



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

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Date: September 12, 2019
To: Interested Person
From: Hannah Bryant, Land Use Services
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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 19-192433 DZ - REPLACEMENT SIGNS AT HOTEL

GENERAL INFORMATION

Applicant: Cyndi Stocks | Security Signs, Inc
2424 SE Holgate Blvd
Portland, OR 97202

**Owner/
Representative:** Golden Bears Owner LLC
7315 Wisconsin Ave 1100 West
Bethesda, MD 20814

Site Address: **515 SW CLAY ST**

Legal Description: BLOCK 165 LOT 1-4 LOT 6-8, PORTLAND
Tax Account No.: R667716850
State ID No.: 1S1E03BC 02800
Quarter Section: 3129
Neighborhood: Portland Downtown, contact Wendy Rahm at wwrahm@aol.com
Business District: Downtown Retail Council, contact at lfrisch@portlandalliance.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Downtown
Other Designations: None
Zoning: CXd, Central Commercial w/ 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 for three new non-illuminated aluminum signs. Each sign is approximately 80sf. The signs are proposed to be located on the east, west and south

elevations, approximately 20-28 feet above grade. The three signs will replace existing signs of the same size in the same locations.

Design Review is required for non-exempt exterior alterations in Central City.

Relevant Approval Criteria:

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

- *Central City Fundamental Design Guidelines*

ANALYSIS

Site and Vicinity: The site is located on the block bounded by SW 5th Avenue, Clay Street, 6th Avenue, and Columbia Street in Downtown Portland. The existing six-story building was constructed in 1962, measures 83,378 square feet in size, and has a hotel use. The structure is designed in the early Modern style, with expressed concrete floor plates, infill window bays, and concrete stair towers at the ends of its modified “L” shaped floor plate. The building surrounds an ample courtyard that opens to the south and west. The block also contains a 3,475-square-foot two-story office building with a ground-floor retail space, constructed in 1937. The surrounding area contains offices, restaurants, retail shops, condominiums and apartments, Portland State University buildings, a high school, churches, governmental buildings, and arts & culture venues. The South Park Blocks are located two blocks to the west. The southern end of the Tom McCall Waterfront Park is located five blocks to the east.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial development within Portland’s most urban and intense areas. A broad range of uses is allowed to reflect Portland’s role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

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

The Central City Plan District implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region’s premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Downtown Subdistrict of this plan district.

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

- DZ 122-84: Design Review for a new boiler.
- DZ 61-85: Design Review approval to repaint the building and install new signage and awnings.
- LU 07-111311 DZ: Design Review approval to re-locate a driveway, construct a new driveway, remove a landscape wall, construct a new landscape wall, and re-configure parking stalls.
- LU 07-150908 DZM: Design Review approval for alterations to the building and parking lot, to convert to Hotel Modera.

- LU 08-118345 DZ: Design Review approval for new wall-mounted signage on the south, east, and west façades. Each sign is composed of approximately 3”-thick high-density polyurethane dimensional letters, with two floodlight fixtures equipped with barn doors; floodlights are mounted on canopies below each sign
- LU 08-177252 DZ: Approval of new rooftop mechanical equipment and a wood screen enclosure.
- LU09-105708 DZ: Approval of new antennas and associated RF equipment on the rooftop penthouse and within screened rooftop enclosures.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **July 30, 2019**. The following Bureaus have responded with no issues or concerns:

- Life Safety (exhibit E.1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on July 30, 2019. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 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.

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

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, C2, C5 and C13: The proposed signs will replace existing signs of the same letter height, at the same location. However, existing signs have an overall sign area of 61.625 square feet. To maintain a comparable sign area, Condition of Approval C stipulates that the sign area shall be no greater than 62 square feet. With this Condition of approval, the proposed signs will be appropriately scaled for the large, existing opaque walls on which they are mounted. They provide visual interest and balance to multi-story, windowless end walls. This unique existing wall condition on three street frontages warrants a larger sign area than is typically approved in this pedestrian district, since the sign offers visual interest and detailing to a flat, windowless wall. The three proposed signs are all the same design – high quality, non-illuminated, 3” deep aluminum channel letters, individually mounted to the wall. The material, design and installation are also comparable with the existing signs these will replace. The design is sleek and modern, and unified with the contemporary restoration of the original 1960s mid-century hotel. *Therefore, with Condition of Approval C that the sign area of each sign shall be no greater than 62 square feet, these guidelines are met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all 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 three 80sf, non-illuminated aluminum channel letter signs, per the approved site plans, Exhibits C-1 through C-5, signed and dated August 29, 2019, 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 19-192433 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. The sign area of each sign shall be no greater than 62 square feet.
- D. No field changes allowed.

