



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
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 20, 2016
To: Interested Person
From: Benjamin Nielsen, Land Use Services
503-823-7812 / Benjamin.Nielsen@portlandoregon.gov

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 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 15-134317 HR – F&B CAFÉ SIGN ON HISTORIC NEUSTADER BUILDING

GENERAL INFORMATION

Applicant/ Representative: Brenden Hyde, Circle Triangle Square
821 NW Flanders #240
Portland, OR 97209

Owner: Neustader Building LLC
35393 Hwy 19
Kimberly, OR 97848-6217

Site Address: 1108 SE GRAND AVE

Legal Description: BLOCK 128 LOT 1&2 EXC PT IN ST LOT 5-8, HAWTHORNE PK
Tax Account No.: R366700020
State ID No.: 1S1E02BC 01900
Quarter Section: 3131
Neighborhood: Buckman, contact Matthew Kirkpatrick at 503-236-6350.
Business District: Central Eastside Industrial Council, contact Peter Fry at 503-274-2744.

District Coalition: Southeast Uplift, contact Anne Dufay at 503-232-0010.
Plan District: Central City - Central Eastside
Other Designations: East Portland/Grand Avenue Historic District
Zoning: EX – Central Employment, IG1d – General Industrial 1 with Design 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 requests historic resource review for a non-illuminated blade sign that is proposed to be placed on the west elevation adjacent to a storefront entry on the historic Neustader Building in the East Portland/Grand Avenue Historic District. The proposed sign will be constructed of an aluminum frame and face panels with adhered, dimensional acrylic letters and glyphs. It will be 42” tall by 28” wide for a total of 8.2 square feet.

Historic resource review is required for proposed signs in historic districts.

Relevant Approval Criteria:

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

- 33.845 Historic Resource Review
- Central City Fundamental Design Guidelines
- Adopted Design Guidelines East Portland/Grand Avenue Historic Zone

ANALYSIS

Site and Vicinity: The subject property, a three story, red brick Utilitarian Vernacular style building, was originally developed as a shirt factory by the Neustader family. It was built in 1902 and retains sufficient historic integrity to be evaluated as a contributing resource in the East Portland Grand Avenue Historic District. The building’s composition is strictly organized with repetitive fenestration and ornamentation. Windows are one-over-one, double-hung wood sash set in flat arch openings set with an exaggerated keystone. The subject site occupies $\frac{3}{4}$ of the block bound by SE Grand Avenue [*Major City Traffic Street, Regional Main Street, Major Transit Priority Street, City Bikeway, Central City Transit/Pedestrian Street, Freight District Street, Major Emergency Response Street*], SE Taylor Street [*Local Service Bikeway, Local Service Walkway, Freight District Street, Minor Emergency Response Street*], SE 6th Avenue [*Local Service Bikeway, Local Service Walkway, Freight District Street, Minor Emergency Response Street*], and SE Salmon Street [*Local Service Bikeway, Local Service Walkway, Freight District Street, Minor Emergency Response Street*]. The Portland Streetcar also runs along SE Grand Avenue and has a stop directly in front of the Neustader Building.

The East Portland Grand Avenue Historic District is significant for its association with broad patterns of historic development, especially as it relates to commerce and transportation. This area, stretching north-south along SE Grand Avenue parallel to the Willamette River was, until consolidation with Portland in 1893, the core of a separate community known as East Portland. The National Register nomination document also notes that in the years from approximately 1915 to 1930 this locale developed a concentration of automotive businesses, with building adapted or designed to support it.

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 General Industrial 1 (IG1) zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The intent is to promote viable and attractive industrial areas. IG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed with sites having high building coverage and buildings which are usually close to the street. IG1 areas tend to be the City’s older industrial areas. Minimum lot area is 10,000 square feet.

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.

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 Central Eastside Subdistrict of this plan district.

East Portland/Grand Avenue Historic District is listed in the National Register of Historic Places under two of the eligibility criteria: “A” for its association with the development of the City of East Portland (which was annexed into Portland in 1893) and “C” for its examples of commercial architectural styles from the period 1883 to 1939.

