Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

ADDENDUM TO DECISION

A notice of decision for this land use review was previously mailed on June 27, 2019. The decision was changed after the first notice after an additional Adjustment was identified. This Notice of Decision includes the additional Adjustment.

Date: August 22, 2019

To: Interested Person

From: Rodney Jennings, Land Use Services
503-823-5088 / Rodney.Jennings@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 18-282937 AD

GENERAL INFORMATION

Applicant: Dan Osterman
Tube Art Group
4243-A SE International Way
Milwaukie, OR 97222
Phone: (503) 653-1133 ext.1226
Email: dosterman@tubeart.com

Owners Representative: Spencer Ingram
Kimco Realty
13635 NW Cornell Rd., Suite 160
Portland OR, 97229
Phone: (503) 336-9202
Email: singrim@kimcorealty.com

Owner: Jantzen Beach Center 1767 LLC
3333 New Hyde Park Rd
New Hyde Park, Ny 11042

Site Address: 12045 N PARKER AVE

Legal Description:	LOT 1, PARTITION PLAT 1990-6; TL 600 7.78 ACRES, SECTION 33 2N 1E; TL 100 56.17 ACRES LAND & IMPS SEE R598735 (R951330521) FOR OTHER IMPS, SECTION 33 2N 1E; TL 100 56.17 ACRES LAND & IMPS SEE R598735 (R951330521) FOR OTHER IMPS, SECTION 33 2N 1E
Tax Account No.:	R649700320, R951330470, R951330520,
State ID No.:	2N1E33A 00200, 2N1E33D 00600, 2N1E33 00100
Quarter Section:	1728, 1729, 1828, 1829
Neighborhood:	Hayden Island, contact Ron Ebersole at 503-320-8398.
Business District:	Columbia Corridor Association, contact at info@columbiacorridor.org
District Coalition:	North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.
Plan District:	Hayden Island - Jantzen Beach
Other Designations:	none
Zoning:	CEhx Commercial Employment Zone with 'h' Aircraft Landing overlay zone and 'x' Portland International Noise Impact overlay zone
Case Type:	AD - Adjustment
Procedure:	Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:
Jantzen Beach Center proposes changes to freestanding signs at the shopping center. In addition to 9 existing freestanding signs located near the shopping center entrances, Jantzen Beach also proposes to add 7 freestanding wayfinding signs to help guide traffic within the shopping center parking areas.

The number, size, and location of signs is regulated by Title 32, the Portland Sign Code. The sign standards that apply to the Jantzen Beach Center are in Sign Code Sections 32.32.020, 33.32.030.F and Sign Code Table 2. Although the Jantzen Beach Center is in a CE Commercial Employment Zone, because the shopping center is also in the Hayden Island Pedestrian District, the sign standards of the CX Central Commercial zone apply to the shopping center. These standards are also located in Sign Code Table 2.

There are three standards in Sign Code Table 2 that place limits on the number and area of freestanding signs that may be located on a site. One standard establishes a maximum limit on the total area of all freestanding signs of 1 square foot of signage per 1 linear foot of arterial street frontage. This standard is met, as the allowance is for 3,588.95 total square foot area of freestanding signs, and 2,977.63 square feet area of total freestanding signs are proposed. The second standard does not allow freestanding signs when there is already a projecting sign on the same site frontage, or if existing signs attached to buildings exceed the limit of 1 square foot to 1 foot of primary building wall. Based on this standard, freestanding signs are not allowed on the site as there are existing signs attached to buildings that exceed the limit of 1 square foot to 1 foot of primary building wall. Jantzen Beach Center requests an Adjustment to this standard to allow the 9 existing freestanding signs and 7 new freestanding wayfinding signs on the site. The third standard limits the total number of freestanding signs based on the length of the frontage of the site along arterial streets. Based on this standard, the Jantzen Beach Center is limited to 2 freestanding signs. Jantzen Beach Center requests an Adjustment to this standard for the 9 existing freestanding signs and for the proposed 7 new wayfinding signs.

The standards in Sign Code Table 2 limit the area of each freestanding sign to 100 square feet in area. Jantzen Beach Center requests Adjustments to this standard to allow signs C, E, and F to have an area of 258.5 square feet, sign H to have an area of 233.75 square feet, and sign I to have an area of 129.93 square feet.

The standards in Sign Code Table 2 limit the height of freestanding signs to 20 feet. Jantzen Beach Center requests Adjustments to this standard to allow sign F to extend to 25 feet in height.

Finally, the standards in Sign Code Section 32.32.030.F require that freestanding signs be placed on arterial street frontages. Sign C, sign I, and the proposed 7 new wayfinding signs are not placed next to an arterial street. Jantzen Beach Center requests Adjustments to this standard to allow these signs to be placed next to driveways and private streets within the shopping center.

Relevant Approval Criteria:
In order to be approved, this proposal must comply with the approval criteria of Title 32.38.030 C.1 and C.2, Sign Adjustments.

ANALYSIS

Site and Vicinity: The site is the location of the Jantzen Beach Center shopping center and mall. It is close to 67 acres in size. It is developed with 13 retail buildings that range in size from about 10,000 square feet to 140,000 square feet. Most of these buildings are oriented around the perimeter of the site adjacent to public streets or private streets that form the edge of the shopping center. The main entrances and facades of these buildings are generally oriented towards the parking and internal vehicle circulation areas located in the middle of the site. The majority of the signs on the site are wall signs located on these inward facing facades. The walls of the buildings facing the perimeter public and private streets are mostly empty of signs.

Sites to the east and northeast of the Jantzen Beach Center are mostly developed with large retail buildings with large paved parking areas. Houseboat moorages in the North Portland Harbor channel are located south of the site. Areas west and north of the site are developed with manufactured home parks.

Zoning: CE – The Commercial Employment (CE) zone is a medium-scale zone intended for sites along corridors with a Neighborhood Collector or higher traffic classification, especially along civic corridors that are also Major Truck Streets or Priority Truck Streets. The zone allows a mix of commercial uses, including auto-accommodating development and drive-through facilities, as well as some light manufacturing and distribution uses that have few off-site impacts. The emphasis of this zone is on commercial and employment uses, but residential uses are also allowed. This zone is intended to allow for development with auto-accommodating configurations, while also including pedestrian-oriented design features that support transit and pedestrian access.

"h" – the "h" Aircraft Landing Zone overlay limits the height of structures and vegetation in the vicinity of the Portland International Airport. The height of all signs in this proposal comply with the height limits of the "h" overlay zone.

"x" – The "x" Portland International Airport Noise Impact Zone overlay provides additional criteria to reduce the impact of aircraft noise on development within the noise impact area surrounding the Portland International Airport. No standards in the "x" overlay apply to this proposal.

Hayden Island Plan District – the Hayden Island Plan District provides regulations that preserve and enhance both the character and opportunities of Hayden Island to: create a transportation network that provides for all modes, and allowed people to easily move from one mode to another; focus higher intensity, mixed-use development near the Light Rail Station; provide opportunities for a range of housing types, and encourage mixed-use development, including commercial uses, to serve the residential uses; ensure transitions between residential and nonresidential zones and neighborhoods; and recognize the current function of the Jantzen

Beach Super Center as an auto-oriented shopping mall and its long-term potential for more intense development that is less auto-oriented and more pedestrian-friendly resulting from major investments in the transportation system. None of the standards of the Hayden Island Plan District are applicable to this request.

