



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

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Portland, Oregon 97201
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Date: March 30, 2009
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 09-102001 HDZ – NEW
ILLUMINATED SIGN**

GENERAL INFORMATION

Applicant: Macys Department Stores Inc, Owner
7 West Seventh Street
Cincinnati, OH 45202

Kevin Mckinney, Owner's Representative
Sage Hospitality Resources
1512 Larimer Street, Suite 800
Denver, CO 80202

Representative: Robert Mawson, Consultant (503-228-0272)
Heritage Consulting Group
1120 NW Northrup Street
Portland, OR 97209

Site Address: 621 SW 5th Avenue

Legal Description: GENERAL COMMON ELEMENTS, SIX TWENTY ONE SW FIFTH AVENUE BLDG CONDOMINIUM; LOT 1 HISTORIC PROPERTY 15 YR 2006 POTENTIAL ADDITIONAL TAX, SIX TWENTY ONE SW FIFTH AVENUE BLDG CONDOMINIUM; LOT 2 HISTORIC PROPERTY 15 YR 2006 POTENTIAL ADDITIONAL TAX, SIX TWENTY ONE SW FIFTH AVENUE BLDG CONDOMINIUM

Tax Account No.: R771820010, R771820050, R771820100
State ID No.: 1S1E03BB 70000, 1S1E03BB 70001, 1S1E03BB 70002
Quarter Section: 3029

Neighborhood: Portland Downtown, contact Jennifer Geske at 503-750-9843.
Business District: Downtown Retail Council, contact Stephen Pirkl at 503-274-7682.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Downtown
Other Designations: Portland Historic Landmark pursuant to listing in the National Register of Historic Places on July 8, 1982.

Zoning: CXd, Central Commercial with Design Overlay
Case Type: HDZ, Historic Design Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Historic Design Review for a proposed new sign, 16'-2.5" wide by 1'-3" high by 0'-6" deep, to be mounted across the entire face of a non-historic beam element within a single storefront bay. The sign will be internally illuminated, with a translucent, white acrylic face covered by a laser-cut, bronze-anodized, aluminum grillwork. Historic Design Review is required because the proposal is for an alteration to a building individually listed in the National Register of Historic Places since July 8, 1982.

Relevant Approval Criteria:

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

- 33.846 Historic Design Review
- 33.846.060 G. Other Approval Criteria
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The Meier & Frank Building, flagship store of one of Portland's most prominent early business enterprises, began on this site in the late 1890s and reached its current extent and whole-block configuration in 1932, after a prolonged series of additions and extensive alterations. It is currently undergoing mostly interior changes to convert the upper floors to a hotel and restaurant. The sign in this proposal relates to those uses.

Located today in the heart of the City's commercial core, at the time of its relocation to this site the company's move represented a bold pioneering step. It spearheaded growth west, away from the traditional downtown which was concentrated closer to the river. This occurred just as the City was entering its most intensive historic period of growth, and the store prospered as a result. Both the original Meier & Frank Building and its first major addition were designed by the fledgling Portland architecture firm of Doyle and Patterson and it quickly established the aesthetic of the "new" downtown. This was especially true in the use of white terra cotta cladding, with Neo Classical and Renaissance detailing, as a signature material in the area.

As was typical with department stores in the early through mid Twentieth Century, the Meier & Frank Building presented closed display windows rather than storefronts at the ground floor. This separated shoppers both from outside distractions and view by others. Even the upper floors were internally focused, with only storage and support functions occurring in the windowed perimeter rooms. The building has also supported many forms of signage over its hundred year history, including at least one diagonally projecting corner sign, at the intersection of SW 6th and Morrison. It was listed in the National Register of Historic Places on July 8, 1982 both for its architectural values, and for its leadership role in the development of department stores and the downtown core, in Portland.

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 include the following:

- LU 05-112338 HDZ, a Type III decision approving rehabilitation of upper floors to hotel and restaurant uses.
- LU 05-128726 HDZ, a plumbing permit effecting the exterior of the building.
- LU 06-128552 HDZ, to install ventilation louvers in some window openings.
- LU 07-115601 HDZ, approving rooftop mechanical and skylight designs.
- LU 07-124144 HDZ, approving a rooftop addition.
- LU 08-102394 HDZ, approving alteration of a previously altered ground floor display window.
- LU 08-122256 HDZM, approving two corner mounted illuminated signs.

