



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 10, 2014  
**To:** Interested Person  
**From:** Chris Caruso, Land Use Services  
503-823-5747 / [Chris.Caruso@portlandoregon.gov](mailto: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 13-186843 DZ DANIA HOLLYWOOD REMODEL**

#### **GENERAL INFORMATION**

**Applicant/Contact:** Gabriel Cullen/Roth Sheppard Architects  
1900 Wazee St., Ste 100/Denver, CO 80202

**Owner:** Erling A Eide  
2250 S. Mcdowell Ext./Petaluma, CA 94954-5613

**Site Address:** 1905 NE 41ST AVE

**Legal Description:** BLOCK 32 LOT 6-8, ROSSMERE  
**Tax Account No.:** R729804300  
**State ID No.:** 1N1E25DD 01100  
**Quarter Section:** 2834  
**Neighborhood:** Hollywood, contact Doug Hamilton at 503-490-9563.  
**Business District:** Hollywood Boosters, contact Christine Azar at 971-570-8011.  
**District Coalition:** Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.  
**Plan District:** Hollywood - Subdistrict B  
**Zoning:** CSd - Commercial Storefront with design 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 alterations and additions to the Dania furniture store in the Hollywood Plan District. The proposed alterations include adding a steel exit stair on the north side of the building, installing new aluminum-framed clear-glazed storefront, doors, and windows on the south and east facades, removing existing fabric canopies and replacing them with new glass and metal canopies above the ground level storefront bays, relocating the main public entry to the southeast corner of the building, and adding glass panels above the front entry.

Nonconforming upgrades are also triggered by the project's total valuation. The applicant is choosing to upgrade the bicycle parking for both long-and short-term spaces as well as existing parking lot landscaping.

Design review is required for alterations and additions to existing structures in design zones. Items that are exempt from this review include 5 windows and one set of double doors on the north façade, and 4 windows on the second story of the east façade. These items are exempt from design review as they are replacement with like materials, namely existing aluminum-framed clear-glazed windows and doors being replaced with new aluminum-framed clear-glazed windows and doors in existing openings.

Signs are not part of this review.

**Relevant Approval Criteria:**

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

- 33.825 Design Review
- Community Design Guidelines

## ANALYSIS

**Site and Vicinity:** The site is a 20,000 square foot property with frontage along NE Hancock Street and NE 41<sup>st</sup> Avenue. The site is developed with a two-story concrete commercial building done in the Art Modern/Late Art Deco style, which occupies the southern two-thirds of the site. The remainder of the site is used for surface parking. Surrounding development is primarily defined by retail, office, and restaurant uses as well as single and multi-family residential buildings. The site is located near the western edge of the Hollywood District, which has long served as a center of activity for Portland's inner and central northeast neighborhoods such as Laurelhurst, Grant Park, Alameda, Beaumont-Wilshire, and Rose City Park.

Both NE Hancock Street and NE 41<sup>st</sup> Avenue are classified as Local Service Walkways and Local Service Bikeways in the Portland Transportation System Plan. The site is also within the Hollywood Pedestrian District.

**Zoning:** The Commercial Storefront (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone allows a full range of retail, service, and business uses with a local and regional market area. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

The Design (d) overlay zone 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 must meet the Community Design Standards (Chapter 33.218) or are subject to design review.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **January 30, 2014**. The following Bureaus have responded with no issues or concerns:

- Life Safety Review Section of BDS responded with the following comments. See Exhibit E-1 for additional information:

Energy Code must be met for new windows unless exempted. Exterior stairways must be 10 feet or more away from property lines or fire-rated. Unprotected openings in an unsprinklered building must be 5 feet or more away from property lines. Building code appeals are an option for these types of conditions.

*The proposal has no new windows or other openings on the common west lot line. The applicant has stated that they will review the Energy Code requirements for the building permit submittal.*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on January 30, 2014. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Hollywood Neighborhood Association, February 12, 2014 – in support of the project.

