



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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Date: June 22, 2015
To: Interested Person
From: Puja Bhutani, 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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 15-143160 HR – REPLACEMENT SIGNS

GENERAL INFORMATION

Applicant: Dan Osterman / Tube Art Group
4243-A SE International Way / Milwaukie, OR 97222

Site Address: 2310-2332 NW IRVING STREET
Legal Description: BLOCK 13 LOT 1&6&7, KINGS 2ND ADD
Tax Account No.: R452302300, R452302300, R452302300
State ID No.: 1N1E33BC 05800, 1N1E33BC 05800, 1N1E33BC 05800
Quarter Section: 2927
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 Plan District
Other Designations: Compatible noncontributing resource in the Alphabet Historic District, which was listed in the National Register of Historic Places on August 24, 2000.

Zoning: CS, Storefront Commercial with Historic Resource Protection overlay.
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 is seeking Historic Design Review approval for two replacement signs on the east elevation:

- 1) A 9.0 sq.ft. entry fascia sign, that will replace the existing pin mounted letters, above the tenant's entrance door on the east elevation. The sign measures 7'-2" x 1'-3", and is sized to fit within the sign band, which is the existing cast-stone lintel with floral motif above the store windows. The sign is jet black in color, matching the color of

the metal horizontal element above the windows. The letters and logo are brushed aluminum with a satin clear coat and stand-off the background. Subdued halo lighting by white LEDs is proposed around the letters and logo. There is no direct visibility to the lighting source.

- 2) A 5.0 sq.ft. (one side) double faced blade sign, that will replace the existing blade sign in the same location. The sign is jet black, non-illuminated with aluminum flat cut letters.

Historic Design Review is required because the proposal is for non-exempt exterior alterations in a historic district.

Relevant Approval Criteria:

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

The relevant approval criteria are:

- Chapter 33.846, Historic Resource Review
- Community Design Guidelines
- Historic Alphabet District Community Design Guidelines Addendum

ANALYSIS

Site and Vicinity: The 15,500 square foot lot is located at the corner of NW 23rd Avenue and NW Irving Street in the Alphabet Historic District. The building has a concrete foundation and a standing-seam, metal mansard roof. The walls are faced with brick. The building is organized into bays in a narrow, east-west alignment and the bays are delineated by engaged concrete columns. Storefronts within the bays have glass doors and large, fixed windows with cast-stone trim and cast-stone lintels with floral motifs. The style is “Modern Commercial”.

The National Register Nomination form notes that the building’s style is compatible with the historic district. However, its later date of construction -1969 - classifies it as noncontributing.

NW 23rd Avenue is an active pedestrian corridor and commercial street with small retail stores, shops, restaurants, and offices. The site is located within the Northwest Pedestrian District. The area attracts both natives and tourists for shopping, dining and the pedestrian experience.

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 that prior land use reviews include the following:

- LU11-189761 approving exterior alterations and signage for the subject building.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on May 13, 2015. There were no comments required about the proposal from any Bureau.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 13, 2015. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Title 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* [33.846.060 E.1.c].

Historic Alphabet District - Community Design Guidelines Addendum

These guidelines were adopted on September 5, 2000 and were developed to work with the Community Design Guidelines to provide a set of guidelines specific to the district.

Community Design Guidelines

These guidelines provide the constitutional framework for all design review in design zones for sites that are outside the Central City plan district, do not have their own specific area design guidelines and are not subject to historic design review. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other transportation systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

Staff has considered all guidelines and only has addressed those considered applicable to this proposal. Historic Alphabet District Guidelines and Community Design Guidelines are addressed concurrently.

Historic Alphabet District Approval Criteria

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

Findings: The subject building is classified as a compatible non contributing resource within the Historic Alphabet District. The proposed replacement signs are small and have been sensitively located. The fascia sign is sized to fit within the sign band as defined by the existing cast-stone lintel above the store windows. Halo lighting around the letters and logo is subdued and there is no direct visibility of the lighting source. The blade sign is non-illuminated and is comparable to others in the neighborhood. The proposed installations retain the historically significant elements on the building, allowing the building's overall character to remain unchanged. *This criterion 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: Historically significant aspects of the building’s architecture remain unaffected by the addition of the proposed replacement signs. They have been painted black to match the existing horizontal metal gutter band above the storefront windows. Furthermore, the proposed signs are easily identified as modern additions due to their material composition and design. The signs will therefore have minimal visual impact on the building. *This criterion 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 scale and location of the proposed signs are sensitive to the architectural character of the subject building, adjacent properties, and the wider historic district. The fascia sign is located in the existing sign band, and the blade sign will be mounted on existing holes in the brick wall. Both signs are painted black to match the existing horizontal gutter band above the windows. The size and location of the replacement blade sign is consistent with those found along NW 23rd avenue corridor. *This criterion is therefore met.*

