



CITY OF PORTLAND  
Bureau of Development Services  
1900 SW Fourth Avenue, Suite 5000  
Portland, OR 97201 **P524**  
**Land Use Decision Enclosed**  
**Case # LU 12-134050 HDZ**

16

**Return Service Requested**



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** June 25, 2012  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
503-823-0624 / [staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)

## **NOTICE OF A TYPE I 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 to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 12-134050 HDZ - MONUMENT SIGN**

#### **GENERAL INFORMATION**

**Applicant:** Cronin & Caplan Realty Group (owner)  
PO Box 23999 / Tigard, OR 97281  
  
Kevin Conley, 503-224-2742 / Aztech Signs  
PO Box 6437 / Portland, OR 97228

**Site Address:** 829 NW 19TH AVENUE

**Legal Description:** BLOCK 270 LOT 1&2&6 E 15' OF LOT 7, COUCHS ADD  
**Tax Account No.:** R180225590  
**State ID No.:** 1N1E33AC 10300  
**Quarter Section:** 2928  
**Neighborhood:** Northwest District, contact John Bradley at 503-313-7574.  
**Business District:** Nob Hill, contact Patricia Fielder at 503-407-6163.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Northwest  
**Other Designations:** Historic Alphabet District  
**Zoning:** EXd – Central Employment zone with a Design overlay  
**Case Type:** HDZ – Historic Design Review  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

#### **Proposal:**

The applicant seeks Historic Design Review approval for a new monument sign for the property at 829 NW 19<sup>th</sup> Avenue in the Alphabet Historic District and the Northwest Plan District. The sign would be situated at the northeast corner of the site within a landscape planter, 3'-6" from the east property line and 8"-6" from the north property line. The sign would be comprised of a Hemlock wood frame with wood trim details that compliment the trim found on the building that occupies the site. The sign face would be aluminum dibond with a painted enamel finish and ¼" aluminum dimensional lettering. The overall height of the sign would be 4'-8" and a sign area of 5'-3" (l) x 2'-6" (h). The sign would be illuminated externally with focused lights within the landscape planter.

Signs of any size within a Historic District require Historic Design Review per Section 33.445.320.A.3.

**Relevant Approval Criteria:**

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

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

## ANALYSIS

**Site and Vicinity:** The site is a 16,700 square foot lot with a former residence converted to office uses, located in the Alphabetic Historic District on NW 19<sup>th</sup> Avenue. The site is within the Northwest Pedestrian District, in an area with both residential and commercial buildings as well as single-family structures. The Northwest district is a highly desirable neighborhood that attracts residents from all over the metropolitan area as well as tourists because of its preserved historic buildings and the character of small retail stores and restaurants.

**Zoning:** The Central Employment (EX) zone allows mixed uses and is intended for areas in the center of the City that have predominantly industrial-type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area.

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.

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 04-022807 HDZ: Approval of a 2004 Historic Design Review to replace the roofing material with cedar shingles.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on **May 17, 2012**. The following Bureaus provided responses with no issues:

- Plan Review Section of BDS (Exhibit E-1)
- Water Bureau (Exhibit E-2)

The following Bureaus have no concerns:

- Bureau of Environmental Services
- Fire Bureau
- Site Development Section of BDS
- Bureau of Transportation Engineering
- Bureau of Parks-Forestry Division

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **May 17, 2012**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Peter Michaelson, May 23, 2012, in opposition of the proposal stating concerns with height, size, illumination and non-pedestrian orientation (Exhibit F-1)

*Staff's Response:* As demonstrated in the findings below, staff concludes that the sign is consistent with the scale, size and location of other signs within the district as well as in the immediate area due to revisions since the original proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - Historic Design Review**

#### **Purpose of Historic Design Review**

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

#### **Historic Design Review Approval Criteria**

Requests for historic design 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 Design 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**

