



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

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Portland, Oregon 97201
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TTY 503-823-6868
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Date: December 23, 2008
To: Interested Person
From: Mark Walhood, City Planner
mwalhood@ci.portland.or.us 503-823-7806

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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 08-169159 HDZ
(REAR STAIRS @ 2681 SW BUENA VISTA DRIVE)**

GENERAL INFORMATION

Applicant/Contact: Aaron Vit (503) 222-3383
Huntington And Kiest
2892 NW Upshur St.
Portland, Oregon 97210

Property Owner: Sarah Inskeep
2681 SW Buena Vista Dr
Portland, OR 97201-1716

Site Address: 2681 SW BUENA VISTA DRIVE

Legal Description: LOT 14, ALTAVISTA
Tax Account No.: R019900290
State ID No.: 1S1E05DA 02500
Quarter Section: 3226

Neighborhood: SWN, Southwest Hills Residential League, contact Nancy Seton at 503-224-3840.

Business District: None.
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

Zoning: **R10** (Single-Dwelling Residential 10,000), **Historic Landmark**

Case Type: **HDZ** (Historic Design Review)

Procedure: **Type II**, an administrative decision with appeal to the Landmarks Commission.

Proposal: The applicant has proposed a series of exterior alterations to the rear or northeast façade of a home at 2681 SW Buena Vista Drive. The home, constructed in 1929 for O. L.

Price, the publisher of the Oregonian from 1927-1939, was listed in the National Register of Historic Places in 1988. The home is notable as an example of the mature design of the architect Ellis F. Lawrence, and is Mediterranean in style. Mr. Lawrence was a prolific designer, civic activist, and visionary in city planning and education. Among other achievements, Mr. Lawrence founded the School of Architecture and Allied Arts at the University of Oregon.

The current proposal involves two new flights of stairs at the rear of the home, two new doors, and two swinging iron gates. The home presently has a semi-circular terrace on the northeast/rear façade, with a single flight of stairs descending northwards to grade. The current proposal would provide a new flight of stairs from the south edge of the terrace to the east/rear yard, and an extension of the north flight of stairs. Both new flights of stairs would include landings and a return flight hugging the semi-circular terrace walls to grade. Wrought iron gates 4'-0" in height would be located at the new landings for both flights of stairs. The new stairs themselves would be constructed of concrete, with new stucco retaining walls and cast concrete wall caps atop each wall. Two new multi-light wood doors are proposed on the northeast elevation at the existing and expanded terrace.

Because exterior alterations are proposed to a Historic Landmark, these changes require a Historic Design Review (33.445.140.A.1). Because the alterations have a construction value of approximately \$8,000, the request is processed as a Type II application (33.846.060.B.2.g).

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found at **PCC 33.846.060.G - (Other) Historic Design Review approval criteria.**

ANALYSIS

Site and Vicinity: The home is located on the east side of SW Buena Vista Drive, on a corner parcel intersecting with SW Buena Vista Place. The neighborhood is occupied by large, single-family homes. The home is situated on a lot that slopes downhill to the east, with commanding views of the cityscape and mountains in the distance. Two and one half stories are visible from the street elevation along SW Buena Vista. At the rear elevation, facing east, the house is four and one half stories tall, as the grade drops sharply directly adjacent to the street. The rear yard is currently under construction for a new pool terrace, gazebo, and updated garden terraces.

Both abutting streets are classified as Local Service Streets for all modes (Transit, Pedestrian, Bike) in the City of Portland Transportation System Plan. Roadways in both abutting streets are improved, and include curbing, but the only adjacent sidewalk is on the west/opposite side of the home in SW Buena Vista Drive.

Zoning: The Residential 10,000 (R10) zone is a single-dwelling zone intended to provide housing opportunities for individual households. Development standards of the zone seek to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The Historic Landmark designation on the site requires that exterior alterations to the primary structure receive prior approval through the Historic Design Review process before proceeding to the building permit stage.

