



**Date:** October 26, 2015  
**To:** Interested Person  
**From:** Benjamin Nielsen, Land Use Services  
 503-823-7812 / Benjamin.Nielsen@portlandoregon.gov

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

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

**CASE FILE NUMBER: LU 15-200998 DZM – NEW PROJECTING SIGN ON PARK AVENUE WEST BUILDING**

**GENERAL INFORMATION**

**Applicant/ Representative:** Ken Ambrosini | Ambrosini Design  
 1631 NW Thurman St, Suite 102  
 Portland, OR 97209

**Owner:** West Park Avenue LLC  
 805 SW Broadway #2020  
 Portland, OR 97205-3360

**Site Address:** 728 SW 9TH AVE

**Legal Description:** PORTLAND PARK BLOCKS BLOCK 4 LOT 1-4, PORTLAND  
**Tax Account No.:** R667743340  
**State ID No.:** 1N1E34CC 09700  
**Quarter Section:** 3029

**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.  
**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

**Plan District:** Central City - Downtown  
**Zoning:** CXd – Central Commercial with Design Overlay  
**Case Type:** DZM – Design Review with Modifications  
**Procedure:** Type II – an administrative decision with appeal to the Design Commission.

**Proposal:**  
 The applicant requests design review for a proposed 44.7 square foot sign, revised lower from the originally proposed 60.9 square foot sign, to be located on an east façade oriel window

projection of the new Park Avenue West building in the Downtown Subdistrict of the Central City Plan District. The bottom of the proposed sign will be situated approximately 18 feet above grade and is proposed to align, roughly, with the architecture of the building’s mezzanine or second story. The sign will be constructed of 1/8” thick aluminum cabinets with raised, illuminated channel letters with a polycarbonate face. Neon lighting will also be provided for the “full” and green “P” portions of the sign. On the outside edge, florescent fixtures will illuminate aluminum fins.

The applicant also requests one Modification to the Title 32 Sign Code standards in Section 32.32.030.C.1.b to allow the projecting sign to be greater than 30 square feet in area.

Design review is required in the Central City Plan District—Downtown Subdistrict for signs over 32 square feet in area (and for over 30 square feet of which project into the right-of-way) and for modifications to the Sing Code standards.

### **Relevant Approval Criteria:**

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

- 33.825 Design Reviews
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- Central City Fundamental Design Guidelines

## **ANALYSIS**

**Site and Vicinity:** The 20,000 square foot subject site, bounded by SW Yamhill Street and SW Morrison Street [*both are Community Main Streets, Regional Transitways/Major Transit Priority Streets, Central City Transit/Pedestrian Streets, Local Service Bikeways, Minor Emergency Response Streets*] to the north and south and SW Park Avenue and SW 9<sup>th</sup> Avenue [*both are City Walkways, Local Service Bikeways, Minor Emergency Response Streets*] to the east and west, takes up an entire city Park Block in Portland’s Downtown. The MAX light rail line runs along SW Yamhill and Morrison Streets. The site is within the Downtown Pedestrian District. The 30-story Park Avenue West Tower is currently nearing completion at this site. This new tower is clad primarily gray aluminum panels and clear glazing. Access to an underground parking garage is provided from a door near the middle of the block on the west side of SW Park Avenue.

The site is part of the downtown Park Blocks, which run north-south between SW Park and 9<sup>th</sup> Avenues, two streets with narrow 50-foot rights of way. Whereas the South Park Blocks run through the University District and Cultural District, and the North Park Blocks extend north from W Burnside Street to NW Glisan Street in the Pearl District neighborhood, the subject site is located in the area known as the Midtown Park Blocks, which extends from SW Salmon Street to W Burnside. Portland’s Park Blocks were platted for public use in the late 1840s by Daniel H. Lownsdale and William Chapman. While their original concept to create 25 contiguous public blocks for parks, schools, and public markets extending north to south was never fully realized, the existing 18 blocks remain a defining element of Portland. As the city has developed around them, each block has taken on its own distinct identity. Unlike the park blocks to the north and south, the Midtown Park Blocks have primarily been developed, except for Director Park [South Park Block 5], O’Bryant Square and Ankeny Plaza.