All of these cases are associated with the large scale, ongoing project to rehabilitate the building.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **February 24, 2009**. No Bureaus have responded with no issues or concerns about the proposal:

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 24, 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

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. Other Approval Criteria

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.
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 for Criteria 2 and 7: The proposed sign is designed to be both compatible and clearly non-historic. This is achieved a) by the use of an internally illuminated sign body with laser-cut aluminum masking over translucent white acrylic, and b) by integrating the sign with a secondary building element, within a single storefront bay. *These Criteria are 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.

Findings for Guidelines A5 and A6: The proposed new sign reflects the local character by introducing a well-designed but understated visual element within the busy context of SW Morrison Street. As part of the project to convert the upper half of the Meier & Frank Building to new uses, this sign gives an important upstairs tenant a modest presence at the sidewalk level. *These Guidelines are therefore met.*

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

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 C2 and C4: The proposed sign, will be constructed of bronze-colored sheet aluminum elements and attached fully across an existing non-historic beam element within the storefront system. It will be internally powered and illuminated. The sign complements the more traditional design of the building by providing a similar level of detail in a modern context. *These Guidelines are therefore met.*

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: The proposed sign is well integrated by virtue of its occupying the entire face of a non-historic beam element in the storefront system. Its six inch depth holds the face of the sign back behind the face of the adjoining columns. *This Guideline is therefore met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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 proposed illuminated sign, identifying a new upper-floor tenant within this Historic Landmark will be in scale with the building and its surroundings, and share a similar degree of detailing with it. It will fit logically within the storefront system, harmonizing with its immediate surroundings in terms of color and texture, and will use a subdued lighting methodology.

On balance the proposal will make a positive contribution to the character of the area, while supporting the continued use of a very significant historic resource. The proposal therefore merits approval.

ADMINISTRATIVE DECISION

Approval of an internally illuminated sign on the Historic Landmark Meier & Frank Building, within the Central City Plan District;

Approval per the exhibited drawings, C-1 through C-4, signed and dated March 25, 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 through C-4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-102001 HDZ."

Staff Planner: Dave Skilton

Decision rendered by:  **on March 26, 2009.**
By authority of the Director of the Bureau of Development Services

Decision mailed March 30, 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 January 13, 2009, and was determined to be complete on **February 20, 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 January 13, 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.

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 **April 21, 2009**. 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, permittees must demonstrate compliance with:

