



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 11, 2015  
**To:** Interested Person  
**From:** Grace Jeffreys, Land Use Services  
503-823-7840 / [Grace.Jeffreys@portlandoregon.gov](mailto:Grace.Jeffreys@portlandoregon.gov)

## **NOTICE OF A TYPE II 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, including the written response to the approval criteria and to public comments received on this application, 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 14-253622 DZ**

*PARAPET WALL SIGN - EBAY*

#### **GENERAL INFORMATION**

**Applicant:** Jessica Kosmas, Ramsay Signs Inc.  
9160 SE 74th Avenue, Portland, OR 97206

**Owner:** Mark Group Partnership No 6  
111 SW Columbia St #1380, Portland, OR 97204

**Site Address:** 1400 SW 5TH AVE

**Legal Description:** BLOCK 149 LOT 1-8, PORTLAND  
**Tax Account No.:** R667714900  
**State ID No.:** 1S1E03BC 02900  
**Quarter Section:** 3129  
**Neighborhood:** Portland Downtown, contact Rani Boyle at 503-725-9979.  
**Business District:** None  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Zoning:** CXd, Central Commercaill with deign overlay.  
**Case Type:** DZ, Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

#### **Proposal:**

The applicant seeks Design Review approval for a new wall sign on the building at 1400 SW 5th Avenue, located in the Downtown Sub-district of the Central City Plan District. The proposal is for a 57.1 SF sign located below the building's parapet on the north façade. The 12'-2.75" (l) x 4'-8" (h) sign will be 5" thick internally illuminated (LED's) individual channel letters that are pin mounted, each compromised of an aluminum frame with acrylic face panels.

New signs that exceed 32 SF in size require Design Review per Section 33.420.041.F.

FROM CONCEPT TO CONSTRUCTION

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- Central City Fundamental Design Guidelines

**ANALYSIS**

**Site and Vicinity:** The Fifth Avenue Building is the former State Office Building constructed in 1951. The full block site is bounded by SW Columbia and SW Clay Streets and SW 4<sup>th</sup> and 5<sup>th</sup> Avenues. The western half is a 9-story office building while the eastern half is a low one-story commercial space with a single level of rooftop parking above. The existing building is a taut modern building clad in stone panels with few distinguishing architectural features. It contains retail uses and a children's daycare center at the ground floor and office space at the upper floors.

Portland's Transportation System Plan classifies SW 5th Avenue as a Regional Transitway/ Major Transit Priority Street, Local Service Bikeway, Community Main Street, and Central City Transit/Pedestrian Street. SW Clay is classified as a Transit Access Street, a Community Corridor, and a Local Service Bikeway and Walkway. SW 4<sup>th</sup> is classified as a City Walkway, a Community Main Street, and a Local Service Bikeway. SW Columbia is classified as a Local Service Bikeway and Walkway. The site is located within the Downtown Pedestrian District. The site is served by several Tri-Met bus lines and the MAX light rail on SW 5th Avenue.

**Zoning:** The Central Commercial [CX] base zone, is Portland's most densely built, urban zone which allows for a variety of uses that reinforce the city's role as a commercial, cultural, and governmental center. This type of development is intended to have large buildings that are placed close together and typically cover most of their respective lot areas. This development is also intended to be pedestrian-oriented, with a strong emphasis on a safe and attractive streetscape.

The design [d] overlay zone designation also ensures that exterior alterations to existing development conserve and enhance the identified historic, scenic, architectural, and cultural values of each design district: in this case, the Central City Plan District.

