



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

Carmen Rubio, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7310  
TTY: (503) 823-6868  
[www.portland.gov/bds](http://www.portland.gov/bds)

**Date:** 6/2/2022  
**To:** Interested Person  
**From:** Tanya Paglia, Land Use Services  
503-865-6518 / [Tanya.Paglia@portlandoregon.gov](mailto:Tanya.Paglia@portlandoregon.gov)

## **NOTICE OF A TYPE I 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 23-021871 HRM – ALTERATIONS TO STOREFRONT, LIGHTING, SIGNAGE**

#### **GENERAL INFORMATION**

**Applicant:** Jeffrey Maas | Urban Patterns Architecture  
1432 E Burnside St | Portland, OR 97214  
[jeffrey@urbanpatterns.com](mailto:jeffrey@urbanpatterns.com)

**Owner/Agent:** Dave Guettler | Haley's Bike Adventure, LLC  
706 SE MLK Blvd | Portland, OR 97214

**Interested Party:** Barry Haw | River City Bicycles  
706 SE MLK Blvd | Portland, OR 97214

**Site Address:** 534 SE BELMONT ST

**Legal Description:** BLOCK 126 E 1/2 OF LOT 7&8, PARK ADD TO E P  
**Tax Account No.:** R644500070  
**State ID No.:** 1S1E02BB 07700  
**Quarter Section:** 3131

**Neighborhood:** Buckman, contact Nick Olson at [buckmanlandusepdx@gmail.com](mailto:buckmanlandusepdx@gmail.com)  
**Business District:** Central Eastside Industrial Council, contact [ceic@ceic.cc](mailto:ceic@ceic.cc).  
**District Coalition:** Southeast Uplift, contact Matchu Williams at [matchu@seuplift.org](mailto:matchu@seuplift.org)

**Plan District:** Central City - Central Eastside  
**Other Designations:** Contributing Resource in the East Portland Grand Avenue Historic District which was listed in the National Register of Historic Places on March 4, 1991.

**Zoning:** **EXd** – Central Employment with design overlay  
**Case Type:** **HRM** – Historic Resource Review with Modification

**Procedure:** **Type I**, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant is seeking Historic Resource Review approval for a proposal to make exterior alterations to a contributing resource in the East Portland / Grand Avenue Historic District. The project includes:

- Replacing the approximately 32 square foot glazed entrance door with a new concrete stem wall and storefront glazing system to match the existing adjacent stem wall and glazed storefront system.
- Adding exterior lighting for pedestrian safety and to light signage.
- Repainting building and adding painted signage.
- Adding a projecting sign.

Modification requests [PZC 33.846.070]:

1. Sign Area Allowance (Portland Sign Code 32.32.020). A Modification is requested to the Sign Code Standards in the Commercial/Mixed Use, Campus Institution 2, Employment, and Industrial Zones (32.32.020) to increase the Size Allocation above the 1-1/2 SF of signage allowed per 1' of primary building wall from the allowed 75 SF of sign area to the 166 SF proposed.

Historic resource review is required because the proposal is for non-exempt exterior alterations to an existing building within the East Portland/Grand Avenue 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:

- Design Guidelines - East Portland Grand Avenue Historic Design Zone
- Central City Fundamental Design Guidelines
- 33.846.070 Modifications Considered During Historic Resource Review

## ANALYSIS

**Site and Vicinity:** The subject 2-story building is located in the Central Eastside subdistrict of the Central City plan district and is a contributing resource in the East Portland / Grand Avenue Historic District. The 5,000 SF site is located on the SW corner of the intersection of SE Belmont Street and SE 6<sup>th</sup> Avenue. It occupies one eighth of a block. The building, identified as the *Paul Schuele Building* in the nomination documentation for the East Portland Grand Avenue Historic District, was designed by longtime Portland architect Charles Ertz, and completed in 1924. At the time it was advertised as a “public garage”, and it has had many automobile-related businesses as tenants over the course of its history. Stylistically, the building is a very straightforward expression of early Twentieth Century Industrial design, with a hint of Spanish Colonial Revival elements at the upper-floor entry. The street-facing walls are dominated by large vehicular openings and regular, full-bay-width banks of steel sash windows on both floors. On the north facade at the ground floor and wrapping the corner by one bay the window pattern gives way to storefronts.

