



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

Dan Ryan, Commissioner  
Rebecca Esau, Director  
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[www.portland.gov/bds](http://www.portland.gov/bds)

**NOTICE OF A PUBLIC HEARING BEFORE  
THE CITY COUNCIL ON AN APPEAL OF THE  
PORTLAND DESIGN COMMISSION**

**CASE FILE:** LU 20-176578 DZ – 1000 SW BROADWAY  
**HEARING DATE:** WEDNESDAY, FEBRUARY 10, 2021 at 2:00pm  
**REMOTE ACCESS:** CITY COUNCIL AGENDA  
<https://www.portlandoregon.gov/auditor/26997>

**Date:** January 19, 2021  
**To:** Interested Person  
**From:** Hannah Bryant, Land User Services, 503.865.6520

A virtual public hearing will be held to consider an appeal of the Design Commission's decision to approve a ground level remodel of a building at **1000 SW Broadway**, which is in the Downtown Sub-District of the Central City Plan District. The Design Commission decision of approval has been appealed by **Walter Weyler representing the Portland Downtown Neighborhood Association**. During the hearing, City Council will consider the appeal. You are invited to testify at the hearing. SEE INFORMATION BELOW ON HOW TO TESTIFY.

This will be an Evidentiary hearing, one in which new evidence can be submitted to the City Council. For a general explanation of the City Council hearing process please refer to the last page of this notice.

**Due to the City's Emergency Response to COVID19, this land use hearing will be remote participation via Zoom. Please refer to <https://www.portlandoregon.gov/auditor/26997> for information on how to observe and participate remotely.**

**GENERAL INFORMATION**

**Applicant:** Jason Tand | LRS Architects  
720 NW Davis, Suite 300  
Portland, OR 97209  
(503) 221-1121

**Owner:** One Thousand Broadway Building LP  
1000 SW Broadway #1770  
Portland, OR 97205-3069

**Owner's Rep:** Lou Elliott  
1000 Broadway Building LLC  
901 NE Glisan St  
Portland, OR 97232

**Site Address:** 1000 SW BROADWAY

**Legal Description:** BLOCK 182 LOT 5-8, PORTLAND  
**Tax Account No.:** R667718700  
**State ID No.:** 1S1E03BB 02400  
**Quarter Section:** 3129  
**Neighborhood:** Portland Downtown, contact Wendy Rahm at [wwrahm@aol.com](mailto:wwrahm@aol.com)

**Business District:** Downtown Retail Council, contact at [lfrisch@portlandalliance.com](mailto:lfrisch@portlandalliance.com)  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Central City - Downtown  
**Other Designations:** None  
**Zoning:** CXd – Central Commercial with a Design overlay  
**Case Type:** DZ – Design Review  
**Procedure:** Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

### Proposal:

Type III Design Review for a proposed remodel of the ground-level storefront to enclose an existing open-air arcade on the SW Broadway frontage. The original arcade feature was intended for patrons of a now-defunct movie theater to queue for shows. The proposed remodel will bring the building facade to the sidewalk edge, and replace vacant movie theater functions with a new lobby and two new commercial tenant spaces. The proposal includes the removal of the large existing vertical sign; new canopy coverage on all three street frontages; and multiple new entrances.

Per Table 825-1, Design Review is required for non-exempt exterior alterations in the Central City Design District.

### Relevant Approval Criteria:

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

- *Central City Fundamental Design Guidelines*

### REVIEW BODY DECISION

The following decision was mailed on December 4, 2020.

### DESIGN COMMISSION DECISION

It is the decision of the Design Commission to approve Design Review for the enclosure of the existing ground-level arcade with new storefront glazing and pre-cast concrete bulkheads and new canopies at all new storefront bays and entries.

The full decision is available on the BDS website:

<https://www.portlandoregon.gov/bds/article/779065>

### APPEAL

The Design Commission decision of approval has been appealed by **Walter Weyler representing the Downtown Neighborhood Association**. According to the appellants' statement, the appeal of the Design Commission decision is based on arguments that include:

- Allowing the removal of a vertical theater sign from the 1990s;
- The Urban Forestry decision to allow the removal and replacement of existing nuisance species street trees.

The full appeal statement can be viewed in the notice located on the BDS website at

<https://efiles.portlandoregon.gov/record/14301875>.

Click on the District Coalition then scroll to the relevant Neighborhood and case number.

**Review of the case file:** If you are interested in viewing information in the file, please contact the planner listed on the front of this notice or call the Request Line at 503-823-7617 to request specific materials. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. A digital copy of the Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

**We are seeking your comments on this proposal.** The hearing will be held before the City Council. To comment, you may write in advance, or testify during the hearing. If you would like to testify during the hearing you may need to sign up a few days in advance of the hearing; visit <https://www.portlandoregon.gov/auditor/26997> for more information on how to testify during the hearing. In your comments, you should address the approval criteria, as stated above. Please refer to the file number when seeking information or submitting testimony.