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

- DZ 71-85: Design Review approval cooling tower and ductwork.
- LUR 92-00259 DZ: Design Review approval with an Adjustment to allow 84-square-foot additional coverage for two illuminated parking signs.
- LUR 97-00004 DZ: Design Review approval to allow a radio broadcast transmitter on the rooftop of the building.
- LUR 99-00699 DZ: Design Review approval for exterior alterations that include: new metal cladding at building columns, enlarged windows, new corner entrance, new steel and glass canopy and new wall sconce lighting with logo.
- LUR 99-00973 DZ: Design Review approval for a remodel of the main building entry facing SW 5<sup>th</sup> Avenue.
- LUR 00-00045 DZ: Design Review approval of new 7-foot high metal louvered enclosure for rooftop equipment, including one generator; removal of an existing chain-link fence; approval for future rooftop mechanical equipment that it is fully screened by this enclosure.
- LUR 00-00307 DZM: Design Review approval with a Modification of a new egress stair and decorative fence/landscape barrier around a new play area and new play structure for the KinderCare Learning Center.
- LUR 01-00236 DZ: Design Review approval of new louvers, glass door and mechanical screening.
- LU 07-151915 DZ: Design Review approval of new for two stainless-steel eyebolts anchor span wire for the new max light rail on the SW 5<sup>th</sup> Avenue façade.

**Sign Permit History:** City records indicate prior sign permits including the following most recent:

- SG 11-125052, 125055, 125166, 125177, 125179, 125180: Illuminated wall/fascia signs for 24hr Fitness on the west elevation, 28.25sf total area.
- SG 10-104774, 104778, 104780: 3 illuminated wall/fascia signs to the south, east and west elevations for FedEx/Kinkos, 26sf x 3, 78sf total area.
- SG 01-150546 – Illuminated projecting sign at corner for KinderCare, 30sf total area.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **February 13, 2015**. Given the small scope of the sign proposal, no Bureaus responses have been provided.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 13, 2015. One written response has been received. It was felt that a sign with LED’s is not consistent with the character of the neighborhood. Staff has addressed this issue in the findings for the Central City Plan Design Goals, see below. Illuminated signs on upper facades are common features in the downtown central city area.

## ZONING CODE APPROVAL CRITERIA

### Chapter 33.825 Design Review

#### Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

#### Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site’s location, the applicable design guidelines are the Central City Fundamental Design Guidelines.

### Central City Fundamental Design Guidelines

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland’s character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

### Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City’s districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City’s districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;

7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

**A4. Use unifying elements.** Integrate unifying elements and/or develop new features that help to unify and connect individual buildings and different areas.

**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.

**A5-1. Develop identifying features.** Encourage the inclusion of features in the design of projects that gives projects identity and a sense of place or significance within the District.

**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.

**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.

**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.

**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 minimal presence in the Portland skyline.

**Findings for A4, A5, A5-1, A8, B1, C2, C3, C5 and C13:**

- The proposed sign is fabricated out of long-lasting materials and is soundly mounted to the building, which together, creates a sense of permanence. The sign consists of pin mounted aluminum channel letter with acrylic faces, which are internally illuminated with all electrical conduit located behind the building wall.
- The sign is located and sized to correlate well with the building design and does not dominate the architecture. The sign is centered on the 8-window bay below, working with the rhythm of the building. The overall size and height allows the sign to fit between the top and bottom of the cladding element above the windows, and is respectful of the architectural language. Two conditions of approval have been added. One requires all electrical conduits associated with the illuminated signage to be attached on the interior of the parapet wall and not exposed on the façade of the building for a clean installation. The second requires the sign to be centered on the window pattern below.
- A sign on the upper façade for a major tenant of a building is a common feature in downtown. At this elevated location, the internally illuminated sign will be visible from the surrounding area to the north. However, the relative size and the location high on the building results in a subtle presence ensuring the 57.1 SF sign does not dominate the Portland skyline.

*As conditioned for no exposed electrical conduit on the exterior façade of the building and a centered placement, these guidelines are met.*

## 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 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


The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of a 57.1 SF wall sign on the upper north façade of the building at 1400 SW 5th Avenue Building, per the approved plans, Exhibits C-1 through C-3, signed and dated 3/5/15, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B-C) must be noted on each of the 4 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 14-253622 DZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. All conduit related to the signs shall be internal to the building. No exposed conduit allowed on the exterior of the building.
- C. Sign to be centered on window pattern below, as marked on exhibit C.2.

