of an automated teller machine.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 2, 2008**. No agency responses were received regarding the proposal

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 2**, **2008**. One written response has been received in response to the proposal, from Michael R. Kuykendahl, on behalf of the Portland Business Alliance. The letter supports the proposal in terms of the sign providing visibility for a long-time downtown retailer now occupying a new location.

ZONING CODE APPROVAL CRITERIA

Because the proposal is for new signs on a Historic Landmark in the Central City Plan District, both Historic Design Review criteria and the Central City Fundamental Design Guidelines must be met.

I. Chapter 33.846, Historic Reviews

Purpose of Historic Design Review

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

Historic Design Review Approval Criteria

Requests for historic design 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. Therefore the proposal requires historic design review approval. The relevant approval criteria are listed in 33.846.060 G. 1-10. In addition, because the site is located within the Central City Plan District, the relevant approval criteria are the Central City Fundamental Design Guidelines.

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

G. Approval criteria based on the Standards of the Secretary of the Interior:

2. Record of its time. The historic 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.

Findings: The proposed signs are designed to be both compatible and clearly non-historic. This is achieved a) by the use of internally illuminated halo-lit lettering; and b) by referencing shapes and colors from the building itself. *This Criterion is therefore met.*

7. Differentiate new from old. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

Findings: The sign-mounting arms will be installed only through those original terra cotta units which have been previously compromised by drilling or breakage, or through other materials used to replace original terra cotta units. Intact historic terra cotta units at mounting locations will be removed and stored securely on site. Where intact terra cotta units must be removed, the replacement material will match the original in form, color, and texture. The sign is differentiated because it includes distinctly modern technology and materials, such as the halo-lit, stainless steel, reverse pan channel lettering. *This Criterion is therefore met.*

II. 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.

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

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 and the River District 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 are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City 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 which is safe, humane and prosperous;
- **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.

- **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.
- **A6.** Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.
- **C4.** Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.
 - **Findings for Guidelines A5, A6, and C4:** The proposed new sign reflects local character by introducing a large and articulated sign in the Broadway Unique Sign Area. It complements the historic building by drawing design elements, such as verticality and color pallet, from it. It will reuse a location where a projecting sign has previously been attached to the building and no further damage will be done to intact original terra cotta units. *These Guidelines are therefore met.*
- **C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.
 - **Findings for Guidelines C2:** The proposed sign, which draws design characteristics from the building, will be constructed of, and reinforced with, sheet metal elements. It will be internally powered and illuminated. Attachments have been designed to minimize movement and avoid damage to terra cotta units. *This Guideline is therefore met.*
- **C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.
- **C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.
 - Findings for C7 and C13: Locating this detailed illuminated sign at the corner of SW Broadway and Morrison creates a strong visual wayfinding marker without dominating the viewscape. By virtue of its placement, centered on the second floor; and detailing, which is drawn from the corner detailing of the terra cotta column behind it, the sign will be integrated with the building. The lighting is limited to halo lit reverse pan channel lettering and a small illuminated clock face, and will have a minimal light pollution impact while providing good

nighttime readability. These Guidelines are therefore met.

- **D3. Broadway Unique Sign Area.** Provide opportunities for the development of large, vertically-oriented, bright, and flamboyant signs that add to the unique character of this Broadway environment. Size and place signs and their structural support systems so that significant architectural or historical features of the building are not concealed or disfigured. Ensure that all signs receive proper maintenance.
 - **Finding for D3:** The proposed vertical sign is large but in scale with both the building and other signs in the Unique Sign Area. It is centered on the second floor window band within the framework of a three story temple front base for the building. Where intact historic material must be displaced, it will be removed and stored, and replacement materials will be fabricated to match the existing. *This Guideline is therefore met*.

33.825.040 Modifications That Will Better Meet Design Review Requirements:

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- **B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

32.10.020 Purpose.

These regulations balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication and advertising. The regulations for signs and awnings have the following specific objectives:

- **A.** To ensure that signs and awnings are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare;
- **B.** To allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties;
- **C.** To reflect and support the desired character and development patterns of the various zones, overlay zones, and plan districts and promote an attractive environment;
- **D.** To allow for adequate and effective signs in commercial and industrial zones while preventing signs from dominating the appearance of the area; and
- **E.** To ensure that the constitutionally guaranteed right of free speech is protected.

The regulations allow for a variety of sign types and sizes for a site. The provisions do not ensure or provide for every property or business owner's desired level of visibility for the signs. The sign standards are intended to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily to streets and rights-of-way farther away.

