



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: August 13, 2012
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Chris.Caruso@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 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 12-155512 DZM **FIRST REPUBLIC BANK SIGNS**

GENERAL INFORMATION

Applicant: Reid Storm, Vancouver Sign
2600 NE Andresen Road, Ste 50, Vancouver, WA 98661

Representative: Glisan Property LLC
920 SW 6th Ave #223, Portland, OR 97204

Site Address: 947 SW BROADWAY

Legal Description: BLOCK 209 LOT 3&4, PORTLAND
Tax Account No.: R667722480
State ID No.: 1S1E03BB 03900
Quarter Section: 3129
Neighborhood: Portland Downtown, contact Jennifer Geske at 503-750-9843.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City – Downtown
Other: Broadway Unique Sign District
Zoning: CXd, Central Commercial with design overlay
Case Type: DZM, Design Review with Modifications
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks design review approval for three new signs, each 16 SF in area, attached to the intermediate horizontal storefront band on the south façade of a building in the Downtown Subdistrict of the Central City Plan District. The signs are made of individual internally-illuminated acrylic letters pin-mounted to the building façade and will match existing signs in the same locations along the east façade. Power supplies and raceways will be hidden behind the existing exterior walls.

The following Modification is being requested:

Title 32, Table 2, Total Sign Area – To have 24 SF of additional sign area on the south façade, over the 150 SF that is allowed, for a total of 174 SF of sign area.

Proposals in the Downtown Subdistrict that are up to 1,000 SF in area require Type II design review.

Relevant Approval Criteria:

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

- 33.825 Design Review
- 33.825.040 Modifications thru Design Review
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The 10,000 SF, quarter block site is at the southwest corner of Broadway and Salmon Streets. The property is fully developed with an 18,744 SF two-story brick commercial building consisting of office on the upper level and retail on the ground level. While the 1924 building is not a designated historic structure, it retains a majority of its historic characteristics and details at this active downtown corner.

The building is situated in the Broadway Unique Sign District, the Downtown Subdistrict of the Central City Plan District, and the Downtown Pedestrian District.

Zoning: The CX (Central Commercial) 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. The current retail and office uses are allowed by right in this zone.

The “d” (Design) 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.

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

- LU 08-138580 DZ: Approval Design Review for new ground level storefront.
- LU 09-170988 DZ: Approval Design Review for new parapet signs.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 16, 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 Central City Fundamental Design Guidelines.

I. 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.

A4. Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

A5. Enhance, Embellish, and Identify Areas. Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

Findings for A4 & A5: The scale, overall design, and placement of the proposed signs reflect the character of downtown Portland by continuing the pattern of carefully crafted and placed building signage in the area and by evoking a subtle design aesthetic with their simple lettering and uncluttered forms. The signs are well integrated with the building's architecture as they are placed within a transom band with a consistent horizontal datum line across the façade. The signs are composed of durable materials such as metal and acrylic and no visible raceways or power supplies. *These guidelines are therefore met.*

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.

Findings for C2, C3 & C5: The new signs relate to the design of the building in their location, size, materiality, and detailing. The signs consist of 12" and 7.15" tall individually-mounted, translucent acrylic letters with raceways hidden behind the walls, thereby conveying a sense of permanence. While the individual letters are internally illuminated, their placement within the transom bands and remote raceways behind the walls maintains a restrained appearance at night. The modest two-story building is not overwhelmed with signage as open space between each letter and logo allows portions of the transom band to remain visible, making the signs appear smaller. *These guidelines are therefore met.*

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.

D3. Broadway Unique Sign District. Provide opportunities for the development of large, vertically oriented, bright, and flamboyant signs that add to the unique character of this Broadway environment. Size and place signs and their structural support systems so that significant architectural or historical features of the building are not concealed or disfigured. Ensure that all signs receive proper maintenance.

Findings for C13 & D3: The traditional aesthetic of the signs correspond to the historic character of the two-story commercial building by being flush-mounted and individually-placed with hidden raceways that allow the transom bands to be visible through the individual sign elements. Additionally, the signs have been placed and designed to align with a significant horizontal element on the building, further aiding in its integration with the building's architecture. The signs' locations on the building's two most urban facades, their modest size, and the building's low stature ensure that these signs do not dominate the City skyline. The signs' internal illumination is limited to individual letters, further reducing their visual impact on the surrounding environment. While these signs are not vertically oriented, they enhance the Broadway Unique Sign District by continuing the pattern of illuminated, well-detailed signs on buildings in this area, by not concealing significant architectural features of the building through the individual placement of flush-mounted letters, and by concealing the support and power systems behind the parapet walls. *These guidelines are therefore met.*

II. Section 33.825.040 Modifications That Will Better Meet Design Review Requirements

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

Modification request to allow Title 32, Table 2, Total Sign Area – To have 24 SF of additional sign area, over the 150 SF that is allowed, on the south façade for total sign area of 174 SF.

