



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
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Date: May 17, 2016
To: Interested Person
From: Megan Sita Walker, Land Use Services
503-823-7294 / MeganSita.Walker@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 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 15-279116 HR – BROADWAY BUILDING MARQUEE SIGNAGE

GENERAL INFORMATION

Applicant: Dave Noel, Applicant
S2 Imaging
305 NE Russel St
Portland, OR 97212

Chris Kopca, Owner
Goodman Generations 111, LLC
Pipab LLC
920 SW 6th Ave, Ste. 223
Portland, OR 97204

Alain Schotland, Sign Purchaser
Mammoth HR
625 SW Broadway, Ste 300
Portland, OR 97205

Site Address: 621 SW BROADWAY

Legal Description: BLOCK 212 LOT 3, PORTLAND
Tax Account No.: R667722800, R667722800
State ID No.: 1N1E34CC 08500, 1N1E34CC 08500
Quarter Section: 3029
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: Historic Landmark

Zoning: CXd – Central Commercial with Historic Resource and Design Overlays
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 approval to add two new signs to an existing, non-original marquee on the Broadway Building (also known as the H. Liebes & Company Building), a historic landmark located at 625 SW Broadway. The H. Liebes & Company Building was built in 1917 and was listed in the National Register of Historic Places on September 12, 1996.

The subject property has been severely altered, and was restored in 1996, when the existing marquee was added. There is an existing primary building sign on the face of the marquee fronting SW Broadway. The two signs proposed, both measuring 4' long and 7" tall, projecting approximately 1" from the surface of the marquee are approximately 2.34 sq. ft. each. The signs are proposed to consist of ½" thick acrylic letters painted matte black and attached to the marquee using aluminum studs.

Historic resource review is required because the proposal is for non-exempt exterior alteration of a Historic Landmark.

Note: In the Notice of Proposal mailed out on February 11, 2016, it was noted that the building had been restored in 2006, when in fact the building was restored in 1996.

Relevant Approval Criteria:

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

- *Central City Fundamental Design Guidelines*
- *33.846.060.G Other approval criteria*

ANALYSIS

Site and Vicinity: The subject property, known as the Broadway Building, was designed by E. B. McNaughton, and completed in 1913. It is a Commercial Style composition with influences from the Chicago School, which was a highly popular architectural movement at the time. The building exterior is mainly clad in white pressed brick, with terra cotta and painted sheet metal trim elements. The ground and second floors have been repeatedly altered over time, and while their current configuration is reasonably compatible with the historic character of the building, virtually no intact historic fabric remains there.

The site is diagonally opposite across SW Broadway and SW Morrison from Pioneer Square and contributes to its sense of urban enclosure. Five of the other buildings surrounding the square are also designated historic structures, creating an ensemble that largely defines the character of this block.

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 overlay is intended to protect 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 (d) is intended to promote 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:

- **DZ 34-84** approved storefront remodel.
- **LUR 93-00608 DZ** Design Review approval of an awning and the replacement of a window with a door.
- **LUR 94-00126 DZ** Design Review approval of a projecting sign and backlighting of the valance signage of an existing awning.
- **LUR 96-00136 DZ** Design Review approval of a proposal to restore an existing building facade, including two schemes for storefront treatments.
- **LUR 96-00136 HDZ** Historic Design Review approval of a radio frequency transmission facility to include four new wireless communication antennas housed in penthouse screening structure and associated equipment and cables painted to match the roof.
- **LU 06-117546 HDZ** Historic Design Review approval of a new corner storefront entry for the Abercrombie & Fitch retailer. Approved proposal to alter the 45 degree angled entry to a 90 degree entry with two main sets of doors, one facing SW Broadway and one facing SW Morrison. Additionally, a sign is proposed that will match the previous sign except the proposed sign will be halo lit from behind with LEDs.
- **LU 09-104260 HDZ** Historic Design Review approval of six (6) 3'-6" tall panel antennas, six (6) DAP units, four (4) 2-foot diameter microwave dishes, one (1) GPS unit, and one (1) equipment support cabinet with shelf onto the existing rooftop penthouse.

