



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** October 12, 2009  
**To:** Interested Person  
**From:** Abigail Fowle, Land Use Services  
503-823-0624 / [FowleA@ci.portland.or.us](mailto:FowleA@ci.portland.or.us)

## **NOTICE OF A TYPE II 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 and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 09-150563 DZ NEW SIGNAGE AT 601 SW 2<sup>ND</sup> AVENUE**

#### **GENERAL INFORMATION**

**Applicant:** Morrison Street Cf LLC  
825 NE Multnomah St #1275  
Portland, OR 97232

**Representative:** Terry Brown, Contact 503-777-4555  
Ramsay Sign Co  
9160 SE 74th Ave  
Portland OR 97206

**Site Address:** 601 SW 2ND AVE

**Legal Description:** BLOCK 20 LOT 1-4 EXC PT IN ST & LOT 5-8, PORTLAND  
**Tax Account No.:** R667703200  
**State ID No.:** 1S1E03BA 05000  
**Quarter Section:** 3129  
**Neighborhood:** Portland Downtown, contact Jennifer Geske at 503-750-9843.  
**Business District:** Downtown Retail Council, contact Lisa Frisch at 503-552-6740.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Zoning:** CXd, Central Commercial with Design Overlay  
**Case Type:** DZ, Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

#### **Proposal:**

The applicant seeks Design Review approval for two new internally illuminated signs located on the parapet of the east and west facades of an existing building at 601 SW 2<sup>nd</sup> Avenue in the Downtown Subdistrict of the Central City Plan District. Each sign will be approximately 90 sq. ft. in size. The signs will consist of a 1" thick aluminum background panel, painted red, and acrylic illuminated white channel lettering.

New signage greater than 32 sq. ft. on a building in a Design Overlay Zone requires Design Review.

**Relevant Approval Criteria:**

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

- 33.825 Design Review
- Central City Fundamental Design Guidelines

## ANALYSIS

**Site and Vicinity:** The site is located in downtown Portland on the light rail line along SW Morrison Street. The building is the ODS Tower, an office building of 23 stories with ground level retail spaces including a daycare at the northeast corner of the block. The block is bounded by SW Alder and SW Morrison Streets, and by SW 2<sup>nd</sup> and 3<sup>rd</sup> Avenues. SW Alder Street has one-way travel east-bound over the Willamette River via Morrison Bridge. SW Morrison Street is a regional transitway & major transit priority street, SW 2<sup>nd</sup> Avenue a transit access street and a city bikeway, SW 3<sup>rd</sup> Avenue is a traffic access street. The site is within the central city pedestrian district. Additionally, this location is in the heart of downtown Portland with its unique compilation of stores, restaurants, and office spaces.

**Zoning:** The Central Commercial Zone (CX) 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. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

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

- LUR 96-00880 PR approval of parking for a new office tower.
- LUR 96-01017 DZ approval of new 23-story building for offices with parking and retail.
- LUR 99-00256 DZ approval of 28 exterior light fixtures.
- LU 04-038529 DZ approval of storefront alterations.
- Numerous other land use reviews were conducted prior to these, for surface parking and for other design schemes not developed.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **September 2, 2009**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 2, 2009. 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 33.825 Design Review**

#### **Section 33.825.010 Purpose of Design Review**

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

#### **Section 33.825.055 Design Review Approval Criteria**

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

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

### **Central City Fundamental Design Guidelines**

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

The Central City Fundamental Design Guidelines 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.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features

that help unify and connect individual buildings and different areas.

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

**Findings for A4 and A5:** The new signs, located at the parapet edge of the east and west façades, are located near the northeast and northwest corners of the tower embellishing the building top at this location. The signage is well crafted and consists of a 1" thick metal background panel with articulated illuminated channel lettering. This simple design approach reflects the existing building's use of clean details and flush/low-profile building components, thereby adding to the identifying features of the building and the district.

*These guidelines are therefore met.*

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

**C11. Integrate Roofs and Use Rooftops.** Integrate roof function, shape, surface materials, and colors with the building's overall design concept. Size and place rooftop mechanical equipment, penthouses, other components, and related screening elements to enhance views of the Central City's skyline, as well as views from other buildings or vantage points. Develop rooftop terraces, gardens, and associated landscaped areas to be effective stormwater management tools.

