



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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Date: September 11, 2014
To: Interested Person
From: Chris Caruso, Land Use Services
503-823-5747 / Chris.Caruso@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 reasons for the decision 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 14-117855 DZ – ROOFTOP WIRELESS FACILITY ALTERATIONS & ADDITIONS

GENERAL INFORMATION

Contact: Steven Topp/Black Rock Consulting and Development LLC
12566 SW Bridgeview Ct/Tigard, OR 97223

Applicant: Joe Ahsing/Verizon Wireless LLC
5430 NE 122nd Ave/Portland, OR 97230

Owner: Weston Investment Co LLC
2154 NE Broadway Rm 200/Portland, OR 97232-1590

Consultant: Jim Jagers/Black Rock Consulting and Development LLC
9895 Montegrino Ct/Elk Grove, CA 95757

Site Address: 6420 SW MACADAM AVENUE

Legal Description: BLOCK 7 LOT 1-10 TL 19500, SOUTHERN PORTLAND
Tax Account No.: R780200520
State ID No.: 1S1E15CD 19500
Quarter Section: 3629
Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.
Business District: South Portland Business Association, contact Kevin Countryman at 503-750-2984.
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.
Plan District: Macadam
Zoning: CSdg: Commercial Storefront (CS) base zone with design (d) and greenway (g) overlays

Case Type: DZ: Design Reivew
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant seeks design review approval for alterations and additions to an existing wireless telecommunications array on top of an existing building in the Macadam Plan District to include the following:

- Replacing 9 existing antennas with 9 new antennas;
- Adding 5 new RRU's and 4 new surge protectors below antennas;
- Adding 1 new antenna to the southeast corner of the support frame;
- Adding additional metal cross bracing to the support frame; and
- Installing RF-transparent and aluminum louvered screening with a parapet cap to fully enclose the rooftop equipment, height of the screening to align with the tops of the antennas and painting the screen to match the building exterior.

Relevant Approval Criteria:

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

- 33.825 Design Review
- Macadam Corridor Design Guidelines

ANALYSIS

Site and Vicinity: The site is located in the Macadam Plan District. This is a more recently developed area south of the South Waterfront District, extending south to the Sellwood Bridge. The District is comprised of areas to the east and west of SW Macadam Avenue. The vicinity of the site contains a mix of uses, including commercial and residential structures. The buildings are of newer construction and typically are set back from the street with a campus-like character, often with surface parking between the building and street. The building on the subject site was built in 1980, and it consists of three strongly horizontal floors above a partially below-grade parking area. To the rear of the building a mature planted buffer area adjoins railroad right-of-way. Beyond the rails are a street and Willamette Park open areas.

According to the City of Portland Transportation System Plan, SW Macadam Avenue is designated a major city traffic street and a regional main street. SW Nebraska Street is classified as a City Walkway and City Bikeway. The Willamette River Greenway, located east across the railroad tracks, is designated an off-street bike and pedestrian path.

Zoning:

The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominately built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

The Design Overlay "d" promotes the conservation and enhancement of areas of the City with special historic, architectural or cultural value. New development and exterior modifications to existing development are subject to design review. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Greenway Overlay Zones, designated as "g", "i", "n", "q" or "r" are intended to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland's rivers; establish criteria, standards, and procedures for the

development of land, change of uses, and the intensification of uses within the greenway; increase public access to and along the Willamette River for the purpose of increasing recreational opportunities, providing emergency vehicle access, assisting in flood protection and control, providing connections to other transportation systems, and helping to create a pleasant, aesthetically pleasing urban environment; implement the City's Willamette Greenway responsibilities as required by ORS 390.310 to 390.368; and implement the water quality performance standards of Metro's Title 3.

- The River General "g" allows for uses and development which are consistent with the base zoning, which allow for public use and enjoyment of the waterfront, and which enhance the river's natural and scenic qualities.

The current proposal does not require a Greenway Review.

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

- LUR 95-00077 GW: Design Review approval to develop a cellular communications facility.
- LU 08-188814 DZ: Design Review approval of exhaust pipes, subject to conditions.
- LU 10-149054 DZ: Design Review application withdrawn.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **April 21, 2014**. No Bureaus have responded about the proposal.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 21, 2014. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.825 Design Review

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.

