

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

1900 SW 4th Avenue, Suite 5000 Portland, Oregon 97201 503-823-7300 Fax 503-823-5630 TTY 503-823-6868 www.portlandonline.com/bds

**Date:** May 14, 2009

**To:** Interested Person

From: Mark Walhood, City Planner 503-823-7806

mwalhood@ci.portland.or.us

# FINAL DECISION BY THE DESIGN COMMISSION RENDERED ON May 7th, 2009

CASE FILE NUMBER: LU 09-105997 DZM -

**PSU SCIENCE BUILDING II ALTERATIONS** 

# **GENERAL INFORMATION**

**Applicant:** Scott Barton-Smith (503) 872-4817

**IDC Architects** 

2020 SW 4th Avenue, Third Floor

Portland, OR 97201

**Property Owner:** Oregon State Board of Higher Education

PO Box 3175 Eugene, OR 97403

Owner/PSU Contact: Mark Fujii

Portland State University Facilities And Planning

PO Box 751

Portland OR 97207

**Project Manager:** Ernie Staley

**IDC Architects** 

2020 SW 4th Avenue, Third Floor

Portland OR 97201

Site Address: 1717-1719 SW 10th AVENUE

Legal Description: TL 8700 LOT 1-8 BLOCK 241, PORTLAND

**Tax Account No.:** R667726590 **State ID No.:** 1S1E04AD 08700

Quarter Section: 3128

**Neighborhood:** Downtown Community Association, contact Jennifer Geske at 503-750-

9843

**Business District:** Downtown Retail Council, contact Stephen Pirkl at 503-274-

7682

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-

4212

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CXd (Central Commercial with Design Overlay Zone), Central City Plan Zoning:

**District - University District** 

**DZM** (Design Review with Modifications) Case Type:

**Type III**, with a public hearing before the Design Commission. The Procedure: decision of the Design Commission can be appealed to City Council.

Proposal: Science Building II (SBII) is located on the Portland State University campus on the west frontage of SW 10th Avenue, between vacated portions of SW Montgomery and Mill Streets, and SW 11th Avenue. Originally constructed in 1969, the building houses laboratories and offices for the Chemistry, Biology, Physics and Environmental Science departments. Proposed exterior alterations include the construction of an addition for the delivery and storage of hazardous materials, reconfiguration of the loading area and lobby entry at the southwest corner, new seismic bracing, revised conditions along the adjacent walkway in alignment with SW Montgomery Street, and exterior screening and lighting elements.

The hazardous materials (haz-mat) addition at the southwest corner of the building is three stories high, with the lowest story partially below grade. The haz-mat addition occurs where an existing ramped loading dock and entry stair are located. The haz-mat addition has an exterior of architectural concrete panels, powder-coated bar-grate 'veil' screen elements, metal wall panels behind some of the 'veil' screens, and an attached, reconfigured double-wide loading dock. At the west end of the haz-mat addition, an exterior exit stair is surrounded by the bargrate 'veil' material supported by steel bracing. Architectural concrete fencing elements are provided adjacent to the loading area, and a new metal bar grate gate is provided at an existing sloped entry ramp to remain, just south of the haz-mat structure. The southwest entry stair is being reconfigured into a new concrete entry ramp, provided with metal railings on both sides, descending to grade from the existing elevated entry/lobby floor.

Other exterior changes include new exterior steel seismic bracing at each floor, connecting between existing projecting 'towers' on the east and west facades. The eight towers on the east and west facades will also receive new stainless steel ductwork projecting vertically in alignment with each tower to the rooftop, as well as new painted steel rooftop mechanical units. Portions of the new vertical ductwork rising from each tower would be provided with powder-coated metal bar-grate 'veils' on stainless steel framing, partially concealing the new ductwork. The 'veils' on the eight towers and haz-mat addition include vertically-oriented flat metal bars with open space in between, allowing the building features beyond to appear and disappear, depending on the angle of view, as pedestrians walk by.

Other changes include architectural concrete retaining walls containing landscaping, on both sides of the new ramp, and along the majority of the southern building edge, where brick planters are currently located. Reconfigured indentations in these walls at projecting bays along the south wall would include bench seating integrated into the walls, adjacent to windows providing views into the (working) lower level of the building. Illuminated colored 'lantern' elements are proposed within soffits at the first and second floors of the entry bays on the southwest and southeast entry bays, and under cantilevered portions of the new entry ramp. The lanterns are proposed to be constructed from a translucent, colored 'eco-resin' material, and may also be configured as a custom '1% for Art' installation.