Development in the Midtown Blocks varies in scale, detail, and style. Immediately across the street from the subject site is the Nordstrom building. The three-story all-brick back side of the building faces the new tower. Only a dark, heavy canopy along the sidewalk edge, loading door, and one display window at either end of the 200 foot long block break this wall plane. To the north and south of the subject site, SW Park Avenue and SW 9<sup>th</sup> Avenue are lined with a mixture of retail, office, residential, and lodging uses. Some buildings and developments are relatively new, like the Fox Tower and Director Park to the immediate south; others are quite

old, even dilapidated and unoccupied, such as the Cornelius Hotel building. A variety of sign shapes, types, and sizes accompany the eclectic mix of buildings. Perhaps the most well-known is the large Brasserie blade sign, with its neon lights and distinctive lettering, and its accompanying marquee below.

**Zoning:** The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the Downtown Subdistrict of this plan district.

**Land Use History:** City records indicate that prior land use reviews include the following:

- LUR 93-010686 DZ (reference file # 93-00687): Approval for new awnings with signage on ground floor of existing building.
- LUR 01-007453 DZ (reference file # 01-00054): Approval for one new awning with signage on south elevation of existing building, near the corner of SW Morrison and 9<sup>th</sup> Avenue.
- LU 05-141016 PR: Approval of Central City Parking Review for a new underground parking garage at South Park Block 5, to be constructed as an extension of the existing Fox Tower parking garage, directly east. No new access proposed; access remains from existing entry and exit in Fox Tower on SW Taylor Street. The new garage contains 606 Visitor stalls and 71 Preservation stalls.
- LU 06-163144 DZ: Approval of Design Review for South Park Block 5's location of stair and mechanical shaft near corner of SW Yamhill Street and 9<sup>th</sup> Avenue, and stair, elevator lobby, and mechanical shaft along SW Park Avenue about 53' from SW Taylor Street property line, associated with underground parking approved under LU 05-141016 PR.
- PC 07-112764: Design Advice for a new 33-story mixed-use building, including a transfer of FAR from Park Block 5.
- LU 07-136525 DZM: Approval of Design Review for the design of two parking pavilion structures [locations approved under LU 06-163144 DZ] at South Park Block 5.
- LU 07-143667 DZM: Approval of Design Review for new café building to be located at South Park Block 5.
- LU 07-140633 MS DZM AD: Type III Design Review approval of a 33-story mixed-use building consisting of retail, offices, condominiums, and six levels of below-grade parking with a total of approximately 341 parking stalls. This review also included a Central City Master Plan Review to enable floor area (base floor area and bonus floor area) to transfer from Park Block 5 [block bounded by Park, 9<sup>th</sup>, Yamhill and Taylor] to Park Block 4 [block bounded by Park, 9<sup>th</sup>, Yamhill and Morrison].
- LU 07-169105 PR: Approval of a Central City Parking Review to allow the Park Avenue West parking access at SW Park Avenue to be within 75' of a light rail alignment.
- LU 09-104171 DZ – Changes to the Design of the Park Avenue West Tower, including: An increase in the width of the curb-cut for the loading bay and parking garage from

46'-0" to 51'- 3"; changes to the size and placement of balconies on the uppermost floors, and the addition of a balcony on the east façade of the seventh floor; the removal of one residential floor, and an increase in floor-to-floor heights to provide for structural and HVAC equipment, thereby maintaining the original approved building height of 476 ft (515 ft including spire); a reduction in the total floor area from 474,000 square feet to 473,986 square feet. As a result, there is a reduction in the Base FAR transferred from Park Block 5 to Park Block 4 (Park Avenue West Tower) from 8.7:1 or 174,000 square feet to 8.6993:1 or 173,986 square feet; a reduction in the total number of automobile parking spaces from 317 to 253; and an increase in the number of long-term bicycle parking spaces provided (from 60 to 69), a change in the bike parking stall dimensions and type (wall mounted), and an increase in the size of the bike parking locker rooms (from 688 square feet to 767 square feet).

