



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

FROM CONCEPT TO CONSTRUCTION

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Date: September 5, 2013
To: Interested Person
From: Kate Marcello, Land Use Services
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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, via this link: <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the district coalition and 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 13-154666 DZ

New Signage at Existing Wells Fargo Bank

GENERAL INFORMATION

Applicant: Brent Forte, Site Enhancement Services | (888) 276-6922
6001 Nimtz Pkwy | South Bend, IN 46628

Owners: LC Portland LLC
180 East Broad St | Columbus, OH 43215

Jeannette Skoropowski, Wells Fargo Corporate Properties Group
10401 Deerwood Park Blvd; Building 1, 2nd Floor
Jacksonville, FL 32256

Representative: Reid Storm / Vancouver Sign Group
2600 NE Andreson Rd, Suite 50 / Vancouver, WA 98661

Site Address: 1405 NE Lloyd Center

Legal Description: BLOCK 201-204 TL 13100, HOLLADAYS ADD
Tax Account No.: R396213980, R396213980, R396213980, R396213980, R396213980, R396213980

State ID No.: 1N1E26CD 13100, 1N1E26CD 13100, 1N1E26CD 13100, 1N1E26CD 13100, 1N1E26CD 13100, 1N1E26CD 13100

Quarter Section: 2831
Neighborhood: Lloyd District Community; contact Michael Jones at 503-265-1568
Business District: Lloyd District Community Association; Gary Warren at 503-234-8271
Plan District: Central City Plan District; Lloyd Subdistrict
Zoning: Central Commercial (CX) base zone; Design (d) overlay zone
Case Type: Design Review (DZ)
Procedure: Type II (an administrative decision, with appeal to the Design Commission)

PROPOSAL: The applicant requests Design Review approval to remove two existing signs and replace them with two new signs. The site is the existing Wells Fargo bank located in the southwest portion of the one-story retail building located across NE Halsey Street from Lloyd Center indoor

mall.

The existing signs to be removed are internally illuminated cabinet signs, each about 31 square feet in area. The two new signs are comprised of individually mounted, internally illuminated channel letters. Each set of letters is about 35 square feet in area.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with Design (d) overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of permits.

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 the *Central City Fundamental Design Guidelines* and the *Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan*. The proposal must also comply with the standards of Title 32 (Sign Code).

ANALYSIS

- I. Site and Vicinity:** The subject site is located on a rectangular block bounded by NE Halsey Street to the south, 14th Avenue to the east, Weidler Street to the north, and 10th Avenue to the west. The block contains structured parking, surface parking, two apartment buildings, and two retail buildings. NE 12th Avenue runs between the two retail buildings; however, on this block the street is not open to vehicular traffic. Rather, it is a pedestrian path.

The subject site is a bank that is located in the southwest portion of the westerly retail building. A north-south drive aisle, which provides access to the surface parking and access through the block from Halsey Street to Weidler Street, abuts the bank to the west. Halsey Street abuts the bank to the south.

The building exterior is comprised of an aluminum storefront system, steel canopies, a synthetic stucco cladding system, and wall-mounted light fixtures.

The immediately surrounding vicinity primarily contains retail, offices, surface parking lots, multi-family residential buildings, Lloyd Center indoor mall, and structured parking that is contiguous with the mall structure.

II. Zoning:

Base Zone: 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.

Overlay Zone: The Design (d) overlay zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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.

- III. Land Use History:** City records indicate the following land use reviews for the subject site, since 2002:

- **LU 02-132455 DZM** granted Design Review approval for a phased development plan for parking lots, non-conforming upgrades, and landscaping. Approval also for six Modifications.

- **LU 03-144231 DZ** granted Design Review approval for remodeling the existing Lloyd Center skybridge.
- **LU 04-003819 DZM** granted Design Review approval for a new drive-through for a bank, new signage, and reconfigured parking. Approval also for one Modification. Decision appealed to Oregon's Land Use Board of Appeals (LUBA). LUBA denied the appeal but required a revised decision of approval to require an in-depth arborist report.
- **LU 04-048385 DZM** granted Design Review approval for exterior alterations including new cladding, canopies, and lighting. Approval also for one Modification.
- **LU 05-164741 DZ** granted Design Review approval for one new sign for a retail store (Pier 1 Imports).
- **LU 07-183278 DZ** granted Design Review approval for ground-floor storefront alterations, new second-floor display windows, and new lighting, for a retail store (Dollar Tree).