Community Design Guidelines

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 small and sensitively located to ensure that the proposal retains the integrity and quality of the subject building, and that of the surrounding neighborhood. Both sign will be painted jet black in color to match the horizontal element above the windows. The fascia sign is sized to fit within the sign band as defined by the existing cast-stone lintel with floral motif above the store windows. The halo lighting is subdued and there is no direct visibility of the lighting source. The size and location of the replacement blade sign is consistent with those found along NW 23rd avenue corridor. *This criterion is 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 replacement signs have been appropriately sized and located on the building in order to respect and preserve the character of the subject building and surrounding neighborhood. The primary entrance sign is located in the existing sign band and painted black to match the mansard roof band. The halo lighting is subdued and there is no direct visibility of the lighting source. The size and location of the replacement blade sign is consistent with those found along NW 23rd avenue corridor. 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. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of two replacement signs for a compatible noncontributing resource in the Alphabet Historic District, to include the following:

1. A 9.0 sq.ft. entry fascia sign, measuring 7'-2" x 1', that will replace the existing pin mounted letters above the tenant's entrance door on the east elevation.
2. A 5.0 sq.ft. (one side) double faced blade sign, that will replace the existing blade sign in the same location.

Approved per site plans, Exhibits C-1 through C-4, signed and dated June 15, 2015 subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-143160 HR."

Staff Planner: Puja Bhutani

Decision rendered by:  **on (June 15, 2015.)**
By authority of the Director of the Bureau of Development Services

Decision mailed (June 22, 2015.)

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on April 1, 2015, and was determined to be complete on **May 8, 2105**.

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 1, 2015.

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

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 **June 22**. 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:

