



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: February 24, 2016
To: Interested Person
From: Andrew Gulizia, Land Use Services
503-823-7010 / Andrew.Gulizia@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 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 15-283132 AD

GENERAL INFORMATION

Applicant: Jeff Wilder
Ankrom Moisan Architects
6720 SW Macadam Ave., Ste. 100
Portland, OR 97219

Property Owner: Daimler Trucks North America
4747 N Channel Ave.
Portland, OR 97217

Site Address: 4747 N Channel Ave.

Legal Description: LOT 2 TL 109 LAND & IMPS SEE R540481 (R649831503) R540494 (R649831515) & R672244 (R649831517) FOR OTHER IMPS, PARTITION PLAT 2003-38

Tax Account No.: R649831511

State ID No.: 1N1E20 00109

Quarter Section: 2527

Neighborhood: Overlook NA, contact Mike Shea at mcchaix59@gmail.com

Business District: Swan Island, contact Sarah Angell at 503-745-6523

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099

Zoning: EG2i,g - General Employment 2 with River Industrial (i) and River General (g) overlay zones

Case Type: AD – Adjustment Review

Procedure: Type II administrative decision with appeal to the Adjustment Committee

Proposal: The applicant is requesting approval of Sign Adjustments for a 9-story office building under construction on this site. The following Adjustments to the requirements of Title 32.32.020.A, Table 2, are requested:

- Increase the maximum sign area of a south-facing building sign from 200 square feet to 281 square feet; and
- Increase the maximum sign area allowable for the building as a whole by 51 square feet, from 381 square feet (based on the length of the street-facing wall) to 432 square feet.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria for Sign Adjustments in Title 32.38.030.C.

ANALYSIS

Site and Vicinity: The site is located on the south side of N Channel Avenue in the Swan Island industrial area. The Willamette River abuts the site to the south. Nearby properties are developed with industrial uses and supportive office and retail uses. A 9-story office building and a parking structure are under construction on the site.

Zoning: The EG2 (General Employment 2) zone allows a wide range of employment opportunities without potential conflicts from interspersed residential uses. The emphasis of the zone is on industrial or industrially-related uses. EG2 areas have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street. Retail Sales and Services uses are allowed by right up to 60,000 square feet.

The Greenway overlay zone, designated as “g”, “i”, “n”, “q” or “r”, is intended to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland's rivers; establish criteria, standards, and procedures for the development of land, change of uses, and the intensification of uses within the greenway; and implement the City's Willamette Greenway responsibilities as required by ORS 390.310 to 390.368 and Metro's Title 3.

The “g” overlay is intended to allow uses and development consistent with the base zoning, which allows for public use and enjoyment of the waterfront, and which enhance the river's natural and scenic qualities.

The “i” overlay is intended to encourage and promote the development of river-dependent and river-related industries which strengthen the economic vitality of Portland as a marine shipping and industrial harbor, while preserving and enhancing the riparian habitat and providing public access where practical.

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

- LUR 99-00331 GW: 1999 approval of a Greenway Review for a building addition.
- LUR 99-00684 GW: 1999 approval of a Greenway Review for an addition to a rooftop penthouse for mechanical equipment.
- LU 02-127418 MP: 2002 approval of a 3-lot land division. (The current site is a portion of Lot 2 from this land division.)
- LU 06-160817 GW: 2006 approval of a Greenway Review for a building addition.
- LU 08-154658 GW: 2008 approval of a Greenway Review for site improvements and tree removal.
- LU 12-178814 GW: 2012 approval of a Greenway Review for a building addition.
- LU 13-236856 GW: 2014 approval of a Greenway Review for redevelopment of the site, including the 9-story office building currently under construction.

- LU 15-282141 LDS. Land division application which is currently under review.