Staff Planner: Hannah Bryant

Decision rendered by:  **on September 9, 2019**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 12, 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 July 12, 2019 and was determined to be complete on July 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 July 12, 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 extend the 120-day review period by 120 days (exhibit A2). Unless further extended by the applicant, **the 120 days will expire on: March 21, 2020**

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 September 26, 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 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 after **September 26, 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:

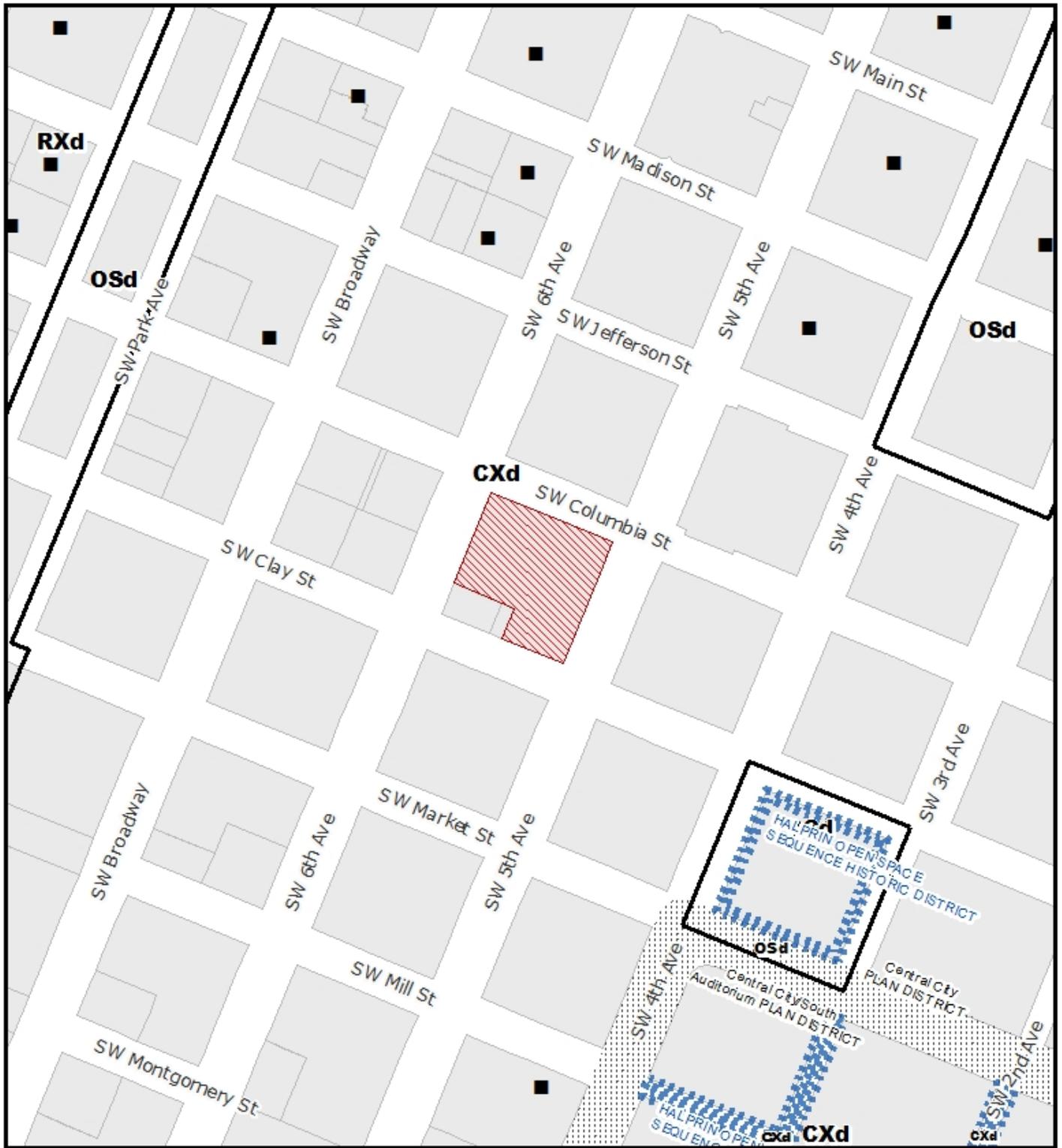
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Original Submittal
 - 1. Applicant's Submittal
 - 2. Request for Extension of 120-Day Review Period
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. West Elevation
 - 3. East Elevation
 - 4. South Elevation
 - 5. Channel Letter Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Previous Case History

