

City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: March 12, 2013 **To:** Interested Person

From: Hillary Adam, Land Use Services

503-823-3581 / Hillary.Adam@portlandoregon.gov

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 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 12-215587 HDZ - KEYBANK SIGNAGE AND

AWNINGS

GENERAL INFORMATION

Applicant: David Lanphere, / Hannah Sign Systems

1660 SW Bertha Blvd. / Portland, OR 97219

Panache Properties LLC, Owner

2761 NE Halsey St / Portland, OR 97232

Site Address: 2310 NW EVERETT ST

Legal Description: BLOCK 5 N 71.6' OF LOT 1 EXC PT IN STS N 71.6' OF LOT 2, MEADS

ADD

Tax Account No.: R556500390 **State ID No.:** 1N1E33CB 02400

Quarter Section: 3027

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.

Business District: Nob Hill, contact Mike Conklin at 503-226-6126.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest

Other Designations: Non-compatible Non-contributing resource in the Alphabet Historic

District, listed in the National Register of Historic Places on August 24,

2000.

Zoning: CS – Storefront Commercial **Case Type:** HDZ – Historic Design Review

Procedure: Type II, an administrative decision with appeal to the Historic

Landmarks Commission.

Proposal:

The applicant proposes the following exterior alterations:

- New shed style awnings above all of the first floor storefront windows, measuring between 93" and 193" wide, and approximately 23" (h) x 19" (d);
- Two new signs, one facing east and one facing north, constructed of aluminum channel letters with external illumination, and measuring 8'-9-3/8" (w) x 1'-6" (h) x 0'-3-1/2" (d) for a total of 14.05 square feet each.

The Notice of Proposal indicated that the applicant proposed two new halo-illuminated signs measuring 11'-4-1/8" (w) x 2'-2-15/16" (h) x 0'-7-1/8" (d) for a total of 27.77 square feet each. The applicant has since reduced the square footage of the proposed signs and revised the halo lighting to external illumination, as described above.

Because the proposal is for exterior alterations to a non-contributing resource in a historic district, Historic Design Review is required.

Relevant Approval Criteria:

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

- Community Design Guidelines
- Historic Alphabet District: Community Design Guidelines Addendum

ANALYSIS

Site and Vicinity: The subject property is located at the southeast corner of the intersection of NW 23rd Avenue and NW Everett Street with an existing two-story stucco-finished concrete Modern Commercial style building facing NW Everett. The building was originally constructed as a one-story building in 1963 and was expanded in 1985 when the second story was added. The building is characterized by its rectilinear shape, entire storefront bays of divided light windows on the 1st floor and divided light ribbon windows on the 2nd floor. The building abuts the sidewalk along NW 23rd Avenue but is set back from its frontage along NW Everett Street with an asphalt parking area in front. A narrow concrete walkway directly north of the building connects the front entrance to the sidewalk along NW 23rd Avenue. A narrow strip of plantings separates the parking area from the sidewalk on NW Everett Street. West of the parking lot is a wooden deck with railing that was constructed in 1991. West of the deck is a paved driveway leading to the enclosed trash area. At the east end of the property is a small landscaped area surrounding a coffee kiosk at the corner of NW Everett Street and NW 23rd Avenue.

Directly south of the subject property are the Weist Apartments, a 3-½-story Neo-Baroque apartment building built in 1905 by Portland's "Apartment House King" William Morgan and a contributing resource to the district. To the west of the subject property is a modified Queen Anne structure formerly used as a residence, but since converted to commercial use. Across NW Everett Street, on the west side of NW 23rd Avenue, is a small paved parking lot with a compatibly-designed one-story retail building constructed in 1995 to its north, and on the east side of NW 23rd, is a two-story compatibly-designed retail building constructed in 1996. Across NW 23rd Avenue on the south side of NW Everett, is a 1930 Jacobethan four-story brick apartment building designed by notable Portland architect Elmer E. Feig, which is contributing to the district. The property is located within the Northwest Pedestrian District and NW 23rd Avenue is classified in the Transportation System Plan as a Community Main Street, a Major Transit Priority Street, a Neighborhood Collector Street, and a City Bikeway.

