



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
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Date: January 9, 2017
To: Interested Person
From: Jeff Mitchem, Land Use Services
503-823-7011 / Jeffrey.Mitchem@portlandoregon.gov

REVISED 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 16-254894 DZ
AC HOTEL SIGNAGE

GENERAL INFORMATION

Applicant: SMPT3 LLC
2725 Rocky Mountain Ave #200
Loveland, Co 80538-8717

Representative: Tina Kayser | Ramsay Signs Co
9160 SE 74th Ave
Portland, OR 97206

Site Address: **888 SW 3rd Avenue**

Legal Description: BLOCK 22 LOT 5&6, PORTLAND; BLOCK 22 LOT 5&6, PORTLAND
Tax Account No.: R667703480
State ID No.: 1S1E03BA 06100
Quarter Section: 3129
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 a Design Overlay
Case Type: DZ, Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

NOTE: This revised decision is being issued because the Notice of a Type III Decision issued on December 22, 2016 exhibited a site plan incorrectly identifying the location the proposed wall-mounted signs – Sign #1 was correctly identified as being proposed for the north elevation, while Sign #2 was incorrectly identified as being proposed for the west elevation. The Site Plan exhibited to this revised decision (Exhibit C.1) correctly identifies the location of both proposed signs – Sign #1 on the north elevation and Sign #3 on the **east** elevation.

The proposal is for two identical wall-mounted cabinet signs on the AC Hotel (under construction) to be mounted on the parapets of the west end of the north elevation and the south end of the east elevation. Both signs are interior-lit and approximately 62 square feet in size each.

Design Review is necessary because the proposal is for new signage over 32 square feet in size within a Design Overlay Zone.

Relevant Approval Criteria:

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

- 33.825 Design Review
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: Currently under construction (AC Hotel by Marriott), the ¼-block site occupies the northeast corner of the intersection of SW 3rd Ave and Taylor St. The remainder of the block is fully developed –adjacent to the north is the Director Building (Landmark, circ. 1911) and fronting SW 2nd St adjacent to the east are four masonry buildings within the Yamhill Historic District. The MAX light rail line runs along SW Yamhill and Morrison Streets, which are designated Regional Transitway/Major Transit Priority Streets, Central City Transit Pedestrian Streets, and Local Service Bikeways. SW 3rd Avenue and Taylor St are both designated City Walkways. The site is within the Downtown Pedestrian District.

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:

- LU14-225506 DZAD. Land Use Review approval of the AC Hotel, a new 204 room hotel on a vacant 10,000 square foot lot – 13 floors plus one below grade level on existing vacant lot.
- LU 15-252516 DZ. Land Use Review approval for revisions to the previously approved Land Use Review for the AC Hotel by Marriot.

Agency Review: A *Notice of Proposal in Your Neighborhood* was mailed **November 18, 2016**. Given the narrow scope of the project (wall signage), no Bureaus have responded.

Neighborhood Review: A *Notice of Proposal in Your Neighborhood* was mailed on **November 18, 2016**. No responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

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.

C4. Complement the Context of Existing Buildings.

Complement the context of existing buildings by using and adding to the local design vocabulary.

Findings for A4 and C4: In the context area (the Central City’s most commercially concentrated subdistrict), parapet signage on commercial towers are generally modest in size and illuminated. Such signage is also characterized by thoughtful location that considers adjacent architectural features and the overall design of the subject building. These principles prevent visual clutter and allow the buildings themselves to retain their role as the primary feature of the skyline. Located on the two non-street facing elevations, the identical signs are consistent with these principles. The signs are 62.67 square feet in area. Each sign will be vertically and horizontally aligned appropriately considering building geometry and material shifts. Thus the proposed signs use the local design vocabulary for parapet signs in a fashion well-integrated with façade geometry. *Therefore, these guidelines are met.*

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.

C12. Integrate Exterior Lighting.

Integrate exterior lighting and its staging or structural components with the building’s overall design concept. Use exterior lighting to highlight the building’s architecture, being sensitive to its impacts on the skyline at night.

