

149396

ORDINANCE NO. **149396**

An Ordinance amending Ordinance No. 149062 and changing the zoning for Tax Lots 12, 21, 69, 70, 92, and those portions of 49, 59, and 76, Section 11, T1N, R1E, not already zoned M1L, from M2L to M1L; located east of NE Grand Avenue and north of NE Columbia Boulevard, under certain conditions, in order to correct the ownership, and declaring an emergency.

The City of Portland finds:

Section 1. The Council finds:

1. The applicants, Town Concrete Pipe, Inc., deedholder of Tax Lot 12; Western International Investors and Developers, deedholder of Tax Lots 21, 69, and 70; Shelton & Mary Duff and Richard & Inez Steelman, deedholders of Tax Lot 92; and Lloyd Babler, contract purchaser of Tax Lot 92, seek a zone change from M2L to M1L for Tax Lots 12, 21, 69, 70, 92, and in addition a zone change initiated by the Bureau of Planning for those portions of 49, 59, and 76, Section 11, T1N, R1E, not already zoned M1L; located east of NE Grand Avenue and north of NE Columbia Boulevard.
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. Applicants have paid the proper fee for the filing of such petition.
4. The City's Hearings Officer, by Report and Recommendation dated December 27, 1979 (Planning Commission File No. 6913), after and as a result of a duly authorized and conducted public hearing held December 17, 1979, on said proposal, has recommended that the zone change be granted with conditions.
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 on January 30, 1980.
7. This rezoning is in conformance with comprehensive planning considerations and applicable goals of the Land Conservation and Development Commission. Therefore, the public need is best served by changing the zoning classification of this property.
8. Ordinance No. 149062 changed the zoning on the above described property from M2L to M1L. The text was identical to the amending ordinance, with the exception that an error was made in Ordinance No. 149062 in that it did not distinguish properties initiated by the applicants and those initiated by the Bureau of Planning.
9. The findings of the Hearings Officer and City Council are reflected in this ordinance and the correction, distinguishing the petitioned and initiated properties, has been made.

## ORDINANCE No.

NOW, THEREFORE, the Council directs:

- a. The zone of Tax Lots 12, 21, 69, 70, 92, and those portions of 49, 59, and 76, Section 11, T1N, R1E, Quarter Section 2231, not already zoned M1L, be rezoned from M2L to M1L; located east of NE Grand Avenue and north of NE Columbia Boulevard.
- b. This zone change is granted under the following conditions:
  1. NE Grand Avenue shall be improved at the expense of the applicants with a minimum 36 foot wide roadway from NE Columbia Boulevard to the north line of vacated NE McClelland.
  2. The requirements of the City Engineer for sewers shall be met.
  3. A Building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 SW 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. Final inspection shall not occur until Conditions 1 and 2 have been met.
- c. This order shall be effective and changes shall be made to the zoning maps based on duly received acceptance of the conditions contained in Ordinance No. 149062 (also listed above b. 1-3) by the applicants as listed herein.

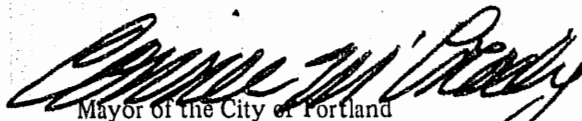
The City Auditor shall file a certified copy of this ordinance in the appropriate record file of Multnomah County.

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 full force and effect from and after its passage by the Council.


Passed by the Council,

APR 9 1980

Mayor McCready  
D. Warren/lb  
March 18, 1980

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

| THE COMMISSIONERS VOTED<br>AS FOLLOWS: |      |      |
|--|------|------|
|  | Yeas | Nays |
| Ivancie                                | 1    |      |
| Jordan                                 | 1    |      |
| Lindberg                               | 1    |      |
| Schwab                                 | 1    |      |
| McCready                               | 1    |      |

| FOUR-FIFTHS CALENDAR |  |
|----------------------|--|
| Ivancie              |  |
| Jordan               |  |
| Lindberg             |  |
| Schwab               |  |
| McCready             |  |

Calendar No. 1226

## ORDINANCE No. 149396

### Title

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Filed APR 4 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By [Signature] Deputy

|                |
|----------------|
| INTRODUCED BY  |
| Mayor McCready |

|   |
|---|
| NOTED BY THE COMMISSIONER                     |
| Affairs                                       |
| Finance and Administration <i>[Signature]</i> |
| Safety  |
| Utilities                                     |
| Works   |

|  |
|--|
| BUREAU APPROVAL  |
| Bureau:  |
| Bureau of Planning   |
| Prepared By: D. Warren/lb  |
| Date: 3/18/80  |
| Budget Impact Review:  |
| <input type="checkbox"/> Completed <input type="checkbox"/> Not required |
| Bureau Head: <i>[Signature]</i>  |
| Frank N. Frost   |

|                                  |
|----------------------------------|
| NOTED BY                         |
| City Attorney <i>[Signature]</i> |
| City Auditor                     |
| City Engineer                    |
|                                  |
|                                  |