Land Use History: City records indicate one prior land use review at the site. The only prior review is case file # *HL 6-88*, the Historic Landmark Designation case which first listed the home as a landmark.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **November 5, 2008**. The following Bureaus have responded with no issues or concerns:

- The *Development Review Division of Portland Transportation* (Exhibit E.1);

- The *Fire Bureau* (Exhibit E.2);
 - The *Water Bureau* (Exhibit E.3); and
 - The *Urban Forestry Division of Portland Parks and Recreation* (Exhibit E.4).
- The *Bureau of Environmental Services* (BES) has reviewed the proposal and responded with no objections to the proposal. Further development of the property will be subject to BES standards and requirements during the building permit review process (Exhibit E.5).
 - The *Site Development Section of the Bureau of Development Services* has no objection to the proposal, but has provided advisory information that may be of benefit to the applicant. There are several pending permits (08-120415 RS and 08-149616 RS) for related improvements on the site, and the work associated with the stairs should be added to one of these permits. The applicant should continue to work with the Site Development plan reviewer, Mike Olsen (503-823-7572), to address any stormwater management and geotechnical requirements for the approximately 660 square feet of new impervious surface the stairs will add to the site (Exhibit E.6).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 5, 2008. 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 33.846, Historic Reviews

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is a designated Historic Landmark. Therefore the proposal requires historic design review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10.

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

G. Approval criteria based on the Standards of the Secretary of the Interior:

1. **Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.
2. **Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
3. **Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
4. **Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical,

in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 6. Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.
- 7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.
- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.
- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings for G.1-10: Originally, the rear yard of the home was disconnected from the house due to the steep grade of the site and limited connectivity from the house. On the east side of the house, the existing terrace and stair flanking the prominent septagonal bay will be extended with new returning stairways on each side. Where the existing stairs terminate to grade at the north edge of the terrace, a simple wrought iron gate with 0'-2" vertical posts, spaced 0'-3" apart, will mark the transition from original to new stairs. The new north flight of stairs changes direction and proceeds southwards via two landings and small groups of stairs to grade, with stairs and railing following the curvature of the adjacent semi-circular terrace walls. The new south flight of stairs begins with a new opening cut into the south terrace wall, with two landings, sets of stairs, and a wrought iron gate matching the dimensions and materials of the new gate at the north stairs.

Both new flights of stairs are provided with new 3'-0" railing walls, provided with concrete 0'-3" by 0'-10" caps atop each wall: there will be no supplemental handrails. All of the new stair treads, walls, and wall caps are to be constructed of concrete. The walls and caps will be provided with a stucco finish to match the existing house and terrace walls. The new wall caps are distinct from the existing wall caps by the absence of the decorative feature band under the original caps, which features a water leaf and bead design. The segment of this ornamental cap being removed at the head of the new south flight of stairs could be reinstalled in the future, if this trim cap element is retained in storage on the site.

Adjacent to the existing terrace and new south stair landing, two existing window openings on the home will be enlarged to become wood frame doors with leaded glass muntins to match other windows and doors on the home. The new doors will be

inserted into the existing openings at and below the original header, maintaining the horizontal header alignments on the façade. Like other window and door openings on this elevation, the doors will be inset into stucco jambs, without additional wood trim. The plain stucco walls and untrimmed window openings being enlarged for the two new doors could easily be repaired to their original state in the future, if the existing leaded glass windows are retained in storage on the site.

The alterations will respect the architectural character of the home. The asymmetrical, terraced nature of the new flights of stairs harmonizes with the terraced, Mediterranean architecture of the rear façade. The new iron gates are utilitarian, contemporary features that complement the more ornamental wrought iron balcony on the street façade. The new stair walls and caps are distinct in character from the more elaborate existing stair trim, differentiating new stairs from old. No archaeological resources have been identified on the site.

With a condition of approval requiring that the original leaded glass windows and ornamental terrace railing cap be retained in storage on the site, the project is architecturally compatible with the form, materials, and design of the structure.

With the condition as noted, these criteria 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 project involves two new flights of stairs at the terraced rear elevation of the landmark O. L. Price residence. The new stairs, gates, and doors on the rear façade respect the terraced, asymmetrical, terraced design of the home, while better access to the rear yard. With a condition of approval that original architectural elements being removed remain in storage on the site, the request is able to meet the applicable criteria and should be approved.