- LU 09-136017 MS DZM – Approval for changes to the Design of the Park Avenue West Tower, including: Reduction of the building height from 515'-0" to 450'-0", with a reduction in the total number of floors from 33 to 26; and elimination of 10 floors of residential use, and an increase in office floors by 4, for a total of 2 floors of retail, 24 floors of office use, and zero floors of residential use; An increase in the width of the curb-cut for the loading bay and parking garage from 46'-0" to 51'- ¾" (approved through the Type II review, LU 09-104171 DZ); A reduction in the total number of automobile parking spaces between the first Type III review and the current Type III review, from 317 to 259; An increase in the number of long-term bicycle parking spaces provided (from 60 to 80), and an increase in the size of the bike parking locker rooms (from 688 square feet to 700 square feet). Also, a Central City Master Plan approval to enable floor area to transfer from Park Block 5 to Park Block 4. Park Block 5 will retain a base FAR of 0.3:1 to accommodate 3 small park structures, and 9.1:1 FAR (181,750 SF) FAR will be transferred to Park Block 4. 2.6:1(52,000 SF) will be retained, unused on-site. Park Block 4 will achieve a 2.3:1 bonus FAR, which includes 0.9 bonus FAR through the "retail use bonus option", and 1.4 bonus FAR through the "locker room bonus option". Park Block 4 will be allowed to develop the site with a 20.4:1 FAR (408,000 SF), including 9.1:1 FAR transferred from Park Block 5, and 11.3:1 from the base (9:1) and bonus FAR (2.3:1) achieved on Park Block 4.
- LU 13-181341 DZ –Type II DZ appealed, but withdrawn before an appeal hearing occurred. The proposal was for changes to the design of the Park Avenue West Tower, including: adding 4 floors to the mid-section of the tower for a total of 30 stories – 2 floors of retail, 15 floors of housing, and 13 floors of office. All other exterior design components of the building remain the same. The building's total height will increase from 407' to 460' – including rooftop mechanical.
- EA 13-212680 PC – Pre-application conference for the proposed Park Avenue West Tower.
- LU 13-214772 DZM AD MS – Type III design review with modifications approval, after appeal to City Council, of a 30-story retail, residential, and office tower development. Adjustment approval to allow parking access off of SW Park Ave. Approval of a Central City Master Plan amendment transferring FAR between Park Blocks 4 & 5.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **September 1, 2015**. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Fire Bureau
- Bureau of Parks-Forestry Division
- Bureau of Development Services – Life Safety Section

The Portland Bureau of Transportation responded with comments stating that a revocable encroachment permit would be required for the original proposal, which showed the sign extending beyond either 6.5 feet or 2/3 of the distance to the roadway, whichever is less.

*The applicant responded by revising the proposal to show the sign extending no more than 6'-5" into the right-of-way.*

The Water Bureau responded with comments about available water service to the site. Please see Exhibit E-2 for additional details.

The Site Development Section of BDS responded with general site development comments. Please see Exhibit E-3 for additional details.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 1, 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**

### **(1) Chapter 33.825 Design Review**

#### **Section 33.825.010 Purpose of Design Review**

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

#### **Section 33.825.055 Design Review Approval Criteria**

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

### **Central City Fundamental Design Guidelines**

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

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

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

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

**D1. Park Blocks.** Orient building entrances, lobbies, balconies, terraces, windows, and active use areas to the Park Blocks. In the South Park Blocks, strengthen the area's emphasis on history, education, and the arts by integrating special building elements, such as water features or public art. In the Midtown Park Blocks, strengthen the connection between the North and South Park Blocks by using a related system of right-of-way elements, materials, and patterns. In the North Park Blocks, strengthen the area's role as a binding element between New China/Japantown and the Pearl District.

**Findings for A4, A5, C4, & D1:** The proposed projecting blade sign continues a pattern set by a combination of old and newer signs along the Midtown Park Blocks. This section of Downtown has several large blade signs (as well as several large marquees) which help, along with the narrow right-of-way, with the creation of the unique identity and intimate feeling of SW Park and 9<sup>th</sup> Avenues. The Brasserie blade sign on the landmark Esquire Hotel building on SW Park Avenue and the Pastini blade sign on the historic Studio Building at SW 9<sup>th</sup> Avenue & Taylor Street are examples of this type of blade sign which have been adapted with new lettering from older signs and are formed of unique shapes and lettering that adds an element of flair to the street edge. Both have fairly simple, though uniquely shaped, flat metal sign cabinets upon which dimensional lettering with neon are placed. The newer Regal Cinema blade sign on the Fox Tower at SW Park Avenue & Taylor Street continues this concept on a contemporary building. It has a high level of detailing and dimensionality, including an assembly of different aluminum cabinets which provides the bulk of the sign's massing, dimensional lettering, neon, and additional horizontal metal ornamentation. This combination of cabinets, dimensional lettering, and additional ornamentation also help to reduce the overall massing of the sign, though it is indeed quite large. All three examples are located above the ground floor and transom windows. Other, smaller blade signs, such as the Montbell, Everest College/Le Cordon Bleu, and Johnny Sole blade signs are located closer to the sidewalk—typically near the transom window area of each building—and are much simpler in design.

