



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** June 11, 2015  
**To:** Interested Person  
**From:** Cassandra Ballew, Land Use Services  
503-823-7252 / [Cassandra.Ballew@portlandoregon.gov](mailto:Cassandra.Ballew@portlandoregon.gov)

## **NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-114865 HR- M&H SIGNAGE**

#### **GENERAL INFORMATION**

**Applicant:** Sean Savageau, Malaya Signs  
7625 NE Martin Luther King Jr Blvd / Portland OR 97211

**Representative:** Bonnie Fanelli, Quality First Commercial  
1500 State St Suite 150 / San Diego, CA. 92101

**Site Address:** 920-928 SW 3RD AVE

**Legal Description:** BLOCK 23, LOT 6, PORTLAND  
**Tax Account No.:** R667703580  
**State ID No.:** 1S1E03BA 06300  
**Quarter Section:** 3129  
**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Zoning:** CXd, Central Commercial with a design overlay  
**Case Type:** HR, Historic Resource Review  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

#### **Proposal:**

The applicant seeks Historic Resource Review approval to erect a sign on the fascia of the Northwest façade on the Auditorium & Music Hall. Built in 1894, the building is in the Romanesque Revival Style and is on the National Register of Historic Places. Because the proposal is for a new sign on a Historic Landmark, Historic Review is required. The proposed sign will be 11" Flat Cut Aluminum with a satin metallic gold finish and will be centered on the storefront windows of the first floor façade using 1/4" Aluminum Studs with silicone. The proposed sign is for a law firm tenant, McCarthy and Holthus.

**Relevant Approval Criteria:**

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

- 33.846 Historic Resource Review
- Central City Fundamental Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The subject property, known as the Auditorium & Music Hall, is a four story office structure designed by architect Frederick Manson White in the Romanesque Revival style. It occupies a building mid-block on the easterly side of SW 3<sup>rd</sup> Avenue bordered by SW Salmon Street and SW Taylor Street. The building was placed on the National Register of Historic Places on February 2, 1980. It is significant both for its architectural expression and for its use as a music and entertainment venue, including boxing, in early Twentieth Century Portland.

The area immediately surrounding the subject property contains a wide variety of uses, such as retail spaces, restaurants, a parking garage, financial institutions, a few taverns, and office spaces both large and small.

**Zoning:** Central Commercial in the Central City Plan District, with Design & Historic Resource Overlays

**Base Zone:** 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.

**Overlay Zone:** The "d" overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. 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.

**Overlay Zone:** The Historic Resource Protection 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.

**Plan District:** The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Downtown Subdistrict of this plan district.

**Landmark:** The Historic Landmark designation protects certain Portland historic resources and preserves significant parts of Portland'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. Proposed alterations to Historic Landmarks must go through a Historic Design Review process (Chapter 33.846) and proposed demolition is subject to certain demolition protections (Section 33.445.150).

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

- LU 82-005912 (reference file HL 27-82):  
Approval of a 1982, Type III, Historic Landmark Review for the renovation of the penthouse.

**Agency Review:** None of the notified Bureaus has responded with concerns.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **June 11, 2015**. 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, Historic Reviews**

#### **Purpose of Historic Resource Review**

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

#### **Historic Resource Review Approval Criteria**

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

**Findings:** The site is a designated Historic Landmark. Therefore the proposal requires Historic Resource 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, the relevant approval criteria are the Central City Fundamental Design Guidelines.

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

#### **G. Other Approval Criteria:**

##### **1. Historic character.**

The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.

##### **5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

##### **8. Architectural compatibility.**

New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

##### **10. 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.

**Findings for 1, 5, 8, and 10:** The new sign is about 14.6 square feet in area and will be located at the pedestrian level above the storefront windows, adjacent to the building's main entrance. The sign will be installed on the blank inner portion of an existing fascia, where there is no architectural ornamentation. The sign does not include illumination. The sign's modest size, pedestrian-level location adjacent to the building's main entrance, and the sign's location away from the defining architectural features of the building, such as the brick façade, decorative cornice, pilasters and window molding, ensure that the sign does not affect the historic character of the building, and that the sign is compatible with the building and the surrounding area. *Therefore these criteria are met.*

**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 for 2:** The new sign is a relatively minor addition to the Auditorium & Music Hall due to its area of 14.6 square feet, 1/4-inch thickness, lack of illumination, and location on the fascia of the entablature of the front facade. The sign does not create a false sense of historic development. The Auditorium & Music Hall will remain a physical record of its time, place, and use. *Therefore this criterion is 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.

