

**IN THE CITY COUNCIL OF THE  
CITY OF  
PORTLAND OREGON**

**IN THE MATTER OF AN APPEAL  
BY WALTER WEYLER REPRESENTING THE DOWNTOWN NEIGHBORHOOD ASSOCIATION  
OF A TYPE III DZ REVIEW FOR THE HALF BLOCK PROPERTY AT THE ADDRESS 1000  
SW BROADWAY**

**LU 20-176578 DZ**

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**FINDINGS AND CONCLUSIONS**

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**ADOPTED BY THE CITY COUNCIL ON  
MARCH 3, 2021**

**(DENIAL of the Appeal)**

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**FINDINGS AND CONCLUSIONS**

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The findings and conclusions of the City Council in this matter are set forth below.

**GENERAL INFORMATION**

<b>Applicant:</b>	Jason Tand   LRS Architects 720 NW Davis, Suite 300 Portland, OR 97209 503.265.1582
<b>Owner:</b>	One Thousand Broadway Building LP 1000 SW Broadway #1770 Portland, OR 97205-3069
<b>Owner's Rep:</b>	Lou Elliott 1000 Broadway Building LLC 901 NE Glisan Street Portland, OR 97232
<b>Site Address:</b>	<b>1000 SW BROADWAY</b>
<b>Legal Description:</b>	BLOCK 182 LOT 5-8, PORTLAND
<b>Tax Account No.:</b>	R667718700
<b>State ID No.:</b>	1S1E03BB 02400
<b>Quarter Section:</b>	3129
<b>Neighborhood:</b>	Portland Downtown, contact Wendy Rahm at wwrahm@aol.com
<b>Business District:</b>	Downtown Retail Council, contact at lfrisch@portlandalliance.com
<b>District Coalition:</b>	Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
<b>Plan District:</b>	Central City - Downtown
<b>Other Designations:</b>	None
<b>Zoning:</b>	CXd – Central Commercial with a Design overlay
<b>Case Type:</b>	DZ – Design Review
<b>Procedure:</b>	Type III, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

**Proposal:**

The applicant requested Design Review approval for a proposed remodel of the ground-level storefront to enclose an existing open-air arcade on the SW Broadway frontage in the Downtown Sub-District of the Central City Plan District (the "Project"). 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 spaces with a new lobby and two new commercial tenant spaces. The proposal includes the removal of the large existing vertical sign; canopy coverage on all three street frontages, and multiple new entrances. The Project complies with all applicable development standards and therefore, there were no adjustments or modifications requested by the applicant.

As addressed in the procedural history section below, the Design Commission approved the Project at a single hearing. The Design Commission's decision was appealed to the City Council. City Council tentatively voted to deny the appeal and uphold the Design Commission's approval without any added Conditions of Approval or design revisions.

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 applicable approval criteria of Portland City Code ("PCC") Title 33. The relevant approval criteria are:

- 33.825, Design Review
- *The Central City Fundamental Design Guidelines*

## **PROCEDURAL HISTORY**

- **Prior Approvals and Approval Criteria**

The only full decision available in the City's digital archives is for the sign Adjustment (LUR 91-00227AD). This decision references the previous approvals for this site, but does not provide a full procedural history. Per the Adjustment decision, (LUR 91-00227AD), the mixed-use project was originally approved by City Council in October 1985. The building was approved by the Design Commission on July 19, 1991, through LU 89-004660 (DZ 32-89), a Type III land use review submitted on March 31, 1989. There is no evidence in the record indicating that either the City Council or Design Commission approvals had conditions of approval related to this sign.

The sign application was submitted six years after the original council review of the project, and two years after the Design Review application of the building. The sign was approved through LUR 91-00227 AD, a Type II Adjustment review that approved a sign in excess of sign heights allowed by the sign code. The Decision of approval for the sign notes that the sign is a freestanding sign, indicating that the sign is a separate element from the adjacent building.

The appellant and the applicant disagreed whether the building and the sign were designed and approved in tandem. However, for the purposes of this review, it is not significant to determine the exact lens under which the previous approvals were earned. Since all the reviews happened approximately three decades ago, the approval criteria for all of the reviews – Design Review, Sign Code, and Adjustment Review – have been updated.

Sometimes the updated approval criteria are consistent with the previous approval criteria, and sometimes new approval criteria are introduced through legislative projects in reaction to previous approval criteria that yielded undesirable urban conditions. The record for this review does not indicate the extent to which the previous approval criteria for the original land use reviews at this site are consistent with current approval criteria, and what, if any, rationale there is for differences between current and historic approval criteria.

For the purposes of this review, the approval criteria are those that were in effect at the time of the Project's application (August 11, 2020). The historic decisions are useful for



understanding the context of the previous approvals, but the proposal must only be weighed against current applicable design guidelines.

- **Early Assistance Pre-Application Conference (PC): EA 20-124250 PC: March 31, 2020**
- **Land Use Application: Submitted on August 11, 2020:**  
Deemed complete on October 1, 2020. A hearing was scheduled for November 19, 2020 - 49 days after being deemed complete.
- **Design Commission Hearing #1: November 19, 2020.**  
The Design Commission approved the Proposal.
- **Appeal Form Submitted: December 18, 2020:**  
Submitted by the Downtown Neighborhood Association – represented by Walter Weyler.
- **Notice mailed for February 10, 2021 City Council Hearing: January 19, 2021.**
- **City Council Appeal Hearing #1: February 10, 2021.**  
The City Council held a de novo public hearing. The hearing was in the form of a virtual meeting due to COVID 19, consistent with the governor's Executive Order 20-16. The Council hearing concluded with a tentative vote to deny the appeal and uphold the Design Commission approval.
- **City Council: March 3, 2021.**  
Final vote to deny the appeal and adoption of final findings.

## ANALYSIS

### Site and Vicinity:

Constructed in 1992, the subject property is on a half-block site in Central City, with a full block of frontage facing SW Broadway Street, and a half block of frontage on both SW Main and SW Salmon Streets. At this location, SW Broadway is a Major City Bikeway, a Major City Walkway, a Traffic Access Street, a Local Service Transit Street and a Major Emergency Street. SW Salmon is a Major Transit Priority Street, a City Bikeway, a Major City Walkway, and a Major Emergency Street. SW Main Street is a Major Transit Priority Street, a City Bikeway, a Major City Walkway, and a Minor Emergency Street. The site is located within the Central City Pedestrian District.

### Zoning:

The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Design Overlay Zone [d] promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. 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 Central City Plan District implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region's premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban

area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river. The site is within the Downtown Subdistrict of this plan district.

**Land Use History:** City records indicate the following relevant prior land use reviews for this site:

- LU 89-004660 DZ – Approval of new 23-story building.
- LU 91-008981 AD – Adjustment review approval to exceed maximum height for marquee sign.

