



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: May 27, 2008
To: Interested Person
From: Kathleen Stokes, Land Use Services
503-823-7843 / kstokes@ci.portland.or.us

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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 08-116690 AD

GENERAL INFORMATION

Applicant: City Of Portland, property owner
1221 SW 4th Ave #140
Portland, OR 97204

Kelly Reid, ES&A Sign And Awning
1210 Oakpatch Road
Eugene, OR 97402

Site Address: 4033 SW CANYON RD

Legal Description: TL 800 107.18 ACRES, SECTION 05 1S 1E; TL 1400 60.69 ACRES, SECTION 05 1S 1E

Tax Account No.: R991050350, R991050750

State ID No.: 1S1E05 00800, 1S1E05 01400

Quarter Section: 3225, 3125, 3226, 3126

Neighborhood: Arlington Heights, contact Jeff Boly at 503-223 4781. Sylvan-Highlands, contact Dave Malcolm at 503-221-7903.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: OS, OScps (Open Space and also Open Space with Environmental Conservation, Environmental Protection and Scenic Resource Overlays)

Case Type: Adjustment Review for exception to Title 32, Sign Code

Procedure: Type II, administrative decision with appeal to Adjustment Committee.

Proposal: The applicants are proposing a new sign for the Children's Museum, which will provide museum identification for the main entry to the building. The sign is proposed to be attached to the building, at the top of the entry roof. The sign would consist of a 40-foot long, asymmetrical aluminum backer panel, with a metal tube frame that would serve as a mount for positioning the cut out letters that read, "Portland Children's Museum." The metal tube would also screen neon lighting that will reflect onto the backer panel to provide night-time illumination and create a shadow effect for the cut out letters. The metal tube would extend 5 feet beyond the end of the backer panel, for an aesthetic effect. The letters that would convey the actual message for the sign would be 10.5 inches tall and would extend for a horizontal

distance of 22 feet, 6 inches. The backer panel would be 2 feet 9 inches tall on the east end and 4 feet, 7 inches tall on the west end.

The Children's Museum is classified as a Community Service Use. Code Section 32.32.010 directs that signs for community service uses in the OS zone are subject to the standards for the CN zones. The regulations for the CN zones limit the maximum area of signs that are attached to buildings to 50 square feet.

The area of the sign is measured by drawing an imaginary rectangle that includes all of the elements of the sign and calculating the area of that rectangle. In this case, the rectangle would include the tallest part of the sign, which is 4 feet, 7 inches and would extend out to 45 feet in width, in order to include the backer panel and the western end of the metal tube.

The type of the proposed sign is identified, in Title 32, as a "fascia sign". Regulations for this type of sign include a standard that limits vertical extensions to no more than 6 inches above the top of the building wall.

Therefore, the applicants have requested adjustments

- to 32.32.020 A, Table 32.32-2, to allow the maximum size of the sign to be increased from 50 square feet to 206.25 square feet, and
- to 32.32.030 E.3.a, to allow the maximum vertical extension of the fascia sign, above the top of the building wall, to be increased from 6 inches to 4 feet, 7 inches.

Relevant Approval Criteria: Adjustment Approval Criteria for requested exceptions to Title 32, Sign Code (32.38.030 C).

ANALYSIS

Site and Vicinity: The subject site is a small area within a several hundred-acre complex that consists of Washington Park, the Pittock Mansion and Hoyt Arboretum. The museum is located immediately to the south of a large parking area, at the top of the slope, adjacent to the Sunset Highway. This parking area serves the Forestry Center and Children's Museum, as well as the abutting property, to the southeast, that contains the Oregon Zoo. All of these properties are zoned OS, Open Space, and serve as regional attractions that provide educational opportunities to the public to better understand the natural and cultural history of the region and also provide a variety of passive and active recreational opportunities.

Zoning: This site is zoned OS (Open Space). The OS zone is intended to preserve and enhance public and private open, natural, and improved park and recreational areas identified in the Comprehensive Plan. These areas serve many functions, including:

- Providing opportunities for outdoor recreation;
- Providing contrasts to the built environment;
- Preserving scenic qualities;
- Protecting sensitive or fragile environmental areas;
- Preserving the capacity and water quality of the stormwater drainage system; and
- Providing pedestrian and bicycle transportation connections.

Portions of the site also have either a "c" (Environmental Conservation) or a "p" (Environmental Protection) overlay. These zoning overlays protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The Children's Museum is not located within the boundaries of either of these zoning overlays.

