

RECEIVED

FEB 16 8 42 AM 1982

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

152832

BY \_\_\_\_\_

Portland, Oregon, February 10, 1982

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. 152832, passed by Council February 10, 1982, changing the zoning of Lot 1 and Lot 4, Block 14, Woodstock, from R5 to C2 and C2B, located on the south side of SE Knight Street from SE 46th to 47th Avenues, requiring a comprehensive plan map amendment, under certain conditions,

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,

*Ronda C. Darby*  
-----  
\* Ronda C. Darby

(CORPORATE SEAL)

-----

7034 SE 34th Avenue, Portland, OR 97202

Address

APPROVED AS TO FORM

Approved as to form: *P. Thomas*

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.

# ACCEPTANCE

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GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

152832

BY \_\_\_\_\_

February 10

Portland, Oregon, \_\_\_\_\_

1982

GEORGE YERKOVICH  
Auditor of the City of Portland.  
Room 202, City Hall  
Portland, Oregon 97204

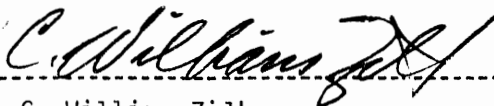
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of

Ordinance No. 152832, passed by Council February 10, 1982, changing the zoning of Lot 1 and Lot 4, Block 14, Woodstock, from R5 to C2 and C2B, located on the south side of SE Knight Street from SE 46th to 47th Avenues, requiring a comprehensive plan map amendment, under certain conditions,

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,



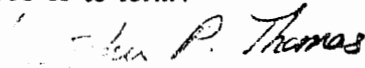
\* C. William Zilk

[CORPORATE SEAL]

14841 SE Raintree Ct., Milwaukie, OR 97222

Address

APPROVED AS TO FORM  
Approved as to form:



STEPHEN P. THOMAS  
City Attorney

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152832

# ACCEPTANCE

FEB 19 9 52 AM 1982

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

BY [Signature]  
February 10

Portland, Oregon, \_\_\_\_\_ 1982

**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. 152832, passed by Council February 10, 1982, changing the zoning of Lot 1 and Lot 4, Block 14, Woodstock, from R5 to C2 and C2B, located on the south side of SE Knight Street from SE 46th to 47th Avenues, requiring a comprehensive plan map amendment, under certain conditions,

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,

U.S. NATIONAL BANK OF OREGON

[CORPORATE  
SEAL]

[Signature]  
James W. Parry  
Assistant Vice President  
P.O. Box 4412, Portland, OR 97208  
Address

APPROVED AS TO FORM  
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.

ORDINANCE NO. 152832

An ordinance changing the zoning of Lot 1 and Lot 4, Block 14, Woodstock, from R5 to C2 and C2B, located on the south side of SE Knight Street from SE 46th to 47th Avenues, requiring a comprehensive plan map amendment, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The applicants, C. William Zilk and Ronda C. Darby, deedholders; and United States National Bank of Oregon, potential purchasers, seek a zone change from R5 to C2 for the north 90 feet of Lot 4 and all of Lot 1, except the west 10 feet of the south 10 feet, Block 14, Woodstock; and in addition a zone change is initiated by the Planning Bureau on the south 10 feet of Lot 4 and the west 10 feet of the south 10 feet of Lot 1, Block 14, Woodstock, located on the south side of SE Knight Street between SE 46th and 47th Avenues, in order to construct a drive-in banking facility.
2. An application 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 an application.
4. The city's Hearings Officer, after and as a result of a duly authorized and conducted public hearing (PC File 7139-PA), held October 12, 1981, recommended denial of the proposed zone change and comprehensive plan map amendment.
5. The Hearings Officer's recommendation was appealed to the City Council by the applicant's representatives on October 30, 1981.
6. A duly authorized and conducted public hearing was held by the City Council on December 16, 1981. The City Council voted to approve the zone change and comprehensive plan map amendment, with conditions, based on the following findings.
7. a) The proposal for a comprehensive plan map amendment from R2.5 to C2 and C2B is consistent with the comprehensive plan goals and policies because it will allow expansion of an existing commercial enterprise which serves the local neighborhood, and because traffic congestion on SE Woodstock Boulevard will be reduced, therefore, promoting energy conservation and safe, convenient transportation.

