



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

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**Date:** July 26, 2016  
**To:** Interested Person  
**From:** Mike Gushard, Land Use Services  
503-823-5091 / [Mike.Gushard@portlandoregon.gov](mailto:Mike.Gushard@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 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 16-116669 DZ – SIGN ALTERATIONS AND NEW AWNING**

#### **GENERAL INFORMATION**

**Applicant:** Mildred White,  
Bama Design  
1631 NE Broadway #754  
Portland, OR 97232  
  
Sammy Schwarz, Owner  
Sammy's Flowers  
1710 W Burnside  
Portland OR 97209

**Site Address:** 1710 W BURNSIDE ST

**Legal Description:** BLOCK 325 FRACTIONAL BLOCK EXC PT IN ST, PORTLAND  
**Tax Account No.:** R667734300  
**State ID No.:** 1N1E33DC 00400  
**Quarter Section:** 3028

**Neighborhood:** Goose Hollow, contact Jerry Powell at 503-222-7173.  
**Business District:** Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Central City - Goose Hollow

**Zoning:** CXd – Central Commercial with Design Review

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

**Proposal:**

The applicant proposes to change the face of an existing monument sign and narrow the mass of its supports. The application also includes the installation of a new fabric awning along the north, east and west elevations of the building. The initial application for this project included a large projecting roof sign but that feature is no longer part of this proposal. The project requires review because it is in a design overlay zone.

**Relevant Approval Criteria:**

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

- Sign Code- Title 32 of Portland City Code
- Central City Fundamental Design Guidelines
- Goose Hollow Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The subject 8344 square foot lot is a roughly trapezoidal in shape and bounded by W Burnside, SW Alder and SW 19<sup>th</sup> street. It is an island surrounded by heavily trafficked thoroughfares. The surrounding area is a mix of auto-oriented commercial establishments, high rises apartments and turn of the century mixed use buildings. The subject building sits at the southwest corner of the lot with a parking lot separating it from W Burnside St. The building is one-story with a tiled hip roof and windows facing W Burnside. The other faces of the property are concrete blank. The front façade is marked by a set of thin columns. In the northwest corner of the property there is a monument sign in the form of a arch with stucco.

**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 “d” overlay promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **May 24, 2016**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS

The Bureau of Transportation Engineering responded with the following comment: While PBOT has no objections to the project they wish to note that the W Burnside frontage does not meet city standards. Please see Exhibit E-2 for additional details

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on May 24, 2016. 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 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 and Goose Hollow Special Design Guidelines.

#### **Goose Hollow District Design Guidelines and Central City Fundamental Design Guidelines**

The Goose Hollow District is envisioned to be a predominantly urban residential, transit-oriented community located on the western edge of the Central City between Washington Park and Downtown Portland. When riding light rail through the West Hills tunnel to the Central City, it is the first neighborhood experienced before entering downtown Portland. The Urban Design Vision celebrates the sense of arrival from the west at Jefferson Street Station and Collins Circle, and from the north at the Civic Stadium Station and Fire Fighter's Park. This is done by integrating the history of the community with its special natural and formal (man-made) characteristics.

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

#### **Goose Hollow District Design Goals**

The Goose Hollow District Design Goals are specific to the Goose Hollow District. These urban design goals and objectives are to:

- Enhance mixed-use, transit-oriented development around the light rail stations to make it a pedestrian-friendly station community.
- Provide open spaces to accommodate active public life.
- Strengthen connections to adjacent neighborhoods through light rail, bike and pedestrian access and assure a safe and pleasant bike/pedestrian environment.
- Preserve and enhance the community's history and architectural character.

#### **Central City Plan Design Goals**

This set of goals are those developed to guide development throughout the Central City. They apply within all of the 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.

