



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

Chloe Eudaly, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: August 9, 2018
To: Interested Person
From: Emily Hays, Land Use Services
503-823-5676 / Emily.Hays@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 18-190424 HR – NEW TENANT SIGNAGE

GENERAL INFORMATION

Applicant: Katsuyuki Tanaka | Kiriko Made
325 NW Couch Street | Portland, OR 97209
katsu@kirikomade.com

Owner: Jo Anne Hong
2615 SE 73rd Avenue | Portland, OR 97206-1130

Site Address: **102-112 NW 4th Avenue**

Legal Description: BLOCK 28 LOT 2 S 20' OF LOT 3, COUCHS ADD
Tax Account No.: R180202130
State ID No.: 1N1E34CA 07900
Quarter Section: 3029

Neighborhood: Old Town Community Association, contact Peter Englander at treasurer@oldtownchinatown.org or Will Naito at planning@pdxoldtown.org.

Business District: Downtown Retail Council, contact Lisa Frisch at lfrisch@portlandalliance.com; Old Town Community Association, contact at chair@oldtownchinatown.org.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - River District
Other Designations: Contributing Resource in the New Chinatown/Japantown Historic District

Zoning: **CXd** – Central Commercial with Design Overlay and Historic Resource Protection Overlay

Case Type: HR – Historic Resource Review
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Historic Resource Review approval for a new 16” x 16” sign on a contributing resource in the New Chinatown/Japantown Historic District. The sign features a metal frame with wooden structure inside, projecting approximately 30” on the underside of a simple metal pole. The sign will be placed at the transom level adjacent to the retail entry.

Historic Resource Review is required for new signs in the New Chinatown/Japantown Historic District.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- New China/Japantown Historic District Design Guidelines

ANALYSIS

Site and Vicinity: The subject property, identified in the National Register nomination as the Hung Far Low building after a long-standing Chinese restaurant housed there, was completed in 1916 to a design by the prominent local firm of Whitehouse and Fouilhoux. It is a two story brick structure of a utilitarian character. As with many structures in the New Chinatown/Japantown Historic District, its historic significance relates primarily to its role within the Chinese and Japanese immigrant communities.

The district is significant under Eligibility Criterion “A” for its association with late Nineteenth and early Twentieth Century commerce; under Criterion “B” for its association with Chinese and Japanese immigrants after the displacement of the original Chinatown; and under Criterion “C” for some of its architectural expressions.

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 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 River Subdistrict of this plan district.

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

- LU 10-136780 HDZ – Approval to install an awning at NW 4th Avenue entry.
- LU 18-158442 HDZ – Approval of two rooftop mechanical units.
- LU 05-131681 HDZ – Approval for a storefront remodel.
- LUR 93-00648 DZ – Approval for a renovation to install a kitchen and bathroom.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **July 5, 2018**. The following Bureaus have responded with no issues or concerns about the proposal:

- Fire Bureau
- Site Development Section of BDS
- Life Safety Review Section of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **July 5, 2018**. No written response has 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 New Chinatown/Japantown Historic District and the proposal is for a non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are the *River District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

Staff has considered all guidelines and addressed only those applicable to this proposal. The Central City Fundamental Design Guidelines and the New Chinatown/Japantown Design Guidelines are considered concurrently.

Central City Plan Design Goals

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.

A1. Integrate Authentic Chinese and/or Japanese Design Elements in Keeping with District Character.

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.

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

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

Findings for A1, A4, A5, A6 & C4: The overall design and articulation of the sign help to activate and identify the storefront and use of the tenant space without detracting from the historic building. In general, the sign is appropriately scaled, placed and of a form and character consistent with its location in the New Chinatown/Japantown Historic District. Signage size, and material respond to the character of the surrounding context. Careful detailing of the sign face is consistent with a local design vernacular that helps to identify the area and its commercial tenants. *These guidelines have been met.*

A6. Provide Texture, Small-scale Detail and a Rich Pedestrian Environment at the Ground Floor.

A7. Establish and Maintain a Sense of Urban Enclosure. Define public rights-of-way by creating and maintaining a sense of urban enclosure.

A8. Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

B1. Reinforce and Enhance the Pedestrian System. Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

Findings for A6, A7, A8 & B1: The tenant space is located within a historic building, facilitating the reuse and continued maintenance of the structure. The new sign reinforces the series of ground level storefront spaces, which play an important part in identifying the cultural history of the area. Additionally, the ornate wood inlays featured on the sign reinforce the identity of the area, reflecting the historic character of the district within the right-of-way. The sign itself is a work of art that adds to the local design vocabulary. *These guidelines have been met.*

A2. Use Durable, High Quality Materials and Finishes.

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.