**Staff Planner: Grace Jeffreys**

**Decision rendered by:**  **on March 9, 2015**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: March 11, 2015**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on December 24, 2014, and was determined to be complete on February 10, 2015.

*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 December 24, 2014.

*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: June 10, 2015.**

**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.

**Appealing this decision.** This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 25, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional 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).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **March 26, 2015 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

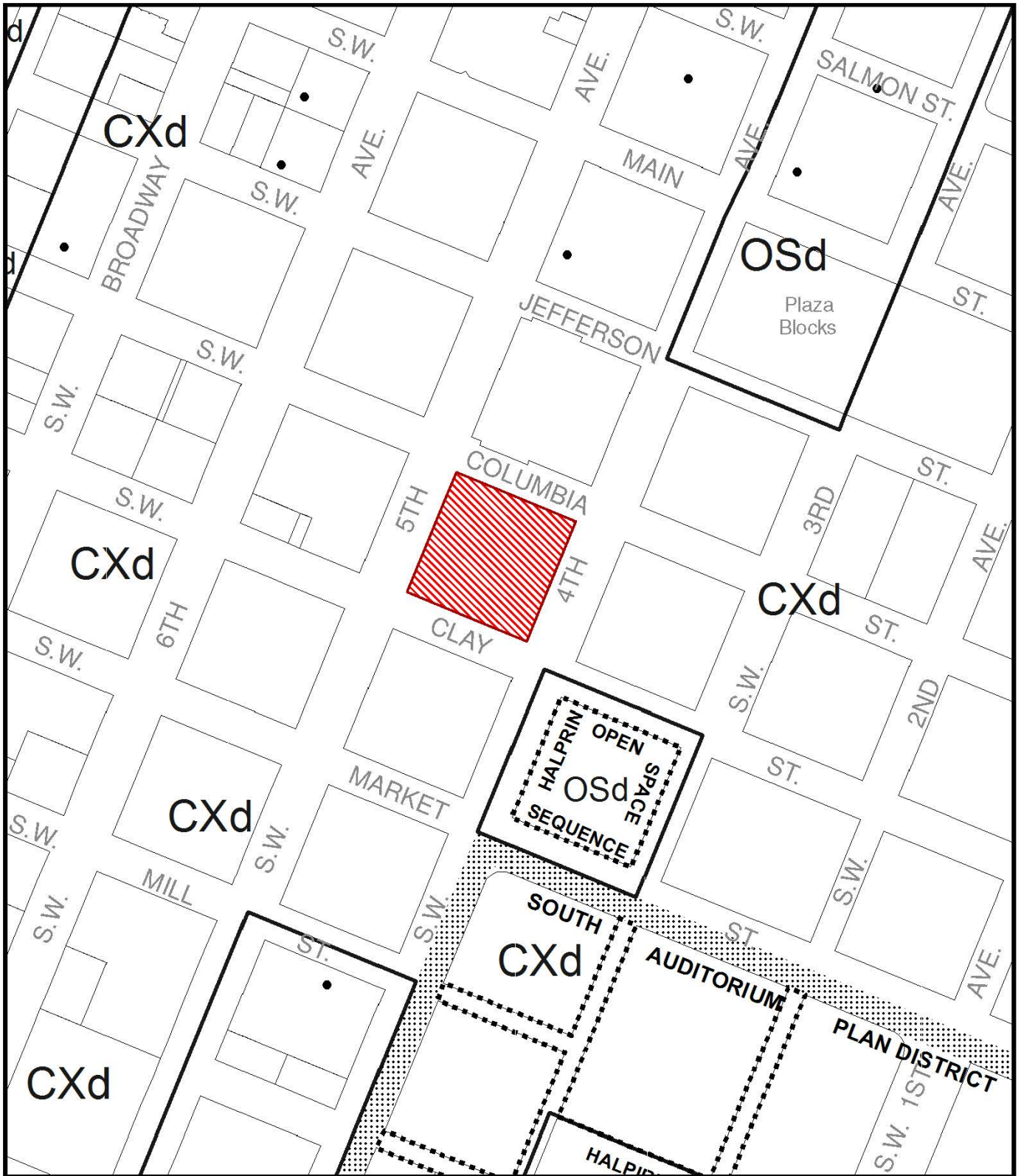
#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  1. Project Narrative & Response to Approval Criteria
  2. Existing Signage Information
  3. Photos of parking signs and building
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Sign Elevation and Details (attached)
  3. Concept Photos of Sign on Building (attached)
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
  1. Tom King, February 25, 2015, Concern with illumination of sign.
- G. Other:
  1. Original LU Application
  2. Incomplete letter, January 12, 2015