Written comments that are mailed via USPS **must be received by the close of the record** and should include the case file number and the name and address of the submitter. It can be mailed to the Council Clerk, 1221 SW Fourth Avenue, Room 140, Portland, OR 97204.

If you choose to provide testimony by e-mail, please direct it to the Council Clerk at [CCTestimony@portlandoregon.gov](mailto:CCTestimony@portlandoregon.gov). Due to legal and practical reasons, City Council members cannot accept e-mail on cases under consideration by the Council. Any e-mail on this matter must be received no less than one hour prior to the time and date of the scheduled public hearing. The Council Clerk will ensure that all City Council members receive copies of your communication.

A description of the City Council Hearing process is attached.

City Council's decision is final. Any further appeal must be filed with the Oregon Land Use Board of Appeals (LUBA). Failure to raise an issue in a hearing, in person or by letter, by the close of the record or at the final hearing on the case or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the City Council, they may not be able to respond to the issue you are trying to raise. For more information, call the Auditor's Office at (503) 823-4086.

**If you have a disability and need accommodations, please call 503-823-4085 (TDD: 503-823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.**

Attachments:

1. Zoning Map
2. Site plan
3. Elevations: Sheets C-7 and C-8
4. City Council Appeal Process
5. Appeal Statement (on-line version only)



# ZONING



CENTRAL CITY PLAN DISTRICT  
DOWNTOWN SUB DISTRICT



Site

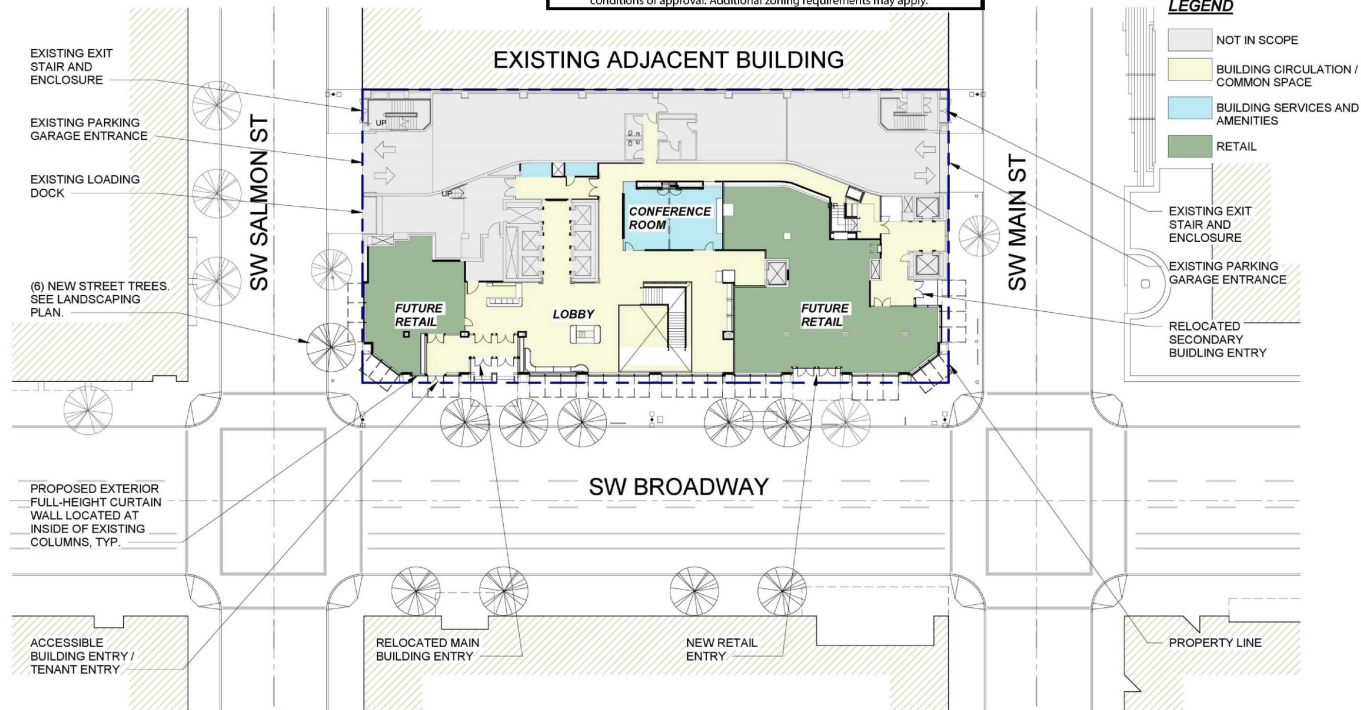


Historic Landmark

File No.	LU 20 - 176578 DZ
1/4 Section	3129
Scale	1 inch = 200 feet
State ID	1S1E03BB 2400
Exhibit	B Aug 11, 2020

