

To: Construct and maintain a raised landscaped plaza and staircase in the public right-of-way on the east side of SW 3rd Ave. between SW Main St. and SW Madison St.

For: City of Portland, Oregon and Multnomah County, Oregon

APPROVED By John M. Langdon
City Engineer

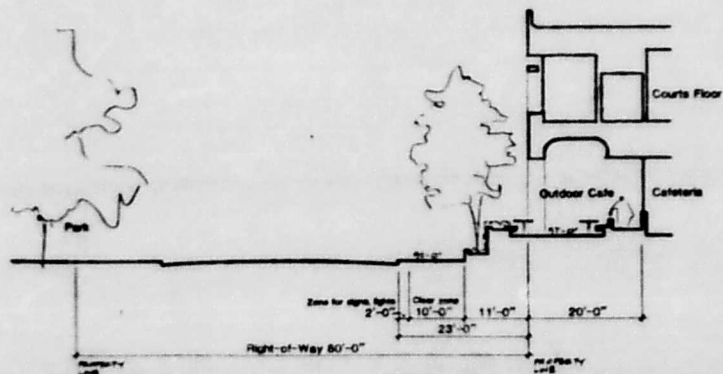
3RD AVENUE COVERED PLAZA

Justice Center

Multnomah County - City of Portland

August 4, 1980

ZIMMER GUNSUL FRASCA PARTNERSHIP



ORDINANCE NO. 150255

An Ordinance granting a revocable permit to the City of Portland, Oregon and to Multnomah County, Oregon, joint owners of the Justice Center, to construct and maintain a raised landscaped plaza and staircase in the public right-of-way on the east side of SW 3rd Avenue between SW Main Street and SW Madison Street, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Zimmer, Gunsul, Frasca Partnership have applied on the behalf of the City of Portland, Oregon and Multnomah County, Oregon, joint owners of the Justice Center, for a permit to construct and maintain an encroachment in the public right-of-way on the east side of SW 3rd Avenue between SW Main Street and SW Madison Street as follows:
 - a. Raised landscaped plaza extending into the right-of-way eleven (11) feet from the property line for a total length of 148.5 feet, equally divided on each side of a center staircase. The raised landscaped plaza is separated from the public sidewalk by a retaining wall with integral planter area. The elevation difference between the sidewalk and plaza levels varies, due to the slope of the site, from eighteen (18) inches at the lowest point to 6 feet 8 inches at the highest point.
 - b. Staircase, including a continuation of the retaining wall to be used as statuary platforms, extending eleven (11) feet into the right-of-way for a length of 50.5 feet in the center of the block.
2. Items 1.a. and 1.b. above would be considered to constitute an encroachment which would substantially impair the public's right of use of the right-of-way. The City may permit such an encroachment if there is a public benefit from the encroachment which outweighs the effect of the impairment.
3. Public benefits which offset the effect of the impairment have been identified. The benefits include, but are not limited to, the following:

- a. Provision of a twelve (12) foot sidewalk within the public right-of-way, beyond the proposed encroachment, for through pedestrian circulation. This would be accomplished by setting the east curb line of SW 3rd Avenue at 23 feet from the property line, eliminating parking on the east side of the street, and not providing drop-off bays on the east side of the street. These measures are acceptable to the City Traffic Engineer.
- b. Provision of an additional walkway space for pedestrian circulation along SW 3rd Avenue within the property line under a building arcade.
- c. Provision of a cafeteria with outdoor space on the proposed raised plaza along SW 3rd Avenue.
- d. Provision of an at-grade access to the Central Precinct Police facility on the SW 2nd Avenue side of the Justice Center and convenient building access for handicapped persons on the SW 3rd Avenue side.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted jointly to the City of Portland, Oregon and Multnomah County, Oregon, hereafter known as the permittees, to:
 - (1) Construct and maintain a raised landscaped plaza, including a retaining wall with integral planter area, extending eleven (11) feet into the right-of-way for a total length of 148.5 feet equally divided on each side of a center staircase.
 - (2) Construct and maintain a staircase, including a continuation of the retaining wall, extending eleven (11) feet into the right-of-way for a total length of 50.5 feet in the center of the block,

on the east side of SW 3rd Avenue between SW Main Street and SW Madison Street in accordance with plans and specifications approved by the City Engineer and Bureau of Buildings and located as shown on the plan marked "Exhibit A" attached to and by this reference made a part of this Ordinance, subject to the following conditions:

- (a) This permit is personal to the permittees and does not run with the land, nor may the same be transferred, assigned, or otherwise disposed of by said permittees.

ORDINANCE No.

(b) This permit is only for the purpose stated in a(1) and a(2) above and shall not exempt the permittees from obtaining any license or permit required by City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter except as herein stated.

(c) This permit is revocable at any time at the pleasure of the Council and no expenditure of money or lapse of time, or other act or thing, shall operate as an estoppel against the City of Portland, or be held to give the permittees any vested or other right.

(d) The permittees are each self-insured political subdivisions of the State of Oregon and as such are jointly liable to the extent of their ownership in the Justice Center for any and all claims which might occur because of the authorization of this permit.

Section 2. This Ordinance will not become effective until the permittees have filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof.

Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship of uncertainty on the part of the applicant as to the status of the requested permit; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

AUG 20 1980

Commissioner Mike Lindberg
Glen R. Pierce:mmc
8-13-80

Attest:

Sergey Yelund
Auditor of the City of Portland

Calendar No. 3017

ORDINANCE No. 150255

Title

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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	

AUG 15 1980

Filed

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

Deputy

INTRODUCED BY	Commissioner Mike Lindberg
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works	ML Lang
BUREAU APPROVAL	
Bureau:	Street & Structural Engineering
Prepared By:	Date:
Glen R. Pierce:immc	8-13-80
Budget Impact Review:	
<input type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head:	David J. Vargas, Acting Chief
CALENDAR	
Consent	Regular
NOTED BY	
City Attorney	
City Auditor	
City Engineer	Approved John M. Lang
By:	