



Cabela's/Bass Pro Shops Sign Variance (SVAR 24-0001)

December 18, 2024

Project Description



Meyer Sign Co. of Oregon, Inc., on behalf of Nyberg Center Cal II, LLC, requests approval of a sign variance at the Cabela's/Bass Pro Shops retailer located at 7555 SW Nyberg Street (Tax Lot: 2S124A003100).

- The proposal requests to place a total of 355.2 square feet of signage on the southern elevation to replace the existing 361.79 square feet of signage.
- The application also proposes to place a total of 150 square feet of signage on the eastern elevation to replace the existing 228 square feet of signage.

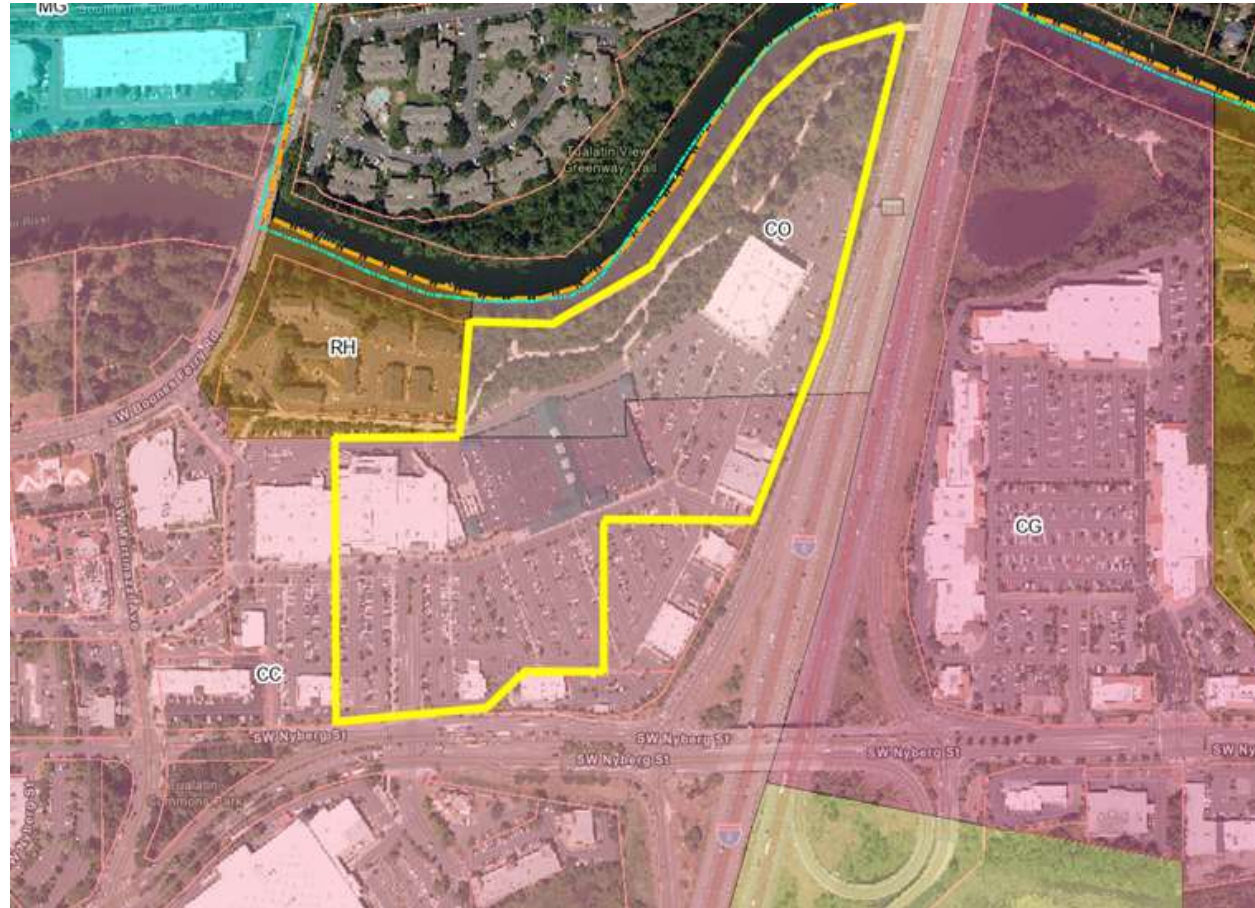


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SVAR 24-0001 Subject Site



The existing building is located on 22.74-acre site zoned Central Commercial (CC) and Office Commercial (CO).