**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).**





# ZONING



Site



Historic Landmark



This site lies within the:  
**CENTRAL CITY PLAN DISTRICT**  
**DOWNTOWN SUBDISTRICT**

File No. LU 14-253622 DZ

1/4 Section 3129

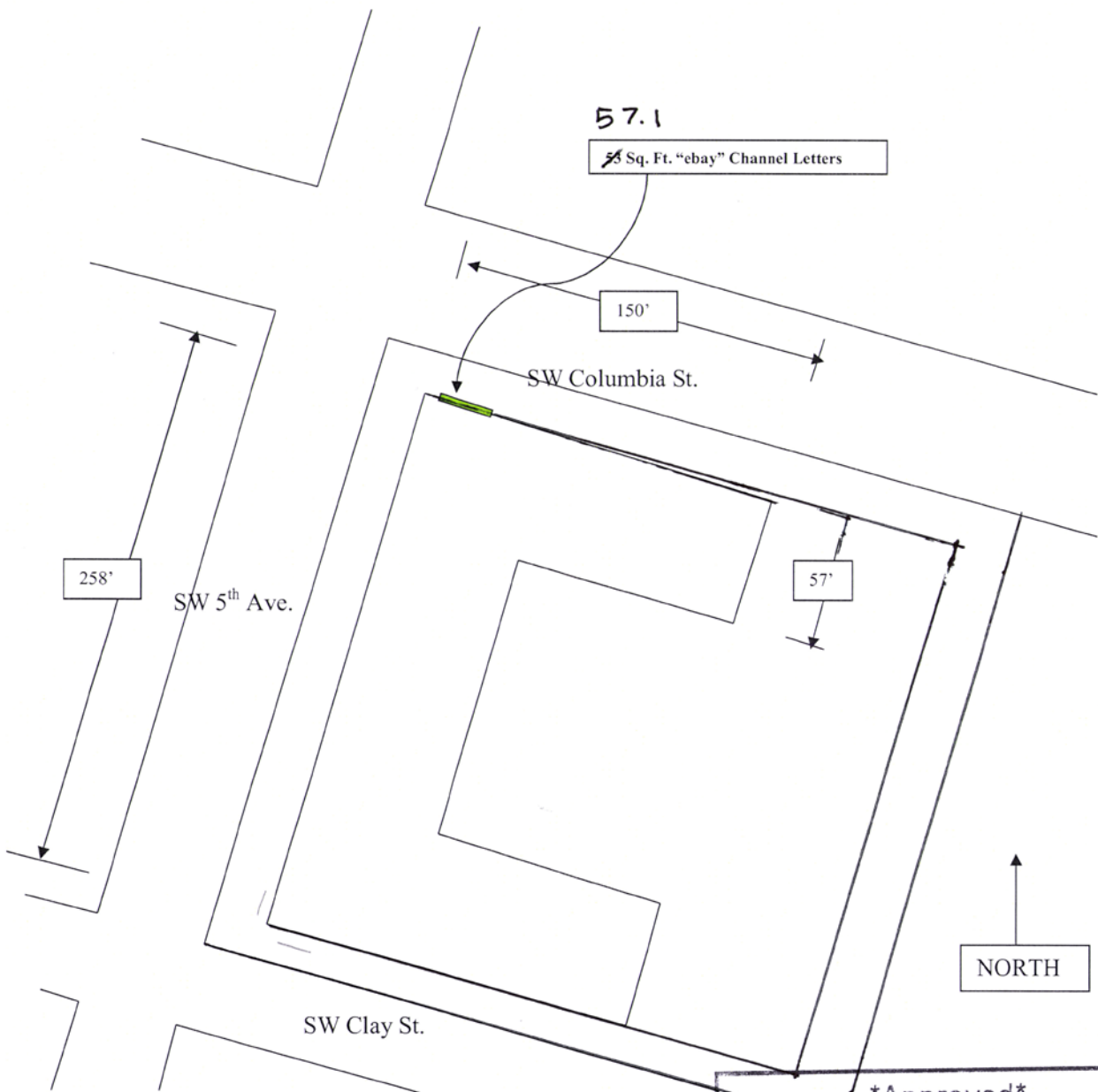
Scale 1 inch = 200 feet

State\_Id 1S1E03BC 2900

Exhibit B (Dec 29, 2014)