It is important to emphasize that design review goes beyond minimal design standards and is viewed as an opportunity for applicants to propose new and innovative designs. The design guidelines are not intended to be inflexible requirements. Their mission is to aid project designers in understanding the principal expectations of the city concerning urban design.

The review body conducting design review may waive individual guidelines for specific projects should they find that one or more fundamental design guidelines is not applicable to the circumstances of the particular project being reviewed.

Macadam Corridor Design Goals and Guidelines

The following goals are specific to the Macadam Corridor Design Zone.

- Create and improve connections, both physical and visual, between the river, Greenway Trail, Willamette Park and the residential community west of Macadam.
- Encourage opportunities for public use and enjoyment of the waterfront.
- Promote a quality of development in this scenic entry corridor to the Downtown that complements Macadam's landscape treatment.
- Require excellence in design for projects within the Corridor, particularly by assuring that new development contributes to the formation of a rich and diverse mixture of uses

and styles in scale with each other.

- Add to the scenic qualities of the river and the Greenway Trail.
- Promote compatibility of new development with the river, surrounding uses, and the neighborhood.

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

Macadam Corridor Design Guidelines

1. Visual Connections. Create public views to the river, greenway trail and Willamette Park from Macadam Avenue and other public parks and rights-of-way west of Macadam as well as views from the river and the Greenway to the west.

- Promote physical and visual contact between the river and the area west of Macadam Avenue.
- Orient buildings, which front Macadam Avenue to preserve views of the river, Willamette Park and the Greenway.
- Integrate the east and west sides of Macadam Avenue by creating views of the river which align with streets on the east side of Macadam.
- Take particular advantage of opportunities to create and protect views, which align with Southwest Texas, Florida, Pendleton, Idaho, Nebraska, Dakota and Hamilton Streets.
- Rooftops of buildings should be carefully designed to enhance views.
- Plant on-site trees, which will grow to a sufficient height to soften new development and screen parking areas while selecting species and planting locations, which enhance view corridors to the river.

4. The Boulevard. Coordinate with and enhance Macadam's boulevard treatment and contribute to the attractiveness of this entrance to the city.

- Consider using awnings or other weather protection, street furniture, plazas, sculpture courts or other amenities for pedestrians to reinforce the boulevard design of Macadam.
- Abut pedestrian pathways with buildings or landscaping. Buffer with landscape screens, parking lots and structures, which are not oriented to pedestrians.
- Use landscaping to reinforce the boulevard character of Macadam and to provide visual connections with private property adjacent to Macadam.
- Trees interspersed with low-growing vegetation or grass should visually predominate over impervious surfaces.
- Provide frequent views from Macadam into interior ground level spaces of projects located along the Avenue.

Findings for 1 and 4: There is a large amount of communications equipment on the roof of the existing building. This equipment and its support frame are highly visible from SW Nebraska which is supposed to have protected views to the river, as well as from SW Macadam, a gateway into the city, Willamette Park, and the Greenway Trail. Providing a visually solid louvered RF-transparent and aluminum screen that fully encases the existing and proposed equipment, and that is painted to match the building walls, will help this rooftop better integrate into the surrounding architecture as it will appear like a more traditional mechanical enclosure or rooftop penthouse. The screened equipment and support frame will no longer be a visual distraction along the streets, trail, and park areas. *These guidelines are therefore met.*

3. The Water's Edge. Enhance the scenic qualities of the river and sites that abut the riverbank to contribute to an attractive and enjoyable Greenway Trail.

- Identify natural areas of the Willamette riverbank and preserve the natural qualities of these areas.
- Screen parking, loading and vehicular movement areas from the Greenway with rich landscape plantings.
- Locate buildings to protect access to sunlight on the Greenway Trail.

Findings: The new RF-transparent and aluminum louvered screening will not cast shadows onto the Greenway Trail as the building is set back quite far from the trail itself. *This guideline is therefore 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 new rooftop wireless equipment and RF-transparent and aluminum louvered screening with parapet cap will not adversely impact the Greenway Trail experience as the new louvered screening will hide current views of existing and new equipment that can now be seen from the trail and surrounding parking areas. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of design review for alterations and additions to an existing wireless telecommunications array on top of an existing building in the Macadam Plan District to include the following:

- Replacing 9 existing antennas with 9 new antennas;
- Adding 5 new RRU's and 4 new surge protectors below antennas;
- Adding 1 new antenna to the southeast corner of the support frame;
- Adding additional metal cross bracing to the support frame; and
- Installing RF-transparent and aluminum louvered screening with a parapet cap around the entire rooftop installation to the top of the antennas and painting it to match the building exterior.

