



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

Ted Wheeler, Mayor
Rebecca Esau, Director
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Date: July 29, 2020
To: Interested Person
From: Grace Jeffreys, Land Use Services
503-823-7840 / 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 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 20-144192 DZ -
10813 NE BROADWAY, RESIDENTIAL ADDITION**

GENERAL INFORMATION

Applicant: Brandon Medford, Arazu Construction, LLC
3350 NE Schuyler St., Portland, OR 97212
brandon@arazu.co, (503) 913-3242

Owners: Kristi and Paul Macias
10813 NE Broadway, Portland, OR 97220-3042

Site Address: 10813 NE BROADWAY

Legal Description: BLOCK 26 S 8' OF LOT 6 LOT 7&8, CASMUR
Tax Account No.: R141906230
State ID No.: 1N2E27CD 06101
Quarter Section: 2841

Neighborhood: Parkrose Heights, contact at badrickt@gmail.com.
Business District: Gateway Area Business Association, contact at gabapdxboard@gmail.com

District Coalition: East Portland Community Office, contact at 503-823-4550.

Plan District: Gateway
Zoning: **RM2d**, Residential Multi-Dwelling 2
Case Type: **DZ**, Design overlay
Procedure: **Type II**, an administrative decision with appeal to the Design Commission.

Proposal:
The applicant requests design review approval for a small addition (approximately 328 square feet) to a single-family residence located in the Gateway Plan District. The one-story attached

addition is to be clad with painted cedar shake siding and wood double-hung windows to match the existing house.

Because the proposal is for non-exempt exterior improvements in a design overlay zone, Design Review is required per Portland Zoning Code 33.825.025.

Relevant Approval Criteria:

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

- Gateway Regional Center Design Guidelines

ANALYSIS

Site and Vicinity:

The subject structure is a single-family, one story house with an attic and a basement. The house sits on a 5,800 SF corner lot facing NE Broadway to the south and NE 108th to the west. The separate garage is located near NE 108th with the driveway access off NE Broadway.

The residence has painted wood shingle siding, double-hung windows, and a gambrel roof. The central gable-roofed raised entrance porch faces NE Broadway. This review is for a new one-story addition that will be located between the house and the garage.

The City's Transportation System Plan (TSP) classifies the abutting rights-of-way (ROWs) as follows:

- *NE 108th Avenue:* Considered a City Bikeway, a Neighborhood Walkway, and a Local Service Street for other modes.
- *NE Broadway Street:* Considered a City Bikeway, and a Local Service Street for other modes.
- The site is located within the *Gateway Regional Pedestrian District*.
- The site is located within the *Gateway Bicycle District*.

Zoning:

The RM2 zone is a medium-scale multi-dwelling zone that is generally applied in and around a variety of centers and corridors that are well-served by transit. Allowed housing is characterized by buildings of up to three or four stories with a higher percentage of building coverage than in the RM1 zone, while still providing opportunities for landscaping and outdoor spaces that integrate with residential neighborhood characteristics. The major types of new housing development will be a diverse range of multi-dwelling structures and other compact housing that contribute to the intended urban scale of centers and corridors, while providing transitions in scale and characteristics to lower-scale residential neighborhoods.

The "d" overlay 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 Gateway Plan District regulations encourage the development of an urban level of housing, employment, open space, public facilities, and pedestrian amenities that will strengthen the role of Gateway as a regional center. The regulations also ensure that future development will provide for greater district. This development will implement the Gateway Regional Policy of the Outer Southeast Community Plan. Together, the use and development regulations of the Gateway plan district: promote compatibility between private and public investments through building design and site layout standards; promote new development and expansions of existing development that create attractive and convenient facilities for pedestrians and transit patrons to visit, live, work,

and shop; ensure that new development moves the large sites in the plan district closer to the open space and connectivity goals of the Gateway Regional Center; create a clear distinction and attractive transitions between properties within the regional center and the more suburban neighborhood outside; and provide opportunities for more intense mixed-use development around the light rail stations.

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

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **June 29, 2020**. The following Bureaus have responded with no issues or concerns:

- Bureau of Transportation Engineering (Exhibit E.1)
- Site Development Section of Bureau of Development Services (Exhibit E.2)
- Life Safety Section of Bureau of Development Services (Exhibit E.3)
- Bureau of Environmental Services (Exhibit E.4)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 29, 2020. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Doris Hoots, July 1, 2020, wrote in support of the proposal. (Exhibit F.1)

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 Gateway Regional Center Design Guidelines.