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

- LU 18-258093 AD: Approval of a Sign Adjustment to increase the allowable size of a freestanding sign.
- LU 16-107241 AD: Approval of an Adjustment to the maximum building setback and main entrance location requirements for a new restaurant building.
- LU 13-133237 AD: Approval of a Sign Adjustment to increase the allowable size of a new wall sign.
- LU 13-116376 AD: Approval of a Sign Adjustment to increase the allowable size of a new wall sign.
- LU 12-159551 AD: Approval of a Sign Adjustment to increase the allowable size of a new wall sign.
- LU 11-200740 AD: Approval of a Sign Adjustment to increase the allowable sizes of new wall signs.
- LU 11-183884 AD: Approval of an Adjustment to waive the main entrance location requirement for a relocated retail store.
- LU 11-134399 AD: Approval of an Adjustment to vary from the internal accessway requirements of the Hayden Island plan district.
- LU 10-178641 AD: Approval of an Adjustment to the 10-foot maximum building setback standard.
- LU 10-148399 AD: Approval of an Adjustment to allow an 18.7 square-foot fascia sign.
- LU 08-105336 AD: Approval of an Adjustment to increase the maximum allowed transit street setback for a retail store.
- LU 03-160957 AD: Approval of an Adjustment to increase the maximum sign size for a retail store.
- LUR 01-00661 AD: Approval of an Adjustment to increase the maximum sign size and total sign area allowed for a tenant.
- LUR 00-00096 AD: Approval of an Adjustment to increase the maximum sign size for a tenant.
- LUR 97-00487 AD: Approval of an Adjustment to allow phasing of required pedestrian walkways over a 3-year period and to reduce the bicycle parking requirement.
- SRZ 050-90: Approval of a Site Review for a satellite dish.
- MP 102-89: Review of a 2-lot partition. The decision on this application was not found.
- MCF 86-07-04: Multnomah County approval of a Design Review for a retail commercial development.
- MCF 86-03-04: Multnomah County approval of a Design Review for an office.
- MCF 9-83: Multnomah County approval of a Temporary Permit for a circus in the shopping center parking lot.
- MCF 8-83: Multnomah County approval of a Height Variance to allow a 52-foot tower.
- MCF 83-02-02: Multnomah County approval of a Design Review for a water slide.
- MCF 81-07-09: Multnomah County approval of a Design Review for a retail sales development.
- MCF 79-12-07: Multnomah County approval of a Design Review for a Toys-R-Us store.
- MCF 79-03-03: Multnomah County approval of a Design Review for a retail sales development.
- MCF 79-02-15: Multnomah County approval of a Design Review for a retail sales development.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 9, 2019**. The following Bureau responded with no issues or concerns:

- Fire Bureau

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Title 32.38.030 Adjustment Review.

C. Approval criteria. Sign adjustments will be approved if the review body finds that the applicant has shown that the criteria of Paragraph C.1. or 2, below are met.

Findings: To approve the Adjustments it must shown that either the criteria of Paragraph C.1. or 2 are met. The applicant has chosen to address the area enhancement criteria of Paragraph C.1. Findings are made below addressing how the criteria in Paragraph C.1 are met.

1. Area enhancement. The applicant must meet criteria C.1.a. and b. and either C.1.c. or d.

a. The adjustment for the proposed sign will not significantly increase or lead to street level sign clutter, to signs adversely dominating the visual image of the area, or to a sign that will be inconsistent with the objectives of a specific plan district or design district*;* and

Findings: The site is a shopping center and mall that is approximately 67 acres in size. It is developed with 13 retail buildings that range in size from about 10,000 square feet to 140,000 square feet. Most of these buildings are oriented around the perimeter of the site adjacent to public streets or private streets that form the edge of the shopping center. The main entrances and facades of these buildings are generally oriented towards the parking and internal vehicle circulation areas located the middle of the site. The majority of the signs on the site are wall signs located on these inward facing facades. The walls of the buildings facing the perimeter public and private streets are mostly empty of signs.

The standards in Sign Code Table 2 limit the number of each freestanding sign that may be located on a site. This limitation is based on the length of the frontage of the site along arterial streets. Based on this standard, the site is limited to 2 freestanding signs. Generally, the standards, which allow for 1 freestanding sign for each 300 linear feet of arterial street frontage, are intended to apply at smaller sites that front on one arterial street. The Jantzen Beach Center perimeter has frontage on both public arterial streets and on private streets that function similarly to arterials. The total frontage on these combined streets equals 4,918 linear feet, which is almost a mile. The 9 existing freestanding signs are separated along these frontages at intervals generally greater than 300 feet, giving the appearance of separate signs on different sites. The proposed 7 new wayfinding signs are all located within the interior parking areas and driveways of the shopping center. Their height and bulk are not much greater than some street signs. Given the large scale of the site, with the large retail buildings, the almost mile long perimeter of streets and the large interior parking area, the proposed Adjustment for the 9 existing freestanding signs and 7 new freestanding wayfinding signs will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area. These same findings apply for the Adjustment to allow 9 existing freestanding signs and 7 new freestanding wayfinding signs on a site with projecting signs on the same frontage or existing signs on buildings that exceed the limit of 1 square foot to l foot of primary building wall, and the for Adjustment to increase the allowed number of freestanding signs from 2 to 9 existing signs and 7 wayfinding signs based on the length of the arterial street frontage of the site. This criterion is met for these Adjustments.

The standards in Sign Code Table 2 limit the area of each freestanding sign to 100 square feet in area. Jantzen Beach Center requests Adjustments to this standard to allow signs C, E, and F to have an area of 258.5 square feet, sign H to have an area of 233.75 square feet, and sign I to have an area of 129.93 square feet. As noted in the

findings above under this criterion, the close to 67-acre site is developed with a large shopping center with multiple large retail buildings set apart by large parking areas and driveways and surrounded on the perimeter by close to a mile of public arterial streets and private streets. Signs E and F are both located on N Hayden Island Drive, an arterial street, and are located 700 feet apart on this frontage. Both sign E and sign F are near the corners of two retail buildings that are larger than 100,000 square feet in floor area and that are taller than the signs. The vast majority of signs on these two retail building are located on the sides of the buildings that face the interior of the site, not N Hayden Island Drive. Signs E and F provide the preponderant signage on this long frontage, and are small in proportion to the two buildings facing the street. Additionally, given the 3588.95-foot length of the arterial street frontage along the site, a maximum area of 3588.95 square feet for all freestanding signs is allowed for all freestanding signs on the site, and a total 2,977.63 square feet of area is proposed. While four of the freestanding signs will exceed the maximum area allowed per sign, the total area of all freestanding signs will remain well below what is allowed given the arterial frontage. Given these factors, the larger area proposed for the signs E, and F will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area. Sign C is situated 200 feet to 400 feet from buildings in area in the interior of the site near the intersection of two interior driveways. At this more isolated location, the larger size of sign C does not dwarf the surroundings and does not conflict visually with buildings or other signs and thus will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area. This criterion is met to allow an increase in the area of signs E, F and C.