Approved per the approved site plans, Exhibits C-1 through C-9 signed and dated September 4, 2014, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-117855 DZ. No field changes allowed."

Staff Planner: Chris Caruso

Decision rendered by:  **on September 4, 2014.**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 11, 2014

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 February 18, 2014, and was determined to be complete on April 17, 2014.

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 February 18, 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 requested that the 120-day review period be extended. Unless further extended by the applicant, **the 120 days expired on: September 4, 2014.**

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 September 25, 2014** 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 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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.

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 **September 26, 2014 – (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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

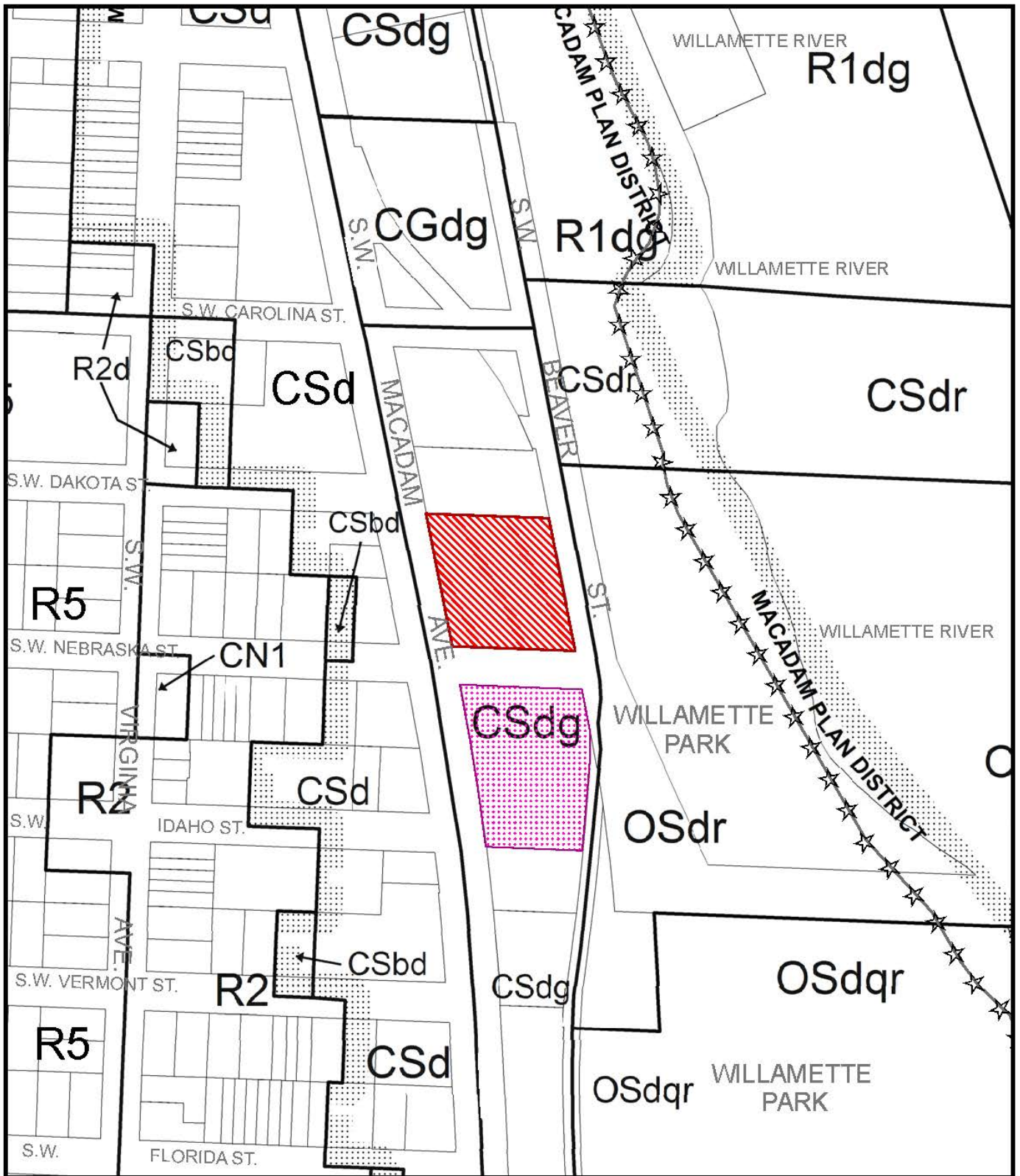
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 Submittals
 - 1. Applicant's Statement
 - 2. Response to Incomplete Letter: March 6, 2014
 - 3. Extension of Review Period: 3.12.14
 - 4. Extension of Review Period: 4.04.14
 - 5. Extension of Review Period: 5.12.14
 - 6. Extension of Review Period: 6.06.14
 - 7. Memo dated September 3, 2014
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Set Title Sheet
 - 2. Overall Site Plan (attached)
 - 3. Enlarged Equipment Plan
 - 4. Enlarged Equipment Plan
 - 5. North Elevations (attached)
 - 6. East Elevations (attached)
 - 7. South Elevations
 - 8. West Elevations (attached)
 - 9. Louvered Equipment Screen Detail
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None submitted.
- F. Correspondence: None submitted.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter dated March 06, 2014
 - 3. Site Photos