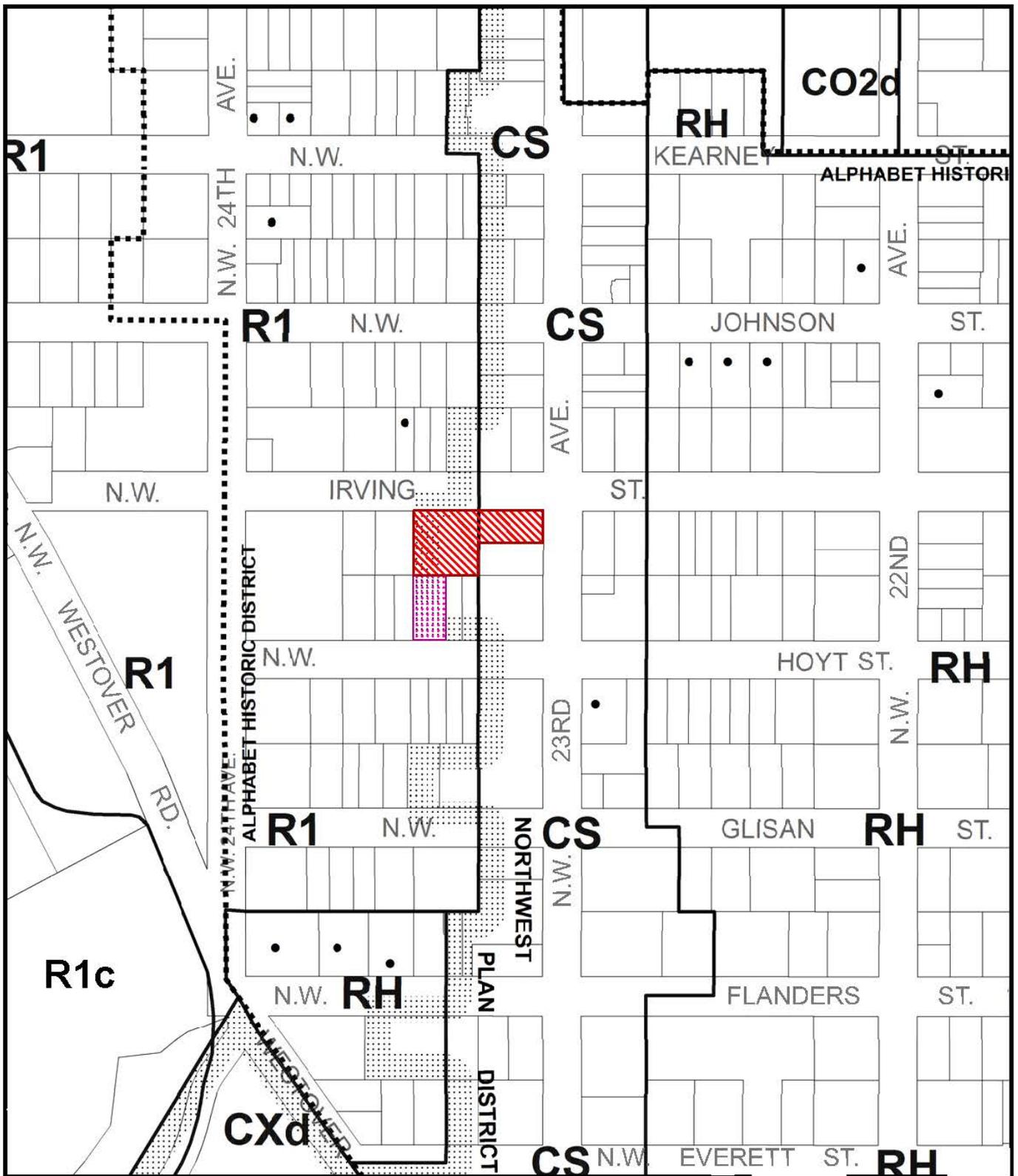
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Applicant's Statement
 - 2. Applicant's Photographs
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Building Elevations (attached)
 - 3. Entry Fascia Sign
 - 4. Blade Sign
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: No responses were required.
- F. Correspondence: No public comments were received
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter
 - 3. Original Submittal

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING

-  Site
-  Also Owned
-  Historic Landmark



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

File No. LU 15-143160 HR
 1/4 Section 2927
 Scale 1 inch = 200 feet
 State_Id 1N1E33BC 5800
 Exhibit B (Apr 03,2015)



TUBE ART GROUP
 Portland Office
 4237-A SE International Way
 Milwaukie, OR 97222
 503.652.1133
 800.582.2954
 Fax: 503.652.9181

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3793 Customer Number
125519 Quote Number
125519 prAna r3 File Name
Leite Ruschel Salesperson
Danny Collins Drawn By
 **
 Checked By:
February 17, 2015 Date
March 5, 2015 Date
March 27, 2015 Date
April 16, 2015 Date
April 22, 2015 Date