Agency Review: A “Notice of Proposal” was mailed January 28, 2016. The following Bureaus have responded with no concerns about the proposal:

- Bureau of Environmental Services (Exhibit E-1);
- Bureau of Transportation Engineering (Exhibit E-2);
- Water Bureau (Exhibit E-3);
- Fire Bureau (Exhibit E-4);
- Site Development Section of BDS (Exhibit E-5); and
- Life Safety Review Section of BDS (Exhibit E-6).

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response to the mailed “Notice of Proposal.”

APPROVAL CRITERIA

32.38.030.A Adjustment Review - Purpose

Sign adjustments are intended to allow flexibility to the sign regulations while still fulfilling the purpose of the regulations. The specific approval criteria allow signs that enhance the overall character of an area or allow for mitigation of unusual site conditions.

32.38.030.C Adjustment Review

Sign adjustments will be approved if the review body finds that the applicant has shown that the criteria of Paragraph C.1. or 2, below are met.

C.1 Area enhancement. The applicant must meet criteria C.1.a and b. and either C.1.c. or d.

- a. The adjustment for the proposed sign will not significantly increase or lead to street level sign clutter, to signs adversely dominating the visual image of the area, or to a sign that will be inconsistent with the objectives of a specific plan district or design district; and

Findings: Approval of these Adjustments will allow two building signs as illustrated in Exhibits C-1 through C-4, and both of the new building signs will be approximately 130 feet above the adjacent grade. No street level sign clutter will result from these Adjustments.

The proposed south-facing sign will face the Willamette River and will face away from the adjacent street (N Channel Avenue) and away from neighboring development on Swan Island. The south-facing sign will not be visible from the greenway trail planned immediately south of the building, since the sign will be approximately 130 feet above grade and attached to a roof screen set back approximately 30 feet from the south façade of the building. This sign will be visible from industrial sites along NW Front Avenue, on the opposite side of the river, and from limited vantage points along NW Front Avenue itself. These vantage points will be approximately 2,000 feet or more from the new building sign. The south-facing sign will also be visible from some vantage points on N Port Center Way and N Greeley Avenue approximately a mile away, and from the Fremont Bridge, approximately 1.5 miles away. Because of the substantial distance between the new south-facing sign and these vantage points, staff finds the south-facing sign will not adversely dominate the visual image of the area even though it will be larger than would be allowed without the Adjustment.

The proposed east-facing sign will also face slightly away from N Channel Avenue, but it will be visible from some neighboring development on Swan Island and from a portion of N Port Center Way approximately 1,000 feet to the east. It

will also be visible from portions of the greenway trail planned for this site, though it will not face toward the trail. From these nearby vantage points, the east-facing sign will be the only sign visible on this building. Although the east-facing sign will benefit from the proposed 51-square-foot increase to the cumulative signage area allowed for the building, the east-facing sign will be substantially smaller than the 200-square-foot maximum size for building signs and will not adversely dominate the visual image of the area.

The site is not located within any plan district or design district, so that aspect of the approval criterion is not applicable.

Based on these reasons, staff finds this criterion is met.

- b. The sign will not create a traffic or safety hazard; and

Findings: Both of the new building signs face away from the adjacent street (N Channel Avenue) and, as discussed above, will be located a substantial distance from other road rights-of-way from which the signs will be visible. The Portland Bureau of Transportation reviewed the proposal and responded with no concerns (Exhibit E-2). Since no traffic or safety hazards are anticipated as a result of these Adjustments, this criterion is met.

- c. The adjustment will allow a unique sign of exceptional design or style that will enhance the area or that will be a visible landmark; or
- d. The adjustment will allow a sign that is more consistent with the architecture and development of the site.

Findings: Approval of the Adjustments will allow the south-facing sign to be 281 square feet in area rather than 200 square feet. Staff finds that compared to a 200-square-foot sign, the proposed sign area is more appropriately proportional to the size of the south-facing building façade, which is 141.5 feet tall and more than 330 feet long (more than 50% longer than many Portland city blocks). As illustrated in Exhibit C-2, the south-facing sign will not appear to visually dominate the south-facing façade, and in fact a substantially smaller sign might be too small to appear proportional. The proposed chrome letters with edge illumination will promote a quality appearance for the sign which is compatible with the architectural design of the new building. Based on these reasons, staff finds that criterion C.1.d, above, is met.