The proposed sign at the Park Avenue West building utilizes the same design strategies as the first three examples, which further helps to define the character of the Midtown Park Blocks. The sign is comprised of an assembly of aluminum sign cabinets onto which dimensional lettering, both internally illuminated channel lettering and neon lettering, are inserted and attached. It uses additional aluminum detailing to further articulate the sign and break its massing down. The proposed sign is also located above the transom windows of the new building and, thus, well above the sidewalk.

*Therefore, these guidelines are met.*

**B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

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

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**C10. Integrate Encroachments.** Size and place encroachments in the public right-of-way to visually and physically enhance the pedestrian environment. Locate permitted skybridges toward the middle of the block, and where they will be physically unobtrusive. Design skybridges to be visually level and transparent.

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**Findings for B2, C2, C3, C5, C8, C10, & C13:** The proposed new sign is well integrated into the overall design concept of the new Park Avenue West tower. It builds off of the design language of the building by utilizing similar aluminum material and coloring for the massing of its primary sign faces and by aligning with architectural elements, such as the narrow canopy below and the vertical dimensions of the slightly projecting window bay nearby. The aluminum used in the sign cabinets will be 1/8" thick (the fins may be thicker), and the cabinets will not be illuminated. Aluminum channel letters with polycarbonate faces will be attached to the aluminum cabinets on both sides of the sign. The channel letters will be illuminated by internal LEDs. Large protruding green circles, also constructed out of 1/8" thick aluminum, sit at the base of each side of the sign. Onto the face of these circles, a white neon circle and reverse channel letter "P" will be attached. Inside the "P" will be placed a green neon tube "P". Between the green circle and the channel lettering above, red neon lettering will be mounted to the face of the aluminum cabinets on each side. Between the two main aluminum cabinets will be placed thick aluminum fins, spaced evenly, that will be illuminated from behind by T8 fluorescent fixtures.

The thickness of the aluminum used for the cabinets, and the dimensionality created by the cabinets—all told, the sign is 3'-0" wide when viewed from the side—contribute to the sign's high quality construction, sense of permanence on the building face, and role in protecting the pedestrian environment through thoughtful integration with the existing building. The sign will be selectively illuminated, much like other signs in the vicinity, with illumination of individual characters and thoughtful illuminated accents, rather than being a simple, large, backlit cabinet, further integrating the sign into the building and the pedestrian environment.

The proposed sign will be attached to an existing 4'-0" oriel window projection and will be located above a metal canopy. The proposed sign will not extend out further than the canopy (and will stay within the maximum projection permitted by Title 32). Its location high above the sidewalk on the mezzanine level of the building will help to integrate the sign into the building's overall design while further differentiating the tall ground floor of the tower with the additional façade articulation provided by the sign.

*Therefore, these guidelines are met.*

---

**(2) 33.825.040 Modifications That Will Better Meet Design Review Requirements**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

**Modification #1: Maximum sign face area in the right of way, Portland Sign Code 32.32.030.C.1.b – increase the allowed projecting sign area from no more than 30 square feet to 44.7 square feet.**

*Purpose Statement:* The regulations contained in Chapters 32.30 through 32.38 are land use regulations which work in combination with Title 33, Planning and Zoning, to implement Portland's Comprehensive Plan. The standards contained in Chapters 32.32 through 32.34 encourage signs to be compatible with the distinct character of specific areas of the city by regulating the size, placement, and features of signs by base zone, overlay zone, and plan district. Chapter 32.34 includes standards that encourage signs that further the objectives of certain land use categories.

*Standard:* 32.32.030.C.1.b, Maximum sign face area in the right-of-way. No more than 30 square feet of a projecting sign face may extend into a right-of-way.