Gateway Regional Center Design Guidelines

The Gateway Regional Center is the City of Portland’s only designated regional center. The area is envisioned to redevelop into a highly urbanized, pedestrian-oriented center, with an overall built size and scale second only to Portland’s Central City.

The purpose of design review is to carry out the urban design vision for the District by emphasizing unique district assets in a manner that is respectful, creative, supportive, and compatible with all its areas. Although the District is a complex urban environment, it can become a cohesive whole with the use of these design principles.

Gateway Regional Center Design Goals

Ten goals for design review in the Gateway Regional Center have been established to enhance the area’s design quality, support its livability, and guide its transition to a pedestrian-oriented, active, urban regional center. They are:

1. Encourage urban design excellence.
2. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Gateway Regional Center as a whole.
3. Provide for a pleasant, rich, and diverse experience for pedestrians.

4. Assist in creating a regional center that emphasizes a mix of active uses and experiences and is safe, lively, and prosperous.
5. Provide for the humanization of the Gateway Regional Center through the promotion of parks, plazas, open spaces, public art, and trees.
6. Integrate and honor the diversity and history of Gateway.
7. Integrate sustainable principles into the development process.
8. Encourage the development of a distinctive character for subdistricts within the regional center and link them.
9. Encourage and incorporate transit orientation and usage.
10. Enhance the physical and visual linkages between the Gateway Regional Center and adjacent neighborhoods.

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

A Pedestrian Emphasis

A1. Strengthen Relationships Between Buildings and the Street. Integrate building setback areas with adjacent streets.

A2. Enhance Visual and Physical Connections. Enhance visual and physical connections between buildings and adjacent sidewalks. Orient semi-public building spaces to the sidewalk and street.

B2. Integrate Ground-Level Building Elements. Integrate the different ground-level building elements with the building's architecture.

B3. Design for Coherency. Integrate the different parts of a building to achieve a coherent design.

Findings for A1, A2, B2 and B3: The existing single-family residence sits on a 5,800 SF corner lot facing NE Broadway to the south and NE 108th to the west. The main entrance to the residence faces NE Broadway, and the separate garage is located near NE 108th, with the driveway access off NE Broadway. In this location, NE 108th is a through east-west street and is considered a City Bikeway and a Neighborhood Walkway. NE Broadway in this location, while considered a City Bikeway, is only a one-block segment so it is a quiet, low traffic street.

The existing one-story residence, built in 1936, contains an attic floor with-in its tall gambrel roof, and its raised gabled entrance porch faces NE Broadway. It is clad with painted wood shingle siding and has double-hung windows. The existing one-story garage has a simple gabled roof and is clad in a painted sheet siding with vertical grooves. The proposed small one-story addition (approximately 328 square feet) will be located between the existing house and the garage and will be set back one foot from both facades. Additionally, because of an existing small addition in this location, there will be a small alcove between the current house and the proposed new addition, which will create added visual interest. The new addition will be clad with painted cedar shake siding and wood double-hung windows to match the existing house.

Because the addition is located between the house and garage, it will have no impact on NE 108th, and the existing large trees on this west side of the site will not be affected by this addition. Along NE Broadway, because the addition will be set back from the existing house and garage facades and it is designed to match the house, it will have little impact on the street frontage on NE Broadway. Existing visual and physical connections between the house and adjacent sidewalks will be maintained.

With this siting, design and matching cladding and windows, this proposed small one-story addition will quietly integrate with the existing house and garage on the site, will have little effect on the street frontages, and will provide a coherent overall design for the site.

These guidelines are therefore met.

A3. Integrate Building Mechanical Equipment and Service Areas. Incorporate building mechanical equipment and/or service areas in a manner that does not detract from the pedestrian environment.

Findings: No mechanical equipment is proposed on the front façade and the existing driveway will remain unchanged.

This guideline is therefore met.

B Development Design

B1. Convey Design Quality and Building Permanence. Use design principles and building materials that convey quality and permanence.

B6. Integrate Ecological / Sustainable Concepts. Integrate ecological/sustainable features or concepts with site and development designs.

Findings for B1 and B6: The proposed addition will be built using high-quality materials which include painted cedar shake siding and wood double-hung windows to match the existing house. These will convey quality and permanence.

The addition will be constructed on the west side of the existing residence; therefore, it will be sheltered by the large existing trees, which will provide ample shade in the summertime, reducing cooling costs.