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
-  Also Owned
-  Recreational Trail



This site lies within the:
MACADAM PLAN DISTRICT

File No. LU 14-117855 DZM
 1/4 Section 3629.3630
 Scale 1 inch = 200 feet
 State_Id 1S1E15CD 19500
 Exhibit B (Feb 20, 2014)



3132 SOUTH BAY ROAD NE
OLYMPIA, WA 98506
PH: 206.438.2802

NO.	DATE	BY	DESCRIPTION
1	12-20-13	ESG/OS	ISSUED FOR PERMIT
2	12-20-13	ESG/OS	ISSUED FOR CLIENT COMMENT
3	12-20-13	ESG/OS	ISSUED FOR CLIENT COMMENT
4	12-28-13	ESG/OS	ISSUED FOR CLIENT COMMENT

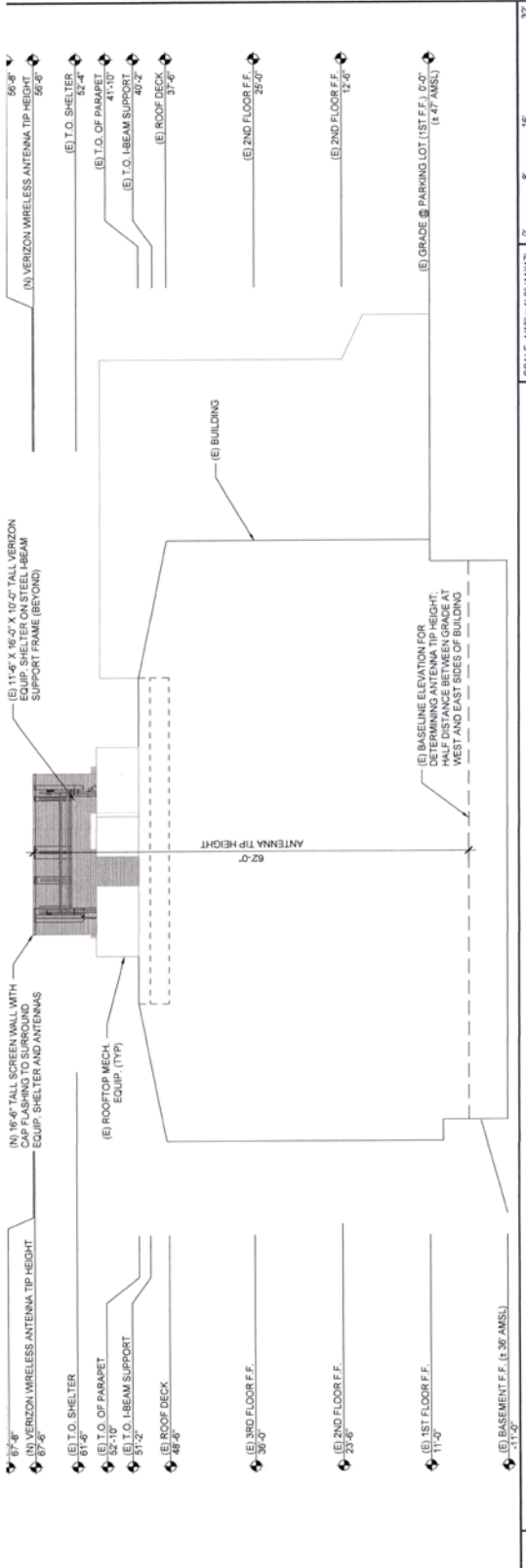
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2	12-20-13	ESG/OS	ISSUED FOR CLIENT COMMENT
3	12-20-13	ESG/OS	ISSUED FOR CLIENT COMMENT
4	12-28-13	ESG/OS	ISSUED FOR CLIENT COMMENT