Zoning: The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominately built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

The <u>Historic Resource Protection</u> overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies

recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

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

- LU 85-000338 (reference file #ADA 3-85) approval with conditions of an Alternative Design Adjustment to building orientation requirements, with provided for the redevelopment of the one-story building to two stories for use as an open-air market on the ground floor with retail and office above while retaining the existing parking area between the building and the street and allowing for its reconfiguration. At this time, the northwest and northeast corners of the building were extended north four feet and the large picture windows were replaced with divided-light windows and roll-up overhead doors;
- LU 85-032317 (reference file #VZ 167-85) variance to reduce the screening and landscaping on the north side from the required 5' to 0', but requiring street trees;
- LU 04-012436 Approval of two signs constructed of black pin-mounted letters with red halo lighting;
- LU 07-131878 Approval of the installation of porcelain tile from the ground level to a height of 5'-5" on the east and north façades and the installation of two awnings at the 2nd floor roof deck. The approved tile was not installed.
- LU 12-153431 HDZM Approval of exterior alterations, including replacement of ground level storefront systems, infill of a portion of the NW 23rd Avenue façade to meet seismic requirements, and site improvements.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **February 7, 2013**. No responses were received.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 7, 2013. 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 Design Review

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 located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

- **1. Historic Changes.** Most properties change over time; those changes that have acquired historic significance will be preserved.
- **2. Differentiate New from Old.** New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace.

The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

Findings: The awnings and signage, already removed from the building, are not historic. The proposed awnings are smaller than the previous awnings at this location and will provide a better view of the architecture than the current awnings allow. The proposed signage is comparable to other signs nearby in the district with regard to size and is smaller in area than the existing signs. The proposed signs will be externally-illuminated pin-mounted letters, similar to many other signs in the district. *These quidelines are met.*

3. Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings: The subject property recently received approval for storefront alterations, which also required significant site improvements. The current proposal for signage and awnings will complete the renovations. The proposed awnings are simple shed awnings in the brand color of the future tenant, are in keeping with the clean lines of this relatively modern non-contributing building, and will provide a striking punch of color to identify the ground floor tenant. The proposed signs are pedestrian scaled for the historic district at a total of 14.05 square feet in area and will be externally-illuminated with two lights each, of the same make as the lighting already approved over the awnings. This sign type is present on adjacent properties and throughout the district and will not overwhelm the building. *This guideline is met.*

Community Design Guidelines

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

Findings: The proposed signs and awnings are appropriately scaled for the historic district and will enhance, rather than detract, from the building's simple modern architecture by playing on its clean lines and horizontal aesthetic. *This guideline is met.*

- **E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.
- **E3.** The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building features, creating effective gathering places, and differentiating street level facades.
- **E5.** Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings for E1, E3, and E5: The proposed awnings along both façades will help differentiate the street level façade and its single tenant from the rest of the building, occupied by others. The awnings will also provide protection from rain and sun, particularly within the right-of-way along NW 23rd where awning did not previously exist, thereby providing an amenity to passerby. In addition, the awnings will provide interest to this recessed corner building through its dynamic display of color. *These quidelines are met.*

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

Findings: The proposed signs and awnings respect the architectural integrity of the building. In particular, the proposed awnings are shorter in height than the previous awnings, allowing more of the building to be seen. In addition, the awnings will enhance the horizontal aesthetic of the building. The red awning color is compatible with the renovated building, which is off-white with light satin-finished aluminum storefront systems, providing a dynamic contrast, which is appropriate for this out-of-period modern building. The proposed signs are appropriate in scale, material, and character, identifying the tenant without overwhelming the building or the sidewalk. *This guideline is met.*

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings: Though the building is out of the period of significance for the district, the proposed signs and awnings are of similar scale and construction to other signs and awnings in the district, ensuring the proposal's compatibility with the district. *This guideline is met.*

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings: The proposed signs are to be constructed of aluminum and will be equal in size and placement above the awnings. Their horizontal design complements the horizontal qualities of the existing building which are further enhanced by the proposed awnings which, with their dynamic eye-catching red color, will provide additional interest to this modern building. Together the signs and awnings enhance the horizontal nature of the building and, provided that the proposed light fixtures are the same as those already approved for the building, the proposal forms a cohesive composition. With the condition of approval that the proposed light fixtures above the signs are the same fixtures approved in the October 25, 2012 land use decision for LU 12-1543431 HDZM and that all conduit is hidden from view, this quideline is 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 signage and awnings enhance the horizontal lines of the existing building and are in keeping with other signage and awnings in the district through their scale, material and construction. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the exterior alterations in the Alphabet Historic District, including:

- New shed style awnings above all of the first floor storefront windows, measuring between 93" and 193" wide, and approximately 23" (h) x 19" (d);
- Two new signs, one facing east and one facing north, constructed of aluminum channel letters with external illumination, and measuring 8'-9-3/8" (w) x 1'-6" (h) x 0'-3-1/2" (d) for a total of 14.05 square feet each.

This approval is per the approved site plans, Exhibits C-1 through C-4, signed and dated March 8, 2013, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B) must be noted on each of the 4 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 12-215587 HDZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The proposed lighting above the signs must be the same make and model as the fixtures approved in the October 25, 2012 decision for LU 12-153431 HDZM, identified as Hydrel 4620 Knuckle Mount in Natural Aluminum finish. All conduit for the lighting mounted above the proposed signage shall be routed immediately through the wall and remain completely hidden from view.

