

LU 20-176578 DZ – Appeal by Walter Weyler representing the Downtown Neighborhood Association against the Design Commission’s decision to approve a ground level remodel of a 23-story mixed use building at 1000 SW Broadway, which is in the Downtown Sub-District of the Central City Plan District

**Applicant/Owner:** Jason Tand | LRS Architects  
720 NW Davis, Suite 300  
Portland, OR 97209

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 Street  
Portland, OR 97232

**Appellant** Walter Weyler  
Downtown Neighborhood Association  
1221 SW 10th Ave  
Portland, OR 97205

**Site Address:** 1000 SW Broadway

**Legal Description:** BLOCK 182 LOT 5-8, PORTLAND

**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**

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**

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.

## **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.

Based on evidence in the record and adoption of the Council's Findings and Decision in Case File LU 20-176578 DZ and by this reference made a part of this Order, 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.

**IT IS SO ORDERED:**

3/5/2021

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Date

**Ted  
Wheeler**  Digitally signed by Ted  
Wheeler  
Date: 2021.03.05  
15:58:23 -08'00'

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Mayor Ted Wheeler  
Presiding Officer at Hearing of  
March 3, 2021  
9:30 a.m. Session



March 9, 2021

Jason Tand  
LRS Architects  
720 NW Davis, Suite 300  
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To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 20-176578 DZ. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter.

1. Please send a check for \$91.00 made payable to the Multnomah County Recorder, indicating the file number on your check.
2. MAIL CHECK TO: The City of Portland, Office of the City Auditor, 1221 SW 4<sup>th</sup> Ave. Room 130, Portland, OR 97204-1900

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with LUBA within 21 days of the date of 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 appeared orally or in writing during the City’s proceedings on this land review. LUBA’s address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call LUBA at 1-503-373-1265 or visit LUBA’s website ([www.oregon.gov/LUBA](http://www.oregon.gov/LUBA)) for further information on filing an appeal.

Yours sincerely,  
Mary Hull Caballero  
Auditor of the City of Portland  
By: *Keelan McClymont*  
Keelan McClymont, Council Clerk

Encl.  
Cc: Lou Elliott





## **NOTICE OF FINAL DECISION**

TO: All Interested Persons  
DATE: March 9, 2021

**LU 20-176578 DZ** – Appeal by Walter Weyler representing the Downtown Neighborhood Association against the Design Commission’s decision to approve a ground level remodel of a 23-story mixed use building at 1000 SW Broadway, which is in the Downtown Sub-District of the Central City Plan District

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 20-176578 DZ, denying the appeal and upholding the decision of the Design Commission to approve the project as modified and adopt the findings. If you wish to obtain a copy of the City Council’s findings and decision, please contact the Council Clerk by email at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) or at (503) 823-4085.

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Yours sincerely,  
Mary Hull Caballero  
Auditor of the City of Portland  
By: *Keelan McClymont*  
Keelan McClymont, Council Clerk

Encl.



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Portland, OR 97205

**LU 20-176578 DZ**  
**Order of council mailed: 3/9/21**

Thomas Ray  
2211 SW 1<sup>st</sup> Ave, Unit 802  
Portland, OR 97201

Email list for non-fee letter, ooc and findings - sent to testimony that didn't provide a mailing address

John Czarnecki  
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