The standards in Sign Code Table 2 limit the height of freestanding signs to 20 feet. Jantzen Beach Center requests Adjustments to this standard to allow sign F to extend to 25 feet in height. Sign F is an existing nonconforming sign that is already 25' high. As discussed in the findings under this criterion above, an Adjustment to increase the area of sign F is also proposed. Because the area of the sign will increase, an Adjustment to the sign height is also required even though the sign height will not increase. As discussed in the findings above, the size and scale of sign F will match the large scale of the retail buildings at the entrances to the shopping center. Sign F is also located about 700' from other freestanding signs on the site (Signs E and G). Because of the size of the adjacent buildings, the fact that most signs on these building are on the opposite inward facing facades, and because of the distance from other freestanding signs, the larger scale of the height and area of sign F will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area. Criterion d. is met for the Adjustment to increase the allowed height of sign F from 20' to 25'

The standards in Sign Code Section 32.32.030.F require that freestanding signs be placed on public arterial street frontages. The site is almost 67 acres in size and includes private streets whose function is similar to public arterial streets and interior driveways that also function like streets. Sign C, sign I, and the proposed 7 new wayfinding signs are not placed next to an arterial street. Sign C and sign I are located along private streets that serve a similar function to arterial streets in that they distribute traffic to points on the perimeter and within the site where vehicles can enter and navigate through the site. The 7 wayfinding signs will be located within the interior driveways and parking area on the site. Their size and function is more similar to street signs and traffic control signs than to large freestanding signs intended primarily for advertisement. The proposal will not significantly increase or lead to street level sign clutter or to signs adversely dominating the visual image of the area because sign C and sign I provide the same role on private streets as they would if these streets were public arterial streets and because the smaller scale wayfinding signs provide a similar function as would street and traffic control signs that would be located on the site if the private driveways on the large site were public streets. This criterion is met to allow sign C and sign I and the 7 wayfinding signs to not be located on an arterial street frontage.

Section 32.34.030 of the Sign Code includes specific objectives of plan districts. The site is located within the Hayden Island Plan District, and there are no objectives in Section 32.34.030 of the Sign Code that are specific to the Hayden Island Plan District. Section 33.532.010 of the Portland Zoning Code lists the purposes of the Hayden Island Plan District. The following purpose is applicable to this request:

- *Recognize the current function of the Jantzen Beach Super Center as an auto-oriented shopping mall and its long-term potential for more intense development that is less auto-oriented and more pedestrian-friendly resulting form major investments in the transportation system.*

Consistent with the purpose of the Hayden Island Plan District, the proposed signs will benefit the current function of the Jantzen Beach Center as an auto-oriented shopping mall, and the size, scale, and location of the proposed signs will not detract from the long-term ability to develop the site with more intense pedestrian friendly development.

As discussed in the findings above, the proposed Adjustments will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area. This criterion is met.

b. The sign will not create a traffic or safety hazard; and

Findings: The proposal includes increasing the area of existing signs C, E, F, H and I. The applicant has provided landscaped plans (Exhibits C.14, C.15 and C.16) that illustrate that these signs will be located outside vision clearance triangles at the intersections of rights-of-way and driveways. The sides of these triangles extend more than 15 feet from the intersection of the vehicles travel areas, which meets the clearance requirements of in Section 33.42.010.C of the Sign Code. These exhibits also show that the locations of the 7 proposed wayfinding signs will also provide the required vision clearance. Compliance with the vision clearance standards is sufficient to demonstrate that the signs will not create a traffic hazard. The Fire Bureau has responded with no concerns with these Adjustments (Exhibit E.1), indicating that the location of the signs will not impact the circulation of emergency vehicles. All signs will require review and inspection of building permits to ensure compliance with safety related structural requirements. This criterion is met.

c. The adjustment will allow a unique sign of exceptional design or style that will enhance the area or that will be a visible landmark; or

d. The adjustment will allow a sign that is more consistent with the architecture and development of the site.

Findings: As noted in Section 32.38.030.C.1, either criterion c. or d. above must be met. Consistent with criterion d., approval of the requested Adjustments will allow signs that are more consistent with the architecture and development of the Jantzen Beach Center. The site is a shopping center and mall that is approximately 67 acres in size. It is developed with 13 retail buildings that range in size from about 10,000 square feet to 140,000 square feet. Most of these buildings are oriented around the perimeter of the site adjacent to public streets or private streets that form the edge of the shopping center. The main entrances and facades of these buildings are generally oriented towards the parking and internal vehicle circulation areas located the middle of the site. The majority of the signs on the site are wall signs located on these inward facing facades. The walls of the buildings facing the perimeter public and private streets are mostly empty of signs.

The standards in Sign Code Table 2 limit the number of freestanding signs that may be located on a site. This limitation is based on the length of the frontage of the site along arterial streets. Based on this standard, the site is limited to 2 freestanding signs. Generally, the standards, which allow for 1 freestanding sign for each 300 linear feet of arterial street frontage, are intended to apply at smaller sites that front on one arterial street. The Jantzen Beach Center perimeter has frontage on both public arterial streets

and on private streets that functions similarly to arterials. The total frontage on these combined streets equals 4,918 linear feet, which is almost a mile. The 9 existing freestanding signs are separated along these frontages at intervals generally greater than 300 feet, giving the appearance of separate signs on different sites. The proposed 7 new wayfinding signs are all located within the interior parking areas and driveways of the shopping center. Their height and bulk are not much greater than some street signs. Given the large scale of the site, with the large retail buildings, the almost mile long perimeter of streets and the large interior parking area, the proposed Adjustment for the 9 existing freestanding signs and 7 new freestanding wayfinding signs is more consistent with the existing architecture and development of the site. Based on these findings, criterion d. is met or the Adjustment to allow 9 existing freestanding signs and 7 new freestanding wayfinding signs on a site with projecting signs on the same frontage or with existing signs on buildings that exceed the limit of 1 square foot to l foot of primary building wall, and is met for Adjustments to increase the allowed number of freestanding signs from 2 to 9 existing signs and 7 new wayfinding signs based on the length of arterial street frontage of the site.

The standards in Sign Code Table 2 limit the area of each freestanding sign to 100 square feet in area. Jantzen Beach Center requests Adjustments to this standard to allow signs C, E, and F to have an area of 258.5 square feet, sign H to have an area of 233.75 square feet, and sign I to have an area of 129.93 square feet. As noted in the findings above under this criterion, the close to 67-acre site is developed with a large shopping center with multiple large retail buildings set apart by large parking areas and driveways and surrounded on the perimeter by close to a mile of public arterial streets and private streets. Signs E and F are both located on N Hayden Island Drive, an arterial street, and are located 700 feet apart on this frontage. Both sign E and sign F are near the corners of two retail buildings that are larger than 100,000 square feet in floor area and that are taller than the signs. The vast majority of signs on these two retail building are located on the sides of the buildings that face the interior of the site, not N Hayden Island Drive. Signs E and F provide the preponderant signage on this long frontage, and are small in proportion to the two buildings facing the street. Furthermore, the total square footage of existing and proposed freestanding signs on the site will be 2,977.63 square feet, less than the 3588.95 square feet allowed per Sign Code Table 2. Given these factors, the larger area proposed for the signs C, E, and F is more consistent with the architectural and development context than signs meeting the standard would be. Sign C is situated 200 feet to 400 feet from buildings in area in the interior of the site near the intersection of two interior driveways. At this more isolated location, the larger size of sign C does not dwarf the surroundings and does not conflict visually with buildings or other signs. Criterion d. is met to allow an increase in the area of signs E, F and C.