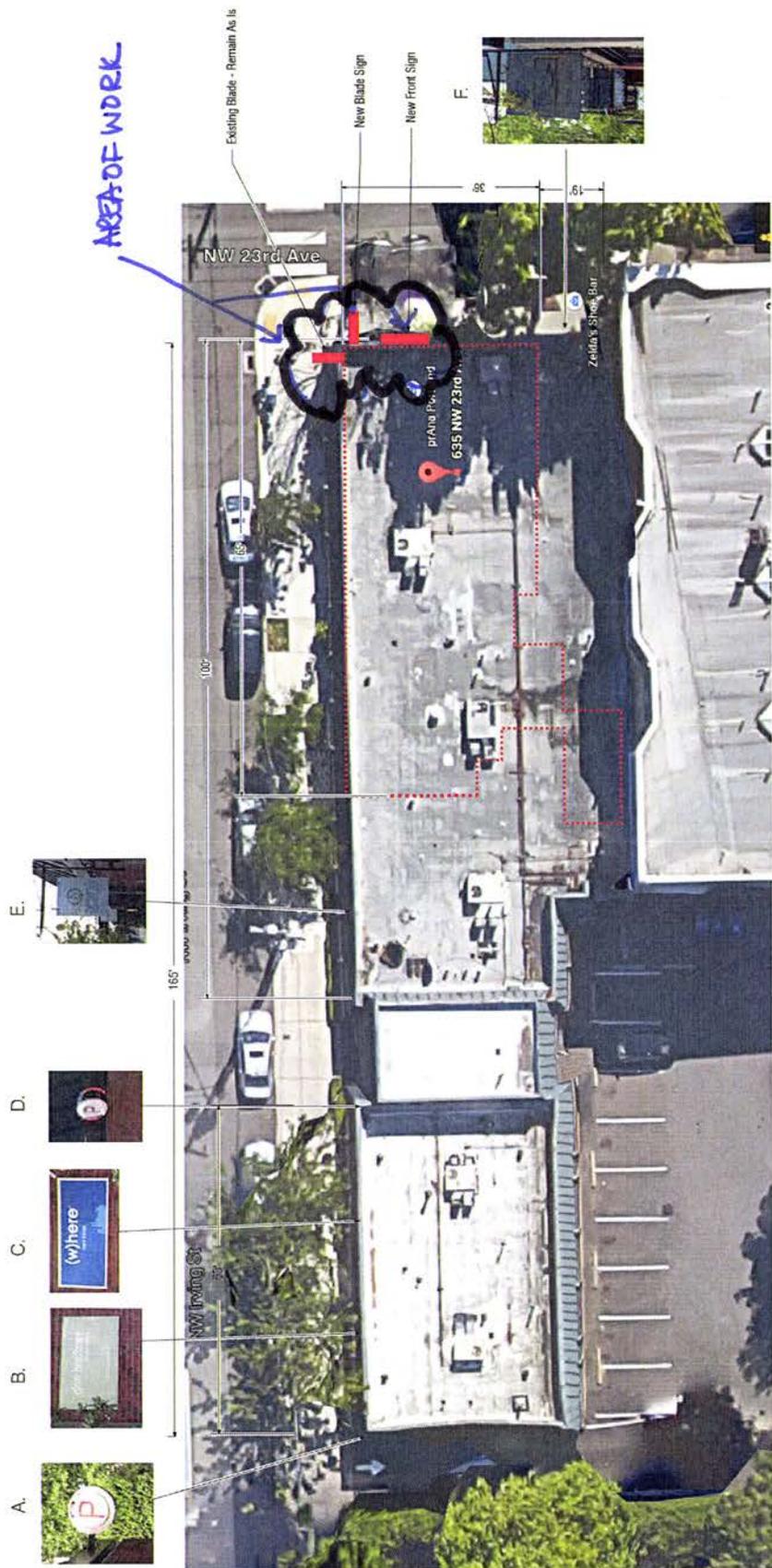
Revisions
 E 1 Approved
 E 1 Approved With Changes Noted

Customer Signature
 Date
 Customer Signature
 Date

prAna
 635 NW 23rd
 Portland, OR

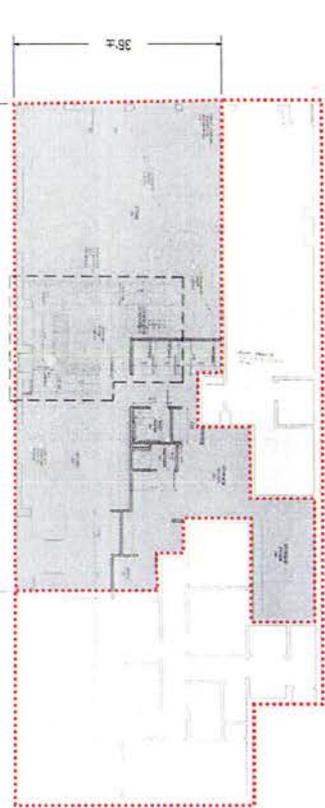
This plan is submitted to prepare a preliminary application of this plan. It is subject to change without notice. It is not to be used for any other purpose without the written consent of Tube Art Group.

Site Plan
 Additional conditions of approval may apply.



