



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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Date: May 19, 2015
To: Interested Person
From: Amanda Rhoads, Land Use Services
503-823-7837 / Amanda.Rhoads@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 15-129514 HR ***NEW BLADE SIGN ON HAMILTON BUILDING***

GENERAL INFORMATION

Applicant: Dana Moore / Emerick Architects
208 SW 1st Ave #320 / Portland, OR 97204

Owner: Loyalty Holdings, LLC
3657 Main St / Manchester, VT 05254

Site Address: 523-529 SW 3RD AVE

Legal Description: BLOCK 48 LOT 3, PORTLAND
Tax Account No.: R667705750, R667705750
State ID No.: 1S1E03BA 07500, 1S1E03BA 07500
Quarter Section: 3129
Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.
Business District: None
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 as the Hamilton Building on March 17, 1977.

Zoning: CXd – Central Commercial with “d” Design Overlay Zone and Historic Resource Protection

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 is seeking Historic Resource Review for a proposal to install a new, non-illuminated blade sign on the Historic Landmark Hamilton Building. The sign is 9.33 square feet in face area, measuring 32 inches tall, 42 inches long and 2 inches thick. The sign is proposed as an aluminum base painted in black matte paint, with 3/4-inch-thick white, matte

PVC lettering. The attachment arms, which will project approximately 15 inches from the existing brick column, are proposed to be mounted to the column at the relief banding, with bolted connections through grout joints.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations on a designated Historic Landmark.

Relevant Approval Criteria:

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

- 33.846.060.G – Other Approval Criteria
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The subject property, named the Hamilton Building after the son and grandson of the developer, Henry W. Corbett, was designed by the prominent architecture firm of Whidden and Lewis in a restrained commercial expression of the Classical Revival style. It was completed in 1893 in a location along SW 3rd Avenue which represented the leading western edge of downtown development at the time. At six stories it was a relatively tall building within its context. Although the storefront level has been altered over time, the original building facade remains otherwise almost entirely intact.

Today SW 3rd Avenue is a one-way, southbound, street lying near the eastern edge of the downtown. Although not in an area formally recognized as such, the density of individually landmarked buildings in the vicinity creates a *de facto* historic district representing late nineteenth and early twentieth century commercial development. The entire downtown core is designated as a pedestrian zone, which means that signs should be directed primarily toward sidewalks rather than streets.

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 Historic Resource Protection chapter 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.

The Design Overlay Zone 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 12-121865 HDZ – Historic Design Review approval to install a new, internally illuminated blade sign 13 square feet in face area; new recessed

down lights in the ceilings of two entry recesses; and 8 new mechanical units on the roof.

Public Review: A Notice of Proposal in your Neighborhood was mailed on **April 13, 2015**.

Agency Review: The Bureau of Parks – Urban Forestry Division responded with no concerns (Exhibit E.1). No additional bureaus were asked to respond to this sign case.

Neighborhood Review: No written responses were 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/Conservation 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.

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.

Findings: The sign proposal for the projecting blade sign mounted on the south front column in the relief banding has no impact on existing historic features. All the existing historic features on the building will be retained and preserved. The sign is well-detailed and its simple expression will not detract from the historic character of the building. *This criterion is therefore 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.
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 2 and 7: The proposed sign, while sensitive to the historic character of the building, employs modern materials and mounting techniques, and is unlikely to be mistaken for historic materials. *These criteria are therefore met.*

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.
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 5 and 9: The projecting blade sign will be attached to the building with metal brackets painted black and screws. With the condition of approval that the screws will all be placed into mortar joints so that the existing historic brick is protected from damage, brick will not be damaged. *These criteria are therefore met.*

- 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 8 and 10: The proposed projecting blade sign is appropriately dimensioned for size of the tenancy and is mounted to a column on the opposite end of the building from another projecting blade sign approved in 2012. This is a traditional location for retail signage on these types of historic buildings. The small size of the sign allows the building façade to remain visible. The new sign will not compromise the architectural integrity of the historic resource. Signs of this type are commonly seen on nearby buildings in the area. *These criteria are therefore met.*

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.