**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.

**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 for 2 and 3:** The wood (Hemlock) frame with trim along the sign edges compliment the material and decorative detailing found on the building (a former residence). This treatment of integrating materials (especially wood) and details from the building into the sign is common in the area, especially for the converted residences. The actual sign is only 4'-8" tall, however, in its elevated location within a sloped planter, the overall height is 7'-0" to the sidewalk. This height is consistent with other free-standing signs in the immediate area and the larger Alphabet District, that range from 6'-0" to 9'-0" in height. The simple design, rectangular form and non-internal illumination are also common sign characteristics in the district. Finally, the location and placement, perpendicular and close to the sidewalk orients the sign towards the pedestrian rather vehicles, another sign quality in the district. *These guidelines are therefore met.*

### **Community Design Guidelines**

**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.

**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.

**Findings for P2 and D7:** As indicated in the above findings, the proposed sign is compatible with other freestanding signs in the district and neighborhood in terms of materials, design elements, height, form and placement. *These guidelines are 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.

**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 and D8:** The Hemlock wood frame and aluminum dibond sign face with a painted enamel finish and aluminum dimensional lettering are all durable materials with a quality finish. The wood material and trim painted dark brown matches the wood trim and color found along the edges of this former residence. The ¼” dimensional letter will provide articulation on the sign face and the uplighting in the landscape area will cast additional shadows adding interest in the evening. The resulting sign is consistent with character of the house and results in a cohesive composition. *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 Design 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 new freestanding sign is consistent with the character of the house and those found in the district. The materials and design result in a cohesive composition that is durable and interesting to view. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

**ADMINISTRATIVE DECISION**

Approval of a 5’-3” (l) x 2’-6” (h) tall sign (13 SF) with an overall height of 4’-8” in the raised landscape planter at the northeast corner of the site within the Historic Alphabet District.

Per the approved site plans, Exhibits C-1 through C-5, signed and dated 6/21/2012, 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.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-134050 HDZ."

**Staff Planner: Staci Monroe**



**Decision rendered by:** \_\_\_\_\_ **on June 21, 2012**

By authority of the Director of the Bureau of Development Services

**Decision mailed June 25, 2012**

**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 24, 2012, and was determined to be complete on **May 14, 2012**.

*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 24, 2012.

*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.

**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. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

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).

**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 **June 25, 2012**.

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.