- A. **Better meets design guidelines.** *The resulting development will better meet the applicable design guidelines; and*
- B. **Purpose of the standard.** *On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

**Findings:** The sign-related land use regulations of Title 32 are intended to allow for signs which are physically compatible with the character, design, and scale of the signs and architecture in specific areas and districts. By extension, the maximum sign face area in the right-of-way standard limits the size of projecting signs so that they do not come to dominate the streetscape or the buildings upon which they are located.

The proposed Modification to 44.7 square feet exceeds the allowed area; however, the design of the sign, including its height and proportions, is well-integrated with the design of the newly-built 30-story tower. The sign is located up at the mezzanine level, over 18 feet above the sidewalk level, and it sits close to the building – its outer edge projects only as far as the existing horizontal architectural fin element below. The sign itself essentially reads as a vertical fin on the building, projecting out at the edge of, and aligning with, a slightly projecting window bay near the sign. The proposed materials are also well integrated with the exterior cladding of the building and of high quality, being composed of a highly-detailed assembly of aluminum cabinets and articulated with additional aluminum elements, three-dimensional lettering, and well-considered illumination. For these reasons, the proposed sign is consistent with the purpose statement of the standard.

Given the scale of the building relative to the size of the proposed sign, its integration with the building's architectural features, its high level of detail and articulation, which helps to break down the massing of the sign, and its height above the sidewalk, the proposed Modification will better meet the Central City Fundamental Design Guidelines, especially C2 – *Promote Quality and Permanence in Development*, C5 – *Design for Coherency*, and C11 – *Integrate Signs*, and will meet the purpose of the standard.

*Therefore this Modification merits approval.*

## 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 design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of the proposed 44.7 square foot sign, comprised of an assembly of aluminum cabinets, illuminated channel letters with polycarbonate faces, neon lettering, and additional aluminum articulation, in the Downtown Subdistrict of the Central City Plan District;

Approval for the requested Modification to *Section 32.32.030.C.1.b* of the Title 32 Sign Code to increase the allowed projecting sign area from no more than 30 square feet to 44.7 square feet; and,

Per the approved site plans, Exhibits C-1 through C-3, signed and dated 10/15/2015, 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 through C-3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-200998 DZM. No field changes allowed."

**Staff Planner: Benjamin Nielsen**

Decision rendered by:  on October 19, 2015.  
By authority of the Director of the Bureau of Development Services

**Decision mailed: October 26, 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 July 14, 2015, and was determined to be complete on **August 20, 2015**.

*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 July 14, 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. Unless further extended by the applicant, **the 120 days will expire on: December 18, 2015.**

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

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

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

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

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on November 9, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **November 10, 2015 – (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.