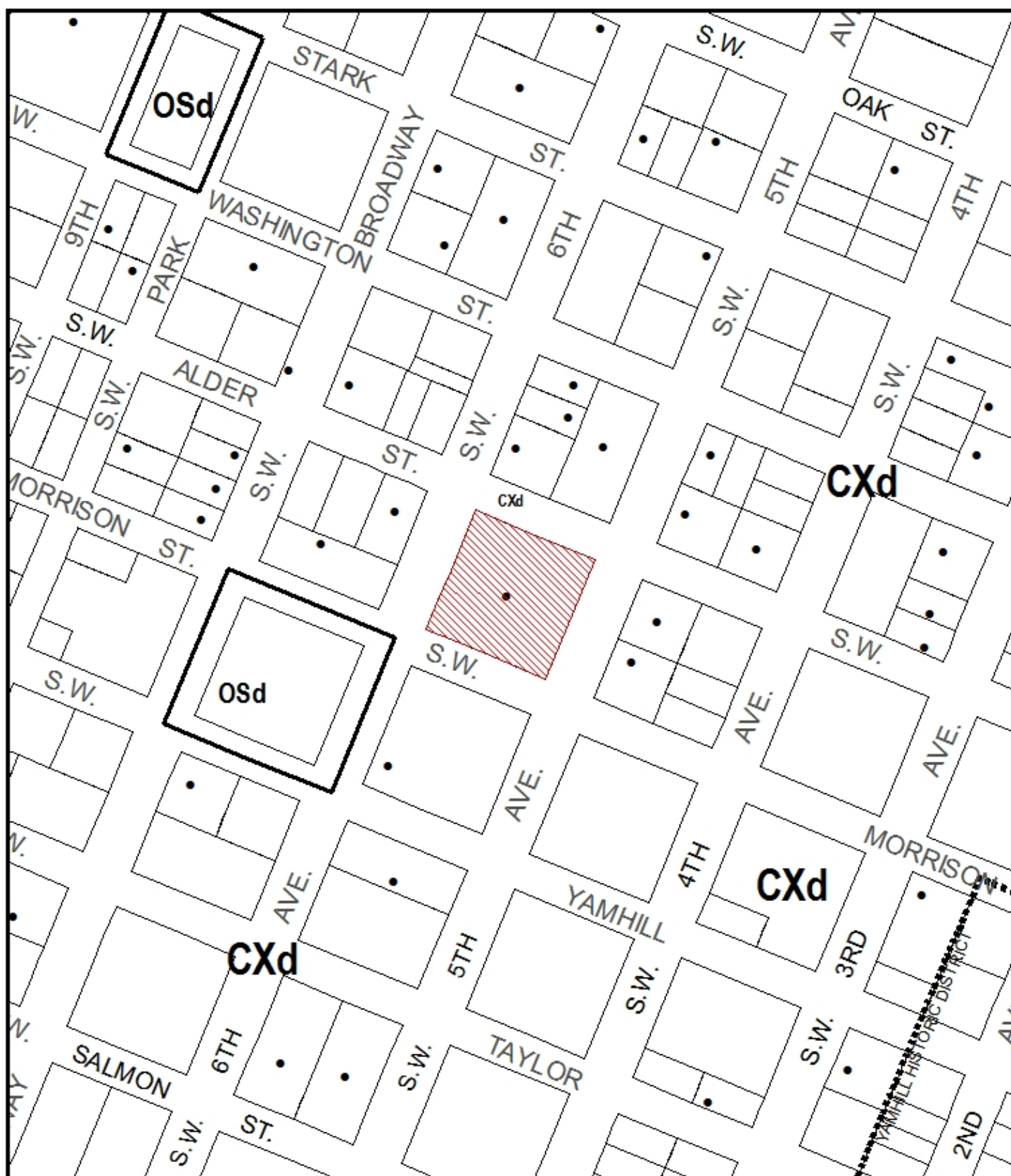
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. South Elevation (attached)
 - 3. Partial South Elevation
 - 4. Storefront Bay Elevation (attached)
- 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
 - 3. Case Communication Log

