



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

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: April 28, 2015
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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 15-124151 DZ – NEW WALL SIGNS

GENERAL INFORMATION

Applicant: James Abbatemarco / Vitamin Shoppe
2101 91st St / North Bergen NJ 07047

Owner: Tobias Investment Co
1900 SW River Dr #1101 / Portland OR 97201-8047

Representative: Jaylene Paulus / Integrity Signs Oregon LLC
PO Box 88 / Hubbard OR 97032

Site Address: 1016 W BURNSIDE ST

Legal Description: BLOCK 67 TL 2000, COUCHS ADD
Tax Account No.: R180206170
State ID No.: 1N1E34CC 02000
Quarter Section: 3029
Neighborhood: Portland Downtown, contact Rani Boyle at 503-725-9979.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - West End
Zoning: CXd – Central Employment with Design overlay
Case Type: DZ – Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant is seeking Design Review approval for two new wall-mounted signs on an existing building in the Downtown Subdistrict of the Central City Plan District. The proposed work includes the following:

- One 39.2 SF multi-letter acrylic sign on the north façade;
- One 39.2 SF multi-letter acrylic sign on the east façade; and
- Raceways and conduit located behind the exterior walls, inside the building.

Design Review is required for signs in larger than 32 SF in area in design overlay zones.

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
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: This site is at an important intersection of downtown Portland – fronting SW 10th Avenue, the Portland Streetcar alignment, and SW Burnside Street, one of the City’s major transit, pedestrian, vehicle streets. It is a busy intersection with a good deal of transit, pedestrian and vehicle traffic. Across SW Oak Street is a traffic island with an interactive public art piece. The site is about a quarter of a block, about 10,800 SF and is angled to follow the change in grid with SW Oak Street. The site includes an atypical downtown development pattern – a building setback from the street with surface parking between the building and the street. The building is a modest one-story building used for retail in the recent past. The main building elevation, facing SW 10th, is a jumble of materials, storefront systems, etc. The elevation facing SW Oak/W Burnside is blank. The site is substandard in parking lot landscaping and public right-of-way sidewalk widths.

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.

The design (d) overlay zone 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 must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the West End Subdistrict of this plan district.

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

- LU 10-141570 DZM – Design Review approval for 2 signs and landscaping Modification.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 3, 2015. 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.

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.

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings: The proposal allows for the continued use of an existing one-story structure in Portland's downtown. *This guideline is 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 proposed materials of metal and acrylic are durable and used on other signs in this urban environment. The two signs are aligned at the same height so that the building composition remains a coherent set of simple storefront and concrete bays with signage above. *These guidelines are therefore met.*

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

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 C8 & C13: The proposed building signage includes two internally illuminated individual letter wall signs, each measuring 39.2 SF in area, with raceways located inside the building. One sign will be centered over the main entry on the east elevation and one sign will be located on the north elevation. This is a modest one-story retail building close to or at designated pedestrian streets in Portland's downtown, and because of this context, the limited signage proposed is appropriate. The signs' integration with the building, their placement (centered above the main entry at the east elevation and at the north elevation) is also appropriate for this simple concrete building as the signs do not overwhelm the architecture and do highlight the entry. *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 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 two new wall signs are appropriate for this building at this location. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of Design Review for two new wall-mounted signs on an existing building in the Downtown Subdistrict of the Central City Plan District, to include the following:

- One 39.2 SF multi-letter acrylic sign on the north façade;
- One 39.2 SF multi-letter acrylic sign on the east façade; and
- Raceways and conduit located behind the exterior walls, inside the building.

Approved, per the approved site plans, Exhibits C-1 through C-4 signed and dated April 24, 2015, 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.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-124151 DZ. No field changes allowed."

Staff Planner: Chris Caruso



Decision rendered by: _____ **on April 24, 2015**

By authority of the Director of the Bureau of Development Services

Decision mailed: April 28, 2015

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 February 24, 2015, and was determined to be complete on **March 31, 2015**.