Concurrent with the project, the applicant has requested the following three modifications through Design Review:

1. The mechanical ducts and other exposed rooftop equipment on the east face of the building, within 50'-0" of the R zoning to the east, are required to be fully screened from view as it faces the R zone (33.130.235). Because the rounded stainless steel ductwork will be partially visible from some locations to the east, a Modification to this standard has been requested;

- 2. The new loading dock adjacent to the haz-mat addition also abuts R zoning, directly to the west, where a 5'-0" deep landscape screen and masonry wall (L4 standard) would typically be required around the perimeter of the loading area (33.266.310.E). Because no screening device is provided at the west perimeter of the loading dock, a Modification to this standard has been requested; and
- 3. The new haz-mat addition faces adjacent walkways to both the south and west, where at least 50% of the building length and 25% of the wall area up to 9'-0" above grade are required to include windows allowing clear views into the building (33.130.230). Because no windows are proposed in this area, a Modification to the Ground Floor Windows standard has been requested.

The location of the project in the Central City's University District, and the dollar valuation, require that the proposal be reviewed through the Type III Design Review process.

**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 the following:

- The Central City Fundamental Design Guidelines; and
- **33.825.040.A-B**, Modifications That Will Better Meet Design Review Requirements.

#### **DESIGN COMMISSION DECISION**

It is the decision of the Design Commission to **approve Design Review** (33.420.041.B) for alterations to the Science Building II (SB2), on the PSU Campus at 1717 SW 10<sup>th</sup> Avenue, in the University District of the Central City Plan District, including the following specific elements:

- Construction of a new three-story Haz-mat addition at the southwest corner of the building, with the lowest story partially below grade. The addition includes an exterior of architectural concrete panels, powder-coated bar-grate steel 'veil' screen elements, colored metal wall panels, and an attached reconfigured double-wide loading dock;
- An exterior emergency egress exit stair structure at the west end of the Haz-mat addition, with steel stairways and railings, and steel bar-grate 'veil' elements;
- Reconfiguration of the loading area and lobby entry at the southwest corner, with a new concrete rampway, metal railings, and raised architectural cast-in-place concrete stormwater swale;
- Architectural concrete screens and metal screening along the west edge of the Haz-mat addition and iSTAR descending loading ramp, with a new perimeter landscape edge and relocated single-light ornamental lighting standard;
- Expansion of the pedestrian walkway in SW Montgomery to create a 12'-0" wide path, using earth-toned brick edging as found elsewhere on campus;
- Reconstruction of two deepened alcoves within the raised brick planter along the south building edge, including cantilevered bench seating, and replacement of existing obscure glass in skylights with new vision glass;
- Refurbished landscaping in the raised planters along SW Montgomery Street;
- New painted exterior steel seismic bracing at each floor of the east and west facades;
- New vertical stainless steel ductwork rising from the eight utility towers on the east and
  west facades of the building, contained within painted steel seismic support bracing, and
  surrounded by powder coated bar grate veil screening and metal panel cladding behind the
  ductwork;
- New stainless steel rooftop ductwork and two air handler units, and a single metal louvered penthouse and HVAC unit within an alcove atop the Haz-mat addition;
- New internally-illuminated mitered plastic 'eco-resin' soffit lantern elements at the first and second floor soffits at the south edge building entries and second floor balconies;
- Concealed down-lighting of metal wall panels on the Haz-Mat addition.

**Approval** of a **Modification through Design Review** to allow only partial screening of the stainless steel ductwork and mechanical equipment within 50'-0" of the R zoning to the east (33.130.235).

**Approval** of a **Modification through Design Review** to waive the 5'-0" of L4 screening standard for the reconfigured two-bay loading dock and iSTAR ramp at the west edge of the building (33.266.310.E).

**Approval** of a **Modification through Design Review** to waive the requirement that the Ground Floor Windows standard be met with this Major Remodel project (33.130.230).

NOTE: The applicant has indicated that the tall concrete walls on the south face of the Hazmat addition may feature cast or etched designs, but information on these elements has not been provided in either the submitted drawings or in the color rendering set. Unless approved either by the Regional Arts and Culture Commission (RACC), or through a subsequent design review, these wall graphics are not approved through this application.