**9. Preserve the form and integrity of historic resources.**

New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

**Findings for 7 and 9:** The proposed sign is constructed of 11" flat cut aluminum with a satin metallic gold finish. These materials render the sign unmistakably contemporary. The proposed sign will be mounted with four 1/4"-diameter aluminum metal studs with silicone, which will not be visible from the street. These will also minimize damage to the west-facing wall of the entablature above the street facing storefront windows, which is where the sign will be installed. If the sign is removed in the future, the essential form and integrity of the Auditorium & Music Hall will be unimpaired. *Therefore this criterion is met.*

## **II. CENTRAL CITY FUNDAMENTAL DESIGN GUIDELINES**

**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.

**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, C5, and C13:** The new sign is about 14.6 square feet in area. The letters on the sign are 0'-11" tall. The sign is made of 1/4"-thick flat cut aluminum

and metal spacers will allow the sign sit off the building wall by 0'-1/2". The sign does not include any illumination. The sign fits comfortably – with sufficient “breathing room” around its edges – on the west-facing entablature, so as not to crowd the ornamental features, and centered above the street facing storefront windows, adjacent to the main entrance of the building. This location provides identification for the office tenant that is human-scaled, pedestrian-oriented, and unobtrusive. This location is on the blank fascia of the entablature, where there is no architectural ornamentation. This location ensures that the sign does not adversely affect the defining features and materials of the Auditorium & Music Hall Building. All of these characteristics render an integrated sign that promotes quality and permanence in development, respects the integrity of the subject building, and allows the building to remain a cohesive composition. *Therefore 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

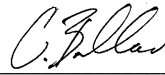
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The proposed sign is pedestrian-oriented, appropriately located at the building's main entrance, and respects the historic character of the Auditorium & Music Hall Building. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of a 14.6 square foot, non-illuminated, pin-mounted sign on the Historic Auditorium & Music Hall Building in the Central City Plan District, per the approved site plans, Exhibits C-1 through C-4, signed and dated June 8, 2015, 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.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-114865 HR. No Field Changes Allowed"

**Staff Planner: Cassandra Ballew**

**Decision rendered by:**  **on June 8, 2015**

By authority of the Director of the Bureau of Development Services

**Decision mailed: June 11, 2015**

**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 February 4, 2015, and was determined to be complete on **March 16, 2015**.

*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 February 4, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 14, 2015.**

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

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).

**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 **June 11, 2015**. 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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