The standards in Sign Code Table 2 limit the height of freestanding signs to 20 feet. Jantzen Beach Center requests Adjustments to this standard to allow sign F to extend to 25 feet in height. Sign F is an existing nonconforming sign that is already 25' high. As discussed in the findings under this criterion above, an Adjustment to increase the area of sign F is also proposed. Because the area of the sign will increase, an Adjustment to the sign height is also required even though the sign height will not increase. As discussed in the findings above, the size and scale of sign F will match the large scale of the retail buildings at the entrances to the shopping center. Sign F is also located about 700' from other freestanding signs on the site (Signs E and G). The larger scale of the height and area of sign F is consistent with architecture and development of the site as reflected by these large buildings. Criterion d. is met for the Adjustment to increase the allowed height of sign F from 20' to 25'

The standards in Sign Code Section 32.32.030.F require that freestanding signs be placed on public arterial street frontages. The site is almost 67 acres in size and includes private streets whose function is similar to public arterial streets and interior driveways that also function like streets. Sign C, sign I, and the proposed 7 new wayfinding signs are not placed next to an arterial street. Sign C and sign I are located

along private streets that serve a similar function to arterial streets in that they distributed traffic to points on the perimeter and within the site where vehicles can enter and navigate through the site. The 7 wayfinding signs will be located within the interior driveways and parking area on the site. Their size and function is more similar to street signs and traffic control signs than to large freestanding signs intended primarily for advertisement. The proposal is more consistent with the development of the site because sign C and sign I provide the same role on private streets as they would if these streets were public arterial streets and because the smaller scale wayfinding signs provide a similar function as would street and traffic control signs that would be located on the site if the private driveways on the large site were public streets. Criterion d. is met to allow sign C and sign I and the 7 wayfinding signs to not be located on an arterial street frontage.

As discussed in the findings above, it is only necessary to show that either 32.38.010.C.1.c or .d is met and the all the Adjustments meet the requirements of 32.38.010.C.1.d. Therefore, this criterion is met.

2. Site difficulties. If there are unusual site factors that preclude an allowed sign from being visible to the street immediately in front of the site, an adjustment will be granted to achieve the visibility standards of Subparagraph d below. This adjustment is not intended to be used to make signs visible to other streets and rights of ways or to freeways. Site difficulties may include the sign face being blocked due to topography of the site, existing development or landscaping on the site, or from abutting development or landscaping. This set of adjustment criteria is generally intended for freestanding and projecting signs and allows greater flexibility in placement of the sign. The adjustment will be approved if all of the following criteria are found to be met:

a. There is no reasonable place on the site for an allowed sign without an adjustment to achieve the visibility standards of Subparagraph d below;

b. If the proposed sign extends into the right-of-way, the sign will not create a traffic or safety hazard;

c. Of potential adjustments to meet the visibility standard of Subparagraph d., the request is the most consistent with the surrounding development and sign patterns; and

d. The adjustment is the minimum needed for a sign to meet the following visibility standards:

Posted Road Speed	Visibility To Travel Lanes On The Street In Front Of The Site
35 mph or less	200 feet
40-50 mph	300 feet
55 mph or more	400 feet

Findings: Per Sign Code Section 32.38.030.C, Adjustments to the Sign Code will be approved if it is found that the review criteria of paragraph C.1 or C.2 are met. As discussed above in the findings under 32.38.030.C.1 of this decision, the proposal meets the review criteria of Paragraph C.1. As the review criteria of Paragraph C.1 are met, it is not necessary to address the review Criteria of Paragraph C.2.

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 locations of the 9 existing freestanding signs are generally along arterial streets, or along private streets that function as arterials on the opposite sides of building walls facing the interior of the site where most wall signs are located. Because of this, the greater number, area, and height of the freestanding signs does not lead to street level sign clutter, or adversely dominate the visual image of the area. The 7 new wayfinding signs will provide directional information and be more similar to street or traffic control signs than advertisements. As such, they will not lead to street level clutter, or adversely dominate the visual image of the area.

The limitations in the Sign Code on the size and location of freestanding signs are geared more towards signs on smaller individual sites with one building fronting on an arterial street. The Jantzen Beach Center is an approximately 67-acre shopping center and mall that includes 13 large retail buildings separated by parking areas and driveways, and by private streets that function similarly to public arterial streets. The majority of existing signs at the site are wall signs on large retail buildings that face the interior of the site. The proposal to allow existing freestanding signs and to increase the number of freestanding wayfinding signs, the maximum area of 5 of the freestanding signs, the height of one freestanding sign, and the location of 2 existing signs and 7 wayfinding signs away from an arterial street frontage is consistent with the larger scale architecture and development context of Jantzen Beach Center.

ADMINISTRATIVE DECISION

Approval of the following Adjustments:

> Allow the 9 existing freestanding signs and 7 new freestanding wayfinding signs to be located on a site where there is already a projecting sign on the same site frontage or where there are existing signs attached to buildings that exceed the limit of 1 square foot to 1 foot of primary building wall (32.32.020 and Table 2);
>
> Increase the allowed number of freestanding signs on the site (32.32.020 and Table 2) from 2 to 16, including 9 existing freestanding signs and 7 new freestanding wayfinding signs;
>
> Increase the allowed maximum area for each freestanding sign (32.32.020 and Table 2) to allow signs C, E, and F to have an area of 258.5 square feet, sign H to have an area of 233.75 square feet, and sign I to have an area of 129.93 square feet;
>
> Increase the allowed maximum height of a freestanding sign (32.32.020 and Table 2) to allow sign F to extend to 25 feet in height;
>
> Waive the requirement (32.32.030) that freestanding signs be placed on arterial street frontages to allow sign C, sign I, and the proposed 7 new wayfinding signs to be placed next to driveways and private streets within the shopping center;

per the approved site plans, Exhibits C.1 through C.11, signed and dated June 21, 2019, 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.11. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 18-282937 AD. No field changes allowed."

Staff Planner: Rodney Jennings

Decision rendered by: Rodney Jennings **on August 19, 2019.**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 22, 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 December 27, 2018, and was determined to be complete on May 7, 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 December 27, 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: September 4, 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 Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 5, 2019** 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 Adjustment Committee 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 Adjustment Committee 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 after September 5, 2019 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.