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

Findings: The proposal is for a non-illuminated metal sign cabinet made from aluminum painted with a matte, black paint. The face of the sign is routed ¾-inch thick white matte-finished PVC. The materials are high quality and, as proposed, will create a long-lasting sign for this historic structure. *This guideline is met.*

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

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 projecting blade sign is integrated with the building by thoughtful placement within the relief band of one of two columns flanking either end of the building. The sign is placed in a traditional sign location and will be smaller than but otherwise match the placement of another blade sign on the column at the north end of the building. Both signs have similar mounting structures. The new sign draws attention to an existing tenant while its modest size complements the historic building. *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

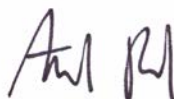
The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal for one modest projecting sign with no illumination gives a ground floor tenant better commercial exposure in a manner compatible with the character of the building without damage to the Historic Landmark. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Historic Resource Review approval of a new, non-illuminated blade sign on the Hamilton Building in the Downtown Subdistrict of the Central City Plan District. The sign is 9.33 square feet in face area and measures 32 inches tall, 42 inches long, and 2 inches thick, made from an aluminum base painted in black matte paint, with ¾-inch-thick white, matte PVC lettering, per the approved plans, Exhibits C.1 through C.4, signed and dated May 15, 2015, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition B must be noted on each of the four 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 15-129514 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. All mounting screws and/or bolts will be installed through existing mortar joints.

Staff Planner: Amanda Rhoads



Decision rendered by: _____ **on May 15, 2015**

By authority of the Director of the Bureau of Development Services

Decision mailed May 19, 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 March 6, 2015, and was determined to be complete on **March 30, 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 March 6, 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 28, 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.

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 **May 19, 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:

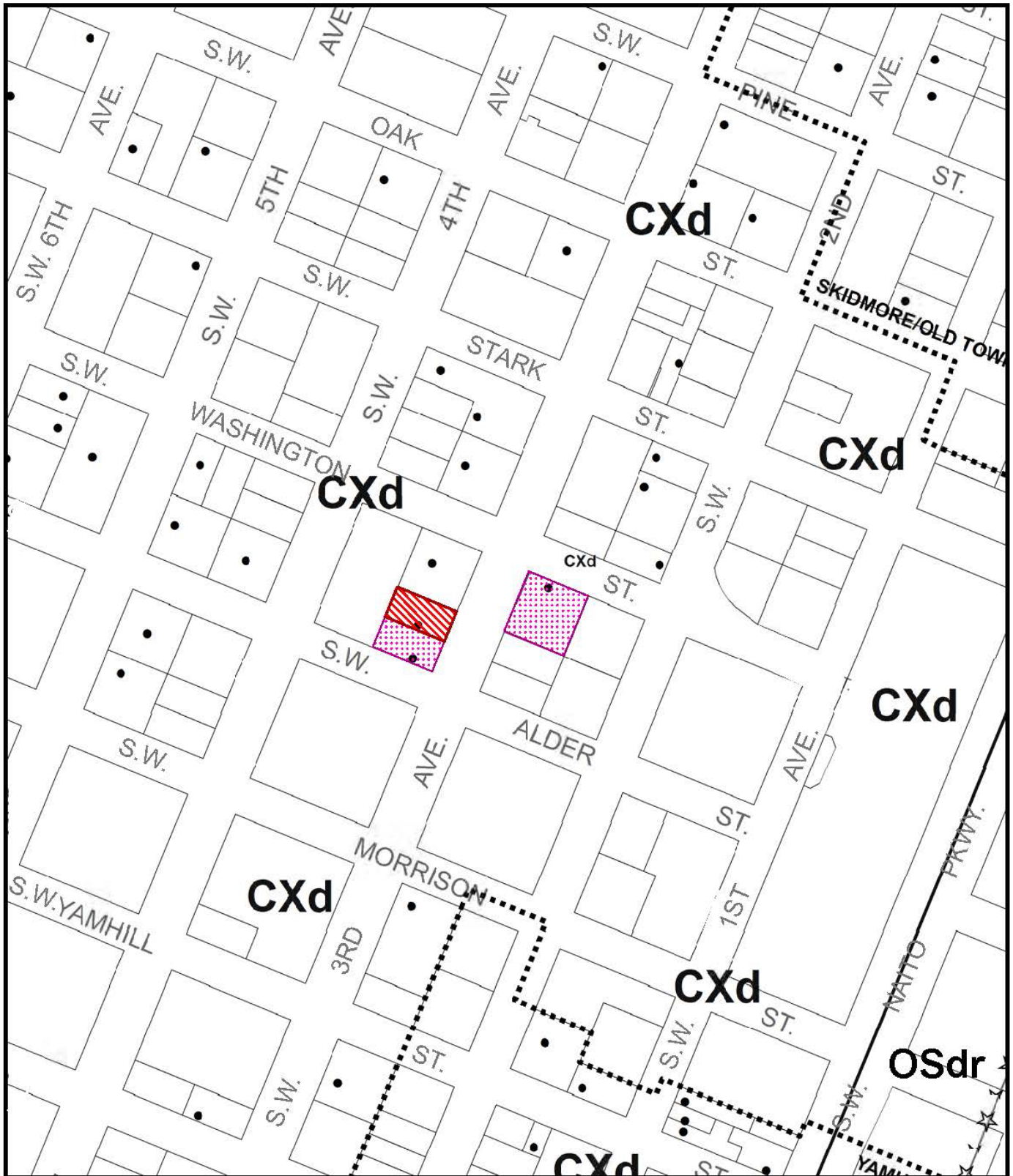
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Response to Guidelines
 - 2. Photo of Storefront
 - 3. Photo of Existing Sign on Opposite Column, Approved in 2012
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Front Elevation (attached)
 - 3. Sign Details (attached)
 - 4. Sign Attachment Details (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Parks, Urban Forestry Division
- F. Correspondence: none received
- G. Other:
 - 1. Original Land Use Application and Receipt
 - 2. Incomplete Letter, March 27, 2015