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 C2, C3, C5, C12, and C13: The proposed signs respect the character of the subject building and allow it to remain a coherent composition in the following ways:

- The signs will be located on “blank” portions of the parapet walls, aligned with metal panel seams and brick material shifts.
- The upper edge of each sign will align with parapet cornice of the building façade.
- The signs will be painted (teal field & bright star white lettering) allowing the letters to appear as individually illuminated design elements in a darker field, minimizing the apparent mass of the sign.
- The signs will be located near the vertical edges of the building, accentuating the corners of the building façade.
- At 62.67 square feet in area each the signs are appropriately sized for a commercial tower of this size. The size ensures that the sign will successfully communicate the identity of the building’s sole tenant without creating visual clutter or obtrusion in the skyline.
- All of the materials for the new signs are appropriately durable for wall signage. The signs are comprised of cabinet construction skinned in vinyl with aluminum returns.
- The LED lighting is integrated within the signage by virtue of its evenly distributed location internal to each cabinet. The lighting will allow for building identification during nighttime hours without creating obtrusion in the downtown skyline.

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

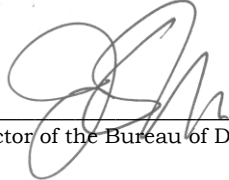
The proposed signs are sized and located appropriately for the subject building, particularly views of the subject elevations from distant vantage points. The sign will communicate the identity of the building's sole tenant without creating visual clutter or obstruction in the downtown skyline. The Design 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 therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of two wall-mounted parapet cabinet signs of 62.67 square feet each on the north and east elevations in the Central City Plan District / Downtown Subdistrict, per the approved site plans, Exhibits C-1 through C-4, signed and dated January 4, 2017, 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 16-254894 DZ. No field changes allowed."

Staff Planner: Jeffrey Mitchem

Decision rendered by:  **on January 4, 2017**
By authority of the Director of the Bureau of Development Services

Decision mailed: January 9, 2017

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 October 6, 2016, and was determined to be complete on **November 16, 2016**.

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 October 6, 2016.

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: March 16, 2017.**

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 January 23, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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.

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 **January 24, 2017**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.

- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

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

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

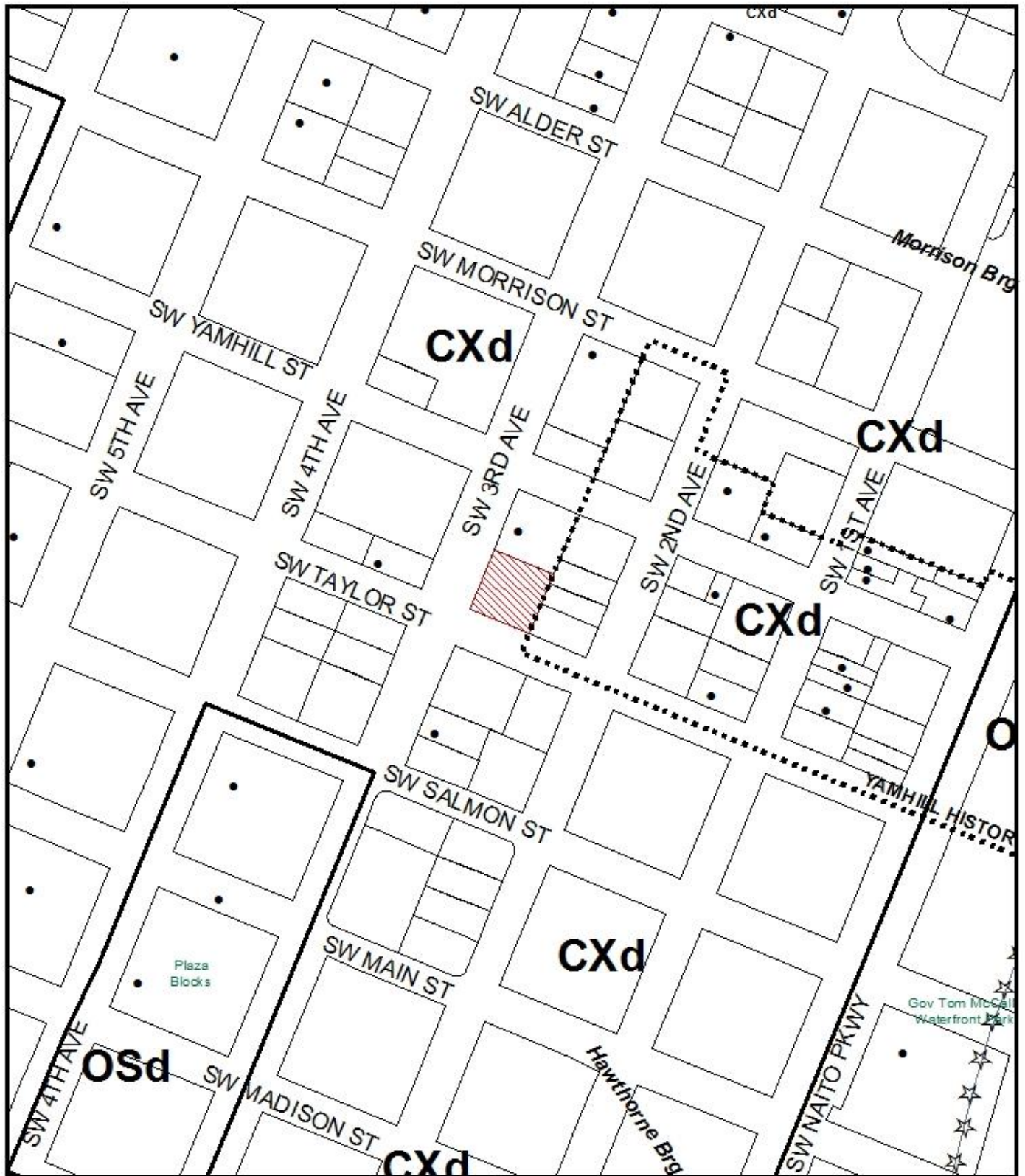
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Design Review Drawing Set (Sheet C.1-C.4)
 - Sheet C.1 (attached)
 - Sheet C.4 (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: NONE
- F. Correspondence: NONE
- G. Other:
 - 1. Original LU Application

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).