**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.

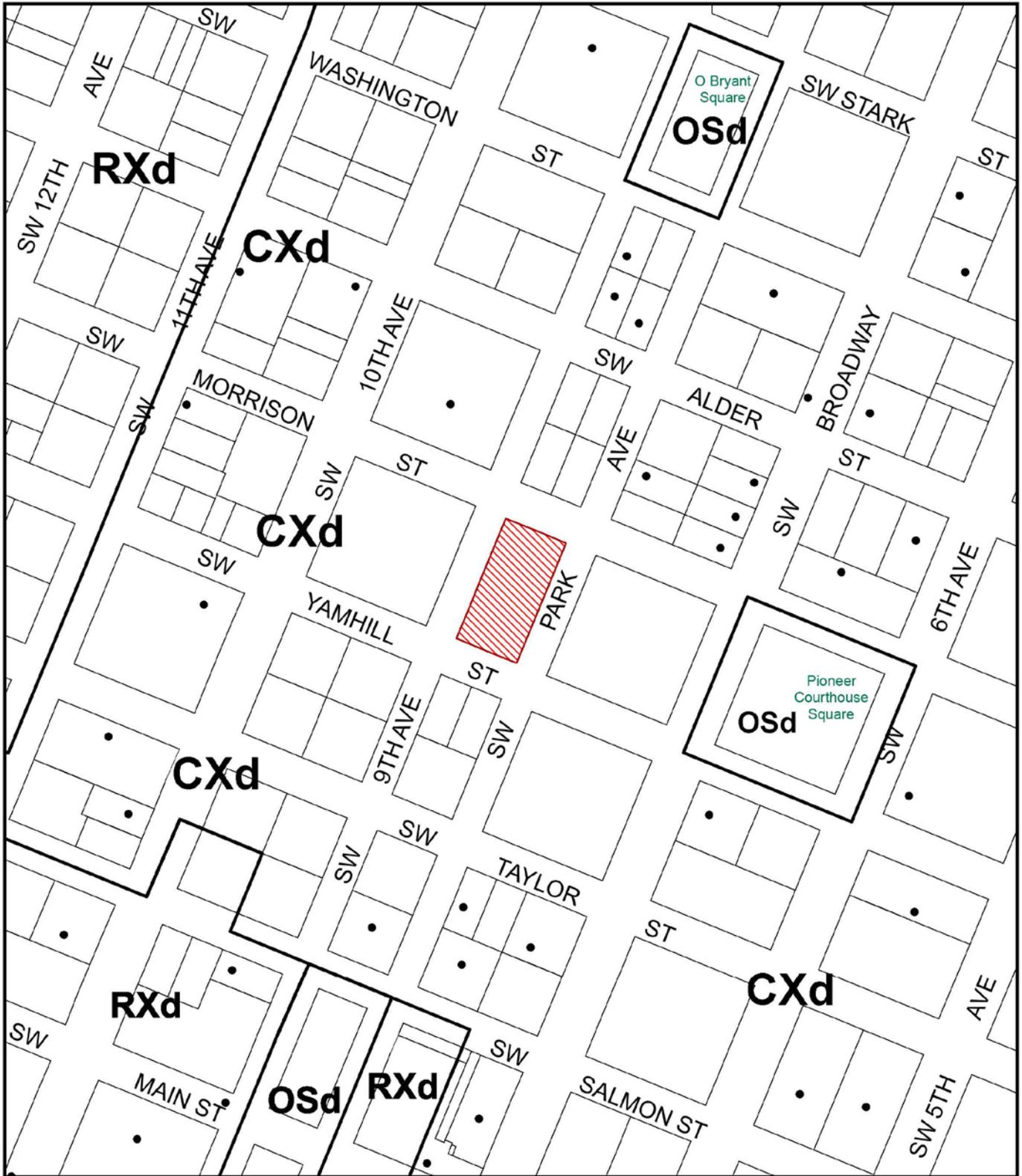
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
  1. Applicant's Original Submittal
  2. Applicant's Response to Incomplete Application Letter
  3. Applicant's Revised Submittal
- B. Zoning Map (attached)

- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations (attached)
  - 3. Front Elevation
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Transportation Engineering and Development Review
  - 2. Water Bureau
  - 3. Site Development Review Section of BDS
- F. Correspondence: No correspondence was received.
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Application Letter
  - 3. Follow-up Staff Letter to Applicant

**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
-  Historical Landmarks



This site lies within the:  
**CENTRAL CITY PLAN DISTRICT**  
**DOWNTOWN SUB DISTRICT**

File No.	<u>LU 15-200998 DZM</u>
1/4 Section	<u>3029 3129</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E34CC 9700</u>
Exhibit	<u>B (Aug 28, 2015)</u>