ADMINISTRATIVE DECISION

Approval of Historic Design Review for exterior alterations at the landmark O. L. Price Residence at 2681 SW Buena Vista Drive, including the following specific elements:

- Two new flights of stairs at the rear elevation, with 3'-0" tall stucco covered concrete railings and wall caps;
- Two new 4'-0" tall wrought iron swinging gates, one within a landing at each of both new flights of stairs;
- Stair treads constructed of concrete; and
- Two new multi-light leaded glass doors adjacent to the existing terrace, placed within existing window openings.

The above approval is granted per the approved drawings, Exhibits C-1 through C-3, each signed and dated December 19, 2008, and 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.3. The sheets on which this information appears

must be labeled, "Proposal and design as approved in Case File # LU 08-169159 HDZ. No field changes allowed."

- B. Both original leaded glass windows, as well as the portion of ornamental terrace railing cap being removed must be retained in storage on the site.

Decision rendered by: _____ **on December 18, 2008.**
By authority of the Director of the Bureau of Development Services

Decision mailed: December 23, 2008

Staff Planner: Mark Walhood

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 October 9, 2008, and was determined to be complete on October 30, 2008.

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 October 9, 2008.

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.

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 Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on January 6th, 2009** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 Landmarks 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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 Landmarks 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 **January 7th, 2009 – (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; *OR*
- *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:

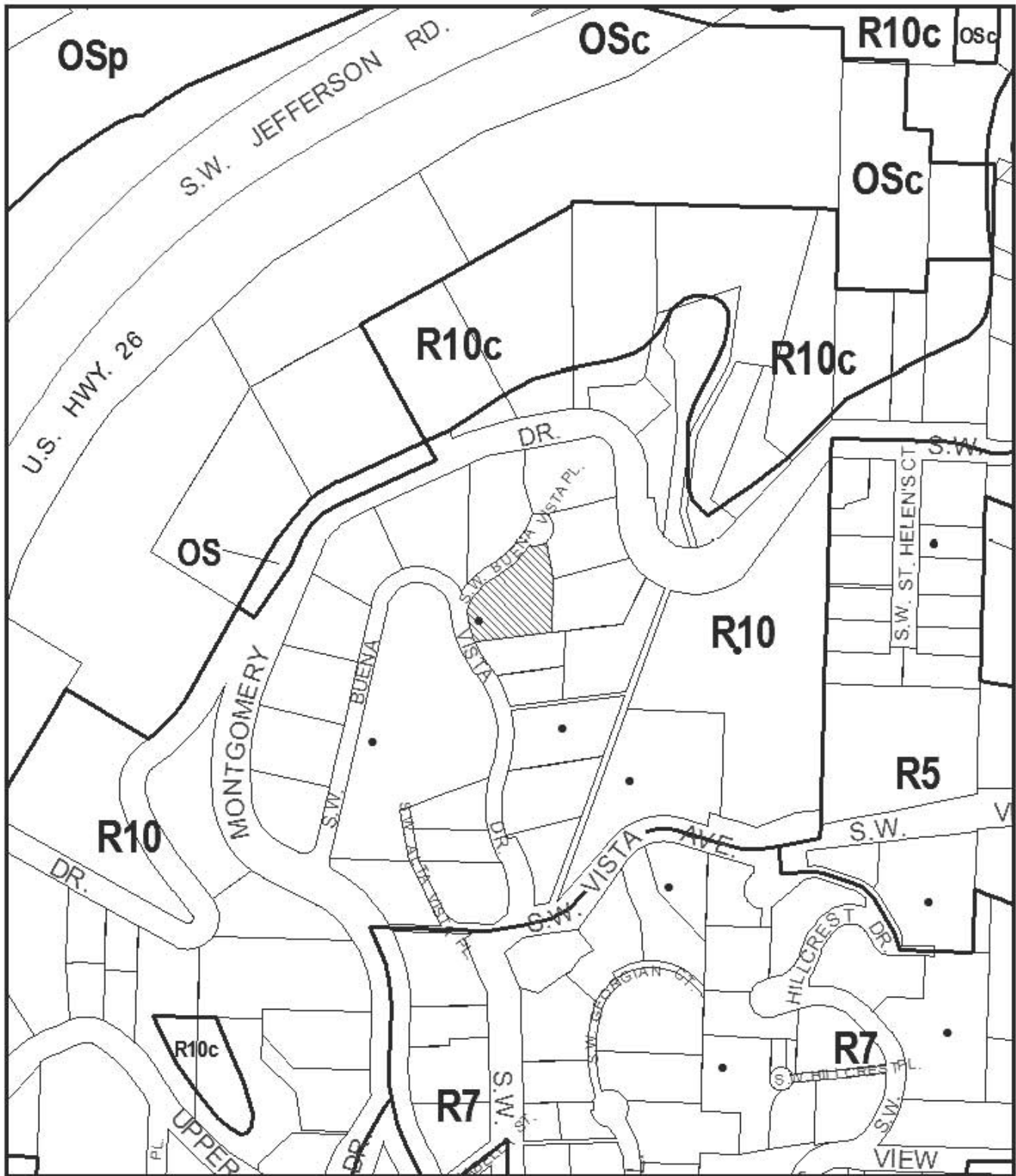
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
 1. Original Narrative and Photos
 2. Supplemental Narrative and Photos, received 10/30/08
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Details (attached)
 3. Large/Scalable Version of approved plans C.1-C.2
 4. Original Plan Set - for reference only/existing conditions and additional landscape details
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Development Review Section of Portland Transportation
 2. Fire Bureau
 3. Water Bureau
 4. Urban Forestry Division of Portland Transportation
 5. Bureau of Environmental Services
 6. Site Development Section of the Bureau of Development Services
- F. Correspondence (*none received at time of decision mailing*):
- G. Other:
 1. Original LU Application Form, Tax Account Information and Receipt
 2. Site History Research
 3. Incomplete Letter from staff to applicant, sent 10/22/08
 4. Excerpt from Historic Landmark File - O. L. Price Residence
 5. Original North, East and South Elevations