Findings for A2, C2, C3 & C5: The new sign will contribute to a coherent, rhythmic, fine grain street-facing façade and work to unify the base of the building as a whole. The sign is constructed of wood and metal, a simple and durable palette that reflects common building elements within the district. The wood panel is inset slightly from the

metal frame, and is removable to facilitate replacement, if necessary. The placement of the sign respects the architectural integrity of the historic building. The metal pole will project from the building face at the transom level, a historically appropriate, and common location for individual tenant signage. *These guidelines have been met.*

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.

D4. New China/Japantown Unique Sign District. Provide opportunities for the development of suitably ornate signs, using motifs, symbols, bright colors, and celebrative forms that add to the atmosphere and character of New China/Japantown. Size and place signs and their structural support systems so that significant architectural or historical features of the building are not concealed or disfigured. Ensure that all signs receive proper maintenance.

Findings C10, C13 & D4: The sign utilizes bright color and ornate embellishments that reflect the craft of the retail tenant and celebrate the atmosphere and character of the district. The proposed metal sign mount projects minimally into the public right of way to mark the tenant entry. The simple structural pole is integrated at the transom level, orienting the sign to the sidewalk, and enhancing the pedestrian environment. *These guidelines have been 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 requirements of Title 11 can be met, and 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

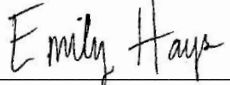
Approval of Historic Resource Review for a new 16" x 16" sign on a contributing resource in the New Chinatown/Japantown Historic District. The sign features a metal frame with wooden structure inside, projecting approximately 30" on the underside of a simple metal pole placed at the transom level adjacent to the retail entry.

Approval per the approved site plans, Exhibits C-1 through C-2, signed and dated August 6, 2018, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 18-190424 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Emily Hays

Decision rendered by:  **on August 6, 2018**
By authority of the Director of the Bureau of Development Services

Decision mailed August 9, 2018

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 June 20, 2018, and was determined to be complete on June 29, 2018.

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 June 20, 2018.

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: October 27, 2018.**

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded on or after **August 10, 2018** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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.

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

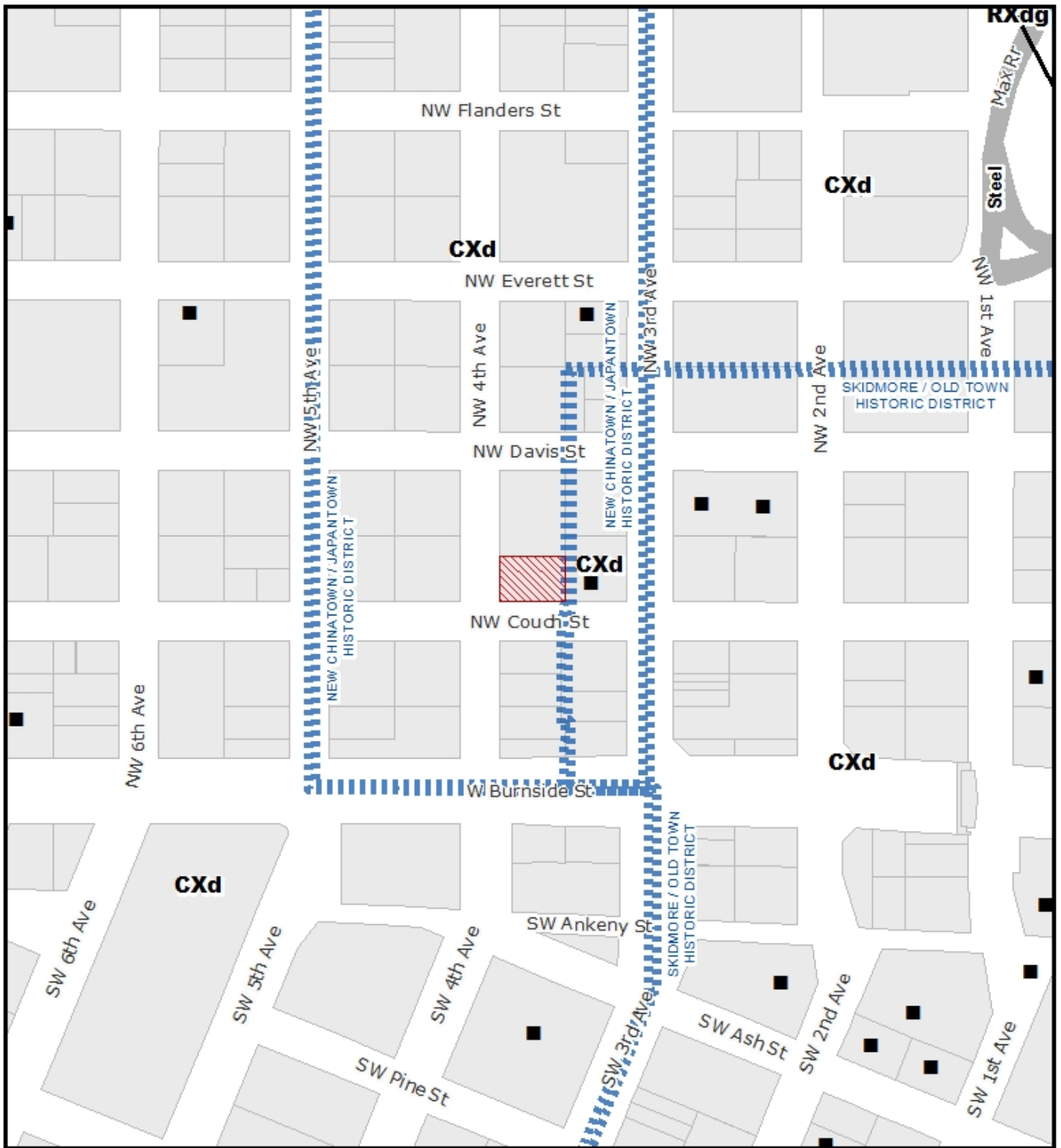
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Project Description
 - 2. Site Plan
 - 3. Sign Dimensions
 - 4. Sign Rendering
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Sign Details (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS
- F. Correspondence: None.
- G. Other:
 - 1. Original LU Application
 - 2. Email Correspondence

