

(Cabela's-Bass Pro Shops Land Use Application)



Land Use Application

| Project Information | | |
|--|--|-------------------------|
| Project Title: <i>BASS PRO SHOPS</i> | | |
| Brief Description: <i>REPLACING 5 EXISTING WALL SIGNS WITH 6 NEW PROPOSED WALL SIGNS ON THE SOUTH & EAST ELEVATIONS.</i> | | |
| Estimated Construction Value: | | |
| Property Information | | |
| Address: <i>7555 S.W. NYBERG ST. TUALATIN, OR 97062.</i> | | |
| Assessor's Map Number and Tax Lot(s): <i>25124A003100</i> | | |
| Applicant/Primary Contact | | |
| Name: <i>Tony McCormick</i> | Company Name: <i>MEYER SIGN CO. / OREGON</i> | |
| Address: <i>15205 S.W. 74TH AVE.</i> | | |
| City: <i>TIGARD</i> | State: <i>OR</i> | ZIP: <i>97224</i> |
| Phone: <i>971-247-4325</i> | Email: <i>PERMITS@MEYERSIGNCO.COM</i> | |
| Property Owner | | |
| Name: <i>Nyberg CenterCal II, LLC</i> | | |
| Address: <i>1600 E Franklin Ave.</i> | | |
| City: <i>El Segundo</i> | State: <i>CA</i> | ZIP: <i>90245</i> |
| Phone: <i>310-563-6900</i> | Email: <i>khunter@centercal.com</i> | |
| Property Owner's Signature: <i>Karl Hunter</i> | | Date: <i>06/27/2024</i> |
| <small>(Note: Letter of authorization is required if not signed by owner)</small> | | |

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION IN AND INCLUDED WITH THIS APPLICATION IN ITS ENTIRETY IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.

| | |
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| Applicant's Signature: <i>Tony McCormick</i> | Date: <i>11/28/23</i> |
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Land Use Application Type:

- | | | |
|--|---|---|
| <input type="checkbox"/> Annexation (ANN) | <input type="checkbox"/> Historic Landmark (HIST) | <input type="checkbox"/> Minor Architectural Review (MAR) |
| <input type="checkbox"/> Architectural Review (AR) | <input type="checkbox"/> Industrial Master Plan (IMP) | <input type="checkbox"/> Minor Variance (MVAR) |
| <input type="checkbox"/> Architectural Review—Single Family (ARSF) | <input type="checkbox"/> Plan Map Amendment (PMA) | <input type="checkbox"/> Sign Variance (SVAR) |
| <input type="checkbox"/> Architectural Review—ADU (ARADU) | <input type="checkbox"/> Plan Text Amendment (PTA) | <input checked="" type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Tree Removal/Review (TCP) | <input type="checkbox"/> Other _____ |

| Office Use | | |
|------------|----------------|--------------|
| Case No: | Date Received: | Received by: |
| Fee: | Receipt No: | |

Cabela's-Bass Pro Shops Revised Narrative

Introduction

The Nyberg Rivers development is uniquely situated in the City of Tualatin in relation to other CO or CC zoned properties. Unlike many CO or CC zoned properties, Nyberg Rivers was subject to a lengthy master planning process that only applies to a few properties in the Central Urban Renewal Area. This master planning process and resulting ARB and Public Facilities Review established a specific site plan for this property that was the result of many distinctive factors. Those factors include: (1) Redevelopment of an existing shopping center with some major retailers retained in their pre-existing location; (2) The development of a new public road through the center of the site; (3) The location of the Greenway on the Northern edge of the site and the freeway on the eastern edge of the site; and (4) The introduction of a major new anchor whose building requirements far exceed the square footage of a typical Tualatin retailer.

This sign variance is related to each of these unique factors as discussed below. Even though this is the largest shopping center in the city, Bass Pro Shops requests only a variance to the size of the letters on the sign and resulting area, and not the location of signs or the number of signs allowed. The variance will result in 868.5 square feet of total signage where the code would only allow for 600 square feet of signage. The sign variance meets all the approval criteria below, but a few threshold issues discussed here in the introduction further demonstrate why the limited sign variance should be approved.

First, the sign code at TDC 20.030 Sections (7) through (10) contain several objectives that are relevant to this proposal.

- (7) Protect and enhance the quality streetscapes, architecture, landscaping and urban Character in Tualatin.
- (8) Protect and enhance property values
- (9) Protect and enhance the City's economy.
- (10) Ensure the number, height and dimensions of signs allowed adequately identifies a Business or use and does not result in sign clutter.