Land Use History: City records indicate numerous prior land use reviews for this site, which includes the Oregon Zoo and the World Forestry Center, as well as the Children's Museum. None of these land use reviews are specifically relevant to the current proposal. (A list of the prior land use reviews for the site is included as Exhibit G-1 in the case file).

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **April 25, 2008**. The following Bureaus have responded to indicate that there are no issues or concerns related to

approval of the requested Adjustments to Title 32. Agencies that provided written comments are noted with exhibit numbers:

- Environmental Services
- Transportation Engineering
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Life Safety Plan Review Section of BDS
- Portland Parks sent two responses that enthusiastically supported the design of the proposed sign and encouraged approval of the requested Adjustments (Exhibits E-1 and E-2).
- Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 25, 2008. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

32.38.030 Sign Adjustment Review.

- A. Purpose.** Sign adjustments are intended to allow flexibility to the sign regulations while still fulfilling the purpose of the regulations. The specific approval criteria allow signs that enhance the overall character of an area or allow for mitigation of unusual site conditions.
- B. Procedures.** The adjustment procedures stated in Chapter 33.805, Adjustments, apply to sign adjustments. However, the approval criteria of this section are used, rather than of those of Chapter 33.805 of the Zoning Code.
- C. Approval Criteria.** Sign adjustments will be approved if the review body finds that the applicant has shown that the criteria of Paragraph C.1. or 2, below are met.
- 1. Area enhancement.** The applicant must meet criteria C.1.a. and b. and either C.1.c. or d.

a. The adjustment for the proposed sign will not significantly increase or lead to street level sign clutter, to signs adversely dominating the visual image of the area, or to a sign that will be inconsistent with the objectives of a specific plan district or design district; and

Findings: Two adjustments have been requested:

- to increase the allowed size of the sign, from 50 square feet to 206.25 square feet and
- to increase the maximum allowed vertical extension above the top of the building wall from 6 inches to 4 feet, 7 inches.

The proposed sign will be incorporated into the architectural form of the museum building and announce its use in a more discreet manner than the banner that currently identifies the building. In this way, the visual clutter of the entrance to this portion of the open space area will be reduced, without losing the ability of the public to identify the museum destination. The sign will enhance the desired character of the area as a complex of regional attractions. Therefore, this criterion is met.

b. The sign will not create a traffic or safety hazard; and

Findings: The proposed sign includes a subtle design and is located a significant distance away from any of the adjacent public thoroughfares, except for those that serve the park areas, so it will not create any distractions for drivers or pedestrians. Therefore, the proposed sign will not have any impacts on traffic or safety and this criterion is met.

c. The adjustment will allow a unique sign of exceptional design or style that will enhance the area or that will be a visible landmark; or

d. The adjustment will allow a sign that is more consistent with the architecture and development of the site.

Findings: The proposed sign is consistent with the architecture and development of the site, but even more so, it is of an exceptional design and style that will enhance the area and be a visible landmark. One of the letters of support that was received from Portland Parks and Recreation commented on how the proposed design maintains, "the integrity of the Portland Children's Museum infrastructure and the overall Washington Park environment." The second letter noted that, "the sign achieves an appropriate balance between respect for the open space setting of Washington Park and providing adequate identification for visitors to the museum." Additionally, the comments from Portland Parks found that, "the design of the new signage is thoughtful and will be elegantly incorporated into the building elevations." Staff finds that these statements accurately summarize the design of the proposed sign. Therefore, both of these criteria are met.

SUMMARY: The approval criteria for the requested exceptions to Title 32 have been met.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposed sign will become an integral part of the structure that houses the Portland Children's Museum, enhancing the appearance of the building and clearly identifying the museum without creating a visual distraction that would be a hazard to drivers or pedestrians and without creating visual clutter along the street. The sign has been praised by representatives of Portland Parks for its thoughtful design that serves the purpose of identifying the museum while respecting the open space character of the park area. BDS staff concurs with Parks' comments. All of the relevant approval criteria are met and the requested adjustments should be approved.

ADMINISTRATIVE DECISION

Approval of adjustments

- to 32.32.020 A, Table 32.32-2, to allow the maximum size of the sign to be increased from 50 square feet to 206.25 square feet. and
 - to 32.32.030 E.3.a to allow the maximum vertical extension of the fascia sign, above the top of the building wall, to be increased from 6 inches to 4 feet, 7 inches,
- in general compliance with the approved site plan and drawings, Exhibits C-1 through C-4, signed and dated May 22, 2008, subject to the following condition:

- A. As part of the 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 08-116690 AD."

Decision rendered by:  on May 22, 2008

By authority of the Director of the Bureau of Development Services

Decision mailed: May 27, 2008

Staff Planner: Kathleen Stokes

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 April 10, 2008, and was determined to be complete on April 23, 2008.