**Agency Review:** A “Notice of proposal in Your Neighborhood” was mailed **October 28, 2020**. The following Bureaus have responded with no issue or concerns:

- Life Safety (exhibit E.1)
- Bureau of Environmental Services (exhibit E.2)
- Portland Bureau of Transportation (exhibit E.3)
- Urban Forestry – Urban Forestry approved the original planting plan proposed during the Design Review (Exhibit E.4). However, when the appellants raised concerns about the street tree palette during the appeal, Urban Forestry worked with the applicants to revise the street tree planting plan (H.11). Urban Forestry has approved the revised street tree planting plan (Exhibit H.11) and submitted a revised response (Exhibit H.12).

**Neighborhood Review:** A “Notice of proposal in Your Neighborhood” was mailed **October 28, 2020**. One written response was received prior to the November 19<sup>th</sup> Design Commission hearing.

• Walter Weyler, on behalf of the Downtown Neighborhood Association. November 5, 2020. The DNA supports and appreciates the proposal. It requests that the existing ‘Broadway’ sign is retained. It suggests operable windows at the ground level to support flexible uses in the age of COVID. It also suggests laminated safety glass on ground level windows to mitigate damage from protests and vandalism. It supports the proposed canopy depth but requests the canopies span across all the vertical columns to ensure weather protection without gaps. It hopes the existing street trees can be retained rather than replaced.

## ZONING CODE APPROVAL CRITERIA

### (1) DESIGN REVIEW (33.825)

#### 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 Central City Fundamental Design Guidelines.



Design Review is a land use review in which applicable guidelines must be met for approval. The applicable guidelines do not contain objective standards that must be satisfied in a singular way, and they do not require a specific project element. Rather, the guidelines are succinct, yet broad concepts. As noted in the introduction to the Central City Fundamental Design Guidelines, "The design review process is flexible. It is intended to encourage designs that are innovative and appropriate for their locations. For this reason, design guidelines are qualitative statements. Unlike objective design standards, there are typically many acceptable ways to meet each design guideline. It is not the City's intent to prescribe any specific design solution through the design guidelines."

In the appeal statement, the appellant stated that, "[C]ompliance with the Guidelines is not limited to mere historic designation, but rather requires compliance with both the letter and the *intent* of the Guidelines." This perspective is not supported by the Introduction to the relevant approval criteria quoted above, which specifically notes the flexibility inherent in the design review process, and that the guidelines are not intended to be prescriptive. To imply that the letter of the Guidelines must be followed implies a prescriptive path rather than the design flexibility the approval criteria intended to support. The Council finds that the review process must evaluate the proposal as a whole against each design guideline to determine whether the proposal meets the individual guidelines.

While the guidelines themselves are considered the approval criteria, each guideline is supported by its own background statement and possible examples of ways to satisfy the guideline, which provide the most relevant context to explain the purpose and overall intent of the guideline. The Central City Fundamental Design Guidelines explain that "the background statement outlines the reasons for the design guideline and the goals that the City wishes to achieve. The background statement also provides clarification among related or similar design guidelines or adds more detail to the guideline language. The background text is not adopted and can be adjusted and/or updated as new design issues arise." Additionally, each guideline section provides multiple examples of possible ways to accomplish the guideline that includes both a written description and an image, which also provides context for how a particular guideline should be interpreted and applied. The Central City Design Guidelines explain that "[t]he examples are provided to illustrate each guideline. They are preceded by captions that describe the way the guideline is, or could be, met as shown by the example. The examples must **not** be considered as the **only** possible design solution. They are intended to stimulate new ideas and provide direction for designers and developers. The captions and examples are not adopted and can be easily updated as new proposals get built" (emphasis in original). While the examples do not contain specific requirements and should not be seen as the only options for guideline compliance, as noted, they do provide important context for interpreting the intent of the broadly worded guidelines.

Further, under the heading 'Design Guideline Applicability, the Central City Fundamental Design Guidelines notes, "[N]ot all proposals must meet all the guidelines. Development proposals vary in size, scale and complexity... The set of applicable design guidelines is tailored to the size, scale and complexity of the proposal."

Council interprets the text and framework of design guidelines as support for the conclusion that the design review process is flexible and there are many acceptable ways to meet each guideline. This flexibility and the subjective nature of design guidelines means that design review is a discretionary process. As with any discretionary process, participants can have differences of opinion about whether a qualitative design guideline is met. Many of the issues raised in this appeal are based upon opinions, and even if reasonable minds may disagree about whether the Project

satisfies certain subjective standards, that does not mean that the guidelines are not met.

Each design guideline includes multiple considerations that must be evaluated together to determine if a guideline is met. Testimony that is based upon a single term or phrase of a guideline in isolation from the remaining text of the guideline can misconstrue a guideline's meaning. The entirety of the text of a guideline must be considered when interpreting it and applying it to the Project.

In the appeal, the appellant noted that one of the unmet approval criteria includes the Urban Design Downtown Policy 5.DT-4.a from the Central City 2035 Plan. While informative as a background document, the Central City 2035 Plan is not the approval criteria for Design Review.

### **Central City Fundamental Design Guidelines**

These guidelines provide the constitutional framework for all design review areas in the Central City.

The Central City Fundamental Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

### **Central City Plan Design Goals**

This set of goals are those developed to guide development throughout the Central City. They apply within all of the Central City policy areas. The nine goals for design review within the Central City are as follows:

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.

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

**A2. Emphasize Portland Themes.** When provided, integrate Portland-related themes with the development's overall design concept.

**Findings for A2:** This guideline speaks not only to inclusion of Portland-related themes, but that they must be successfully integrated within the development's overall design concept. As provided in the background narrative for Guideline A2, there are "many themes unique to Portland's culture and geography that promote the City's identity and image." The examples provided include the rose, the great blue heron, water features, bridges, trees, mountain views, rain, and the natural environment.

A basis for this appeal is the appellant's focus on this existing sign as the proposal's singular response to this guideline, and belief that its pedestal base and the awkward conditions it creates at the pedestrian realm does not compromise its integration with the overall design concept. The appellant states that the "character-defining sign would harken and stand as a constant reminder of the Broadway theater district."



While Council agrees that the historic photos of large, brightly lit signs along SW Broadway are compelling, it finds that due to this sign's pedestal base, it is not adequately integrated within the overall design concept. The overall concept includes eliminating the sub-grade arcade feature and adding numerous new storefront windows abutting the sidewalk. Enclosing and expanding the ground level of the existing building creates conflict between the proposed ground level envelope and the existing sign.

While the sign may be one element that relates to Portland's character and identity, Council considered the entire proposal as a response to this guideline. It notes the incorporation of Portland themes includes a strong focus on fostering a vibrant, year-round pedestrian environment, including continuous storefront glazing looking into publicly accessible, active ground level spaces, and lined with canopy coverage to provide weather protection over the right-of-way. The applicant points out that the high-quality, rose-colored granite cladding at the base of the building is evocative of Portland's identity as the City of Roses and ties this building in with other buildings in the Central City.

