

RECEIVED

MAY 28 9 51 AM 1981

151573

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

Portland, Oregon, May 22 1981

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. 151573, passed by the Council May 21, 1981, changing the zoning for Tax Lot 46 and Tax Lot 87, SE 1/4, Section 21, T1S, R2E, from R10 to R2; located south of SE Mt. Scott Boulevard, east of I-205, 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,

Russell E. Hamachek
Russell E. Hamachek

[CORPORATE
SEAL]

(terminated)
Diane DeJager, Attorney in Fact

10600 SW Moapa, Portland, OR 97219

Address

APPROVED AS TO FORM

Approved as to form:

Christopher 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.

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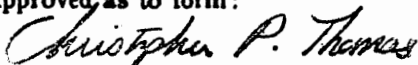
and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,


Richard Bemis[CORPORATE
SEAL]

1001 SW 5th, Portland, OR 97219

Address

APPROVED AS TO FORM
Approved as to form:_____
CITY ATTORNEY
City Attorney

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Very truly yours,

ROBERT RANDALL COMPANY

[CORPORATE
SEAL]

9500 SW Barbur Blvd., Portland, OR 97219

Address

APPROVED AS TO FORM

Approved as to form:

Christopher P. Thomas

CITY ATTORNEY

City Attorney

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ORDINANCE NO. **151573**

151573

An Ordinance changing the zoning for Tax Lot 46 and Tax Lot 87, SE 1/4, Section 21, T1S, R2E, from R10 to R2; located south of S.E. Mt. Scott Boulevard, east of I-205, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Applicants, Robert Randall Company, deedholder, seek a zone change from R10 to R2 for Tax Lot 46 and Tax Lot 87, SE 1/4, Section 21, T1S, R2E; located south of S.E. Mt. Scott Boulevard, east of I-205.
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 April 23, 1981 (Planning Commission File No. 7051), after and as a result of a duly authorized and conducted public hearing held April 20, 1981, on said property, has recommended that the zone change be granted, with conditions.
5. The notice requirements for that public hearing were fulfilled according to law.
6. This rezoning is in conformance with the 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. That the facts, findings, conclusions, and recommendations of the Hearings Officer in P.C. File No. 7051 are adopted by City Council.
- b. The zone of Tax Lot 46 and Tax Lot 87, SE 1/4, Section 21, T1S, R2E; located south of S.E. Mt. Scott Boulevard, east of I-205, is changed to R2.
- c. This zone change is granted under the following conditions:
 - (1) Applicant's plan to meet public facilities requirements shall be submitted to the Bureau of Planning for review and approval, and a performance contract based upon the approved plan submitted prior to the issuance of Building Permits. The Bureau of Planning shall rely upon appropriate City agencies' advice in reviewing and approving that plan.
 - (2) A Pedestrian Pathway, from S.E. Mt. Scott Boulevard to each unit, shall be developed.
 - (3) Access to the site shall be as shown on the Plot Plan or within 25 feet of that driveway.

ORDINANCE No.

- (4) Applicant shall submit a Noise Minimization Plan to the Bureau of Planning for review and approval prior to the issuance of Building Permits. Such plan shall include:
- (1) Design of structure so that a minimum number and area of windows occur on the walls of buildings directly exposed to freeway noise on the western portion of the property.
 - (2) Installation of triple glazed windows on certain buildings as needed on the western portion of the property.
 - (3) Adjustment of building placement on the site, within the constraints of the topography, to maximize the shielding of buildings on the site resulting in reduced interior and exterior noise levels.

In so doing, plans shall strive for noise levels no more than 45 dba interior and 67dba for exterior living areas. The Bureau of Planning shall rely upon the City's Noise Control Office's advice in reviewing and approving that plan.

- (5) A Drainage Plan meeting the "Interim Guidelines for Storm Water Run-Off Management in the Johnson Creek Drainage Basin" shall be submitted to the Bureau of Buildings and City Engineer's Office before Building Permits may be issued. The plans shall comply with the "Drainage (B)" and "Vegetation (C)" standards of those interim guidelines.
- (6) Prior to any clearing or grading, a complete geotechnical investigation, including engineering recommendations, shall be reviewed and approved by the Bureau of Buildings. That bureau may set such standards and require such analysis as appropriate under Chapter 70.

- 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,

MAY 21 1981

Commissioner Schwab
G.H. Fleerlage/sa
April 24, 1981

Attest:

Sergei G. Geronik
Auditor of the City of Portland

ORDINANCE No.

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In so doing, plans shall strive for noise levels no more than 45 dba interior and 67dba for exterior living areas. The Bureau of Planning shall rely upon the City's Noise Control Office's advice in reviewing and approving that plan.

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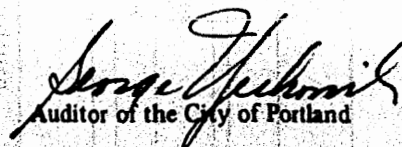
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Passed by the Council,

MAY 21 1981

Commissioner Schwab
G.H. Fleerlage/sa
April 24, 1981

Attest:


Auditor of the City of Portland

Calendar No. 1558

ORDINANCE No. 151573

Title

An Ordinance changing the zoning for Tax Lot 46 and Tax Lot 87, SE 1/4, Section 21, T1S, R2E, from R10 to R2; located south of S.E. Mt. Scott Boulevard, east of I-205, under certain conditions, and declaring an emergency.

THE COMMISSIONERS VOTED
AS FOLLOWS:

	Yeas	Nays
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE		/

FOUR-FIFTHS CALENDAR

JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY

COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

HEARINGS OFFICE

Prepared By:

Date:

G.H. Fleeher/sa

4/24/81

Budget Impact Review:

☐ Completed ☒ Not required

Bureau Head:

CALENDAR

Consent ☒

Regular

NOTED BY

City Attorney

City Auditor

City Engineer

Filed APR 24 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Deputy