

## ORDINANCE No. 149587

An Ordinance waiving Section 33.114.120 of the Code to permit late acceptance of Conditional Use No. 6-80 to construct a three-story office building and a 45 slip marina on Tax Lot 3, Block 1, Stephens Addition and Tax Lot 6, Block 11, East Portland, adjacent to the Hawthorne Bridge, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Hearings Officer, on February 26, 1980, acting on the application of State of Oregon, DOT, deedholder, Eugene Kuzman, deedholder and applicant, granted Conditional Use No. 6-80 for construction of a three-story office building and a 45 slip marina, including 52 off-street parking spaces and a 20 foot right-of-way for the Greenway Path, in zones M2S and WSD; located at the foot of SE Clay Street, adjacent to the Hawthorne Bridge.
2. No appeal has been filed from such approval.
3. Pursuant to Code Section 33.114.120, written acceptance by applicants was required prior to March 26, 1980.
4. Because of a misunderstanding on the part of the State of Oregon, written acceptance from the DOT was not received until April 25, 1980.
5. The applicants request waiver of the 30 day limit for filing acceptance to allow such Conditional Use to be effective in order to avoid substantial hardship.

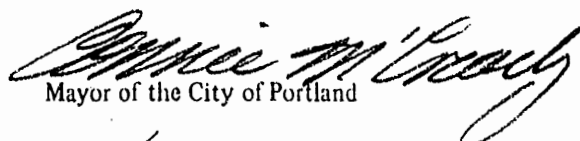
NOW, THEREFORE, the Council directs:

- a. That Section 33.114.120 of the Code be waived in order to render the late acceptance of CU 6-80 to be effective and the Conditional Use to be in full force and effect.

Section 2. The Council declares that an emergency exists because CU 6-80 should be effective immediately to avoid unnecessary delay and costs, therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAY 8 1980**

Mayor McCready  
GY/CJS:ca  
April 29, 1980

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Calendar No. 1588

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### Title

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THURSDAY

Filed MAY 2 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By George Yerkovich  
Deputy

INTRODUCED BY
Mayor McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>C. M. J.</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau:
City Auditor
Prepared By: Date:
GY/CJS:ca 4/29/80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>George Yerkovich</i> George Yerkovich

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