Council finds that the retention of the existing sign base, which would obscure the new storefront glazing at the southwest chamfered corner, would detract from the high-quality, walkable and human-scaled pedestrian environment that are foundational to Portland's identity and image. The retention of the sign would create a pinch point, creating a large obstacle at the pedestrian level, blocking visibility into required active use areas and eliminating necessary weather protection at an active pedestrian intersection. Eliminating the pedestal but retaining the vertical sign would require mounting the sign to the building's structure, including drilling through the existing rose granite and compromising a cladding material that cannot be replaced or repaired.

Due to these awkward conditions, the Council finds that the existing sign is not necessary for the proposed development to integrate Portland design themes and that retaining it precludes building updates that better meet this guideline.

*Therefore, this guideline is met.*

**A4. Use Unifying Elements.** Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**Findings for A4:** As noted above, guidelines must be tailored to the "size, scale, and complexity of the project." With new buildings, the guidelines may be applied to shape ground-up development. However, with retrofits of existing buildings, guidelines may be applied to improve on awkward, inhospitable conditions. This Project is an example of repair to the urban fabric, as it strives to eliminate discordant conditions that result in disconnection and an unwelcoming pedestrian environment.

Constructed in 1992, the bottom levels of this building were designed to facilitate a below-grade movie theater. Separated from the sidewalk by large, heavy columns, an arcade along the entire SW Broadway façade was intended to provide shelter for theater patrons queuing to enter the theaters. The movie theater has been vacant for many years, and to deter undesired uses, much of the arcade space is fenced off to restrict access. Due to the slope of the adjacent sidewalk, some of the arcade spaces are below the level of the sidewalk. The cumulative impact of the original design, the grade differences, and the vacant interior spaces create a dark, compressed, and undesirable pedestrian environment.

The proposal is to move the ground level exterior wall out to the sidewalk, enclosing



the existing arcade. The building core, dual parking entries, and service functions will remain intact and unaltered. The existing rose and white granite cladding on columns and above the storefronts are proposed to be retained. Storefront windows will abut the sidewalk, eliminating the dark, compressed arcade condition that currently exists. The exterior alterations support a significant interior remodel that will replace existing multi-level atriums overlooking basement level theaters with an expansive lobby, multiple commercial spaces, and new entries.

In lieu of a non-contextual arcade, the new proposal will provide generous canopy coverage along the entire SW Broadway frontage and wrapping around at the corners on both SW Main Street and SW Salmon Streets. Consistent with Portland values, the proposal will enhance its context with large storefront windows providing views into active commercial spaces, reusing high-quality existing stone cladding, and creatively reimagining and enhancing an existing building.

The appellant cites the existence of the large, historic sign across the street at the Arlene Schnitzer Concert Hall, and states that the two signs form a gateway, maintaining the historic imagery along SW Broadway. The appellant notes that the content of the existing signs both refer to historic theaters that were previously located on this street. On numerous occasions during the presentation, the appellant referenced the 'Theater District'.

Council notes that sign content is not subject to review, and that the content of these existing signs could be changed at any time. Therefore, the content is irrelevant. While Council understands that this area has a high concentration of theaters, it notes that city code does not identify any area in the city as a 'Theater District'. It finds the appellant's emphasis on theaters as the primary character-defining feature of this area to be overly narrow and notes that numerous elements exist that serve to define the historic, current and future context of this area.

Council notes that the sign is not the only element unifying this building with its surrounding context. The text of this guideline notes numerous elements that may unify development within its surrounding context, including "fountains, sidewalk and street paving materials, street lighting, street furniture, street trees, awnings, exterior buildings materials, and color..." The guideline continues to say, "Architectural elements on buildings should enhance street furniture, paving materials, or other right-of-way improvements to strengthen bonds between the different parts of the Central City." All of the photographs and examples shown in the guideline are of elements in, or over, the right-of-way, suggesting that this guideline is intended to focus on supporting the pedestrian realm.

In this instance, Council found the elimination of the sub-grade arcade, and the introduction of new commercial tenant spaces with large, glass and steel canopies over the right-of-way to contribute toward a relationship with the existing nearby theaters. The ground level activation of this street frontage will contribute to the vibrant, safe and comfortable pedestrian access to existing active theaters. The preservation of existing mature street trees unifies this frontage within the larger urban tree canopy, and with the nearby South Park Blocks. The Council finds the proposal meets the guideline without the inclusion of the sign.

The retention of the existing sign and its large pedestal base would block the corner glazing and would prevent the installation of the proposed canopy at this corner. The discontinuity of visible light and interior activity from the sidewalk, as well as the break in canopy coverage at a busy street intersection, would diminish the proposal's attempt to unify this building with its surrounding context through canopy coverage over the right-of-way, and active ground level uses that contribute to a vibrant streetscape.

Council notes that its purview is to review the entire proposal, and to weigh the cumulative effect of the proposal against the guidelines. While the removal of the existing sign will diminish the quantity of large signs along SW Broadway, the retention of the sign will have numerous negative impacts on the building's ground level and its adjacent public realm. Council finds the cumulative effect of retaining the sign would diminish the unifying elements, and therefore the removal of the sign facilitates a stronger response to this guideline.

*Therefore, this guideline is met.*

**A5. Enhance, Embellish, and Identify Areas.** Enhance an area by reflecting the local character within the right-of-way. Embellish an area by integrating elements in new development that build on the area's character. Identify an area's special features or qualities by integrating them into new development.

**Findings for A5:** While this existing building diverges architecturally from much of its surrounding context, the proposal does draw from nearby buildings where appropriate, while still maintaining the style, proportions, and materiality of its original design. An example of this is the regular step downs in the bulkheads at each storefront bay to respond to the slope. The stepping bulkheads are consistent with the treatment of the 1928 building across the street. Additionally, the proposal intends to retain most of the existing street trees around the site, ensuring consistency of the mature street tree canopy that contributes to the local character.

The proposal will better activate the public realm with new, larger, commercial spaces and entries. It will retain and protect the high-quality stone cladding that defines this building. It maintains the proportions of the ground level, with storefront bays defined by the existing columns and the existing white stone band. It is a strong example of respecting the architectural integrity of the original design, while selectively reusing and rehabilitating to facilitate a new use.

During the appeal, the appellant introduced historic photos into the record, showing large, brightly lit signs lining SW Broadway. The appellant states, "The existing and earlier BROADWAY signs have been present at this corner location since the opening of the original Broadway Theater in 1926. Although the existing sign is not the original, it is similar in design, contains the same name, and maintains the continuity of the historical and cultural identity of the neighborhood." The appellants described the relationship between the existing BROADWAY sign (1000 SW Broadway) and the large PORTLAND sign across the street (1037 SW Broadway) as forming a southern gateway into the former theater district.

This proposal was not reviewed under Guideline A9 – Strengthen Gateways because that guideline is specifically intended to review gateway locations as identified in the text of that Central City Fundamental Design Guideline. This site is not within the locations described in the text of the guideline, and therefore does not apply to this site.

