



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

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Date: January 6, 2022
To: Interested Person
From: Hillary Adam, Land Use Services
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NOTICE OF A TYPE Ix DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

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

CASE FILE NUMBER: LU 21-104609 HR - NEW SIGN

Applicant: Chris Slovick and Keisha Ochoa
Ramsay Signs Inc
9160 SE 74th Ave
Portland OR 97206

Owner: Dale Building LLC
PO Box 759
Portland, OR 97207

Site Address: 420 NW 14TH AVE

Legal Description: BLOCK 89 LOT 3&4, COUCHS ADD
Tax Account No.: R180208130
State ID No.: 1N1E33DA 01300
Quarter Section: 3028

Neighborhood: Pearl District, contact planning@pearldistrict.org.
Business District: Pearl District Business Association, contact at info@explorethepearl.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - Pearl District
Other Designations: Contributing Resource in the NW 13th Avenue Historic District, listed on the National Register of Historic Places

Zoning: EXd – Central Employment with Design and Historic Resource Protection overlays
Case Type: HR – Historic Resource Review
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes one new sign on the west façade of a contributing resource in the NW 13th Avenue Historic District, to be constructed of aluminum channel letters with acrylic faces and halo lighting and measuring 8'-0" wide x 1'-0.75" high. All conduit will be routed through the building.

Note: The Notice of Proposal did not note the acrylic faces on the lettering.

Historic Resource Review is required because the proposal is for a new sign in a historic district.

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](#)
- [NW 13th Avenue Historic District Design Guidelines](#)

ANALYSIS

Site and Vicinity: The subject property, known as the Dale Building, was built in 1915 by Houghtaling and Dougan and is a Primary Contributing resource in the NW 13th Avenue Historic District. Named after the original owners, Robert and Anna Eliza Dale, early Portland pioneers, the building was first occupied by Goodyear Tire and Rubber Company. The building was originally constructed as a one-story building, but designed to accommodate a second-story.

In 1904, the Portland City Council approved the construction of a railroad spur line along 13th to extend from Johnson Street to Glisan Street, which was completed in 1907. This spur, as well as one along 15th and the purchase of 40 blocks in the area by various railroad companies resulted in a significant increase in land values as well as the construction of what became a warehouse district for the shipping and receiving of goods. NW 13th Avenue was the first spur line used specifically for warehouse use and is consequently the most intact, easily distinguished from other streets in the Pearl District by its wealth of extant brick warehouse buildings and its unusual pedestrian character marked by the prevalence of loading docks converted to contemporary use as elevated sidewalks.

The building is located within the Northwest Triangle Pedestrian District with NW 13th Avenue designated a Neighborhood Main Street and Major City Walkway and NW 14th Avenue designated a City Walkway, a City Bikeway, a Traffic Access Street, and a Transit Access Street in the City's Transportation System Plan.

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

The Design overlay zone ensures that Portland is both a city designed for people and a city in harmony with nature. The Design overlay zone supports the city's evolution within current and emerging centers of civic life. The overlay promotes design excellence in the built environment through the application of additional design standards and design guidelines that:

- Build on context by enhancing the distinctive physical, natural, historic and cultural qualities of the location while accommodating growth and change;
- Contribute to a public realm that encourages social interaction and fosters inclusivity in people's daily experience; and
- Promotes quality and long-term resilience in the face of changing demographics, climate and economy.

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

The Central City Plan District implements the Central City 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 Pearl Subdistrict of this plan district.

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

- LU 12-215098 HR – Historic Resource Review approval for new signage.
- LU 13-181695 HR – Historic Resource Review for alterations including a new canopy, roll-up door, storefront, and light fixtures.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **December 1, 2021**. The following Bureaus have responded with no issues or concerns about the proposal:

- Life Safety Division of BDS

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **December 1, 2021**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

Historic Resource Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Resource Review Approval Criteria

Requests for Historic Resource Review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the NW 13th Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *NW 13th Avenue Historic District Design Guidelines* and the *Central City Fundamental Design Guidelines*.

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

NW 13th Avenue Historic District Design Guidelines

6. **Signs.** There is a tradition in the NW 13th Avenue Historic District of painting large signs on the walls (usually on non-street elevations) of warehouse structures. These historic painted wall signs should be retained where practical.

New signs on the principal (i.e., street) elevations of new or existing buildings should be

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

Findings: The subject property was painted several years ago; if any painted wall signs existed, they have been painted over. Any new signage can be located at the interior without review. The proposed sign is singular, to be located above the northernmost entry. The sign is to be constructed of aluminum channel letters with acrylic faces and aluminum cutout backers, with LED lighting to reflect back onto the wall behind. The drawings show that the sign is to be mounted 12'-3.5" above grade and a sketch show the sign to be mounted in brick. Staff has added a condition that the sign shall be mounted in the solid sign band which extends across all three storefront bays, and not within the brick, in order to minimize damage to historic material.

With the condition that the sign shall be mounted in the solid sign band which extends across all three storefront bays, and not within the brick, this guideline is met.

Central City Fundamental Design Guidelines

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

C3. Respect Architectural Integrity. Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

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.

C8. Differentiate the Sidewalk-Level of Buildings. Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

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: The proposed sign is to be constructed of aluminum channel letters with sturdy acrylic faces and cut out aluminum backers with halo lighting to be cast back onto the wall behind, making for a quality sign that complements the various forms of signage in the 13th Avenue historic District and other signage along NW 14th Avenue. The sign is noted to be located more than 12' above the sidewalk level, about halfway up the building wall, and will denote of the sidewalk level entries to the building. Per the condition above, the sign will be located with the solid sign band which extends across all three storefront bays, thus respecting the architectural integrity and design of the building by integrating it into the designated sign band.

With the condition that the sign shall be mounted in the solid sign band which extends across all three storefront bays, and not within the brick, this guideline is met.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all requirements of

Title 11 can be met, and that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review, prior to the approval of a building or zoning permit.

CONCLUSIONS

The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.


ADMINISTRATIVE DECISION

Approval of one new sign on the west façade of a contributing resource in the NW 13th Avenue Historic District, to be constructed of aluminum channel letters with halo lighting and measuring 8'-0" wide x 1'-0.75" high. All conduit will be routed through the building.

This approval is per the approved site plans, Exhibits C-1 through C-4, signed and dated January 3, 2022, 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 four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 21-104609 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.
- D. The sign shall be mounted in the solid sign band which extends across all three storefront bays, and not within the brick.

Staff Planner: Hillary Adam

Decision rendered by:  **on January 3, 2022**

By authority of the Director of the Bureau of Development Services

Decision mailed: January 6, 2022

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 November 8, 2021, and was determined to be complete on November 18, 2021.

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 November 8, 2021.

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: March 18, 2022.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Recording the final decision.

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

- *Unless appealed*, the final decision will be recorded after **January 6, 2022** 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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative
 - 2. Plans
 - 3. Additional Details
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation
 - 3. Details (attached)
 - 4. Additional Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Division of BDS
- F. Correspondence: none
- 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).