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



Site



Historic Landmark



File No.	LU 08-169159 HDZ
1/4 Section	3226
Scale	1 inch = 200 feet
State Id	1S1E05DA 2500
Exhibit	B (Oct 14, 2008)

HUNTINGTON & KIEST
 LANDSCAPE ARCHITECTS
 2892 NW Lipshur
 Portland, Oregon 97210
 T 503.222.3383
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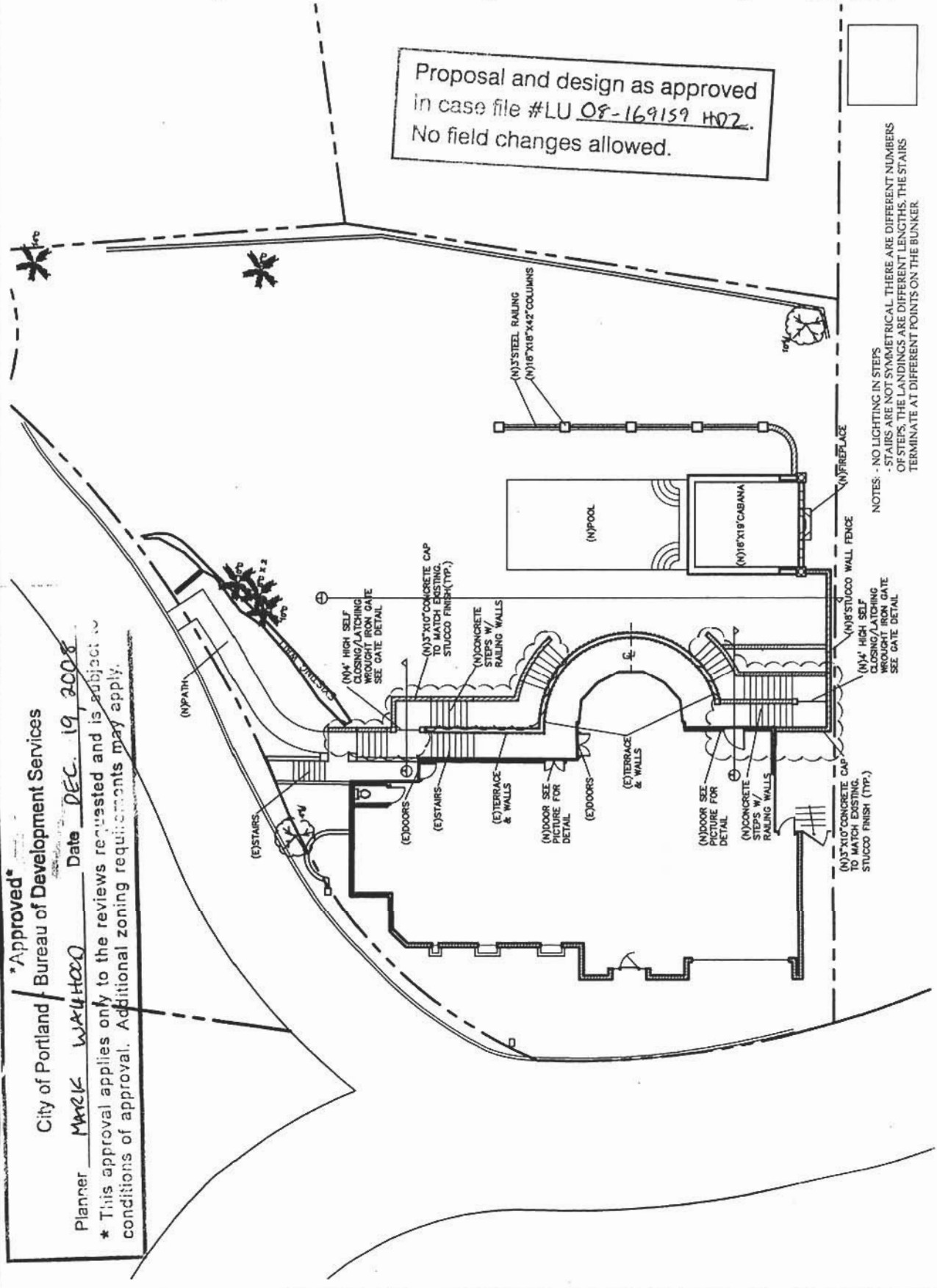
INSKEEP
 RESIDENCE
 2681 SW BUENA VISTA DR.
 PORTLAND, OR 97201

SITE PLAN

DATE: 10-30-08
 SCALE: 1/4"=1'-0"
 DRAWN: AJV
 CHECKED: JS

LO:1

Proposal and design as approved
 in case file #LU 08-169159 H02.
 No field changes allowed.



NOTES: - NO LIGHTING IN STEPS
 - STAIRS ARE NOT SYMMETRICAL. THERE ARE DIFFERENT NUMBERS OF STEPS. THE LANDINGS ARE DIFFERENT LENGTHS. THE STAIRS TERMINATE AT DIFFERENT POINTS ON THE BUNKER.

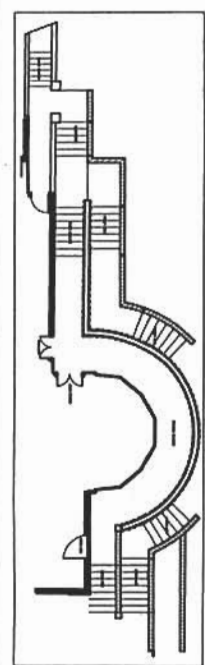
Approved
 City of Portland / Bureau of Development Services
 Planner MARK WATWOOD Date DEC. 19, 2008
 * This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

LU 08-169159 H02 EXHIBIT C.1

City of Portland - Bureau of Development Services

Planner MARK WALHOOD Date DEC. 19 2008
 * This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