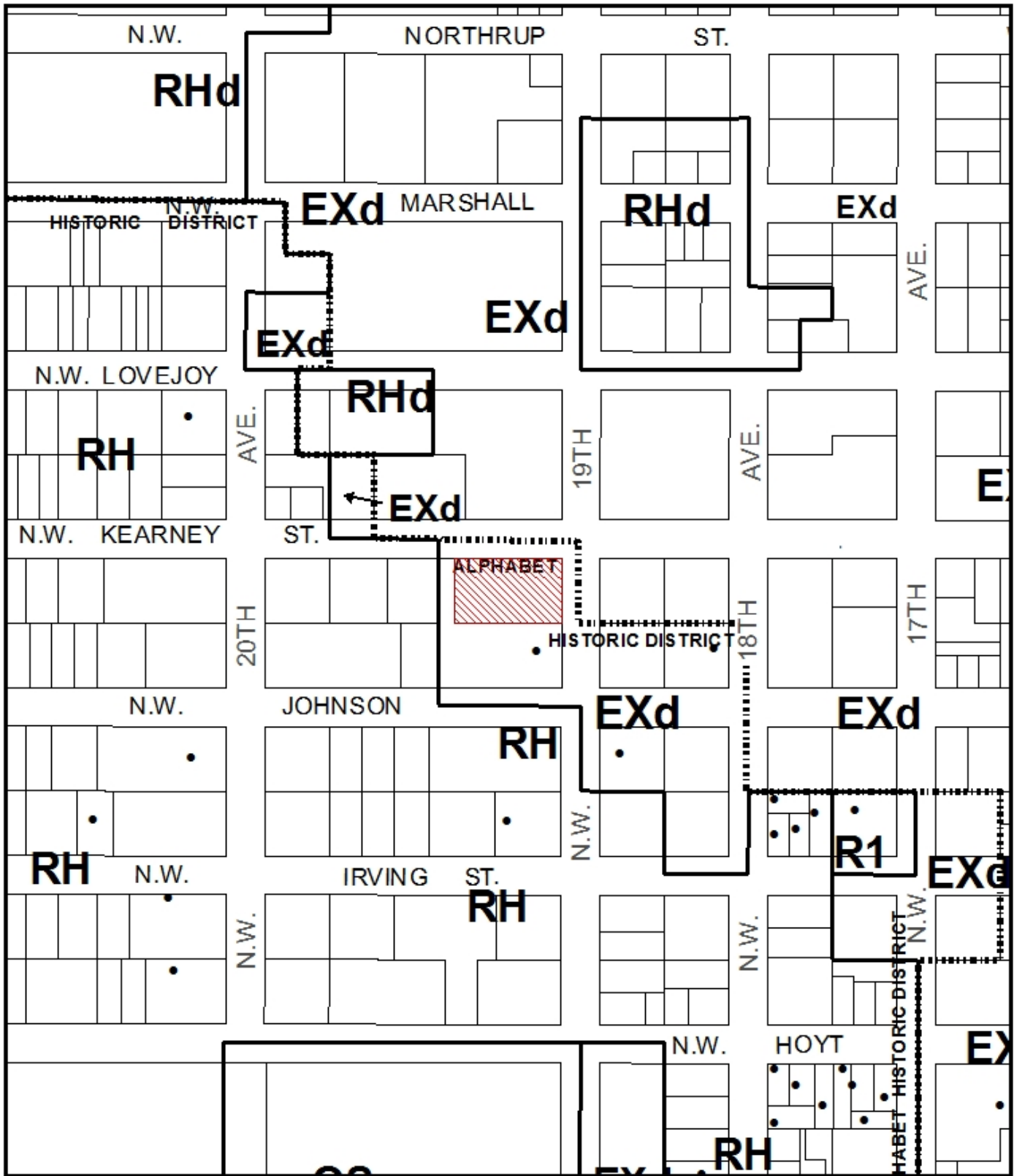
**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 Statement
  - 1. Proposal Summary and Approval Criteria Responses
  - 2. Context Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Sign Elevation and Details (attached)
  - 3. North Sign Elevation
  - 4. South Sign Elevation
  - 5. Sign Material Details
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Plan Review Section of BDS
  - 2. Water Bureau
- F. Correspondence:
  - 1. Peter Michaelson, May 23, 2012, in opposition of the proposal stating concerns with height, size, illumination and non-pedestrian orientation.
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research



# ZONING

 Site

 Historic Landmark

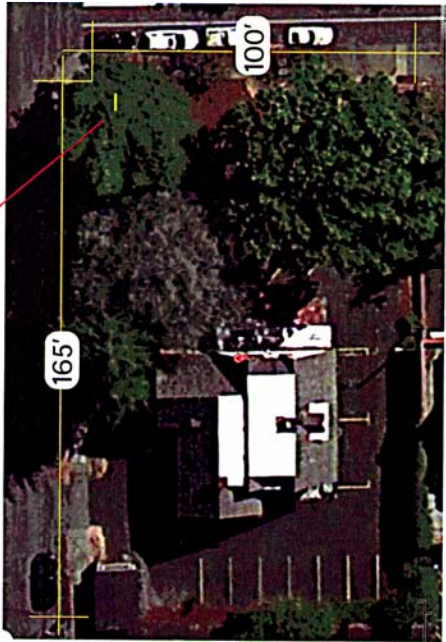
This site lies within the:  
 ALPHABET HISTORIC DISTRICT  
 NORTHWEST PLAN DISTRICT