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 proposal meets the applicable design guidelines and modification criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of small addition (approximately 328 square feet) to a single-family residence located between the house and the garage. The one-story attached addition is to be clad with painted cedar shake siding and wood double-hung windows to match the existing house.

Approval per the approved site plans, Exhibits C-1 through C-8, signed and dated July 24, 2020, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through 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 20-144192 DZ." All requirements

must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Grace Jeffreys



Decision rendered by: _____ **on July 24, 2020**
By authority of the Director of the Bureau of Development Services

Decision mailed: July 29, 2020

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 **May 11, 2020** and was determined to be complete on **June 24, 2020**.

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 May 11, 2020.

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: October 22, 2020.**

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, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by **4:30 PM on August 12, 2020. Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and Ix decisions on property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to paper files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **August 12, 2020** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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.

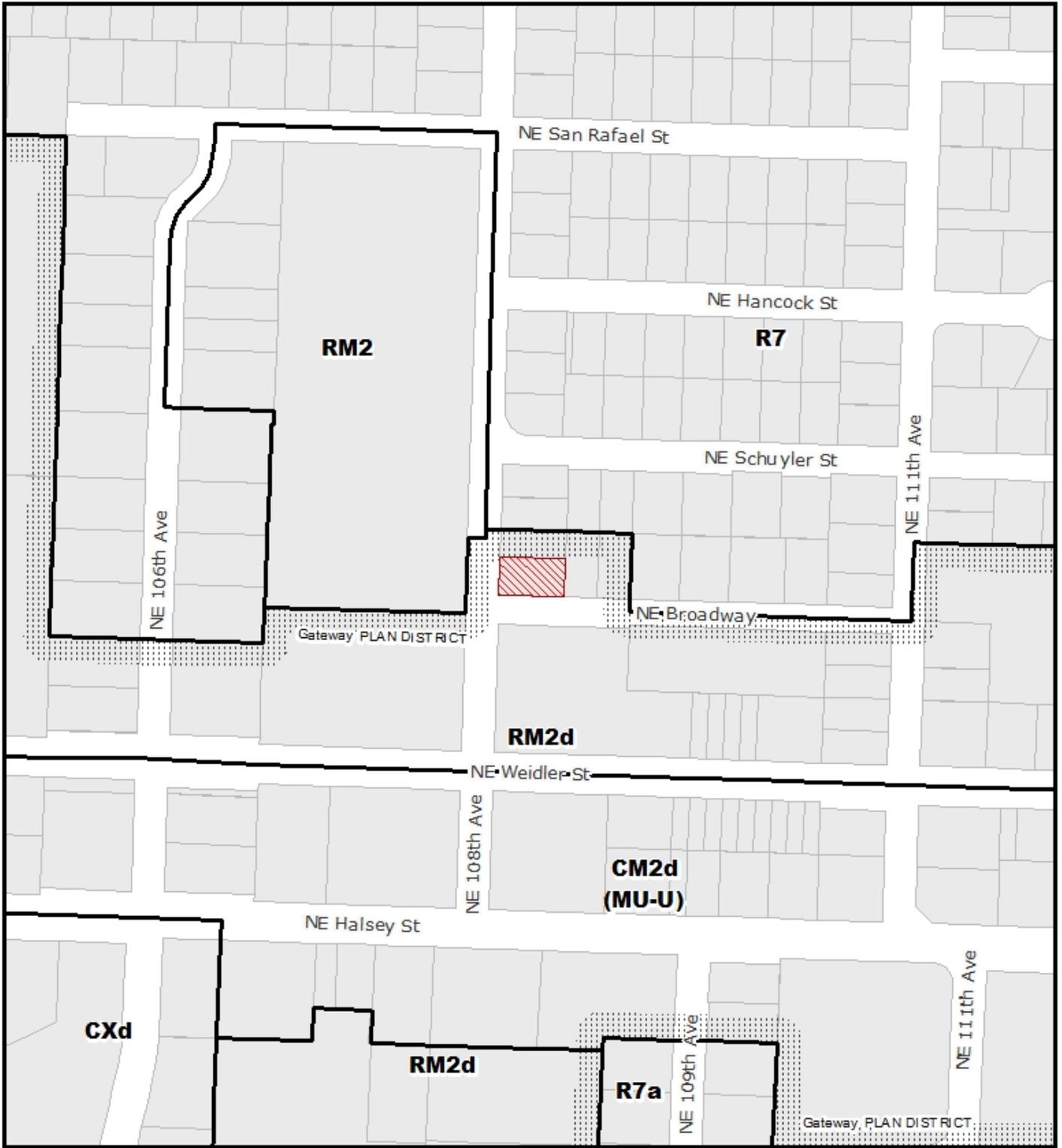
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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. Original Submittal, drawings and narrative
 - 2. Plans
 - 3. Existing and proposed elevations
 - 4. Revised set
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plans
 - 3. Roof framing plan
 - 4. Existing elevations
 - 5. Proposed elevations (attached)
 - 6. Existing conditions
 - 7. Proposed materials
 - 8. Enlarged details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Transportation Engineering
 - 2. Site Development Section of Bureau of Development Services
 - 3. Life Safety Section of Bureau of Development Services
 - 4. Bureau of Environmental Services
- F. Correspondence:
 - 1. Doris Hoots, July 1, 2020, wrote in support of the proposal.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter, May 22, 2020
 - 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 
 NORTH
 GATEWAY PLAN DISTRICT