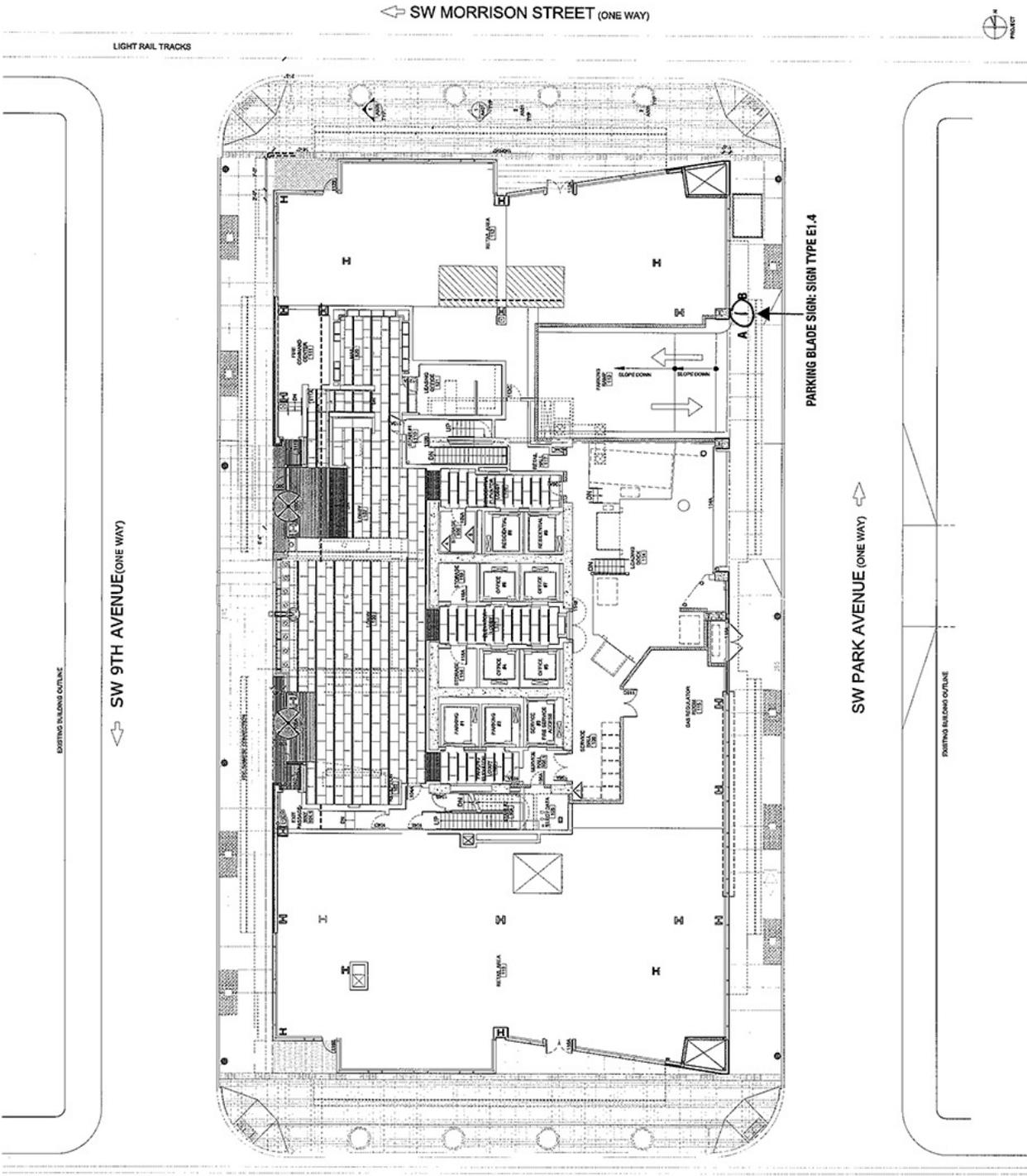
**DESIGN DEVELOPMENT**

date: 07/13/15  
 scale: 3/8"  
 compiled by: KGA / ED

All drawings that appear herein express design intent only and are not to be construed as a contract. The Sign Contractor is responsible for any required engineering and production of shop drawings prior to fabrication.

PARK AVENUE WEST TOWER

G2.0.1



CITY SIGN CODE / Cx'd Zone  
 (All signs over 32 sq. ft. will require Design Review)  
 SIGN TYPES:  
 1. SIGN TYPE E1.4, PARKING BLADE SIGN, QTY. 1

