

SUSTAINABILITY CENTER METRO  
600 NE GRAND AVE  
PORTLAND OR 97232

TEAM OREGONIAN  
1320 SW BROADWAY  
PORTLAND OR 97201

SAUNDRA STEVENS  
AIA URBAN DESIGN COMMITTEE  
403 NW 11TH  
PORTLAND, OR 97209

GRANT O'CONNELL  
TRIMET  
1800 SW FIRST AVE STE 300  
PORTLAND, OR 97201

OREGON DIV SUPERINTENDENT  
BNSFRR  
1313 WEST 11TH STREET  
VANCOUVER, WA 98660

PORTLAND TERMINAL RR  
3500 NW YEON AVE  
PORTLAND, OR 97210

MARK SEIBER  
NEIGHBORS WEST/WEST  
2257 NW RALEIGH ST  
PORTLAND, OR 97210

JACK ROCHELD  
1410 NW KEARNEY ST  
PORTLAND, OR 97209

MIKE CONKLIN  
NOB HILL BUSINESS ASSOC  
25 NW 23<sup>RD</sup> PL #6-PMB 217  
PORTLAND, OR 97210

JAMES WILLIS & ANN REMEN-WILLIS  
1420 NW LOVEJOY ST #713  
PORTLAND, OR 97209

OREGON WALKS  
c/o DOUG KLOTZ  
1908 SE 35TH PLACE  
PORTLAND, OR 97214

SHIVANI SEASTONE  
1410 NW KEARNEY ST  
PORTLAND, OR 97209

ADELE NOFIELD  
PEARL DISTRICT BA  
PO BOX 6767  
PORTLAND, OR 97228-6767

CASE FILE MITCHEM  
1900 SW 4TH AVE #5000  
PORTLAND, OR 97201

EVA BERNHARD  
COOL MOON ICE CREAM  
1105 NW JOHNSON ST.  
PORTLAND, OR 97209

DAVE RAYAT  
1146 NW JOHNSON ST.  
PORTLAND, OR 97209

SUSAN DAVIS  
1410 NW KEARNEY ST  
PORTLAND, OR 97209

KATHERINE RICHARDSON  
1146 NW JOHNSON ST.  
PORTLAND, OR 97209

SAM BUCK  
1410 NW KEARNEY ST #625  
PORTLAND, OR 97209

ALLEN HANSEN  
1410 NW KEARNEY ST #811  
PORTLAND, OR 97209

PETER STIFFLER  
1410 NW KEARNEY ST. #812  
PORTLAND, OR 97209

NAM HOANG  
1410 NW KEARNEY ST #519  
PORTLAND, OR 97209

TIFFANY SWEITZER  
HOYT STREET PROPERTIES  
1022 NW MARSHALL STE 270  
PORTLAND, OR 97209

DOTTIE QUINN  
820 NW 12TH AVE #316  
PORTLAND, OR 97209

THOMAS LAWWILL  
1410 NW KEARNEY ST  
PORTLAND, OR 97209

PATTY KERNS  
1221 NW 11TH AVE #613  
PORTLAND, OR 97209

KIM STRAND  
1410 NW KEARNEY ST #1111  
PORTLAND, OR 97209

MARY & JOHN CZARNECKI  
NEW TRADITIONAL ARCHITECTURE  
208 SW STARK ST #505  
PORTLAND, OR 97204

ELIZABETH ANDERSON  
ANDERSON KRYGIER, INC  
820 NW 12TH AVE #106  
PORTLAND, OR 97209



Michael Nanney, Security Properties  
701 Fifth Ave, Suite 5700  
Seattle, WA 98101

SP Pearl LLC  
1201 Third Ave #5400  
Seattle, Wa 98101

Heidi Oien, Mithun  
1201 Alaskan Way, Suite 200  
Seattle, WA 98101

Karen Karlsson, KLK Consulting, LLC  
906 NW 23rd Ave  
Portland, OR 97210

Stark Ackerman, Black Helterline LLP  
805 SW Broadway, Suite 1900  
Portland, OR 97205