Staff Planner: Hillary Adam

Decision rendered by: on March 8, 2013

By authority of the Director of the Bureau of Development Services

Decision mailed: March 12, 2013

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 December 14, 2012, and was determined to be complete on **February 4, 2013**.

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 December 14, 2012.

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 Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 28, 2013** 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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.

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 Historic Landmarks 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 historic Landmarks 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 March 29, 2013.
- 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.

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:

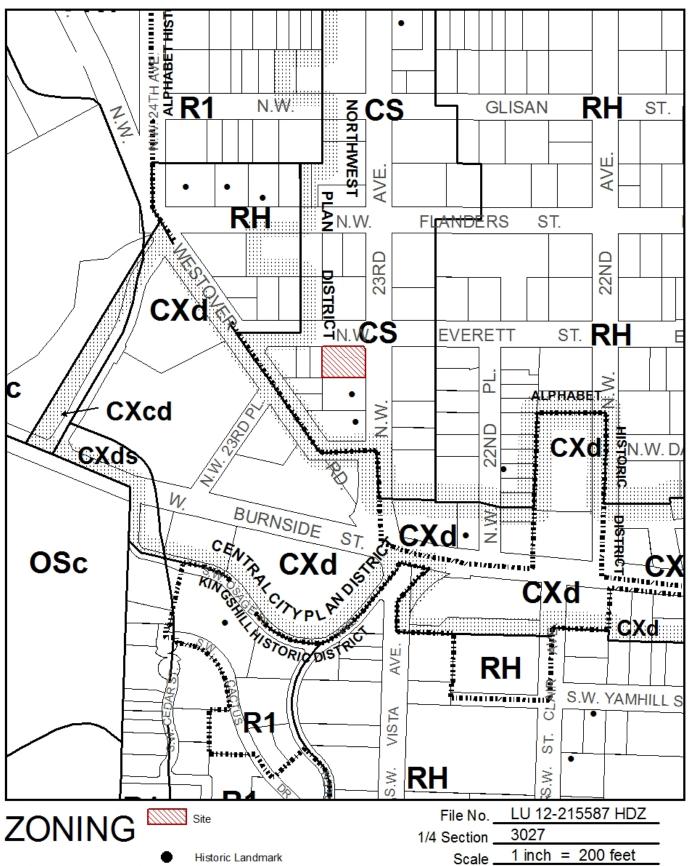
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. North Elevation and Details (attached)
 - 3. East Elevation and Details (attached)
 - 4. Awning Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter, dated December 24, 2012
 - 3. National Register Information

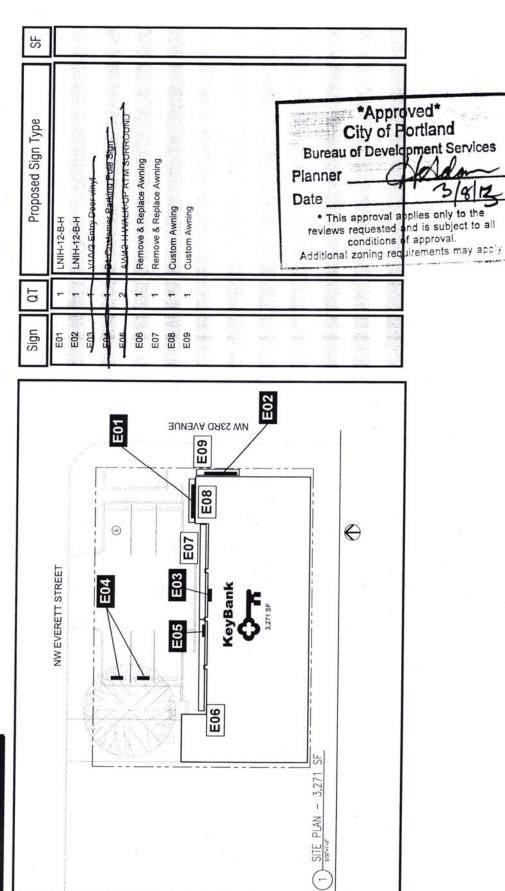
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



NORTH

This site lies within the: ALPHABET HISTORIC DISTRICT NORTHWEST PLAN DISTRICT

1N1E33CB 2400 State_Id В (Dec 18,2012) Exhibit.