This proposal serves all these objectives. Attached as Exhibit B is a comparison of the Bass Pro Shops front and side elevations with then proposed signage compared to the code restricted signage. The proposed signage is on top of the page and the code restricted signage on the bottom of the page. The comparison demonstrates that because of the unique façade features, size of the façade and distance to the closest arterial, Nyberg Road, the code restricted signage is not readable from the surrounding street system and does not serve to identify the business. Exhibit C further highlights this point showing the current signage from 300' away. At this distance one can

clearly read the current signage, it appears integrated with and proportionate in scale to the façade and is not in any way cluttered. Nyberg Road is not located 300' away but instead over 525' away from the store, further reducing the visibility of even the existing signs. Exhibit F shows the current signage at 525'. Here you can see that the signage is barely readable and certainly not at scale with the balance of the façade and the center. Exhibits B, C and f demonstrate that while the current signs would adequately identify the business from 300' And barely at 525', the code restricted signage would not be identifiable from these distances. The code-restricted signage disappears in the gabled entry and is plainly disproportionate to the size of the architectural features along this massive façade.

In this circumstance, the proposed signage is needed to serve the objectives of the sign code to "protect and enhance property values", "protect and enhance the City's economy" and ensure the number, height, and dimensions signage allowed that adequately identifies a business or other use.

Second, Bass Pro Shops is a 110,093 square foot building. The sign code does not seem to address the circumstances that are presented by a building of this size. In fact, the applicable sign area permitted by code is based on a building wall of 5,000 square feet or above. TDC 38.220(1)(d)(v). The Bass Pro Shops building walls are 15,031 square feet (south elevation), and 8,160 square feet (east elevation), far exceeding the baseline building wall that is anticipated under the code. The proposed sign square footage on each of these elevations is 601.9 square feet and 266.6 square feet respectively. The building wall size establishes, at least, that there are unique circumstances where additional sign dimensions should be permitted if they continue to meet the other objectives of the code.

Third, the sign code would permit up to 600 square feet of total signage area on Bass Pro Shops. TDC 38.220(1)(d)(v). Bass Pro Shops is proposing only 868.5 square feet in signage for better visual reference and customer identification purposes. However, this increase in area is based on wall size that greatly exceeds the code of 5,000 square feet. Therefore, the increase in size maintains the proportionality of sign area to building wall that code expects.

The sign code would also permit 3 signs per building wall for each wall over 5,000 square feet in size and 2 signs per building wall for every wall between 4,000 and 4,999 square feet. For Bass Pro Shops that would allow 12 signs (each wall exceeds 5,000 square feet). Bass Pro Shops is only requesting 6 total signs, far fewer than the number of signs allowed per code. The only variance here is size and area of the letters of the sign and the only reason that is required is to ensure visibility of the signs for commercial purposes based on the size and location of the Bass Pro Shops in the master planned area.

In this case, The Bass Pro Shops sign package better serves the sign code objectives than the code-restricted sign package and is the minimal variance necessary to accommodate the use.

- a. Hardship is created by exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same planning district, and such conditions are a result of lot size or shape or topography over which the applicant or owner has no control.

The exceptional and extraordinary circumstances that apply to this property and that do not apply to other like properties in the CC and CO districts are plentiful:

- (1) The property is within a required master plan area. Because of this fact, the site was subject to extensive design review proceedings including the master plan process and approval which is not necessary of other CC and CO properties outside this master plans reach. The master plan approved layout of the site located Cabela's/Bass Pro Shops in the NE corner. further from the main arterial road than any of the other buildings in the development which created some unique problems.
 - (2) The master plan and ARB process required us to make drastic changes to our standard store that brought forth façade features that we are now including with our sign package. The size of the store makes it quite unique in comparison to other CC and CO zoned properties not included in the master plan area.
 - (3) Different from other CC and CO zoned sites in the master plan area Cabela's/Bass Pro Shops is in the furthest northeastern corner for many reasons including the location of other retail uses that already exist on site, the required location for our parking spaces and the aspiration to integrate with but to not overwhelm the other uses at Nyberg Rivers. This results in distinctive visibility issues that require a sign variance to maintain our identity along Nyberg Rd.
 - (4) Cabela's/Bass Pro Shops Had no control over their site size, layout of the site, here where the project is to redevelop an existing center on contiguous and integrated lots and which is surrounded by the Tualatin River, I-5, and Nyberg Rd and incorporates a new road system which bifurcates the site.
 - (5) The hardship that is created by these circumstances is that the code-restricted signage cannot be seen or read from the major arterials because it is simply too small and out of scale with the approved façade dimensions. The Cabela's/ Bass Pro Shops anchor store inside the Nyberg Rivers development is set back into the site farther than any other store within the development.
- b. The hardship does not result from actions of the applicant, owner, or previous owner, or from personal circumstances, or from the financial situation of the applicant or owner of the company, or from regional economic conditions.