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

- LU 92-009332 DZ (Ref. # LUR 92-00213) – Design review approval for restoration of the historic Neustader Building.
- LU 13-239327 HR – Historic resource review approval of a 79.625 square foot painted wall sign.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **November 2, 2015**. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Environmental Services
- Portland Fire Bureau
- Site Development Section of BDS

The Water Bureau responded with comments about available water service. Please see Exhibit E-1 for additional details.

The Life Safety Section of BDS responded with general life safety comments. Please see Exhibit E-2 for additional details.

The Bureau of Transportation responded with comments stating the sign must meet the requirements of the IBC. Please see Exhibit E-3 for additional details.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 2, 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

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

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

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the East Portland Grand Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Design Guidelines - East Portland Grand Avenue Historic Design Zone*. Because the site is within the *Central City Plan District*, the *Central City Fundamental Design Guidelines* are also approval criteria.

Staff has considered all guidelines and addressed only those applicable to this proposal. The Design Guidelines - East Portland Grand Avenue Historic Design Zone and the Central City Fundamental Design Guidelines are addressed concurrently.

Design Guidelines - East Portland Grand Avenue Historic Design Zone
Central City Fundamental Design Guidelines

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.

A6-1. Use Special East Portland/Grand Avenue Historic Design Zone Guidelines

Introduction: Signs. All exterior signs are reviewed. Signs must meet all applicable provisions of the City of Portland's ordinances and guidelines.

A6-1f. Signs

1. Exterior building signs should be visually compatible in size, scale, proportion, color and materials with the original architectural character of the building.
2. A variety of signs within the District are encouraged, incorporating excellence in graphic design and lettering, careful color coordination with the building, mounting, and readability.
3. Prominent signs that are creative yet compatible with the building and the District are encouraged, particularly on simple concrete buildings.
4. Sign lighting that is creative and compatible with the building and the District is acceptable. Plastic signs and backlit plastic signs are generally not acceptable.

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.

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

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.

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 A5, A6-1, A6-1f, B2, C2, C3, C4, C5, C8, & C13: The proposed new non-illuminated blade sign will be located on the west façade facing SE Grand Avenue and will be visible to the large amounts of vehicular traffic passing on SE Grand as well as pedestrians and streetcar passengers. Signs along SE Grand in this vicinity are typically scaled to be visible to passing cars but are still scaled appropriately for the pedestrian environment. The proposed sign, at 8.2 square feet in area and 42" in height continues this pattern and complements the scale of other signs in the vicinity.

The proposed placement of the sign is also compatible with other signs in the district—and is compatible with the historic Neustader Building as well. The base of the sign will align with the base of the transom windows over the large entry door immediately to the south, and this roughly aligns with the base of the upper sash of the double hung windows. Placement in this location and near this door helps to further define the sidewalk level of the building and reinforce the pedestrian scale along the sidewalk.

The proposed sign will be attached to the brick wall with two hexagonal-shaped aluminum mounting plates which have aluminum square section mounting posts welded to each. Through these plates, the sign will be mounted with steel anchors through the existing mortar joints in the brick. The brick wall shows visual evidence of previous signs having been mounted in this location in a similar way, and this mounting method will help to preserve the integrity of the existing brick wall.

The proposed sign itself will be constructed of high-quality, 1/8" thick aluminum plate for the white face panel background mounted on an aluminum frame composed of 2" square sections. The dimensional acrylic glyphs will be durable as well as providing additional character and dimension to the proposed sign, helping the sign further integrate with the detailing and relief patterns on the existing historic building. The sign's size relative to the size of the adjacent window and door openings is also appropriately scaled.

Therefore, these guidelines are met.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposed new aluminum and acrylic, non-illuminated blade sign on the historic Neustader Building in the East Portland/Grand Avenue Historic District in the Central Eastside Subdistrict of the Central City Plan District utilizes high quality materials with a

design, placement, and scale that respects the existing historic resource, contributes to the pedestrian environment along SE Grand Avenue, and continues signage patterns established elsewhere in the district.