## 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 (d) overlay zoning; therefore, the proposal requires design review approval. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

### Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

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

**P1. Plan Area Character.** Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

**Findings:** The site is located within the commercial center of the Hollywood Plan District, and is just north of NE Sandy Boulevard. The proposed Dania building renovations will enhance existing development while responding to the desired characteristics of the Hollywood Plan District. The positive and contributory upgrades include: enhancing perimeter and interior parking lot landscaping to increase the buffer between pedestrians and vehicles, providing visual interest along the sidewalk; on-site bicycle parking to encourage non-vehicular trips by customers and employees; upgrading the canopies with higher quality materials; and the use of district-appropriate materials such as metal and glass at the canopies, steel at the stairs, and metal-framed clear storefront windows.

All of the proposed upgrades will engage the building with the street and allow visibility into the active ground floor areas which is encouraged by plan district goals and objectives. The building will also make a positive contribution to the sense of place and identity of the area by reinvigorating a long-standing commercial building. *This guideline is therefore met.*

**E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

**E3. The Sidewalk Level of Buildings.** Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

**E5. Light, Wind, and Rain.** Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

**Findings for E1, E3 and E5:** Existing sidewalks will be maintained and currently link this site to the residential neighborhoods to the north as well as to other commercial businesses in the Hollywood Plan District. Enhanced plantings along the sidewalk will buffer pedestrians from the parking lot. The new canopies will provide weather protection for pedestrians, thereby enhancing their comfort, and making a positive contribution to the pedestrian network. The new metal canopies above the storefront windows will continue the existing sense of urban enclosure and will differentiate the street-level façade from the upper stories. *These guidelines are therefore met.*

**E4. Corners that Build Active Intersections.** Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

**D2. Main Entrances.** Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

**Findings for E4 and D2:** The existing entry is being moved to the southeast corner of the building. It will be prominent and visible as it is highlighted with a glass canopy and vertical glass accent panels that follow the chamfered building walls at this corner. This new feature will visually enhance the intersection of NE 41<sup>st</sup> Avenue and NE Hancock Street while also activating it with people going in and out of the building at this location. This renovated corner entrance will be accessible and convenient for all users. *These guidelines are therefore met.*

**D1. Outdoor Areas.** When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

**D3. Landscape Features.** Enhance site and building design through appropriate placement, scale, and variety of landscape features.

**Findings for D1 and D3:** The parking lot will be completely reconfigured to provide pedestrian connections to all street frontages. The walkways around the building will be widened to provide small outdoor areas for customers and employees. A larger paved area at the northwest corner of the building provides bicycle parking. The site's appearance will also be strengthened by landscape features which include new perimeter plantings at the sidewalks, new interior parking lot landscaping including trees, a new landscaped buffer between the parking lot and adjacent residential properties to the north, and new vegetated stormwater facilities. All existing street trees except one will remain and several new street trees will be provided. These landscape features are appropriately placed to enhance the design of the building and the site. *These guidelines are therefore met.*

**D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

**Findings:** The existing surface parking lot will be enhanced through the addition of new landscaping including perimeter plantings at the sidewalks and at the interior island. These improvements will soften the appearance of the

parking lot, buffer pedestrians from vehicle areas, and help minimize the parking lot's negative impacts on the surrounding area. *This guideline is therefore met.*

**D5. Crime Prevention.** Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

**Findings:** No existing window openings will be covered over. There will be opportunities for eyes on the street and the site from all three floors of the building. Existing street lights will remain in place and ambient lighting from the store's interior spaces will further illuminate the area around the building. Long-term bicycle parking will be located in a secure fenced-in area underneath the new north exit stair and short-term bike racks will be visible from the store interior as well as the surrounding sidewalks. *This guideline is therefore met.*

**D6. Architectural Integrity.** Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

**D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

**D8. Interest, Quality, and Composition.** All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

**Findings for D6, D7 and D8:** The additions to the building – metal and glass canopies, glass accent panels, steel staircase, and the aluminum storefront system – are of long-lasting quality and are appropriately scaled and proportioned for the existing building. All of these materials are present in the surrounding commercial areas. These additions, particularly the relocated corner entry and new flatter canopies open the building up even more to the surrounding area. The proposed renovations will form a cohesive composition with the existing architecture that is interesting to view. *These guidelines are 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 proposed renovation of the Dania furniture creates an architecturally integrated design using quality materials. The proposal will also improve the site's appearance and will result in a more pleasant experience for pedestrians in the area. The building will continue to be a vibrant commercial enterprise in the Hollywood Plan District. 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

