



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

Ted Wheeler, Mayor  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** May 28, 2019  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
503-823-0624 / [staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)

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

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

### **CASE FILE NUMBER: LU 19-147162 DZ - TWO CANOPY SIGNS**

#### **GENERAL INFORMATION**

**Applicant:** Mike Coyle | Faster Permits  
2000 SW 1st Ave, Suite 420  
Portland, OR 97201  
[mike@fasterpermits.com](mailto:mike@fasterpermits.com) | (503) 680-5497

**Owner:** Fourth & Harrison LLC  
920 SW 6th Ave #223  
Portland, OR 97204-1207

**Site Address:** 1818 SW 4th Ave

**Legal Description:** BLOCK A LOT 1&2 TL 1600, SOUTH AUDITORIUM ADD  
**Tax Account No.:** R777500110, R777500110, R777500110  
**State ID No.:** 1S1E03CB 01600, 1S1E03CB 01600, 1S1E03CB 01600  
**Quarter Section:** 3229  
**Neighborhood:** Portland Downtown, contact Wendy Rahm at [wvrahm@aol.com](mailto:wvrahm@aol.com)  
**Business District:** Downtown Retail Council, contact at [lfrisch@portlandalliance.com](mailto:lfrisch@portlandalliance.com)  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - University District, South Auditorium  
**Other Designations:** none  
**Zoning:** CXd – Central Commercial zone with a Design overlay  
**Case Type:** DZ – Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

#### **Proposal:**

The applicant seeks Design Review approval for two signs on a canopy at the northern end of the west elevation of the building under construction at SW 4<sup>th</sup> Avenue and Harrison Street. The sign on top of the canopy is approximately 22 SF while the sign hanging below the canopy is 9 SF. Both signs will be internally illuminated.

Signs in the South Auditorium Plan District are subject to Design Review per Portland Zoning Code Section 33.425.041.F.

**Relevant Approval Criteria:**

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

- Central City Fundamental Design Guidelines

## ANALYSIS

**Site and Vicinity:** The site is located at the west edge of the South Auditorium District. This District is formed along the 2nd and 3rd Avenue pedestrian-only malls that create a unique north-south pedestrian corridor at the core of this 1960's urban renewal project. Equally unique to this District is the series of public fountain and parks, designed by Lawrence Halprin, that form a progression of open spaces and urban oasis along this pedestrian corridor. The three primarily open spaces that make up this sequence are Lovejoy Park, Pettygrove Park and the Ira Keller Fountain. Pettygrove Park, adjacent to the site and in the middle of this progression of open spaces, is a small, sequestered park with berms, meandering paths and dense plantings.

The site is within the Downtown Pedestrian District and bounded on two sides by pedestrian malls – SW Montgomery Street to the north and SW 3<sup>rd</sup> Avenue to the east. The site's street frontages both include a Streetcar alignment and are designated as follows:

- SW 4<sup>th</sup> Avenue (west) - Traffic Access Street, City Walkway, Local City Bikeway
- SW Harrison (south) – Traffic Access Street, Regional Transitway/Major Transit Priority Street, Central City Transit/Pedestrian Street, City Bikeway

The surrounding area consists primarily of more newly developed buildings that are a mix of institutional, commercial and residential and vary in height. The district itself, an award-winning development, is noted for its plain, light-colored concrete buildings as objects set in a lush landscape, connected by a well-developed pedestrian system buffered by generous setbacks and landscaping and numerous plazas and fountains.

**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 Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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.

**Land Use History:** City records indicate prior land use reviews including:

1. CU 061-81: Approval of a Conditional Use for a surface parking lot.
2. LUR 96-00408 PR: Approval of a Central City Parking Review for an existing surface parking lot.
3. LU 02-110910 CCPR: Approval of a Central City Parking Review for the renewal of approval of an existing 63-space surface parking lot, located at 1820 SW 4th Avenue. The lot was granted approval for Central City Parking status under LUR 96-00408 PR.
4. LU 06-155204 DZM: Approval of corner wall sign and changes to the previously approved design review (LU 06-155204 DZM) for a temporary sales office with numerous modifications to development standards.

5. LU 15-209034 DZM AD HR: Approval for a Design and Historic Resource Reviews with Modifications and an Adjustment for a 15-story mixed use building.
6. LU 17-101948 DZ: Approval of a Design Review for changes to the design approved under LU 15-209034 DZM AD HR.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **April 29, 2019**. Given the narrow scope of work only the Fire Bureau reviewed the proposal and responded with no issues or concerns:

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on April 29, 2019. One written response has been received from a notified property owner in response to the proposal.