- A. Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and

Findings: Allowing the three signs with the overall increase of total sign area allows the proposed signs to be integrated into the building architecture above areas of clear storefront that mark active tenant spaces. The sizes of the signs fit the scale of the building, sitting above the ground level entries and canopies. They do not overwhelm the building and yet are large enough to be visible from all pedestrian pathways and adjacent transit centers, providing additional nighttime lighting along walkways. The sign materials are in keeping with other signs already in place on the building and will fit into the area. *This criterion is therefore met.*

- B. Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Findings: Each of the three signs is measured at 16 SF in area, much less than the 32 SF maximum which would typically exempt them from design review. The signs are made up of individual letters between 12” and 7.25” in height, which is identical to the letter height of similar signs on the building. The letter spacing and variety of sizes creates visually open areas throughout the signs, which lessens their impact on the wall surfaces. Therefore, these signs will not have a dominant affect on the area but will instead continue the desired characteristics of the Broadway Unique Sign District. *This criterion 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 design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The signage is well-integrated with the building’s architecture, and is reasonably scaled for the immediate area. Minimal internal illumination with individual acrylic lettering helps the signs reflect the character of Downtown Portland and does not visually dominate the skyline. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of three new signs, each 16 SF in area, attached to the intermediate horizontal storefront band on the south façade of a building in the Downtown Subdistrict of the Central City Plan District. The signs are made of individual internally-illuminated acrylic letters pin-mounted to the building façade.

Approved, per the approved site plans, Exhibits C-1 through C-3 signed and dated August 8, 2012, subject to the following conditions:

Approval of one Modification to Title 32 Sign Code to allow a total of 174 SF of sign area on the south façade.

- 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 12-155512 DZM. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on (August 9, 2012.)**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 13, 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 June 27, 2012, and was determined to be complete on July 11, 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 June 27, 2012.

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: November 8, 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 August 27, 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 **August 28, 2012 – (the day following the last day to appeal)**.
- 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:

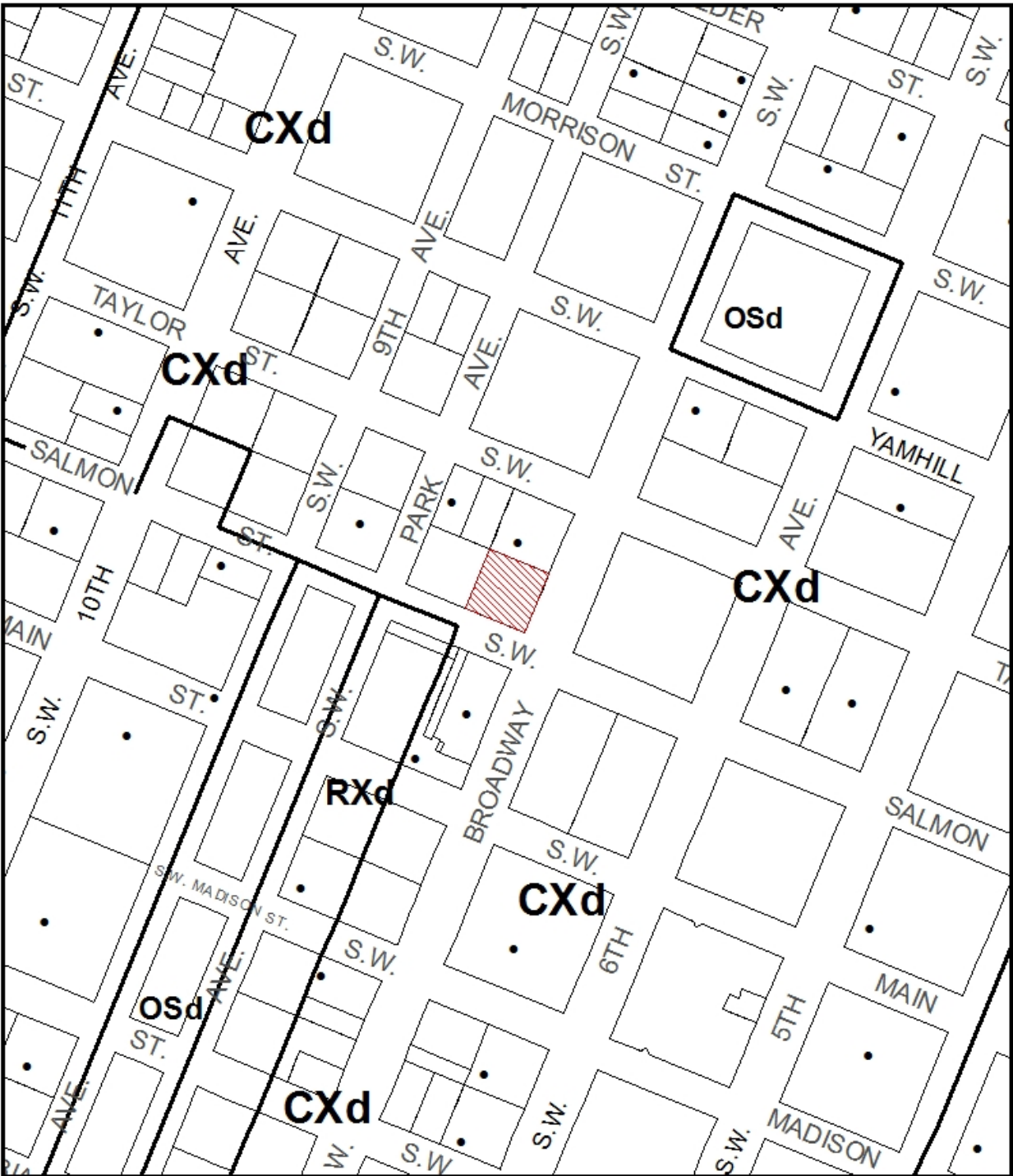
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
 - 1. Design Review Narrative
 - 2. Email about projecting sign
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
 - 3. Sign Details (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were required.
- F. Correspondence: None received.
- 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