The East Portland Grand Avenue Historic District is significant for its association with broad patterns of historic development, especially as it relates to commerce and transportation. This area, stretching north-south along Grand Avenue parallel to the Willamette River was, until consolidation with Portland in 1893, the core of a separate community known as East Portland. The National Register nomination document notes that in the years from approximately 1915 to 1930 this locale developed a concentration of automotive businesses, with building adapted or designed to support it. The subject property fits well within this category.

**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 historic resource overlay zone protects historic resources that have been identified as significant to the history of the city and region. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting education and enjoyment for those living in and visiting the region. The regulations foster awareness, memory, and pride among the region's current and future residents in their city and its diverse architecture, culture, and history. Historic preservation recognizes social and cultural history, retains significant architecture, promotes economic and environmental health, and stewards important resources for the use, education, and enjoyment of future generations.

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.

East Portland/Grand Avenue Historic District is listed in the National Register of Historic Places under two of the eligibility criteria: "A" for its association with the development of the City of East Portland (which was annexed into Portland in 1893) and "C" for its examples of commercial architectural styles from the period 1883 to 1939.

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 Central Eastside Subdistrict of this plan district.

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

- LU 11-101122 HDZ – Historic Design Review approval for new projecting illuminated sign.
- LU 10-139874 HDZ – Historic Design Review approval to replace garage doors, install lighting and new rooftop mechanical units.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on 4/26/2023. The following four Bureaus, Divisions and/or Sections responded with no objections and two of these included comments found in Exhibits E-1 and E-2:

- Life Safety Division of the Bureau of Development Services (Exhibit E-1)
- The Bureau of Parks-Urban Forestry Division (Exhibit E.2)
- Bureau of Transportation Engineering and Development Review
- Water Bureau

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on 4/26/2023. 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 East Portland Grand Avenue Historic District and the proposal is for a non-exempt treatment. Therefore Historic Resource Review approval is required. The approval criteria are the *Design Guidelines - East Portland Grand Avenue Historic Design Zone*. Because the site is within the *Central City Plan District*, the *Central City Fundamental Design Guidelines* are also approval criteria.

*Staff has considered all approval criteria and addressed only those applicable to this proposal. The Design Guidelines - East Portland Grand Avenue Historic Design Zone and the Central City Fundamental Design Guidelines are addressed concurrently.*

#### **Design Guidelines - East Portland Grand Avenue Historic Design Zone** **Central City Fundamental Design Guidelines**

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

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

#### **Guidelines for Alterations**

##### **A61. Use Special East Portland/Grand Avenue Historic Design Zone Guidelines**

**Introduction: Scale and Proportion.** A building's bulk in conjunction with its proportional height and width will have a significant impact on the degree to which it fits in with its historic neighbors. Structures which are much wider, taller or just are significantly bigger than neighboring structures will disrupt the continuity of the area and may damage the area's historic integrity.

##### **A61a. Scale and Proportion**

1. The added height or width of an alteration should be compatible with the original scale and proportion first of the affected building and second of adjacent buildings.
2. The scale and proportion of altered or added building elements, such as the size and relationship of new windows, doors, entrances, columns and other building features should be visually compatible with the original architectural character of the building.
3. The visual integrity of the original building should be maintained when altering or adding building elements including the vertical lines of columns, piers, the horizontal definition of spandrels and cornices, and other primary structural and decorative elements

**Introduction: Exterior Building Materials.** After issues of height, mass and bulk the building characteristic having the greatest impact on the District's character will be its exterior materials. Maintaining the integrity of exterior materials is important to protecting the character of the District.

**A6-1b. Exterior Building Materials.** Exterior surfaces need to be repaired and maintained in a manner that is compatible first with the original building and second with the District.