**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 C2, C3, C4, C5, C11 and C13:** The signage located at the top of the east and west façades are appropriate due to their placement near the corners of the parapet and sized to fit within a solid wall area that aligns with the window patterning below, thus preserving and respecting the building's architectural integrity and coherent composition. Additionally, the thin profile of the signage (including the 1" red background panel and 5" thick lettering) reflects the office building's streamlined smooth-faced veneer and ribbon banded glass bays, promoting permanence and quality in development. Furthermore, the red background panel is pulled away from the parapet edge and building corners by 15", maintaining the visibility of the building wall around the sign and allowing the sign to appear integrated with the existing architecture rather than dominating it.

The aluminum and acrylic components are considered weatherproof materials and have been crafted into a cohesive composition of a metal background panel and channel-lettering.

The signage lighting will be modest in appearance and minimized to the individual channel lettering (a 31.5 sq. ft. area), reducing the overall sense of the sign size at night. Because the illumination of the sign is limited to the specific letter dimensions, it will not dominate or negatively impacting the city skyline. To ensure that the lettered area and area of illumination is not enlarged at a future date, Condition B has been added, limiting the illuminated and copy area to 35 sq. ft.

*Per Condition B, limiting the copy and illuminated area to 35 sq. ft., these guidelines 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 development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The signs have been carefully placed and designed to integrate with and respect the building's architecture without dominating the skyline or building top. The proposal meets the relevant design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of two new illuminated parapet signs, each 90 sq. ft., on the east and west facades of an existing building in the Downtown Subdistrict of the Central City Plan District.

Approval per the approved plans, Exhibits C.1 through C.6, signed and dated October 8, 2009, subject to the following conditions:

- 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-C.6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-150563 DZ. No field changes allowed."
- B. Illuminated area and copy area each limited to 35 sq. feet, per dashed area on Exhibit C.4.

**Staff Planner: Abigail Fowle**

**Decision rendered by:**  **on October 8, 2009.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 12, 2009**

**About this Decision.** This land use decision is **not a permit** for development. 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 August 12, 2009, and was determined to be complete on **August 26, 2009**.

*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 August 12, 2009.

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.

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on October 26, 2009** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional 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).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA

at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **October 27, 2009 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

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 503-823-0625.