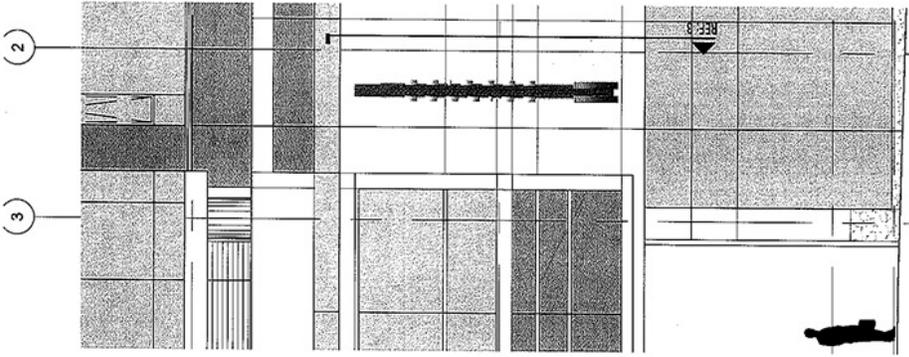
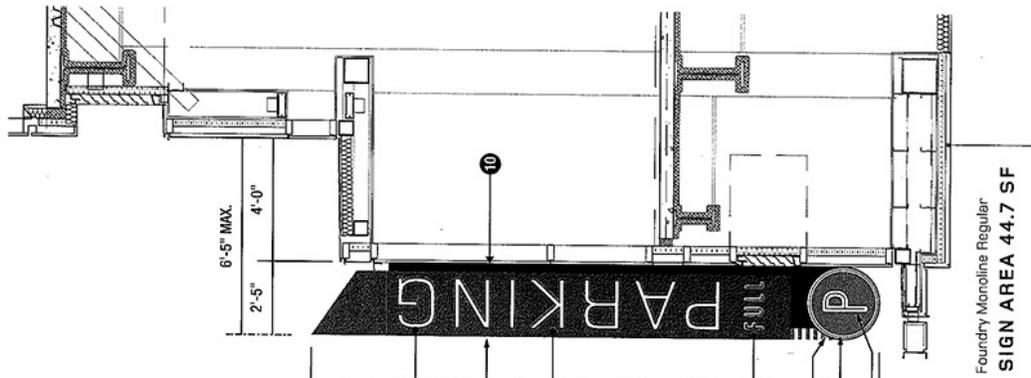
SW YAMHILL STREET (ONE WAY)

\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner: *Benjamin E. Nibb*  
 Date: *10/17/2015*  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval.  
 Additional zoning requirements may apply.

W 15-200998 DM

EXHIBIT C-1

\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner *Becky Nich*  
 Date *10/14/15*  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval.  
 Additional zoning requirements may apply.



NOTES:

- 1 FACE ILLUMINATED CHANNEL LETTERS, LED LIGHT SOURCE, W/ POLYCARBONATE FACE W/ 3M DIFFUSER FILM WHITE 3635-30 RE: 12/03.26 FOR SIMILAR DTL.
- 2 REVERSE CHANNEL LETTER "P" W/ EXPOSED GREEN 12MM NEON TUBING.
- 3 12MM EXPOSED NEON TUBING, WHITE.
- 4 1" THK. WHITE INTERNALLY ILLUMINATED ACRYLIC W/ HIGH POLISHED EDGES.
- 5 10MM EXPOSED NEON, OFF UNTIL PARKING GARAGE IS FULL, THEN TURNED ON RED COLOR.
- 6 1/8" THK. ALUM. SIGN CABINET CONSTRUCTION W/ STRUCTURAL STEEL TUBE FRAME SYSTEM. FINAL DETAILS TO BE ENGINEERED BY SIGN FABRICATOR. SIGN CABINET IS NON-ILLUMINATED.
- 7 T8 FLUORESCENT FIXTURES TO EDGE ILLUMINATE METAL FINIS.
- 8 CUSTOM ALUM., FINIS PAINTED.
- 9 6" X 6" X 1/4" HSS SIGN ARMATURE
- 10 METAL SUB FRAME SUPPORT TO ATTACH SIGN TO BUILDING FRAME IS COVERED IN LIGHT GAUGE METAL SKIN W/ PAINT FIN.
- 1 PAINT SIGN CABINET. AKZO NOBEL SIKKENS METALLIC 65-355
- 2 PAINT FINIS: AKZO NOBEL SIKKENS METALLIC 65-355, GLOSS
- 3 PAINT TO MATCH: PANTONE 7489C, SEMI GLOSS
- 4 PAINT TO MATCH: MATTHEWS DAUPHIN GRAY, SEMI GLOSS

1 EAST ELEVATION / PARKING BLADE SIGN E1.4  
 1/8" = 1'-0"

2 FRONT ELEVATION / PARKING BLADE SIGN E1.4  
 1/4" = 1'-0"

3 ELEVATION / PARKING BLADE SIGN E1.4  
 1/4" = 1'-0"

Foundry Monoline Regular  
 SIGN AREA 44.7 SF

All drawings that appear herein, except design intent only and are not intended for construction, shall be the property of the engineering and production of shop drawings, prints and fabrication.

date: 10/14/15  
 scale: refer to drawing  
 compiled by: KGA /JSD

Construction Documents

PARK AVENUE WEST TOWER

G2.3.2a

AMBROSINI design  
 1651 NW THURMAN ST PORTLAND, OR 97209  
 503 223 9399