The above approvals are granted based on the approved plans, details, and elevations, Exhibits C.1 through C.43, each being signed and dated May 7th, 2009, and subject to the following condition:

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.43. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-105997 DZM. No field changes allowed."

Jeffrey Stuhr, Design Commission Chair

Application Filed: February 2, 2009

Decision Rendered: May 7th, 2009 Decision Filed: May 8th, 2009

**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 2, 2009, and was determined to be complete on February 27, 2009.

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 2, 2009.

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. This report is the final decision of the Design Commission with input from other City and public agencies.

**Conditions of Approval.** This approval 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.

**Appeal of this decision.** This decision is final unless appealed to City Council, who will hold a public hearing. Appeals must be filed by 4:30 pm on May 28, 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. Information and assistance in filing an appeal is available from the Bureau of Development Services in the Development Services Center or the staff planner on this case. You may review the file on this case at our office, 1900 SW Fourth Avenue, Suite 5000, Portland Oregon, 97201.

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 City Council is final; any further appeal is to the Oregon Land Use Board of Appeals (LUBA).

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 City Council on that issue. Also, if you do not raise an issue with enough specificity to give City Council an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Who can appeal:** You may appeal the decision only if you have written a letter which was received before the close of the record at the hearing or if you testified at the hearing, or if you are the property owner or applicant. Appeals must be filed within 14 days of the decision. **An appeal fee of \$13,058.50 will be charged (one-half of the application fee for this case).** 

Neighborhood associations and low-income individuals may qualify for a waiver of the appeal fee. Additional information on how to file and the deadline for filing an appeal will be included with the decision. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Development Services in the Development Services Center, 1900 SW Fourth Ave., First Floor. Fee waivers for low income individuals must be approved prior to filing your appeal; please allow three working days for fee waiver approval. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

#### 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 May 29, 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 must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

Mark Walhood May 12, 2009

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).

#### **EXHIBITS** – NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
  - 1. Original Narrative, rec'd. 2/2/09
  - 2. First Revised Narrative, rec'd. 2/17/09
  - 3. Second Revised/Final Narrative, rec'd. 2/27/09
  - 4. Cover Pages received with revised submittals

- 5. Original Stormwater Information, received 2/27/09
- 6. Supplemental Stormwater Information, received 4/22/09

#### B. Zoning Map (attached)

- C. Plan & Drawings
  - 1. a. Landscape Plan 1 of 2 (attached)
    - b. Landscape Plan 2 of 2
  - 2. Civil Utility Plan
  - 3. Site Plan (attached)
  - 4. Basement (B1) Floor Plan
  - 5. Level 1 Plan
  - 6. Level 2 Plan
  - 7. Level 3 Plan
  - 8. Level 4 Plan
  - 9. Level 5 and Roof Plan
  - 10. Haz-mat Addition Stair Plans and Sections
  - 11. Southwest Entry Ramp Plans and Sections
  - 12. Haz-mat Addition and Ramp Sections
  - 13. Haz-mat Addition Building Sections
  - 14. Haz-mat Addition and Planter/View Window Sections
  - 15. Building Elevations (attached)
  - 16. Enlarged Building Elevations (attached)
  - 17. Exterior Wall Plan and Section Details
  - 18. Rooftop, Parapet, Lantern, and Flashing Details
  - 19. Stair, Ramp, and Guardrail Details
  - 20. Door and Window Details
  - 21. Metal Veil and Gate Details
  - 22. Metal Veil, Loading Dock, and Gate Details
  - 23. Color Rendering Set Sheet 1 Vicinity Plan
  - 24. Color Rendering Set Sheet 2 Site Plan
  - 25. Color Rendering Set Sheet 3 Photo View from SE
  - 26. Color Rendering Set Sheet 4 Photo View from SW
  - 27. Color Rendering Set Sheet 5 Various Photos
  - 28. Color Rendering Set Sheet 6 South Elevation
  - 29. Color Rendering Set Sheet 7 South Elevation with Material Images
  - 30. Color Rendering Set Sheet 8 West Elevation
  - 31. Color Rendering Set Sheet 9 West Elevation with Material Images
  - 32. Color Rendering Set Sheet 10 View from Northwest
  - 33. Color Rendering Set Sheet 11 View from West @ Montgomery
  - 34. Color Rendering Set Sheet 12 View of SW Corner from Southeast
  - 35. Color Rendering Set Sheet 13 View from Southeast Towards Ramp and Haz-Mat Addition
  - 36. Color Rendering Set Sheet 14 View from East in SW Montgomery
  - 37. Color Rendering Set Sheet 16 (no 15 in set) Night View of SW Entry and Ramp
  - 38. Color Rendering Set Sheet 17 Night View from Southeast Towards Ramp and Haz-Mat Addition
  - 39. Color Rendering Set Sheet 18 Night View from West at Loading Dock
  - 40. Color Rendering Set Sheet 19 Night View from East at SE/Main Entry
  - 41. Detail Packet with Light Standards, Mechanical Equipment, and Lantern Details (14 pages total)
  - 42. Large, Scalable Plan Set Matching C.1 through C.22
  - 43. 11" x 17" Set of Color Renderings, Matching C.23 through C.40