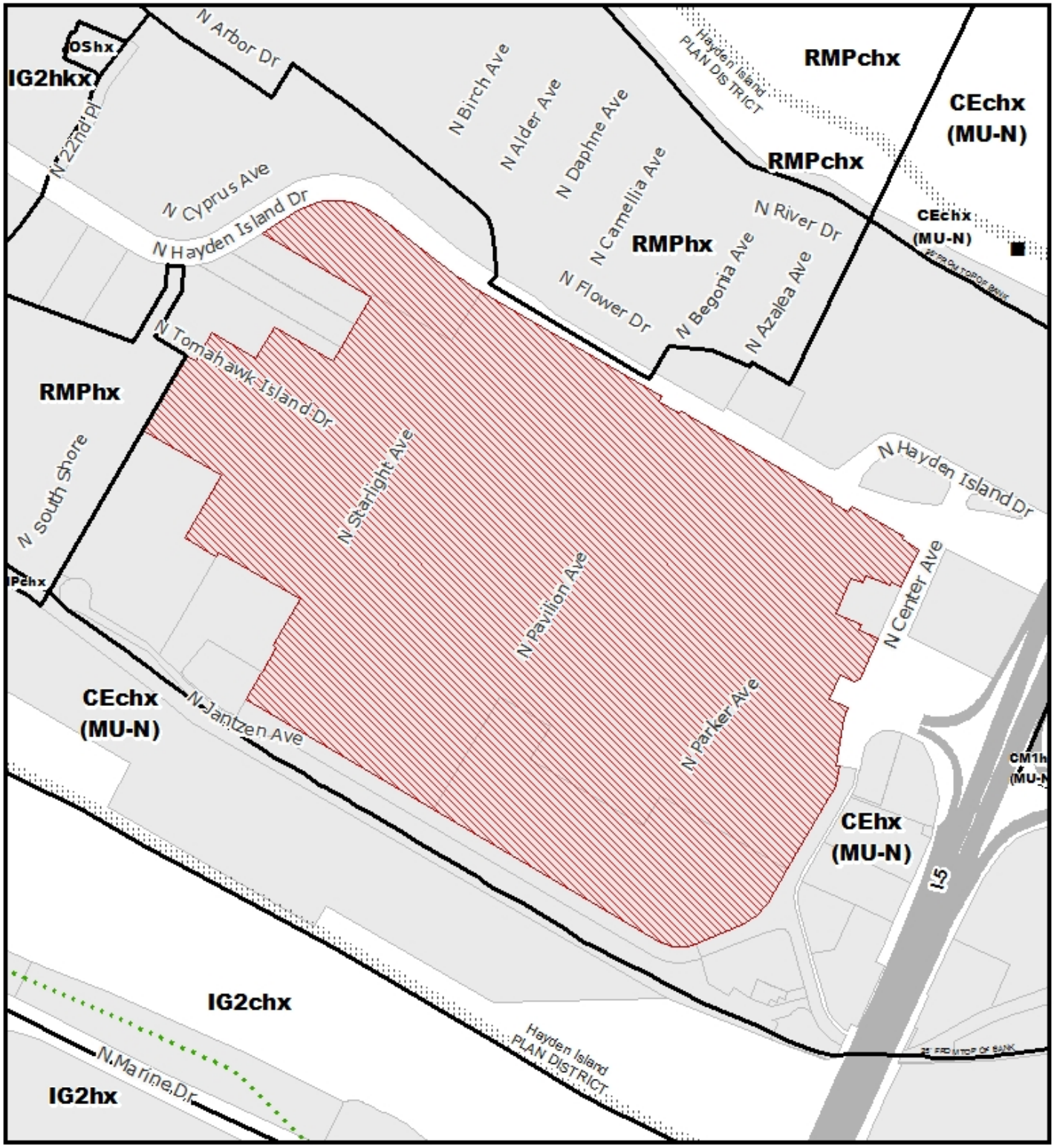
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 Statements
   1. Applicant's original statement, plans and sign inventory, received December 27, 2018
   2. Applicant's revised statement, plans and sign inventory, received April 12, 2019
   3. Applicant's revised plans and sign inventory, received May 6, 2019
B. Zoning Map (attached)
C. Plans/Drawings:
   1. Site Plan (attached)
   2. Sign C Details (attached)
   3. Sign E Details (attached)
   4. Sign F Details (attached_
   5. Sign H and Sign I Details (attached)
   6. Wayfinding Sign Details (attached)
   7. Sign Inventory, including large scale plan
   8. Overall Site Planting Plan, including large scale plan
   9. Planting Plan – Enlargement (signs A through F), including large scale plan
   10. Planting Plan – Enlargement (signs H through I and wayfinding signs), including large scale plan
   11. Planting Plan – Enlargement (wayfinding signs), including large scale plan
D. Notification information:
   1. Mailing list
E. Agency Responses:
   1. Fire Bureau
F. Correspondence: None Received
G. Other:
   1. Application and receipt
   2. Incomplete 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

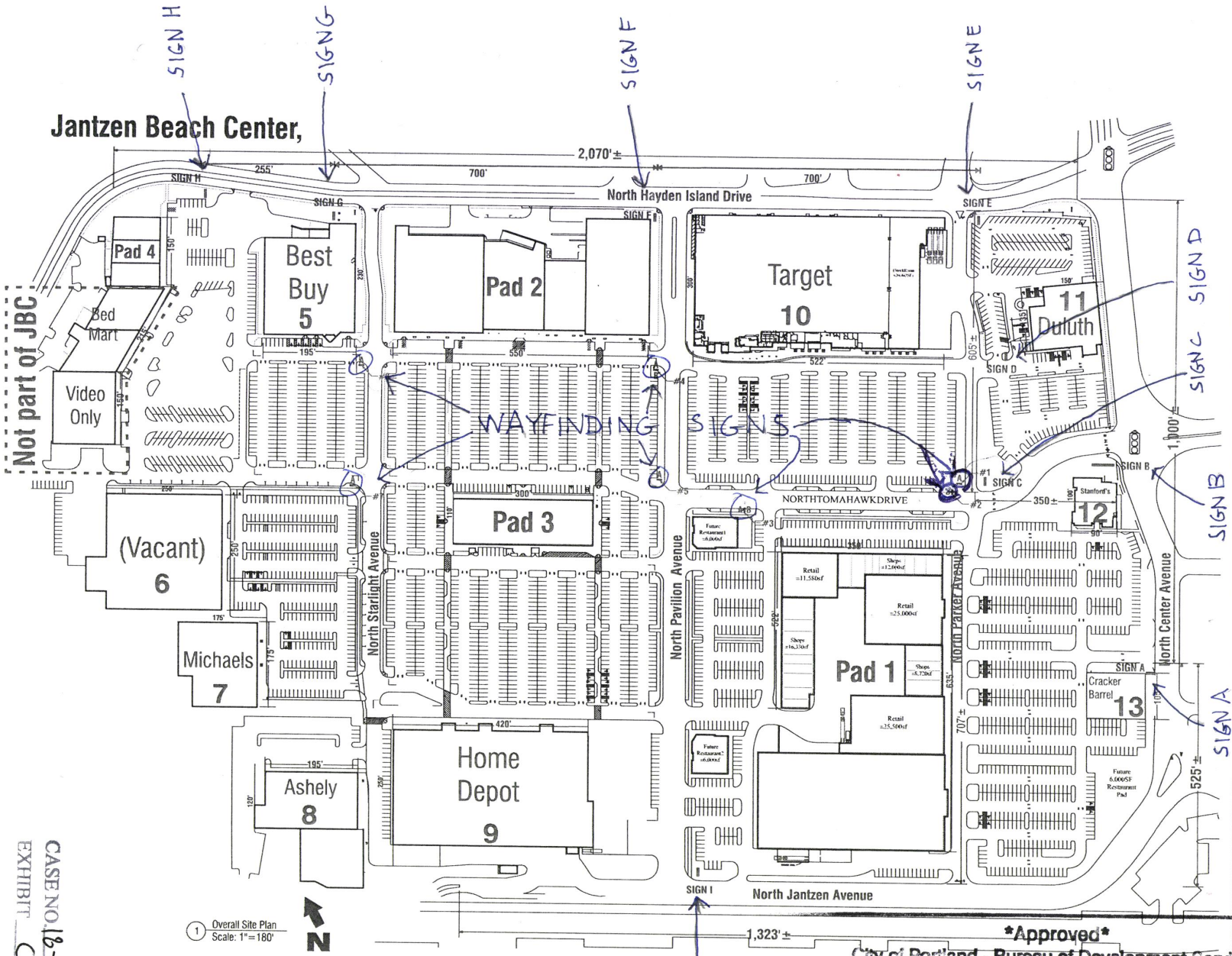
NORTH

THIS SITE LIES WITHIN THE:
HAYDEN ISLAND PLAN DISTRICT
JANTZEN BEACH, JANTZEN BEACH SUBDISTRICT
WEST, EAST SUBAREA

Site
Historic Landmark
Bridge
Recreational Trails

File No.	LU 18-282937 AD
1/4 Section	1728,1729,1828,1829
Scale	1 inch = 400 feet
State ID	2N1E33D 600
Exhibit	B Jan 03, 2019

Jantzen Beach Center,



TAG
TUBE ART GROUP

Portland Office
12243-A SE International Way
Milwaukie, OR 97222
503.652.1133
800.562.2859
Fax 503.659.9191