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 April 10, 2008.

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

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on June 10, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Recognized neighborhood associations are not subject to the appeal fee. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 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 Adjustment Committee 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 Adjustment Committee 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 **June 11, 2008– (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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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:

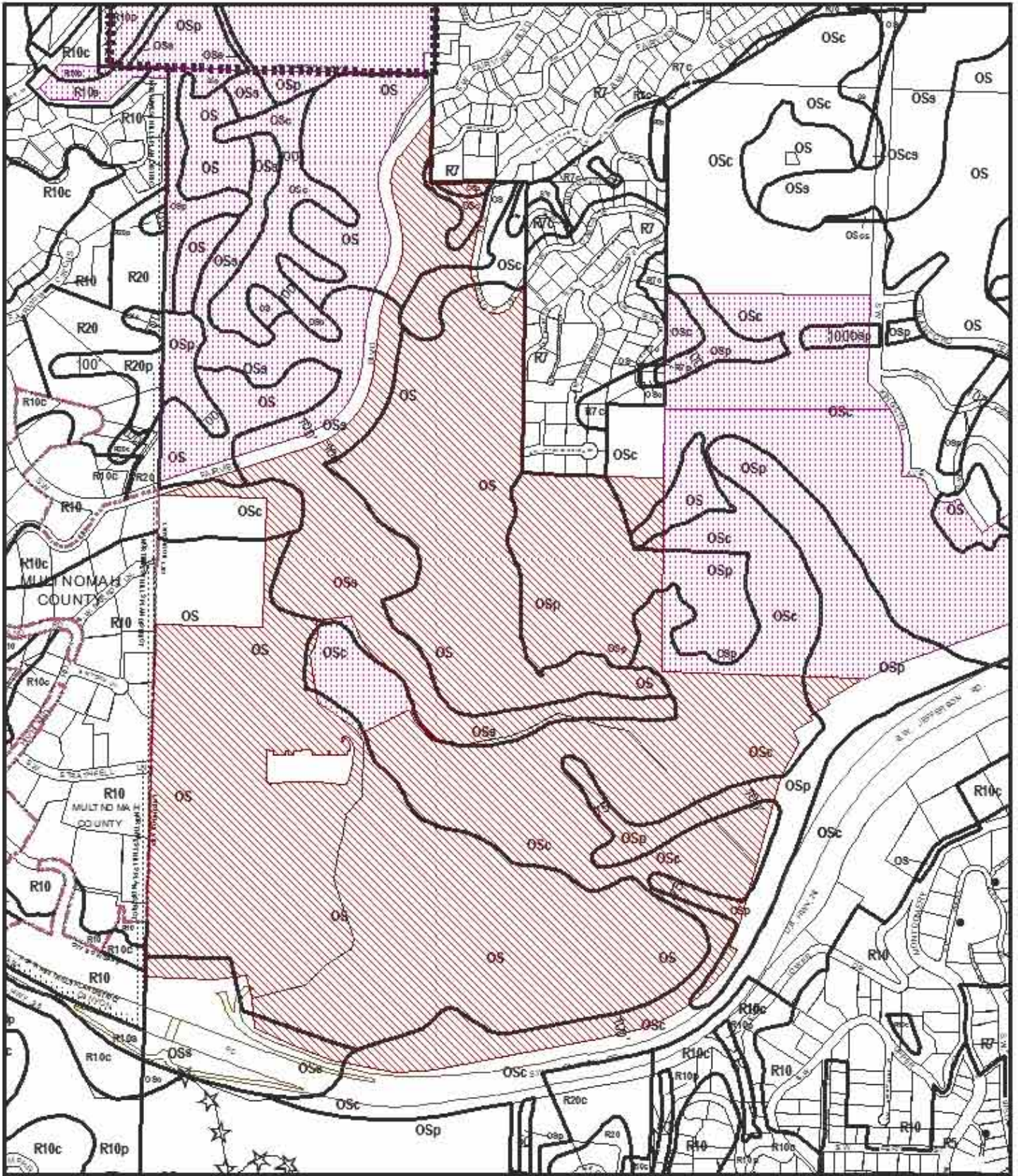
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Overall Site Plan (attached)
 - 2. Detailed Plan of Subject Site (attached)
 - 3. Elevation and Section Drawings of Sign (attached)
 - 4. Graphic of Portland Children's Museum building with sign (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Richard R. Bosch, Architect, Project Manager, Portland Parks and Recreation
 - 2. Liz Moorhead, P.E., CIP Manager, Portland Parks and Recreation
- F. Correspondence: (none received)
- G. Other:
 - 1. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING

-  Site
-  Also Owned

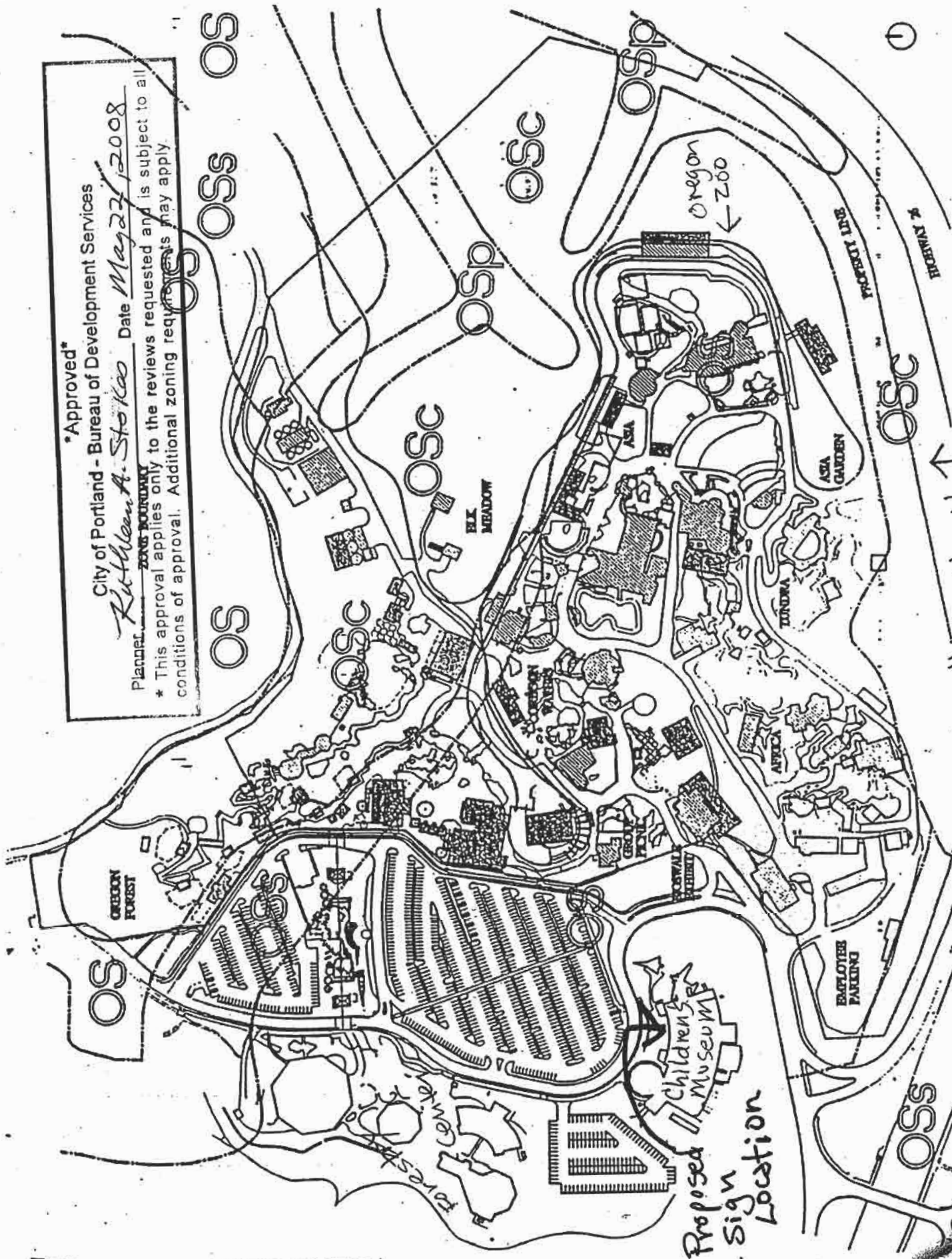


File No. LU 08-116690 AD
 1/4 Section 3125,3126,3225,3226
 Scale 1 inch = 600 feet
 State_Id 1S1E05 800
 Exhibit B (Apr 14,2008)

