



# CITY OF TUALATIN

## Staff Report

**TO:** Tualatin Planning Commissioners

**THROUGH:** Steve Koper, Assistant Community Development Director

**FROM:** Madeleine Nelson, Assistant Planner

**DATE:** November 20, 2024

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### **SUBJECT:**

Consideration of a Sign Variance application (SVAR24-0001) for a sign package proposal located at the Cabela's/Bass Pro Shops retailer at 7555 SW Nyberg Street (Tax Lot: 2S124A003100).

### **EXECUTIVE SUMMARY:**

The applicant, 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 subject proposal is a Type III land use case, subject to a quasi-judicial hearing before the Tualatin Planning Commission.
- The existing building is located on 22.74-acre site zoned Central Commercial (CC) and Office Commercial (CO).
- The Central Commercial (CC) Planning District permits the following code standards for wall signs under Tualatin Development Code (TDC) 38.220(1)(d):
  - (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 ½ 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.
- (vii) Mechanical Readerboard: For churches, cinemas and theaters the sign may be a mechanical readerboard.
- The Sign Variance proposal requests to place a total of 601.9 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 266.6 square feet of signage on the eastern elevation to replace the existing 228 square feet of signage. The total square footage of all proposed signs on the building is 868.5 sf. The requested variances are provided below:
  - 1. A variance to allow five signs (Signs 1-5) on a single elevation (southern elevation) for a total area of 601.9 square feet.**
    - The retailer's southern elevation is 70,300 square feet, therefore the sign code allows three wall signs on an owned or leased wall equal to or greater than 5,000 square feet.
    - The retailer currently has three signs on the southern elevation for a total of 361.79 square feet of existing signage.
    - The proposal requests an additional 2 signs on the southern elevation which is an increase of 240.1 square feet of signage or 66.4%.
  - 2. A variance to allow 10' - 4 5/8" height on the proposed Bass Pro Shops Formed Main ID Cabinet (Sign 2) on the southern elevation for a total sign area of 156.8 square feet.**
    - The proposed Bass Pro Shops Formed Main ID Cabinet (Sign 2) is on the southern elevation which is 70,300 square feet, therefore under the sign code a 150 square foot sign with a maximum height of 4 feet is allowed.
    - The applicant proposes a sign area of 156.8 square feet with a height of 10' - 4 5/8". The proposed area is 6.8 square feet or 4.5% over the code allowance, and the proposed height is 6' - 4 5/8" or 159.6% over the code allowance
    - A previous sign variance (SVAR14-01) for the retailer approved a 264 square foot sign with a height of 8 feet.
    - The proposal is a reduction in square feet from the existing sign of 264 square feet, a 107.2 or 40.6% reduction in square footage is proposed, and a height increase of 2' - 4 5/8" or 29.8% is proposed.
  - 3. A variance to allow 6' - 1/8" height on the proposed Outdoor World Wall Cabinet (Sign 3) on the southern elevation for a total sign area of 198.5 square feet.**
    - The proposed Outdoor World Wall Cabinet (Sign 3) is on the southern elevation which is 70,300 square feet, therefore under the sign code a 150 square foot sign with a maximum height of 4 feet is allowed.
    - The applicant proposed a sign area of 198.5 square feet with a height of 6' - 1/8". The proposed area is 48.5 square feet or 32.3% over the code allowance. The proposed height is 2' - 1/8" or 52.1% over the code allowance.
  - 4. A variance to allow 5' height on the proposed Cabela's Channel Letters (Sign 4) on the southern elevation.**
    - The proposed Cabela's Channel Letters (Sign 4) is on the southern elevation which is 70,300 square feet, therefore under the sign code a maximum height of 4 feet is allowed.
    - The applicant proposed a sign height of 5'. The proposed height is 1' or 25% over the code allowance.

**5. A variance to allow 5'- 6 ½" height on the proposed Tracker Boats and ATVs (Sign 5) on the southern elevation.**

- The proposed Tracker Boats and ATVs (Sign 5) is on the southern elevation which is 70,300 square feet, therefore under the sign code a maximum height of 4 feet is allowed.
- The applicant proposed a sign height of 5'- 6 ½". The proposed height is 1'- 6 ½" or 38.5% over the code allowance.

**6. A variance to allow 13'-4" height on the proposed Bass Pro Shops Cabinet (Sign 6) on the eastern elevation for a total area of 266.6 square feet.**

- The proposed Bass Pro Shops Cabinet (Sign 6) is on the eastern elevation which is 36,765 square feet, therefore under the sign code a 150 square foot sign with a maximum height of 4 feet is allowed.
- The applicant proposes a sign area of 266.6 square feet with a height of 13' – 4". The proposed area is 116.6 square feet or 77.7% over the code allowance, and the height is 8' or 233.3% over the code allowance
- A previous sign variance (SVAR14-01) for the retailer approved a 227 square foot sign with a height of 8 feet.
- The proposal is an increase in square feet from the existing sign of 227 square feet. The proposed area is 39.6 square feet or 17.4% larger and includes a height increase of 5' – 4" or 66.6%.

- The approval criteria for Sign Variances can be found in Tualatin Development Code (TDC) 33.080. To grant a Sign Variance all six of the following criteria must be met:

- (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.

**OUTCOMES OF DECISION:**

Approval of SVAR24-0001 will result in the following:

Allows Cabela's/Bass Pro Shops to obtain the variances listed below for a total of 868.5 sf. of signage on the existing building:

- A variance to allow five signs on a single elevation (southern elevation) for a total area of **601.9 sf.**
- A variance to allow **10'-4 5/8" height** on the proposed Bass Pro Shops Formed Main ID Cabinet on the southern elevation for a total sign area of **156.8 sf.**
- A variance to allow **6' – 1/8" height** on the proposed Outdoor World Wall Cabinet on the southern elevation for a total sign area of **198.5 sf.**
- A variance to allow **5' height** on the proposed Cabela's Channel Letters on the southern elevation.

- A variance to allow **5'- 6 ½" height** on the proposed Tracker Boats and ATVs on the southern elevation.
- A variance to allow **13'-4" height** on the proposed Bass Pro Shops Cabinet sign on the eastern elevation for a total area of **266.6 sf**.

Denial of the Sign Variance request will result in the following:

The applicant will not be allowed to construct the proposed wall signs outside of the wall standards provided by the Central Commercial (CC) Planning District in TDC 38.220(1)(d).

**ALTERNATIVES TO RECOMMENDATION:**

The Planning Commission may alternatively:

- Approve SVAR 24-0001 with amended conditions of approval and direct staff to provide updated Analysis and Findings;
  - Continue the hearing to a later date for further consideration; or
  - Deny SVAR24-0001.
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**ATTACHMENTS:**

- Attachment 1: Presentation
- Attachment 2: Analysis & Findings
- Exhibit A: Application & Narrative
- Exhibit B: Proposed Sign Plan
- Exhibit C: Sign Renderings & Site Photos
- Exhibit D: Supporting Documents
- Exhibit E: Public Notice
- Exhibit F: Nyberg Rivers Architectural Review 13-07
- Exhibit G: Cabela's Sign Variance 14-01
- Exhibit H: Cabela's Sign Variance 15-01