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1174
Customer Number

132330
Quote Number

132330 Jantzen Beach r4
File Name

Leslie Runckel
Salesperson

Maxwell/Osterman
Sign Type

Checked By
Maxwell/Osterman

Date
11.1.18

Revisions
[ ] Approved
[ ] Approved With Changes Noted

Customer Signature
Date
Customer Signature
Date

JANTZEN BEACH

3

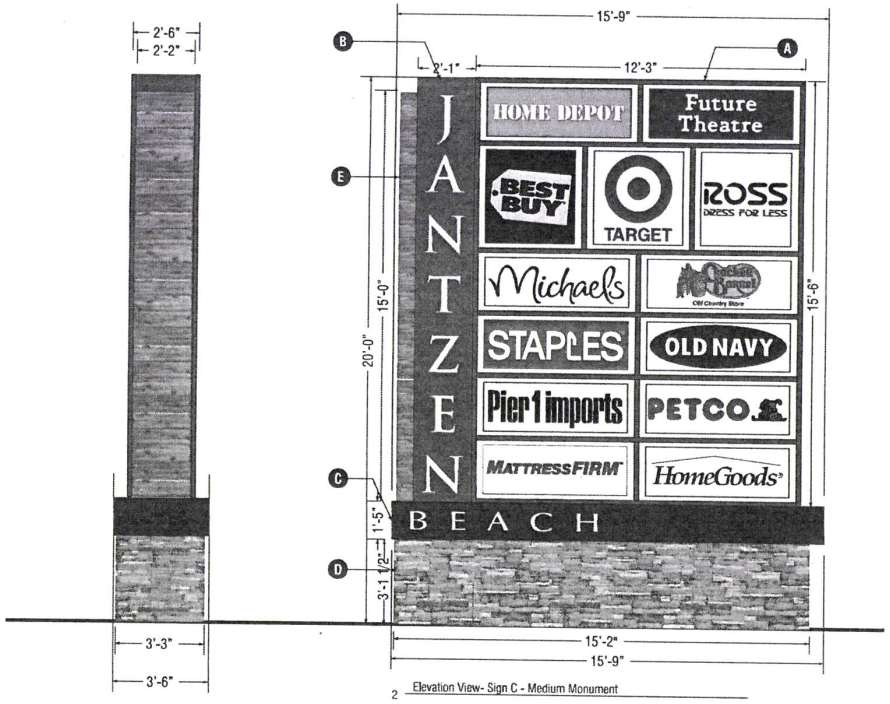
12045 N Parker Ave.
Portland, OR

KIMCO REALTY

CASE NO. 18-282937 AD
EXHIBIT C.1

LU 18-282937 AD

Approved
City of Portland - Bureau of Development Services
Rodney Jennings Date 6/21/19
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



2 Elevation View- Sign C - Medium Monument

TAG

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1174
Customer Number

132330
Order Number

132330 Jantzen Beach r4
File Name

Leslie Runckel
Salesperson

Maxwell/Osterman
Drawn By

**
Checked By

Maxwell/Osterman
Date

11.1.18

Revisions

[ ] Approved
[ ] Approved With Changes Noted

Customer Signature

Date

Engineer Signature

Date

JANTZEN BEACH

4

12045 N Parker Ave.
Portland, OR

Colors on print may not accurately reflect specified colors.

KIMCO REALTY

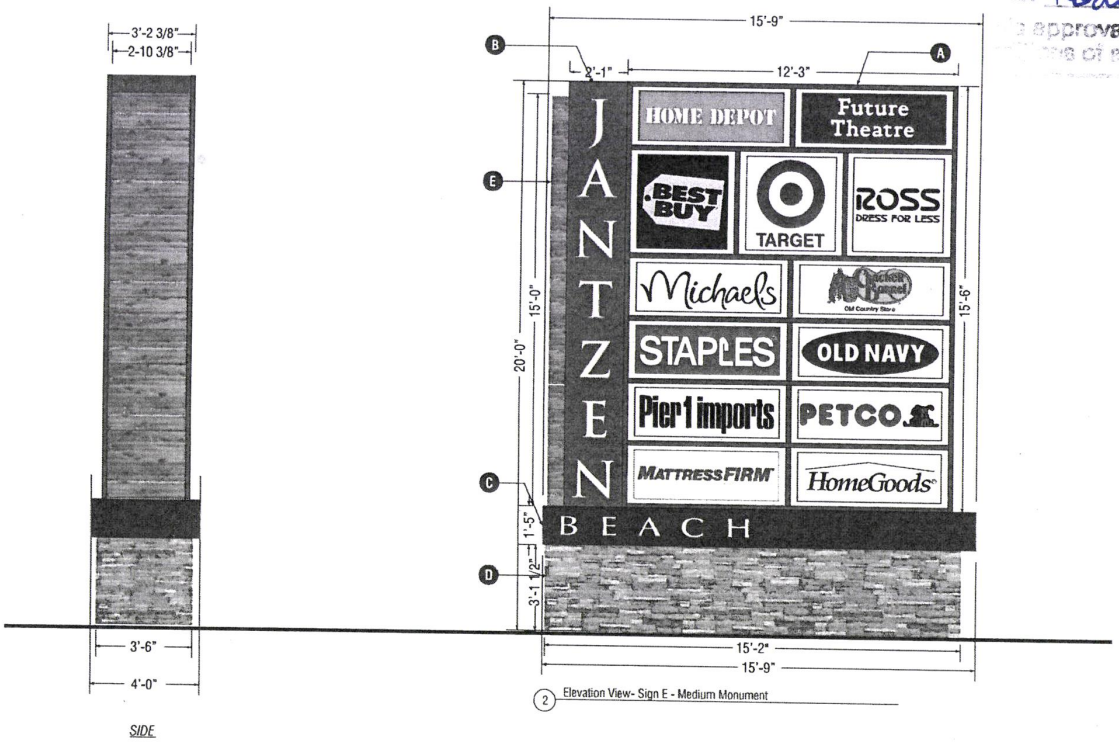
- **A** Re-paint existing cabinets. Retrofit existing cabinets with GE Tetra D/S Power Strip White LEDs. Reface cabinets with pan-formed flat white polycarbonate faces with translucent vinyl applied 1st surface.
- **B** Manufacture new D/F internally illuminated JANTZEN cabinet, with push thru acrylic letters, LED illumination. Attaches to exterior of existing cabinet.
- **C** Manufacture new (2) S/F internally illuminated BEACH cabinets, with push thru acrylic letters, LED illumination. Additional wraparound end filler cabinets. Attaches to exterior of existing cabinet.
- **D** Stone veneer over Durock sheeting on aluminum tube frame, attached to existing sign structure.
- **E** Red Cedar wood planks, sealed with penetrating oil, attached to new JANTZEN sign cabinet.

CASE NO. 18-282937 AD
EXHIBIT C.2

LU 18-282937 AD

Approved
City of Portland - Bureau of Development Services
Rodney Jenning Date 6/21/19
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Approved
City of Portland - Bureau of Development Services
Rodney Jenning Date 6/21/19
approval applies only to the reviews requested and is subject to all
of approval. Additional zoning requirements may TAG



2 Elevation View- Sign E - Medium Monument

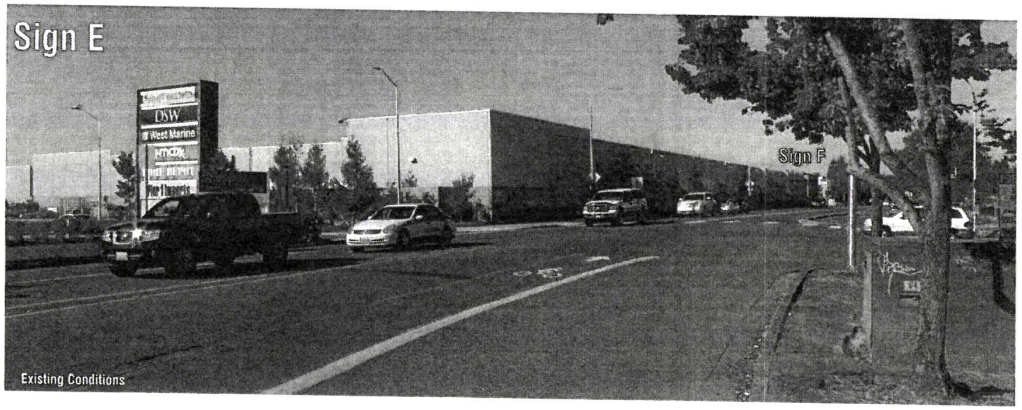
A Re-paint existing cabinets. Retrofit existing cabinets with GE Tetra D/S Power Strip White LEDs. Reface cabinets with pan-formed flat white polycarbonate faces with translucent vinyl applied 1st surface.