Historic Landmark



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	<u>LU 12-155512 DZM</u>
1/4 Section	<u>3129</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E03BB 3900</u>
Exhibit	<u>B (Jun 29,2012)</u>

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SPECIAL SHEET NOTES

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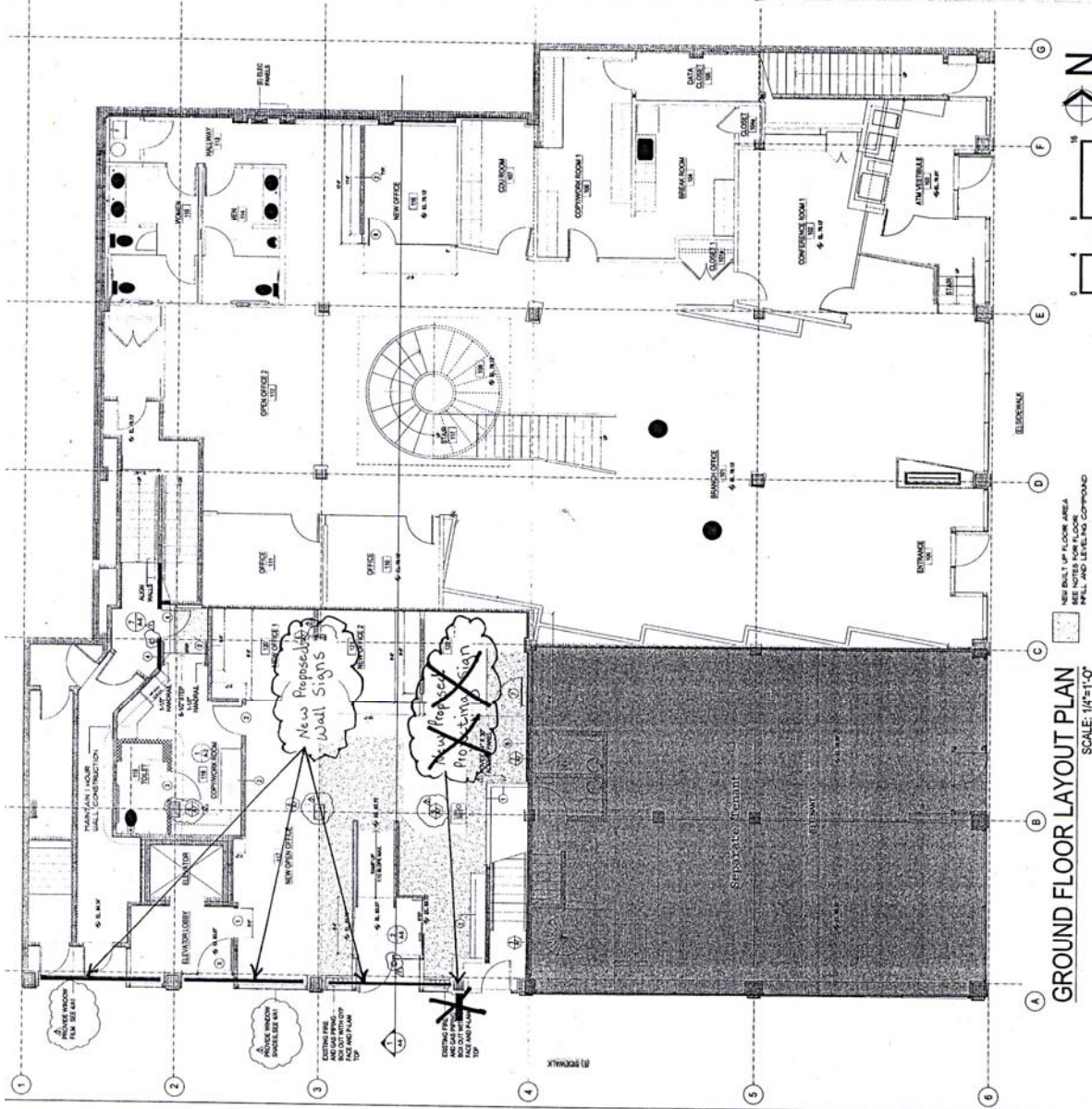
Revisions and Revisions	
Date	Description
05-25-12	REVISIONS
05-25-12	OWNER REVISIONS

