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CITY OF PORTLAND
Office of the City Auditor
1221 SW Fourth Avenue, Room 130
Portland, OR 97204-1900

I hereby certify this Land Use Document No. LU 14-230014 DZM – Order of Council to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on 6/8/2015.

MARY HULL CABALLERO
Auditor of the City Of Portland
By *Maya Rinta*
Deputy

RETURN TO CITY AUDITOR
131/130/Auditor's Office

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 13th 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 13th Ave immediately north of the intersection with NW Johnson St.
- 13th 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 12th 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 12th Avenue. Three loading spaces are proposed:
Space A. A space within the footprint of the NW 12th Ave apartment building (with access from NW 12th 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 12th Ave apartment building (with access from NW 12th 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 13th 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 12th 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 12th 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 12th Ave apartment building (with access from NW 12th 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 13th 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 4th 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 13th 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 13th
- 13th Ave dock
- Courtyard dock

BLD #2: NW 12th 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 12th Ave

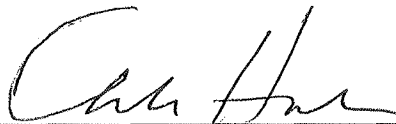
Approval of the following Modification requests:

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 12th 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 12th 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 12th Ave apartment building (with access from NW 12th 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 13th 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