B Manufacture new D/F internally illuminated JANTZEN cabinet, with push thru acrylic letters, LED illumination. Attaches to exterior of existing cabinet.

C Manufacture new (2) S/F internally illuminated BEACH cabinets, with push thru acrylic letters, LED illumination. Additional wraparound end filler cabinets. Attaches to exterior of existing cabinet.

D Stone veneer over Durock sheeting on aluminum tube frame, attached to existing sign structure.

E Red Cedar wood planks, sealed with penetrating oil, attached to new JANTZEN sign cabinet.



LU 18-282937 AD

CASE NO. 18-282937 AD
EXHIBIT C.3

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Customer Number

132330
Group Number

132330 Jantzen Beach r4
File Name

Leslie Runckel
Salesperson

Maxwell/Osterman
Drawn By

**
Checked By

Maxwell/Osterman
Edit

11.1.18

Revisions

[ ] Approved
[ ] Approved With Changes Noted

Customer Signature

Date

Landlord Signature

Date

JANTZEN BEACH

5

12045 N Parker Ave.
Portland, OR

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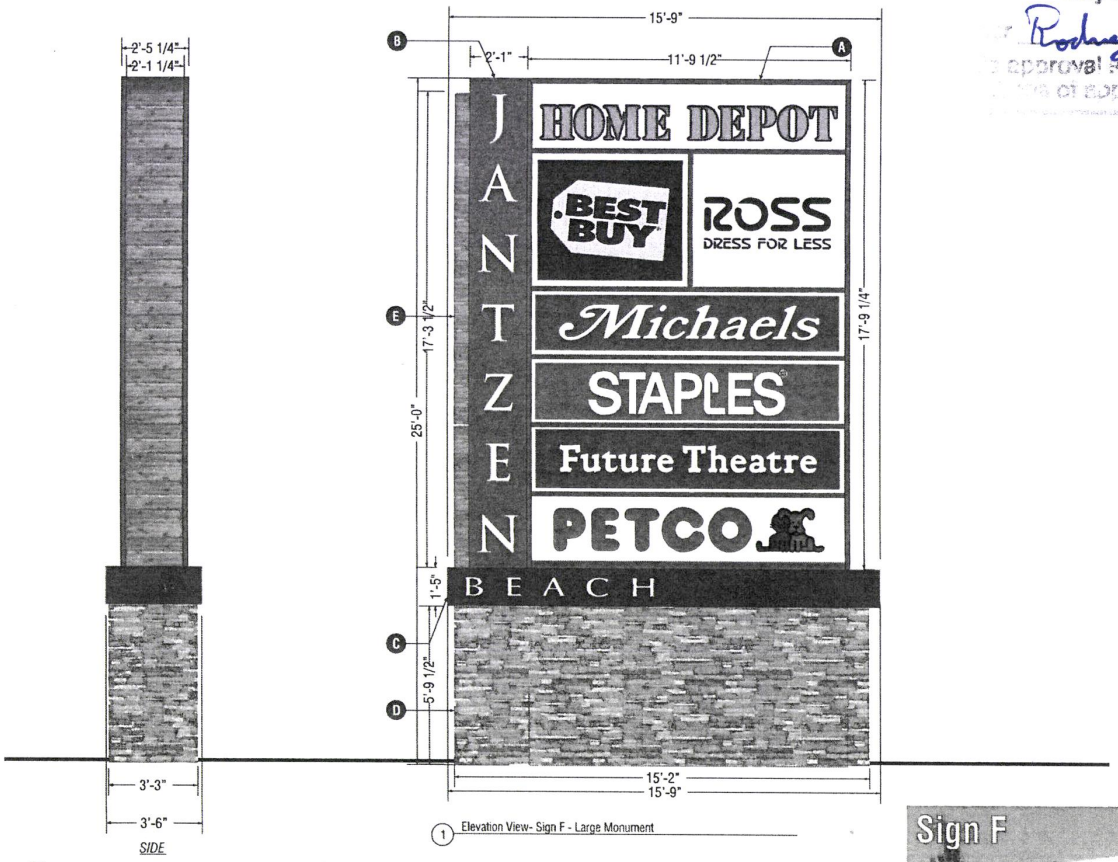
KIMCO REALTY



1 Elevation View- Sign F - Large Monument

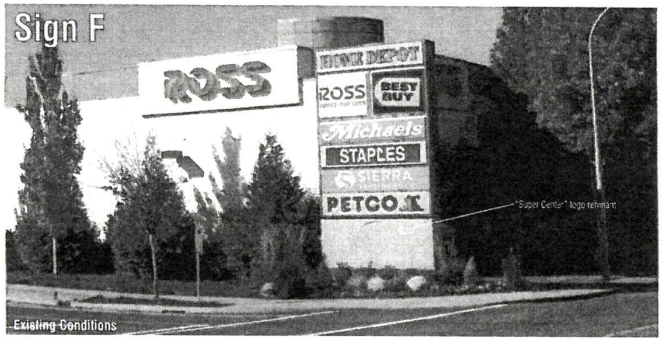
A Re-paint existing cabinets. Retrofit existing cabinets with GE Tetra D/S Power Strip White LEDs. Reface cabinets with pan-formed flat white polycarbonate faces with translucent vinyl applied 1st surface.

B Manufacture new D/F internally illuminated JANTZEN cabinet, with push thru acrylic letters, LED illumination. Attaches to exterior of existing cabinet.

C Manufacture new (2) S/F internally illuminated BEACH cabinets, with push thru acrylic letters, LED illumination. Additional wraparound end filler cabinets. Attaches to exterior of existing cabinet.

D Stone veneer over Durock sheeting on aluminum tube frame, attached to existing sign structure.

E Red Cedar wood planks, sealed with penetrating oil, attached to new JANTZEN sign cabinet.



Approved
City of Portland - Bureau of Development Services
Rodney Jenning Date 6/21/19
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Customer Number

132330
Order Number

132330 Jantzen Beach r4
File Name

Leslie Runckel
Salesperson

Maxwell/Osterman
Drawn By

**
Designed By

Maxwell/Osterman
Date

11.1.18

Revisions

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[ ] Approved With Changes Noted