**A5-3. Enhance West Burnside Street.** Enhance West Burnside Street as a boulevard by extending and improving its boulevard treatment and its environment for pedestrians west of the Park Blocks. This guideline may be accomplished by any or all of the following:

- a. Buffering and separating the sidewalk from vehicular traffic by introducing street trees, plantings and protective bollards;
- b. Enhancing the pedestrian promenade along Burnside and making it a linear focus for safe pedestrian activity by widening the space used by pedestrians and locating sidewalk cafes and food vendors in the wider pedestrian space;
- c. Maintaining visual contact and surveillance between the inside of buildings and the adjacent public right-of-way space of West Burnside Street;
- d. Punctuating ground floors of buildings with many destination points such as entries for pedestrians and display windows;
- e. Locating driveways and garage entrances on side streets where feasible, rather than crossing sidewalks along West Burnside; or
- f. Providing pedestrian scale to buildings fronting the street by using awnings and/or balconies along the street.

**A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**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.

**B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**B6-1. Provide Outdoor Lighting at Human Scale. Provide outdoor lighting at a human scale to encourage evening pedestrian activity.**

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**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 any or all of the following:

- 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.

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**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.

**C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape elements, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

**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 A5-3, A-8, B2, B6 C2, C1-2, C4, C5, C6, C8 and C-13 :** One of the main features of the project is the installation of a protective awning. Though the existing building is set in the middle of the lot the awning will provide weather protection and invites pedestrian activity. It also facilitates the use of this area for the flower shop's exterior displays which further adds human scaled activity to the block and bridges the right of way with retail use of the interior of the building. The changes to the monument sign make use of an existing structure while narrowing its bulk and mass. This works to make the proposed sign a more urban and less intrusive option than the existing bulky auto-oriented sign. *Therefore these criteria are met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The project works to minimize the impact of an existing monument style sign that is not in keeping with the design goals of the Central City Fundamental Design Guidelines and the Goose Hollow District Design Guidelines. Furthermore, it includes an awning that will activate the pedestrian space around the building. For these reason *this project warrants approval.*

## ADMINISTRATIVE DECISION

Approval of New awning and alterations to existing monument sign, per the approved site plans, Exhibits C-1 through C-9 signed and July 18, 2016, 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.9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-116669 DZ . No field changes allowed."

**Staff Planner: Mike Gushard**



**Decision rendered by:**

**on July 18, 2016**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 26, 2016**

**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 4, 2016, and was determined to be complete on May 13, 2016.

*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 4, 2016.

*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. **the 120 days will expire on: September 21, 2016**

**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 9, 2016** 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 5<sup>th</sup> 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](http://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 **August 10, 2016**
- 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.