**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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

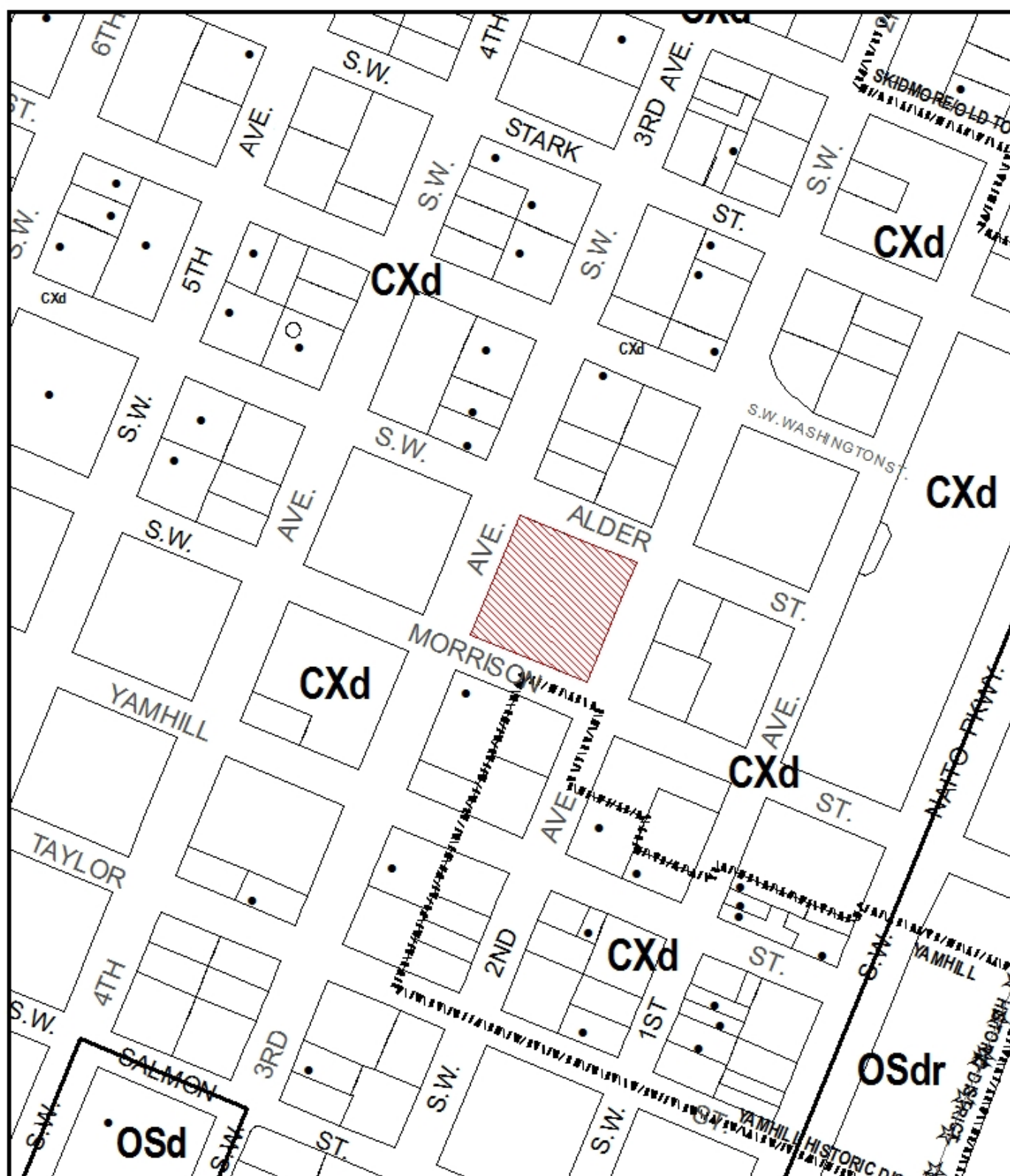
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Partial Corner Building Elevation (attached)
  - 3. Enlarged Sign Elevation & Details (attached)
  - 4. Sign Details (attached)
  - 5. Existing Sign Details
  - 6. Photo Simulations
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**