Note: the major of this work approved in LU 09-104260 HDZ was on the adjacent property to the south. However, 2 of the 6 antennas were located on the subject property.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **February 11, 2016**. The following Bureaus have responded with no issues or concerns:

- Life Safety Division of BDS, no issues. Please see Exhibit E-1 for additional information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **February 11, 2016**. 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 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 subject property 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.

Central City Plan Design Goals

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; and,
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.

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 subject property was severely altered at some point in the past. However, the facades of the building were restored, and the property was registered as a historic Landmark in 1996. The existing marquee was added when the building was restored in 1996, and there is an existing primary building sign on the face of the marquee fronting SW Broadway that consists of pin mounted letters set a ½" from the face of the marquee that will remain. The proposed signs are located on the two sides of the marquee in an appropriate location and are scaled to be compatible with the existing marquee and the existing signage on the front of the marquee, to remain. The two signs proposed, both measuring 4' long and 7" tall, projecting approximately 1" from the surface of the marquee are approximately 2.34 square feet each, and are thus compatible in terms of proportion to the existing marquee and the existing signage. The letters of the two proposed signs, consisting of ½" thick acrylic letters painted matte black, have integral color and a matte finish, and are therefore less likely to show signs of weathering. In addition to pin mounted signage being a typical signage type seen on landmark buildings in the Central City, this design will maintain a similar look to the existing signage to remain on the front of the non-original marquee. The proposal to install pin mounted signage with a matte finish and integral color on a non-original marquee will not compromise the historic character of the resource or how it is perceived in the district.

These guidelines are met.

33.846 Chapter Historic Resource Review Approval Criteria

Section 33.846.060 Purpose

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources. 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 Historic Landmark and the proposal is for non-exempt treatment, therefore, Historic Resource Review approval is required. The approval criteria are 33.846.060.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.

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.

3. Historic Changes. Most properties change over time. Those changes that have acquired historic significance will be preserved.

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 1, 2, 3, 5, and 9: The proposed signs are located in traditional locations and are scaled in response to existing architectural elements, and the signage is compatible in terms of proportion and material to the existing signage to remain and to the marquee. Therefore, the proposal to install pin mounted signage with a matte finish and integral color on a non-original marquee will not compromise the historic character of the resource or how it is perceived in the district.

These guidelines are 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.

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 7, 8, and 10: As noted above, the proposed pin mounted signs will be installed on a non-original, existing marquee, which was added when the building was restored in 1996. Therefore, the proposed alterations will not result in the removal of any historic materials. The proposed signs will not compromise the historic character of the resource or how it is perceived in the district.

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 applicant requests Historic Resource Review approval for a proposal to alter an existing Landmark building located in the Central City Plan District. The proposed alterations include the installation of two pin mounted signs with a matte finish and integral color on a non-original marquee. The proposed alterations will not compromise the historic character of the resource or how it is perceived in the district.

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. This proposal meets the applicable Historic Resource Review guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of two pin mounted signs with a matte finish and integral color on a non-original marquee on the Landmark Broadway Building. Approved per Exhibits C-1 through C-4, signed and dated 05/13/2016, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 2 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 15-279116 HR."

Staff Planner: Megan Sita Walker

Decision rendered by:  **on May 13, 2016.**

By authority of the Director of the Bureau of Development Services

Decision mailed May 17, 2016

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 18, 2015, and was determined to be complete on January 20, 2016.

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 18, 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: May 19, 2016.**

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 18, 2016**. 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 503-823-7617.