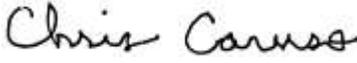
Approval of design review for alterations and additions to the Dania Furniture store in the Hollywood Plan District, Subdistrict B to include the following:

- Steel exit stair on the north side of the building with a metal mesh long-term bicycle parking enclosure at the base;
- New aluminum-framed clear-glazed storefront, doors, and windows on the south and east facades;
- Glass and metal canopies above the ground level storefront bays;
- Relocating the main public entry to the southeast corner of the building;
- Adding glass panels above the front entry canopy;
- Upgrades to short-term bicycle parking and parking lot landscaping; and
- Signs that are 32 SF or less in area are exempt from design review.

Approved, per the approved site plans, Exhibits C-1 through C-16 signed and dated April 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.16. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-186843 DZ. No field changes allowed."

**Staff Planner: Chris Caruso**

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

**Decision mailed: April 10, 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 July 31, 2013, and was determined to be complete on January 27, 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 July 31, 2013.

*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: May 28, 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 April 24, 2014** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth 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 **April 25, 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:

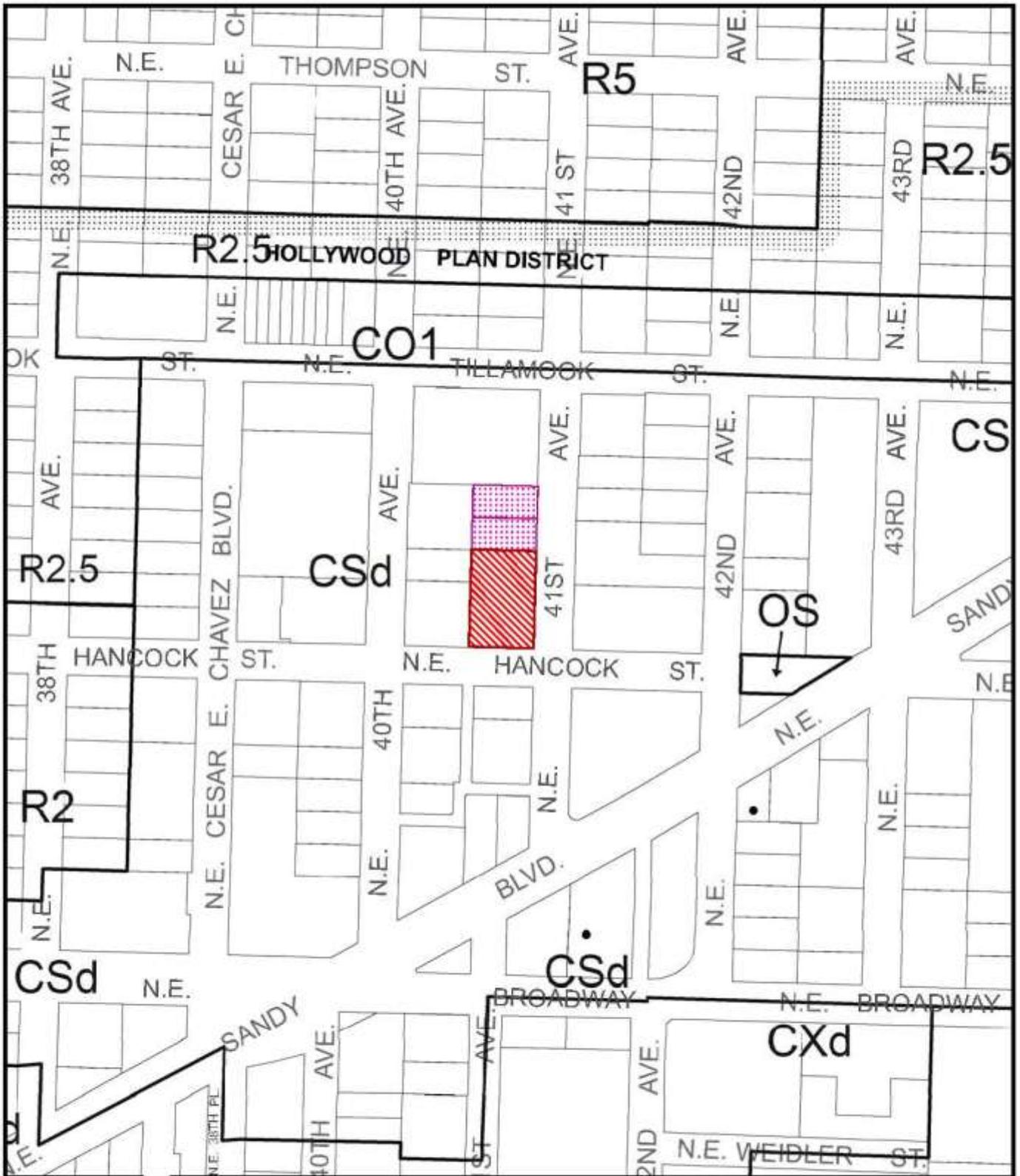
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Demolition Plan Level 01
  - 3. Demolition Plan Level 02
  - 4. Demolition Plan Level 03
  - 5. Demolition Building Elevations
  - 6. Demolition Building Elevations
  - 7. Floor Plan Level 01
  - 8. Floor Plan Level 02
  - 9. Floor Plan Level 03
  - 10. Enlarged Plan
  - 11. Building Elevations (attached)
  - 12. Building Elevations (attached)
  - 13. Wall Section: Canopy and Entry
  - 14. Wall Section: Canopy and Entrance
  - 15. Section Details
  - 16. EnCORE Thermal Framing System Information
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Site Development Review Section of BDS
- F. Correspondence:
  - 1. Hollywood Neighborhood Association
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter
  - 3. Expiration Warning Letter