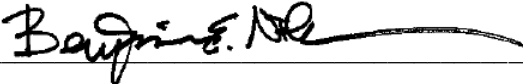
The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the proposed 8.2 square foot non-illuminated blade sign—at 42” tall x 28” wide and composed of aluminum for the frame, mounting plates, and sign face plate with applied, dimensional acrylic glyphs—on the west façade of the historic Neustader Building per the approved site plans, Exhibits C-1 through C-4, signed and dated 01/15/2016, 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-4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-134317 HR."

Staff Planner: Benjamin Nielsen

Decision rendered by:  on January 15, 2016.

By authority of the Director of the Bureau of Development Services

Decision mailed January 20, 2016.

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 March 16, 2015, and was determined to be complete on **September 10, 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 March 16, 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 requested that the 120-day review period be extended by an additional 120 days, as stated with Exhibit G-4. Unless further extended by the applicant, **the review period will expire on: May 7, 2016.**

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 **January 20, 2016**. 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 503-823-7617.

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.

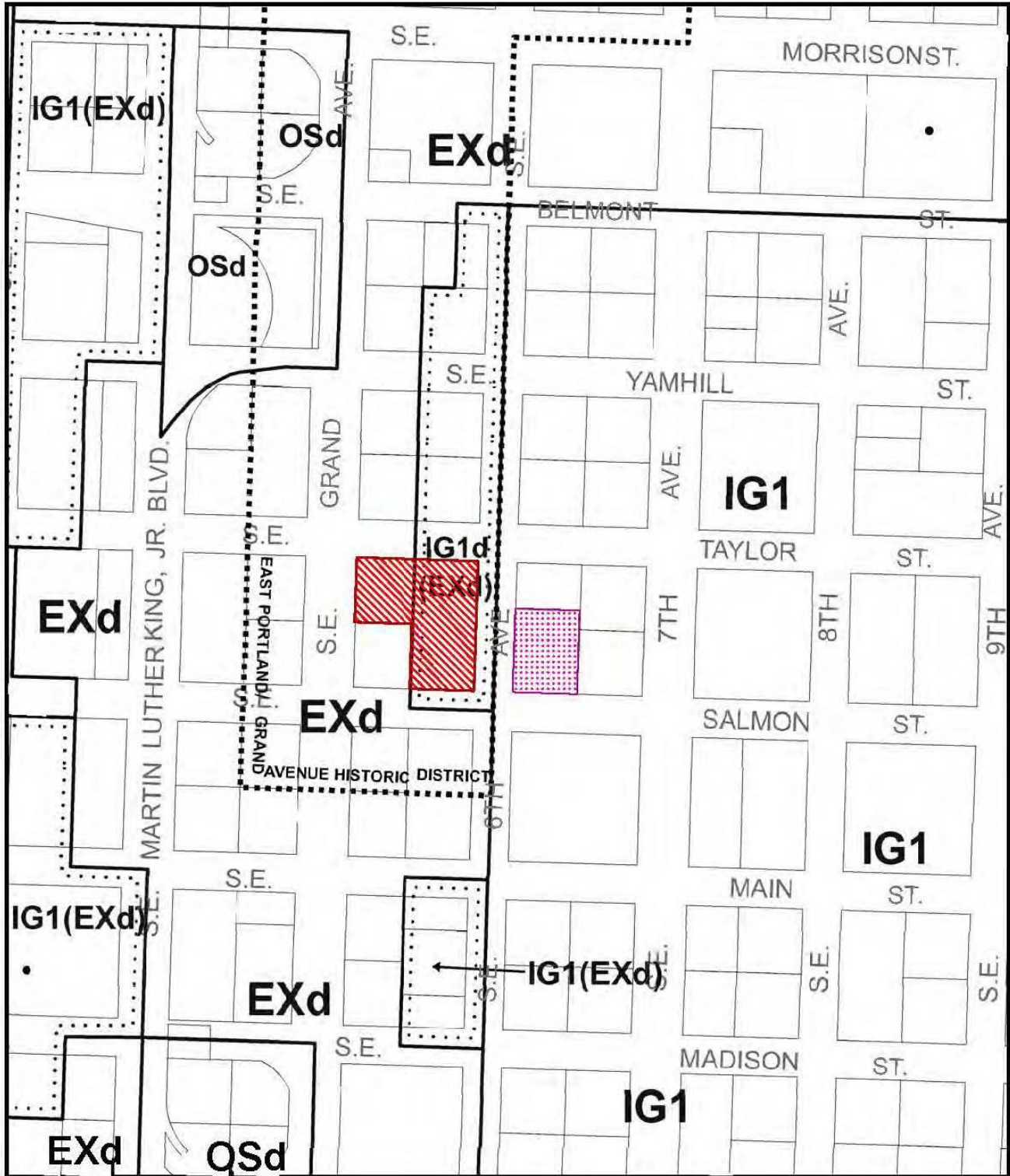
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Sign Details (attached)
 - 3. West Elevation Rendering
 - 4. Perspective Rendering
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Water Bureau
 - 2. Life Safety Review Section of BDS
 - 3. Bureau of Transportation
- F. Correspondence:

No correspondence was received.
- G. Other:
 - 1. Original LU Application
 - 2. Original Drawing Submittals
 - 3. Incomplete Application Letter
 - 4. Signed 120-day Decision Waiver

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



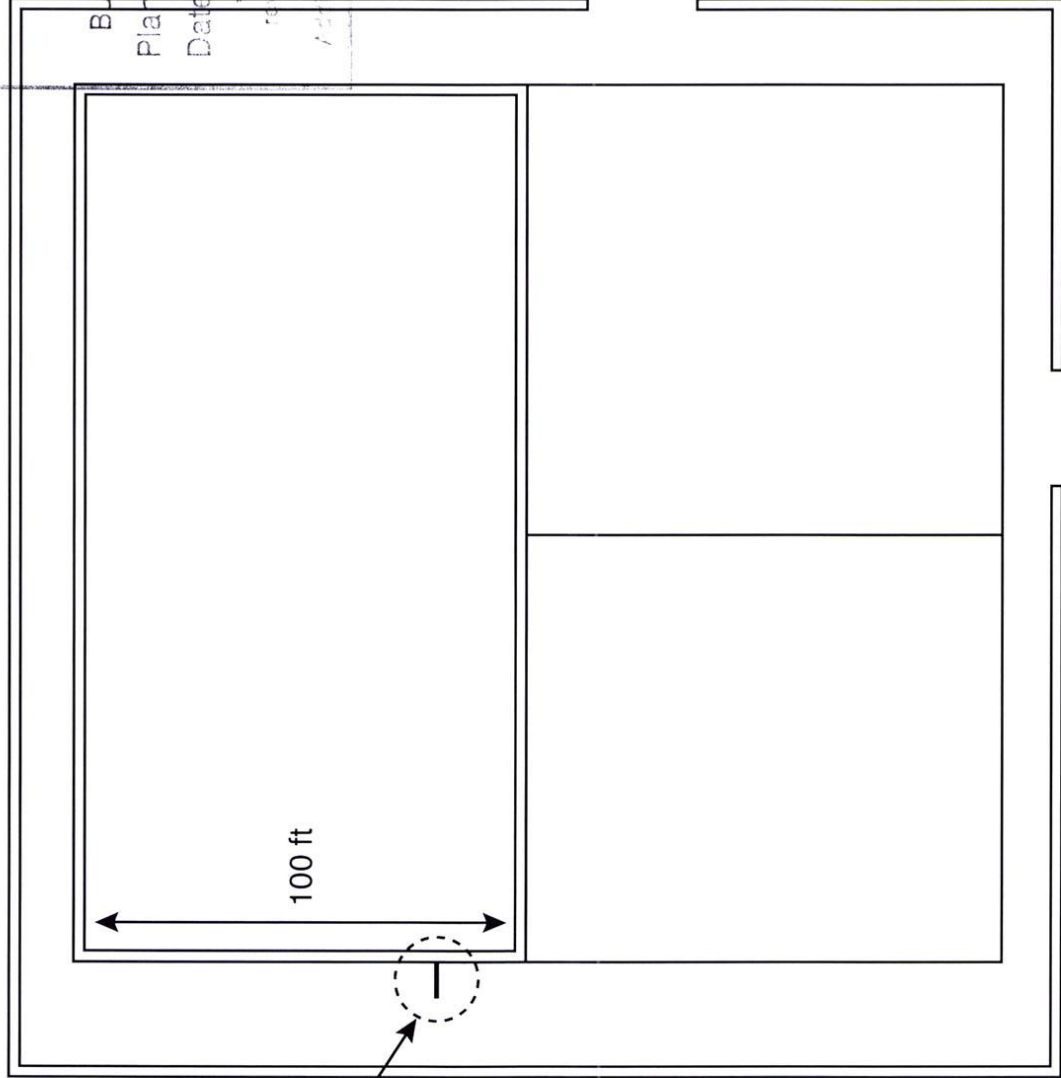
This site lies within the:
EAST PORTLAND / GRAND AVENUE HISTORIC DISTRICT
CENTRAL CITY PLAN DISTRICT

