



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

Charlie Hales, Mayor
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Date: February 26, 2013
To: Interested Person
From: Dave Skilton, Land Use Services 503-823-0660
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NOTICE OF A TYPE I 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 it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 12-215137 HDZ - NEW SIGN AND LIGHTS

GENERAL INFORMATION

Applicant: Shem Harding / Deca Architecture Inc.
935 SE Alder Street / Portland, OR 97214

Tenant/Renter: Jose Martin Martinez / Orox Leather Company
450 NW Couch Street / Portland, OR 97209

Party of Interest: Pam Johnson / Portland Development Commission
222 NW 5th Avenue / Portland, OR 97209-3859

Owner: Goldsmith Holdings LLC /
412 NW Couch Street #103 / Portland, OR 97209-3879

Site Address: 450 NW Couch Street

Legal Description: BLOCK 32 LOT 6&7, COUCHS ADD
Tax Account No.: R180202560
State ID No.: 1N1E34CA 11200
Quarter Section: 3029
Neighborhood: Old Town-China Town, contact Paul Verhoeven at 503-222-6072.
Business District: Old Town Chinatown Business Assoc, Dorian Yee at 503-224-7006.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District
Other Designations: Non-contributing resource in the New Chinatown Japantown Historic District, which was listed in the National Register of Historic Places on November 21, 1989.

Zoning: CXd, Central Commercial with Historic Resource Protection and Design Overlay zoning.

Case Type: HDZ, Historic Design Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Historic Design Review approval for a proposal to install one, non-illuminated blade sign at 7.2 square feet of face area, one painted wall sign at 33.3 square feet of face area, illuminated by five, wall-mounted "gooseneck" lighting fixtures. Historic Design Review is required because the proposal is for signs in a historic district.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- River District Design Guidelines

ANALYSIS

Site and Vicinity: The Goldsmith Building is a historic but non-contributing resource, built in 1911 and remodeled into its current form in 1952. It is located near the southwest corner of the New Chinatown/Japantown Historic District. The district is significant under Eligibility Criterion "A" for its association with late Nineteenth and early Twentieth Century commerce; under Criterion "B" for its association with Chinese and Japanese immigrants after the displacement of the original Chinatown; and under Criterion "C" for some of its architectural expressions.

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 Zone protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate two relevant prior land use reviews for this site:

- LU 10-151122 HDZ, approving signs; and
- LU 09-138952 HDZ, approving exterior alterations.

Public Notice: A Notice of Proposal in your Neighborhood was mailed on January 24, 2013.

Agency Review: None of the notified Bureaus have responded with issues or concerns about the proposal.

Neighborhood Review: 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 site is located within the New Chinatown/Japantown Historic District and the proposal is for non-exempt exterior alterations. Therefore the proposal requires historic design review approval. The relevant approval criteria are the Central City Fundamental Design Guidelines and the River District Design Guidelines.

Staff has considered all guidelines and addressed only those relevant to this proposal.

A5-1-6. Reinforce the Identity of Chinatown. This guideline may be accomplished by:

- a. Emphasizing the Asian ambiance of Chinatown with visual and cultural design features that relate to, and are appropriate to, the District's ethnic history and character; or
- b. Using ornate signs that enhance the ethnic character of the District.
Lighted signs may be approved which exceed maximum area, number, projection, height and lighting regulations, or which flash or include exposed incandescent lamps, provided they constructively add to festive atmosphere of the District. Traditional sign lighting methods, such as incandescent lamps and neon tubing are preferred. If internal lighting is used, letter forms should be illuminated brighter than the sign background. The background should use a predominance of deep-toned color;
Signs that are not lighted, and which conform with regulations governing projection but exceed maximum number, area, and height regulations, may be approved. Signs made of impermanent materials which can be moved by the wind, such as banners, flags, and ornaments, may be permitted if found to be consistent with Chinatown's character.

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.

D4. New China/Japantown Unique Sign District. Provide opportunities for the development of suitably ornate signs, using motifs, symbols, bright colors, and celebrative forms that add to the atmosphere and character of New China/Japantown. 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.

C1-2. Integrate Signs and Awnings. Integrate signs and awnings to be complementary and respectful of a building's architecture. This guideline may be accomplished by:

- a. Placing signs and awnings to fit with and respect a building's architecture;
- b. Avoiding large, excessively illuminated or freestanding signs that contribute to visual clutter; or
- c. Integrating with a building's design, an exterior sign program/system for flexible sidewalk level space that accommodates changing tenants.