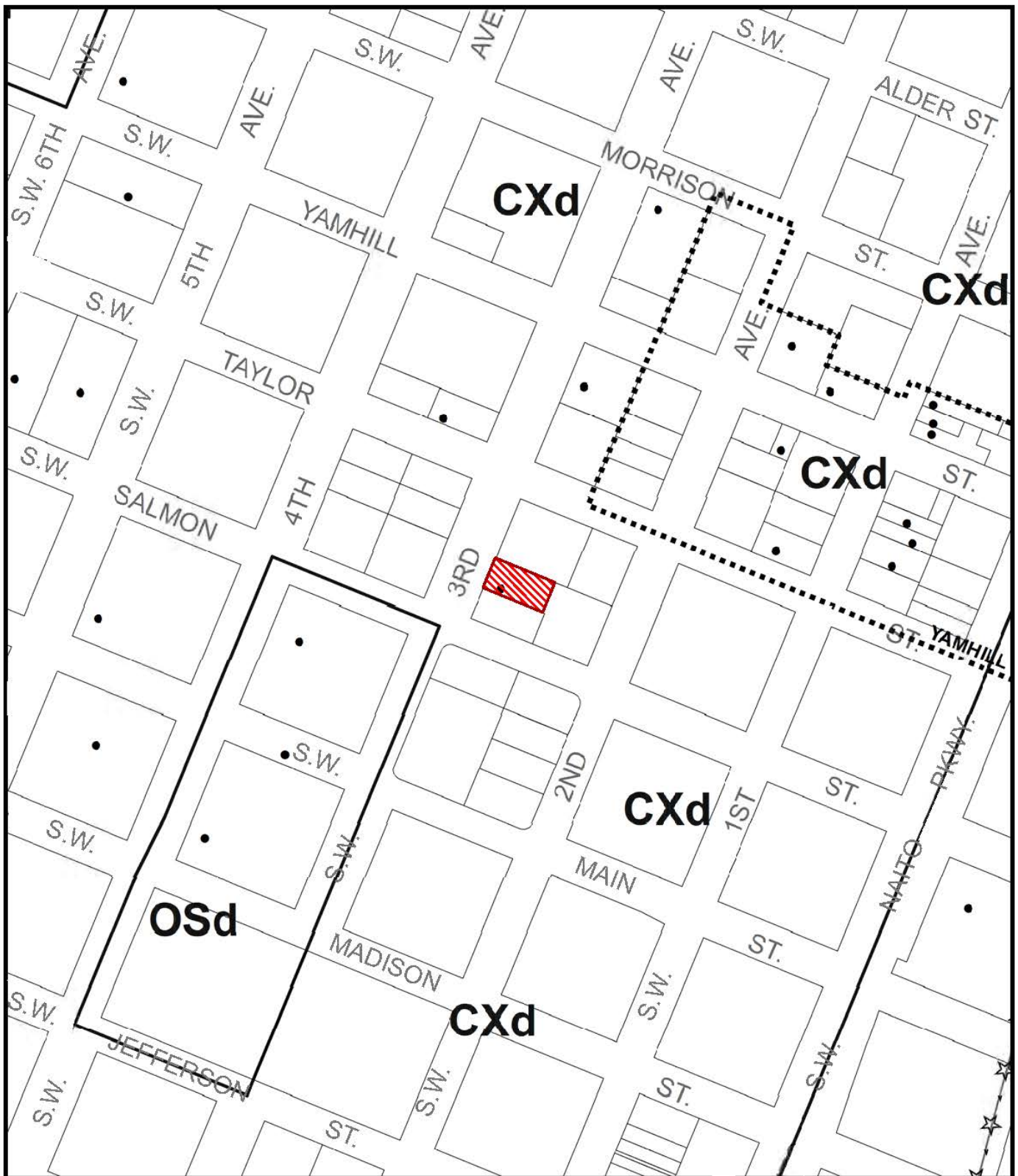
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Full Building Elevation (attached)
  - 3. Partial Building Elevation and Section Detail (attached)
  - 4. Sign Specifications; Photographic Simulation of Sign on Building (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: None Received.
- F. Correspondence: None Received.
- G. Other:
  - 1. Original Land Use Review Application
  - 2. Letter of Completeness ("Incomplete Letter")
  - 3. Site Visit Photographs

**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



Recreational Trail



NORTH

This site lies within the:  
CENTRAL CITY PLAN DISTRICT

File No. LU 15-114865 HR

1/4 Section 3129

Scale 1 inch = 200 feet

State\_Id 1S1E03BA 6300

Exhibit B (Feb 11, 2015)



Scale 1" = 400'