Site Plan - NTS

- A. *Parking Sign*
2'-0" Aluminum w/ Neon
- B. *Glow Healthcare*
2'-4" x 6' Metal Sign
Frontage 24'-6"
- C. *Where Real Estate*
2'-8" x 6' Wood Sign
Frontage 25'-6"
- D. *Parking Sign*
2'-0" Aluminum w/ Neon
- E. *Bellini's*
1-1/2' x 2' Dibond Panels
Frontage 35'

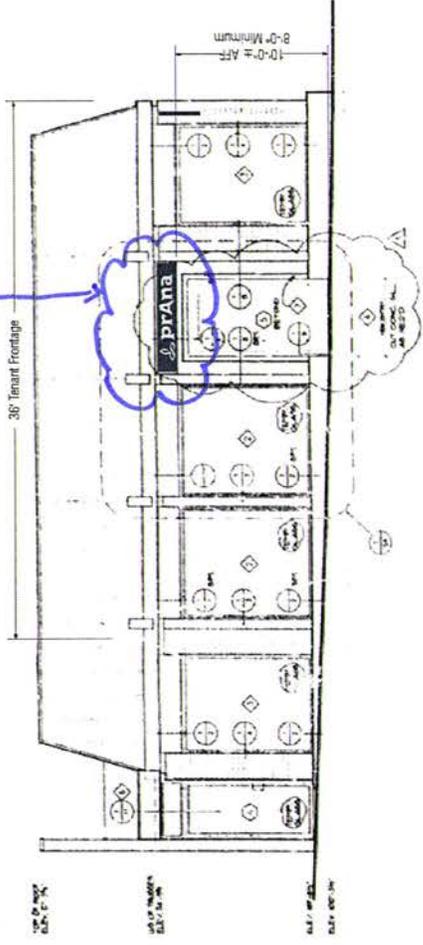


① Building Floor Plan
 Scale: 1/16" = 1'-0"±

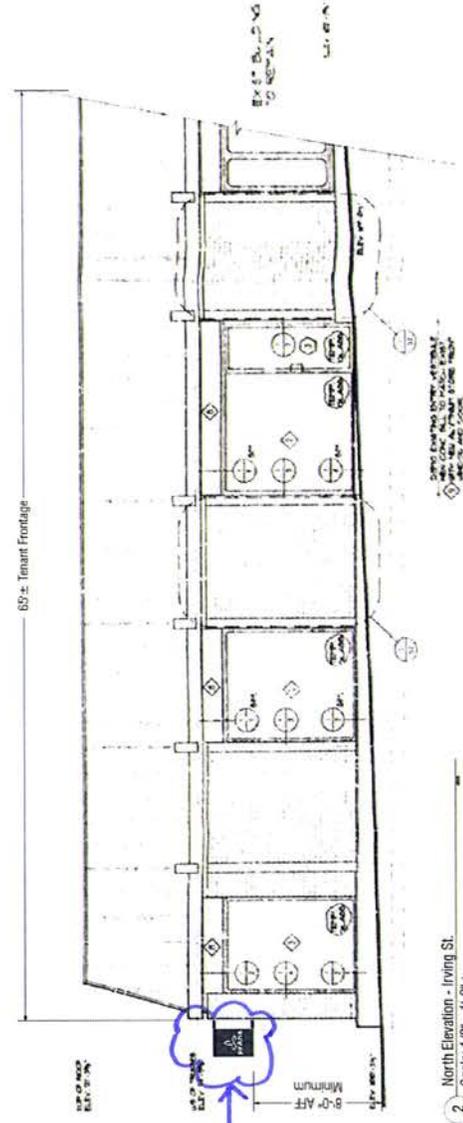
LU 15-143160

EXHIBIT C.1.

NEW ENTRANCE SIGN



1 East Elevation - 23rd Ave.
Scale: 1/8" = 1'-0" ±



2 North Elevation - Irving St.
Scale: 1/8" = 1'-0" ±



TUBE ART GROUP
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3793 Customer Number
125569 Quote Number
125569 prAna v3 File Name
Leslie Bunckel Submission
Danny Rollins Drawn By
** Checked By
February 17, 2015 Date
March 5, 2015 Date
March 27, 2015 Date
April 16, 2015 Date
April 22, 2015 Date

Revisions:
1 | Approved
1 | Approved With Change Made

Customer Signature
Date

Approved
City of Portland
Bureau of Development Services
Planner Bhawanii
Date 6/15/15



635 NW 23rd
Portland, OR

This drawing is intended to provide a visual representation of the project and is not a contract. It is subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. Additional zoning and code requirements may apply.

Elevations