

**ORDINANCE No. 186982**

\*Accept an Engineering Report on a Major Encroachment into the public right-of-way for 419 East Burnside St. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. 419 East Burnside lies within the Central Eastside district.
2. In July 1991, City Council adopted guidelines for East Burnside to keep the historic character of arcaded buildings and encourage new development to utilize arcades that project into the right-of-way (Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan).
3. The proposed development at 419 East Burnside is proposing an arcade on its Burnside frontage in keeping with these design guidelines.
4. PBOT followed its Major Encroachments (TRN 8.01) guidelines for utility and neighborhood notification and comments.
5. In December 2014, the Design Commission unanimously approved the development proposal including the arcaded encroachment into the right-of-way.
6. The City Engineer has reviewed the proposed encroachment into the public right-of-way and considered all comments received in preparing this Report and recommendation to City Council and, subject to the 419 East Burnside development complying with certain conditions, has determined the use to be consistent with approval criteria and policies as outlined in the City Policy "Encroachments in the Public Right-of-Way" adopted in 1982.

NOW, THEREFORE, the Council directs:

- a. That the City Council accepts the Engineering Report attached as Exhibit A for an existing above-grade encroachment for the 419 East Burnside development with the terms and conditions contained within said Report.

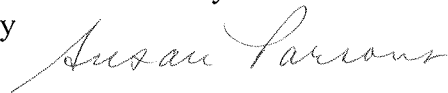
Section 2. The Council declares that an emergency exists because the development will begin construction soon; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JAN 21 2015

Commissioner Steve Novick  
Prepared by: Fabio de Fritas  
Date Prepared: December 19, 2014

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

Agenda No. **186982**  
**ORDINANCE NO.**  
 Title

\*Accept an Engineering Report on a Major Encroachment into the public right-of-way for 419 East Burnside Street (Ordinance)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>COMMISSIONER STEVE NOVICK</b>
<b>COMMISSIONER APPROVAL</b>
Mayor—Finance and Administration - Hales
Position 1/Utilities - Fritz
Position 2/Works - Fish
Position 3/Affairs - Saltzman
Position 4/Safety – Novick <i>Nov</i>
<b>BUREAU APPROVAL</b>
Bureau: Bureau of Transportation Interim Group Mgr.: Christine Leon Development Services / Streetcar & Transit Partnerships Assistant Director: <i>Nov</i>
Prepared by: Fabio de Freitas <i>FdF</i> Date Prepared: December 19, 2014 <i>FDX</i>
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Council Meeting Date <b>January 21, 2015</b>
<b>City Auditor Office Approval:</b> required for Code Ordinances
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter

CLERK USE: DATE FILED JAN 16 2015

LaVonne Griffin-Valade  
Auditor of the City of Portland

By: *[Signature]*  
Deputy

**ACTION TAKEN:**

**AGENDA**

**TIME CERTAIN**   
 Start time: \_\_\_\_\_  
 Total amount of time needed: \_\_\_\_\_  
 (for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
 Total amount of time needed: \_\_\_\_\_  
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Novick	4. Novick ✓	
Hales	_____	_____