**Introduction: Color.** All new color schemes should be reviewed. To choose appropriate colors, it is best to start with a paint analysis on the building to determine its original color. Though it may not be possible to duplicate that color, the color should at least be compatible with the original color. (See Appendix B for guidance on how to do a paint analysis and consult local paint companies for assistance). Experimenting with colors in small sample locations is encouraged. For additional guidance, consult the State Historic

Preservation Office in Salem at 1 (503) 378-6508, or the East Portland Historic District Advisory Board.

**A6-1e. Color**

1. When painting a building or making color changes, colors chosen should be visually compatible with the architectural character of the District represented by both the primary (1870-1914) and secondary (1915-1935) historic periods of development. A broad range of color schemes may be acceptable.
2. The colors should be compatible with the original architectural style of the building. If the building has no apparent style, use the surrounding buildings and any character-defining features on the building itself as a guide.

**Introduction: Signs.** All exterior signs are reviewed. Signs must meet all applicable provisions of the City of Portland's ordinances and guidelines.

**A6-1f. Signs**

1. Exterior building signs should be visually compatible in size, scale, proportion, color and materials with the original architectural character of the building.
2. A variety of signs within the District are encouraged, incorporating excellence in graphic design and lettering, careful color coordination with the building, mounting, and readability.
3. Prominent signs that are creative yet compatible with the building and the District are encouraged, particularly on simple concrete buildings.
4. Sign lighting that is creative and compatible with the building and the District is acceptable. Plastic signs and backlit plastic signs are generally not acceptable.

**Introduction: Lighting.** Lighting should be compatible with the overall character of the building first and the District second. Lighting should not detract from the character defining features of the building, introduce radically incompatible design elements or damage the building through its installation.

**A6-1g. Lighting**

1. Repair or replace damaged period lighting with the same or similar lighting fixtures and design elements.
2. Lighting in entryways and doorways and other highly visible public areas should match the original fixtures where possible, or be designed in a manner that is compatible with the historic building and with the district.
3. Bathing a historic building with light or the use of exterior spotlights on the major facade is discouraged, unless historic precedence exists to support such display.

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

**B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

**C1. Enhance View Opportunities.** Orient windows, entrances, balconies and other building elements to surrounding points of interest and activity. Size and place new buildings to protect existing views and view corridors. Develop building façades that create visual connections to adjacent public spaces.

**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.

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**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.

**C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

**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 four new painted signs, one new projecting sign, storefront alterations, and lighting changes proposed for the two-story *Paul Schuele Building*, a contributing resource in the East Portland Grand Avenue Historic District located in the Central Eastside subdistrict of the Central City plan district respect the building's history and architecture. They will be congruous additions to this commercial building sitting at the intersection of SE Belmont St and SE 6<sup>th</sup> Ave. The project uses historic elements, such as painted signs, to enhance and connect to the East Portland Grand Avenue Historic District.

The proposed signs are appropriate for the scale of the building and are well integrated with its historic design. The project adds painted signage near the top of the façade and above the main entrance doorway, inspired by the historic signage seen in historic photos (exhibit C-1). This painted signage was located along the top of the wall and at a band along the level 2 floor as well as above the storefronts. The exterior projecting signage has been designed to be compatible with the simple, utilitarian, and industrial architecture. It projects at 45-degree angle at the corner of the building where prior signage was located, evidenced by the anchoring elements still in place. The projecting sign is made primary from painted aluminum and steel and includes with backlit lettering. All illuminating elements are concealed internally and backlight the letter locations through painted and diffuser surfaces to create consistently lit elements. The projecting signage borrows geometric elements from building and utilizes a straightforward, utilitarian design.

The proposed signs will be visually interesting from all points of view and are scaled to serve both pedestrian and passing vehicular traffic. Their reasonable sizes and traditional locations on the building help them fit in well in the East Portland Grand Avenue Historic District. Colors for the signage are selected to match the proposed paint scheme for the building.

Lighting on the painting signage is provided by period-inspired industrial sign-light fixtures. These light the area of the painted signs and are compatible with the building, with period lighting and with adjacent historic buildings. The same fixtures are used to center in each repeating bay on the building, matching the repetition of the building and are compatible with the scale of the building. Taken together, the new building lighting will light pedestrian elements, being pointed down towards the sidewalk and will minimally light the building façade. The sidewalk-oriented night-lighting system will offer safety to the pedestrian.