SITE NAME
POR MACADAM

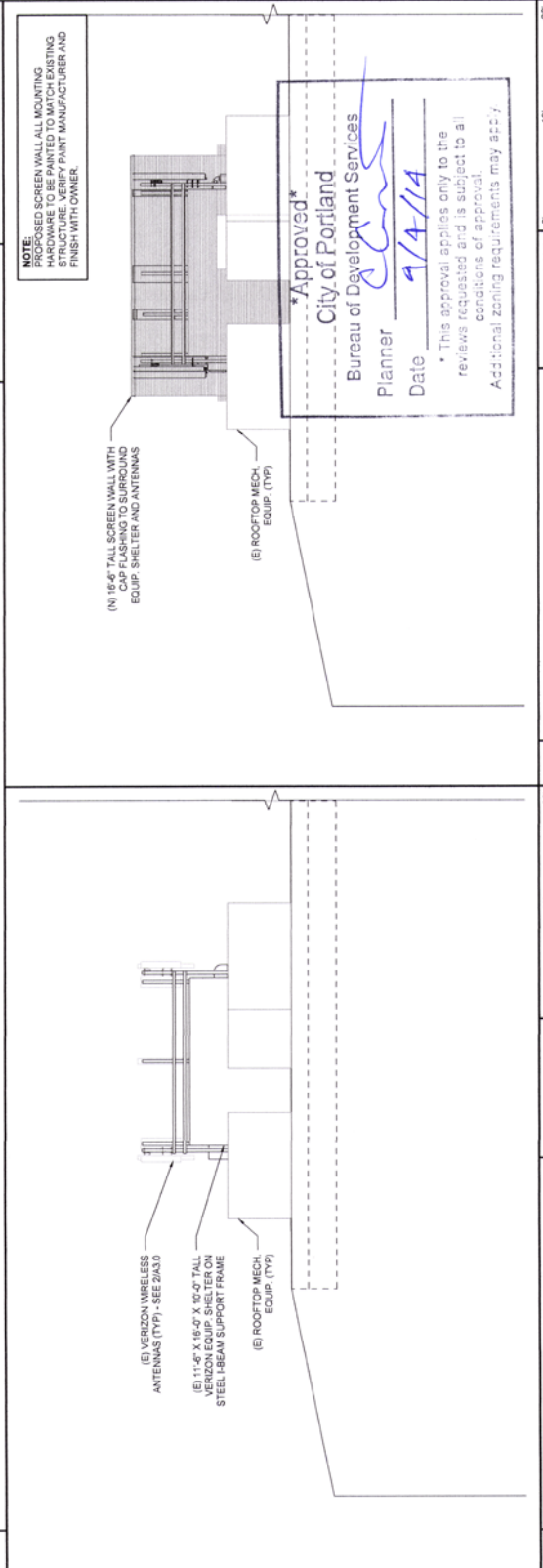
SITE ADDRESS
840 SW MACADAM
PORTLAND, OR 97201