Findings for A5-1-6, C13, D4, and C1-2: Although the two proposed signs are modest in size and not flamboyant in character, they meet the intent of the approval criteria because they advertise a business occupying a small amount of frontage. The signs are well integrated with the architecture of the building by virtue of their location near the store entry and occupying the traditional sign area above the storefront. *These guidelines are 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 proposed signs will serve the needs of the tenant by attracting pedestrian traffic and, although modest in size and externally illuminated, they are in keeping with the spirit of the area. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Design Review guidelines and therefore warrants approval.

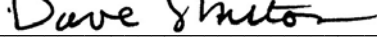
ADMINISTRATIVE DECISION

Approval of one non-illuminated blade sign at 7.2 square feet of face area and one painted wall sign at 33.3 square feet of face area, illuminated by five, wall-mounted "gooseneck" lighting fixtures, on a noncontributing building in the New Chinatown/Japantown Historic District;

Approval is per Exhibits C-1 through C-5, signed and dated February 22, 2013, subject to the following condition:

- 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 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-215137 HDZ."

Staff Planner: Dave Skilton

Decision rendered by:  **on February 22, 2013.**
By authority of the Director of the Bureau of Development Services

Decision mailed: February 26, 2013

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 13, 2012, and was determined to be complete on January 18, 2013.

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 13, 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.

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. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

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 **February 27, 2013**.

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

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

For further information on recording, please call the County Recorder at 503-988-3034

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

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

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

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

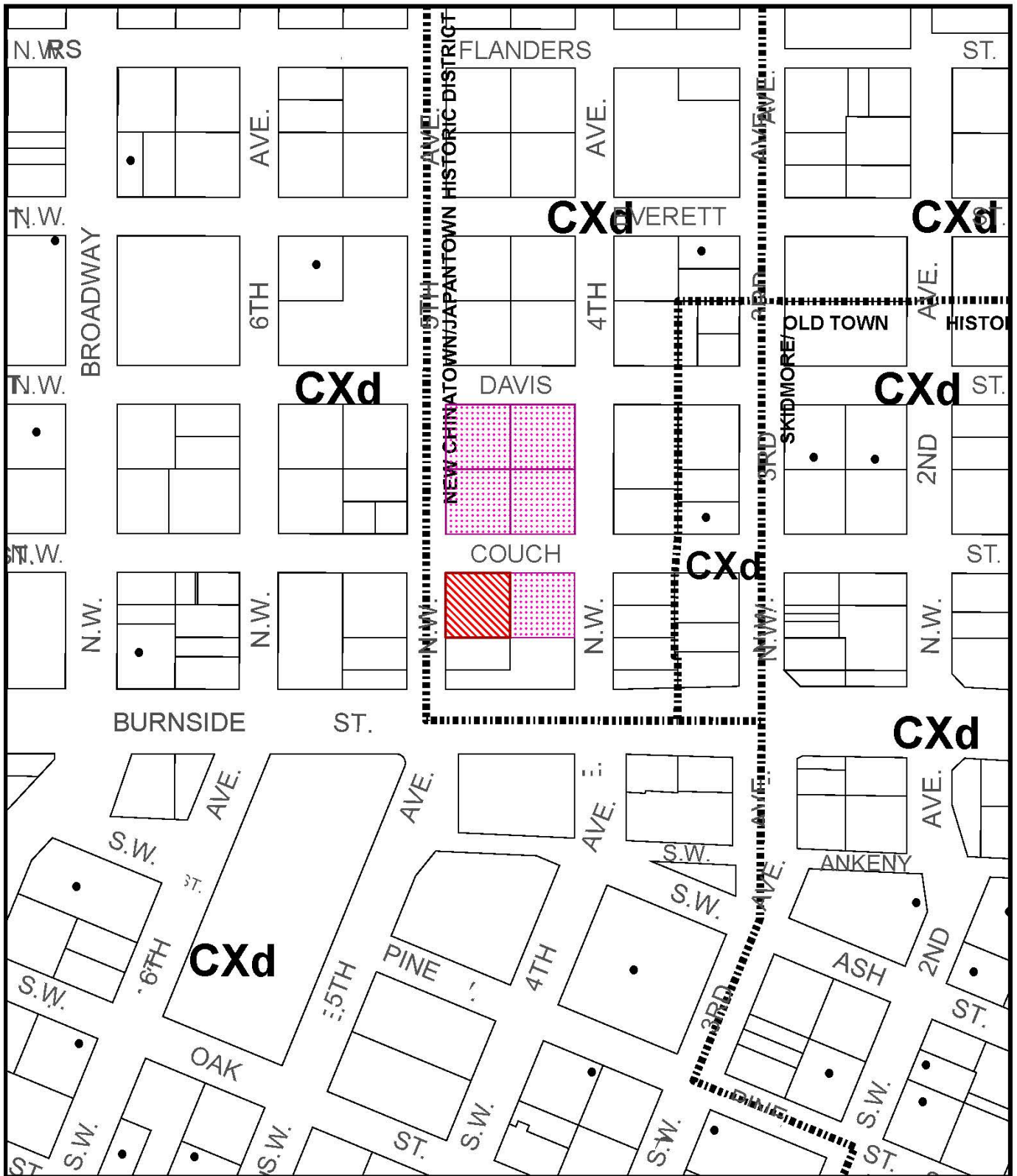
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation (attached)
 - 3. Section (attached)
 - 4. Blade Sign Details
 - 5. Light Fixture Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