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

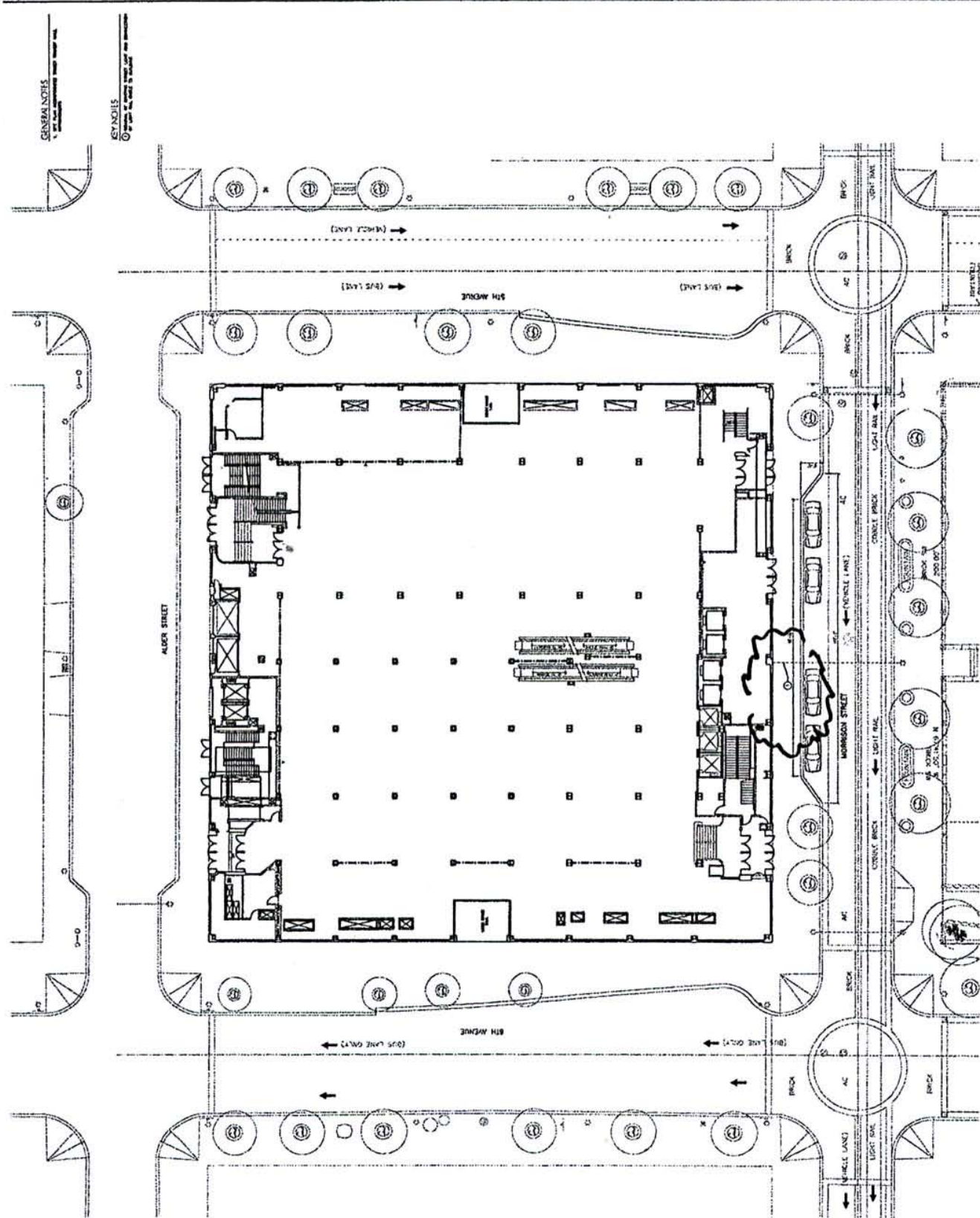
File No. LU 09-102001 HDZ

1/4 Section 3029,3129

Scale 1 inch = 200 feet

State_Id 1S1E03BB 70000

Exhibit B (Jan 16,2009)