Council found that while signage is one element that may serve to reflect the local character of an area, it is not the only mechanism for achieving this guideline. Rather, the proposal is evaluated as a whole, and measured against the guidelines. In this case, Council found that while large, brightly lit signage is an element of character in this district, just as important to the area's character and quality is the high-quality, walkable and human-scaled pedestrian environment. The existing



freestanding sign negatively impedes the pedestrian realm to a degree that is inconsistent with area character and quality and retaining the sign with its pedestal is not approvable. While a large, illuminated, wall-mounted sign might be supportable under this guideline if proposed, it was not proposed by the applicant. Due to the large pedestal base at the pedestrian level, removal of this sign in the context of pedestrian realm improvements is consistent with the guideline.

Council noted that the retention of existing street trees, the elimination of the non-contextual arcade, and the installation of large storefront glazing system abutting the sidewalk, with large pedestrian entries and extensive canopy coverage all serve to reflect the local character within the right-of-way and integrate this new development with its surrounding area.

*Therefore, this guideline is met.*

**A6. Reuse/Rehabilitate/Restore Buildings.** Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

**Findings for A6:** The proposal is intended to enclose an existing arcade condition that is no longer desired to serve the internal building program. The enclosed space will expand newly remodeled ground level tenant spaces, bringing the ground level street wall out to the sidewalk edge. The purpose of this proposal is to facilitate a large, building-wide remodel that intends to update vacant and undesirable commercial spaces to create new opportunities for ground level tenants. The proposal is needed to ensure long-term viability of the building and will facilitate more flexible ground level spaces that may be easily adapted in the future to continue reusing and rehabilitating the building for many years to come.

The appellant notes that retaining the sign “is to reuse, rehabilitate and restore a significant architectural building element as stipulated by this guideline” and “Removal of the sign is an intentional, aggressive action that erases the city’s cultural heritage and denies an opportunity to maintain its imagery and continuity with the past.” The appeal states that removing the sign is contradictory with the letter and intent and Guideline A6. Council clarified that while the size, location, construction and detailing of the sign are subject to review, its content is not. Sign content is protected by the Oregon State Constitution and may be changed without review. Therefore, when considering the merits of the sign, its content may not be considered.

In its evaluation of this guideline, Council considered whether requiring the reuse or retention of the sign is practical, or if the ramifications of retaining or modifying the sign outweigh the practicality of its reuse and its contribution to the context of the neighborhood. During the appeal hearing, the applicant offered to partner with the appellant to find a new home for the sign within the Broadway Bright Lights district, and to store the sign for a few years until that new location can be identified. Council supports the proposal to store the sign, and to partner with the appellant to find a suitable new home for it, but finds that reuse of the sign on the site is not practical and therefore is not necessary to find the proposal meets this guideline. Council finds appellant’s testimony that the sign could be attached to the building unsupported by evidence and finds credible and persuasive the testimony of the applicant’s representative that attempting to mount the sign on the building would be impractical due to cost and the risk of damaging the irreplaceable granite facade. Because the proposed remodel will facilitate the reuse, rehabilitation and

restoration of the bottom levels of this large Central City building, it meets this guideline.

Further, a City Council member noted that when arguments for historic preservation focus exclusively on architectural elements and artifacts, they often fail to capture the history of historically marginalized groups, and suggested that rather than using Guidelines solely to focus on the past, the application of guidelines should also be forward-looking, and focus on representing the diversity of today's Portland and the values the city is striving to embody in the future. Council determined that this particular guideline is forward-looking, and that successful reuse of the building is measured by how well it contributes to the current vitality and activation of the pedestrian realm, and how well it may be adapted to ensure ongoing activation in the future.

By reconstructing the bottom levels of this building to remove the vacant basement-level theater spaces and reconfigure the building to provide ground level commercial spaces, a large publicly-accessible lobby, and flexible office spaces, this proposal effectively rehabilitates and reuses the building. The proposed ground level tenant spaces, with the large storefront windows and generous canopy coverage, create spaces that may be easily reconfigured, demised or otherwise modified to ensure ongoing activity into the future.

*Therefore, this guideline is met.*

**A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.

**A8. Contribute to a Vibrant Streetscape.** Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**B1. Reinforce and Enhance the Pedestrian System.** Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed. Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb. Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.

**C6. Develop Transitions between Buildings and Public Spaces.** Develop transitions between private development and public open space. Use site design features such as movement zones, landscape element, gathering places, and seating opportunities to develop transition areas where private development directly abuts a dedicated public open space.

**C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.

**C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.

**Findings for A7, A8, B1, B7, C6, C8 and C9:** As detailed above, the notable change proposed through this proposal is the enclosure of the existing arcade feature and moving the ground level exterior wall out toward the sidewalk. To offset the loss of pedestrian coverage provided by the arcade, the proposal includes twelve new canopies projecting over the right-of-way. These new canopies serve to define the public rights-of-way, creating a sense of urban enclosure.

The impact of the ground level wall moving closer to the sidewalk will yield



significant improvements to the pedestrian experience on this block. Not only does the remodeled ground level enhance the sense of urban enclosure by eliminating the dark, low arcade, but it facilitates flexible new commercial tenant spaces and an expansive building lobby to serve an underutilized building in Central City. Additionally, in its proximity to the sidewalk, the public will benefit from views into the newly activated spaces.

In the appeal statement, the appellant noted that Guidelines C8 – Differentiate the Sidewalk-Level of Buildings and C9 – Develop Flexible Sidewalk-Level Spaces are not relevant to the sign. Council disagrees, and found both of these guidelines are relevant to its evaluation of the proposal, including the proposed removal of the sign base at the sidewalk-level of the building and the flexibility of the sidewalk-level spaces.

In this situation, the existing freestanding sign is entirely supported by a large base, which comes to the ground in front of the chamfered building corner. A single lateral tie connects the base to the building but does not offer any structural support. Due to its large base, retention of the sign would obscure visibility into the new storefront glazing at the chamfered building corner and would preclude the installation of a new canopy at the corner. The canopy provides weather protection for pedestrians at a busy intersection and also serves to differentiate the sidewalk-level of the building from the 22-stories above the sidewalk level. Therefore, to require the retention of the existing sign must be weighed, on balance, with both its positive and negative impact on all guidelines.

The proposal, including the removal of the freestanding sign at the southwest corner, will serve to better integrate the building with the adjacent streetscape through new visual and physical connections. Removal of the existing sign pedestal will reinforce and enhance the pedestrian system and foster a barrier-free design and enhanced transitions between the building and public spaces. Eliminating the obstacle created by the sign base will improve the access routes for pedestrian travel and strengthen the connection between the public realm and the flexible sidewalk-level active commercial spaces within the building.