Preserve the Pearl LLC  
3430 SE Belmont St., Ste 209  
Portland, OR 97214

Burton Francis  
422 NW 13th Ave Ste 187  
Portland OR 97209

BRUCE MORRISON  
1030 NW JOHNSON #612  
PORTLAND OR 97209

DAVID WARK  
921 SW WASHINGTON ST 250  
PORTLAND OR 97205

BEN KAISER  
5229 NE MARTIN LUTHER KING JR  
BLVD  
PORTLAND OR 97211

RICHARD GRAHAM  
1025 NW COUCH ST #918  
PORTLAND OR 97209

GARY WASHINGTON AND  
KATE WASHINGTON  
1550 NW 14<sup>TH</sup> AVE #520  
PORTLAND OR 97209

REZA FARHOODI  
1230 NW 12<sup>TH</sup> AVE APT 228  
PORTLAND OR 97209

DAVID HALLIBURTON  
820 NW 12th AVE #416  
PORTLAND OR 97209

JEFF MERRICK  
820 NW 12<sup>TH</sup> AVE #110  
PORTLAND OR 97209

DAVID MOIEL  
820 NW 12<sup>TH</sup> AVE  
PORTLAND OR 97209

SUZANNE CLENNARD  
1030 NW JOHNSON ST #501  
PORTLAND OR 97209

ELANA SCHWARTZ  
820 NW 12<sup>TH</sup> AVE #216  
PORTLAND OR 97209

PRESERVE THE PEARL LLC  
422 NW 13<sup>TH</sup> AVE SUITE 187  
PORTLAND OR 97209

JONATHAN GREENWOOD  
2116 NE 49<sup>TH</sup>  
PORTLAND OR 97213

MARY ROBERTS  
820 NW 12<sup>TH</sup> AVE #606  
PORTLAND OR 97209

PEARL DISTRICT NA  
2257 NW RALEIGH ST  
PORTLAND OR 97210

PHILIP J WUEST  
BLACK HELTERLINE LLP  
805 SW BROADWAY SUTIE 1900  
PORTLAND OR 97205

TIM & KATHY ALLEN  
1420 NW LOVEJOY #308  
PORTLAND OR 97209

BDS  
YVONNE POELWIJK  
1900 SW 4<sup>TH</sup> AVE STE 5000  
PORTLAND OR 97201

PAT GARDNER  
PEARL DISTRICT NA  
1116 NW JOHNSON ST  
PORTLAND OR 97209

BURTON FRANCIS-PRESERVE THE PEARL  
C/O FRANCIS & BONNELL LLP  
3430 SE BELMONT ST STE 209  
PORTLAND OR 97214

KEVIN K & LAURA J STREVER  
PO BOX 1644  
NEWPORT OR 97365

JUSTIN DOLLARD/PAUL CATHCART  
PORTLAND SCHOOL DISTRICT #1  
501 DIXON ST  
PORTLAND OR 97227

SP PEARL LLC  
1201 THIRD AVE #5400  
SEATTLE WA 98101



THOMAS LAWWILL  
1410 NW KEARNEY ST  
PORTLAND, OR 97209

PAUL YEITER  
821 NW 11TH AVE  
PORTLAND, OR 97209

IAN CARTWRIGHT, M.D.  
820 NW 12TH AVE #324  
PORTLAND, OR 97209

SUZANNE LENNARD  
INT'L MAKING CITIES LIVABLE  
1030 NW JOHNSON ST #501  
PORTLAND, OR 97209

STEPHANIE NUTE  
820 NW 12TH AVE #504  
PORTLAND, OR 97209

DONALD DRAKE  
820 NW 12TH AVE #408  
PORTLAND, OR 97209

WENDY RAHM  
1221 SW 10TH AVE #1001  
PORTLAND, OR 97205

DAVID HAINES  
1410 NW KEARNEY ST #617  
PORTLAND, OR 97209

ANDREA WELKE  
1410 NW KEARNEY ST #611  
PORTLAND, OR 97209

KATHY HANSEN  
1030 NW 12TH AVE #202  
PORTLAND, OR 97209

KRISTIN KING/KEM ROOS/RETA BONDS  
820 NW 12TH AVE #310  
PORTLAND, OR 97209

TOM KRATTENMAKER  
1410 NW KEARNEY ST #513  
PORTLAND, OR 97209

DENNIS MCBRIDE  
820 NW 12TH AVE  
PORTLAND, OR 97209

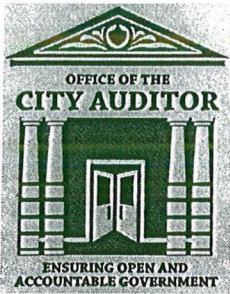
BROOKS HICKERSON  
1255 NW 9TH AVE #309  
PORTLAND, OR 97209

DENISON BEACH  
1030 NW 12TH AVE #214  
PORTLAND, OR 97209

MURALI NALLAKRISHNAN  
1142 NW JOHNSON ST #104  
PORTLAND, OR 97209

Emailed:JEFF MITCHEM,LINLY REES,KATHRYN  
BEAUMONT,YVONNE POELWIJK,DOUGLAS  
MORGAN,KURT KRUEGER,DAWN KRANTZ,KIA  
SELLEY,ROBERT HALEY,~~AMY DACKER~~,DAWN UCHIYAMA,  
ELISABETH REESE CADIGAN, MARI MOORE,TIM  
HERON,SARA DRAKE