* Approved *

City of Portland - Bureau of Development Services

Planner *Dore Shilton* Date *3-25-9*

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

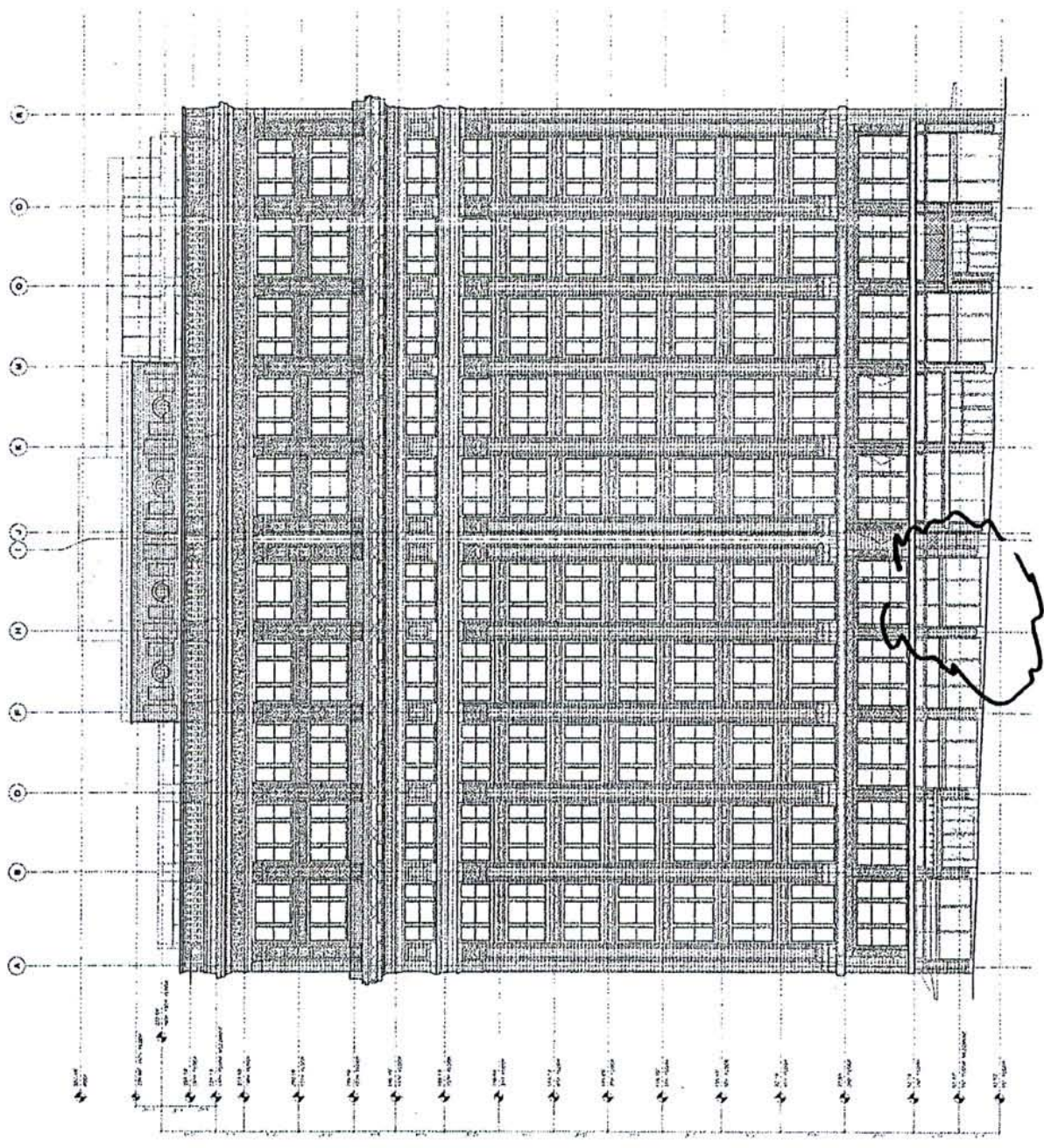
EXHIBIT C-1
LU09-102001 HD2

SERA
 Structural Engineering
 1000 NE Oregon Street, Suite 200
 Portland, Oregon 97232
 Phone: 503.228.8888
 Fax: 503.228.8889
 Email: info@sera-engineers.com
 Website: www.sera-engineers.com

GENERAL NOTES
 1. All work shall conform to the latest edition of the Oregon Building Code and the International Building Code.
 2. The owner is responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 3. The architect is responsible for providing all necessary information and coordination for the structural engineer.

SAGE / MARRIOTT
 400 SW 11TH AVE., PORTLAND, OREGON, 97204
 SCALE: 1/8" = 1'-0"