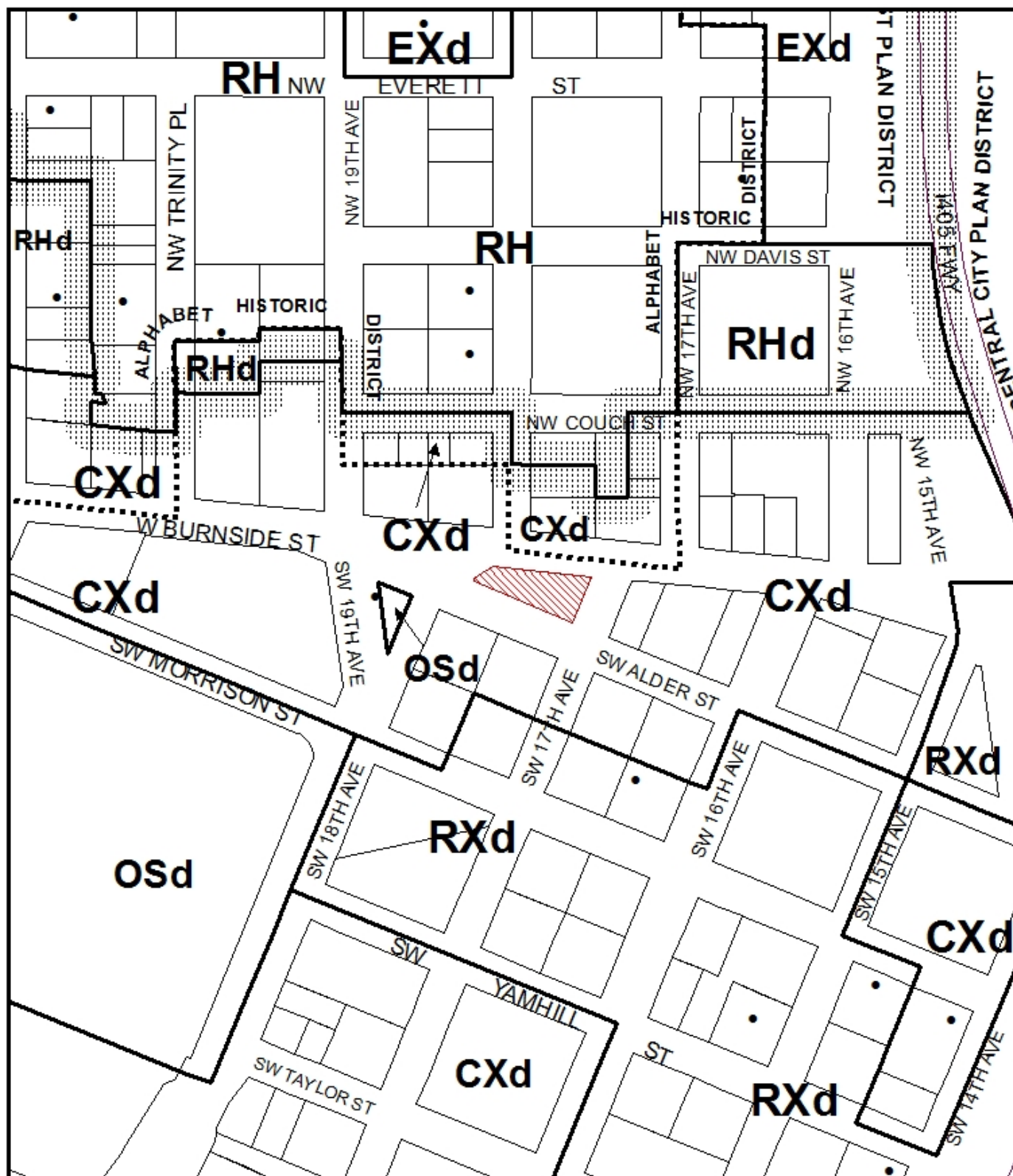
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Narrative
  - 2. Projecting sign, eliminated from project.
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Existing and proposed monument sign (attached)
  - 2. Monument Sign Details
  - 3. Awning Seps and Elevations
  - 4. Awning Site Plan Detail
  - 5. Awning frame sections
  - 6. Site Plan
  - 7. Proposed Floor Plan
  - 8. Elevations (North and West)
  - 9. Elevations (south and East)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Agencies Responding no comment
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Life Safety Division of the Bureau of Development Services
- 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).**



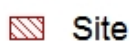


## ZONING

This site lies within the:  
CENTRAL CITY PLAN DISTRICT  
GOOSE HOLLOW SUBDISTRICT



NORTH



Site



Historic Landmark

File No. LU 16-116669 DZ

1/4 Section 3028

Scale 1 inch = 200 feet

State Id 1N1E33DC 400

Exhibit B (Feb 08, 2016)

**\*Approved\***  
**City of Portland**  
**Bureau of Development Services**  
 Planner [Signature]  
 Date 7/18/16

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

Remove / Dispose  
 Reuse existing  
 support posts



Existing



Proposed

C1

**A** ELEVATION  
 Scale: None

LU 16-116669 D2

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**PROJECT MANAGER**  
 Kathryn Caine  
**DESIGNER**  
 A. Rossi

**PROJECT NAME**  
 Sammy's Flowers  
 1710 W. Burnside  
 Portland, OR 97209

**PAGE DESCRIPTION**  
 Photo Inlay

**REVISIONS**  
 9/20/13  
 ♦ 11/9/15 Updated.  
 ♦ 12/28/15 Updated.  
 ♦ 1/8/16 Updated.

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**APPROVALS**  
 Client Signature  
 Landlord Signature

DATE: 1/5/16  
 PAGE #: 1 of 3  
 DRAWING #: 15-a/4/5-3