- Nikki, Dennis, email dated 5/19/19, stating opposition to the proposed signage. (See Exhibit E.1)

*Staff Response* – The comments focus on a general opposition to the building under construction and not the proposed sign or relevant approval criteria.

## 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.

**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.

**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.

**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.

**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 A4, A5, B2, C2, C4, C5 and C13:** The signs meet these guidelines in the following manner:

- Signage integrated onto canopies is a typical element found on the surrounding development building on the area's character.
- The signage material (mostly metal) matches the canopy, storefront and primary building cladding and is a quality and durable material.
- The internal illumination, small size and location near the sidewalk will ensure the signage do not impact the skyline or have any presence from elevated views.
- The sign design is thoughtfully integrated into the canopy by being appropriately scaled for the element it is attached to and complements the building aesthetic for a coherent composition. A condition of approval has been added to ensure any electrical conduit associated with the signage lighting is internalized and not exposed on the canopy or building.
- The signage above and below the canopy supports wayfinding along the pedestrian realm and its scale and location is appropriate as it does not overwhelm the environment below.

*As conditioned for all electrical conduit associated with signage lighting to be internalized and not exposed on the exterior, 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 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 internally illuminated signs (approximately 22 SF and 9 SF) per the approved site plans, Exhibits C-1 through C-5, signed and dated 5/23/19, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) must be noted on each of the 4 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 19-147162 DZ." 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.
- D. No electrical conduit or junction boxes may be exposed on the exterior of the building or canopies.

**Staff Planner: Staci Monroe**



**Decision rendered by:** \_\_\_\_\_ **on May 23, 2019**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: May 28, 2019**

**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 April 11, 2019, and was determined to be complete on April 25, 2019.

*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 April 11, 2019.

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: August 23, 2019.**

**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 6/11/19** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> 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](http://www.portlandonline.com).

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

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

**Recording the final decision.**

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded on or after **6/12/19** 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.

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

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

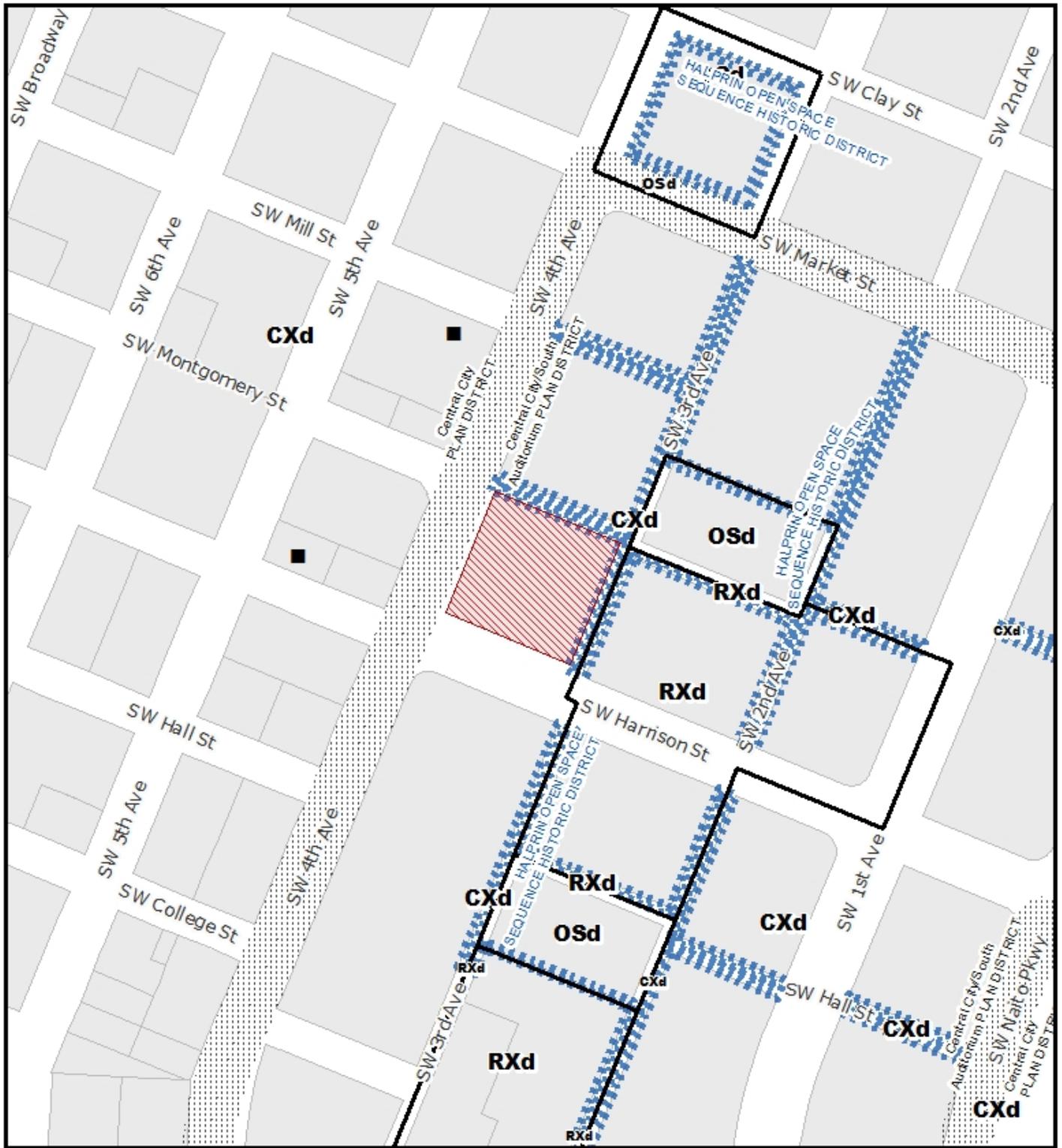
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  1. Response to approval criteria dated 4/11/19
  2. Original Drawings submitted 4/11/19
  3. Revised drawing submitted 4/30/19
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Building elevations
  3. Enlarged sign/canopy elevation (attached)
  4. Top Canopy sign details
  5. Below canopy sign details (attached)
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
  1. Nikki, Dennis, email dated 5/19/19, stating opposition to the proposed signage.
- 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).**