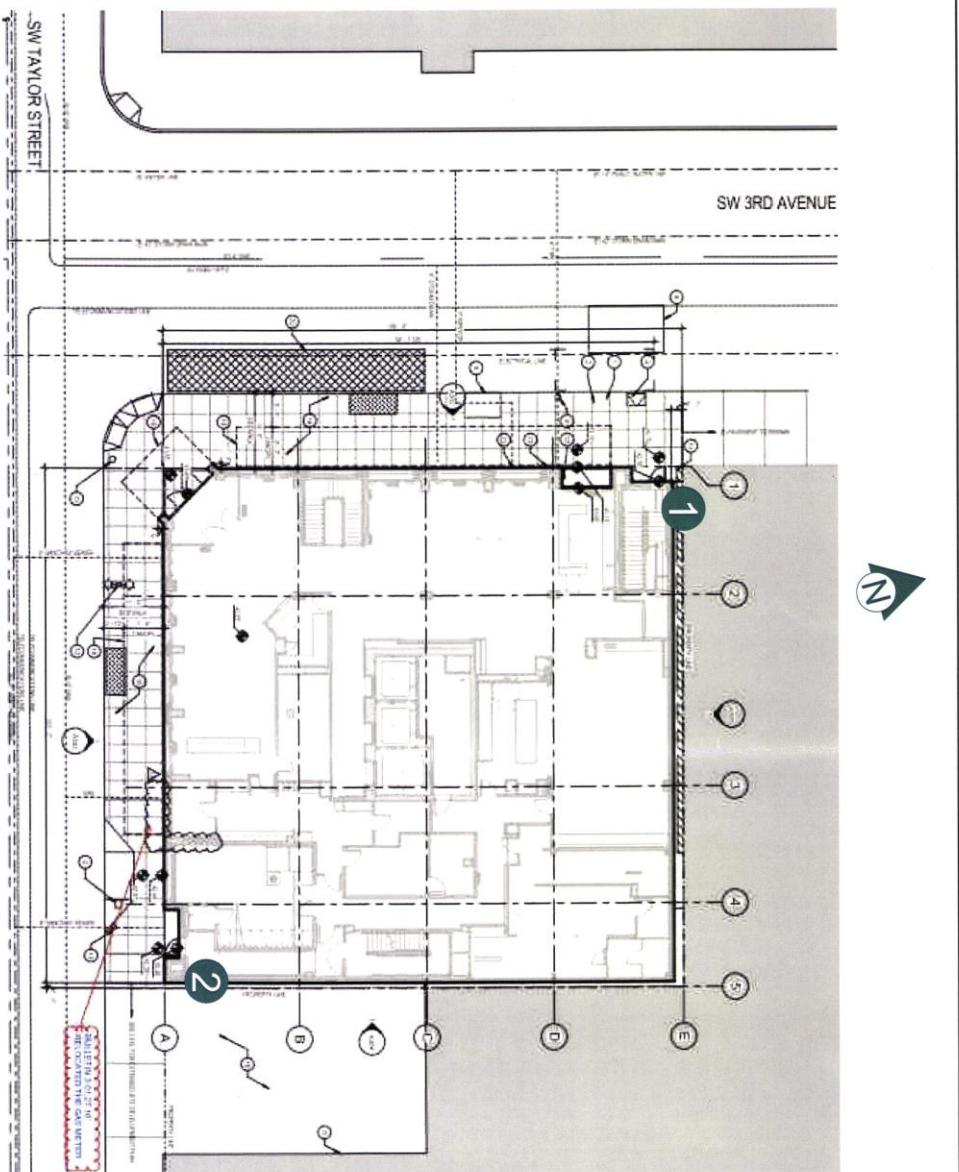
ZONING



This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT

- Site
- Recreational Trails
- Historic Landmark

File No.	<u>LU 16-254894 DZM</u>
1/4 Section	<u>3129</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E03BA 6100</u>
Exhibit	<u>B (Oct 11, 2016)</u>



AC HOTELS
PORTLAND, OR

PROPOSED SIGNS:

- 1 7'-11" X 7'-11" SINGLE FACE SIGN
- 2 7'-11" X 7'-11" SINGLE FACE SIGN

NOTE: Elevation drawings are for customer approval only; drawings are not to be used as any installation guide. all dimensions must be verified before installation.