*Therefore, these guidelines are met.*

**B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.

**Findings for B2:** As described above, the existing condition includes a low arcade across the SW Broadway frontage. To access the arcade from the south end, one must go down stairs from the sidewalk, as the arcade floor is lower than the adjacent sloping sidewalk. The original design does not provide any canopy coverage or weather protection on either side street or over any of the public sidewalk rights-of-way.

With this proposal, the arcade will be enclosed, and new glass canopies will be added at every storefront bay along SW Broadway. The etched glass canopies are a thoughtful gesture, as they will allow natural light to enhance the pedestrian environment. The canopy coverage will span the corners at both ends of the building and wrap around the chamfered corners to provide coverage at the remodeled storefront bays fronting SW Main and SW Salmon. The proposal provides pedestrian weather protection over the right-of-way on all three street frontages. A deeper aluminum composite canopy is proposed to project above the recessed main lobby

entrance, ensuring generous space for pedestrians and building visitors to stop without interfering with other sidewalk functions. Rain from the canopies is directed into a drainage channel and piped into downspouts within the existing columns and will therefore not fall into the pedestrian right-of-way.

New air intake louvers are proposed on the undersides of the canopies, just outside the southern commercial tenant entry. The intent is to provide air intake for a restaurant exhaust system. The exhaust is vented out above the canopies, in a discreetly detailed louver behind the white stone cladding.

In total, twelve new canopies will project out a minimum of five feet over the sidewalk, introducing meaningful weather protection for the public on three street frontages that currently lack any coverage over the pedestrian right-of-way. Two intake louvers are hidden within the canopies to serve flexible interior retail spaces without requiring the removal of any stone cladding. The largest canopies, over new pedestrian entries, have integrated lighting within their soffits to provide additional night lighting over the right-of-way. The proposal intends to retain all the mature street trees along all three street frontages that have been classified as 'Fair' or 'Good' condition by Urban Forestry. The street trees provide further physical and perceived protection from vehicular traffic.

In their narrative related to this guideline, the appellant stated that the existing sign provides historic identification at this corner, and that it will provide safety, interest, and diversity to the pedestrian. The appeal states that the signage demonstrates public and cultural events, which contributes to the vitality and livability of the city. Council found that the basis for this argument was not fully explained, had little relationship to the guideline itself or the background text for the guideline, and therefore did not offer sufficient substance for Council to address.

Council finds that the chamfered corner location of the large pedestal beneath the existing sign creates a visual and physical obstacle at the pedestrian realm that may impede with wayfinding and safety. Rather than protecting the pedestrian environment, the pedestal blocks a large corner storefront, obscuring visibility and blocking light from illuminating the sidewalk. This condition impedes from the safety and interest of the pedestrian and detracts from the pedestrian realm. Eliminating the sign pedestal facilitates pedestrian movement around the building corner, beneath the cover provided by new awnings, and facilitates more distance between pedestrians and the intense vehicle traffic of the adjacent streets.

Council finds that the proposed development better meets the guideline without the cumbersome sign pedestal, and therefore removal of the sign facilitates a better response to this guideline.

*Therefore, this guideline is met.*

- B4. Provide Stopping and Viewing Places.** Provide safe, comfortable places where people can stop, view, socialize and rest. Ensure that these places do not conflict with other sidewalk uses.
- B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

**Findings for B4 and B6:** As detailed above in the findings for Guideline B.2, which are incorporated by reference, the existing conditions lack any weather protection over the public sidewalk and utilizing the existing arcade for weather protection requires accessing exterior stairs from the sidewalk down to its sub-grade level. This condition creates a hazard for vision impaired pedestrians and is inaccessible for those who are unable to physically navigate the stair.



The existing condition is further complicated by the large sign base adjacent to the stair down to the arcade. The sign base is approximately 12 feet tall, and each plane is four feet wide. While the base falls on private property, immediately adjacent to the public right-of-way, the distinction between public and private property are invisible at the pedestrian realm. The ground at this chamfered corner location is paved and indistinguishable from the public sidewalk. The reality is that the large sign base creates an obstacle in the pedestrian through-zone, blocking the pathway for people as they move around the building corner and creating a hazard and a potential hiding space.

The sign base, just a foot from the new storefront glazing proposed at this chamfered corner location, would preclude the installation of the proposed corner canopy above the storefront glazing. Located immediately across the street from the entrance to the Arlene Schnitzer Concert Hall, the proposed canopy would provide a generously sized shelter for pedestrians at the busy intersection. It will serve as a safe, comfortable place where people can stop, view active commercial spaces within, socialize and rest without conflicting with other sidewalk uses.

During the appeal, the appellant noted that concerns about the sign base precluding the installation of the canopy at this corner location “grossly overestimates the importance of the canopy.” Council disagrees and finds that a canopy – particularly at this highly visible, busy pedestrian location, is critical to meeting these guidelines. Selectively eliminating just one canopy would detract from the coherency of the building and would have a ripple effect on other guidelines. The negative impacts of the sign pedestal, which include blocking visibility into ground level spaces, creating a safety hazard for pedestrians, and precluding the installation of weather protection at this corner outweigh the contextual benefit of retaining this specific sign. Therefore, removal of the sign is needed to meet these guidelines.

*Therefore, with removal of the sign and its pedestal, these guidelines are met.*

**C2. Promote Quality and Permanence in Development.** Use design principles and building materials that promote quality and permanence.

**C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

**Findings for C2 and C5:** The proposal has been carefully developed to retain and protect all existing rose and white stone cladding, to maintain the pattern of window to wall at the ground level and to ensure any new materials are of the same high-quality, durable standards as the existing material palette. Since the quarry for the existing stone is no longer operational, the applicant has opted for precast, honed concrete with an anti-graffiti finish beneath the storefront windows rather than a mismatched stone. To minimize the appearance of the bulkhead, the storefront windowsills are low, and the bulkhead steps down regularly to maintain consistency with the sidewalk slope.

Council finds the high-quality rose granite cladding to be a significant, defining element of the original architecture, as well as one that ties this building in with other nearby buildings that deploy a similar material palette. Therefore, Council prioritized the retention and protection of the rose-colored granite cladding, and opted not to require re-installation of the sign to mount it to the wall, as this would have required drilling through and damaging the irreplaceable rose granite cladding.

Council found that the scope of the proposal will result in a coherent, elegant composition that is consistent with the original design in scale, proportions and

high-quality material detailing, but improves on the original design through its elimination of the ground-level arcade space and the introduction of high quality glass and steel canopies on all street frontages.

*Therefore, these guidelines are met.*

**C3. Respect Architectural Integrity.** Respect the original character of an existing building when modifying its exterior. Develop vertical and horizontal additions that are compatible with the existing building, to enhance the overall proposal's architectural integrity.

**C4. Complement the Context of Existing Buildings.** Complement the context of existing buildings by using and adding to the local design vocabulary.

**Findings for C3 and C4:** While enclosing the existing arcade and moving the ground level storefront out to abut the sidewalk, the proposal maintains the style, proportions, and materiality of its original design. An example of this is the regular step downs in the bulkheads at each storefront bay to respond to the slope of the adjacent streets. The stepping bulkheads are consistent with the treatment of the 1928 building across SW Broadway.