LU 14-230014 DZM  
ORDER OF COUNCIL MAILED: 5/27/15



# CITY OF PORTLAND

Office of City Auditor Mary Hull Caballero

Council / Contracts

1221 S.W. 4th Avenue, Room 130, Portland, Oregon 97204

web: [www.portlandonline.com/auditor/](http://www.portlandonline.com/auditor/)

Email: [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov)

Phone: (503) 823-4086 Fax: (503) 823-4571



May 27, 2015

Michael Nanney, Security Properties

701 Fifth Ave, Suite 5700

Seattle, WA 98101

SP Pearl LLC

1201 Third Ave #5400

Seattle, Wa 98101

**RE: LU 14-230014 DZM**

Appeal of Preserve the Pearl LLC against Design Commission's decision to approve a new full-block mixed-use project in the Central City Plan District's River sub-District at 1241 NW Johnson Street (Hearing; LU 14-230014 DZM)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 14-230014 DZM. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$56.00 made payable to the Multnomah County Recorder, indicating the file number on your check and SEND 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: 

Karla Moore-Love, Council Clerk

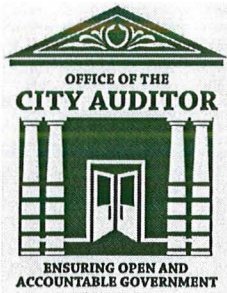
Encl.

cc: Heidi Oien, Mithun

Karen Karlsson, KLK Consulting, LLC

Stark Ackerman, Black Helterline LLP





## CITY OF PORTLAND

Office of City Auditor Mary Hull Caballero

Council / Contracts

1221 S.W. 4th Avenue, Room 130, Portland, Oregon 97204

web: [www.portlandonline.com/auditor/](http://www.portlandonline.com/auditor/)

Email: [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov)

Phone: (503) 823-4086 Fax: (503) 823-4571



### NOTICE OF FINAL DECISION

TO: All Interested Persons

DATE: May 27, 2015

RE: LU 14-230014 DZM

Appeal of Preserve the Pearl LLC against Design Commission's decision to approve a new full-block mixed-use project in the Central City Plan District's River sub-District at 1241 NW Johnson Street (Hearing; LU 14-230014 DZM)

Enclosed is a copy of the Order of Council on LU 14-230014 DZM denying the appeal and upholding Design Commission's decision approving a new full-block mixed-use project in the Central City Plan District's River sub-District at 1241 NW Johnson Street. If you wish to obtain a copy of the City Council's findings and decision, please contact Karla Moore-Love, Council Clerk by email at: [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov) or at (503) 823-4086.

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:

  
Karla Moore-Love, Council Clerk

Encl.

**APPEAL OF PRESERVE THE PEARL LLC AGAINST DESIGN COMMISSION'S DECISION TO APPROVE A NEW FULL-BLOCK MIXED-USE PROJECT IN THE CENTRAL CITY PLAN DISTRICT'S RIVER SUB-DISTRICT AT 1241 NW JOHNSON STREET (HEARING; LU 14-230014 DZM)**

- Applicant/Owner:** Michael Nanney, Security Properties  
701 Fifth Ave, Suite 5700  
Seattle, WA 98101  
SP Pearl LLC  
1201 Third Ave #5400  
Seattle, Wa 98101
- Representatives:** Heidi Oien, Mithun  
1201 Alaskan Way, Suite 200  
Seattle, WA 98101  
Karen Karlsson, KLK Consulting, LLC  
906 NW 23rd Ave  
Portland, OR 97210  
Stark Ackerman, Black Helterline LLP  
805 SW Broadway, Suite 1900  
Portland, OR 97205
- Site Address:** 1241 NW JOHNSON STREET
- Legal Description:** BLOCK 136 LOT 1-8, COUCHS ADD
- Zoning:** EXd, Central Employment with Design Overlay
- Procedure:** Appeal before the City Council of the Design Commission Decision dated February 2, 2015
- Proposal:** A new full-block mixed-use project in the Central City Plan District's River sub-District. The project included 2 north-south oriented bar buildings with a courtyard between.