SW Salmon St



LU 15-114865 HR EXHIBIT C-1

Sign Location

SW 3rd Ave

920 SW 3rd Ave

\*Approved\*

City of Portland Bureau of Development Services

SW Taylor St

*[Signature]*

Date 6/8/15

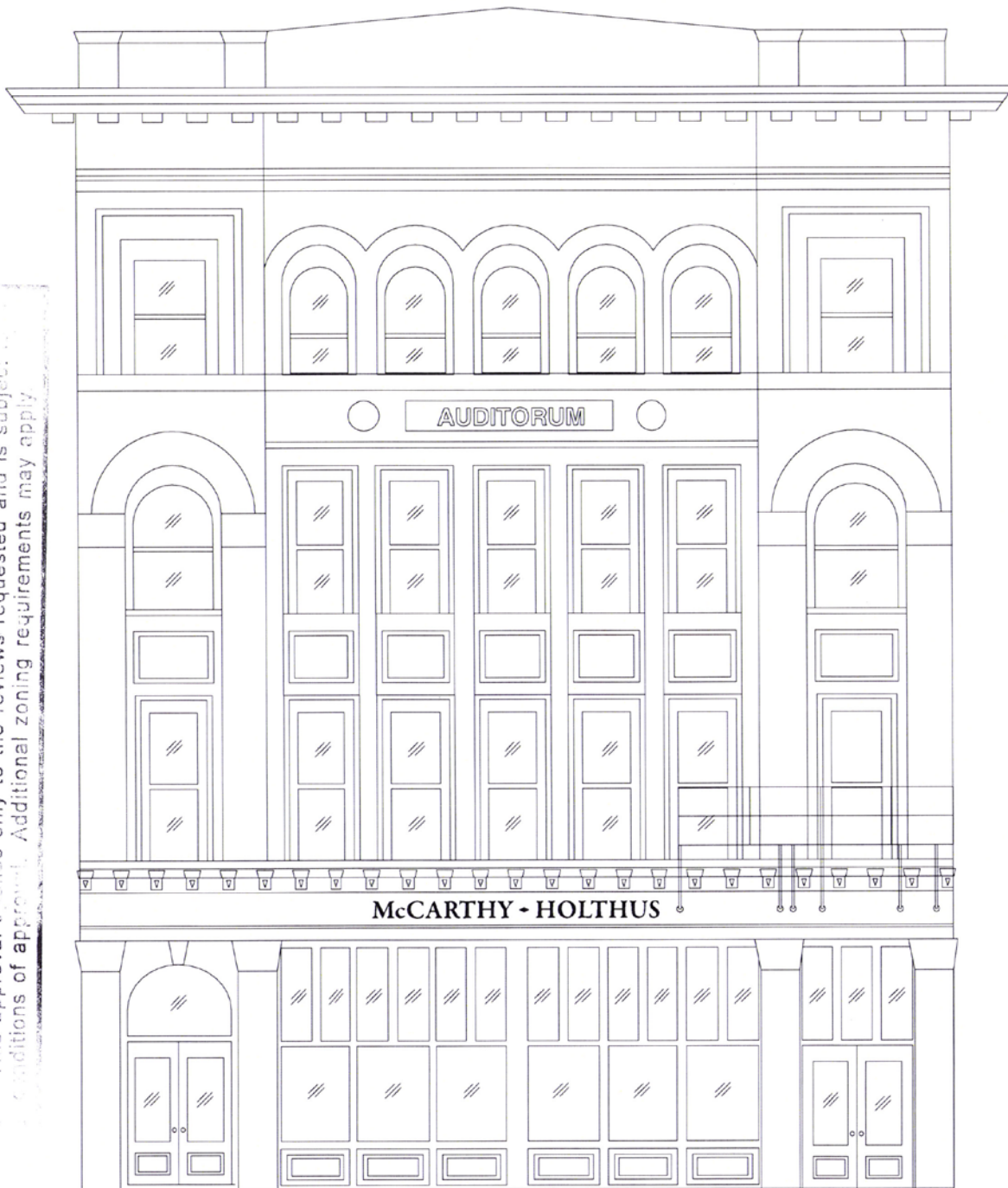
This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.

\*Approved\*

City of Portland - Bureau of Development Services

Planner C. Sella Date 6/8/15

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



**1** Front Full Building - North West Facing - 3rd Avenue - Elevation

Scale: 1" = 100"



7625 NE ML King Jr. Blvd. Portland, Or 97211  
Phone (503) 517-0990 Fax (503) 200-1217

DATE	All products sold and proofs developed remain the property and proprietary intellectual property of Malaya Signs and may not be used for any purpose unless all payments have been met and a terms of use for intellectual property has been assigned. All rights reserved. No copy or reproduction in whole or in part may be done without the expressed written approval of Malaya Signs.
DESIGN OK	
PROJECT	

www.malayasigns.com

sales@malayasigns.com

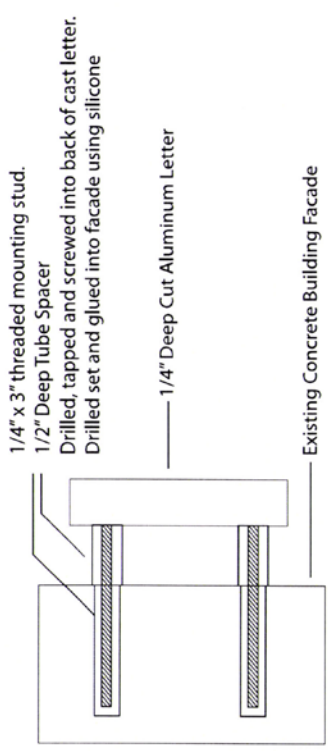
LU 15-114865 HR

EXHIBIT C-2

**A**

11" Tall Individual letters "McCARTHY - HOLTHUS"  
Construction: 1/4" Flat Cut Aluminum  
Mounting: 1/4" Dia. Aluminum Studs w/ Silicone

**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner *P. Baller* Date *6/18/15*  
This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



**2 Mounting Detail**

Scale: 1" = 4"

**A**

Top of First Level - Building is Four Stories  
See Next Page for Full Building Drawing

176"

11" [ **McCARTHY - HOLTHUS** ]

20"

Fire Access Railing

**1**

**Front Entry - North West Facing - 3rd Avenue - Elevation**

Scale: 1" = 60"



LU 15-114865 HR

EXHIBIT C-3





\* Approved \*

City of Portland - Bureau of Development Services

Satin Metallic Gold Finish *C. Belle* Date 6/8/15

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

