



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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: February 7, 2012
To: Interested Person
From: Mark Bello, Land Use Services
503-823-7810 / Mark.Bello@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-203911 DZ **EXTERIOR ALTERATION - SIGN**

GENERAL INFORMATION

Applicant: Bottling Group LLC
PO Box 660634
Dallas, TX 75266-0634

Terry Brown
Ramsey Signs
9160 SE 74th Avenue
Portland, OR 97201

Site Address: 2627 NE SANDY BLVD

Legal Description: BLOCK 28&29&44&45 TL 12000 LAND & IMPS SEE R646103
(R806101963) FOR MACH & EQUIP, SULLIVANS ADD

Tax Account No.: R806101960
State ID No.: 1N1E36BC 12000
Quarter Section: 2933

Neighborhood: Kerns, contact Steve Russell at 503-784-8785.
Business District: None
District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010.

Zoning: EXd, Central Employment with 'd' overlay zone

Case Type: DZ Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant proposes to install a 3'-9½" high by 15'-7" wide cabinet sign. Sign copy within the cabinet is approximately 2'-11⅛" high by 9'-4⅛" wide. The sign copy consists of channel letters attached to the face of the cabinet. The sign is internally illuminated.

The sign would be centered under the arched roof of the central building on the NE Oregon Street/NE Sandy Boulevard façade.

Relevant Approval Criteria:

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

- Community Design Guidelines

ANALYSIS

Site and Vicinity: The Pepsi bottling plant and offices take up a superblock bounded by five frontages: NE Sandy Blvd and NE Oregon to the south, NE 25th Ave to the west, NE Holladay and I-84 to the north and NE 27th Avenue to the east. The Sandy/Oregon elevation is the building's public face. The central building is notable for its mid-century modern roof form and geometric panel system between the brick first floor and the area under the barrel roof above. These panels are of four different dimensions, two light and two dark, arrayed along a frame of a single horizontal divider and four vertical dividers.

To the east of this central feature, Pepsi's offices are located in a one-story modern pavilion building. To the west is a utilitarian warehouse. There is minimal signage on this elevation. There is a Pepsi-Cola sign on the office façade, made of individual stainless steel letters.

The property lies between two neighbor commercial nodes along Sandy, at NE 20th and NE 28th Avenue. However, the immediate character is primarily auto-oriented but with good transit service that serves the residential neighborhood to the south. Industry generally is located along the I-84 barrier to the north.

NE Sandy Boulevard is designated a Regional Main Street, a Major City Traffic Street, a Major Transit Priority Street, a City Walkway, and a City Bikeway.

Zoning: The Central Employment (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **January 6, 2012**. The following Bureaus have responded with no issues or concerns:

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. Bureau of Parks, Forestry Division
7. Life Safety Plans Examiner

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on January 6, 2012. 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 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

P1. Community Plan Area Character. Enhance the sense of place and identity of community plan areas by incorporating site and building design features that respond to the area's unique characteristics and neighborhood traditions.

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

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

Findings: The Hollywood and Sandy Plan Area (2000) envisions that Sandy Boulevard remains a vital transportation corridor. Existing older building contribute to the vitality of the street. The pedestrian experience is enhanced by any alterations. This sign is located on a large feature of the building and

will draw attention primarily from NE Sandy. Pedestrians on the south side of Sandy will view the approximately 3' high sign from a minimum distance of 110 ft. The sign will draw attention to the central building and away from the warehouse to the west.

The most notable feature of the central building along NE Oregon is the curved roof and the array of panels deployed symmetrically along the ten-part frame. During the day, the panels read as a series of off-white and black panels. During the night, the off-white panels are darkened and the glass panels are lit from behind, but in an uneven manner transmitting the fluorescent lighting within. So, sign illumination at night will not disturb the panel composition which works better during the day time.

The applicant's sign is located so as to exactly fit this grid, with the south edge of the sign resting above the black major horizontal element (the dark blue 4" structural beam) and the edges aligning with the minor aluminum dividers (silver window mullions). Conditions of approval are required to make sure the sign exactly aligns with the grid and respects the architectural integrity of the original design. Conditions B and C of this decision specify cabinet and logo/lettering sizes that were revised and submitted by the applicant and align with these existing divisions.

The sign is of quality construction. It is constructed of channel letters attached to the face of a raceway cabinet. Power supply connections are made through the back of the sign into the building. All fasteners are concealed. LED illumination will be approximately 85 lumens.