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

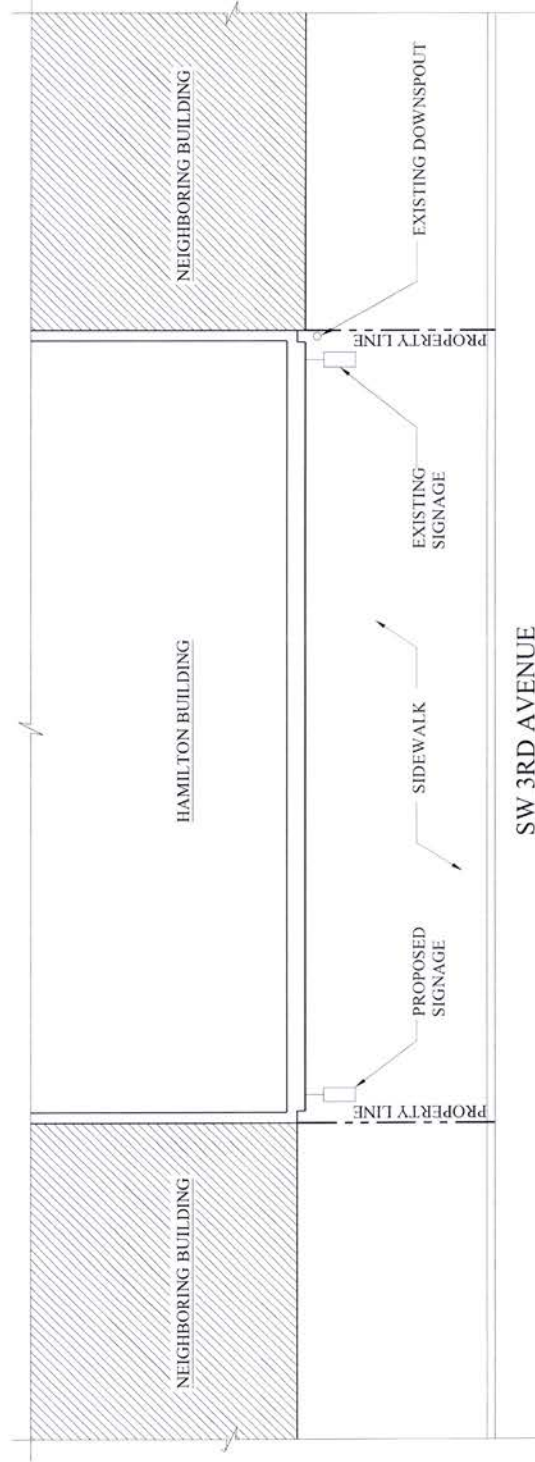
-  Site
-  Also Owned
-  Historic Landmark
-  Recreational Trail



This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT

File No. LU 15-129514 HR
 1/4 Section 3029,3129
 Scale 1 inch = 200 feet
 State_Id 1S1E03BA 7500
 Exhibit B (Mar 10,2015)

Approved
 City of Portland - Bureau of Development Services
 Planner AWH Date May 15, 2015
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1 ROOF/SITE PLAN
 1/8" = 1'-0"

60 15 - 129514 HR

Exhibit C.1

HISTORIC REVIEW DRAWINGS

NOT FOR CONSTRUCTION

PDC-BARISTA
 JOB #: 1507



LUR-1

DATE: 03-06-15



Approved
 City of Portland - Bureau of Development Services
 Planner *for M*
 Date *May 15, 2015*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

PDC-BARISTA
 JOB #: 1507

emerick architects p.c.