The proposal will better activate the public realm with new, larger, commercial spaces and new public entrances. It will retain and protect the high-quality stone cladding that defines this building. It maintains the proportions of the ground level, with storefront bays defined by the existing columns and the existing white stone band. It is a strong example of respecting the architectural integrity of the original design, while selectively reusing and rehabilitating to facilitate a new use.

The appellant states that removal of the existing sign “demonstrates a lack of respect for the significant architectural element and imagery of the street, present at this location for nearly 100 years,” and therefore removal of the sign fails to comply with the intent of C3 – Respect Architectural Integrity. Further, the appellant claims that retaining the sign complements the existing context of the street corner, retaining the relationship to the large sign at the Arlene Schnitzer Concert Hall, and maintaining the symmetrical gateway view along the street. The appellant states that “the removal of the BROADWAY sign diminishes the iconic value and context of the PORTLAND sign.”

Council finds that the overall proposal, on the whole, respects the original character of the existing building and removal of this sign does not outweigh the many improvements that support both the subject building and the context of existing buildings. Nor does the proposal diminish the value of the historic theater sign across the street at the Arlene Schnitzer Concert Hall. To the contrary, the well-lit, street facing commercial spaces will add vitality to the pedestrian realm, enhancing the welcoming entrance and signage of the Concert Hall. Council considered the proposal as a whole and determined that the final design better addresses these guidelines than if the existing sign is retained.

*Therefore, these guidelines are met.*

**C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.

**Findings for C7:** The proposal includes two new tenant spaces to anchor the north and south corners of the Broadway frontage. The existing chamfered condition at these corners presents a unique opportunity to further highlight the activities within



to pedestrians outside. In response to a typical condition elsewhere in the city, in which primary entrances are in chamfered corners, during the Design Review Staff suggested the applicant explore this possibility. The applicant provided numerous studies in a meaningful effort to achieve the desired corner entry, however due to the sloping sidewalks on all three frontages and the ADA crosswalks at the sidewalk intersections, it was not feasible to create an appropriate entry condition at the corners. Therefore, the applicant has located new entrances as close to the chamfered building corners as is feasible with the slope, and in doing so has integrated barrier-free entries that are accessible to people of all physical abilities. With these new entries, the building will no longer rely on its previous ADA rear entrance, accessed via SW Main Street.

While the chamfered corners are not the location for entries, they house large, highly visible storefront windows with canopies above, and activate the street environment with views into flexible commercial spaces. The introduction of new storefront and new canopies at the street facades will strengthen and differentiate the sidewalk level of this existing building while maintaining its proportions and regular rhythm of apertures.

The appellant states that retaining the existing sign, marquee and pedestal will serve to “maintain, identify, and highlight this important urban corner.” Council disagrees, and notes that while the guideline suggests numerous strategies for activating a corner, fundamentally the goal of this guideline is the activation of the pedestrian realm through thoughtful building design, not the inclusion of every building element listed in the guideline text. A corner sign may serve to highlight entrances and interior building functions in some situations. However, in this situation, the large sign base has the opposite effect. It would block the storefront glazing at this visible corner, obscuring the activity within the new commercial tenant spaces. On balance, the retention of the existing sign base would result in a less activated corner and intersection than if the sign and its base are removed.

*Therefore, this guideline is met.*

**C13. Integrate Signs.** Integrate signs and their associated structural components with the building’s overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

**D3. Broadway Unique Sign District.** Provide opportunities for the development of large, vertically oriented, bright, and flamboyant signs that add to the unique character of this Broadway environment. Size and place signs and their structural support systems so that significant architectural or historical features of the building are not concealed or disfigured. Ensure that all signs receive proper maintenance.

**Findings for C13 and D3:** While Guidelines C13 and D3 were not discussed in the original Design Commission Decision, and were not specifically cited by the appellants, both guidelines are relevant to the primary subject of this appeal and how this issue was evaluated by City Council. Although the appellant did not specify compliance with Guideline D3 in the appeal statement, the appellant relied on the previous Broadway Guideline A, which was one of the approval criteria for the original sign review, to argue that the sign on the building should remain. As detailed under ‘Procedural History’, the approval criteria used for the original sign and building reviews have been updated, and are no longer the applicable approval criteria for this review. For the purposes of this review, those documents provide background information, but the approval criteria are those in effect on the day this land use review application was submitted.

City Council finds that Guideline D3 – Broadway Unique Sign District is a permissive guideline, and may be used to justify signs that are larger than those allowed outright by Title 32, Portland's Sign Code. However, the guideline is weighed on balance with all other guidelines when evaluating whether a proposed sign meets the approval criteria. In this instance, City Council found that the existing sign failed to meet numerous other guidelines due to its large pedestal base at the pedestrian level. While the appellant suggested that modifying the sign to fasten it to the building and eliminate its base could be acceptable, the applicant noted numerous issues with attaching the almost 40-foot tall sign to the structure of the existing building when the building was not designed to support such a large appendage. Complications cited included seismic concerns, and the high potential for damaging the existing rose granite cladding, which is from a decommissioned quarry and therefore cannot be replaced.

After consideration, City Council determined that retention of the existing sign, with its four-foot wide pedestal base abutting the pedestrian right-of-way at a busy corner, failed to meet numerous guidelines including, but not limited to C13 – Integrate Signs, C7 – Design Corners that Build Active Intersections, C5 – Design For Coherency and B6 – Develop Weather Protection. Modifying the sign, which was originally designed and built to be supported by a pedestal base and not by the building's structure, presented numerous complications with meeting other guidelines. Significantly, Council found that retrofitting the sign to attach it to the building would not meet guideline C13 – Integrate Signs, because the sign and its associated structural components would not be able to be integrated within the building's overall design concept. The rose granite cladding is fundamental to the building's overall design concept, and thus damaging it or replacing it would not meet the guideline.

To conclude, City Council found that by blocking the chamfered corner storefront, the sign's structural support system conceals a significant architectural feature of the building. Council saw no clear path for eliminating the sign's pedestal and suspending the sign from the building. Council noted that approving the removal of this particular sign is due to its large pedestal base, and that by allowing the removal of this specific sign, it does not preclude the installation of another large, brightly lit sign at this location in the future, provided a new sign can be integrated within the overall building design without impeding the pedestrian environment.

*Therefore, with the removal of the sign and its large pedestal, these guidelines are met.*

## OTHER ISSUES

Central City 2035 Plan – In the appeal statement, the appellant argued that one of the unmet approval criteria includes the Urban Design Downtown Policy 5.DT-4.a from the Central City 2035 Plan. While informative as a background document, the policies of the Central City 2035 Plan are not approval criteria for Design Review. Therefore, the findings for this review do not address the Central City 2035 policies.