# ZONING



Site



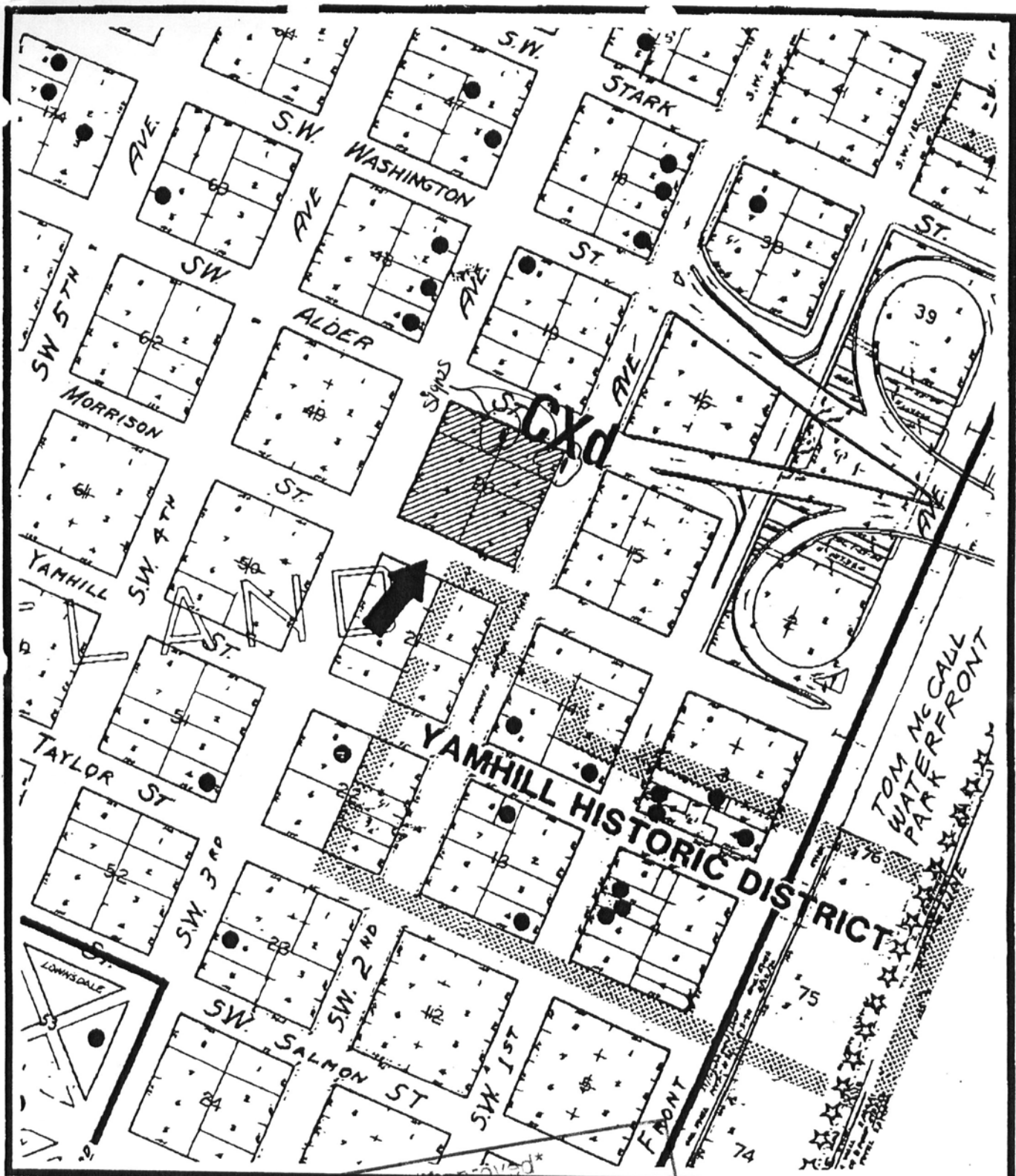
Historic Landmark



NORTH

This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No.	LU 09-150563 DZ
1/4 Section	3129
Scale	1 inch = 200 feet
State Id	1S1E03BA 5000
Exhibit	B (Aug 17, 2009)



SITE PLAN

Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner [Signature]  
 Date 10/8/09