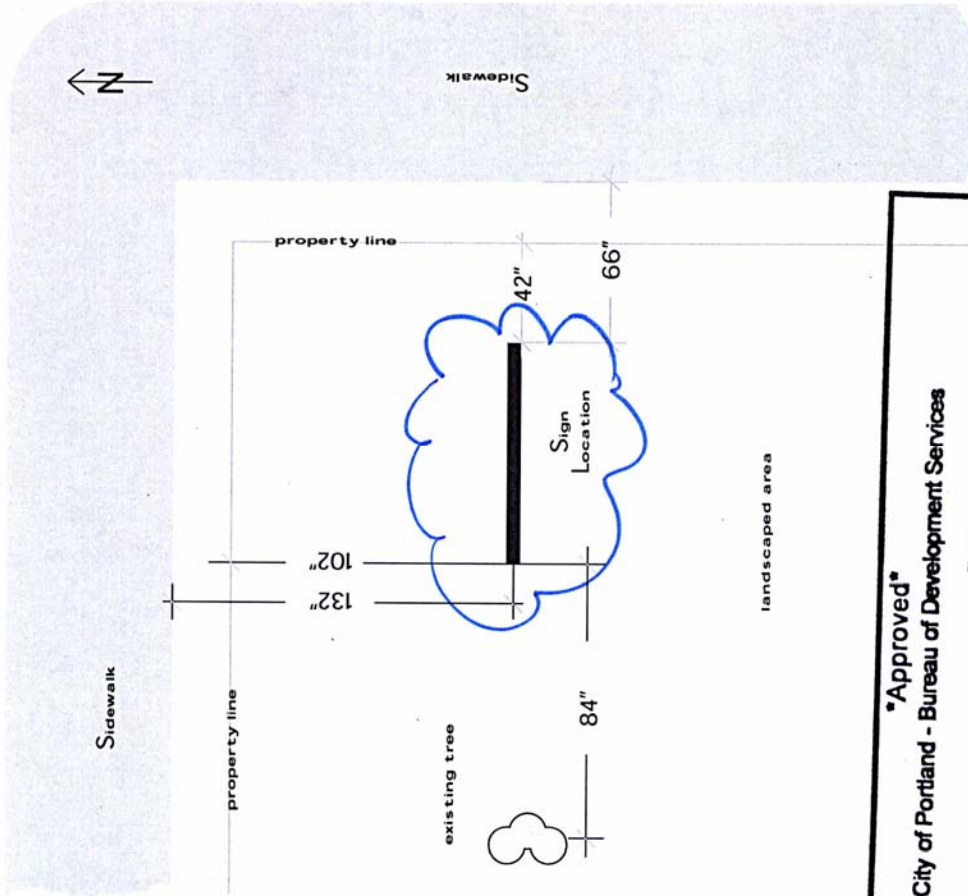
File No. LU 12-134050 HDZ  
 1/4 Section 2928  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E33AC 10300  
 Exhibit B (Apr 30,2012)