SHEET TITLE
NORTH
ELEVATIONS

SHEET NO.
A4.0



1 (N) NORTH ELEVATION



2 (E) ENLARGED NORTH ELEVATION

3 (N) ENLARGED NORTH ELEVATION

4 (E) ENLARGED NORTH ELEVATION

5 (N) ENLARGED NORTH ELEVATION

6 (E) ENLARGED NORTH ELEVATION

EXH. C-5
LU 14-117855 D2



3205 SOUTHWEST AVENUE
 COLUMBIA, WA 98002
 PH: 360-438-8002

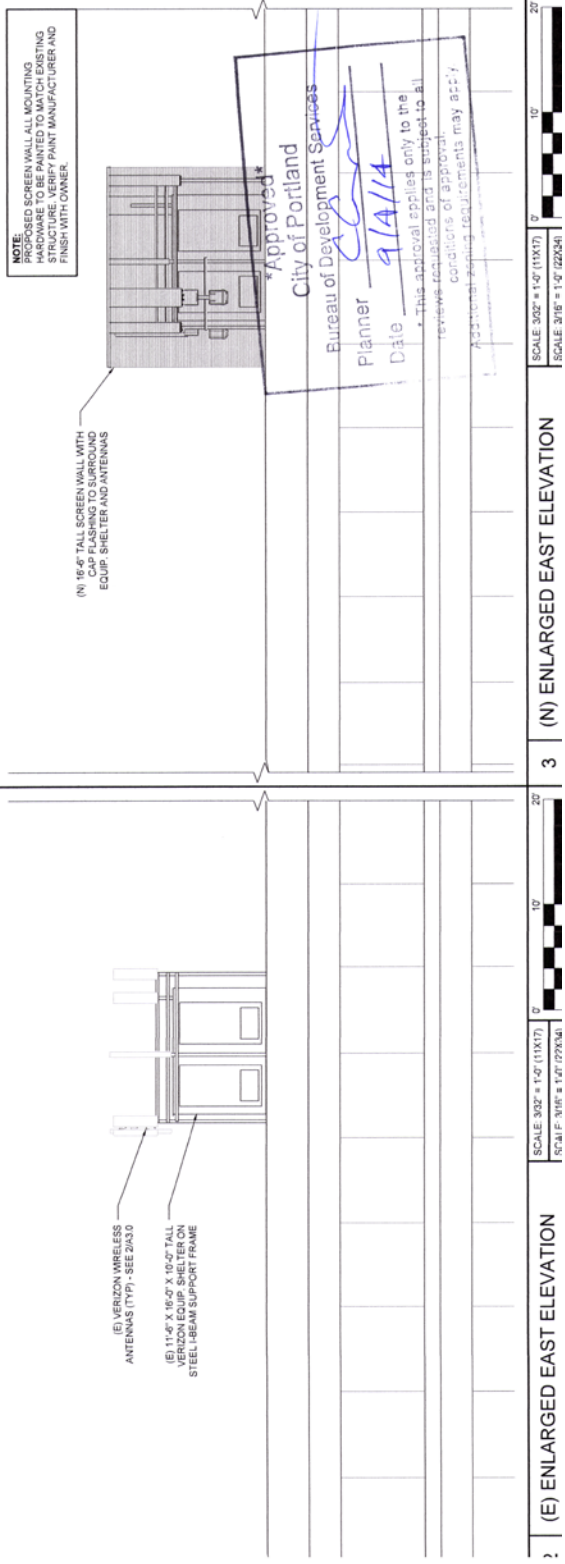
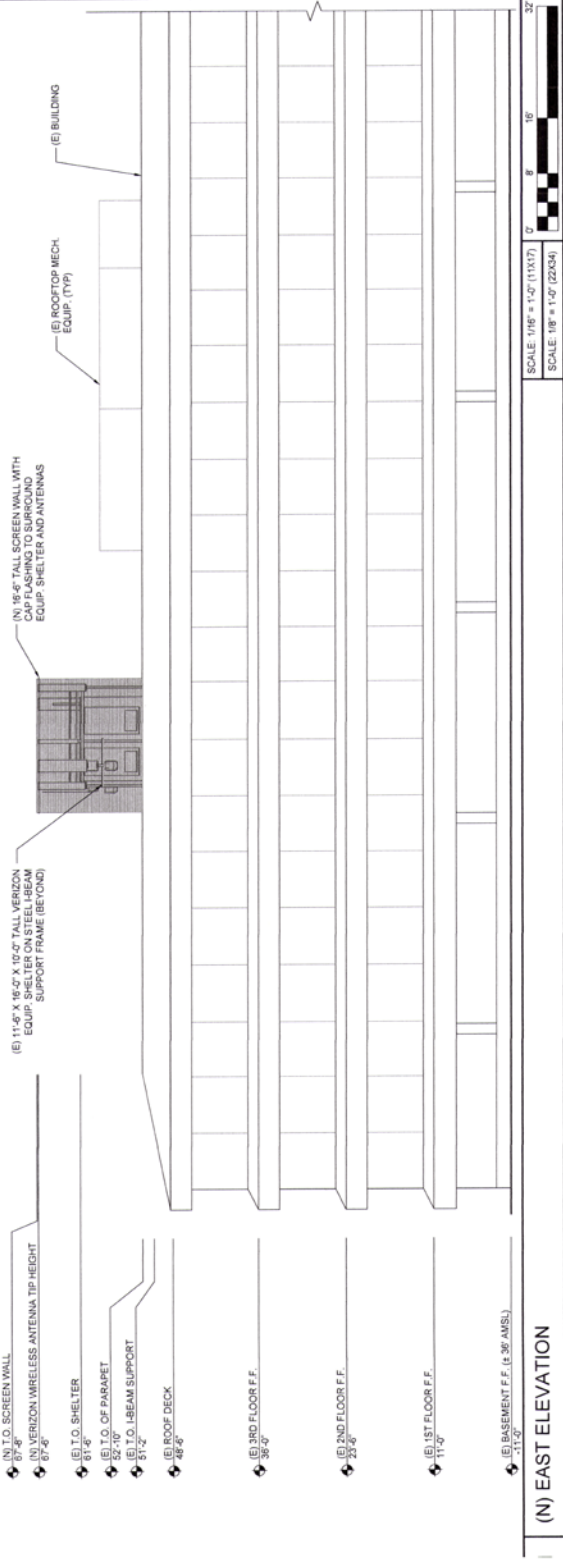
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DATE	DESCRIPTION	
01	11-22-13	ISSUED FOR PERMITS
02	04-24-13	ISSUED FOR PERMITS
03	09-20-13	ISSUED CLIENT COMMENTS
04	10-29-13	ISSUED CLIENT COMMENTS
SUBMITTAL		
NO	DATE	DESCRIPTION
01	11-22-13	ISSUED FOR PERMITS
02	12-13-13	ISSUED FOR PERMITS
03	09-24-14	ISSUED FOR PERMITS
04	09-24-14	ISSUED FOR PERMITS