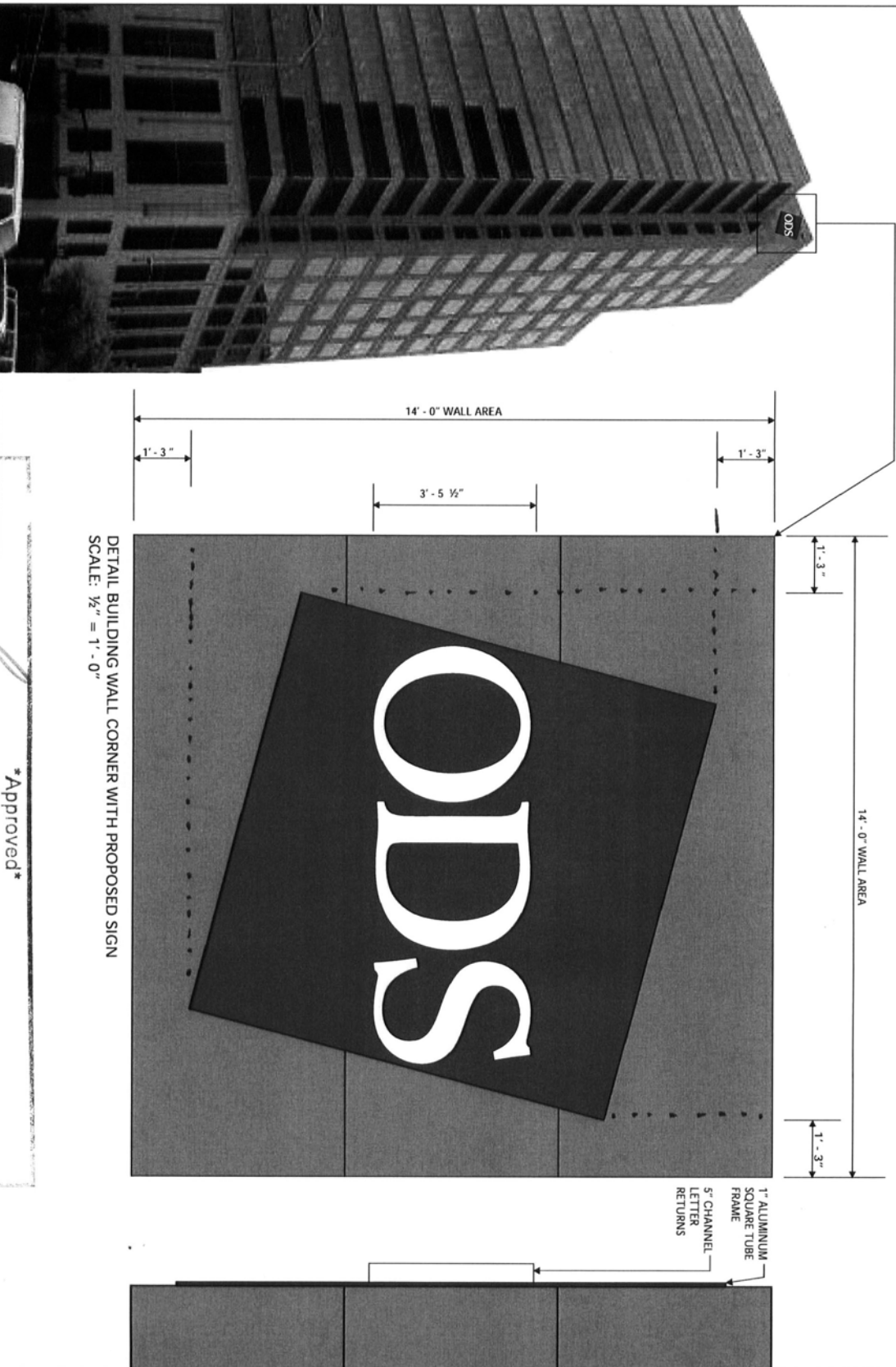
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 09-150563 DZ  
 EXH. C.1





DETAIL WALL AREA FOR SIGN



DETAIL BUILDING WALL CORNER WITH PROPOSED SIGN  
SCALE: 1/2" = 1'-0"

\*Approved\*

City of Portland - Bureau of Development Services

Planner

*[Signature]*

Date

*10/8/09*

\* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

LU 09-150563 DZ  
EXH. C.3

Client  
ODS  
Portland, Oregon

Date  
3/2/09

Account Executive  
Joe Gorman

Designer  
Kara Hixon

CLIENT APPROVAL  
Licensing, Permitting, Signage & Insurance

Paul Lutz

Paul Lutz

Licensing Approval  
Date

Review / Date

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Client: \_\_\_\_\_  
005  
Person: 08/09