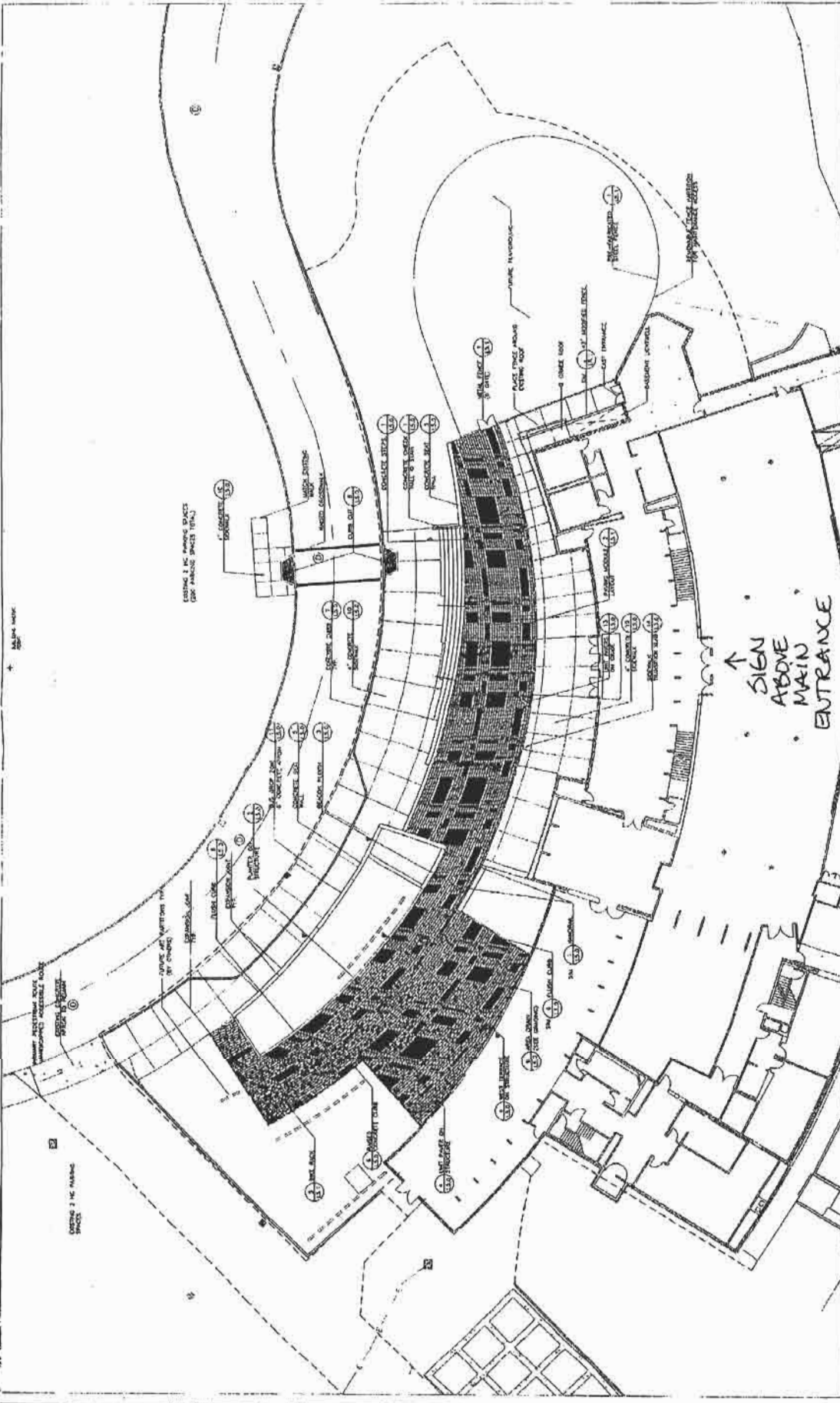
Approved
City of Portland - Bureau of Development Services