**BLD #1: NW 13<sup>th</sup> Avenue Brick Building**

- 5 stories
- Maximum Allowed Height of 120', the proposed building reaches 76'-1"
  - 75' base height
  - 45' General Height Bonus (33.510.210.D.). Maximum available for 3:1 FAR – 45'.
- Approximately 15,000 square feet of retail at ground level.
- Approximately 60,000 square feet of office at levels 2-5.
- Rooftop program includes roof terrace, elevator/stair overrun, mechanical enclosure and eco roof.
- An at-grade loading space will be located within the public right-of-way on the east side of NW 13<sup>th</sup> Ave immediately north of the intersection with NW Johnson St.
- 13<sup>th</sup> Ave dock within the right-of-way, as allowed by the River District ROW standards – approximate dimensions: 124' long, 12'-16' deep, 3' – 4'-9" high. Single ADA ramp oriented north to NW Johnson St.

- Courtyard dock – approximate dimensions: 124’ long, 8’-14’ deep, 3’ – 4’-9” high

### **BLD #2: NW 12<sup>th</sup> Avenue Tower Building**

- 15 stories
- Maximum Allowed Height of 150’, the proposed building reaches 148’-4”
  - 75’ base height
  - 75’ height bonuses
    - 45’ General Height Bonus (33.510.210.D.). Maximum available for 3:1 FAR – 45’.
    - 30’ Bonus Height Option for Housing (33.510.210.E.). Maximum available for housing – 75’.
    - If both bonus options are used, combined bonus height may not exceed 75’.
- Approximately 208 residential flats and 8 street-level live-work townhomes
- Total number of parking spaces proposed is 199 automobile spaces in two levels of underground parking and 332 indoor bike parking spaces.
- Parking and loading will be accessed from NW 12<sup>th</sup> Avenue. Three loading spaces are proposed:  
*Space A.* A space within the footprint of the NW 12th Ave apartment building (with access from NW 12<sup>th</sup> Ave) is 35 feet long x 11 feet 5 inches wide. *Space B.* Standard B size (18’ long x 9’ wide x 10’ clear) located within the footprint of the NW 12<sup>th</sup> Ave apartment building (with access from NW 12<sup>th</sup> Ave). The space will be scheduled for food deliveries in the morning and generally available for office deliveries and service vehicles. *Space C.* A cargo van loading space (18’ long x 10’ wide x 8’-11” clear) located within the footprint of the NW 13<sup>th</sup> Ave building. The space will be scheduled for food deliveries in the morning and generally available for office deliveries and service vehicles.

### **Site FAR**

- Maximum FAR allowed for the site is 7:1, the proposed buildings combined reach approximately 7:1.
  - 4:1 base FAR (Map 510-2)
  - 3:1 FAR Residential Bonus (33.510.210.C.1.a(1)). For each square foot of housing, a bonus of 1 square foot of floor area is earned (max 3:1).

### **Three (3) Modifications** are required for

- 1. Rooftop Access & Mechanical (33.140.210.B.2.)** All rooftop mechanical equipment and enclosures of stairwells that provide rooftop access must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Rooftop elevator mechanical equipment may extend up to 16 feet above the height limit. Stairwell enclosures and other rooftop mechanical equipment which cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit. **12th Ave Building** – The rooftop mechanical enclosure is set back 13’-2” from the roof edge abutting 12<sup>th</sup> Ave and 8’-0” from the roof edge facing the courtyard. One piece of mechanical equipment is in excess of 10 feet tall (a make-up air unit at 13 feet tall.) And, the cumulative area of roof enclosures 10’ above the height limit – exceeds the 10% of roof area limit. Total coverage for this building is 18.8%.
- 2. Size of Loading Spaces (33.266.310.D.a.)** Two (2) Standard A loading spaces are required. A Standard A loading space must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet. The project proposes three loading spaces:
  - **Space A.** A space within the footprint of the NW 12th Ave apartment building (with access from NW 12<sup>th</sup> Ave) is 35 feet long x 11 feet 5 inches wide (except at doorway which is 10 feet wide). The height of the space, however, varies. A majority of the space (28 feet of it) is 19 feet 6 inches high with the remaining portion varying from 11 feet (at doorway) to 12 feet (outside the doorway). The space will be scheduled for food deliveries in the morning, resident move-in/out during the day and generally available for office deliveries.

- **Space B.** Standard B size (18' long x 9' wide x 10' clear) located within the footprint of the NW 12<sup>th</sup> Ave apartment building (with access from NW 12<sup>th</sup> Ave). The space will be scheduled for food deliveries in the morning and generally available for office deliveries and service vehicles.
  - **Space C.** A cargo van loading space (18' long x 10' wide x 8'-11" clear) located within the footprint of the NW 13<sup>th</sup> Ave building. The space will be scheduled for food deliveries in the morning and generally available for office deliveries and service vehicles.
- 3. Bike Parking Space Dimension (33.266.220.C.3.b.)** A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported. The project proposes staggered vertical storage, dimensioned at 18" x 6' with a 5' walk aisle.