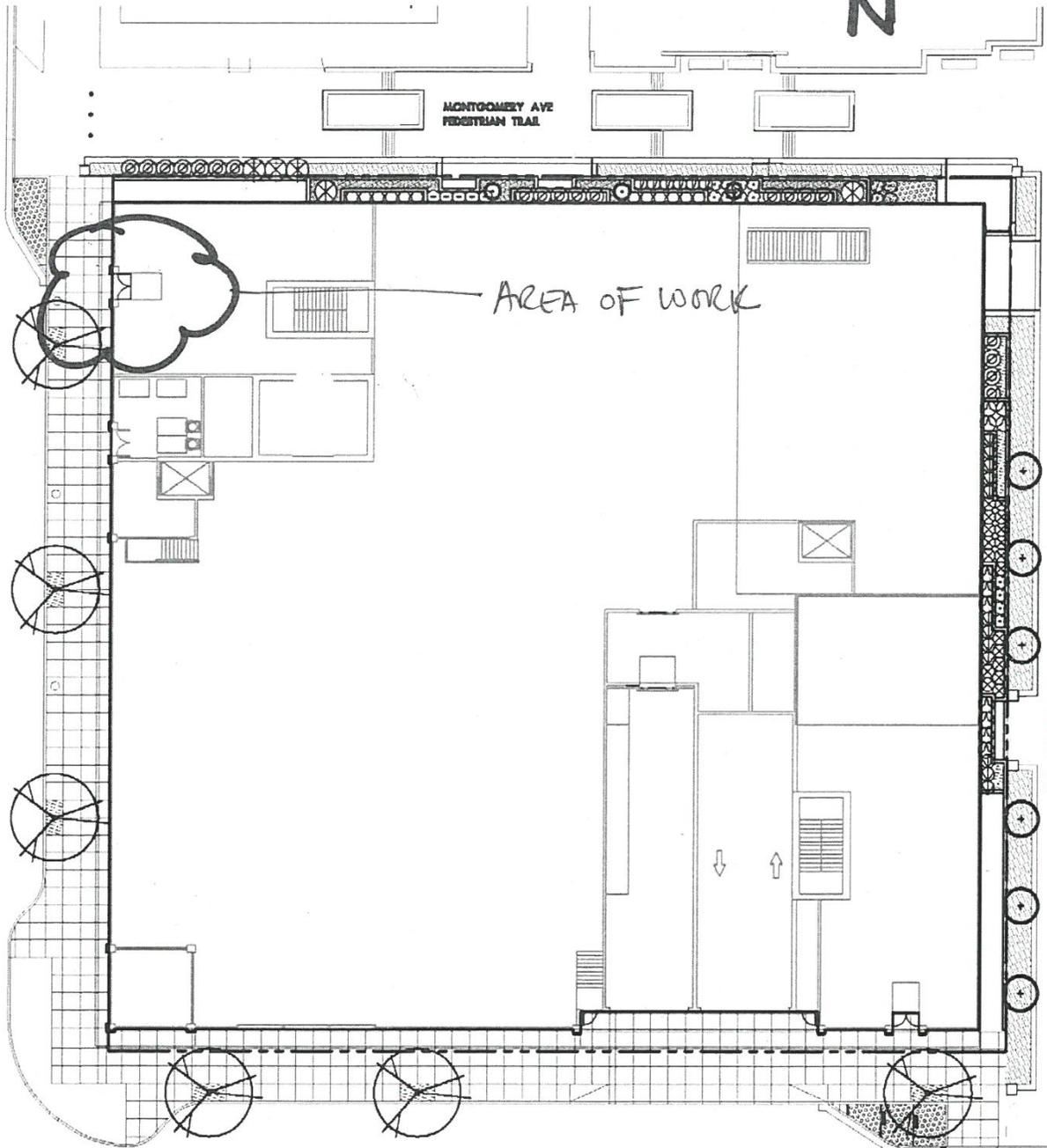
# ZONING



■ Historic Landmark

THIS SITE LIES WITHIN THE:  
 CENTRAL CITY/SOUTH AUDITORIUM  
 PLAN DISTRICT  
 UNIVERSITY DISTRICT/SOUTH DOWNTOWN SUBDISTRICT

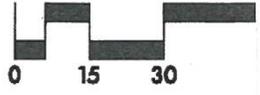
|             |                   |
|-------------|-------------------|
| File No.    | LU 19-147162 DZ   |
| 1/4 Section | 3229              |
| Scale       | 1 inch = 200 feet |
| State ID    | 1S1E03CB 1600     |
| Exhibit     | B Apr 15, 2019    |



SW 4th AVENUE