SITE NAME
 POR MACADAM

SITE ADDRESS
 1505 SW 10TH AVE
 PORTLAND, OR 97201

SHEET TITLE
 EAST
 ELEVATIONS

SHEET NO.
 A4.1



EXH. C-~~1~~

LU 14.117855 D2



NO.	DATE	DOC.	DESCRIPTION
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3	10-28-13	FOR CLIENT COMMENT	
4	10-28-13	FOR CLIENT COMMENT	

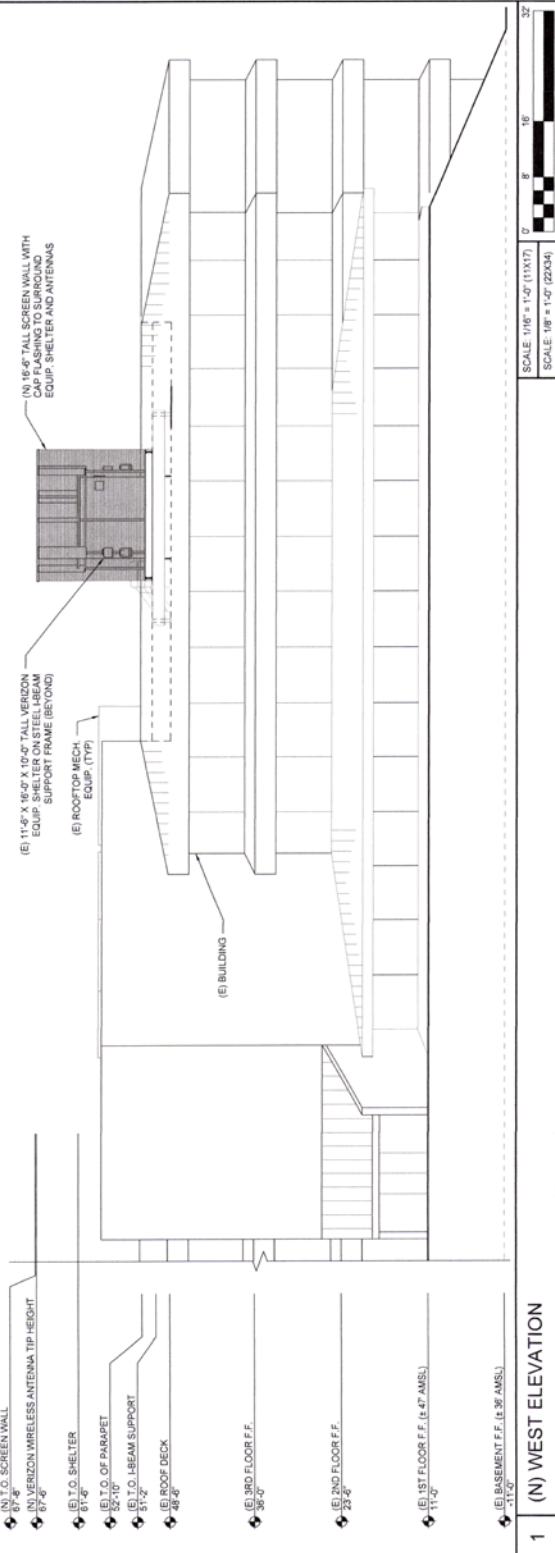
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SITE NAME
POR MACADAM