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 design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City such as Sandy Boulevard. The proposed sign respects the architectural integrity of the existing building with edges in alignment with the glass/metal grid. The sign contributes to the continued vitality of Sandy. The proposal meets the applicable design guidelines and therefore merits approval.

ADMINISTRATIVE DECISION

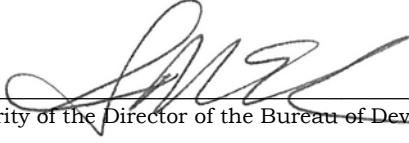
Approval of a wall sign for a building located in the Hollywood Plan District;

Approval per the approved site plans, Exhibits C-1 through C-3, signed and dated February 3, 2012, 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.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-203911 DZ. No field changes allowed."

- B. The cabinet must fit existing grid lines of the panels below the roof: approximately 3'-9½" high by 15'-7" wide cabinet sign.
- C. Sign copy is limited to the following dimension: approximately 2'-11⅛" high by 9'-4⅛" wide.

Staff Planner: Mark Bello

Decision rendered by:  **on February 3, 2012**
By authority of the Director of the Bureau of Development Services

Decision mailed: February 7, 2012

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 23, 2011, and was determined to be complete on **January 4, 2012**.

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 23, 2011.

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 4, 2012.**

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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on February 21, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development

Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **February 22, 2012**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

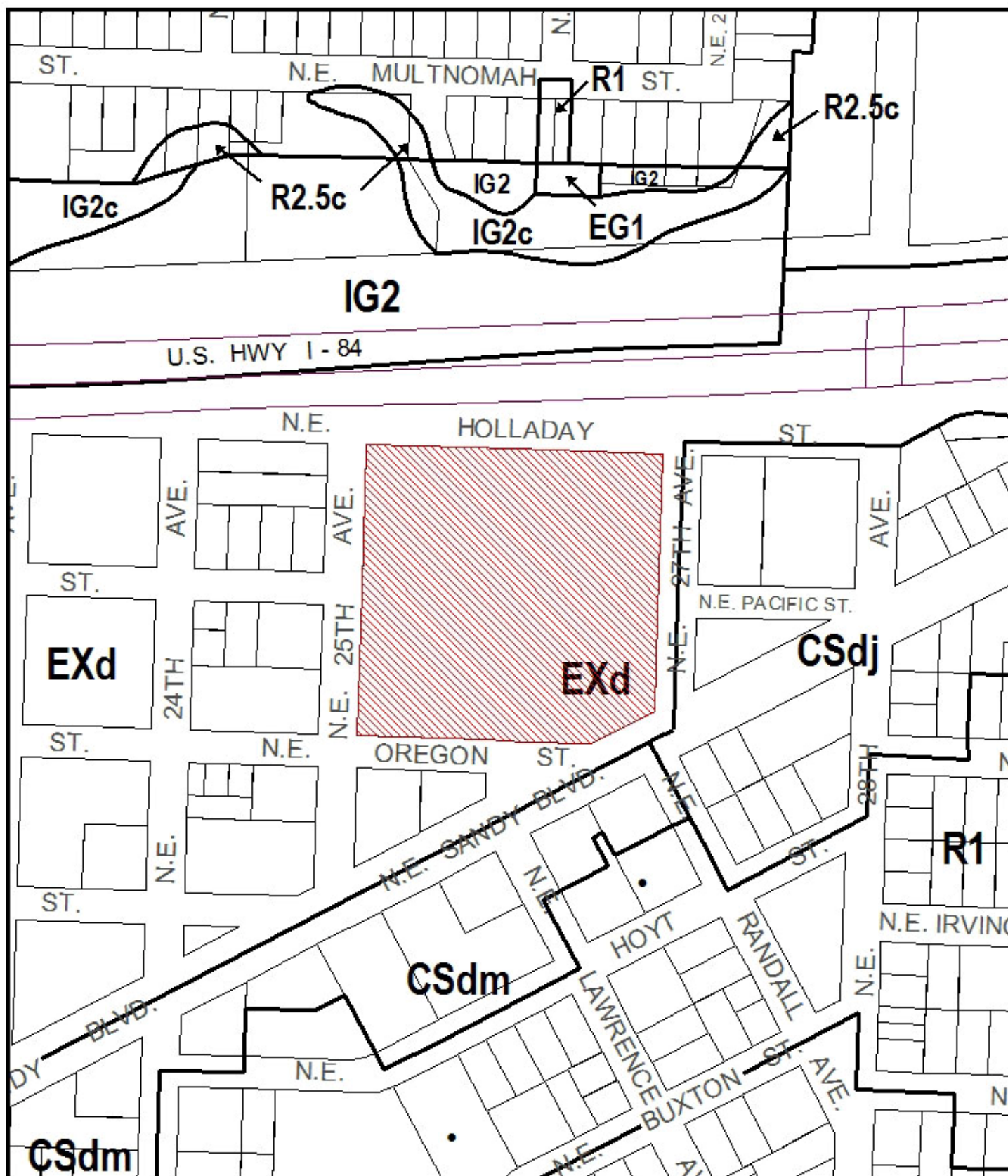
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Sign Placement
 - 3. Sign Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 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. Bureau of Parks, Forestry Division
 - 7. Life Safety Plans Examiner
- F. Correspondence: (none)
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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