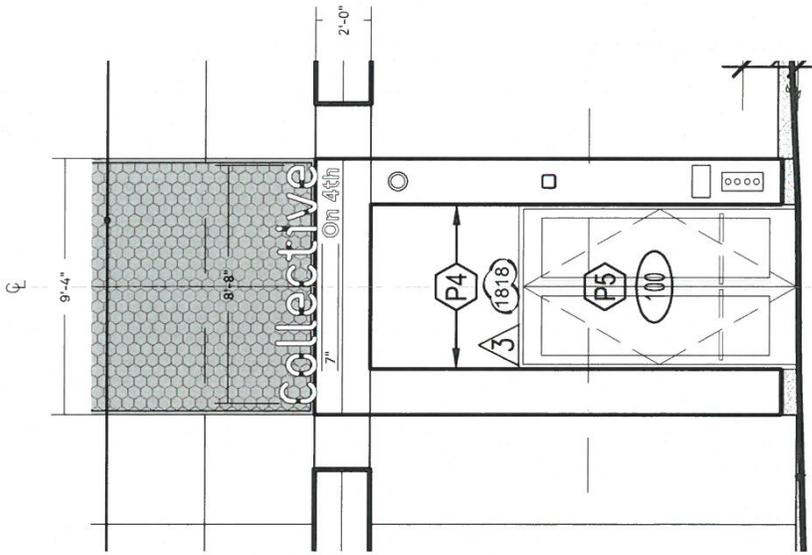
AREA OF WORK

SW HARRISON



**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner *J. Moran* Date 5/23/19  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

EX.C-1  
LV 19-147162 DZ



3 ELEVATION  
Scale: 1/4" = 1'-0"



4 ISO VIEW  
Scale: NTS

EXT CANOPY ELEVATION

collective  
 LW 19-147162 DZ  
 EX. C-3

Drawn By: Ken Roman | Design  
 Ken@yountsdesign.com  
 YOUNTS DESIGN INC.  
 3600 Clipper Mill Rd, Suite 410  
 Baltimore, MD 21211  
 443.825.4100