This hardship is not a result of actions of the applicant, owner, or previous owner, or from personal circumstances, or from the financial situation of the applicant or owner or the company, or from regional economic conditions. The TDC created the master plan process, and the TSP created the road location and bifurcated the site. The site was also already developed

with a center when Cabela's/ Bass Pro Shops became interested in the site and location of the Cabela's/Bass Pro Shops was dictated by the master plan process.

- c. The variance is the minimum remedy necessary to eliminate hardship.

Exhibits B and C demonstrate that this variance is the minimum necessary to maintain adequate visibility for the business and to integrate the sign with the architectural scale of the façade without creating any sign clutter.

The proposed sign package does not appear out of scale with the façade and appropriately readable at 300 feet which is the location that is still within the project site. At over 525 feet along Nyberg Rd, the signage will become much less readable and will not appear out of proportion with the existing architectural features. Further, the signage is integrated into the entry way design such that it appears expected and familiar rather than out of place or out of scale. Any lesser sign area would create the same hardship issues as the code-restricted signage.

Further, as discussed above, a total of 12 signs are permitted on the 4 Bass Pro Shops facades but only 6 signs are requested, minimizing the variance. The sign code would also permit 600 square feet of signage area on the 4 facades, based on the code allowed 150 feet per façade. The increase is justified based on the wall area of each façade that greatly exceeds the 5,000 square foot wall threshold established by the code. The proportionality of the sign to building wall area is maintained. The sign request also limits signs to just two of four elevations instead of utilizing all four sides of the building.

- d. The variance is necessary for the preservation of a property right of owner substantially the same as is possessed by owners of other property in the same planning district however, nonconforming, or illegal signs on the subject property or on nearby properties shall not constitute justification to support a variance request.

Due to the distance away from major arterials and I-5, the restricted signage size will be too small in scale for traffic to read as they drive by. While the distance to the street for all other uses in the center allows those uses sufficient sign coverage to be visible from the street, this is not the case for Cabela's/ Bass Pro Shops. Cabela's/ Bass Pro Shops has a larger façade than any other tenant and is in the far northeastern area of the development. The intended signage size will preserve the property rights of Cabela's/Bass Pro Shops to have visual access to their signage, because the intended size will be just as legible as the signage of the outer parcel tenants, who sit way closer to the arterial streets than Cabela's/Bass Pro Shops does.

- e. The variance shall not be detrimental to the public health, safety, and welfare, and not be injurious to properties or improvements in the vicinity.

The intended signage does not cause detriment to the public health, safety, and welfare, and is not injurious to properties or improvements in the vicinity. In fact, the sign variance equalizes visible access to the business identities in the center and simply adjusts Cabela's/Bass Pro Shops signage appropriately in relation to their location and size of the facade's architectural features, and unique design.

To the extent Cabela's/Bass Pro Shops acts a huge draw and anchor for the center, all other users in the center will benefit from Cabela's/Bass Pro Shops signage that allows the needed visible anchor access.

- f. The variance shall not be detrimental to the applicable Sign Design Objectives, TDC 20.030

The intended signage does not cause detriment to the applicable Sign, Design Objectives, but rather upholds the objectives by enhancing the architecture (Objective 7), protecting, and enhancing the City's economy (Objective 9) and ensuring the number, height and dimensions of signs allowed adequately identifies a business or use and does not result in sign clutter (Objective 10).

(7) Protect and enhance the quality of streetscapes, architecture, landscaping, and urban character in Tualatin.

Cabela's/Bass Pro Shops was approved as part of a master plan, ARB, and Public Facilities process. That process resulted in the adoption of a high-quality streetscape, architecture that meets the AR approval criteria as well as the CURP goals and which protects and enhances the urban character of Tualatin. The proposed signage is well integrated into the façade of the approved building and is part of the quality architecture and streetscape that was approved under the master plan in further support of the Sign Design Objective.

(8) Protect and enhance property values.

(9) Protect and enhance the City's economy.

As mentioned above, the sign variance is the minimal variance necessary to make the commercial signage on Cabela's/Bass Pro Shops visible from the surrounding road system. Visible signage contributes to the protection and enhancement of commercial property values. It also helps ensure the commercial success of a major anchor store at Nyberg Rivers which will in turn protect and enhance the property values of other retailers in the center, contributing to the City's economy.

(10) Ensure the number, height and dimensions of signs adequately identifies a business or use and does not result in sign clutter.

The number of signs in this case is less than the number that would be permitted by code. Bass Pro Shops is simply concentrating the allowed square footage in 6 signs rather than spreading the allowance over more signs. The result is less clutter on the building and a visible manuscript from the surrounding road system.

Conclusion

The application demonstrates compliance with each of the sign variance criteria and we therefore request approval of this application.