 Site

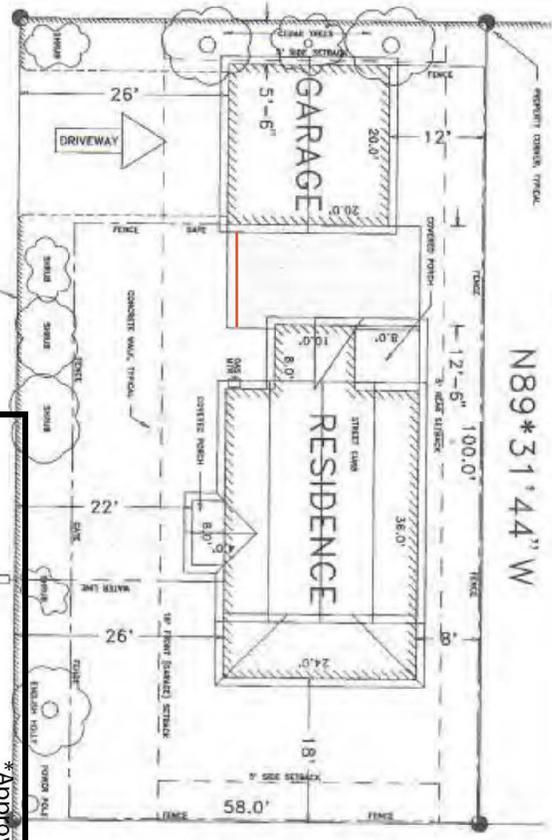
File No.	LU 20 - 144192 DZ
1/4 Section	2841
Scale	1 inch = 200 feet
State ID	1N2E27CD 6101
Exhibit	B May 19, 2020

IMPERVIOUS AREAS	
DRIVEWAY	448sf
PATIO	0sf
SIDEWALK	205sf
ROOF AREA (INCLUDING OVERHANDS)	1620sf
BUILDING FOOTPRINT (INCLUDING GARAGE)	1344sf
TOTAL	2273sf

SITE DESCRIPTION:
 10813 NE BROADWAY ST.
 PORTLAND, OR
 CASMUR, BLK 26, S 8'
 OF LOT 6, LOT 7 & 8
 PARKROSE HEIGHTS
 PARCEL NO: R141906230 [R129967]
 ZONED: R1 - RESIDENTIAL
 LOT SIZE: 5,800sf
 FLAT LOT ELEVATION: 294ft

NE 108th AVENUE

NE BROADWAY STREET



889*31'4" W

50*26'0" W

□ = AREA OF ADDITION
 — = NEW SET BACK

*** Approved ***
 City of Portland
 Bureau of Development Services

[Signature]

Date: 07-24-2020

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

DOWNSPOUTS TO BE DISCONNECTED AND CONVERTED TO A RAINWATER COLLECTION SYSTEM ACCORDING TO HOMEOWNER'S REQUEST.

LU 20-144192 DZ
 Exhibit C.001

MACIAS ADDITION

SUNRISE DESIGN SERVICES
 PHONE: (360) 356-1362 LONGVIEW, WA 98632
 SUNRISEDESIGN@GMAIL.COM

PROJECT NO:	5960506
SHEET TITLE:	C1.0
SCALE:	1" = 30'
DATE:	8.5X11 1:20