SIGN CODE STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to demonstrate compliance with all Sign Code standards in order to be approved during this review process. The plans submitted for a sign permit must demonstrate that all standards of Title 32 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a sign permit.

CONCLUSIONS

The proposed signs will not cause street-level sign clutter, will not adversely dominate the visual image of the area, and will not cause traffic or safety impacts. Approval of the Adjustments will allow signage that is more consistent with the architecture and development on the site. Because the applicant has demonstrated that the approval criteria have been met, the Adjustments should be approved.

ADMINISTRATIVE DECISION


Approval the following two Sign Adjustments to the requirements of Title 32.32.020.A, Table 2:

- Increase the maximum sign area of a south-facing building sign from 200 square feet to 281 square feet; and
- Increase the maximum sign area allowable for the building as a whole by 51 square feet, from 381 square feet (based on the length of the street-facing wall) to 432 square feet

per the approved plans, Exhibits C-1 through C-4, signed and dated February 19, 2016, subject to the following condition:

- A. As part of the sign permit application submittal, each of the 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 15-283132 AD."

Staff Planner: Andrew Gulizia

Decision rendered by:  **on February 19, 2016.**
By authority of the Director of the Bureau of Development Services

Decision mailed: February 24, 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 30, 2015, and was determined to be complete on **January 22, 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 30, 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 extended by the applicant, **the 120 days will expire on: May 21, 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.

Appealing this decision. This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 9, 2016**, at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 Adjustment Committee 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 Adjustment Committee 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 10, 2016**.
- A sign 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:

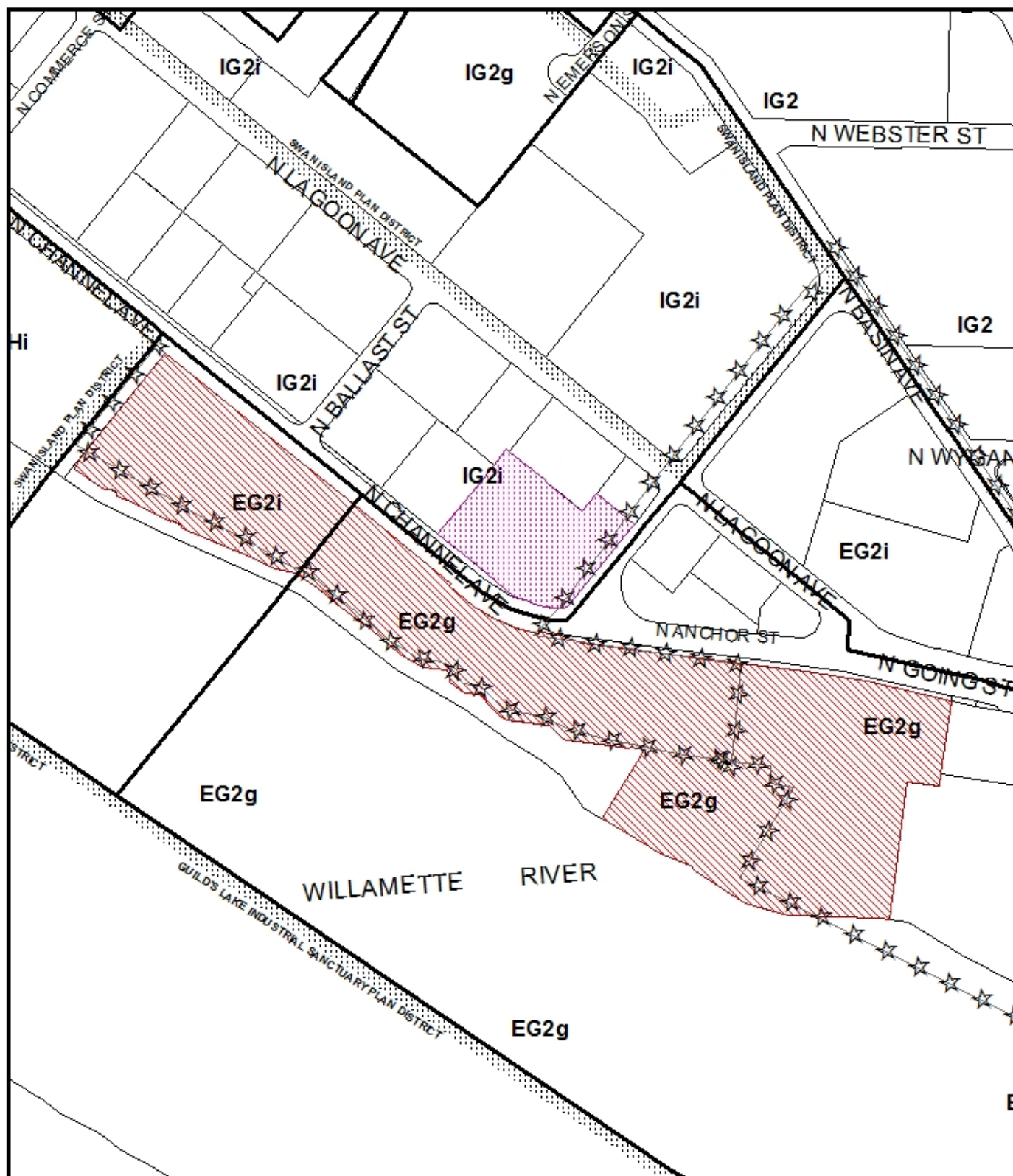
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- | | |
|---|--|
| <p>A. Applicant's Statement:</p> <ol style="list-style-type: none"> 1. Narrative and approval criteria responses, dated December 21, 2015 2. Response to incompleteness determination letter, dated January 22, 2016 3. Revised narrative and approval criteria responses, dated January 22, 2016 <p>B. Zoning Map (attached)</p> <p>C. Plans/Drawings:</p> <ol style="list-style-type: none"> 1. Site plan (attached) 2. South building elevation (attached) 3. East building elevation and east-facing sign plan (attached) 4. South-facing sign plan (attached) 5. Signage views 6. Entry sign plan <p>D. Notification Information:</p> | <ol style="list-style-type: none"> 1. Mailing list 2. Mailed notice <p>E. Agency Responses:</p> <ol style="list-style-type: none"> 1. Bureau of Environmental Services 2. Bureau of Transportation Engineering and Development Review 3. Water Bureau 4. Fire Bureau 5. Site Development Review Section of BDS 6. Life Safety Review Section of BDS 7. Bureau of Parks, Forestry Division <p>F. Correspondence – none received</p> <p>G. Other:</p> <ol style="list-style-type: none"> 1. Original LU application form and receipt 2. Incompleteness determination letter, dated January 12, 2016 |
|---|--|