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;

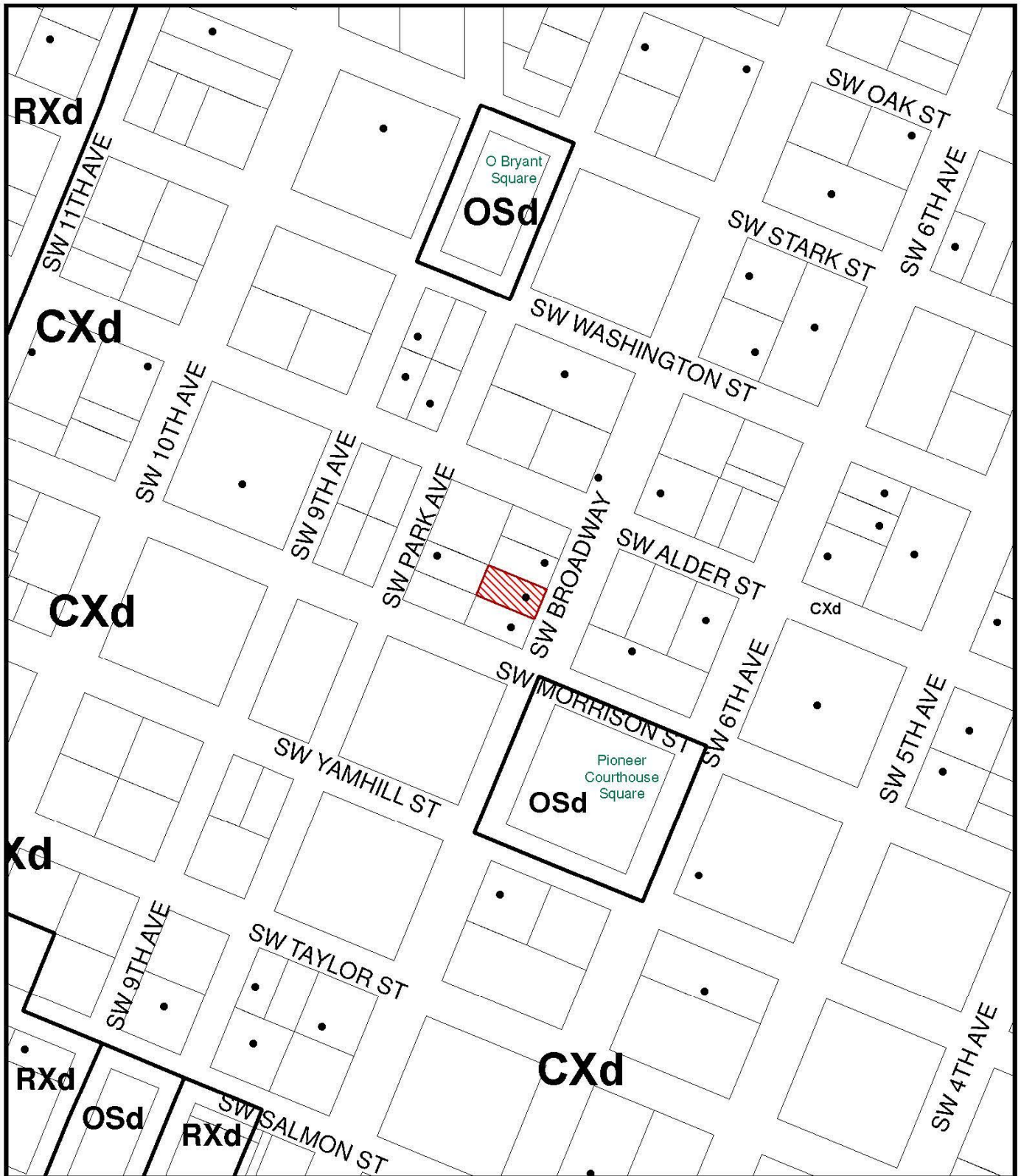
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Response to Approval Criteria
 - 2. Site Photos
 - 3. Updated Lettering Study, from the applicant to staff, sent January 20, 2016
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Proposed East Elevation – existing signage to remain (attached)
 - 3. Proposed Elevations – north and south sides of marquee (attached)
 - 4. Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Division of BDS
- F. Correspondence: no response
- G. Other:
 - 1. Original LU Application
 - 2. Oregon Historic Site Record