HISTORIC REVIEW DRAWINGS

NOT FOR CONSTRUCTION

LUR-2

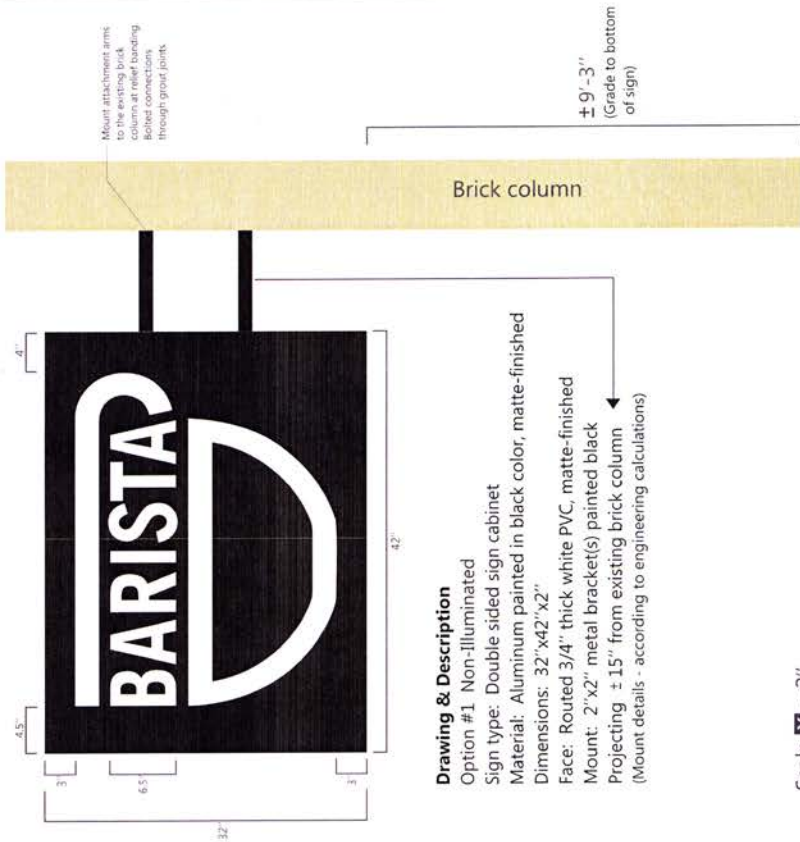
DATE: 03-04-15

CU 15-129514 H12

Exhibit C.2

Planner: *AM* City of Portland - Bureau of Development Services
 *This approval applies only to the reviews requested and is subject to all provisions of approval. Additional zoning requirements may apply.
 Date: *May 15 2015*

Front Elevation

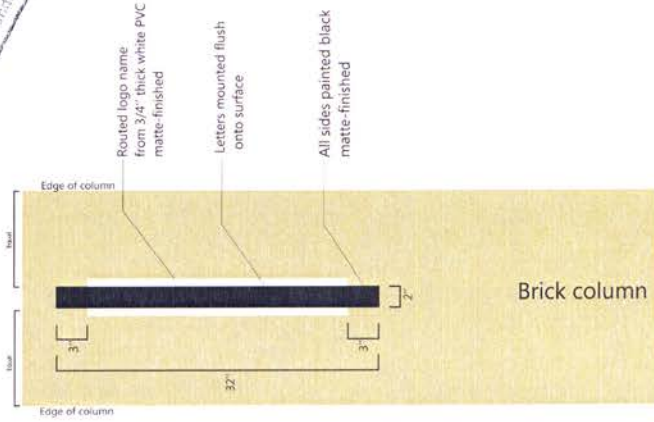


Drawing & Description

Option #1 Non-Illuminated
 Sign type: Double sided sign cabinet
 Material: Aluminum painted in black color, matte-finished
 Dimensions: 32"x42"x2"
 Face: Routed 3/4" thick white PVC, matte-finished
 Mount: 2"x2" metal bracket(s) painted black
 Projecting: ±15" from existing brick column
 (Mount details - according to engineering calculations)

Scale **X** = 2"

Side Elevation



Scale **X** = 2"

Artico Lite Inc
 ArticoLite.com

Tel: 503-253-9406
 Fax: 503-253-9407

Non & Signs

Location: 529 SW 3rd Ave, Portland, OR 97204

Landlord approval: _____ Date: _____

Customer approval: _____ Date: _____

Drawn by: TJ / designer

scale: approximate

Remarks: _____

The design(s) shown on this drawing is proprietary to Artico Lite, Inc. and may not be reproduced or utilized in any manner without specific written permission from Artico Lite, Inc. Acceptance of this print will be construed as your agreement to these conditions.