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 February 24, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 29, 2015**.

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 May 12, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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

information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the 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 **May 13, 2015 – (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.

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:

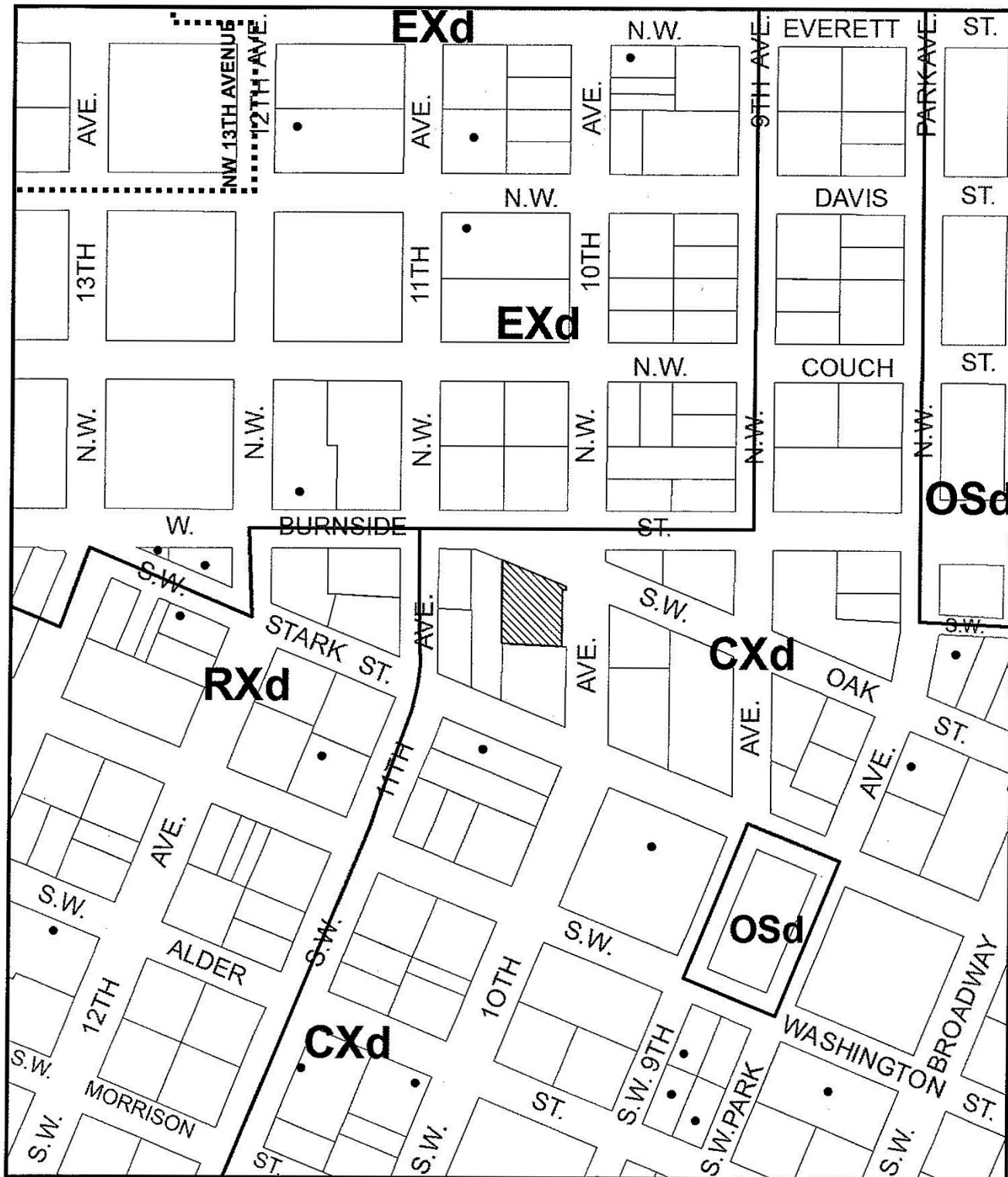
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. East Elevation (attached)
 - 3. North Elevation (attached)
 - 4. Sign Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: Not required
- F. Correspondence: None received
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter

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



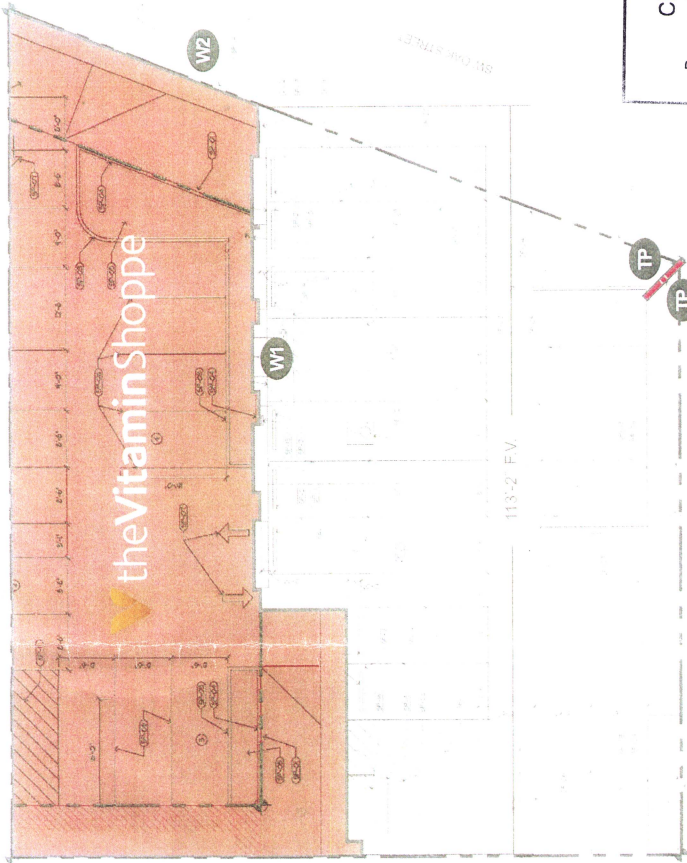
Historic Landmark



NORTH

This site lies within the:
CENTRAL CITY PLAN DISTRICT:
DOWNTOWN-WEST END

File No. LU 15-124151 DZ
1/4 Section 3029
Scale 1 inch = 200 feet
State Id 1N1E34CC 2000
Exhibit B (Feb 26, 2015)



Approved

City of Portland

Bureau of Development Services

Planner CDS

Date 4/24/15

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



3301 S. Susan St.
Salem, OR 97304
714.540.5434 Ph. 714.540.5959 Fax

Client:

theVitaminShoppe

Location:

Portland

1016 W Burnside St
Portland, OR

Drawn By:

JW SC

Drawing Number:

C5062 Queso B

Drawing Date:

12.16.14

Person:

NOTE: This is an original drawing created by Promotional Signs. It is submitted for your personal use in connection with a project being planned for you by Promotional Signs. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion. Any printed colors on drawing are approximate.

Contractors License No. 635512

Approved

City of Portland

Bureau of Development Services

Planner

Date

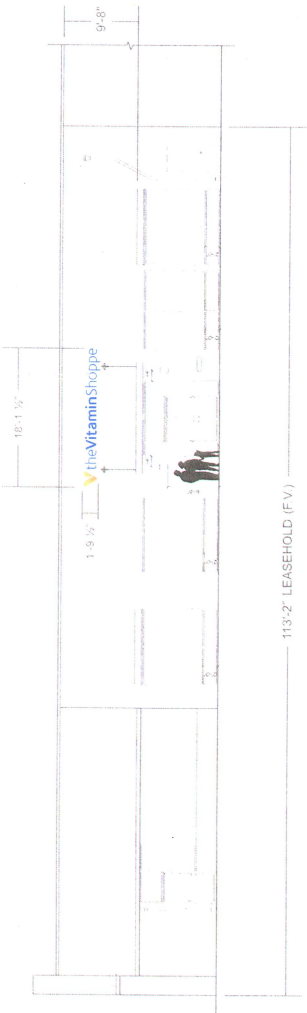
2

8

4/24/15

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

WI 34' 2" 50' FT.
1" = 1'-5"