The City Council appeal hearing was opened in the Council Chambers, 1221 SW 4<sup>th</sup> Avenue on April 8, 2015 at approximately 3:00 p.m. After hearing public testimony and considering the evidence in the record, the Council continued the hearing to April 23, 2015 at 2:00 p.m. On April 23, 2015 Council voted 5-0 to tentatively deny the appeal of Preserve the Pearl LLC and uphold Design Commission's decision and ordered staff to prepare Council final findings for consideration and adoption on May 20, 2015 at 10:40 a.m. On May 20, 2015 at 10:40 a.m. Council voted 5-0 to adopt findings and a final decision to deny the appeal and uphold Design Commission's decision approving a new full-block mixed-use project in the Central City Plan District's River sub-District at 1241 NW Johnson Street.

## **DECISION**

Based on evidence in the record and adoption of the Council's Findings and Decision in **Case File LU 14-230014 DZM** and by this reference made a part of this Order, **it is the decision of Council to Deny the appeal of Preserve the Pearl and uphold Design Commission's decision.**

**It is the decision of the City Council to approve Design Review for LU 14-230014 DZM as follows:**

### **BLD #1: NW 13<sup>th</sup> Avenue Brick Building**

- 5 stories
- Maximum Height 76'-1"
- Approximately 15,000 square feet of retail at ground level
- Approximately 60,000 square feet of office at levels 2-5.
- Rooftop program includes roof terrace, elevator/stair overrun, mechanical enclosure and eco roof.
- An at-grade loading space on NW 13<sup>th</sup>
- 13<sup>th</sup> Ave dock
- Courtyard dock

### **BLD #2: NW 12<sup>th</sup> Avenue Tower Building**

- 15 stories
- Maximum Height of 148'-4"
- Approximately 205,000 square feet of residential, floors 1-15.
- Approximately 208 residential flats and 8 street-level live-work townhomes
- Two levels of below grade parking – 199 spaces – access via NW 12<sup>th</sup> Ave

Approval of the following Modification requests:



1. **Rooftop Access & Mechanical (33.140.210.B.2.)** All rooftop mechanical equipment and enclosures of stairwells that provide rooftop access must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Rooftop elevator mechanical equipment may extend up to 16 feet above the height limit. Stairwell enclosures, and other rooftop mechanical equipment which cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit. **12th Ave Building** – The rooftop mechanical enclosure is set back 13'-2" from the roof edge abutting 12<sup>th</sup> Ave and 8'-0" from the roof edge facing the courtyard. One piece of mechanical equipment is in excess of 10 feet tall (a make-up air unit at 13 feet tall.) And, the cumulative area of roof enclosures 10' above the height limit – exceeds the 10% of roof area limit. Total coverage for this building is 18.8%.
  
2. **Size of Loading Spaces (33.266.310.D.a.)**. Two (2) Standard A loading spaces are required. A Standard A loading space must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet. The project proposes three loading spaces of various sizes:
  - **Space A.** A space within the footprint of the NW 12th Ave apartment building (with access from NW 12<sup>th</sup> Ave) is 35 feet long x 11 feet 5 inches wide (except at doorway which is 10 feet wide). The height of the space, however, varies. A majority of the space (28 feet of it) is 19 feet 6 inches high with the remaining portion varying from 11 feet (at doorway) to 12 feet outside the doorway. The space will be scheduled for food deliveries in morning, resident move-in/out during the day and generally available for office deliveries.
  - **Space B.** Standard B size (18' long x 9' wide x 10' clear) located within the footprint of the NW 12<sup>th</sup> Ave apartment building (with access from NW 12<sup>th</sup> Ave). The space will be scheduled for food deliveries in the morning and generally available for office deliveries and service vehicles.
  - **Space C.** A cargo van loading space (18' long x 10' wide x 8'-11" clear) located within the footprint of the NW 13<sup>th</sup> Ave building. Scheduled for food deliveries in the morning and available generally for office deliveries and service vehicles.
  
3. **Bike Parking Space Dimension (33.266.220.C.3.b.)** A space 2 feet by 6 feet must be provided for each required bicycle parking space, so that a bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components. The project proposes staggered vertical storage, dimensioned at 18" x 6' with a 5' walk aisle.

**IT IS SO ORDERED:**

MAY 27 2015

Date



Mayor Charlie Hales  
Presiding Officer at Hearing of  
May 20, 2015  
9:30 a.m. Session