



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

FROM CONCEPT TO CONSTRUCTION

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Date: March 17, 2014
To: Interested Person
From: Chris Caruso, Land Use Services
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NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 13-224848 HR CROSSROADS TRADING SIGNS

GENERAL INFORMATION

Applicant: Gabriel Block/Crossroads Trading Company
1409 5th Street/Berkeley, CA 94710

Owner: Sandra K Biller
1944 NW Blue Ridge Dr/Seattle, WA 98177-5426

Representative: Brandon Howard/ES&A Signs
89975 Prairie Rd/Eugene, OR 97402

Site Address: 118-128 NW 23RD AVE

Legal Description: BLOCK 2 S 15' OF LOT 7 N 35' 6' OF LOT 10, STRONGS ADD
Tax Account No.: R801800480, R801800480
State ID No.: 1N1E33CB 01000, 1N1E33CB 01000
Quarter Section: 3027
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Mike Conklin at 503-226-6126.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest
Other Designations: Contributing resource in the Alphabet Historic District
Zoning: CS – Commercial Storefront
Case Type: HR – Historic Resource Review
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks historic resource review approval for two new halo-lit 11.2 SF each signs mounted on top of two existing metal channel canopies on the Edmund Gaze Building, a contributing resource in the Alphabet Historic District that was built in 1910 in the Streetcar Era Commercial style. Both signs will have one painted metal raceway behind their elements. The letters and backing will be 10.25" tall with a 16.75" square logo at one end. All signs in historic districts are required to go through historic resource review.

Relevant Approval Criteria:

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

- 33.846 Historic Reviews
- Community Design Guidelines
- Alphabet Historic District Community Design Guidelines Addendum

ANALYSIS

Site and Vicinity: The 5,050 SF site is located near the southern end of NW 23rd Avenue which is a major commercial street in the Alphabet Historic District. The existing building is a two-storey brick structure housing several retail sales and service businesses. Surrounding development includes similar streetcar-era buildings with retail, office, and housing in them. The building, which was constructed in 1910, has undergone a number of renovations in the past, including installing four projecting metal canopies and one fabric awning out toward the sidewalk. The property is located within the Northwest Pedestrian District and NW 23rd Avenue is classified in the Transportation System Plan as a Community Main Street, a Major Transit Priority Street, a Neighborhood Collector Street, and a City Bikeway.

The Historic Alphabet District is located at the base of the West Hills, roughly bounded by W Burnside Street to the South, NW 17th Avenue to the East, NW Marshall Street to the North and NW 24th Avenue to the West. The district is predominantly residential in character but also has two main commercial corridors along NW 21st and NW 23rd Avenues, as well as institutional properties. Originally platted as a residential district for the upper class, the Lewis and Clark Exposition of 1905 prompted the construction of several apartment buildings by notable Portland architects. The neighborhood is still one of the city's more densely populated historic neighborhoods.

Zoning: The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominately built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and 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.

Land Use History: City records indicate there is one prior land use reviews for this site.

- LU 13-128348 HDZ – This application was withdrawn.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 11, 2014. 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 33.846.060 - Historic Resource Review****Purpose of Historic Resource Review**

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource 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 Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

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

Historic Alphabet District - Community Design Guidelines Addendum

1. Historic Changes. Most properties change over time; those changes that have acquired historic significance will be preserved.

Findings: The signs will be attached to two of the four projecting metal canopies which have not achieved historic significance. No historically significant materials will be altered to accommodate the new signs. *This guideline is therefore met.*

2. Differentiate New from Old. New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

Findings: The two signs will be constructed of modern materials and are designed in a modern style of font and logo type. This will help differentiate these new signs from the historic brick of the surrounding structure. All historic material will be retained. The signs are small in size and will be located just above the ground level storefront which is a traditional area for retail signage in this historic district. The sign's small size, simple materials, and location on top of the canopies are qualities desired in this district. *This guideline is therefore met.*

3. Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings: The proposed signs are compatible with the building's overall design by being appropriately scaled to fit onto two existing metal canopies. These types of acrylic push-thru letter signs are seen on many other buildings in the Alphabet Historic District, so this proposal matches the character of adjacent properties as well as this commercial portion of the District. *This guideline is therefore met.*

Community Design Guidelines

P1. Plan Area Character. Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

Findings for P1 & P2: The proposed signs enhance the sense of place established by the Alphabet Historic District by being incorporated into the traditional sign band area above the ground level storefront. The signs' linear composition, font style, and simple logos, result in a refined and appropriately scale composition that reinforces the area's historic significance of streetcar-era commercial buildings. *These guidelines are therefore met.*

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building features, creating effective gathering places, and differentiating street level facades.

Findings: The two new signs highlight retail entries which are currently set back from the sidewalk and create a stronger sense of enclosure in these two bays. The signs further differentiate the street level façade from the much simpler second storey by creating a clear area for retail trade at the ground level. The existing gathering places provided between the sidewalk and the retail storefront will not be adversely impacted by the new signs. *This guideline is therefore met.*

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D6, D7 & D8: The proposed signs are comprised of 13-inch high pin-mounted individual acrylic letters, to be centered above a bay of divided-light windows on the second floor. Condition of Approval B requires that the sign faces do not project beyond the front edge of the canopy channels so that the signs do not overwhelm the existing canopies. The proposed acrylic material is durable and suitable for the time period of this particular non-contributing building, yet responds to the historicity of the district in its style and method of attachment. The proposed sign will be a quality addition to the building. *With Condition of Approval B, 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 purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The proposed signs are appropriate for this building and will fit with the surrounding commercial buildings along NW 23d Avenue. With Condition of Approval B, this proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

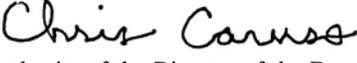
Approval of historic resource review for two signs mounted on top of two existing metal channel canopies on the Edmund Gaze Building, a contributing resource in the Alphabet Historic District. The signs are approved as follows:

- Halo-lit and 11.2 SF each;
- One painted metal raceway behind each sign and one painted metal support leg per sign; and
- Sign letters and backing will be 10.25” tall with a 16.75” square logo at one end.

Approved per the approved site plans Exhibits C-1 through C-3, signed and dated March 13, 2014, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-224848 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The front face of the new signs cannot project beyond the front edge of the canopy channels.

Staff Planner: Chris Caruso

Decision rendered by:  **on March 13, 2014.**
By authority of the Director of the Bureau of Development Services

Decision mailed March 17, 2014.

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 November 5, 2013, and was determined to be complete on January 29, 2014.

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 November 5, 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 further extended by the applicant, **the 120 days will expire on: May 13, 2014.**

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. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

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 **March 18, 2014**.

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 Information
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation (attached)
 - 3. Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were required.
- F. Correspondence: None received.
- G. Other:
 - 1. Original LU Application
 - 2. 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).

