



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

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Date: April 25, 2017
To: Interested Person
From: Mike Gushard, Land Use Services
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NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision 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 16-127309 HR – NEW SIGN IN A HISTORIC DISTRICT

GENERAL INFORMATION

Applicant: Marketplace I
PO Box 15127
Portland, OR 97293

Tracy Orvis, Diloreto Architecture, LLC
200 NE 20th, Ste 200
Portland, OR 97232

Jeff Hernandez, Black Rock Coffee Bar
16307 NE Cameron Blvd
Portland OR 97230

Site Address: 617 NW 13TH AVE

Legal Description: BLOCK 119 LOT 1-4, COUCHS ADD
Tax Account No.: R180210620, R180210620, R180210620, R180210620, R180210620,
R180210620, R180210620, R180210620, R180210620
State ID No.: 1N1E33AD 02600, 1N1E33AD 02600, 1N1E33AD 02600,
1N1E33AD 02600, 1N1E33AD 02600, 1N1E33AD 02600,
1N1E33AD 02600, 1N1E33AD 02600, 1N1E33AD 02600
Quarter Section: 2928

Neighborhood: Pearl District, contact planning@pearldistrict.org.
Business District: Pearl District Business Association, contact Carolyn Ciolkosz at 503-227-8519.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - River District
Other Designations:

Zoning: EXd – Employment Zone with Design Review

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 proposes the installation of a round 36 inch diameter sign made of high density urethane with copperleaf lettering and an aluminum support. The sign is in line with existing signage on the structure and held aloft by 1.5” aluminum tube supports. It is 3 inches thick. Because the sign is within the 13th Avenue Historic district the project requires historic resource review. Staff notes the sign has already been installed.

Relevant Approval Criteria:

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

- 13th Avenue Historic Design Guidelines
- Central City Fundamental Design Guidelines

ANALYSIS

Site and Vicinity: The building is a contributing resource in the NW 13th Avenue Historic District. The NW 13th Avenue Historic District is significant as a concentration of early-to-mid twentieth century warehouse and manufacturing buildings that developed along a railroad spur occupying the district’s namesake right-of-way. The spur was installed in stages between 1906 and 1908 and the contributing buildings in the district date from then to the early post World War II era. NW 13th Avenue, the spine of the district, serves the utilitarian rear and side facades of the district and it includes prominent loading doors and docks. The buildings are Decision Notice for LU 11-162580 HDZM – Exterior Alterations Page 3 generally plain and highly regular in architectural composition. Since the late 1980s the area has undergone a steady transformation to an upscale shopping and condominium district.

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

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

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region’s heritage. The regulations implement Portland’s Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region’s citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city’s economic health, and helps to preserve and enhance the value of historic properties.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **December 6, 2016**. The following Bureaus have responded with no issues or concerns about the proposal:

- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- The Bureau of Transportation Engineering

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **December 6, 2016**. 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 NW 13th Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *NW 13th Avenue Historic District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

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

NW 13th Avenue Historic District Design Guidelines

Guidelines for Exterior Remodeling Historic NW 13th Avenue District

- 1. Visual Integrity of Structure.** The vertical lines of columns and piers, and the horizontal definition of spandrels and cornices, and other primary structural elements should be maintained. Such structural lines should be restored if previous alterations have substantially changed them.
- 6. Signs.** There is a tradition in the NW 13th Avenue Historic District of painting large signs on the walls (usually on non-street elevations) of warehouse structures. These historic painted wall signs should be retained where practical.

New signs on the principal (i.e., street) elevations of new or existing buildings should be restrained and should not be a dominant facade feature. Lettering painted on windows, and signs located inside buildings are appropriate; moreover, these types of signs do not require review. Other appropriate design types include indirectly lit letters mounted on spandrels above the storefront, or signs on an entry awning. Contemporary plastic, backlit signs are discouraged. Signs should be mounted so as to minimally damage any historic surface to which they are attached.