Street Trees – While the removal and replacement of existing street trees was one of the issues raised in the original appeal statement, that issue was withdrawn prior to the February 10, 2021 appeal hearing. In the period between submitting the appeal and the City Council hearing, the applicant and the appellant worked with Bureau of Development Services and Urban Forestry staff to revisit the original street tree plan and to identify



opportunities for retaining, rather than replacing, existing street trees. The applicant's landscape architect and Urban Forestry staff explained to all parties the assessment of the health, viability and long-term contributions of the existing street trees. The applicant revised the street tree plan to retain more existing trees and to replace those in poor condition with new species that have demonstrated fast growth and can withstand harsh urban conditions. Urban Forestry has reviewed and approved the revised proposal, and the appellant withdrew it from the listed appeal issues. A revised street tree plan and the Urban Forestry response have been entered into the record.

## **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 requirements of Title 11 can be met, and 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.

## **CITY COUNCIL DECISION**

The Council's role is to review the applicant's proposal to determine whether it meets the relevant design guidelines. As described in the findings above, Council finds that the proposal to remodel the ground level of the building by enclosing the existing arcade, adding street level commercial spaces, adding canopies and removing an existing vertical sign meets the design guidelines. The Council further finds that the proposal to remove the existing sign with its bulky, pedestal base is essential to compliance with the guidelines. Council recognizes that a proposal for a sign for this building could potentially meet the design guidelines, but that is not the proposal that was before the Council for review.

It is the decision of the City Council to uphold the Design Commission's decision of approval 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.

Approvals per Exhibits C.1-C.27, and C.29-C-39, signed, stamped, and dated December 2, 2020, and H.11, signed, stamped, and dated March 3, 2021, 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 20-176578 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.

## **APPEAL INFORMATION**

### **Appeals to the Land Use Board of Appeals (LUBA)**

This is the City's final decision on this matter. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date of the decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a

petitioner at LUBA must have submitted written testimony during the comment period or this land use review. You may call LUBA at 1 (503) 373-1265 for further information on filing an appeal.