**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
-  Historic Landmark



This site lies within the:  
**HOLLYWOOD PLAN DISTRICT**  
**SUBDISTRICT B**

File No. LU 13-186843 DZ  
 1/4 Section 2834  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E25DD 1100  
 Exhibit B (Aug 07, 2013)



**DANIA**  
 1505 NE 41ST AVENUE  
 PORTLAND, OR 97212  
 503-284-0869

INTERLINE  
 2250 SOUTH MCDOWELL BLVD.  
 PETALUMA, CA 94954  
 707-778-1850

**SHEPPARD**  
 ARCHITECTURE  
 1000 NE 10TH AVENUE  
 PORTLAND, OR 97232  
 503-284-0869

MARTIN / MARTIN INC.  
 12499 W. COLFAX AVENUE  
 LAKEWOOD, CO 80215  
 303-431-8100

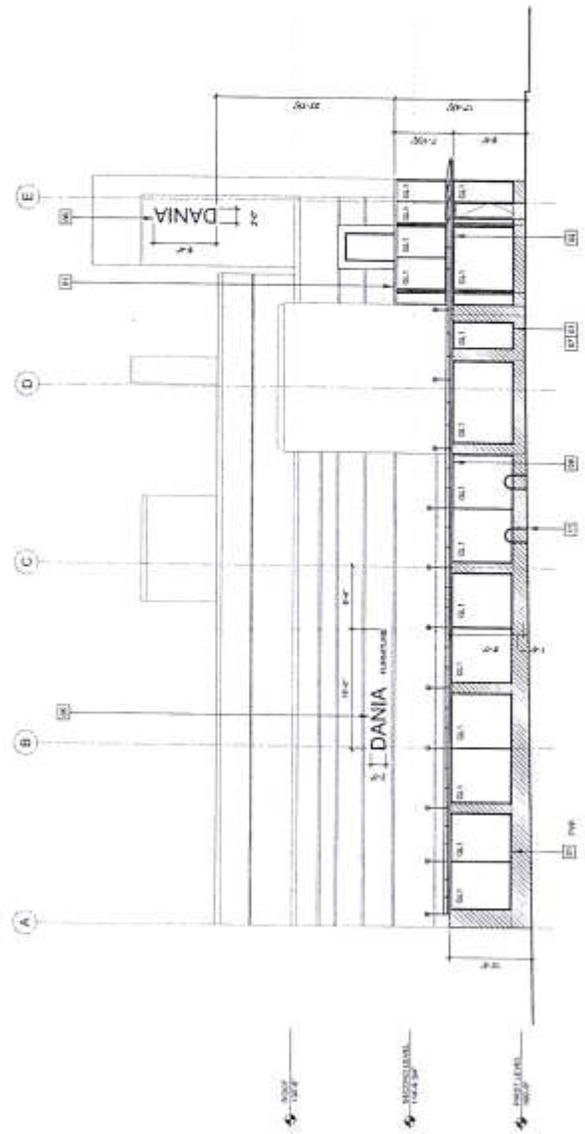
ISSUE	DATE
LAND USE REVIEW	01.12.2015
LAND USE REVIEW RECOMMITTAL	04.08.2015
LAND USE REVIEW RECOMMITTAL	04.16.2015
LAND USE REVIEW RECOMMITTAL	05.14.2014
LAND USE REVIEW RECOMMITTAL	05.12.2014
LAND USE REVIEW RECOMMITTAL	05.21.2014