Date: \_\_\_\_\_  
12/09

Account Executive: \_\_\_\_\_  
Lee Givens

Designer: \_\_\_\_\_  
Rene Hilson

CLIENT APPROVAL  
Licensing, Permitting, Signage & Inspection

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

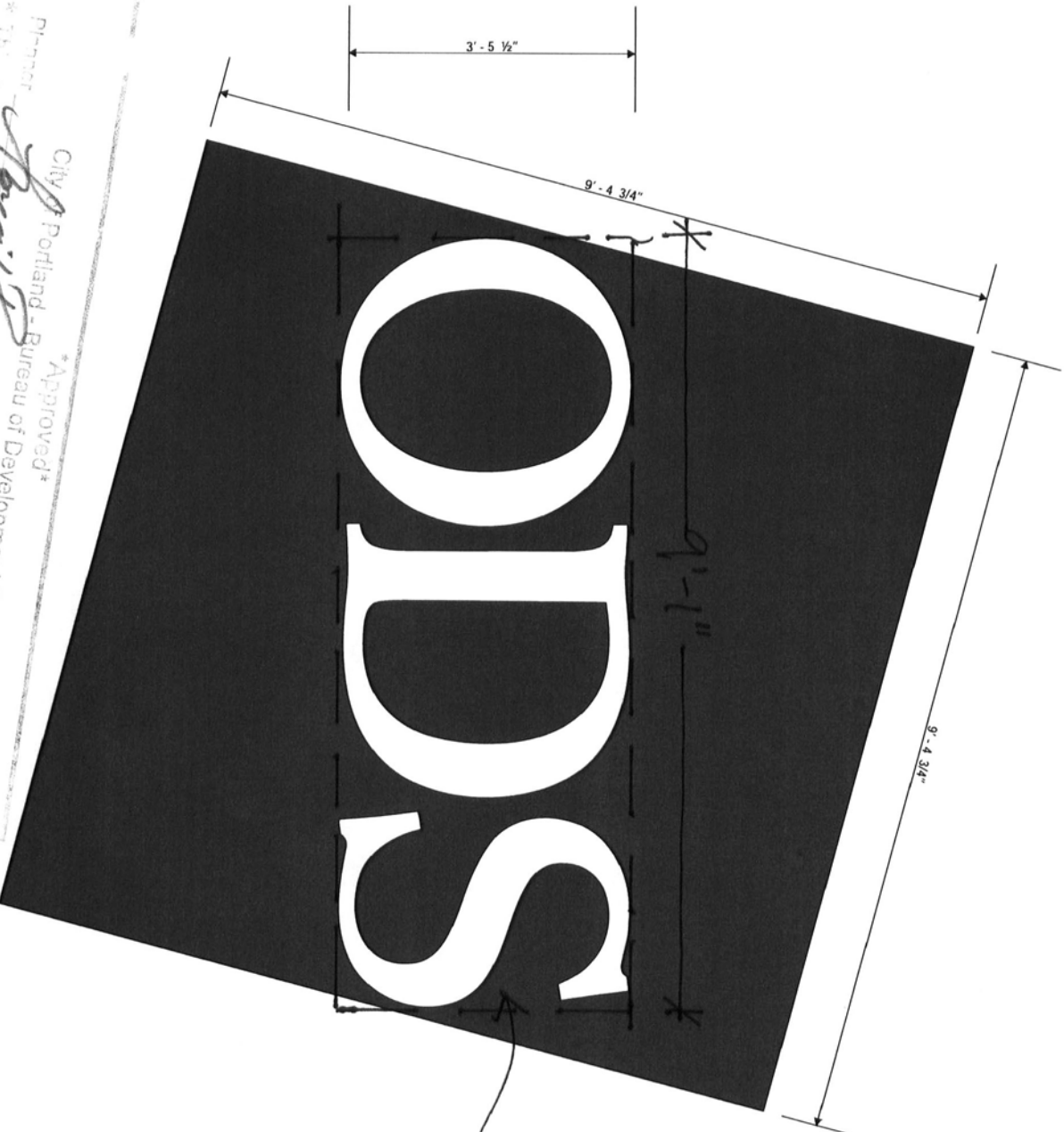
Permit/Inspection: \_\_\_\_\_  
Permit/Inspection: \_\_\_\_\_

SCALE: 3/4" = 1'-0"

MANUFACTURE AND INSTALL (1) NEW SINGLE  
FACED ILLUMINATED WALL MOUNTED DISPLAY  
BACKGROUND PANEL/RACEWAY  
ALUMINUM CONSTRUCTION  
PAINT "ODS" RED

(ODS) PAN CHANNEL LETTERS  
FACES  
WHITE ACRYLIC  
TRIM CAP  
WHITE JEWELITE  
RETURNS  
5" PRE-FINISHED WHITE ALUMINUM  
ILLUMINATION  
INTERNALLY ILLUMINATE WITH WHITE LED LAMPS AS  
REQUIRED  
POWER SUPPLY  
SECOND SURFACE BEHIND BACKGROUND PANEL

PER CONDITION B,  
AREA OF ILLUMINATION  
& COPY AREA IS  
LIMITED TO 35  
SQ. FT.



City of Portland - Bureau of Development Services

\* Approved \*

Date: 10/8/09

\* This approval is only to the reviews requested and does not constitute approval. Additional zoning requirements may apply.

LU 09-150563 DZ  
Exh. C. 4