IV. Public Notice: A *Notice of Proposal in Your Neighborhood* was mailed on July 15, 2013.

Agency Review: No City bureaus responded with comments or objections to the proposal.

Neighborhood Review: No written comments in response to the proposal have been received from the neighborhood association (Lloyd District Community Association) or notified property owners.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825: Design Review

Section 33.825.010: Purpose

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 district guidelines.

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 and the Lloyd District Special Design Guidelines.

Special Design Guidelines for the Design Zone of the Lloyd District of the Central City Plan and Central City Fundamental Design Guidelines

The Lloyd District is a unique, multi-dimensional neighborhood in the Central City, with special features and assets found nowhere else in Oregon.

With the recent completion of the Oregon Convention Center, the District now serves as the "front door for Oregon and our city." The District as a whole is emerging as a special area in the state and the region, and the way it is developed will determine its comfort and continued use.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

The Central City Fundamental 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; and

(D) Special Areas provides design guidelines for the four special areas of the Central City.

Lloyd District Design Goals

The following goals and objectives define the urban design vision for new development and other improvements in the Lloyd District

- Encourage the special distinction and identity of the Lloyd District;
- Integrate the sub-areas of the District for a visual and functional coherence of the whole; and
- Improve the safety, convenience, pleasure, and comfort of pedestrians.

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. Central City and Lloyd District Guidelines are addressed concurrently.

A4. Use Unifying Elements.

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

C4. Complement the Context of Existing Buildings.

Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings for A4 and C4: Existing high-quality retail signs on the subject block comprise the context for the proposed signage. Existing signage on the block includes signs for Pier 1 Imports, Dollar Tree, The Vitamin Shoppe, and L.A. Fitness. Retail signage located on adjacent blocks, such as signage for Barnes & Noble Booksellers, also provides context. All of these signs are reasonably sized and reasonably located for the pedestrian environment of the Lloyd District neighborhood. These signs are also comprised of high-quality materials, and they are placed in locations that do not negatively affect important architectural features of their respective buildings. The proposed bank signage is consistent with these characteristics. The two new signs are modestly sized at 35 square feet in area, respectively; they will be located in a façade area intended for signage, above the main entrance to the bank; they employ high-quality, individually mounted channel letters; and they are located a sufficient distance away from adjacent architectural features

of the building, such as the cornice, canopies, and pilasters. *Therefore these guidelines are met.*

B1-2. Incorporate Additional Lighting.

Incorporate project lighting in a manner that reinforces the pedestrian environment and which provides design continuity to an area by enhancing the drama and presence of architectural features.

C12. Integrate Exterior Lighting.

Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

Findings for B1-2 and C12: The proposed signs consist of internally illuminated channel letters. Due to each sign's relatively small size and location just above the metal canopies at the entrance, the illumination from these signs will not negatively impact the pedestrian environment or views of the larger surrounding area. *Therefore these guidelines are met.*

B2. Protect the Pedestrian.

Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

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.

C1-2. Integrate Signs.

- Carefully place signs and sign supports on and for buildings to integrate with the scale, color and articulation of the building design. Avoid large, excessively illuminated or freestanding signs that contribute to visual clutter.
- Demonstrate how signage is one of the design elements of a new or rehabilitation project and has been coordinated by the project designer/architect. Submit a master signage program as a part of every Design Review application.
- Incorporate signage that compliments and supports the pedestrian scale and use of the Broadway/Weidler Corridor and Holladay Street. While recognizing the dimensional provisions in the Code, size and scale of signs should be moderated in these pedestrian-oriented areas.

C13. Integrate Signs.

Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings for B2, C2, C3, C5, C1-2, and C13: The proposed signs are integrated with the subject building, appropriate for the pedestrian environment of the Lloyd District neighborhood, promote quality and permanence in development, respect the architecture of the building, and allow the building to remain a coherent composition, as follows:

- Each new sign is modestly sized at 35 square feet in area. This is an increase of only four square feet, respectively, from the previous two signs.
- The new signs are placed in logical locations – above the main entrance to the bank, within façade area intended for signage.