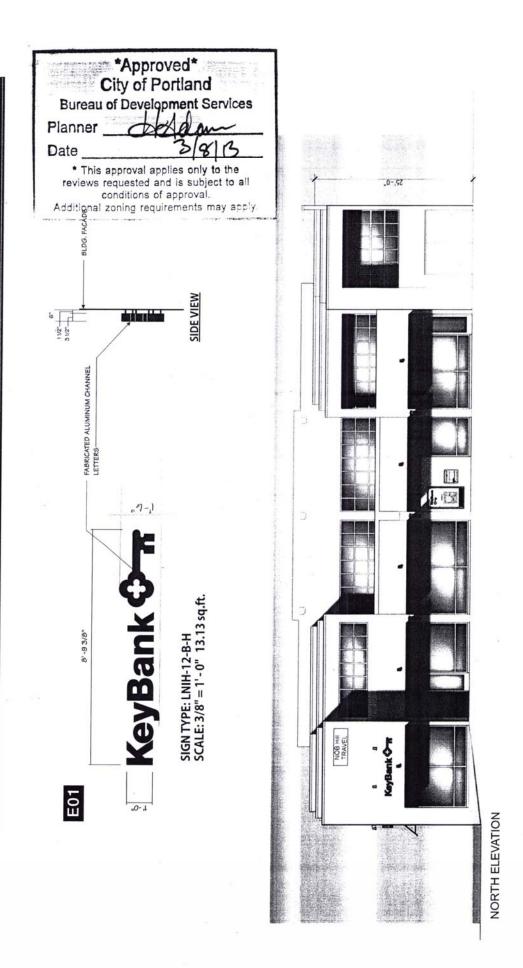


Address: 2310 MW Everett St Location: Portland, OR Date: 03/27/2012 EXT PID # 23rd&Everett REVISIONS

ginal unpoblished draving, created by Architectural Caraphica Inc., it is submitted for your exclusive use, in connection with a project being planned by Architectural Graph be alrown to arryone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fasion. This draving is property of Architectural Graphics

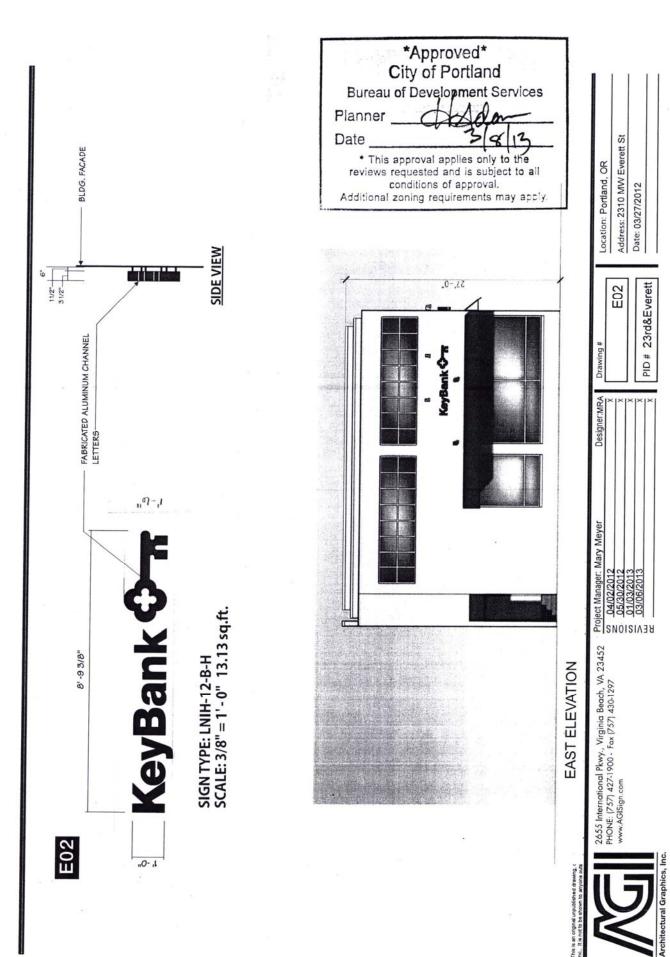
2655 International Pkwy., Virginia Beach, VA 23452 PHONE: (757) 427-1900 - Fax (757) 430-1297 www.AGISign.com





2655 International Pkwy., Virginia Beach, VA 23452 PHONE: (757) 427-1900 - Fax (757) 430-1297 www.AGISign.com

-1-1	Designer:MRA	Drawing #	Location: Portland OB
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5 05/30/2012	×	E01	Address: 2310 MW Everett 8
	×		
> 03/06/2013	×		Date: 03/27/2012
38	×	PID # Z3rd&Everett	



Approved
City of Portland
Bureau of Development Services
Planner
Date

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

70 1/4" 18 1/4" " 45 2 1/2"

• This artwork is final - please review for errors before signing. If the final product matches the signed artwork and is incorrect we will remake it on a time and material basis

	Prepared For:	Project Manager:	Revisions	Appropriate	
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