Approved
City of Portland
Bureau of Development Services
Planner: C. Collins
Date: 8/9/12

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

Scale: AS NOTED	Project No.	A-3	Sheet No.
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EXH. C-1



GROUND FLOOR LAYOUT PLAN

Broadway



5 THOMAS MELLON CIRCLE SUITE 260
SAN FRANCISCO, CA 94134
T 415.869.6460
F 415.869.6480

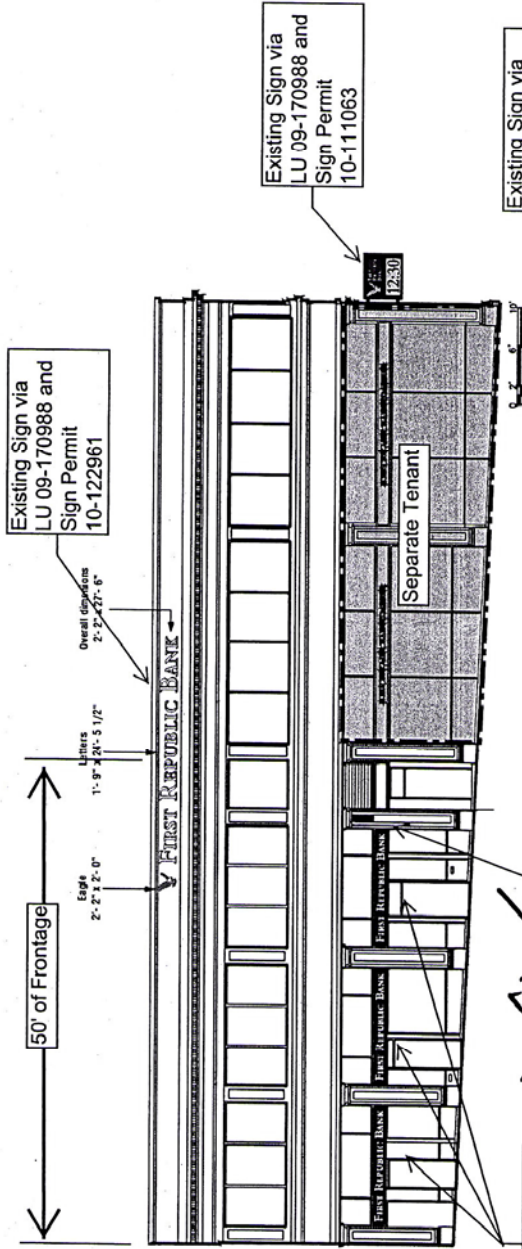
CA STATE CONTRACTORS LICENSE #26051



SHEET 3

SALES: TERRY LONG
JOB #:
DATE: 5-24-12
DESIGNER: JASON OBERBECK
FILENAME: 2012FFRB PORTLAND, OR

Revision	Date	Description
#1	5-24-12	Revise signs on elevation
#2	5-20-12	Revise signs on elevation
#3	6-24-12	Add dimension for existing letters