File No. LU 15-134317 HR
 1/4 Section 3131
 Scale 1 inch = 200 feet
 State_Id 1S1E02BC 1900
 Exhibit B (Oct. 28, 2015)

1100 SE Grand Ave
Portland, OR 97214

SE Taylor St

Approved
City of Portland
Bureau of Development Services
Planner *Benjamin E. Nish*
Date *01/15/2016*
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

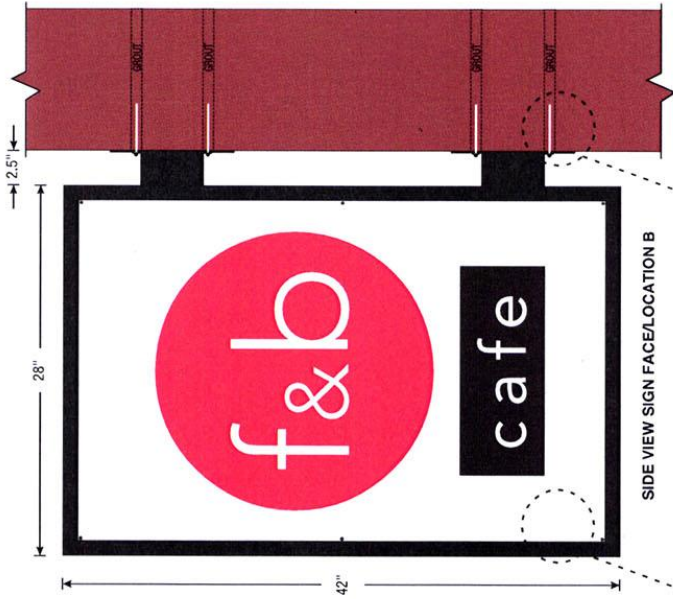


sign location

f&b cafe
1100 SE Grand Ave

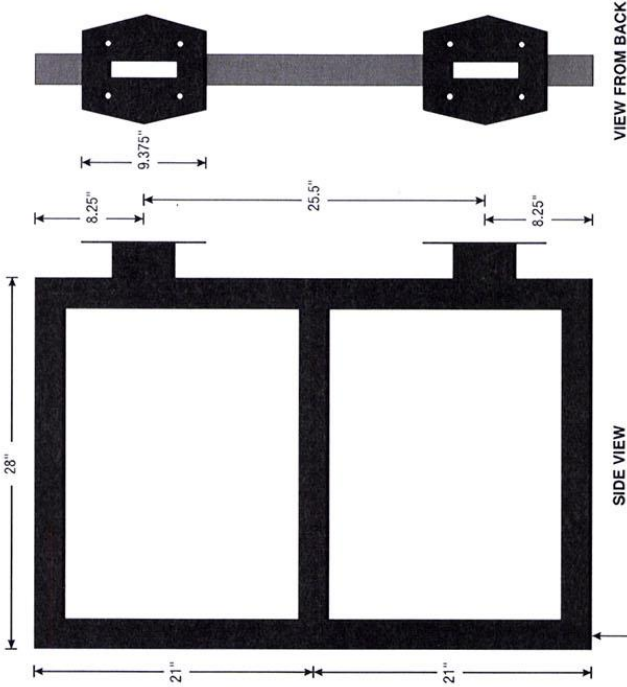
SE Grand Ave

EXHIBIT C-1
W15-134317.HR

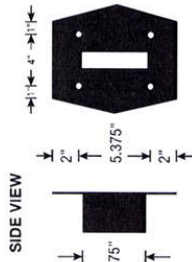


FACE PANEL
1/8" aluminum panel powder coated white and mechanically fastened to support frame with 6 #8 flat head screws.

MOUNTING DETAIL TYPICAL
3/8" diameter anchor w/ HILTI, min 3 1/8" embed into grout between bricks.

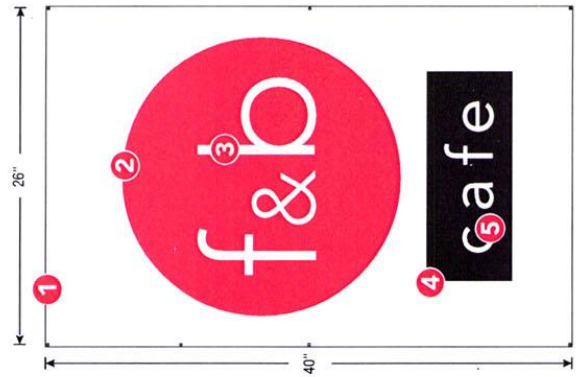


SUPPORT FRAME FOR BOTH A & B SIGN LOCATIONS:
HSS 2" aluminum frame, continuous welded and powder-coated black.



MOUNTING POSTPLATE:
HSS 4.75" x 1" x 1/8" 6063 aluminum post, continuous weld to 3/8" x 8.25" x 9.375" aluminum backer plate. All welds to be 3/16" typical.

3/8" anchor holes are 2" x 1" from each corner. Hole locations may need to be adjusted slightly in order to match grout lines for mounting.