Also Owned



Historic Landmark

This site lies within the:
 NEW CHINATOWN / JAPANTOWN HISTORIC DISTRICT
 CENTRAL CITY PLAN DISTRICT / RIVER



NORTH

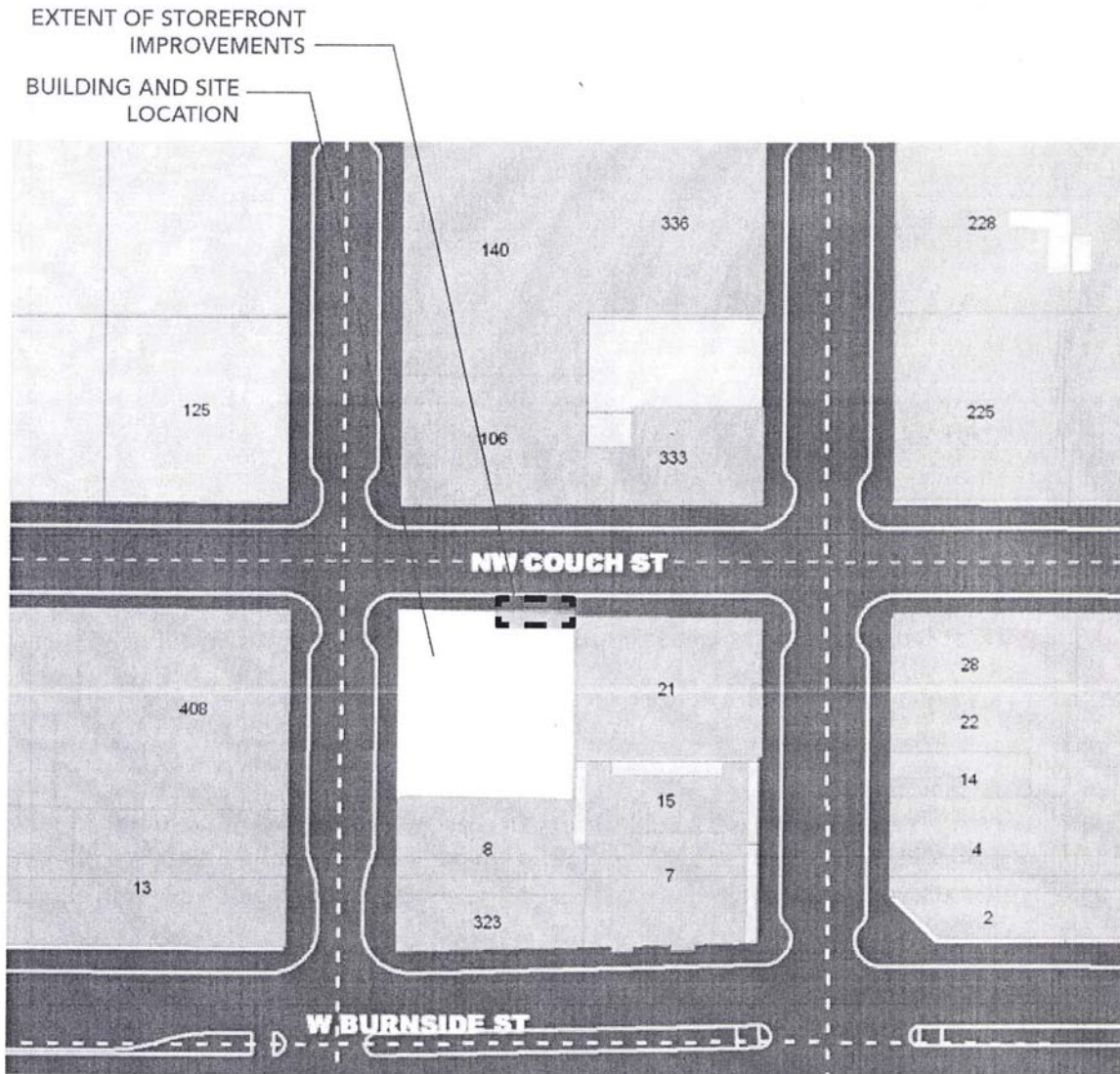
File No. LU 12-215137 HDZ

1/4 Section 3029

Scale 1 inch = 200 feet

State_Id 1N1E34CA 11200

Exhibit B (Dec 21, 2012)