FRONT / EAST STORE ELEVATION (FACES SW 10TH AVE)
SCALE 3/32"=1'-0"

LU-15-124151D2

EXH.C-2



3101 S. Susan St.
Santa Ana, CA 92704
714-340-3424 Ph 714-340-5939 Fax

Client:

theVitaminShoppe

Location:

Portland

1016 W Burnside St
Portland, OR

Drawn By:

JW

Sanctioned:

SC

Drawing Number:

C5862

Option:

B

Drawing Date:

12.16.14

Revision:

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Contractors License No. 636512

Page:

3

Of:

8

Approved

City of Portland

Bureau of Development Services

Planner

Date

4/24/15

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

W2 39.3 5-FT.
1" = 1'-5"



SIDE / SOUTH ELEVATION (FACES SW OAK ST)
SCALE: 3/32" = 1'-0"

LU 15-124151 D2

EXH.C.3

3301 S. Susan St.
Santa Ana, CA 92704
714-540-5454 Ph 714-540-5955 Fax

Client: **v theVitaminShopppe**
Location: **Portland**
Address: **1016 W Burnside St
Portland, OR**

Drawn By: **SW** Supervisor: **SC**
Drawing Number: **C-5862** Date: **B**
Drawing Date: **12.16.14**
Revision:

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Contractors License No. 634512

Approved
City of Portland
Bureau of Development Services
Planner: **8**
Date: **4/24/15**

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



= 39.2 ft

W1 W2

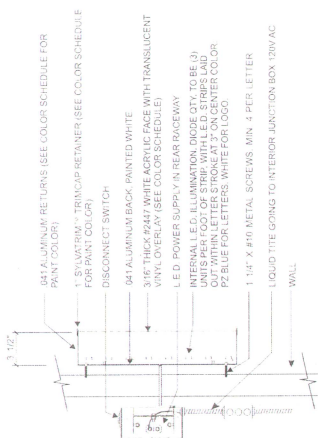
WALL SIGN: SINGLE LINE CHANNEL LETTERS AND LOGO
SCALE: 1/2" = 1'-0"

39" = 1'-0"

NOTE: SURVEY REQUIRED PRIOR TO PRODUCTION

SPECIFICATIONS:

- Letters: 3 1/2" deep fabricated, 041 pre-finished Solid Blue aluminum channel letters with 1" Blue-Hi Silvatrim trimcap retainer, and internal P2 blue L.E.D. illumination. Faces are **Bright Blue Translucent Vinyl** over 3/16" thick **White Acrylic**.
- Logo: 3 1/2" deep fabricated, 041 aluminum channel logo with **Painted Yellow** returns, 1" **Painted Yellow** Silvatrim trimcap retainer, and internal white L.E.D. illumination. Faces are **Printed Translucent Vinyl** over 3/16" thick **White Acrylic**.



LETTER/LOGO SECTION DETAIL
SCALE: NTS

WOOD FRAMING
MASONRY
CONCRETE SET-UP

COLORS:

Letter Faces:	Bright Blue Translucent Vinyl (Avery #PR-800-646-7) over White Acrylic (#2447)
Letter Returns:	Pre-finished Aluminum (Solid Blue)
Logo Face:	Printed Translucent Vinyl (4CP on clear vinyl) over White Acrylic (#2447)
Logo Returns:	Painted Yellow (Akzo #421-D-6)

CU15-124151 D2

EXH.C-A