Planner: *Kathleen A. Stokes* Date: *May 27, 2008*

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



Overell North ↑
LU08-116690AD-Site Plan
Exhibit C-1



100% CONSTRUCTION DOCUMENTS
 PERMIT SET
 SITE PLAN

CREATING AREA
 DESIGNER
 ARCHITECT
 1. LOCAL ACT
 OREGON
 REGISTERED ARCHITECT

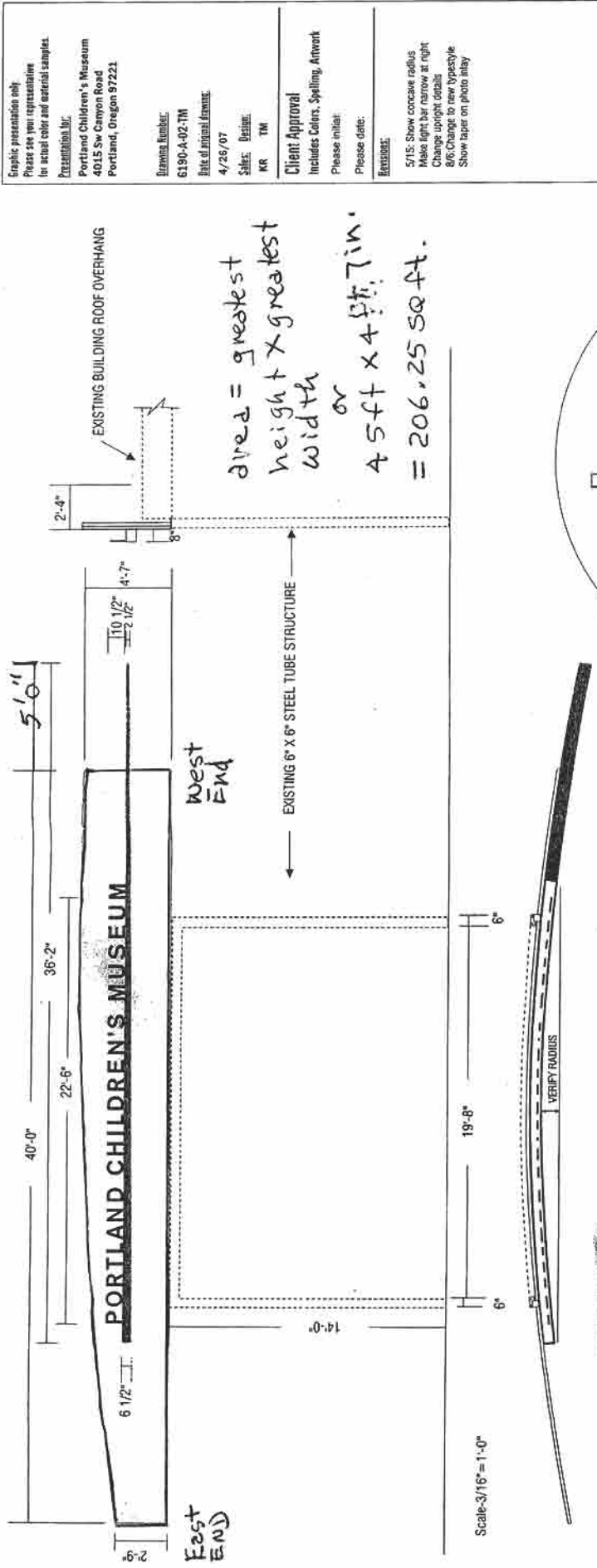
WALKER-MACY ARCHITECTS
 1000 NE 10TH AVENUE
 PORTLAND, OREGON 97232
 TEL: 503-255-1100
 FAX: 503-255-1101
 WWW: WALKER-MACY.COM

THOMAS HACKER AND ASSOCIATES ARCHITECTS P.C.
 1000 NE 10TH AVENUE
 PORTLAND, OREGON 97232
 TEL: 503-255-1100
 FAX: 503-255-1101
 WWW: THOMAS-HACKER.COM

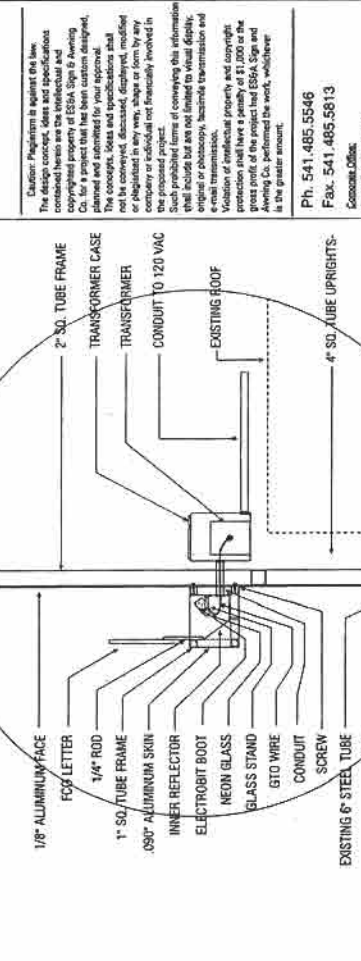
NOTE:
 1. METAL DEBRIS AND OTHER DEBRIS SHALL BE REMOVED FROM THE SITE AND PLACED IN A CONTAINER FOR RECYCLING.
 2. ALL MATERIALS SHALL BE PLACED IN A CONTAINER FOR RECYCLING.
 3. ALL MATERIALS SHALL BE PLACED IN A CONTAINER FOR RECYCLING.
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 10. ALL MATERIALS SHALL BE PLACED IN A CONTAINER FOR RECYCLING.