- The new signage letters are internally illuminated. The small size of each letter – only 1'-9" tall – and the small overall size of each sign – about 35 square feet – help to insure that this illumination does not adversely affect the pedestrian environment or views of the building.
- Each new sign will be located in façade area intended for signage, above the existing canopies at the main entrance to the bank. Each sign is sized to allow "breathing room" between the edges of the sign and nearby architectural features, including the existing pilasters, canopies, mounting plates for the canopy tie rods, and the lower edge of the cornice. Thus the signage appears balanced and cohesive with respect to other features of the building's exterior.
- The new signage consists of individually mounted channel letters, each 0'-5" thick, mounted to the building façade. The letters have acrylic faces and metal returns. These materials are high-quality and durable.
- The new signs are consistent with existing signage on the building associated with neighboring tenants, as follows:
 - The materials are the same – channel letters with acrylic faces and metal returns;
 - The location is the same – within upper façade area intended for signage, above main entrances; and
 - The illumination method is the same – internal, with the face of each letter illuminated.

Therefore these guidelines are met.

C7. Design Corners that Build Active Intersections.

Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper-floor building access points toward the middle of the block.

Findings for C7: The new signs will be located at the main entrance to the bank, which is located at the southwest corner of the building. This building corner is located at the intersection of NE Halsey Street and the drive aisle that runs north-south and provides access to the adjacent parking lot. The signs will highlight the building corner for pedestrians, clearly indicating the entrance to the bank. *Therefore this guideline is 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 two new signs are modestly sized at 35 square feet in area, respectively; they will be located within façade area intended for signage, above the main entrance to the bank; they employ high-quality, individually mounted channel letters; and they are located a sufficient distance from adjacent architectural features of the building, such as the cornice, canopies, and pilasters. The proposal meets the applicable design guidelines and therefore warrants approval.


ADMINISTRATIVE DECISION

Approval of two new wall-mounted signs, each approximately 35 square feet in area, comprised of internally illuminated channel letters, each about 1'-9" tall and 0'-5" thick, located at the Wells Fargo Bank at 1405 Lloyd Center, in the Lloyd Subdistrict of the Central City Plan District.

Approval per the approved plans and drawings, Exhibits C-1 through C-8, signed and dated September 3, 2013; subject to the following condition:

- A. As part of the building permit application submittal, each of the four 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-8. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-154666 DZ. No field changes allowed."

Staff Planner: Kate Marcello

Decision rendered by:  **on September 3, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed: Thursday, September 5, 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 May 15, 2013, and was determined to be complete on July 9, 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 May 15, 2013.

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 November 6, 2013.**

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 Thursday, September 19, 2013** 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 **Friday, September 20, 2013**.
- 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.

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:

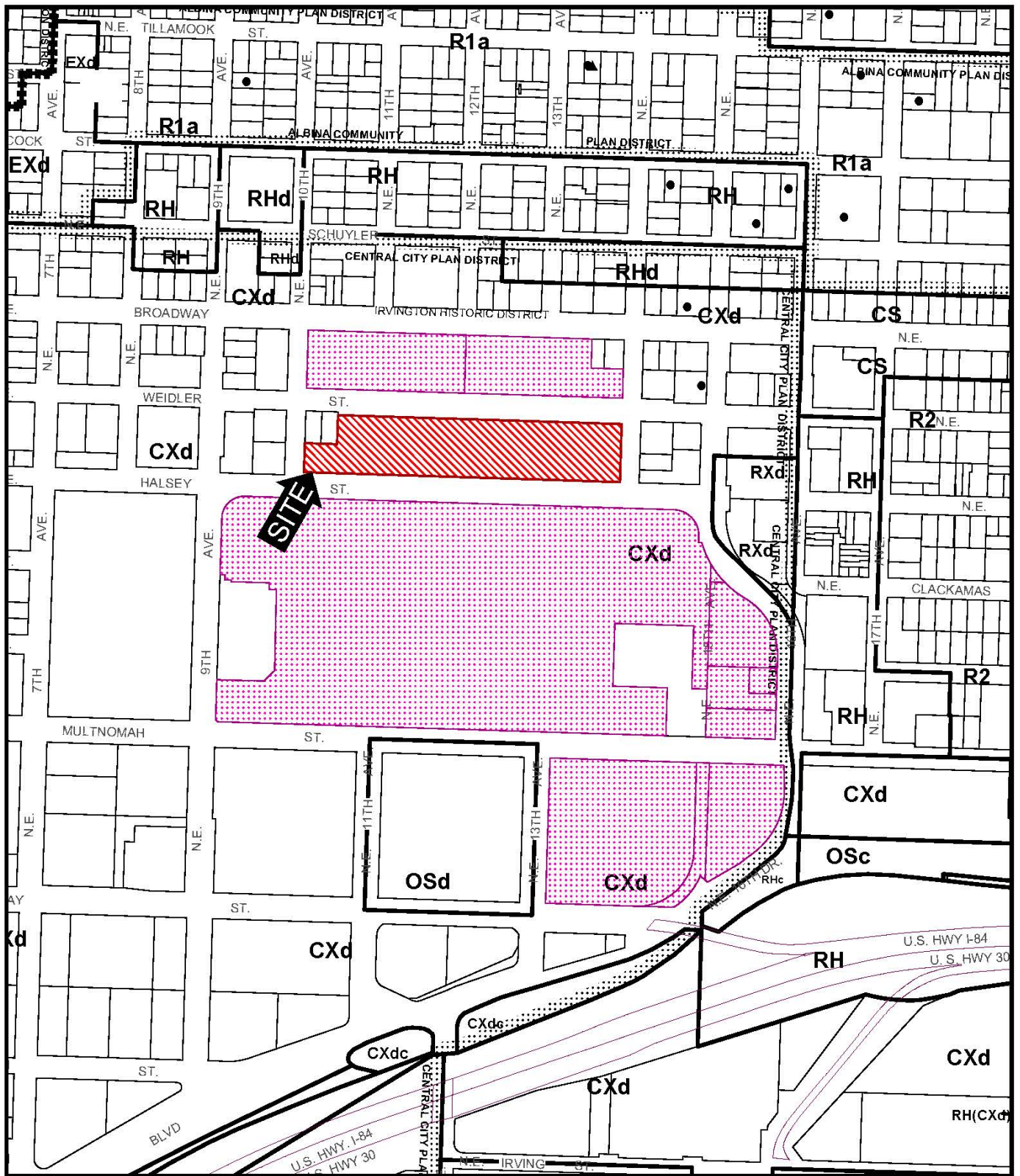
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement/Narrative
- B. Zoning Map (attached)
- C. Plans and Drawings:
 - 1. Site Plan (attached)
 - 2. Aerial Photograph
 - 3. South Building Elevation Drawing and Enlarged Elevation Drawing of New Sign (partially attached)
 - 4. Enlarged South Building Elevation Drawing (attached)
 - 5. West Elevation Building Elevation Drawing and Enlarged Elevation Drawing of New Sign (partially attached)
 - 6. Enlarged West Building Elevation Drawing (attached)
 - 7. Photographic Simulations
 - 8. Detail Drawing and Information for New Signs
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Response: None received.
- F. Correspondence: None received.
- G. Other
 - 1. Original Land Use Review Application
 - 2. Letter of Completeness/"Incomplete Letter" to applicant
 - 3. Site and Vicinity Photographs
 - 4. Originally Submitted Plans and Drawings (superseded)

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



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT
LLOYD DISTRICT

File No. LU 13-154666 DZ

1/4 Section 2831,2931

Scale 1 inch = 400 feet

State_Id 1N1E26CD 13100

Exhibit B (May 21,2013)