# PROPOSED SITE PLAN

\*Approved\*  
City of Portland  
Bureau of Development Services  
Planner *[Signature]*  
Date **12-2-2020**  
\*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



**Lrs** ARCHITECTS  
219277 | 1000 Broadway Upgrades | Type III Design Review Submittal  
08.07.2020

Scale: 1" = 30'-0"  
1000 BROADWAY BUILDING  
LU 20-176578DZ  
Exhibit C.1

# ENLARGED DEMOLITION BUILDING ELEVATIONS

\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner *H. H. H. H.*  
 Date 12-2-2020  
 \*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

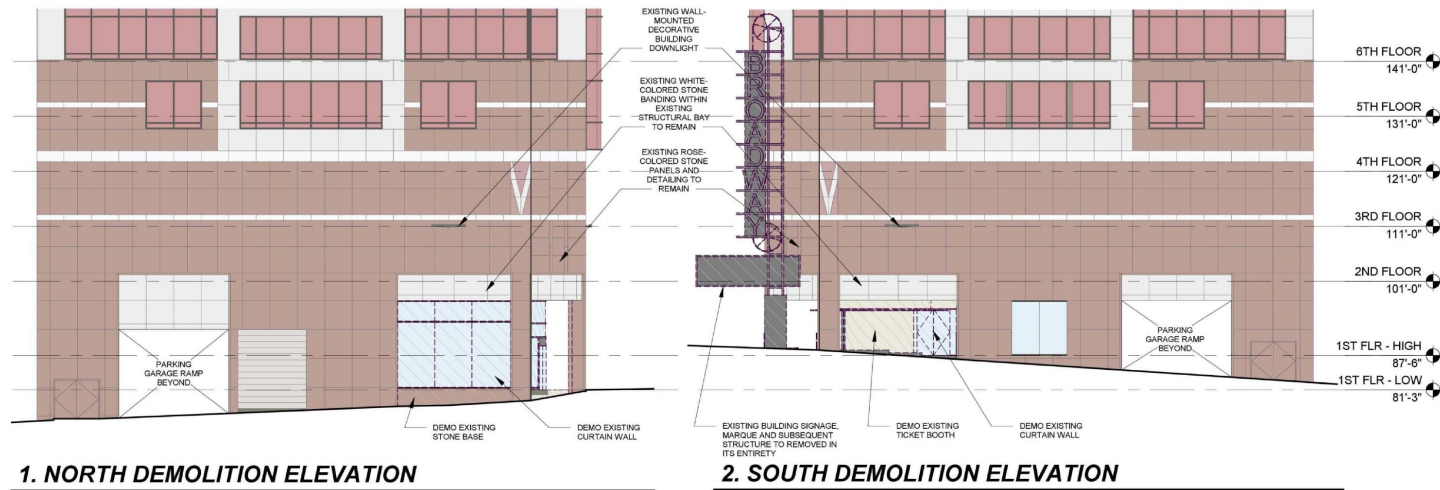


**1. WEST DEMOLITION ELEVATION**



# ENLARGED DEMOLITION BUILDING ELEVATIONS

\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner H. H. H. H.  
 Date 12-2-2020  
 \*This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



LRS ARCHITECTS 219277 | 1000 Broadway Upgrades | Type III Design Review Submittal  
 08.07.2020

0 8' 16' 32'  
 Scale: 1/16" = 1'-0"  
 1000 BROADWAY BUILDING  
 LU 20-176578DZ  
 Exhibit C.8

## GENERAL EXPLANATION OF CITY COUNCIL APPEAL HEARING PROCESS FOR EVIDENTIARY/DE NOVO APPEALS

### 1. SUBMISSION OF TESTIMONY

- a. Testimony may be submitted via email to [CCTestimony@portlandoregon.gov](mailto:CCTestimony@portlandoregon.gov) or in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 130, Portland, Oregon 97204. Written comments must be received by the time of the hearing and should include the case file number.
- b. Testimony may be submitted orally (see below).

### 2. HEARINGS PROCESS

- a. The order of appearance and time allotments is generally as follows:

Staff Report	10 minutes
Appellant	10 minutes
Supporters of Appellant	3 minutes each
Principal Opponent of the Appeal	15 minutes
Other Opponents of the Appeal	3 minutes each
Appellant Rebuttal	5 minutes
Council Discussion	

- b. The applicant has the burden of proof to show that each and every element of the approval criteria can be satisfied. If the applicant is opposing the Design Commission's recommendation, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the application must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidence submitted in support of the application demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong criteria are being applied or additional approval criteria should be applied.
- d. The failure to address an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue.

### 3. OTHER INFORMATION

- a. If you are interested in viewing information in the file, please contact the planner listed on the front of this proposal. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to 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>.

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