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CC SIGN CODE - TDC 38.220



(d) Wall Signs Are Permitted. If used, the following standards apply:

- (i) Number: One on each owned or leased wall not to exceed four walls of a building. For walls not oriented toward and not located within 150 feet of the Wetland Protected Area or a Natural Resource Protection Overlay District (NRPO) as shown on Map 72-1, two wall signs are allowed on an owned or leased wall of 4,000-4,999.99 square feet provided the distance between the two signs is greater than 25 feet, and three wall signs on an owned or leased wall equal to or greater than 5,000 square feet.
- (ii) Number of Sides: No more than one.
- (iii) Height Above Grade: No higher than the height of the sign band on the owned or leased space.
- (iv) Height of Sign Face: No higher than four feet provided no letter or number (does not include logos, caricatures, scenes, non-letters and non-numerical symbols) shall be more than two feet when erected on owned or leased walls whose area is less than 4,000 square feet, and no higher than four feet for letters, numbers, logos, caricatures, scenes and symbols when erected on owned or leased walls equal to or greater than 4,000 square feet. If a sign's square footage is less than $\frac{1}{2}$ the maximum area allowed, then the height of the sign can be doubled. If the sign height is doubled, the height of any logo, symbols, caricatures or scenes may be up to five feet.
- (v) Area: For owned or leased walls whose area is 0 to 400 square feet, a sign area of at least 24 square feet or ten percent of the wall area is allowed, whichever is greater. For walls whose area is 400 to 3,999.9 square feet, a sign area of no more than 40 square feet is allowed. For walls not oriented toward and not located within 150 feet of the Wetland Protected Area or a NRPO District as shown on Map 72-1, a total sign area of up to 100 square feet is allowed for a wall 4,000-4,999.9 square feet provided that when two wall signs are erected neither sign is larger than 75 square feet, and for walls equal to or greater than 5,000 square feet, a sign area of up to 150 square feet is allowed.
- (vi) Illumination: Direct, indirect or internal.



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Variance Request – SIGN 2

Outdoor World Wall Cabinet

Proposed Sign



- The proposed increase in height is 2' - 1/8" or 52.1% over the code allowance.
- The proposed area is 48.5 square feet or 32.3% over the code allowance.



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Variance Request – SIGN 3

Bass Pro Shops Cabinet (East)

Existing Sign



Proposed Sign



- The proposed height is 6' or 150% over the code allowance; and 2' or 25% increase over the previous variance.
- The proposal is a decrease in square feet from the existing sign of 77 square feet



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Sign Variance Criteria – TDC 33.080



(c) **Sign Variances.** All six of the following criteria must be met before a variance can be granted:

- (i) A hardship is created by exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zone, and such conditions are a result of lot size or shape or topography over which the applicant or owner has no control;
- (ii) 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 or the company, or from regional economic conditions;
- (iii) The variance is the minimum remedy necessary to eliminate the hardship;
- (iv) The variance is necessary for the preservation of a property right of the owner substantially the same as is possessed by owners of other property in the same zone however, nonconforming or illegal signs on the subject property or on nearby properties does not constitute justification to support a variance request;
- (v) The variance must not be detrimental to the general public health, safety and welfare, and not be injurious to properties or improvements in the vicinity; and
- (vi) The variance must not be detrimental to any applicable Comprehensive Plan goals and policies.