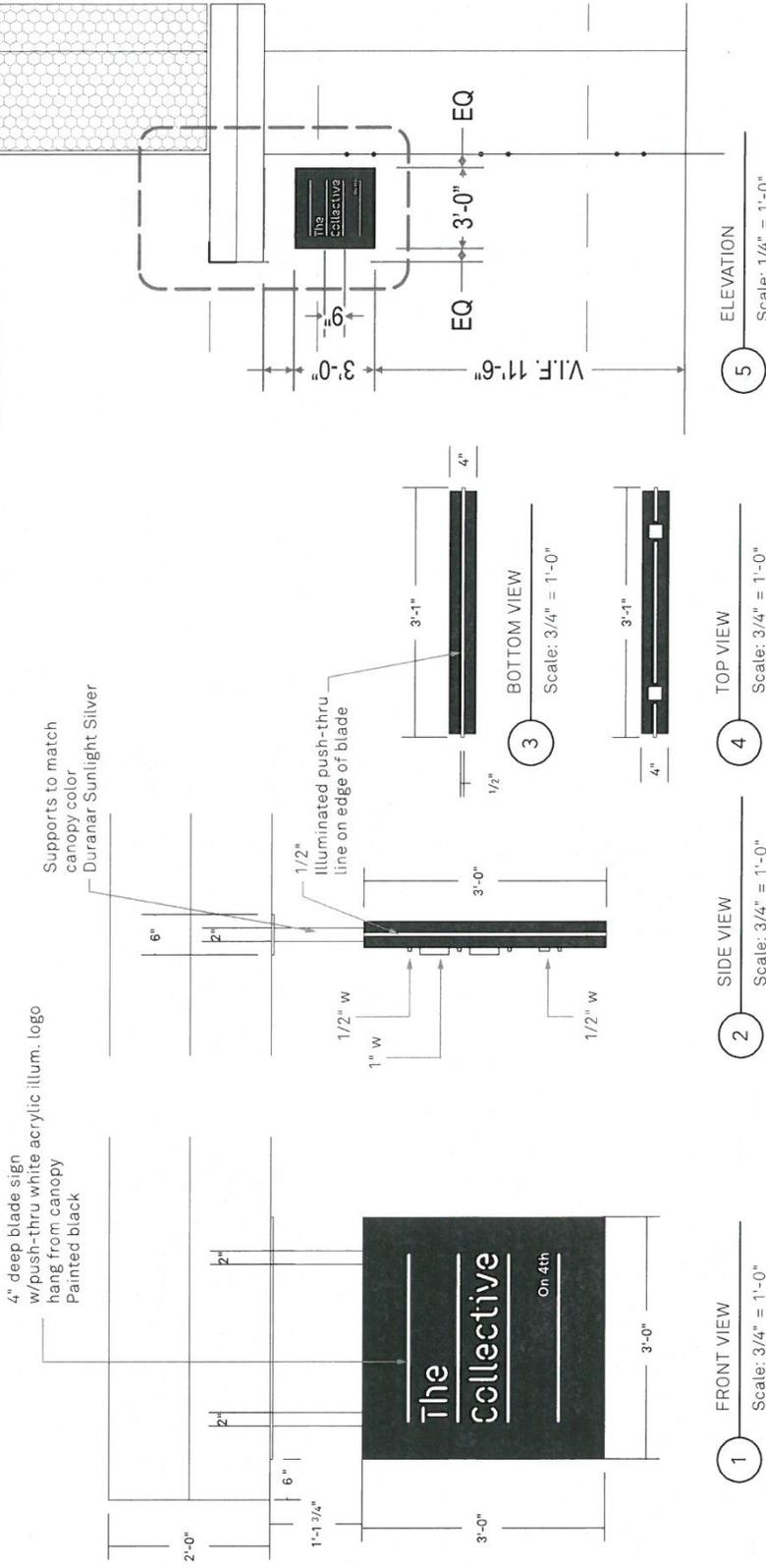
\*Approved Image System Concept  
 City of Portland - Bureau of Development Services  
 Planner: *[Signature]* Date: 5/23/19

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

05/20/19  
 Page 3

SEE CONDITION OF  
 APPROVAL D - NO  
 EXPOSE ELECTRICAL  
 CONDUIT.

**\*Approved\***  
 City of Portland - Bureau of Development Services  
 Planner Silve Date 5/23/19  
 ★ This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



EXT BLADE SIGN DETAIL

W 19-14716202  
 EX-C-5