- b) A commercial zone change on this property would be compatible with the land use map established by the comprehensive plan because commercial businesses already exist to the east, west and south on land zoned and planned for commercial land use. The proposal would be made compatible with residential areas north of SE Knight Street by the establishment of a buffer zone, which requires landscaping and screening, on the north 15 feet of the site.
  - c) The proposal is in the public interest, at this time and location, because it would mitigate traffic congestion problems on SE Woodstock caused by the existing drive-up windows of the bank. Demand for service currently backs up traffic on SE Woodstock Boulevard. The new facility would solve this problem by providing five new drive-up windows. The proposal would also supply additional off-street parking.
8. a) The proposal is also consistent with criteria for zone changes, because the zone change to C2 and C2B would be to the maximum designation under the new comprehensive plan designation.
- b) In addition, all public facilities, including sewer, water and abutting street improvements, are adequate to sustain the proposed use of the site.

NOW, THEREFORE, the Council directs:

- a. The comprehensive plan designation shall be amended to C2 on the south 85 feet of Lots 1 and 4, Block 14, Woodstock and to C2B, a buffer zone designation, on the north 15 feet of Lots 1 and 4, Block 14, Woodstock.
- b. The zoning shall be changed to C2 on the south 85 feet of Lots 1 and 4, Block 14, Woodstock and to C2B, a buffer zone designation, on the north 15 feet of Lots 1 and 4, Block 14, Woodstock.
- c. This zone change is granted under the following conditions and these conditions shall apply only to the north 90 feet of Lot 4 and all of Lot 1, except the south 10 feet of the west 10 feet:
  - 1. The city Traffic Engineer shall design curb cuts to all ingress and egress on the property. These curb cuts shall be located northward to the greatest extent possible and they will encourage traffic exiting the drive-in bank to turn south on SE 46th Avenue.
  - 2. A landscaping plan shall be designed and implemented on the property. Such a plan shall include street trees, low-growing ground cover and screening which conforms to requirements contained in Chapters 33.58 and 33.82 of Title 33, Zoning and Planning of the Municipal Code of the City of Portland.

## ORDINANCE No.

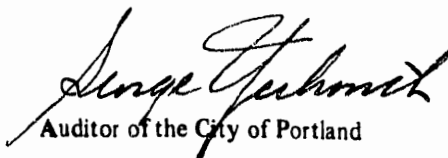
3. Development of the existing bank site, Lots 1 and 2, Block 13, Woodstock, and any contiguous property proposed for expansion of the existing bank, shall not be used for a drive-in window facility and no more than 34 off-street parking spaces shall be delineated, unless specific approval is granted by the City Council.
- d. This order shall be effective and changes shall be made to the zoning maps based on duly received acceptance of the above-stated conditions 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 force and effect from and after its passage by the Council.

Passed by the Council, **FEB 10 1982**

Introduced by Order of Council  
D. Warren/jlu  
January 8, 1982

Attest:

  
Auditor of the City of Portland

Calendar No. **330**

ORDINANCE No. **152832**

Title

An ordinance changing the zoning of Lot 1 and Lot 4, Block 14, Woodstock, from R5 to C2 and C2B, located on the south side of SE Knight Street from SE 46th to 47th Avenues, requiring a comprehensive plan map amendment, under certain conditions, and declaring an emergency.

Filed FEB 1 1982

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *Gordon Croell*  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE		/

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
Order of Council

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

BUREAU APPROVAL
Bureau: Planning
Prepared By: D. Warren/jlu Date: 1/8/82
Budget Impact Review: <input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>[Signature]</i> Terry Sandblast

CALENDAR	
Consent <input checked="" type="checkbox"/>	Regular

NOTED BY
City Attorney <i>KS Beaumont</i>
City Auditor
City Engineer