LS 15-10843 02

BUILDING  
ELEVATIONS

A601

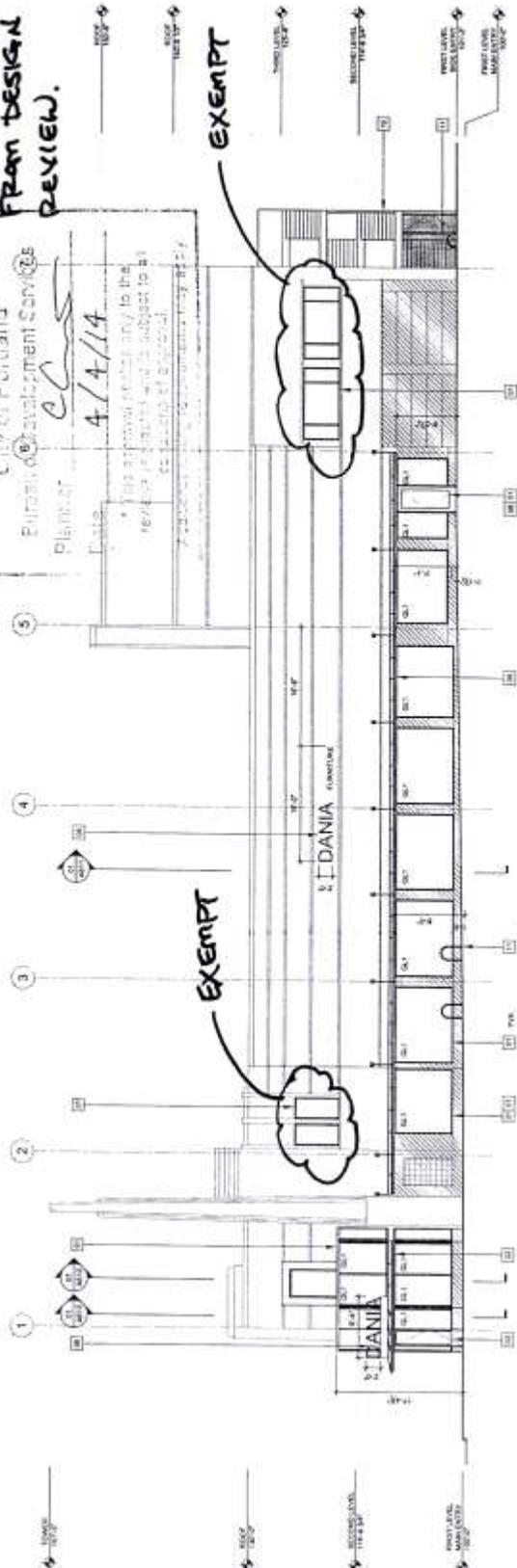
KEYNOTES	
01	WOOD PANEL CLADDING
02	STAINLESS STEEL CLADDING
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02 SOUTH ELEVATION

**\* ALL SIGNS  
 32-SF OR LESS  
 ARE EXEMPT  
 FROM DESIGN  
 REVIEW.**

Approved  
 City of Portland  
 Bureau of Development Services  
 Permit # *CS*  
 Date *4/4/14*  
 This approval is not subject to a  
 review of the project and is subject to a  
 final review of the project by the  
 Bureau of Development Services.



01 EAST ELEVATION

EXH. C-11