- **32.32.030 C. 1. b.** Maximum sign face area in the right-of-way. No more than 30 square feet of a projecting sign face may extend into a right-of-way.
 - **A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and

Findings: At 38.25 square feet, the proposed sign exceeds the allowable face area projecting into the right-of-way by 27.5%. The extra size of the sign is mitigated by a number of factors, including its tripartite composition, its location against a monumentally scale column, and its high degree of articulation. The location of the sign is also within the Broadway Unique Sign Area, which calls for larger signs than otherwise prescribed by the Code. *This Criterion is therefore met.*

B. Purpose of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Findings: The proposed sign is engineered to meet applicable loading for its size and location, and will be installed in a manner respectful of the historic materials of the building. It will occupy an important corner within the Broadway Unique Sign Area, making a distinctly modern contribution that is nonetheless respectful of the historic building to which it attaches. *This Criterion is therefore met.*

CONCLUSIONS

The proposed sign will serve the Carl Greve jewelry store, a business that has had a presence in downtown Portland for many decades. It is sufficiently robust to make a meaningful contribution to its central location within the Broadway Unique Sign Area, and detailed and located in a manner that respects the historic Northwestern Bank Building, to which it will be attached. The proposal is approved.

ADMINISTRATIVE DECISION

Approval of a diagonally projecting, internally illuminated corner sign, per the approved drawings, specifications, calculations, and assurances, Exhibits C-1 through C-10, signed and dated August 4, 2008, subject to the following conditions:

Approval of a modification of 32.32.030 C. 1. b. allowing more than thirty square feet of sign face area to project into the public right-of-way.

A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-10. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-101208 HDZM."

Decision rendered by:

_ on August 4, 2008.

By authority of the Director of the Bureau of Development Services

Decision mailed August 8, 2008.

Staff Planner: Dave Skilton

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on January 8, 2008, and was determined to be complete on **July 24, 2008**.

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 January 8, 2008.

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.

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. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **August 11, 2008**. The applicant, builder, or a representative may record the final decision as follows:

• By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.

• In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034 For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7967.

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.

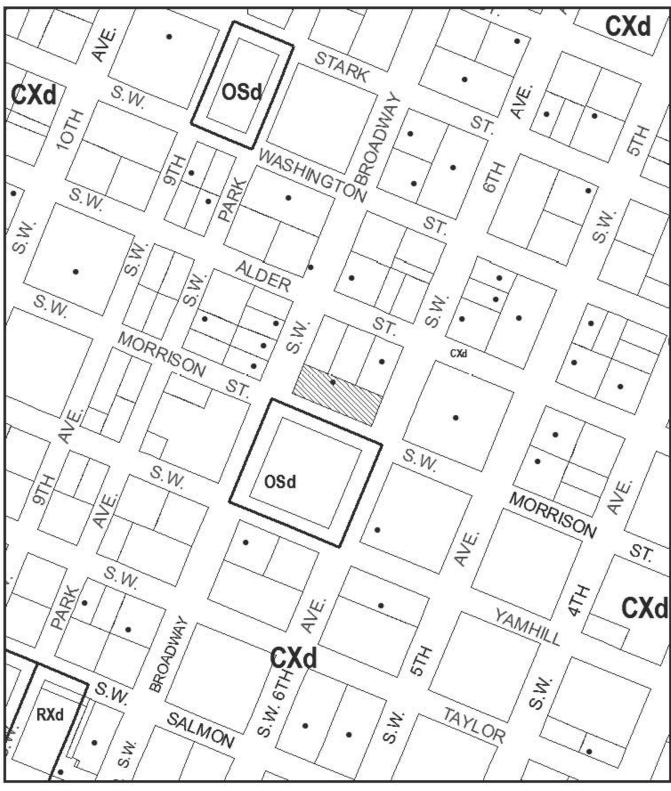
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permitees must demonstrate compliance with:

- 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 Plans (attached)
 - 2. West and South Building Elevations (attached)
 - 3. Photo Simulation and Night View
 - 4. Photo Simulations
 - 5. Sign Details
 - 6. Installation Details
 - 7. Connection Details
 - 8. Terra Cotta Storage Plan
 - 9. Structural Calculations
 - 10. Sign Specifications
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None
- F. Correspondence:
 - 1. Michael Kuykendall, Portland Business Alliance, July 28, 2008, expressing support for the proposal
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Case Communication Log



ZONING



Historic Landmark



This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 08-101208 HDZM

1/4 Section 3029,3129

Scale 1 inch = 200 feet

State_Id 1S1E03BB 1800

Exhibit B (Jan 15,2008)

ARCHITECTS GBD

11/20 NW Couch Street Sule 300, Portond 0.8 9.7 2.0 9 Tet (503) 224.9656 Fox: (503) 299.6273 www.gpdsrchitects.com

8.4.8 City of Portland - Bureau of Development Services

S.M. 41020 S.T.

JOB SITE -

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply. Planner Lave Multip SIGN PROPOSED

CARL GREVE JEWELERS SIGNAGE American Bank Building

31.7

AREA MAP

ANAGY

NTS

F P

621 SW Morrison St Portland, OR 97205

APPROVALS:

GROUND FLOOR PLAN 1/16" = 1'-0"က

A01

SCALE

SHEET TITLE STE PLAN/ AERIAL PHOTOGRAPH

20066114 PROJECT NUMBER

DATE November 30, 2007

NTS

AERIAL PHOTO OF SITE

Selt/SIGNAGE PACKAGE/SIGN-A01.dwg