Site Plan ebay – 1400 SW 5<sup>th</sup> Ave., Portland, OR 97201

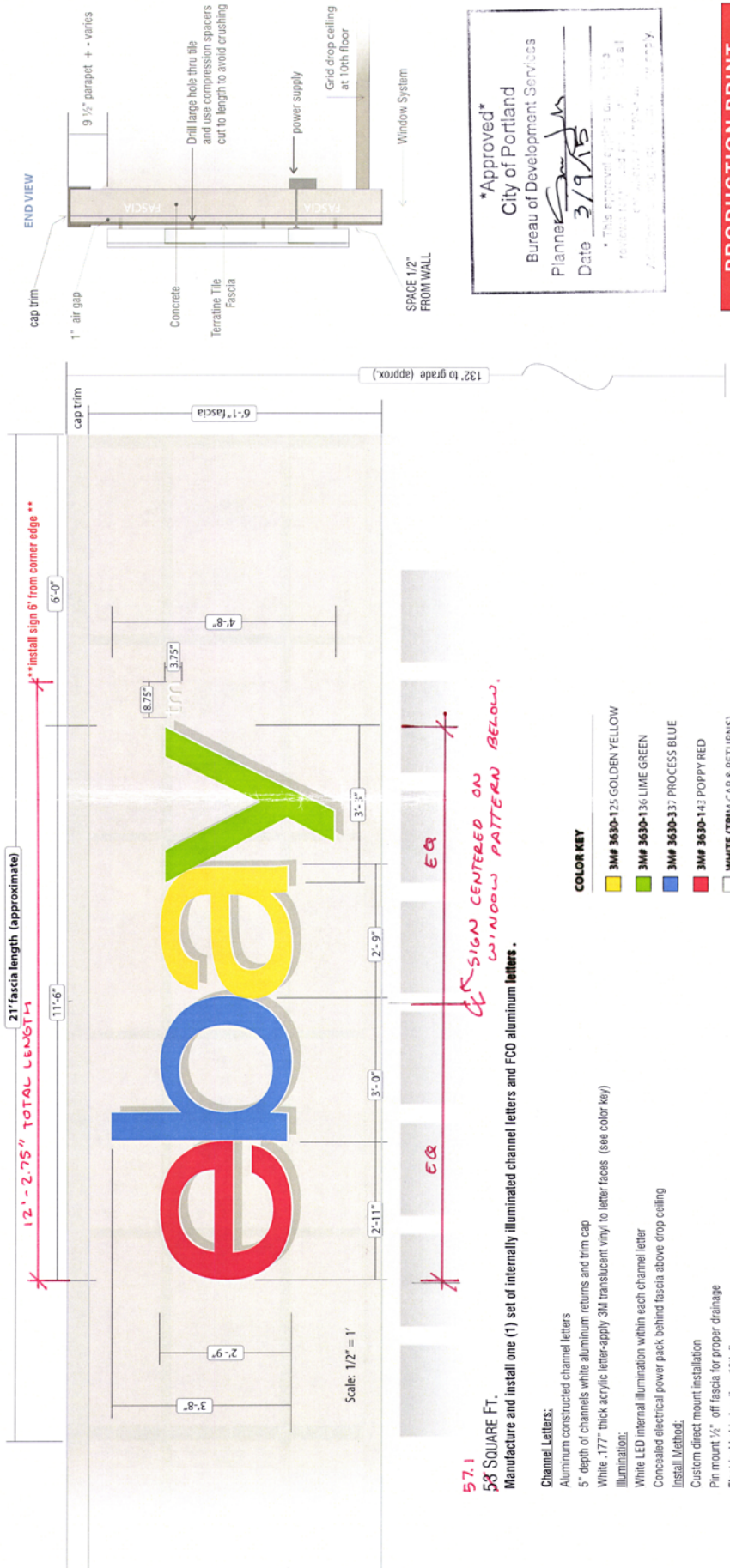


NOTES: Mfg. & Install 53 sq. ft. "ebay" channel letters.  
Remote wired above drop ceiling on 10<sup>th</sup> Floor

1/4" = 15'  
(1" = 60')

**\*Approved\***  
City of Portland  
Bureau of Development Services  
Planner Grace Jennings  
Date 3/9/15  
\* This approval applies only to the reviews requested and is subject to all conditions of approval.  
Additional zoning requirements may apply.

EXH. C.1  
LU. 1A-253622 DZ



**57.1**  
**58 SQUARE FT.**  
 Manufacture and install one (1) set of internally illuminated channel letters and FCO aluminum letters.

- Channel Letters:**  
 Aluminum constructed channel letters  
 5" depth of channels white aluminum returns and trim cap  
 White .177" thick acrylic letter-apply 3M translucent vinyl to letter faces (see color key)
- Illumination:**  
 White LED internal illumination within each channel letter  
 Concealed electrical power pack behind fascia above drop ceiling
- Install Method:**  
 Custom direct mount installation  
 Pin mount 1/2" off fascia for proper drainage  
 Electrical behind wall on 10th floor
- \*\* Field survey required to determine fascia composite for best install method\*\*

**TM:**  
 1/4" thick flat cut out painted white aluminum "TM" letters  
 Pin mount off fascia 1/2"

**COLOR KEY**

- 3M# 3630-125 GOLDEN YELLOW
- 3M# 3630-136 LIME GREEN
