



City of Leavenworth

700 Highway 2 / PO Box 287
Leavenworth, WA 98826
(509) 548-5275 / FAX: (509) 548-6429

NOTICE OF FINAL DECISION / ACTION OF THE LEAVENWORTH DESIGN REVIEW BOARD

IN THE MATTER OF

Sign Permit Application No. 20-016-S “Keller Williams NCW Realty” Wall Sign

Date: February 28, 2020

To: Brooke Johnson
Keller Williams NCW Realty
10380 North Road
Leavenworth, WA 98826

THIS MATTER having come before the Leavenworth Design Review Board on February 26, 2020, and the Board having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, Decision and Conditions of Approval:

I. FINDINGS OF FACT

1. The Applicant seeks approval of a Sign Permit, pursuant to Leavenworth Municipal Code (LMC) Chapter 14.10, Signs, as described within the Staff Report.
2. The project site is located at 819 Front St, Suite 2A, Leavenworth, within the Central Commercial zoning district. The property is identified by Assessor’s Parcel Number: 241712662205.
3. The project includes installation of one (1) new projecting sign, consistent with LMC 14.08 and 14.10, as follows:

Type/Description: Projecting sign to read “Keller Williams NCW Realty” in “Clairvaux” and “Medici Script” lettering styles. The proposed all capital lettering is subject to receiving approval of the Board by specific motion, pursuant to LMC 14.10.180(C)(1).

Dimensions: The sign measures 2’ wide by 1’-3” tall (2.5 sq ft).

Materials: The sign is constructed of MDO plywood (reused from an existing sign), painted white with black trim with Pantone Deep Red (7623 C) and black lettering.

Location on Project Site: The sign will be hung on the northeast elevation of the building (facing Front Street), above the exterior entrance to the building, which is also the primary exterior entrance to the business, and connected to an existing decorative bracket.

Connection Methods: The proposed sign is to hang from the existing bracket with wood screws through a portion of the bracket. All metal is to be painted black and have gold accents (as previously approved).

Lighting: The signage is not to be lit.

4. The Applicant submitted colored renderings of the proposed signage, as discussed within the Staff Report, and incorporated herein.
5. The application is subject to a hearing before the Leavenworth Design Review Board pursuant to LMC 21.09.050, Quasi Judicial Review of Applications.
 - 5.1. A public hearing was held on February 26, 2020.

6. Appearing and testifying on behalf of the proposal was Brooke Johnson, business/sign owner.
7. The entire Planning Staff file was admitted into the record at the public hearing.
8. The design review board is responsible for considering the compatibility of the proposed sign with the existing design review board approved Bavarian structures and designs in the commercial zoning districts of the City.
9. The Board is responsible for determining the compatibility of the proposed sign with the Old World Bavarian Alpine Theme (OWBAT).
10. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

II. CONCLUSIONS OF LAW

1. The application has been processed in compliance with LMC 21.09.050, Quasi-Judicial Review of Applications.
2. The Leavenworth Design Review Board has been granted authority to render this Decision pursuant to LMC 14.10.170(E) and LMC 14.28.060(C).
3. The file of record and comments of the applicant, staff, and/or the public have been considered in rendering this Decision and forming Conditions of Approval.
4. The proposed all capital lettering is in keeping with the Old World Bavarian Alpine theme as found within this proposal and can be approved for use with the condition that: The proposed all capital lettering is approved in association with this proposal only, as a specific motion of the Board.
5. The Design Review Board has considered the proposed general design, lettering, arrangement, size, texture, materials, colors, and placement of the proposed signage in relation to other signs and other structures on the premises and contiguous area, and in keeping with the intent of LMC Chapter 14.10 and the Old World Bavarian Alpine theme, as conditioned.
6. As conditioned, the signage, to be located within a commercial zoning district of the city, will be compatible in design and color with the Old World Bavarian Alpine theme and with the building and use with which the signage is associated. Such signage will include the elements as required by LMC 14.10.180 (C).
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. DECISION

Based on the above Findings of Fact and Conclusions of Law, Permit Application No. 20-016-S for “Keller Williams NCW Realty,” located at 819 Front Street, Suite 2A, within the City’s Central Commercial zoning district, is hereby **APPROVED** subject to the following conditions:

IV. CONDITIONS OF APPROVAL

1. All conditions imposed herein shall be binding on the “Applicant,” which term shall include the owner or owners of the property, representatives, heirs, assigns, and successors.
2. This approval is limited to the proposed design as described within the application materials, dated December 17, 2019, as received by the City, as reviewed by the Leavenworth Design Review Board, and as described in the Staff Report and attached Exhibits, except as conditioned herein. Where a Condition of Approval does not alter a design element as reviewed by the Board, such design element shall be approved for use as shown within the application materials.
 - 2.1. The proposal has been approved as submitted, with the *suggestion* that the all capital lettering (which was approved in association with this proposal, as a specific motion of the Board), be modified to proper sentence case
3. Signage as approved herein shall comply with all applicable federal, state, and local regulations relating to signs, including, without limitation, the provisions of the building code. If any provision of this code is found to

be in conflict with any provision of any zoning, building, fire, safety or health ordinance or code of the City, the provision which establishes the higher standard shall prevail.

4. The approved signage shall be installed and maintained in conformance with this permit approval and Leavenworth Municipal Code Chapter 14.10 and any other applicable federal, state, or local law.
5. Any alteration of signage as approved herein shall be brought to the attention of the City of Leavenworth, who may administratively approve lettering or verbiage changes which are the same lettering style and color, and changes in location of a previously approved sign, subject to a permit revision fee. If deemed necessary, staff may require the changes to be brought before the Leavenworth Design Review Board at a public hearing as part of a new permit in compliance with Code.
6. Design review board approved architectural and sign permits shall expire in conformance with LMC 15.04.030.

V. APPEALS

This decision is final unless appealed as provided in Chapter 21.11 LMC, Appeals.

As provided by Leavenworth Municipal Code (LMC) 21.11.020: Applicants or parties of record may appeal this decision as provided for in LMC 21.11.030 provided, however that no such appeal may be filed unless such party has first brought a timely motion for reconsideration of this decision pursuant to LMC 21.15.120.

In order to appeal a decision made by the Design Review Board the appellant must exhaust available remedies prior to filing for an appeal. The appellant(s) shall seek reconsideration of a final decision pursuant to the requirements of Section 21.15.120 LMC in order to file for an appeal. The City must receive a request for reconsideration by no later than 10 days from the date of the decision as cited above.

21.15.120 – Reconsideration. An applicant or party of record to a Hearing Examiner’s (Design Review Board) public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the City within ten days of the final decision. The request shall comply with Section 21.11.030(B). The Hearing Examiner (Design Review Board) shall consider the request at the next regularly scheduled meeting, without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final. If the request is granted, the Hearing Examiner (Design Review Board) may immediately revise and reissue its decision, or may call for argument in accordance with the procedures for closed record appeals. Reconsideration should be granted only when an obvious legal error has occurred or a material factual issue has been overlooked that would change the previous decision.

21.11.030(B) – Contents. The notice of appeal shall contain a concise statement including the following information:

1. The decision being appealed;
2. The name and address of the appellant and his/her interest(s) in the matter;
3. The specific reasons why the appellant believes the decision to be wrong, including identification of each finding of fact, each conclusion, and each condition or action ordered which the appellant alleges is erroneous. The appellant shall bear the burden of proving the decision was wrong;
4. The specific desired outcome or changes to the decision;
5. The applicable appeal fee; and
6. The notice of appeal shall include a copy of the receipt evidencing payment of the applicable appeal fee.

After the appellant(s) has exhausted all available remedies in accordance with Section 21.15.120 of the LMC, the decision may be appealed, by applicants or parties of record from the Design Review Board public hearing, to the Leavenworth Hearing Examiner as provided for in Section 21.11.030 of the LMC.

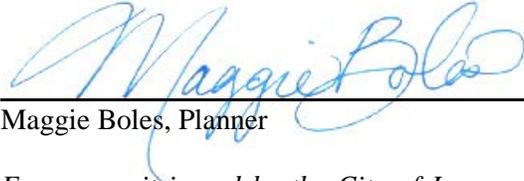
VI. FILE REVIEW

The complete case file, including findings and conclusions is available for inspection at Leavenworth City Hall at 700 Highway 2, Leavenworth, Washington, from 9:00 a.m. to 5:00 p.m. Monday through Friday, excluding

holidays. Please contact Development Services Department staff at (509) 548-5275 to arrange for an inspection time.

Dated this 28th day of February, 2020.

CITY OF LEAVENWORTH DESIGN REVIEW BOARD SECRETARY



Maggie Boles, Planner

Every permit issued by the City of Leavenworth under the provisions of the Leavenworth Municipal Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of issuance of such permit. Call to request inspection of your project before expiration in order to validate your permit. **Contact City Hall to request inspection - 509.548.5275**