(Addendum)

September 19, 2024

City of Tualatin

RE: Bass Pro Shops

7555 SW Nyberg St.

Tualatin, OR 97062

To the City of Tualatin & The City Council,

Every year Bass Pro Shops, North America's premier outdoor and conservation company, help more than 200 million people create countless outdoor memories. Our retail stores are unlike any other, with immersive experiences tailored to the communities we serve. Our friendly, knowledgeable experts share their passion for the outdoors and expertise with customers who trust our commitment to service and value and know we offer the best and widest selection of outdoor gear backed by a low-price guarantee.

Bass Pro shops also pride itself on honoring our neighbors and honoring our heroes, viewing every day as an opportunity to support causes in our backyard, lend a hand when disaster strikes and show deep appreciation for the brave men and women in our armed forces. We have a proven track record of aiding communities and families in times of crisis through monetary or in-kind donations. Additionally, our everyday Legendary salute discount honors those on the front lines with a 10% discount on almost all products.

Our company's mission is to inspire everyone to enjoy, love and conserve the great outdoors. The outdoor and conservation company divides this mission into three tactical pillars: connecting new audiences to the outdoors, conserving wildlife and habitat, and advocating for sportsmen's rights. In the communities we serve across North America, Bass Pro Shops supports over 2,000 local grassroots nonprofits. Bass Pro customers can directly impact local conservation efforts in the Greater Portland Area through the Bass Pro Shops and Cabela's Outdoor Fund. Through conservation-missioned grant-gifting program, customers can support the initiatives of local nonprofits by rounding up their purchase at checkout. Nonprofits can partner with these retail stores to submit requests for support for upcoming projects and ongoing initiatives.

In addition to the efforts accomplished through the Bass Pro Shops and Cabela's Outdoor Fund. Retail locations host free educational opportunities ranging from introductory kid's workshops to technical fishing, hunting and outdoor seminars. These events can also include gear drives to pass along refurbished products to those without. From one annual event alone, Bass Pro Shops donates dozens of thousands of rods and reels to local youth nonprofits to encourage kids to spend time fishing in the great outdoors.

As an internationally recognized brand with these signature offerings and community commitments, Bass Pro Shops attracts hundreds of thousands of customers to its retail stores annually. Due to each locations extensive regional draw, these destination retail stores serve as an

anchor in the developments where they are planted-proving to attract customers who will travel up to 100 miles for a single day's visit to a Bass Pro Shops store. This traffic flows into the small and large businesses surrounding the retailer, funneling ample tax dollars back into the local community and generating demand for a larger workforce.

Bass Pro Shops customers are attuned to the branding consistency shown across its retail locations, including exterior wilderness lodge theming with bold Outdoor world and Outdoor Post focal signage and proprietary brand logos, as a compliment to the transformed outdoor paradise await inside. This consistent exterior serves as a beacon for the loyal Bass Pro customers, passionate sportsmen and women who visit after visit partner with the retailer to make significant conservation impact on their communities and the future outdoors.

Existing and Proposed dimensions and square footage for all signs proposed for installation.

South Elevation (Center) (Proposed signage)

Johnny Morris Flag Sign 3'-6 ¾" H x 13'-1" W = 46.7 sq ft.

Bass Pro Shops Formed Main ID Cabinet 10'-4 5/8" H x 15'-1 ¼" W = 156.8 sq ft.

Outdoor World Wall Cabinet 6'-0 1/8" H x 33'-0" W = 198.5 sq ft.

South Elevation (Center) (Proposed) Totals 46.7 + 156.8 + 198.5 = 402 sq ft

South Elevation (Center) (Current signage)

Cabela's Channel Letters 8'-0" H x 27'-6" W = 220 sq ft

World's Foremost Outfitter 1'-4" H x 27'-8 ½" W = 34.63 sq ft.

South Elevation (Left Side) (Proposed signage)

Cabela's Channel Letters 5'-0" H x 17'-2 ¾" W = 86.1 sq ft.

South Elevation (Left Side) (Current signage)

Hunting-Fishing Channel Letters 2'-0" H x 31'-0" W = 62 sq ft.

South Elevation (Right Side) (Proposed signage)

Tracker Boats and ATVs 5'-6 ½" H x 20'-6 9/16" = 113.8 sq ft.

South Elevation (Right Side) (Current signage)

Outdoor Gear Channel Letters 2'-0" H x 24'-0" W = 48 sq ft.

East Elevation (Proposed signage)

Bass Pro Shops Cabinet sign 13'-4" H x 20'-0" W = 266.6 sq ft.

East Elevation (Current signage)

Cabela's Channel Letters 8'-0" H x 27'-6" W = 220'-0"