

RECEIVED

APR 24 8 50 AM 1980

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY [Signature]
Portland, Oregon, April 10, 1980

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. 149400, passed by the Council April 9, 1980, changing the zoning for all of Lot 1 and the south one-half of Lot 2, Block 6, Alder Spirngs; and Tax Lot 1 of Lot 15, Madison Villa, from R7 and A2.5 to C2S, located at SW 24th Avenue and SW Spring Garden Road, under certain conditions and with variances,

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,

[Signature]
* Merlin V. Layne

[CORPORATE SEAL]

1355 SW Maplecrest Drive (19)

Address

Approved as to form:

[Signature]
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.

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APR 17 10 19 AM 1980

149400

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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,

[Signature]
Dorothy Turner Powell

[CORPORATE SEAL]

530 West A Street, Burns, OR 97720

Address

Approved as to form:

[Signature]

City Attorney

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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,

Morse T. Turner

Morse T. Turner

(CORPORATE SEAL)

~~10753 Glencross Drive S, Seattle 98168~~

Address
21515 - SE. 44th ST.
ENUMCRAW, WASH. 98022

Approved as to form:

Christopher R. Thomas

CITY ATTORNEY

City Attorney

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APR 15 10 50 AM 1980

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY GA

ACCEPTANCE

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Room 202, City Hall
Portland, Oregon 97204

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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,
Lorne E. Turner (deceased) by
Nancy J. Turner

* Lorne E. Turner

[CORPORATE
SEAL]

12460 NW Haskell Ct. (29)

Address

Approved as to form:

[Signature]

[Stamp]

City Attorney

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APR 15 10 50 AM 1980

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CITY OF PORTLAND, ORE.

BY [Signature]
Portland, Oregon, April 10, 1980

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Auditor of the City of Portland,
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Portland, Oregon 97204

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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,

[Signature]
Donald C. Turner

[CORPORATE
SEAL]

5130 NE Alberta Court (18)

Address

Approved as to form:

[Signature]
City Attorney

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RECEIVED

APR 23 8 58 AM 1980

ACCEPTANCE

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CITY OF PORTLAND, ORE.

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Portland, Oregon, April 10, 1980

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Auditor of the City of Portland,
Room 202, City Hall
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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,

[Signature]
Loy D. Turner

[CORPORATE
SEAL]

4066 Abourne Rd. Los Angeles, CA 90008

Address

Approved as to form:

[Signature]
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. **149400**

An Ordinance changing the zoning for all of Lot 1 and the south one-half of Lot 2, Block 6, Alder Springs; and Tax Lot 1 of Lot 15, Madison Villa, from R7 and A2.5 to C2S, located at S.W. 24th Avenue and S.W. Spring Garden Road, under certain conditions and with variances, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The applicants, Donald C. Turner, Morse T. Turne, Lorne E. Turner, Loy D. Turner, and Dorothy P. Turner Powell, deedholders; and Merlyn V. Layne, seek a zone change from R7 and A2.5 to C2S for all of Lot 1 and the south one-half of Lot 2, Block 6, Alder Springs; and Tax Lot 1 of Lot 15, Madison Villa, located at S.W. 24th Avenue and S.W. Spring Garden Road.
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 March 11, 1980 (Planning Commission File No. 6933), after and as a result of a duly authorized and conducted public hearing held March 10, 1980 on said property, has recommended that the zone change be granted with conditions and variances.
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.
7. 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 of the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. The zone of all of Lot 1 and the south one-half of Lot 2, Block 6, Alder Springs; and Tax Lot 1 of Lot 15, Madison Villa, is changed to C2S.

ORDINANCE No.

b. This zone change is granted under the following conditions:

- 1) Medical and dental offices shall be excluded from the site.
- 2) Final landscaping plan, in detail shall be submitted to the Bureau of Planning for review and approval prior to the issuance of a Building Permit.
- 3) Proper permits for right-of-way access to S.W. Spring Garden Road shall be obtained from Multnomah County prior to issuance of Building Permits.
- 4) The applicant shall construct and connect to storm sewer in the area, according to the standards of the City Engineer as indicated in Exhibit 5.
- 5) All applicable requirements of Section 33.82, Parking Regulations, shall be met prior to the issuance of Occupancy Permits.
- 6) Ingress and egress shall be provided only to S.W. Spring Garden Road.
- 7) A Building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 S.W. 5th 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.

c. This zone change is granted with the following variances:

- 1) A variance reducing the front yard on S.W. Spring Garden Road to five feet.
- 2) A variance reducing the front yard of S.W. 24th Avenue to 15 feet.

d. This order shall not be effective and no change shall be made to the zoning maps until acceptance and recording as provided in Section 33.102.010.

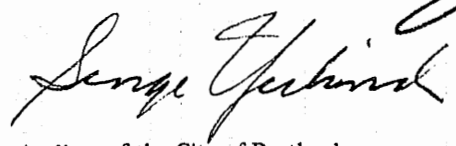
Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 9 1980

Mayor McCready
March 11, 1980
G.H.Fleerlage/ja

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

Calendar No. 1231

ORDINANCE No. 149400

Title

An Ordinance changing the zoning for all of Lot 1 and the south one-half of Lot 2, Block 6, Alder Springs; and Tax Lot 1 of Lot 15, Madison Villa, from R7 and A2.5 to C2S, located at S.W. 24th Avenue and S.W. Spring Garden Road, under certain conditions and with variances, and declaring an emergency.

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

4

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed MAR 20 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Gordon Howell
Deputy

INTRODUCED BY
MAYOR McCREADY

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>CM</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Hearings Office
Prepared By: G.H. Fleerlage/da Date: 3/11/80
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney
City Auditor
City Engineer

149400