sign location



Kearney



**\*Approved\***  
 City of Portland - Bureau of Development Services

Date

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

nts

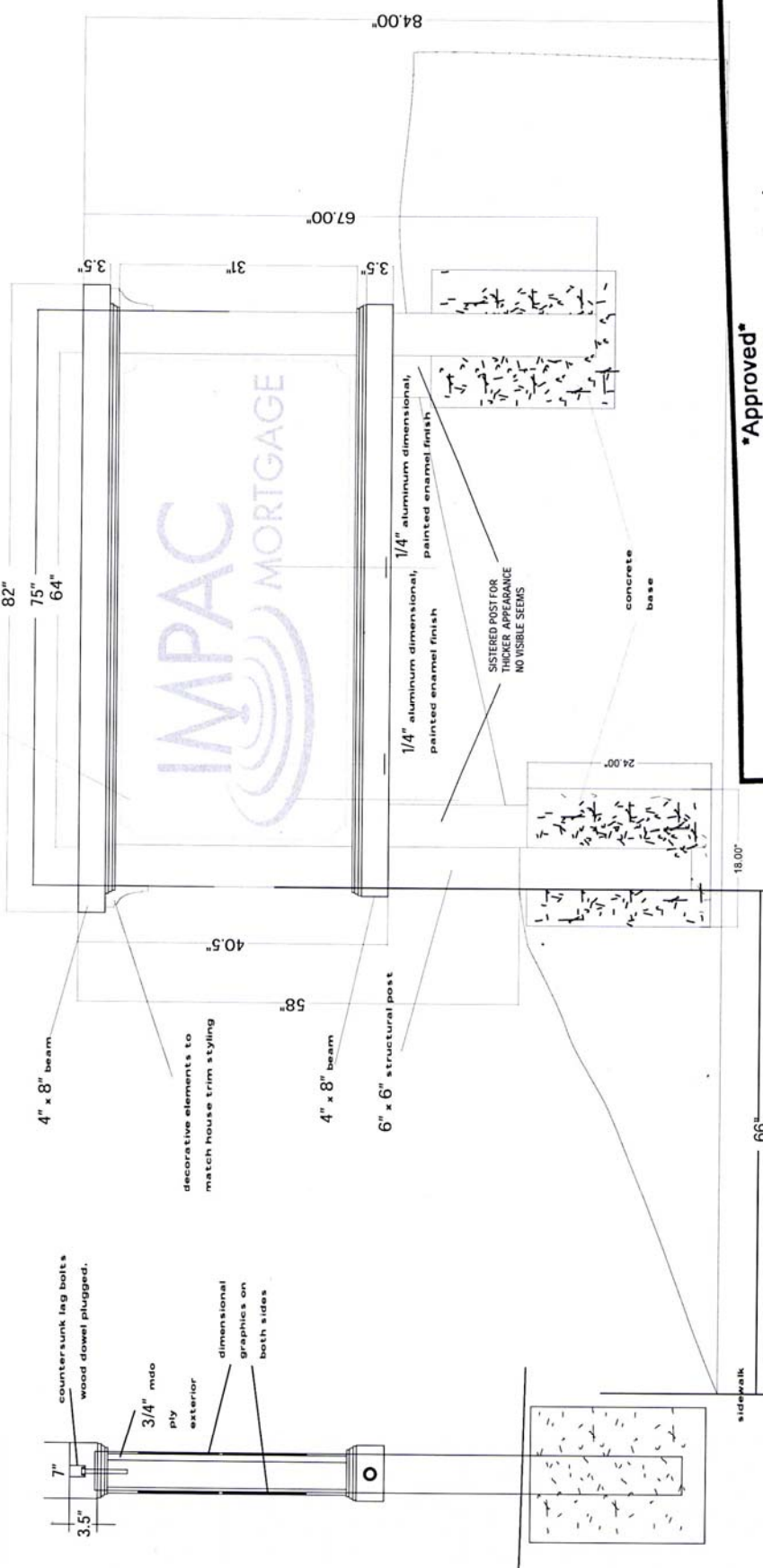
Project	monument sign	Approval	Notes	Date	05.10.2012
Company Name	impac mortgage	Approved As Is	<input type="radio"/>	Drawn By	kc
Contact	jim lowenstien	Approve with Changes	<input type="radio"/>		
Phone		Not Approved	<input type="radio"/>		
Email		Client Signature	→		

**AZTECH**  
 aztechsigns.com 213 (w) 10th portland or 97209  
 phone: 503.224.2742 fax: 503.224.2606

This client or authorized agent is responsible for meeting all aspects of this drawing. It approved, aztech signs and graphics, inc assumes no responsibility for any errors including typographical, materials, dimensions colors, fonts, quantity, due dates.

LU 12-134050 HDZ  
 EX-C-1

.125" enameled aluminum dibond



**\*Approved\***  
 City of Portland - Bureau of Development Services

Planner \_\_\_\_\_ Date \_\_\_\_\_

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

The client or authorized agent is responsible for proofing all aspects of this drawing. If approved, attach signs and graphics, and assumes no responsibility for any errors including typographical, materials, dimension colors, fonts, quantity, due dates.

Project	monument sign	Approval	Notes	Date
Company Name	Impac mortgage	Approved As is <input type="radio"/>		05.10.2012
Contact	jim lowenstien	Approve with Changes <input type="radio"/>		Drawn By: kc
Phone		Not Approved <input type="radio"/>		
Email		Client Signature →		



Helixbox.com 300 - 10th street se oregon 97209  
 phone: 503.224.2142 fax: 503.224.2266

LU12-134050-H02  
 EX.C-2