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



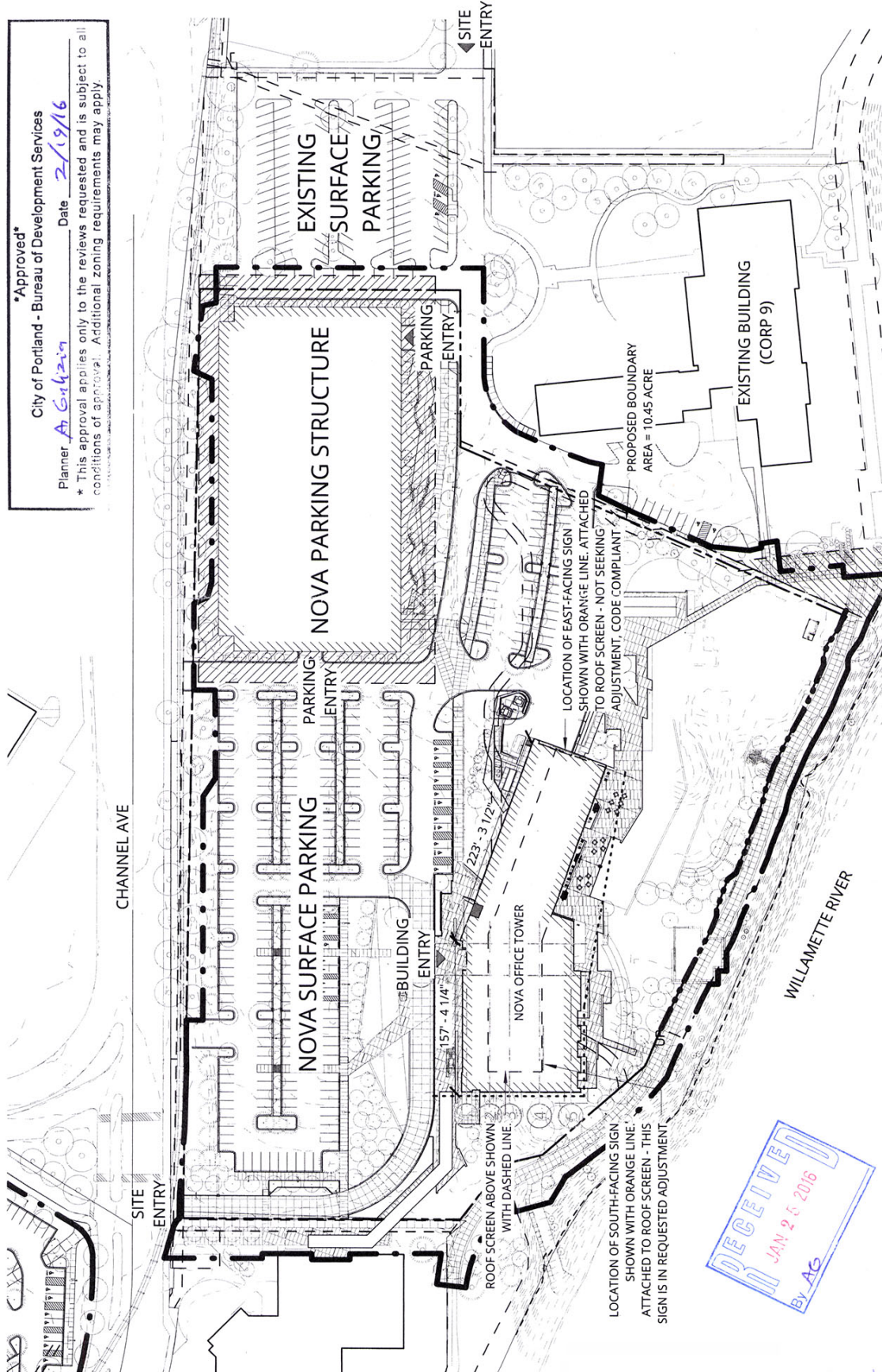
- Site
- Also Owned Parcels
- Recreational Trails

File No.	<u>LU 15-283132 AD</u>
1/4 Section	<u>2527</u>
Scale	<u>1 inch = 400 feet</u>
State_Id	<u>1N1E20 109</u>
Exhibit	<u>B</u> (Jan 07, 2016)

SITE PLAN
SIGNAGE APPLICATION
DATE: 1/20/2016
PROJECT #: 131900
SCALE: 1" =

SA1.00

Approved
 City of Portland - Bureau of Development Services
 Planner: A. G. G. G. Date: 2/19/16
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



RECEIVED
 JAN 26 2016
 BY AG

1 SITE PLAN

SA1.00 | 1" = 100'-0" |

LU 15-283132 AD Exhibit C-1



Ankrom Moisan

6720 SW MACADAM AVE, SUITE 100
PORTLAND, OR 97219
T 503-245-7100
117 SOUTH MAIN ST, SUITE 400
SEATTLE, WA 98104
T 206-576-1600
© ANKROM MOISAN ARCHITECTS, INC.