Site Plan

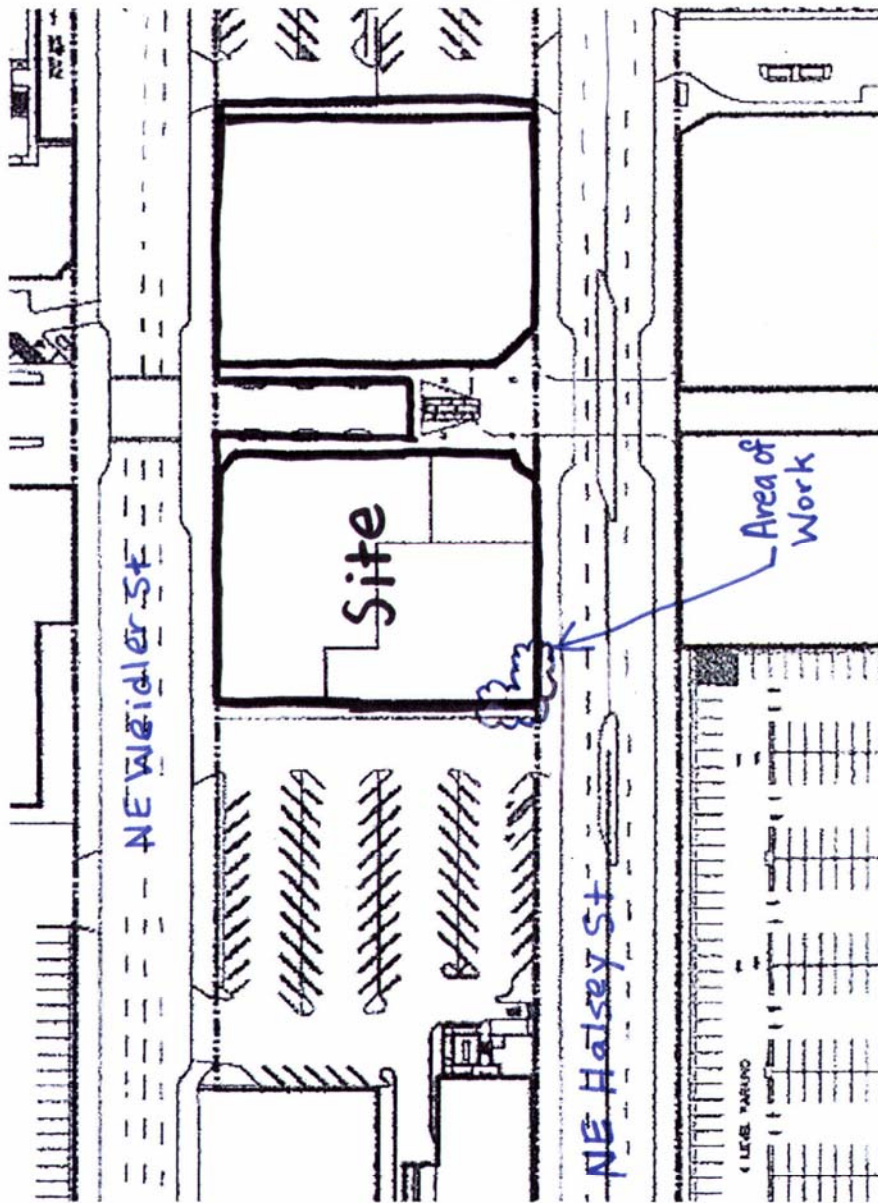


Exhibit C-1

Case # LU 13-157666 DZ
1405 NE Lloyd Center

Scale: $\frac{1}{32}'' = 1'-0''$

Sheet size has been altered.

Approved

City of Portland - Bureau of Development Services

Planner

Kat

Date

September 3, 2013

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

Enlarged Elevation of Sign



CH-21-H (Qty. 2)

Channel Letters: Internally Illuminated and Face Lit

Existing Square Feet: 31.31 / Sign | Proposed Square Feet: 34.9 / Sign

Scale: $\frac{1}{4}'' = 1'$

Sheet size has been altered.

Exhibits C-3 and C-5

South Elevation

(facing NE Halsey St)