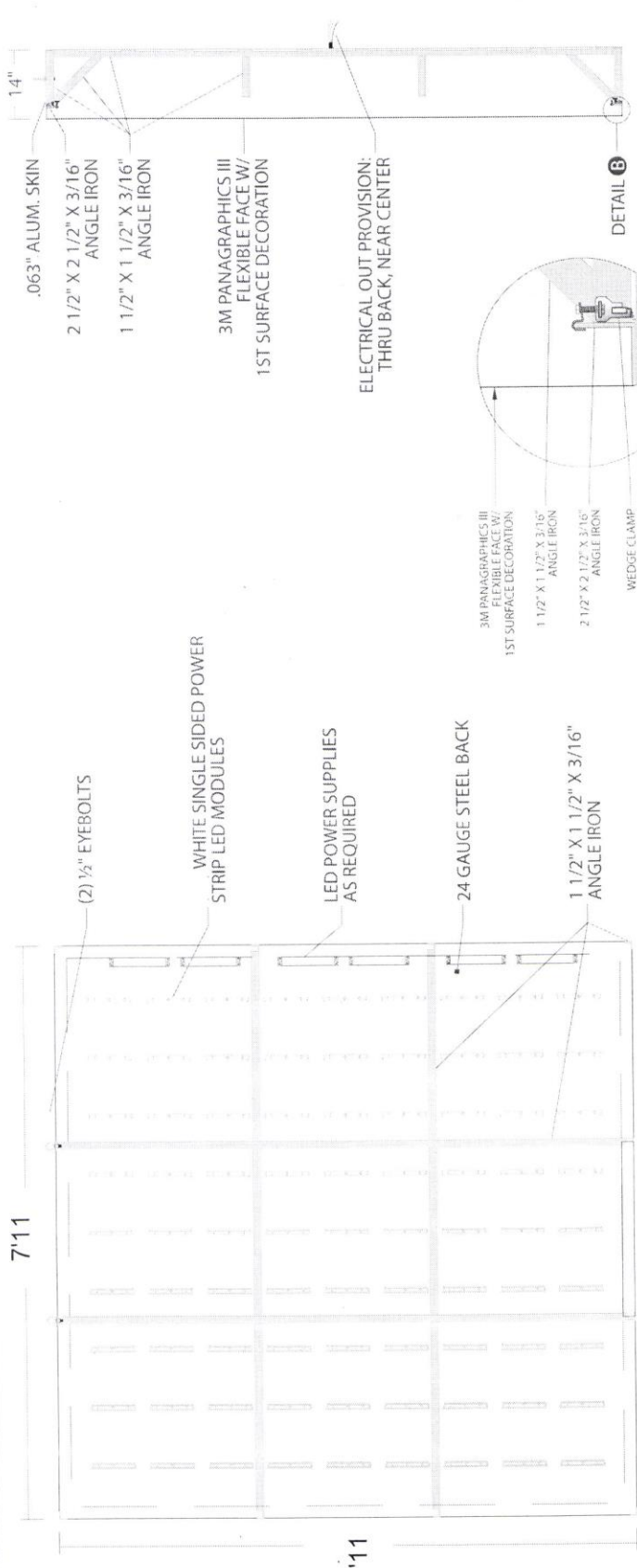
Customer: AC HOTELS	Date: 12/21/16	Prepared By: MR/SP/RM/CM/RM	<p><small>Note: Our intent may be to track the viewing of your drawing. All users use an IP address. We do not collect IP addresses. If you are a contractor, please provide the contact information for the drawing and the email address.</small></p>
Location: PORTLAND, OR	File Name: 139057 - R10 - PORTLAND, OR	Eng:	

persona
SIGNS | LIGHTING | IMAGE

DISTRIBUTED BY SIGN UP COMPANY
200 E 1st Street, SouthWest
Portland, OR 97201-0210
1.800.843.9888 • www.personasigns.com

Approved: _____
 Date: _____
 Planning and Development Services
 City of Portland
 Additional zoning requirements may apply.

Handwritten: [Signature]
 v.1



FRAME & LIGHTING DETAIL

CROSS SECTION

DETAIL B
SCALE: NTS

FRAME DETAILS:
1 1/2" X 2 1/2" X 3/16" REVERSE ANGLE IRON FRAME
BLEED FACE
EXTERIOR FINISH: PAINT TO MATCH PMS 3165 C TEAL
INTERIOR FINISH: STAR-BRIGHT WHITE
SKINS REMOVABLE FOR SERVICE
U.L. APPROVED
ELECTRICAL: 3.57 AMPS, 120 VOLTS
SIGN AREA: 96.90 SQ FT

FACE DETAIL:
3M PANAGRAPHICS III FACE W/ 1ST SURFACE VINYL DECORATION:
ORACAL 8500-618 TEAL GREEN- UPPER BACKGROUND
395-61 SLATE GRAY - LOWER BACKGROUND
WHITE - COPY & DIVIDER STRIPE

AC HOTELS

Approved
City of Portland Bureau of Development Services
Date: 7/17

* All reviews only to the reviews requested and is subject to all
level. Additional zoning requirements may apply.

GRAPHIC DETAIL
SCALE: 3/16" = 1'-0"

Customer:	AC HOTEL	Date:	07/14/14	Prepared By:	CM
Location:	VARIOUS	File Name:	9'10" X 9'10" SF WALL SIGN		
					Eng: JK

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700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
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