Guidelines for New Construction Historic NW 13th Avenue District

- 8. Signs.** There is a tradition in the NW 13th Avenue Historic District of painting large signs on the walls of warehouse structures. This practice is not discouraged on new buildings. However, signage on the principal (i.e., street) elevations of new or existing

buildings should be restrained and should not be a dominant facade feature. Lettering painted on windows and signs located inside buildings are usually suitable; moreover, these types of signs do not require review. Other suitable design types include indirectly lit letters, mounted on the spandrels above storefronts. Contemporary plastic, backlit signs are discouraged.

Central City Fundamental Design Guidelines

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.

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 1,6,8, C2, C3, C5 and C13: The proposal for a new round sign is integrated into the design of the building and does not disrupt the visual or architectural integrity of the historic resource. It is in line with other signs on the building and mirrors the size and placement of the signs on the historic Gadsby Building across NW Hoyt Street. The holes left after using small screws to attach it to the fascia can be easily patched if the sign is removed. The sign is designed using high-quality copper leaf on a resin base with an aluminum mounting. The sign is already installed and has maintained its integrity of look over time. The sign is not backlit nor is it large enough to overwhelm the warehouse building it is installed on. *Therefore these criteria 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 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 a new sign in a historic district per the approved site plans, Exhibits C-1 through C-5, signed and dated April 20, 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.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-127309 HR ."

Staff Planner: Mike Gushard



Decision rendered by: _____ **on April 20, 2017**

By authority of the Director of the Bureau of Development Services

Decision mailed April 25, 2017

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 February 26, 2016, and was determined to be complete on August 24, 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 February 26, 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 requested that the 120-day review period be extended 245 days. Unless further extended by the applicant, **the 120 days will expire on: April 26, 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.

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 **April 26, 2017**

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.