Detailed Plan of
 Subject Site
 Exhibit C-2 LU 08-116690 AD

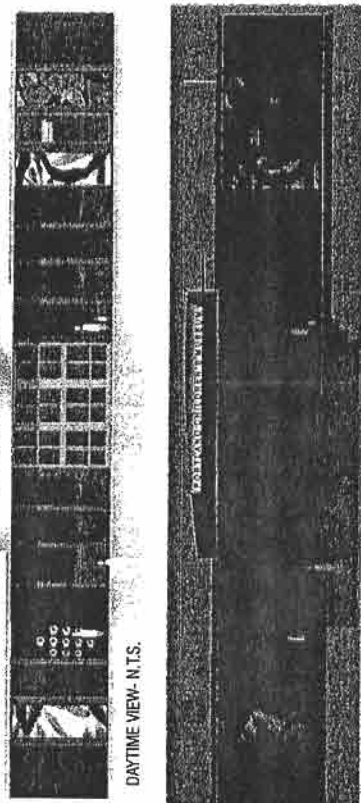
Approved
 City of Portland - Bureau of Development Services
 Planner *Kathleen A. Stoker* Date *May 22, 2008*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



Scale-3/16" = 1'-0"



Close up side view detail
Scale-3/4" = 1'-0"



MANUFACTURE AND INSTALL (1) SET OF FCO LETTERS ON CONCAVE BACKER PANEL WITH CONCAVE UPLIGHTING CHANNEL

LETTERS- FCO ALUMINUM, 1/2" THICK, PAINTED SATIN BLACK, WITH 1/4" RODS WELDED TO BACK AND TO FRAME OF LIGHT CHANNEL

UPLIGHTING CHANNEL- 1" ALUMINUM TUBE FRAME SKINNED WITH .090" ALUMINUM, PAINTED DARK GREY, 6000 DESIGNER WHITE NEON

BACKER PANEL- 2" ALUMINUM TUBE FRAME WITH 4" SQ. TUBE ENDS WITH 1/2" PLATES, 1/8" THICK ALUMINUM FACE, PAINTED METALLIC SILVER SATIN FINISH, ATTACHES TO EXISTING CONCAVE RADIUS 6" SQ. TUBE STEEL STRUCTURE OF BUILDING WITH BOLTS.

VERIFY ALL DIMENSIONS, COLORS, AND MATERIALS.

City of Portland - Bureau of Development Services
 Approved*
 Planner *Kathleen A. Stokes* Date *May 22, 2008*
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Elevation and Section
 Drawings of sign
 Exhibit C-3

Graphic presentation only. Please see your representative for actual color and material samples.

Presentation for:
 Portland Children's Museum
 4015 Sw Canyon Road
 Portland, Oregon 97221

Drawing Number:
 6190-A-02-TM

Date of original drawing:
 4/26/07

Scale: Design:
 KR TM

Client Approval
 Includes Colors, Spelling, Annot

Please initial:
 Please date:

REVISIONS:

5/15: Show concave radius
 Make light bar narrow at right
 Change upright detail
 R6: Change to new typestyle
 Show taper on photo entry

Customer: Preparation is subject to the law. The design concept, ideas and specifications contained herein are the intellectual and copyrighted property of ESSA Signs & Awning. It is a registered trademark of ESSA Signs & Awning. The concepts, ideas and specifications shall not be conveyed, discussed, displayed, modified or plagiarized in any way, shape or form by any company or individual not formally involved in the project. Such prohibited terms of conveying this information shall include but are not limited to visual display, or origin or photography, facsimile transmission and e-mail transmission. ESSA Signs & Awning shall have a ownership of \$1,000 of the gross profit of the product had ESSA Signs & Awning Co. performed the work, whichever is the greater amount.

Ph. 541.485.5546
 Fax. 541.485.5813
 Corporate Office:
 1210 Oak Park Rd.
 Eugene, Oregon 97402

www.essasigns.com



ES&A
 Please see our representatives
 for actual color and material proposals
 Presentation fee
 Portland Children's Museum
 4015 Sw Canyon Road
 Portland, Oregon 97221

Business Number
 6190-A-02-TM
 Date of Annual Renewal
 4/28/07
 Salesperson
 KR TM