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



THIS SITE LIES WITHIN THE:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN SUBDISTRICT



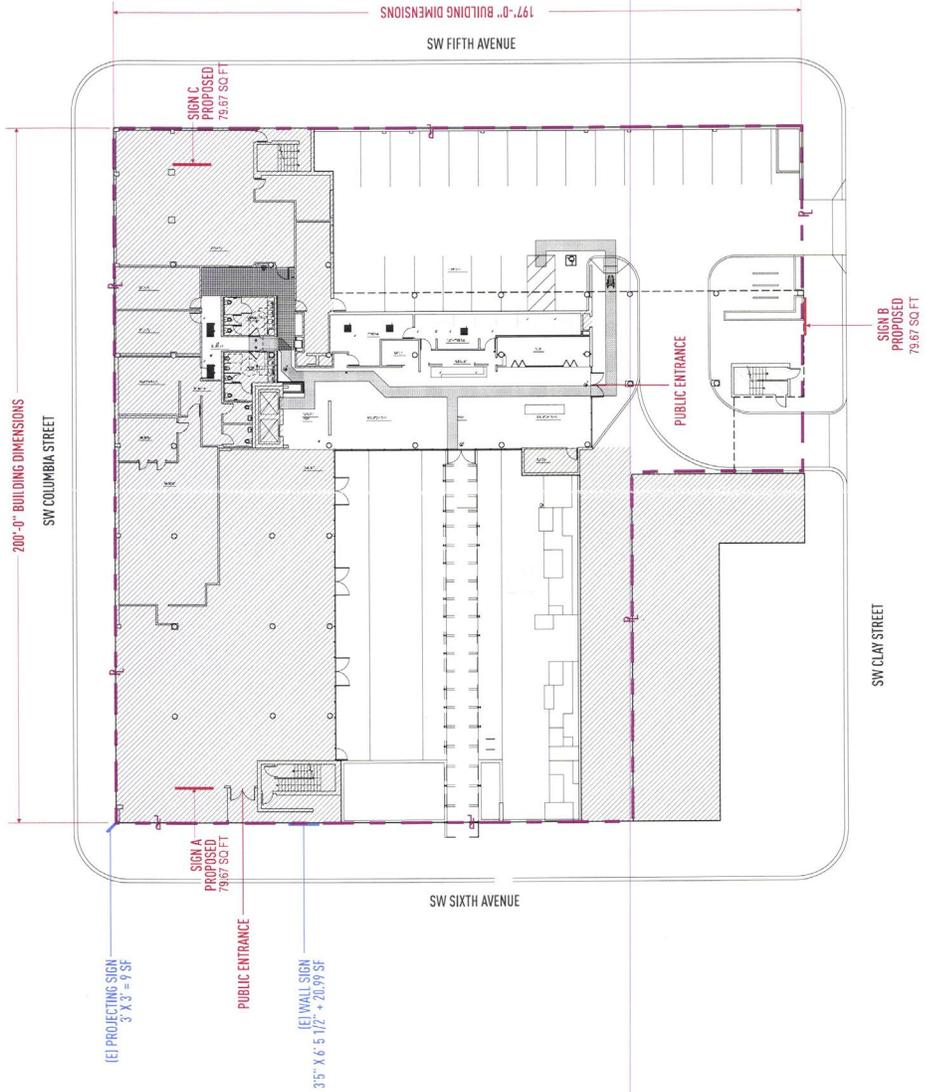
Site



Historic Landmark

File No.	LU 19-192433 DZ
1/4 Section	3129
Scale	1 inch = 200 feet
State ID	1S1E03BC 2800
Exhibit	B Jul 16, 2019

EXTERIOR | SITE PLAN



Planner: *[Signature]*
 Date: 9.9.19
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

NORTH
 SCALE: 1/32" = 1'-0"

Account Manager: Ed Mercer
 Date: 07.01.2019
 Drawing: 19-JF14215
 Sheet: 2 of 11

THE HOTEL ZAGS - PORTLAND, OREGON

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