DAIMLER TRUCKS NORTH AMERICA
4555 N CHANNEL AVENUE
PORTLAND, OR 97217

ELEVATIONS

SIGNAGE APPLICATION

DATE: 1/20/2016

PROJECT #: 131900

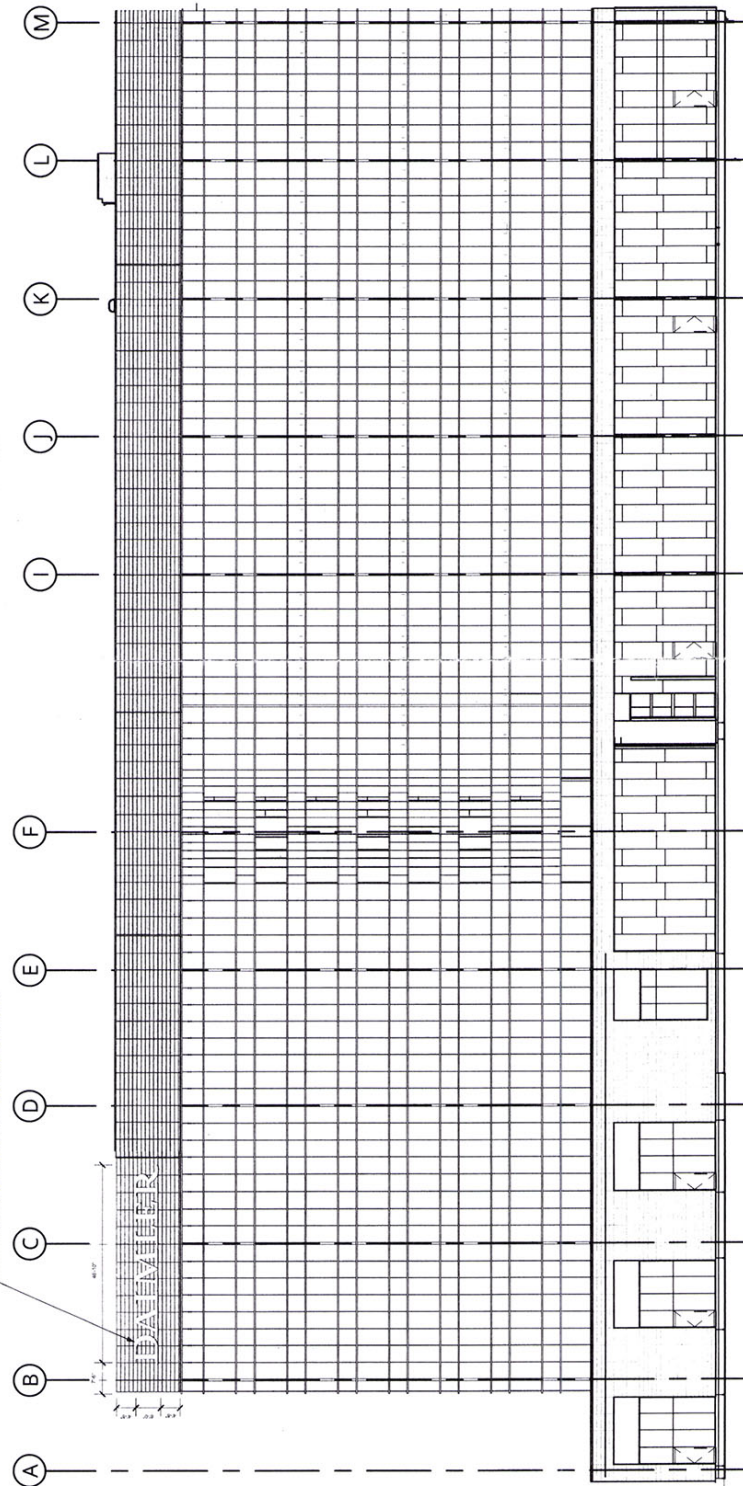
SCALE: 1" = 30'-0"