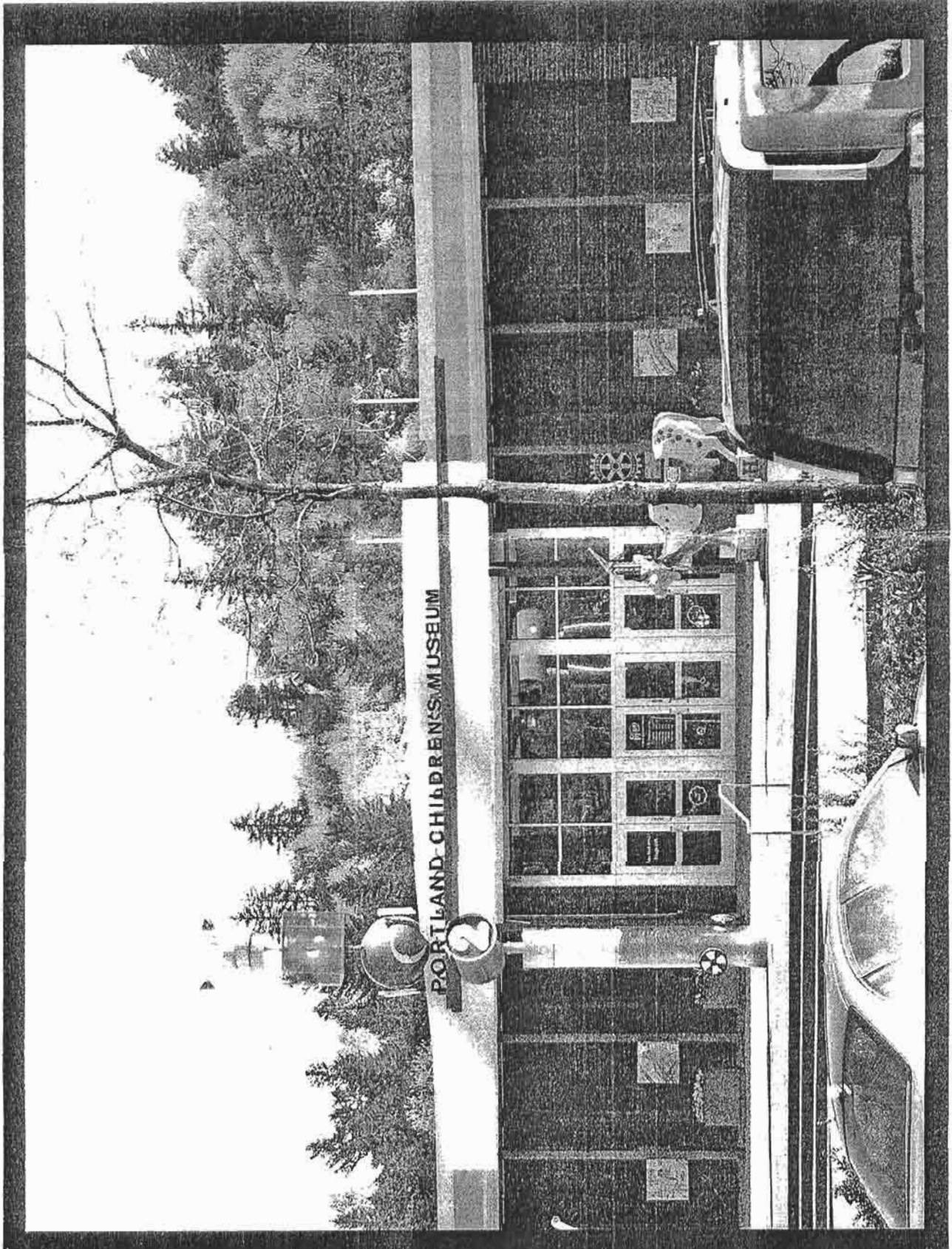
Client Approval
 Includes Letters, Signage, Artwork
 Public Notice
 Please Note
 Remarks
 NYS Show Locations (adding
 Make sign bar narrow at night
 Change lamping details
 BG Change to new typeface
 Show taper on sign only

Customer: Proposals to sign on the side
 to display the sign, areas and light fixtures
 contained herein are for informational purposes
 only. They do not constitute a contract. The
 only contract is the contract between the
 client and the sign contractor. The sign contractor
 shall be responsible for obtaining all permits,
 including but not limited to, sign permits,
 building department permits, and other
 necessary permits. The sign contractor shall
 be responsible for the design, fabrication,
 installation, and maintenance of the sign.

ES&A
 1210 One Park Rd
 Eugene, Oregon 97402
 Ph. 541.485.5546
 Fax. 541.485.5813



www.esdesigns.com



L0008-116690 AD
 Exhibit C-4
 Graphic of Portland Children's
 Museum building with sign

Approved
 City of Portland - Bureau of Development Services
 Planner Kathleen A. Stokes Date May 23, 2008
 * This approval applies only to the reviews requested and is subject to all
 conditions of approval. Additional zoning requirements may apply.