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(i) A hardship is created by exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zone, and such conditions are a result of lot size or shape or topography over which the applicant or owner has no control;



The applicant's narrative described;

- No influence over the property's size or layout
Nyberg Rivers shopping center was approved through Architectural Review Board, which required significant alterations to the store's standards design and influenced the unique façade
- Location-specific issues
Positioned in northeastern corner of the development
Site is boarded by the Tualatin River, I-5 and Nyberg Street
Location was influenced by existing retail placements, parking requirements and to harmonize with neighboring uses
- The Central Commercial (CC) zone's sign standards prevent adequate visibility and readability from major arterials due to the sign size restrictions. The restrictive sign sizing would not match the scale of the existing façade.



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(ii) 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 or the company, or from regional economic conditions;



The applicant's narrative described;

- The hardship is not a result of action by the applicant, owner or previous owner. The applicant stated the described hardships are also not a result of the financial situation of the applicant, owner, or company or from the regional economic conditions.
- The Nyberg Rivers shopping mall was reviewed under Architectural Review 13-07 via the Architectural Review Board. The site was previously developed prior to Cabela's/Bass Pro Shops taking interest in the site and the location of the Cabela's/Bass Pro Shops retailer.
- The road locations and thus the bifurcation of the site were due to the Tualatin Transportation System Plan and are out of the control of the applicant team.



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(iii) The variance is the minimum remedy necessary to eliminate the hardship;



The applicant's narrative described;

- The requested variances are the minimum remedy necessary to maintain adequate visibility for the business.

The minimum remedy to integrate the proposed signs with the architectural scale of the façade without creating sign clutter.

The proposed signage would be integrated into the entry way sign so that it would appear expected and familiar rather than out of place or out of scale.



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(iv) The variance is necessary for the preservation of a property right of the owner substantially the same as is possessed by owners of other property in the same zone however, nonconforming or illegal signs on the subject property or on nearby properties does not constitute justification to support a variance request;


The applicant's narrative described;

- The requested variances for the intended signage size would preserve the property rights of Cabela's/Bass Pro Shops to have visual access to their signage.
- The proposed size of the signage would be just as legible as the signage of the other tenants in the shopping center who are sited closer to the arterial streets in comparison to the Cabela's/Bass Pro Shops location.



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(v) The variance must not be detrimental to the general public health, safety and welfare, and not be injurious to properties or improvements in the vicinity



The applicant's narrative described;

- The sign variance would equalize visible access to the onsite business identities of the Nyberg Rivers shopping mall.
- Would allow Cabela's/Bass Pro Shops signage to be appropriately adjusted in relation to the site location and size of the façade's architectural features and unique design.
- Cabela's/Bass Pro Shops retailer provides a large draw of business, and acts as an anchor to the Nyberg Rivers shopping mall. The applicant concluded that other tenants in the shopping center would also benefit from the increased visibility of the Cabela's/Bass Pro Shops sign variance.



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(vi) The variance must not be detrimental to any applicable Comprehensive Plan goals and policies.



The applicant's narrative described dated goals and policies of the Comprehensive Plan;

- Referenced enhancing the quality of streetscapes, architecture, landscaping, and urban character.

Nyberg Rivers shopping center was reviewed through the ARB which resulted in high quality architectural features, and streetscapes, and met the Tualatin Development Code approval criteria at the time of decision which protected and enhanced the urban character of Tualatin.

The proposed signage would be 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 design objectives.



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City staff noted the Tualatin Comprehensive Plan goals and policies below as applicable to the deciding body's decision making.

- GOAL 2.3 Balance the right of free speech, business needs, public wayfinding, safety for all modes, and diverse aesthetic interests, through a functional sign regulation program.

POLICY 2.3.1 Protect public health and safety by limiting distracting signs, ensuring that signs do not interfere with multi-modal transportation safety, and ensuring safe construction and installation of signs.

POLICY 2.3.2 Align the range of allowed sign types with the urban design context, such as additional small signs in pedestrian-oriented development areas.

POLICY 2.3.3 Encourage attractive, creative, and unique sign types through the City's review program. Encourage the improvement and maintenance of non-conforming signs.



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TPC ACTION



The Planning Commission is asked to make a decision on SVAR 24-0001. The TPC may issue:

- *Approval either as proposed or with modifications;*
- *Denial; or*
- *Continue the hearing to a later date for further consideration*





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