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

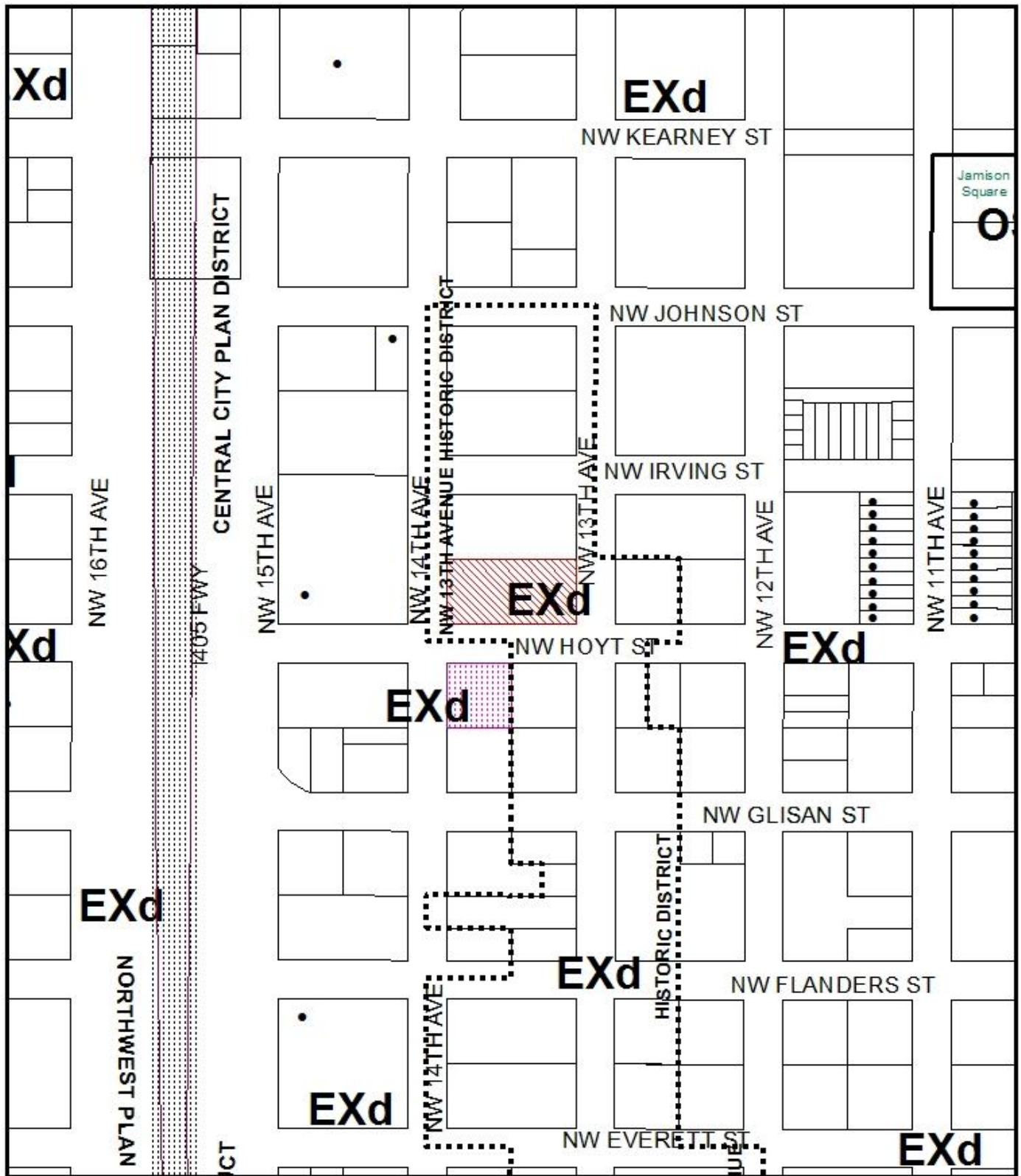
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative
 - 2. Extension Form
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation
 - 3. Sign Elevation
 - 4. Mounting details
 - 5. Sign Specs
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. TRACS Print Out
- F. Correspondence: none Recieved
- G. Other
 - 1. Original LU Application
 - 2. Incomplete Letter
 - 3. 180 Day Notice Letter