Customer Signature

Date

Landlord Signature

Date

JANTZEN BEACH

6

12045 N Parker Ave.
Portland, OR

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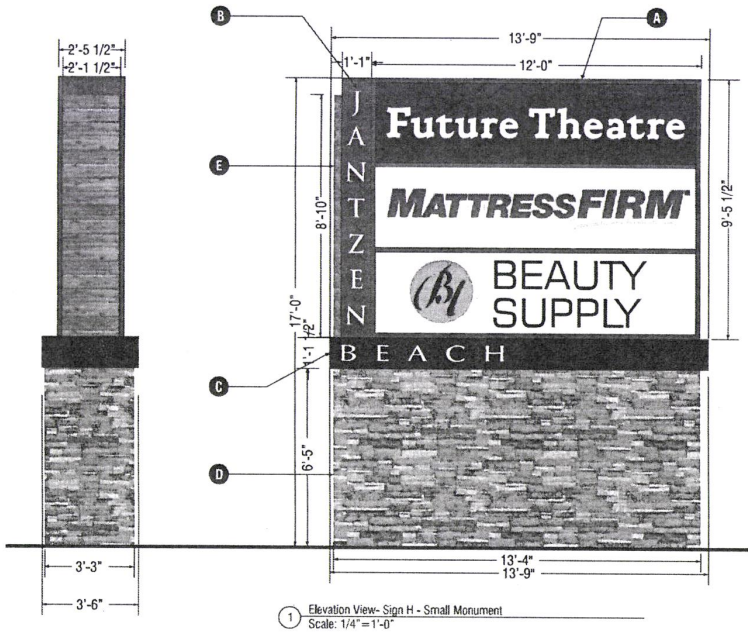
KIMCO REALTY

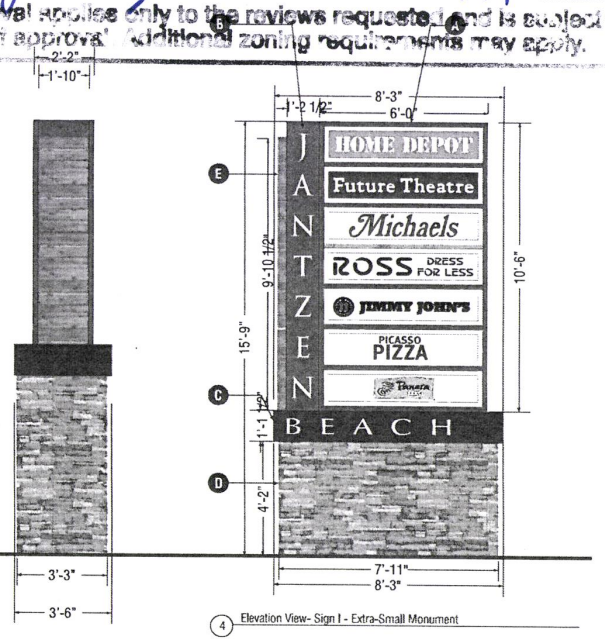
LU 18-282937 AD

CASE NO. 18-282937 AD
EXHIBIT C.4

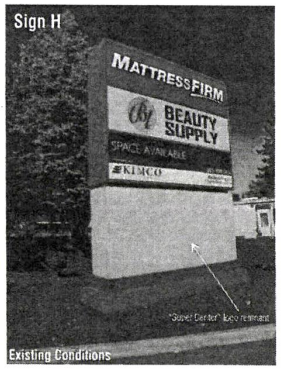
Approved
City of Portland - Bureau of Development Services
R. Jennings Date 6/21/19
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



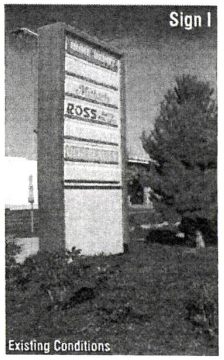
1 Elevation View- Sign H - Small Monument
Scale: 1/4" = 1'-0"



4 Elevation View- Sign I - Extra-Small Monument



- **A** Re-paint existing cabinets. Retrofit existing cabinets with GE Tetra D/S Power Strip White LEDs. Reface cabinets with pan-formed flat white polycarbonate faces with translucent vinyl applied 1st surface.
- **B** Manufacture new D/F internally illuminated JANTZEN cabinet, with push thru acrylic letters, LED illumination. Attaches to exterior of existing cabinet.
- **C** Manufacture new (2) S/F internally illuminated BEACH cabinets, with push thru acrylic letters, LED illumination. Additional wraparound end filler cabinets. Attaches to exterior of existing cabinet.
- **D** Stone veneer over Durock sheeting on aluminum tube frame, attached to existing sign structure.
- **E** Red Cedar wood planks, sealed with penetrating oil, attached to new JANTZEN sign cabinet.



LU 18-282937 AD

CASE NO. LU 18-282937 AD
EXHIBIT C.5

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1174
Customer Number

132330
Group Number

132330 Jantzen Beach r4
File Name

Leslie Runckel
Salesperson

Maxwell/Osterman
Drawn By

**
Checked By

Maxwell/Osterman
Date

11.1.18

Revisions
[ ] Approved
[ ] Approved With Changes Noted

Customer Signature
Date
Landlord Signature
Date

JANTZEN BEACH
7

12045 N Parker Ave.
Portland, OR

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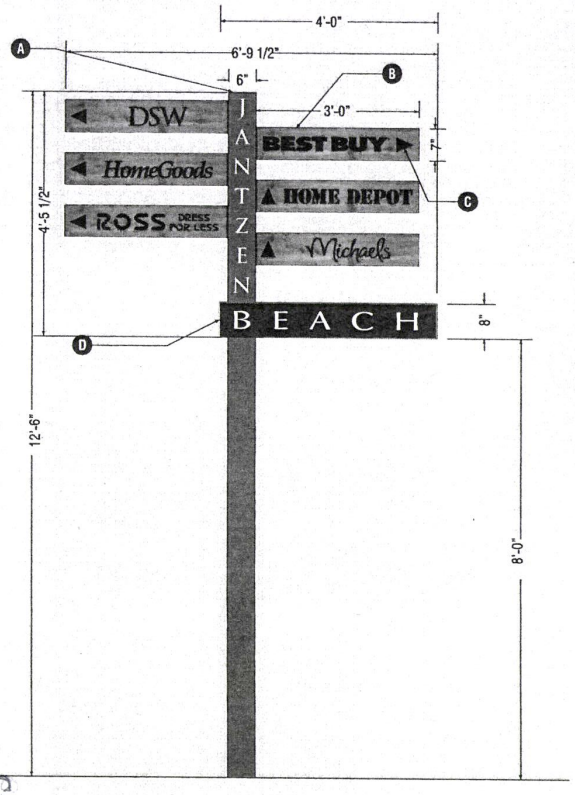
KIMCO REALTY

Approved
City of Portland - Bureau of Development Services
Rodney Jennings Date 6/21/19
This approval applies only to the reviews requested and is subject to all terms of approval. Additional zoning requirements may apply.

Wayfinding Locations #1 - #7



1 Elevation View- Wayfinding - Option 1
Scale: 1/2"=1'-0"
Qty. 7

Manufacture and install seven (7) double sided wayfinding signs

- **A** 6x6x1/4 aluminum sq. tube, capped top. Painted finish, 220-10 White vinyl copy 2 sides of pole. Direct buried in concrete footing.
- **B** 7x36x1/4"aluminum center panel slat, with 4x7x1/4" mounting plate. 1/2" Red Cedar slats adhered to face of center slat, each side. Natural clear satin finish. Plate bolts to drilled and tapped holes in 6x6 tube.
- **C** 220-22 Matte Black vinyl logos and arrows.
- **D** Fabricated aluminum D/F cabinet, painted finish, 220-10 White vinyl copy.

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Portland Office
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Milwaukie, OR 97222
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800.562.7051
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1174
Customer Number

132330
Group Number

132330 Jantzen Beach r4
File Name

Leslie Runckel
Salesperson

Maxwell/Osterman
Drawn By

**
Checked By

Maxwell/Osterman
Date

11.1.18

Revisions

[ ] Approved
[ ] Approved With Changes Noted

Customer Signature

Date

Landlord Signature

Date

JANTZEN BEACH

8

12045 N Parker Ave.
Portland, OR

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KIMCO REALTY

LU 18-282937 AD

CASE NO. 18-282937 AD
EXHIBIT C.6