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



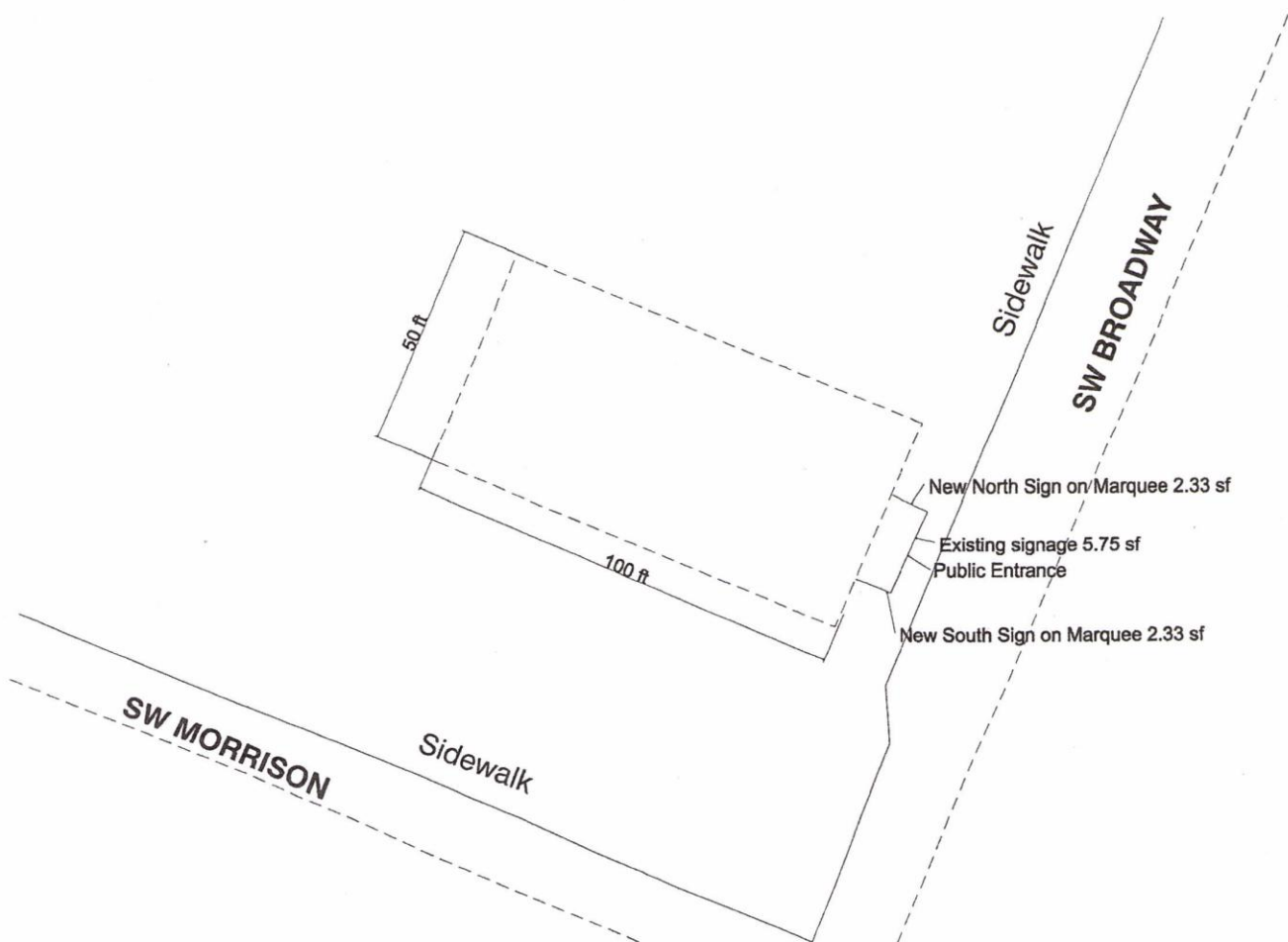
This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT

File No. LU 15-279116 HR
1/4 Section 3029
Scale 1 inch = 200 feet
State_Id 1N1E34CC 8500
Exhibit B (Dec 22, 2015)

SITE PLAN

625 SW Broadway

Installer: Dwayne Purcer, CCB#152257



Approved

City of Portland - Bureau of Development Services

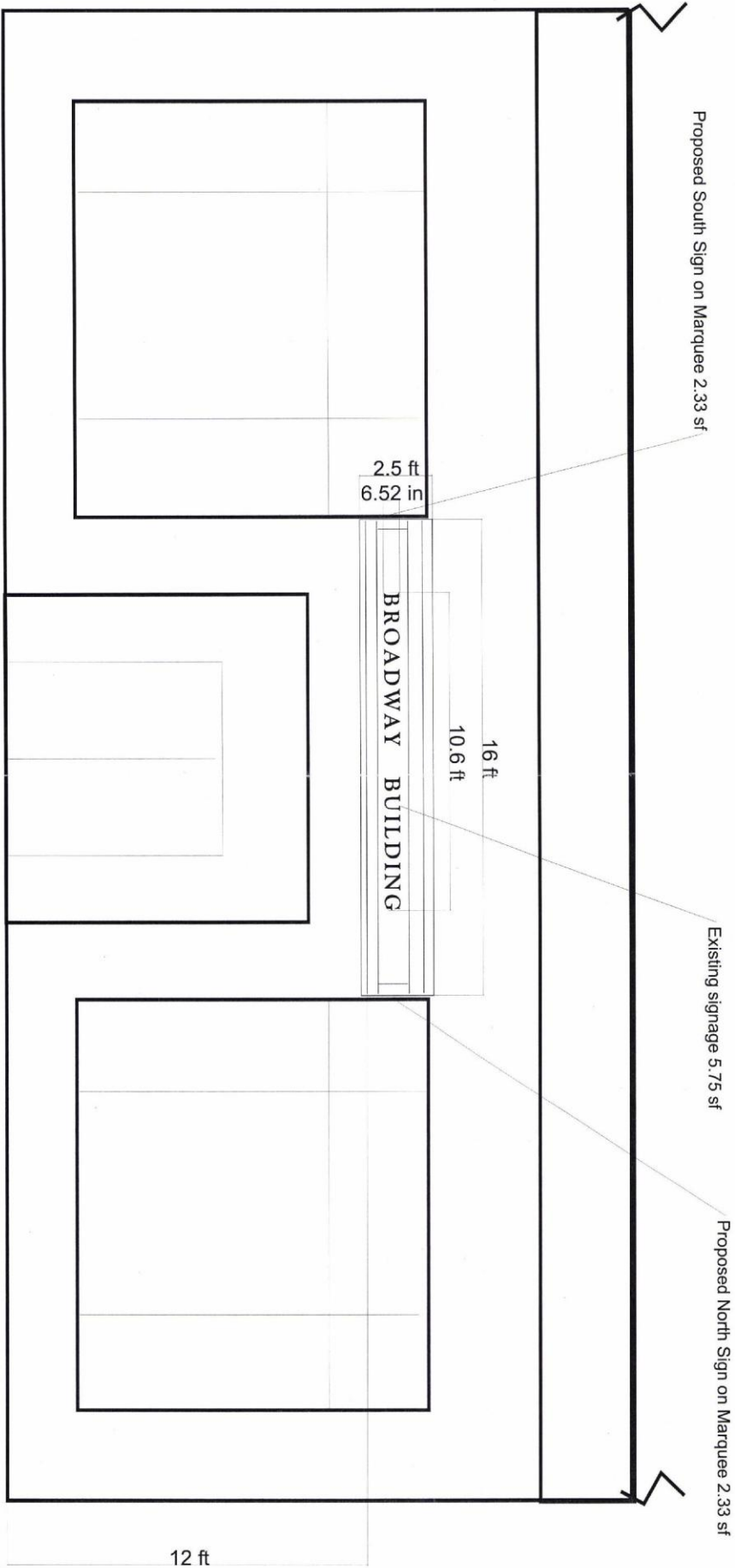
Planner Mason Wade Date 05.13.16

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

LU 15-279116 HR

EXH C-1

ELEVATION 621 SW Broadway