SA1.02

Approved
City of Portland - Bureau of Development Services

Planner AG Date 2/19/16
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

SIGN TYPE A2 799 - FASCIA MOUNTED BUILDING ID
EDGE ILLUMINATED CHROME LETTERS



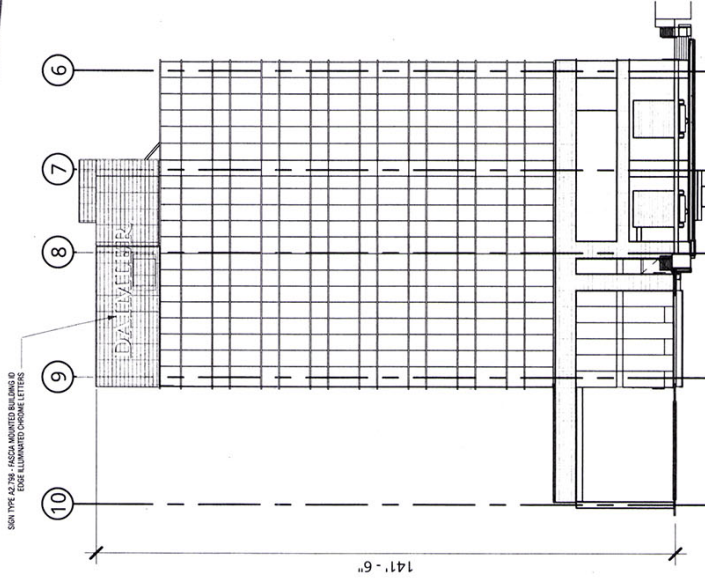
1 SOUTH ELEVATION

SA1.02 | 1" = 30'-0" |

LU 15-283132 AD Exhibit C-2

NOTE: NO BUILDING MOUNTED SIGNS ARE ON
THE NORTH OR WEST ELEVATIONS

Approved
City of Portland - Bureau of Development Services
Planner AG/12/19 Date 2/19/16
* This approval applies only to the reviews requested and is subject to all
conditions of approval. Additional zoning requirements may apply.



34' - 7 11/16"

DAIMLER

4' - 4"