DOUBLE SIDED SIGN FACE

PAINTED ACRYLIC LETTERING/GRAPHICS

- 1) FACE PANEL:**
1/8" aluminum plate (powder-coated, Sherwin Williams Sky White) drilled for #8 flat head screws, face-tapped so hardware flush. Attachment holes are 1/2" from edge of panel. All hardware is painted to match face.
- 2) DIMENSIONAL DISK:**
2 1/2" diameter x 3/8" thick acrylic disk, painted to match PMS color (TBD). Disk is installed with 3m VHB tape and 3m 760 Marine/Sealant Adhesive.
- 3) DIMENSIONAL LETTERS:**
9" high x 1/4" thick acrylic letters, painted enamel white. Letters are installed with 3m VHB tape and 3m 760 Marine/Sealant Adhesive.
- 4) DIMENSIONAL BASE PANEL:**
6 1/2" high x 3/8" thick acrylic panel painted enamel black. Letters are installed with 3m VHB tape and 3m 760 Marine/Sealant Adhesive.
- 5) DIMENSIONAL LETTERS:**
2.25" x 3" high x 1/4" thick acrylic letters, painted enamel white. Letters are installed with 3m VHB tape and 3m 760 Marine/Sealant Adhesive.

Approved

City of Portland
Bureau of Development Services
Planner *Bergin-Nick*
Date *10/15/2016*

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

EXHIBIT C-2
LU 15-134317 HR