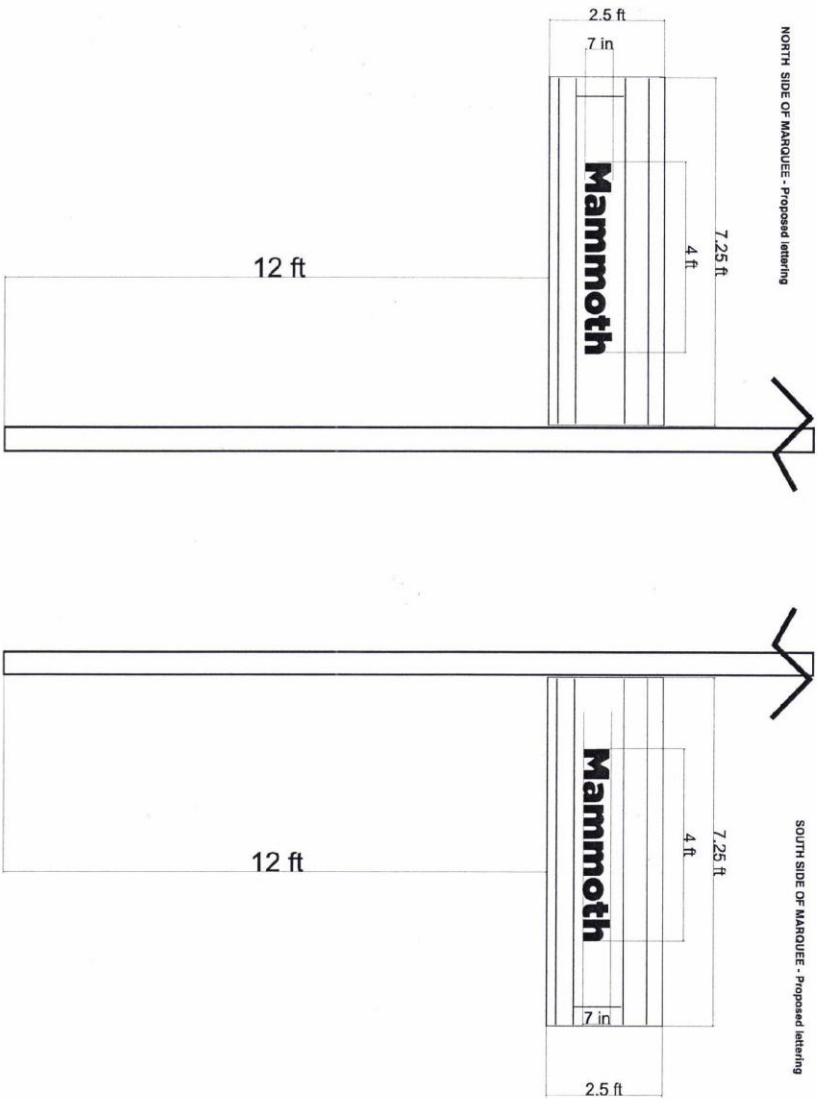


Approved
City of Portland - Bureau of Development Services
Planner Wendy
Date 05.13.16
* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

1:10 scale

LU 15-279116 HR
EXH C-2

ELEVATION 621 SW Broadway



Approved
City of Portland - Bureau of Development Services
Planner Monika
Date 05.13.16
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

1:10 scale

EXH C-3
LU 15-279116 HR