SIGN TYPE A2 T98

150 SQUARE FEET

150 SQUARE FEET

1 EAST ELEVATION

SA1.03 | 1" = 30'-0" |

DAIMLER NOVA
4555 N CHANNEL AVENUE
PORTLAND, OR 97217
DAIMLER TRUCKS NORTH AMERICA

ELEVATIONS

SIGNAGE APPLICATION

DATE: 1/20/2016

PROJECT #: 131900

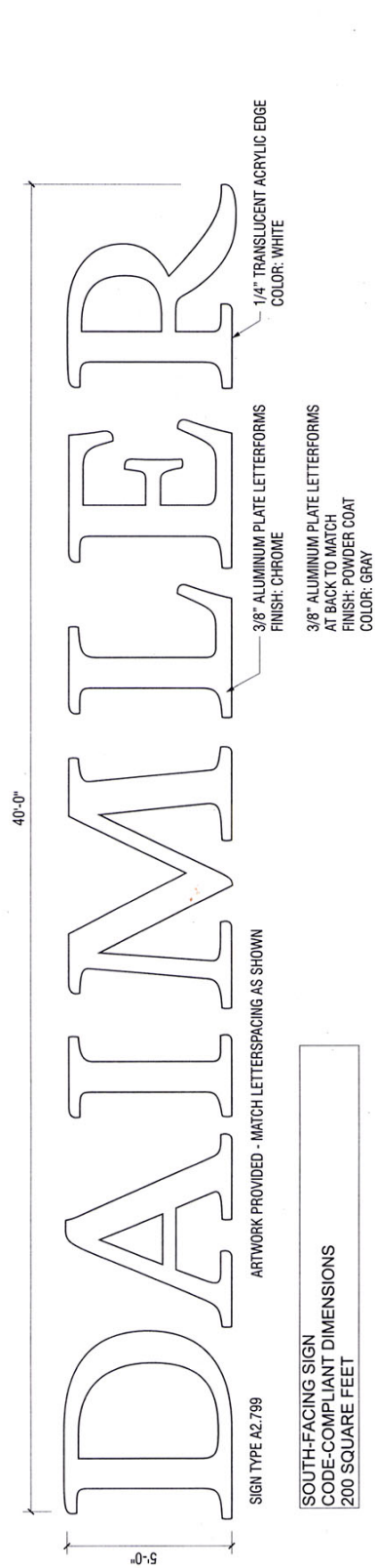
SCALE: 1" = 30'-0"

SA1.03

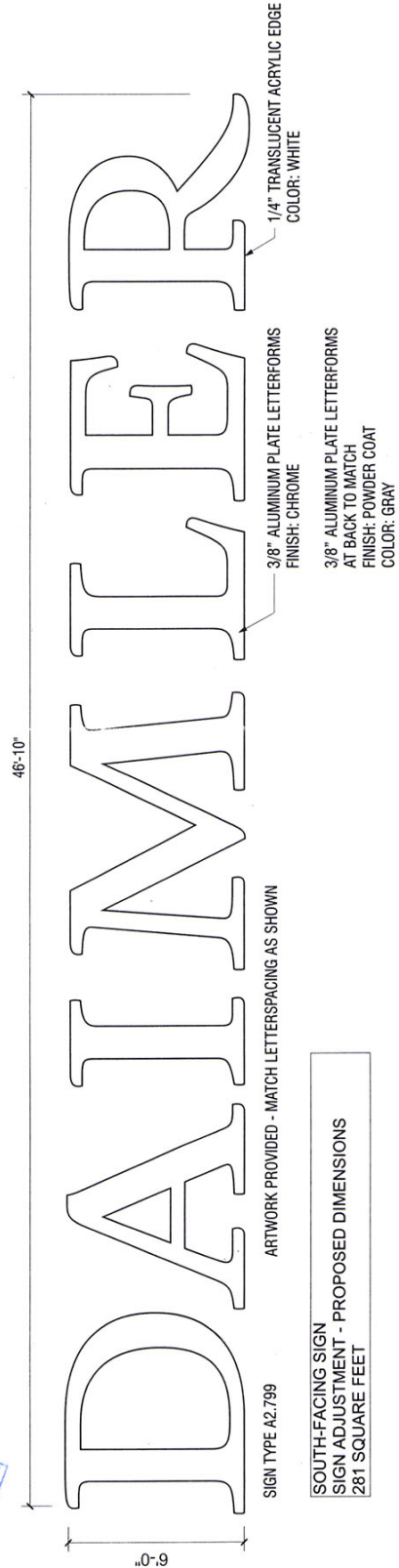
SIGNAGE
SIGNAGE APPLICATION
DATE: 1/20/2016
PROJECT #: 131900
SCALE:

SA1.04

Approved
 City of Portland - Bureau of Development Services
 Planner A. Gubina Date 2/19/16
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



SOUTH-FACING SIGN
 CODE-COMPLIANT DIMENSIONS
 200 SQUARE FEET



SOUTH-FACING SIGN
 SIGN ADJUSTMENT - PROPOSED DIMENSIONS
 281 SQUARE FEET

LU 15-283132 AD

Exhibit C-4