New infill storefront and stem wall matches the existing historic elements. The new storefront glazing matches the scale of the existing storefront system and mullions are placed to align to existing elements. Increased storefront area increases visual connection to adjacent public sidewalk and Belmont Street. Exterior materials used in project will match the historic materials used in the original building. New storefront framing will be wood to match the existing framing, new stem wall will concrete with a stucco texture then painted to match the existing texture and painted finish. Colors were selected to be compatible with the architectural character of the district and be compatible with the primary and secondary historic periods of

development, as well as be timeless and enduring. The main color is a deep blue-gray, the trim color for cornice and architectural elements are white, and the steel and wood window and door systems are black.

Overall, the storefront, lighting and signage changes are well integrated with the historic architecture of the building and will not produce a negative effect on the pedestrian environment. They will add visual interest to the building, both day and night. In adding wayfinding and visual interest for people on foot, the new signs will enhance the pedestrian-oriented character of the building, making it a more visible “landmark” to the pedestrian as well as being visible to street traffic on the wide adjacent roads.

*With the following Conditions of Approval, these guidelines are met:*

- *there shall be no exposed conduit for the illuminated sign and electrical fixtures,*
- *painted signs shall remain composed entirely of paint with no other substance composing them such as vinyl banners.*

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### **33.846.070 Modifications Considered During Historic Resource Review**

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the historic resource review process. These modifications are done as part of historic resource review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through historic resource review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets historic resource review approval criteria.** The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and
- B. **Purpose of the standard.**
  1. The resulting development will meet the purpose of the standard being modified; or
  2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

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### **Modification #1: Increase the Size Allocation of the Sign Code Standards in the Commercial/Mixed Use, Campus Institution 2, Employment, and Industrial Zones above the 1-1/2 SF of signage allowed per 1’ of primary building wall such that the allowed 75 SF of sign area is increased to the 166 SF proposed (Portland Sign Code 32.32.020).**

*Purpose Statement.* The regulations contained in Chapters 32.30 through 32.38 are land use regulations which work in combination with Title 33, Planning and Zoning, to implement Portland’s Comprehensive Plan. The standards contained in Chapters 32.32 through 32.34 encourage signs to be compatible with the distinct character of specific areas of the city by regulating the size, placement, and features of signs by base zone, overlay zone, and plan district.

*Standard:* 32.32.020, for signs attached to buildings, the maximum size allocation for a building located in the EX zone is 1-1/2 sq. ft. per 1 ft. of primary bldg. wall if there is no freestanding sign on the same street frontage.

- A. **Better meets historic resource review approval criteria.** *The resulting development will better meet the approval criteria for historic resource review than would a design that meets the standard being modified; and*
- B. **Purpose of the standard.** *The resulting development will meet the purpose of the standard being modified or the preservation of the character of the historic resource is*

*more important than meeting the purpose of the standard for which a modification has been requested.*

**Findings for Modification #1:** The proposed signage accurately reflects the historic character of the development and architecture of the site. The historic building as shown in exhibit C-1 had signage along the parapet, at the level 2 floor level and on the pilasters. The increase in sign area will not negatively impact the property or its surrounding neighborhood. The Modification request to the size allocation standard in the Sign Code will allow the signage for the building to increase to an amount that will allow the four new proposed painted signs and one new blade sign to be added while also allowing the existing projecting sign on the building to remain. The Modification allows an increase in size allocation above the 1-1/2 SF of signage per 1' of primary building wall allowed, which will provide a larger signage allowance for the site to accommodate the new signs.

On balance, the requested modification meets the purpose of the standard in allowing legible signs which promote successful sign communication that are compatible with the character of the area where the building is located. In the context of the historic district and the building's architecture, the proposal also better meets the design review approval criteria than would signage that stayed within the allowed limits.

The majority of the sign area proposed is composed of painted signs which occupy 127 SF combined, while the projecting signs only occupy 39 SF combined, thus the Modification is required to allow a great deal of painted signage. Painted signs are highly compatible with the history of the building as well as the distinct character of the East Portland Grand Avenue Historic District. Painted signage is appropriate and fits with the historic and commercial context of the area.