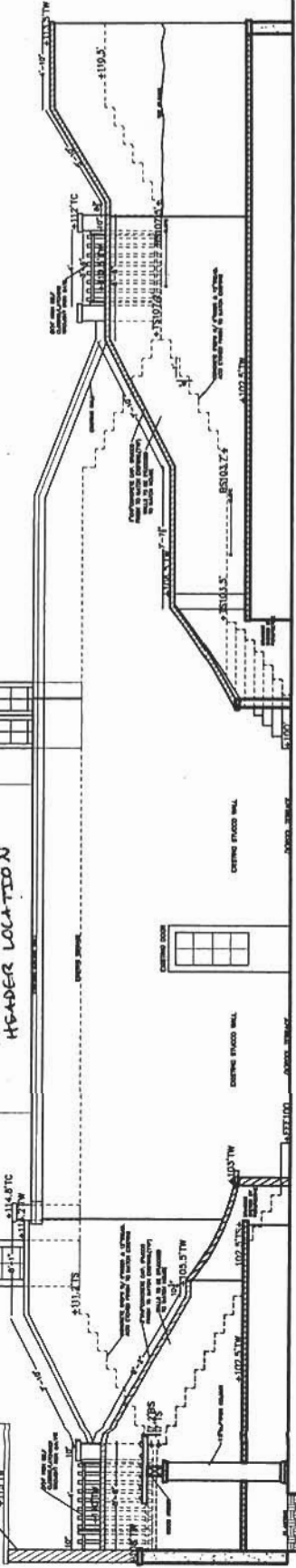
* Approved*



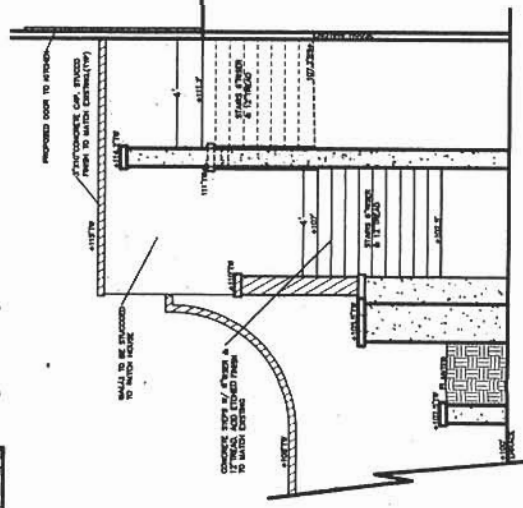
PLAN: STAIRS @ BUNKER
SCALE: 1/8" = 1'-0"

WOOD DOORS W/ LEADED GLASS MUNTINS MATCHING ORIGINAL WINDOWS

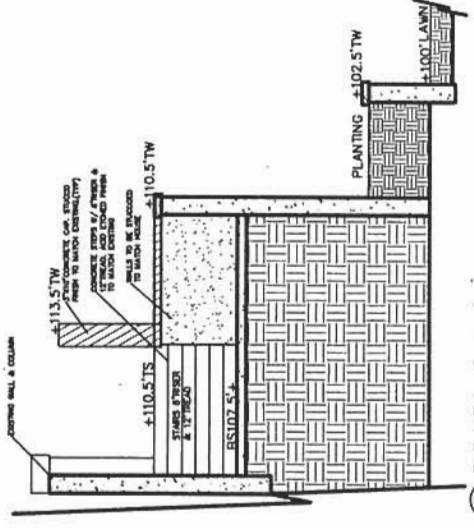
MAINTAIN (E) HEADER LOCATION



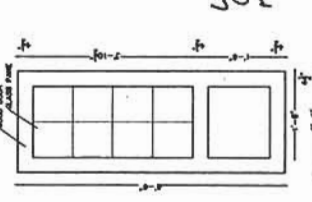
1 EAST ELEVATION: STAIRS @ BUNKER
SCALE: 1/8" = 1'-0"



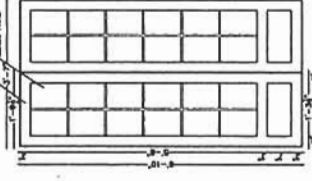
2 ELEVATION: RAILING @ COLUMN
SCALE: 1/8" = 1'-0"



3 ELEVATION: RAILING @ COLUMN
SCALE: 1/8" = 1'-0"



1A ELEVATION: NEW DOOR
SCALE: 1/8" = 1'-0"



2A ELEVATION: NEW DOOR
SCALE: 1/8" = 1'-0"

LEADED GLASS MUNTINS

DETAILS

DATE: 10-30-08
 SCALE: As Indicated
 DRAWN: AJV
 ISSUES:

L 6.0

Proposal and design as approved
 In case file #LU 08-169159 #02
 No field changes allowed.

W 08-169159 #02 EXHIBIT C.2

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