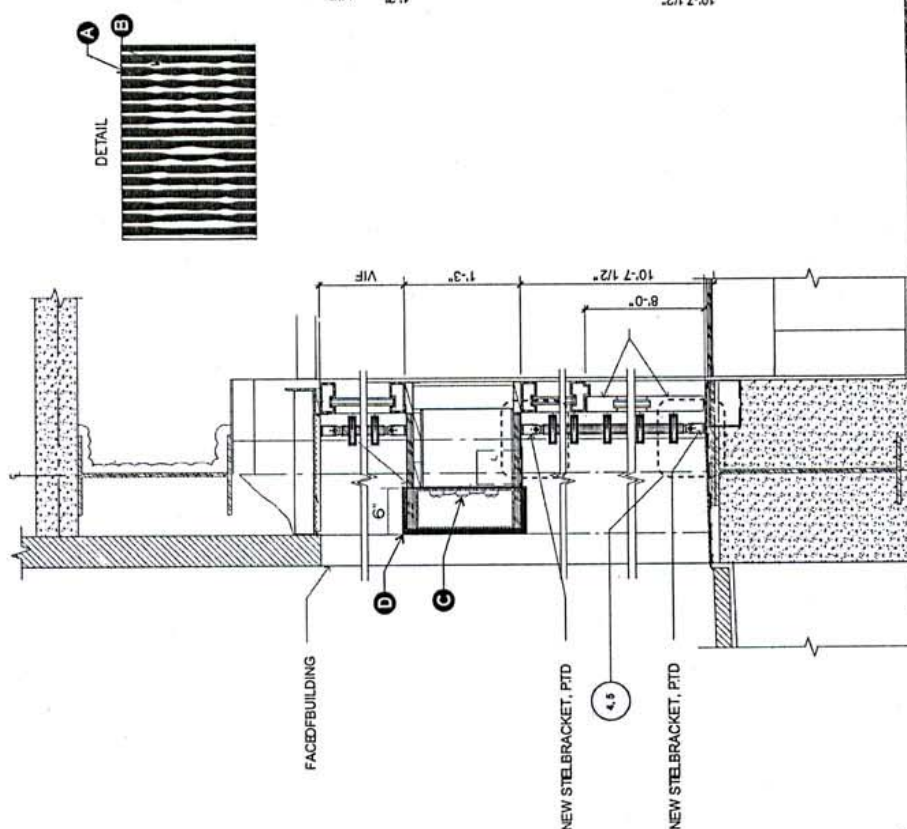
RECEIVED
 JUN 03 2005
 A401
 SHEET



Approved
 City of Portland - Bureau of Development Services
 Planner Dave Lutter Date 3-25-9
 * This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

EXHIBIT C-2
 LU 09-102001-HD2

A ROUTED ALUMINUM SIGN FACE, PAINTED BRONZE.
B BACKED UP WHITE LEXAN BEHIND ROUTED ALUMINUM FACE.
C INTERNALLY LIT WITH WHITE SLOAN LED LIGHTS.
D ROUTED ALUMINUM AND BACKED UP LEXAN TO ATTACH TO EXISTING ALUMINUM CANOPY.
E VERIFY CONSTRUCTION OF SIGN AND CANOPY. VERIFY MATERIALS AND PAINT/FINISHES.



SECTION _____
 SCALE: 3/4"=1'-0"
 City of Portland - Bureau of Development Services
 Approved: _____ Date: 3.25.9
 * This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

© 2008 CORNING FIBER OPTIC CORP. SIGN & LOGO DESIGN BY KORNDEN DESIGN

CAUTION: The design concept, title, and specifications contained herein are the intellectual property of DSM Sipe Corp. for a project that has been custom designed, planned, and submitted for your approval. The elements of the design concept shall be copied, disclosed, or provided in any form to any other person or entity without the express written permission of DSM Sipe Corp. The design concept shall be implemented by any other person or entity other than DSM Sipe Corp. by accepting the submission, you further agree that no element of the design will be implemented by any other person or entity other than DSM Sipe Corp. without the express written permission of DSM Sipe Corp. In the event design elements or concept drawings are disclosed to any other person or entity DSM Sipe Corp. shall not be held responsible for any such disclosure. The drawings, design elements, and concept drawings shall be retained by DSM Sipe Corp. and shall not be loaned, copied, or otherwise made available to any other person or entity.

REVISIONS:

12.18.08 (A-00-CH) REVISED VINYL LAYOUT PER PROVIDED NOTATIONS.
2.9.09 (A-CH1) REVISED TO S/F SIGN.

CLIENT APPROVAL

PLEASE INITIAL- | PLEASE DATE:

DRAWING NUMBER: 8727-A-00-CHI

DATE OF ORIGINAL DRAWING: 11.26.08	DESIGN: BL	PAGE NO: 1 of 1
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PRESENTATION FOR:

DEPARTURE
SW MORRISON & SW 6TH
PORTLAND, OR.

89975 PRAIRIE RD.

EUGENE, OR 97402
P 541.485.5546

F | 541.485.5813
WWW.FFASIGNS.COM



EXHIBIT C-4
LU 09-102001 #DZ