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

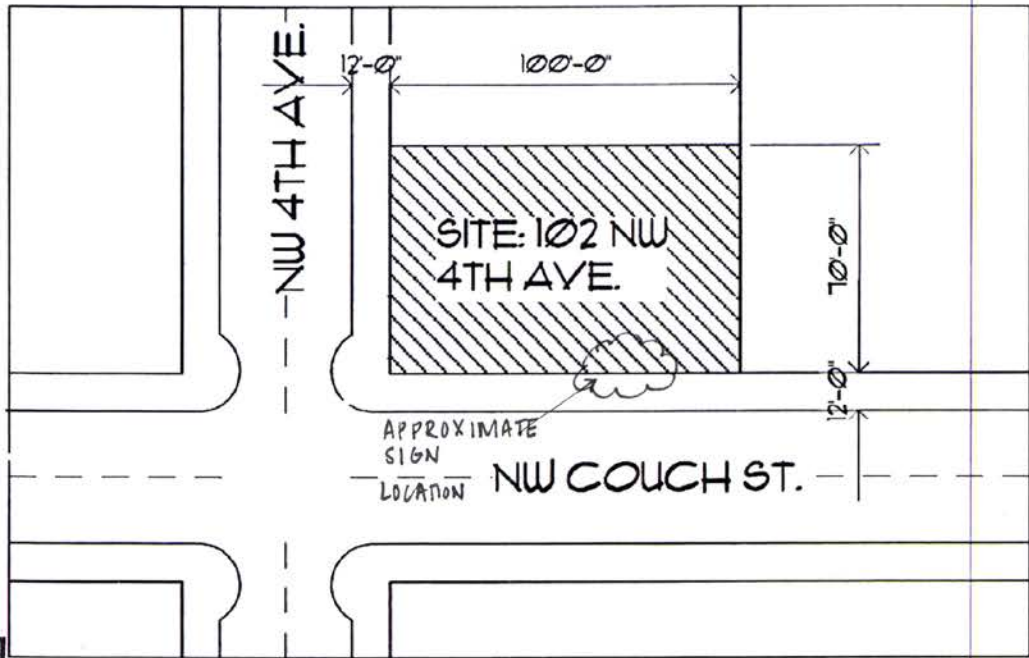
NORTH ↑

THIS SITE LIES WITHIN THE:
 CENTRAL CITY PLAN DISTRICT
 RIVER DISTRICT SUBDISTRICT
 NEW CHINATOWN / JAPANTOWN
 HISTORIC DISTRICT

-  Site
-  Historic Landmark
-  Bridge

File No.	LU 18-190424 HR
1/4 Section	3029
Scale	1 inch = 200 feet
State ID	1N1E34CA 7900
Exhibit	B Jun 25, 2018

Approved
 City of Portland - Bureau of Development Services
 Planner Erin Hays Date 8/6/18
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1. SITE PLAN

NOT TO SCALE



2. AERIAL PHOTO

NOT TO SCALE



EXHIBIT C-1
 LU 18-190424 HR



Metal Pole

30 IN

KIRIKO

16 IN

Wood Structure

16 IN

10 FT.

Wood Details

Approved
 City of Portland - Bureau of Development Services

Planner Erin Hay Date 9/5/18

* This approval is only to the reviews requested and is subject to all applicable codes. Additional zoning requirements may apply.

EXHIBIT C-2
 LU 18-190424 HR