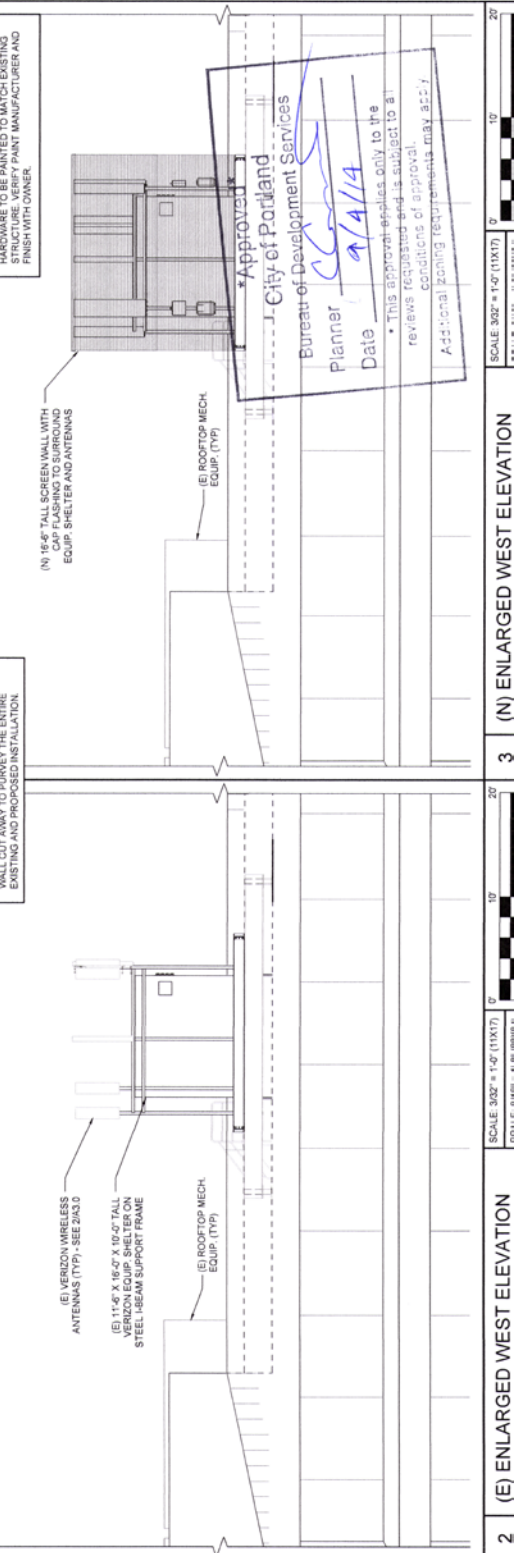
SITE ADDRESS
6425 SW MACADAM
PORTLAND, OR 97261

SHEET TITLE
WEST
ELEVATIONS

SHEET NO.
A4.3



1 (N) WEST ELEVATION



NOTE: WEST ELEVATION THIS SHEET DEPICTED WITH PARAPET WALL CUT AWAY TO PURVEY THE ENTIRE EXISTING AND PROPOSED INSTALLATION.

NOTE: PROPOSED SCREEN WALL ALL MOUNTING HARDWARE TO BE PAINTED TO MATCH EXISTING STRUCTURE. VERIFY PAINT MANUFACTURER AND FINISH WITH OWNER.

Approved: *[Signature]*
J. City of Portland
Bureau of Development Services
Planner: *[Signature]*
Date: 4/14

This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

2 (E) ENLARGED WEST ELEVATION

3 (N) ENLARGED WEST ELEVATION

LU 14_117855 DZ
EXH-C-8