The historic building as seen in the photo included in exhibit C-1 had signage along the parapet, at the level 2 floor level, and on the pilasters for a total signage area of approximately 535 square feet. The Modification will allow for new painted signage at the parapet and level 2 floor level painted with simple block letters. The proposed painted signage totals 127 SF, significantly less than the historic 535 SF of signs.

The signage is simple, painted signage that is located 11 to 27 feet above the street level and therefore does not significantly increase or lead to street-level sign clutter. The signs do not dominate the visual image of the area but better reflect the historic character of the building. The proposed signage is compatible with the East Portland Historic District which encourages prominent signage. Guideline A6-1f.3 states "prominent signs that are creative yet compatible with the building and District are encouraged, particularly on simple concrete buildings."

Overall, the proposed work will not visually detract from the aesthetic of the neighborhood. The proposed signage maintains the historic locations for signage and utilizes painted signage to avoid detracting from the historic elements. The signs will add to local identity of the area by making the building a recognizable wayfinding landmark that highlights the intersection. Overall, the additions will complement the building's architecture, history and increase its visibility to pedestrians. The proposal thus meets the following applicable Design Guidelines better than compliance with the provisions of Title 32 Sign Code would: A5. *Enhance, Embellish, and Identify Areas*, A6. *Reuse/Rehabilitate/Restore Buildings*, A61. *Use Special East Portland/Grand Avenue Historic Design Zone Guidelines*, and C13. *Integrate Signs*

*Therefore this Modification merits approval.*

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## **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

Overall, the storefront, lighting and signage changes are well integrated with the historic architecture of the building and will not produce a negative effect on the pedestrian environment. They will add visual interest to the building, both day and night. In adding wayfinding and visual interest for people on foot, the new signs will enhance the pedestrian-oriented character of the building, making it a more visible “landmark” to the pedestrian as well as being visible to street traffic on the wide adjacent roads. The scale and proportion of the signs are in keeping with the size of the building, its historic signage and its architectural features. 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 modification criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of exterior alterations to a contributing resource in the East Portland / Grand Avenue Historic District including new signage and lighting.

Approval of the following Modification requests:

1. Increase the Size Allocation of the Sign Code *Standards in the Commercial/Mixed Use, Campus Institution 2, Employment, and Industrial Zones* above the 1-1/2 SF of signage allowed per 1’ of primary building wall from the allowed 75 SF of sign area to the 166 SF proposed (Portland Sign Code 32.32.020).

Approvals per Exhibits C-1 through C-11, signed and dated 5/30/2023, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 23-021871 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. There shall be no exposed conduit for the illuminated sign and electrical fixtures.
- E. Painted signs shall remain composed entirely of paint with no other substance composing them such as vinyl banners.

**Staff Planner: Tanya Paglia**



**Decision rendered by:** \_\_\_\_\_ **on 5/30/2023**

By authority of the Director of the Bureau of Development Services

**Decision mailed: 6/2/2023**

**Procedural Information.** The application for this land use review was submitted on March 10, 2023, and was determined to be complete on 4/21/2023.

*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 March 10, 2023.

*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: 8/19/2023.**

**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](http://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 **June 2, 2023** 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 Submittal
  1. Applicant's original project narrative and response to approval criteria
  2. Original plan set – NOT APPROVED/reference only
  3. Product cut sheets
  4. Response to incomplete letter narrative
  5. Applicant's revised project narrative and response to approval criteria
  6. Addition product information
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Existing and historic photographs
  2. General information and drawing index
  3. Level 1 floor plan (attached)
  4. Enlarged plan, sections, elevation
  5. Proposed north & east elevation (attached)
  6. Details
  7. Door opening schedule
  8. Color elevations (attached)
  9. Projecting sign photo simulation
  10. Projecting Sign Elevations (attached)
  11. Site and vicinity plan
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses:
  1. Life Safety Division of the Bureau of Development Services
  2. The Bureau of Parks-Urban Forestry Division
- F. Correspondence: None received
- G. Other:
  1. Original LU Application
  2. Oregon Historic Site Record
  3. 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).**