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
 PEARL DISTRICT SUBDISTRICT
 13TH AVENUE HISTORIC DISTRICT

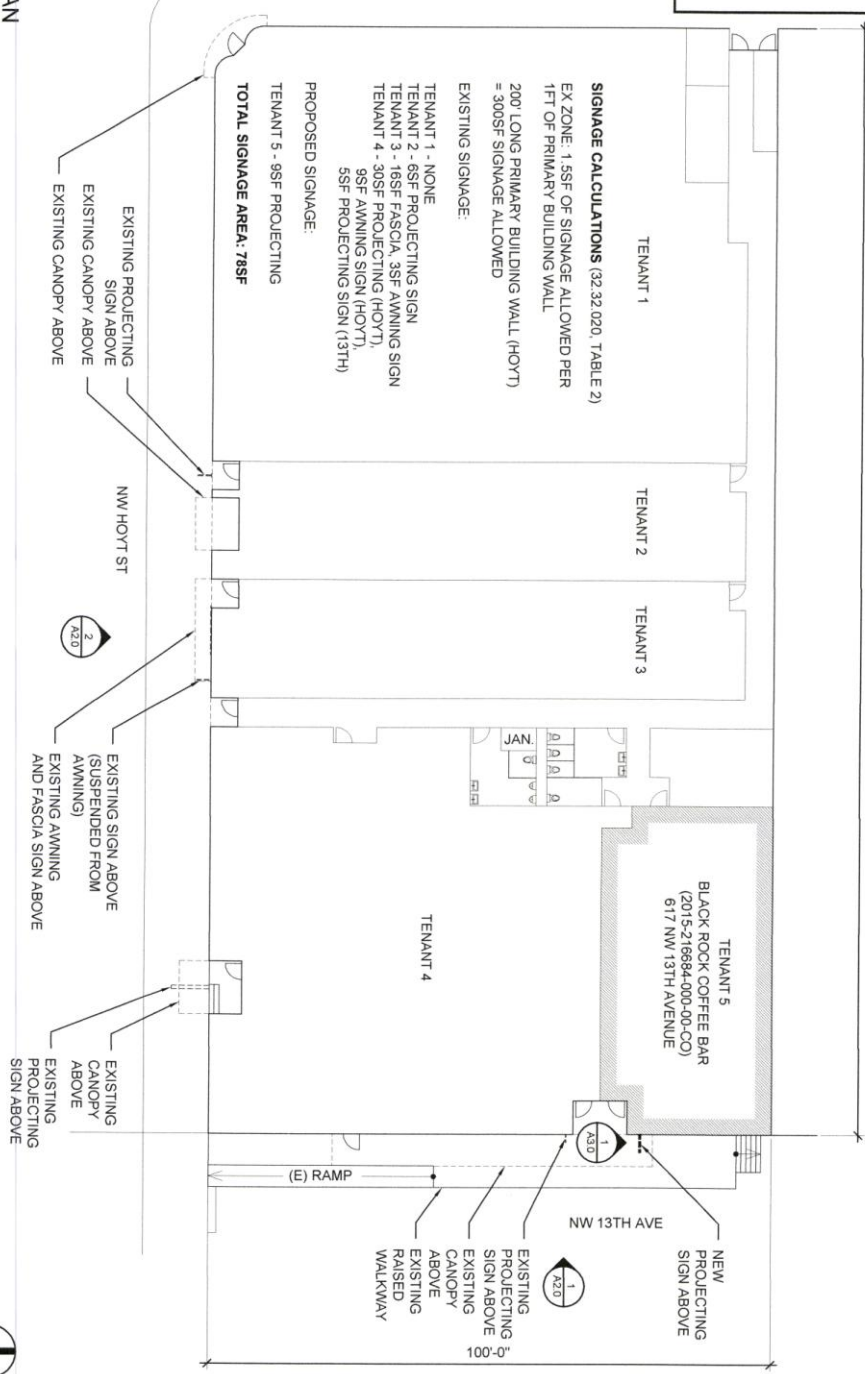
- Site
- Also Owned Parcels
- Historic Landmark

File No. LU 16-127309 HR
 1/4 Section 2928
 Scale 1 inch = 200 feet
 State_Id 1N1E33AD 2600
 Exhibit B (Mar 01, 2016)



NW 14TH AVE

200'-0"



SIGNAGE CALCULATIONS (32.32.020, TABLE 2)
 EX ZONE, 1.5SF OF SIGNAGE ALLOWED PER
 1FT OF PRIMARY BUILDING WALL
 200' LONG PRIMARY BUILDING WALL (HOYT)
 = 300SF SIGNAGE ALLOWED

EXISTING SIGNAGE:

- TENANT 1 - NONE
- TENANT 2 - 6SF PROJECTING SIGN
- TENANT 3 - 16SF FASCIA, 3SF AWNING SIGN
- TENANT 4 - 30SF PROJECTING (HOYT),
 9SF AWNING SIGN (HOYT),
 5SF PROJECTING SIGN (13TH)

PROPOSED SIGNAGE:

- TENANT 5 - 9SF PROJECTING

TOTAL SIGNAGE AREA: 78SF

1 SITE PLAN
 A1.0 SCALE: 1"=20'-0"

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 Portland, Oregon USA 97225-3202
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 Telephone: 503.738.9979
 Fax: 503.738.9975

BLACK ROCK COFFEE SIGNAGE
 617 NW 13TH AVENUE
 PORTLAND, OREGON

SITE PLAN
A1.0
 02.26.16 16006

LU 16-127309 HR