## D. Notification information:

- 1. Request for response
- 2. Posting information and notice as sent to applicant
- 3. Applicant statement certifying posting
- 4. Mailed notice
- 5. Mailing list and public notice
- 6. Mailing list

# E. Agency Responses:

- 1. Urban Forestry Division of Portland Parks and Recreation
- 2. Bureau of Water Works
- 3. Portland Bureau of Transportation
- 4. Fire Bureau
- 5. Site Development Section of BDS
- 6. Bureau of Environmental Services
  - a. Addendum to original BES response
- 7. Life Safety (Building Code) Section of BDS

#### F. Letters

1. (none received at time of staff report publication)

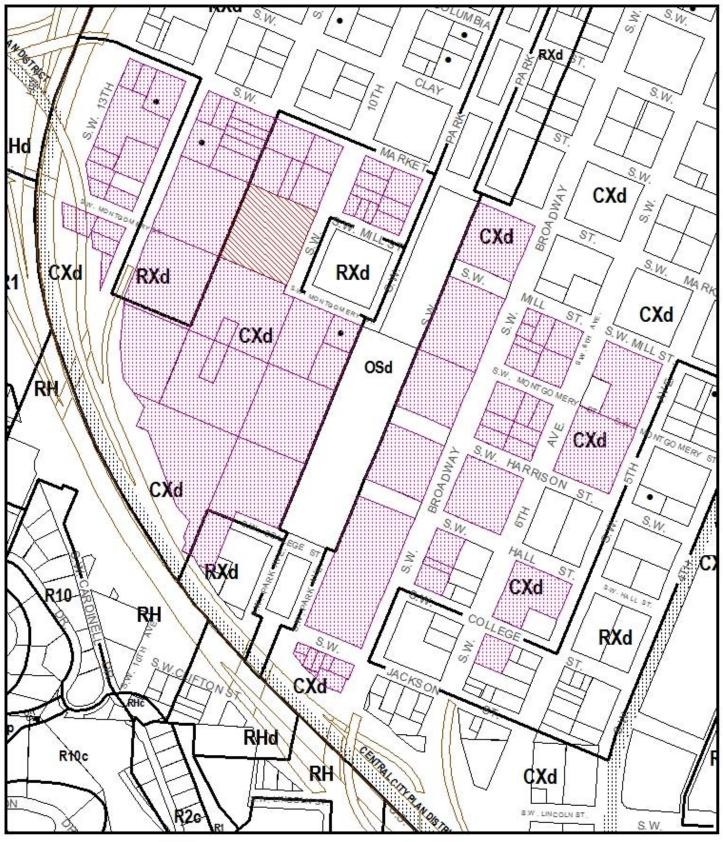
#### G. Other

- 1. Original LUR Application
- 2. Site History Research
- 3. Pre-Application Conference
- 4. Incomplete Letter from staff to applicant, sent 2/23/09
- 5. Request for Completeness Materials

# H. Hearing Exhibits

- 1. Staff Report and Recommendation
- 2. Staff Powerpoint Presentation
- 3. Photo of Sample Materials Presented at Hearing
- 4. 11" x 17" Hearing Packet from applicant

cc: Applicants and Representatives
Neighborhood Associations
Those who testified, orally or in writing
Development Services Center



ZONING M



NORTH

This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 09-105997 DZM

1/4 Section 3128

Scale 1 inch = 300 feet

State\_Id 1S1E04AD 8700

Exhibit B (Feb 06,2009)