Project Area

Historic Landmark



NORTH

File No. LU 11-203911 DZ

1/4 Section 2933

Scale 1 inch = 200 feet

State_Id 1N1E36BC 12000

Exhibit B (Dec 28, 2011)

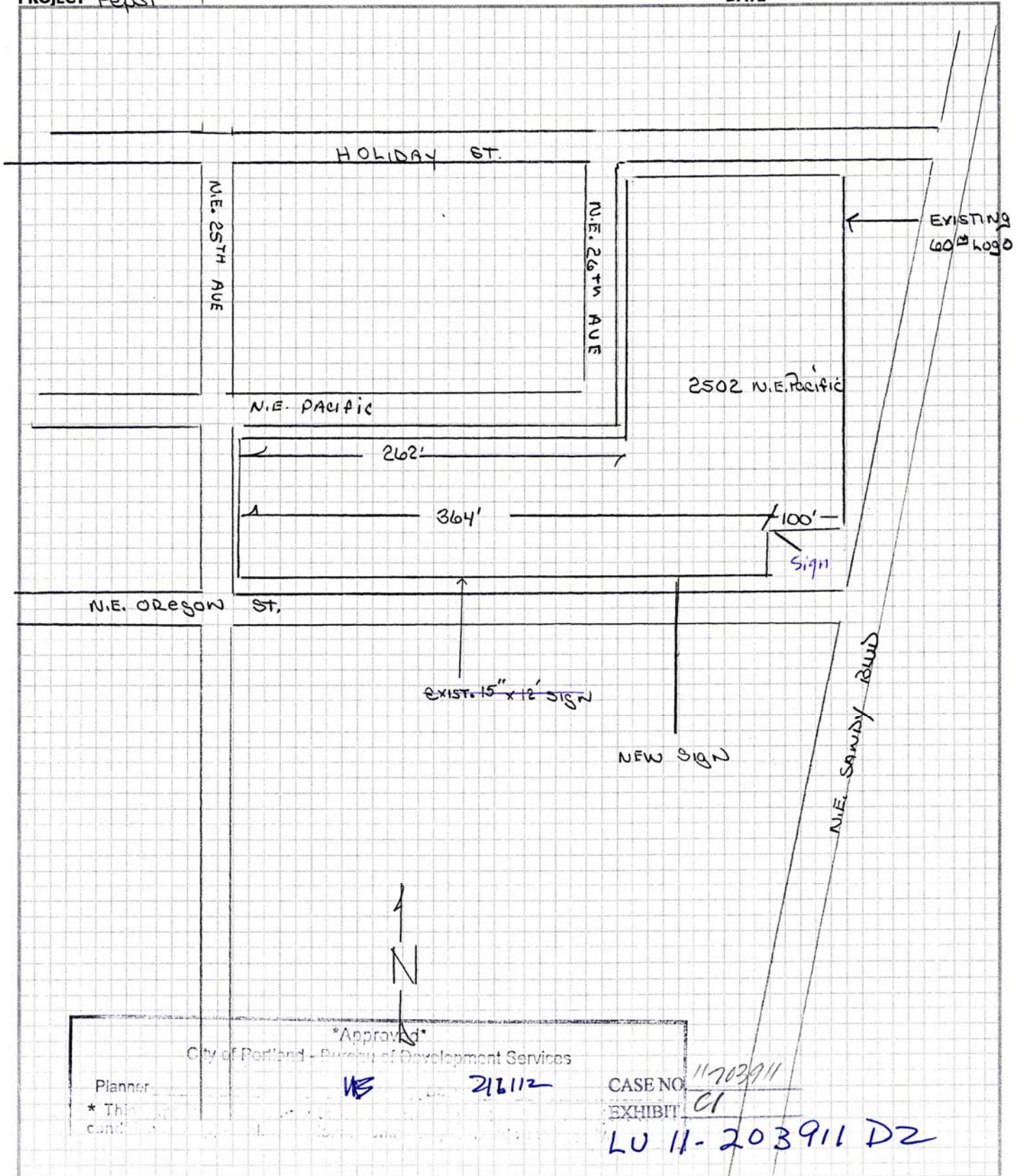
HEATH
NORTHWEST



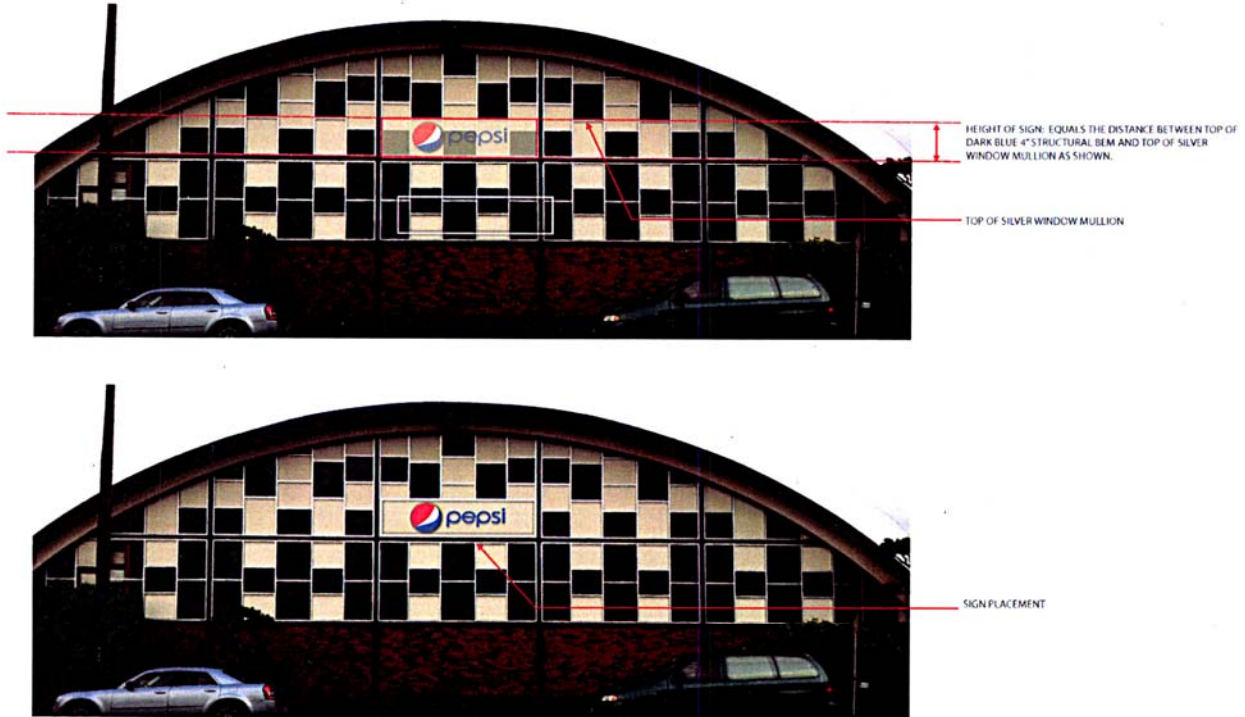
Multi-Light
SIGN CO.

PROJECT Pepsi

DATE



NOTES: Sign placement and sizing on building



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727 South 96th Street
Seattle, Washington 98108
206.623.3100
888.694.3284
Fax 206.623.1785
heathnorthwest.com

Client
Pepsi

Date: 5.18.11

Project Manager: Bob Felling

Design: Gina Leckband

Client Approval: Date

Landlord Approval: Date

Revisions

Change Size of Sign Panel: 10.27.11
Change Size of Sign Panel: 1.8.12
Change Size sign location: 1.20.12 (S)
Change size & attachment: 1.24.12 (S)

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They are submitted to your company for the sole purpose of your consideration of possible construction. These plans are to be used for your information only and are not to be used for construction without the written consent of Heath Northwest.



The signage indicated in this design is subject to the City of Seattle's Signage Ordinance and will be installed according to all applicable rules.

Electrical requirements for the City of Seattle is to have signs on a lighting control circuit or an astronomical time timer on the circuit (by other) the recommended unit is ALUSE 11035 <http://aluselect.com/manual/ST11035.pdf>

Page 2 of 2

11HN-BF972r4

Approved

City of Portland - Bureau of Development Services

Planner _____

* Title _____

DATE _____

WBS 2/3/12

CASE NO. 11-203911-

EXHIBIT C2