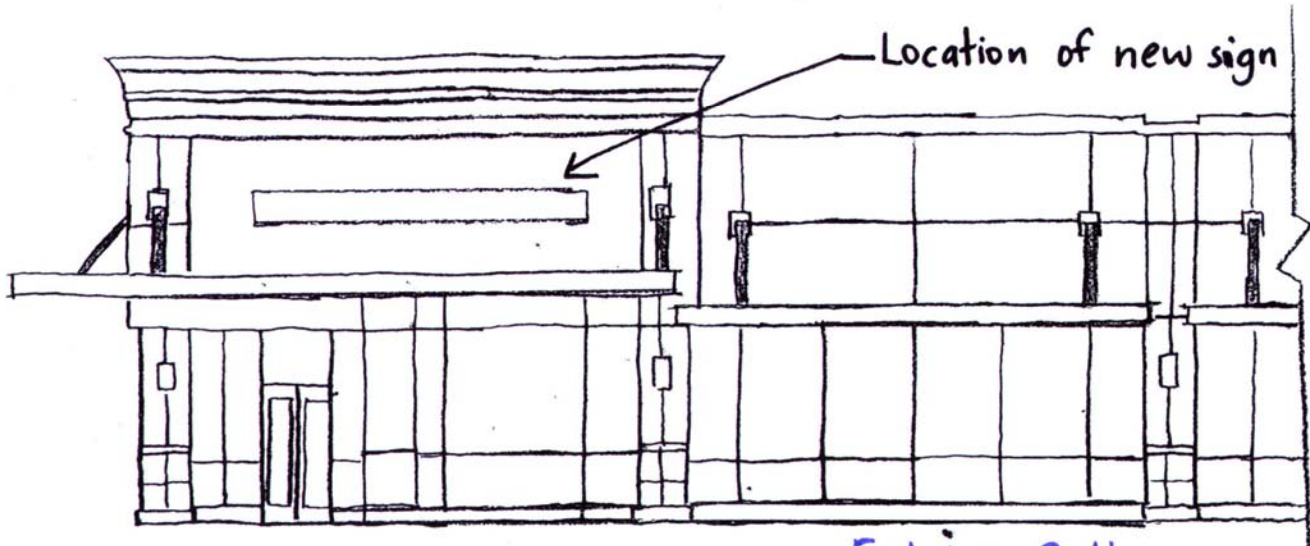


Exhibit C-4

West Elevation

(facing parking lot)

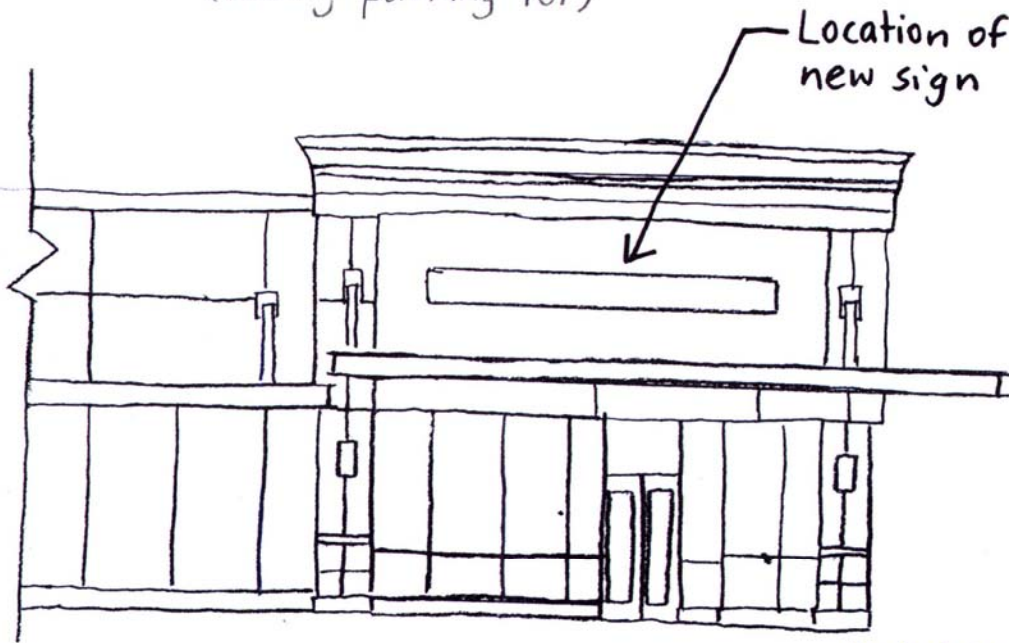


Exhibit C-6

Scale: $\frac{1}{32}'' = 1'-0''$ Sheet size has been altered.

Approved

City of Portland - Bureau of Development Services

Planner Kate O Date September 3, 2013

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