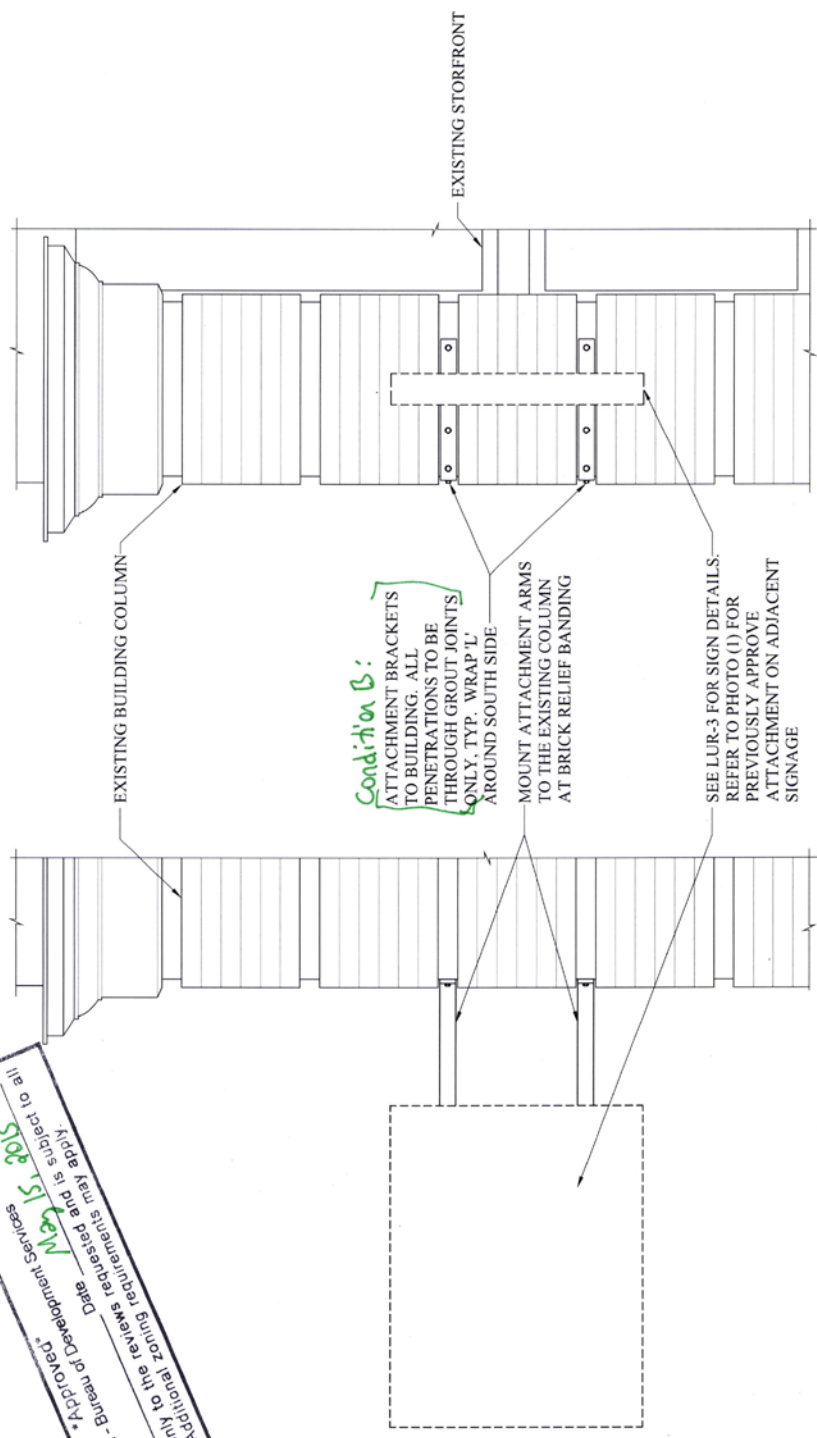
LUR-3

DATE: 03-04-15

CU 15 - 129514 H12

Exhibit C.3

City of Portland - Bureau of Development Services
 Planner: *AM*
 Date: *May 15, 2015*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



STRUCTURAL ENGINEERING
 BY OTHERS

1 SIGN ATTACHMENT DETAILS
 3/4" = 1'-0"

HISTORIC REVIEW DRAWINGS
 NOT FOR CONSTRUCTION

PDC- BARISTA
 JOB #: 1507

