

JAN 15 8 55 AM 1981

150936

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

ACCEPTANCE

Portland, Oregon, January 8, 1981

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. 150936, passed by the Council January 7, 1981, changing the zoning for Tax Lots 286, 287, 289, 290, 363, 369, 370, 371, 407, 408, 409, 410, 420, 423, 426, 428, 429, 430, 437, 438, 439, 440, 448, 453, 454, 458, 461, 463, 499, 500, 507 and 510, Section 9, T1S, R2E, located at SE Holgate, between SE 84th and SE 87th Avenues, from R5 to C2, and requiring a Comprehensive Plan Map Amendment, 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,

EASTPORT PLAZA SHOPPING CENTER

[CORPORATE SEAL]

ARTHUR G. BOCK, Managing Director

4000 SE 82nd Avenue, Portland, OR 97266

Address

APPROVED AS TO FORM
Approved as to form:

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. **150936**

An Ordinance changing the zoning for Tax Lots 286, 287, 289, 290, 363, 369, 370, 371, 407, 408, 409, 410, 420, 423, 426, 428, 429, 430, 437, 438, 439, 440, 448, 453, 454, 458, 461, 468, 499, 500, 507 and 510, Section 9, T1S, R2E, located at S.E. Holgate, between S.E. 84th and S.E. 87th Avenues, from R5 to C2, and requiring a Comprehensive Plan Map Amendment, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The applicants, Eastport Plaza Shopping Center, Arthur Bock, Manager, seeks a zone change from R5 to C2 for Tax Lots 286, 287, 289, 290, 363, 369, 370, 371, 407, 408, 409, 410, 420, 423, 426, 428, 429, 430, 437, 438, 439, 440, 448, 453, 454, 458, 461, 468, 499, 500, 507 and 510, Section 9, T1S, R2E, located at S.E. Holgate, between S.E. 84th and 87th Avenues.
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 December 9, 1980 (Planning Commission File No. 7012-PA), after and as a result of a duly authorized and conducted public hearing held December 8, 1980, on said proposal, has recommended that the zone change be granted, along with a Comprehensive Plan Map Amendment, subject to certain conditions.
5. The notice requirements for that public hearing were fulfilled according to law.
6. 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 and Recommendation of the Hearings Officer.
7. This rezoning constitutes a minor modification of the City's Comprehensive Plan Map prior to the Comprehensive Plan's effective date and prior to its acknowledgement by the State Land Conservation and Development Commission. Based upon the facts and findings and conclusions of the Hearings Officer's Report and Recommendation, this minor modification of the map from zone R5 to C2 is found to be in accordance with the Comprehensive Plan.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings and recommendation of the Hearings Officer in P.C. File No. 7012-PA are adopted by City Council.

- b. The zone of Tax Lots 286, 287, 289, 290, 363, 369, 370, 371, 407, 408, 409, 410, 420, 423, 426, 428, 429, 430, 437, 438, 439, 440, 448, 453, 454, 458, 461, 468, 499, 500, 507, and 510, Section 9, T1S, R2E, located at S.E. Holgate, between S.E. 84th and S.E. 87th Avenues, are changed to C2, and the Comprehensive Plan Map is hereby amended to conform thereto.
- c. This zone change is granted under the following conditions:
- 1) A Master Plan as discussed in Section II.G.3 of the Hearings Officer's Report and Recommendation in P.C. File No. 7012-PA, shall be developed by the applicant, subject to the review and approval of the Bureau of Planning and the Bureau of Police Crime Prevention Unit, prior to the issuance of any Building Permits.
 - 2) The applicant shall make a good faith attempt to include the owners of Lots 288, 427, 471, and 502, Section 9, T1S, R2E, as co-applicants in the proposed Master Plan and to seek C2 zoning for those lots.
 - 3) A Traffic-Impact Assessment shall be prepared by the applicant and submitted in conjunction with the Master Plan, subject to the review and approval of the Bureau of Planning, to insure that any traffic impacts that are identified can be mitigated in the Master Plan, including but not limited to points of ingress and/or egress, and initiation of street vacations.
 - 4) A "B" Buffer Overlay Zone, as outlined in the 82nd Avenue Corridor Study, adopted by City Council on August 20, 1980, shall be applied to this site.
 - 5) All plans submitted for Building Permits must be reviewed by the City Engineer with regard to storm sewer facilities.
 - 6) Street trees shall be planted as determined appropriate by the City Forester, and should be coordinated with the landscaping elements of the Master Plan.
 - 7) The Hearings Officer retains jurisdiction to resolve any disputes as to whether the conditions imposed herein have been satisfied.
 - 8) A Building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 S.W. Fifth 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.
- d. This order shall not be effective and no change shall be made to the zoning maps until acceptance and recording as provided herein.

ORDINANCE No.

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.

MAY 1980	
COMMISSIONER/SCHWAB	COMMISSIONER/NORR

FOR THE CITY OF PORTLAND	
Mayor	City Auditor
City Engineer	City At-Large
City Council	

YOUNG OF THE CITY OF PORTLAND
 GEORGE ARKONACI

Date: DEC 15 1980

ORDINANCE No. 120936

An Ordinance designating the location for the

and designating an emergency
 jurisdiction under certain conditions
 regarding a Comprehensive Plan Map
 2. E. 65th Avenue, from RR to 55' and
 2. E. 65th Avenue, between 21 E. 65th Ave
 and 210' section of 112' 65 E located
 423' 494' 428' 491' 490' 498' 200' 204'
 483' 450' 430' 431' 420' 490' 440' 448'
 311' 404' 408' 408' 410' 450' 453' 458'
 1012 589' 581' 586' 580' 503' 300' 310'

Lips

Ordinance No. 120936

City Engineer	City Auditor	City At-Large	City Council	Mayor of the City of Portland	Attest:	Auditor of the City of Portland
Commissioner/Schwab	Commissioner/Norr	December 9, 1980	December 9, 1980	December 9, 1980	December 9, 1980	December 9, 1980
Mayor	City Auditor	City Council	City Council	City Council	City Council	City Council
Commissioner/Schwab	Commissioner/Norr	December 9, 1980	December 9, 1980	December 9, 1980	December 9, 1980	December 9, 1980

Calendar No. 12

ORDINANCE No. 150936

Title

An Ordinance changing the zoning for Tax Lots 286, 287, 289, 290, 363, 369, 370, 371, 407, 408, 409, 410, 420, 423, 426, 428, 429, 430, 437, 438, 439, 440, 448, 453, 454, 458, 461, 468, 499, 500, 507, and 510, Section 9, T1S, R2E, located at S.E. Holgate, between S.E. 84th and S.E. 87th Avenues, from R5 to C2, and requiring a Comprehensive Plan Map Amendment, under certain conditions, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	

INTRODUCED BY
COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau: HEARINGS OFFICE

Prepared By: Paul Norr/sa Date: 12/9/80

Budget Impact Review:
 Completed Not required

Bureau Head:

NOTED BY

City Attorney

City Auditor

City Engineer

Filed DEC 12 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Gordon Crall
Deputy