SCALE: 1" = 100'

0 50' 100' 200'

SITE PLAN OROX LEATHER COMPANY

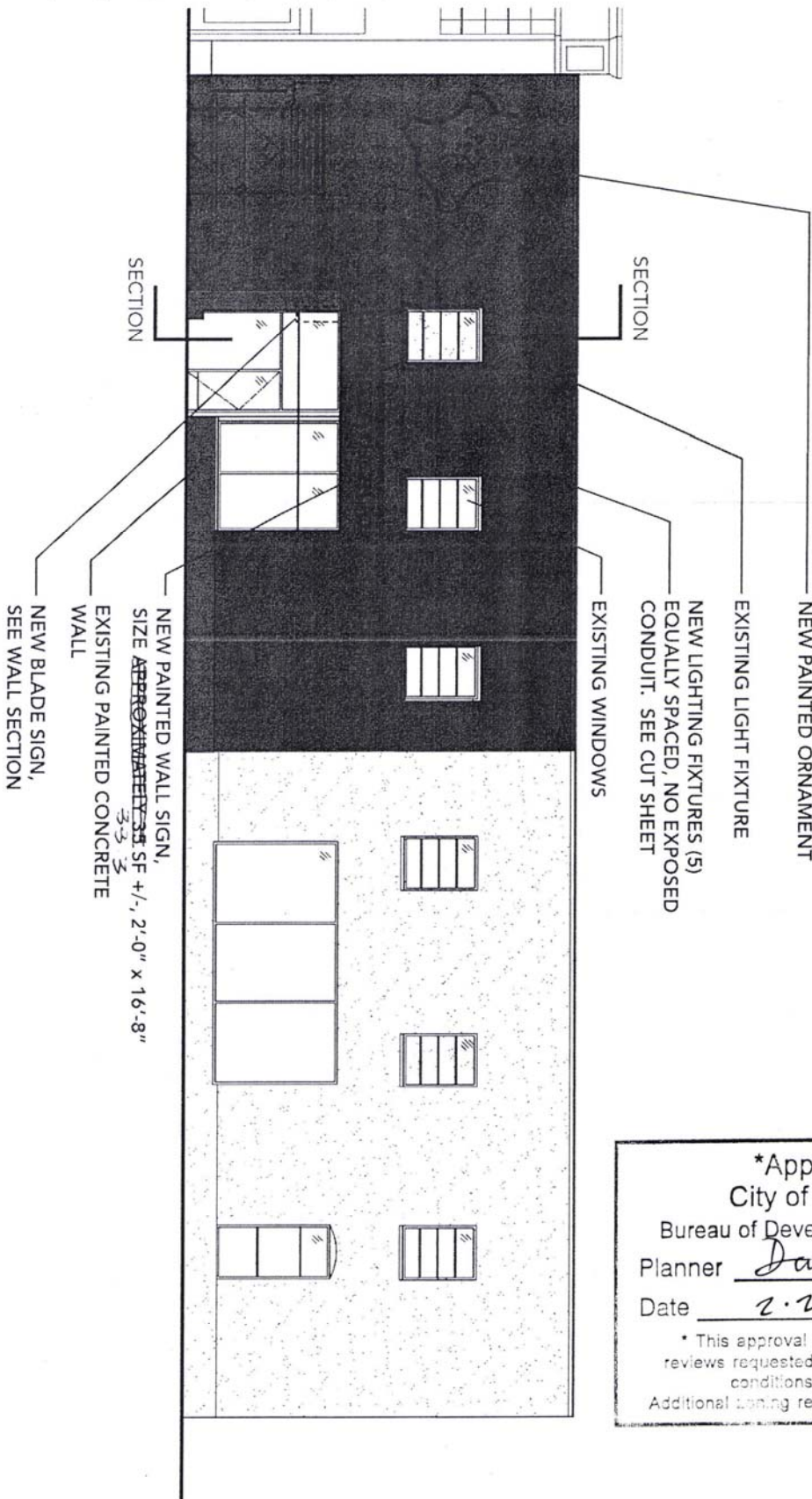
10 Orox Leather Company Storefront Improvement

