

RECEIVED

149861

JUL 21 9 32 AM 1980

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY *[Signature]*

Portland, Oregon, June 26, 1980

GEORGE YERKOVICH
Auditor of the City of Portland,
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 149⁸⁶¹~~581~~, passed by the Council June 26, 1980, changing the zoning for Lot 2, Block 5, Cook's Addition and N Fremont Street to the north, from A1S to C2S, located at N Montana Avenue and N Fremont Street, under certain conditions and with a variance,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

KAISER FOUNDATION

[Signature: James L. Long]

1500 SW First, Portland, Oregon 97201

Address

[CORPORATE SEAL]

APPROVED AS TO FORM

Approved as to form:
[Signature: Christopher P. Thomas]

CITY ATTORNEY

City Attorney

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

ORDINANCE NO. 149861

An Ordinance changing the zoning for Lot 2, Block 5, Cook's Addition and N. Fremont Street to the north, from AIS to C2S, located at N. Montana Avenue and N. Fremont Street, under certain conditions and with a variance, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The applicant, Kaiser Foundation, deedholder, seeks a zone change from AIS to C2S for Lot 2, Block 5, Cook's Addition and N. Fremont Street to the north, located at N. Montana Avenue and N. Fremont Street.
2. A petition complying in all respects with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland and seeking such a zone change has been received.
3. Applicant has paid the proper fee for the filing of such petition.
4. The City's Hearings Officer by report and recommendation dated June 3, 1980 (Planning Commission File No. 6962), after and as a result of a duly authorized and conducted public hearing held June 2, 1980 on said property, has recommended that the zone change be granted with conditions and a variance.
5. The notice requirements for that public hearing were fulfilled according to law.
6. The City Council after due deliberation in open session adopted the report of the Hearings Officer.
7. This rezoning is in conformance with enacted elements of a Comprehensive Plan for the City, is in accordance with generally accepted land use planning standards and with applicable City and State legislative enactments as indicated in the Report of the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. The zone of Lot 2, Block 5, Cook's Addition and N. Fremont Street to the north, is changed to C2S.
- b. This zone change is granted under the following conditions:
 - 1) A clearly defined pedestrian network and transit orientation must be integrated in the proposed site development plan. This transit and pedestrian orientation plan must take into account current conditions, and plans for this proposed zone change, and the proposed regional office building currently in the planning stage. This plan must be prepared in conjunction with the Bureau of Planning and must be submitted to that Bureau's review and approval prior

ORDINANCE No.

to November 15, 1980. The Hearings Officer will retain jurisdiction of this matter in order to resolve otherwise irresolvable differences between the applicant and the Bureau of Planning staff.

- 2) The applicant must work with Tri-Met to improve transit services to the area; this should include a consideration of relocating the existing transit stop to a location which best complements the pedestrian system proposed by the applicant.
 - 3) Any future development on the site must be designed to enhance access to transit services and must complement the pedestrian access network to and from the Interstate and Montana medical offices. Development plans should be reviewed by Tri-Met and the Bureau of Planning.
 - 4) A Building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 S.W. 5th Avenue, 248-4241, before carrying out this project in order to assure that all conditions imposed here and all requirements of the pertinent Building Codes are met.
- c. This zone change is granted with the following variance: To reduce the rear yard (east) from the required seven feet to zero feet and to reduce the front yard on N. Montana Avenue from the required 15 feet to zero feet.
- d. This order shall not be effective and no change shall be made to the zoning maps until acceptance and recording as provided in Section 33.102.010.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUN 26 1980**

Mayor McCready
June 3, 1980
G.H.Fleerlage/ja


Auditor of the City of Portland

Calendar No. 2253

ORDINANCE No. 149861

Title

An Ordinance changing the zoning for Lot 2, Block 5, Cook's Addition and N. Fremont Street to the north, from A1S to C2S, located at N. Montana Avenue and N. Fremont Street, under certain conditions and with a variance, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
MAYOR McCREADY

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>CMG</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Hearings Office
Prepared By: G.H. Fleerlage/ <i>ja</i> Date: 6/3/80
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney
City Auditor <i>ja</i>
City Engineer

Filed JUN 5 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon* Deputy