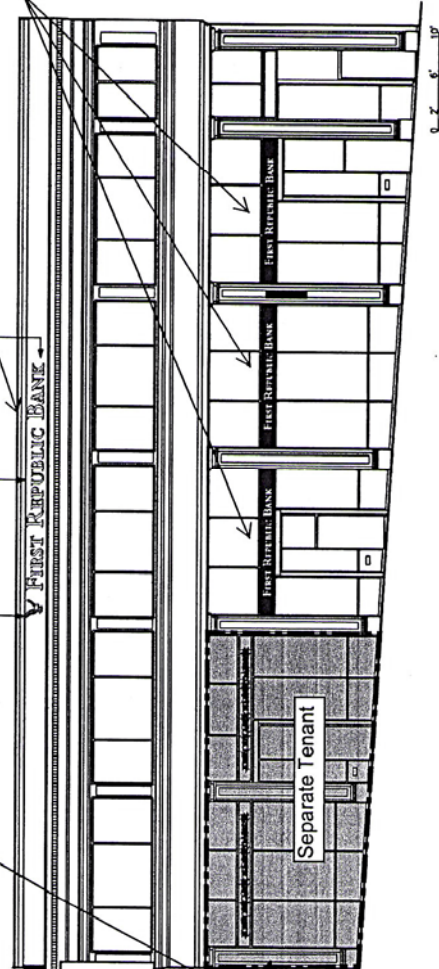


Existing Sign via
LU 09-170988 and
Sign Permit
10-111063

Proposed New Wall
Signs

1 SALMON STREET ELEVATION

Existing Signs via
LU 09-170988 and
Sign permits
10-111053
10-111057
10-111059



1 BROADWAY ELEVATION

Approved
City of Portland
Bureau of Development Services
Planner
Date 8/9/12

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply. Please refer to the applicable zoning code for more information.

SALES APPROVAL
CUSTOMER APPROVAL
LANDLORD APPROVAL

ALL RIGHTS RESERVED.
This design has been created for you in connection with a project being planned for you by AD ART. It may not be shown to anyone outside your organization, and may not be reproduced in any manner without prior consent.

EXH. C-4



SIDE VIEW

QTY: 3

A.1 A.2 A.3 **SIGN SPECIFICATIONS - SALMON STREET**

Scale: $1/2^{\circ} = 1^{\circ} 0'$

Manufacture & Install three (3) sets of internally illuminated face lit channel letters as shown.

Description	Specification	Finish/Vendor	Color
Letter Returns	3" Deep Aluminum		SEE NOTE
Letter faces	3/16" Acrylic	Acrylite	White #015-2
Letter trimcap	1"	Jewellite	SEE NOTE
Letter illumination	White LED's		

SHEET 133HS

SALES: TERRY LONG
JOB #:
DATE: 5-24-12
DESIGNER: JASON OBERBECK
FILENAME: 2012/FRB PORTLAND, OR

[illegible]**SALES APPROVAL**

CUSTOMER APPROVAL

LANDING APPROVAL

CONCEPTUAL DRAWING ONLY.

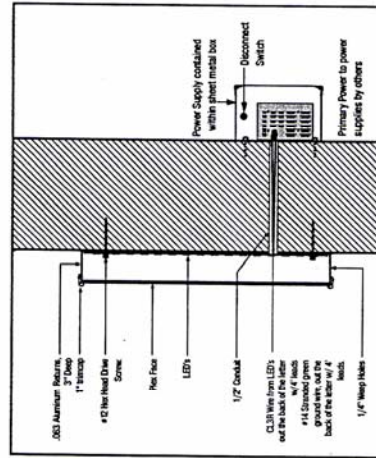
CONCEPTUAL DRAWING ONLY:
Dimensions are approximate & may change due to construction factors or exact field conditions. Colors unknown are as close as printing will allow; always follow written specifications.

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EXH. C-3

LM 12-155512 DZH



TYPICAL MOUNTING METHOD

Approved

City of Portland

City of Portland
 Portland, Oregon
 503-944-2000
 www.portland.gov

Bureau of Development Services

lanner

10/10

ate 8/9/12

- This approval applies only to the

reviews requested and is subject to all

conditions of approval.

Additional zoning requirements may apply.

[illegible]