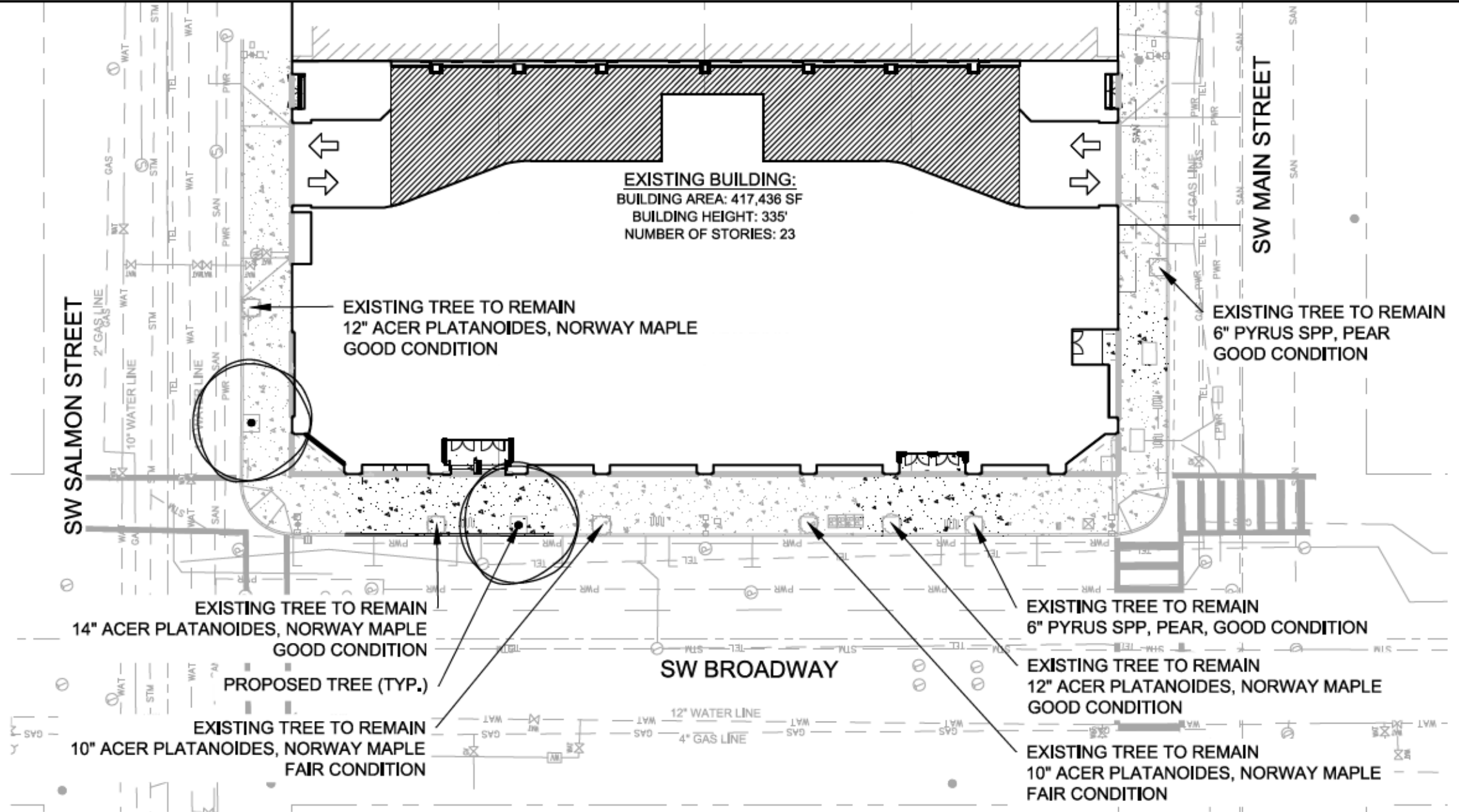
## **EXHIBITS**

- A. Applicant's Submittals
  - 1. Original Submittal
  - 2. Draft Submittal
  - 3. Final Submittal for Hearing One
- B. Zoning Map (attached)
- C. Plan & Drawings
  - 1. SITE PLAN (attached)
  - 2. DEMOLITION SITE PLAN
  - 3. DEMOLITION GROUND FLOOR PLAN
  - 4. DEMOLITION MEZZANINE FLOOR PLAN
  - 5. DEMOLITION BASEMENT FLOOR PLAN
  - 6. OVERALL DEMOLITION BUILDING ELEVATIONS
  - 7. ENLARGED DEMOLITION BUILDING ELEVATIONS
  - 8. ENLARGED DEMOLITION BUILDING ELEVATIONS
  - 9. NOT USED
  - 10. PROPOSED GROUND FLOOR PLAN
  - 11. PROPOSED MEZZANINE FLOOR PLAN
  - 12. PROPOSED BASEMENT FLOOR PLAN
  - 13. OVERALL PROPOSED BUILDING ELEVATIONS
  - 14. ENLARGED PROPOSED BUILDING ELEVATIONS
  - 15. ENLARGED PROPOSED BUILDING ELEVATIONS
  - 16. PROPOSED BUILDING SECTIONS
  - 17. PROPOSED EXTERIOR DETAILS
  - 18. PROPOSED EXTERIOR DETAILS
  - 19. PROPOSED EXTERIOR DETAILS
  - 20. PROPOSED EXTERIOR DETAILS
  - 21. PROPOSED EXTERIOR DETAILS
  - 22. PROPOSED EXTERIOR DETAILS
  - 23. PROPOSED DESIGN MATERIALS
  - 24. PROPOSED DESIGN MATERIALS
  - 25. PROPOSED DESIGN MATERIALS
  - 26. CIVIL – EXISTING CONDITIONS
  - 27. CIVIL – PROPOSED CONDITIONS
  - 28. LANDSCAPE – PLANTING PLAN (not approved)
  - 29. MATERIAL CUTSHEETS – Aluminum Composite Metal Panel
  - 30. MATERIAL CUTSHEETS – Precast Concrete + Metal Flashing
  - 31. MATERIAL CUTSHEETS – Curtain Wall
  - 32. MATERIAL CUTSHEETS – Glass Entry Doors + Hardware
  - 33. MATERIAL CUTSHEETS – Glazing
  - 34. MATERIAL CUTSHEETS – Architectural Louvers
  - 35. MATERIAL CUTSHEETS – Glass Canopies
  - 36. MATERIAL CUTSHEETS – Exterior Lighting
  - 37. MATERIAL CUTSHEETS – Exterior Lighting
  - 38. MATERIAL CUTSHEETS – Exterior Lighting
  - 39. GROUND LEVEL GLAZING DIAGRAMS (6 PAGES)
- D. Notification information:
  - 1. Request for response
  - 2. Posting letter sent to applicant
  - 3. Notice to be posted

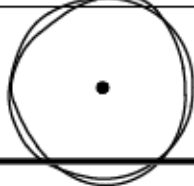


4. Applicant's statement certifying posting
  5. Mailed notice
  6. Mailing list
- E. Agency Responses:
1. Life Safety
  2. Bureau of Environmental Services
  3. Portland Bureau of Transportation
  4. Urban Forestry
- F. Letters
1. Walter Weyler, November 5, 2020, Downtown Neighborhood Association supports the concept of the proposal with some concerns and suggestions.
- G. Other
1. Original LUR Application
  2. Incomplete Letter, September 9, 2020
- H. Design Commission Hearing – November 19, 2020
1. Staff Report recommending approval, dated November 6, 2020
  2. Staff Presentation
  3. Applicant Presentation
- Appeal Form Submitted
4. Appeal from Downtown Neighborhood Association – represented by Walter Weyler, December 18, 2020
  5. Notice for February 10, 2021 City Council Hearing, Mailed January 19, 2021
- City Council Appeal Hearing: February 10, 2021
6. Commissioners' Assistants Briefing Memo, January 29, 2021
  7. Applicant Presentation
  8. Staff Presentation
  9. Thomas Ray. Community Comment, February 10, 2021
  10. Original Sign Approval, June 5, 1991
  11. Revised Landscape Planting Plan
  12. Revised Urban Forestry response, email dated January 13, 2021

# PLANTING PLAN



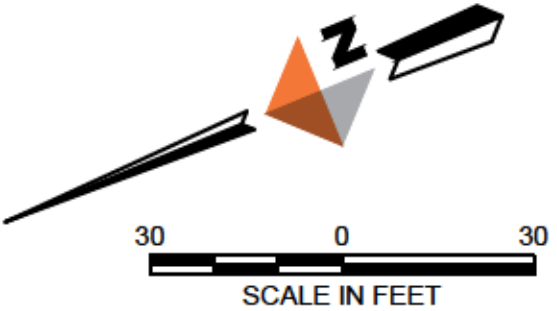
## LANDSCAPE PLANT & MATERIALS LEGEND



TREES	SIZE	QTY.	MATURE SIZE (H X W) / COMMENTS
ZELKOVA SERRATA 'GREEN VASE' GREEN VASE ZELKOVA	2-1/2" CAL / B&B	2	40' H X 30' W / VASE SHAPE



GREEN VASE ZELKOVA



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

Planner H. H. H.

Date 03-03-2021

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



**RE: 1000 Broadway - Appeal Items...****Clapp, Casey** <Casey.Clapp@portlandoregon.gov>

Wed 1/13/2021 10:14 AM

**To:** Jason Tand <jtand@lrsarchitects.com>**Cc:** Bryant, Hannah <Hannah.Bryant@portlandoregon.gov>; kderrick@dowl.com <kderrick@dowl.com>; Lou Elliott <lelliott@nwamwa.com>

Good morning, all

This plan will work for me and retains trees that are in fair to good condition while removing the trees in poor condition.

Thank you for the quick turnaround.  
Casey

-----  
**J. Casey Clapp** (He, Him, His)

Tree Inspector

ISA Certified Arborist PN-7475A

ISA Qualified Tree Risk Assessor

Portland Parks &amp; Recreation

1900 SW 4<sup>th</sup> Ave, Suite 5000

Portland, Oregon 97201

503-823-4467 (office)

503-823-8768 (cell)

*Working remotely until further notice.*[casey.clapp@portlandoregon.gov](mailto:casey.clapp@portlandoregon.gov)[portlandparks.org](http://portlandparks.org)

*The City of Portland complies with all non-discrimination, Civil Rights laws including Civil Rights Title VI and ADA Title II. To request translation, interpretation, accommodation, modifications, or additional information, please contact 503-823-4437, or use City TTY 503-823-6868, or Oregon Relay Service: 711.*

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**From:** Jason Tand <jtand@lrsarchitects.com>**Sent:** Wednesday, January 13, 2021 7:59 AM**To:** Clapp, Casey <Casey.Clapp@portlandoregon.gov>**Cc:** Bryant, Hannah <Hannah.Bryant@portlandoregon.gov>; kderrick@dowl.com; Lou Elliott

<lelliott@nwamwa.com>

**Subject:** 1000 Broadway - Appeal Items...

Casey,

As I discussed with Hannah, I'm copying you on information we've compiled for the trees we discussed at 1000 Broadway. I have attached an updated planting plan from Korey. You can see we now end up only removing 2 trees – those listed as being in 'poor' condition. We selected the Zelkova Serrata for this at 2.5" caliper as discussed.

I would like to bring this to the DNA (Downtown Neighborhood Association) for a discussion. As we discussed, we want to run it by you first, before setting that up, though as you know time is of the essence.

If you have any feedback please let me know. So you're aware of the timing, I'm going to simultaneously try and set up the meeting with the DNA. Thanks,

**Jason E. Tand** (he, him)  
SENIOR ASSOCIATE, PROJECT  
MANAGER

**LRS Architects**  
O 503.265.1584  
[website](#)