- 3M# 3630-337 PROCESS BLUE
- 3M# 3630-143 POPPY RED
- WHITE (TRIM, CAP & RETURNS)

\*\*verify all appropriate colors with customer\*\*

**EQ**  
 EQ SIGN CENTERED ON WINDOW PATTERN BELOW.

\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner: [Signature]  
 Date: 3/9/13  
 This approval is valid for 180 days from the date of issuance.  
 For more information, please contact the Bureau of Development Services.

**PRODUCTION PRINT**  
 DESIGN HAS BEEN REVIEWED FOR POTENTIAL PROBLEMS AND ACCURACY BY:

DESIGN: [Signature] DATE: 12.12.14  
 SALES: [Signature] DATE: [Signature]  
 OPERATIONS MANAGER: [Signature]



UL3 Enclosing and Bonding Statement for each permanently connected sign. This sign is intended to be installed in accordance with the Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. The sign manufacturer is responsible for providing the sign with the necessary installation instructions, or provided in a separate sheet if shipped with the sign.

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Page #: 1 of 2  
 Design #: 14-878-PP

Revisions	Client Approval + Date	Date: 11.19.14
Revised & proof prints 12.12.14 mwm	Landlord Approval + Date	Project Manager: Darin Hauer
		Design: mwm

**Client:**  
 Ebay  
 1400 SW 5th Ave.  
 Portland, OR 97201

**RAMSAY SIGNS**  
 Established 1911

9160 SE 74th Avenue  
 Portland, Oregon 97206  
 503.777.4555 - 800.613.6555  
 Fax: 503.777.0220  
 ramsaysigns.com