Approved
City of Portland
 Bureau of Development Services
 Planner David Philton
 Date 2.22.13

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

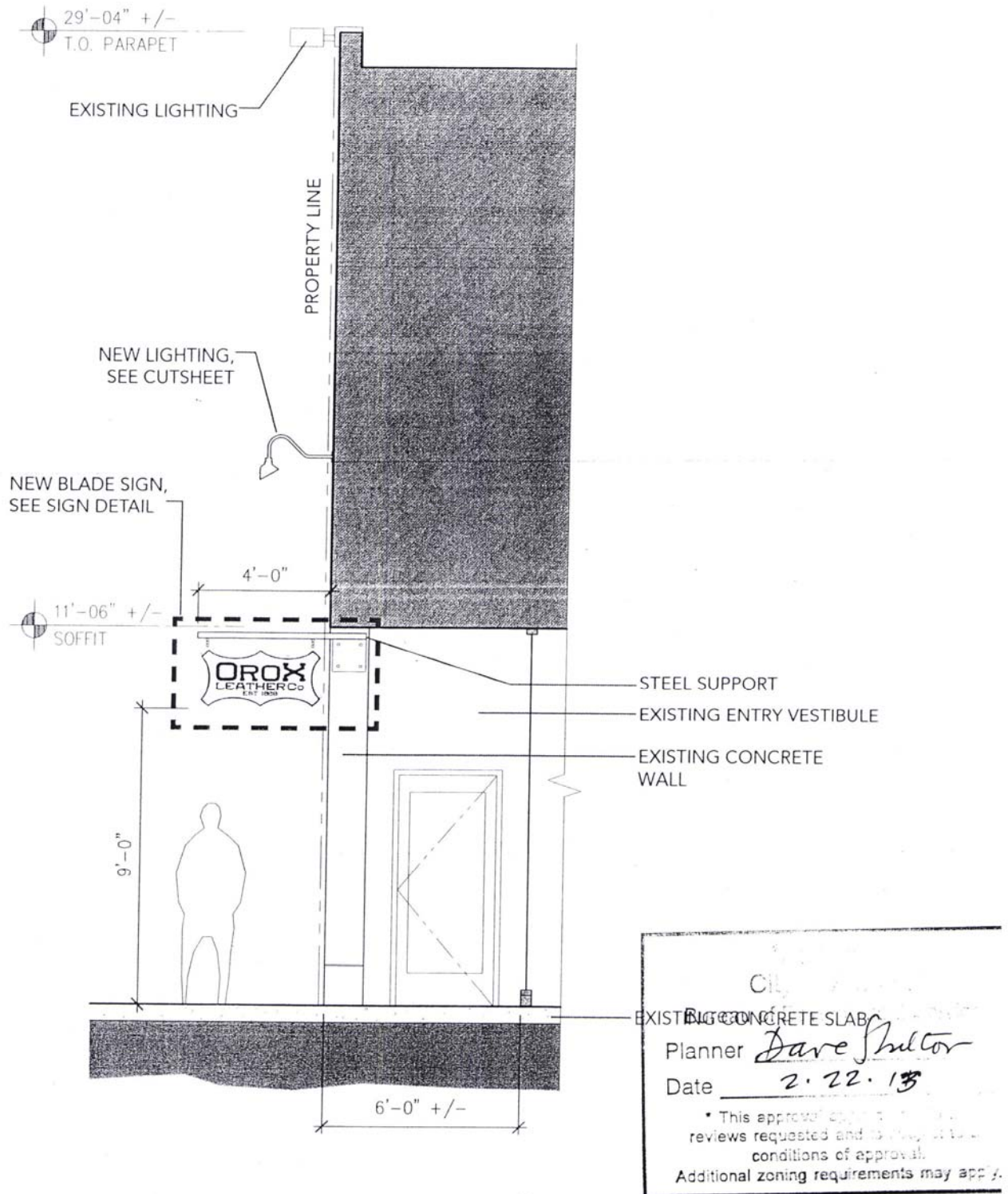
C-1
 LV 12-215137 HDZ

PROPOSED IMPROVEMENTS NORTH ELEVATION



Approved
City of Portland
Bureau of Development Services
Planner Dave Paulin
Date 2.22.13
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

C-2



PROPOSED IMPROVEMENTS WALL SECTION

SCALE: 1/4" = 1'-0"



Orox Leather Company Storefront Improvement 15

C-3