

ORDINANCE NO. 1099

AN ORDINANCE CHANGING THE ZONE CLASSIFICATION OF CERTAIN REAL PROPERTY OWNED BY BEAVER CONSTRUCTION COMPANY FROM SINGLE FAMILY RESIDENTIAL AND AGRICULTURAL RESIDENTIAL UNDER THE ZONING CODE OF WASHINGTON COUNTY, TO SINGLE FAMILY RESIDENTIAL (R-S) UNDER THE ZONING ORDINANCE OF THE CITY OF BEAVERTON, ALLOWING A CONDITIONAL USE THEREON FOR PLANNED RESIDENTIAL DEVELOPMENT AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the provisions of Ordinance No. 1087, a hearing was duly and regularly held on December 5, 1966, and several objections and remonstrances were made concerning the proposed zone change and the conditional use hereinafter provided for; and

WHEREAS, the Council deems it desirable and advisable that the zone change be allowed and that the conditional use for the planned residential development be granted upon the conditions as set forth in the Minutes of December 5, 1966 of the City Council; Now, therefore,

THE CITY OF BEAVERTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The zone classification of that certain tract of land situated in the City of Beaverton, County of Washington, State of Oregon, and more particularly bounded and described as follows:

A tract of land in Lots 2, 3, 4, 5, 8, 9, 10 and 11, SPENCER HOMESTEAD, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the North line of said Lot 3, which point is the Northwest corner of that tract of land conveyed to Nicholas J. Miller, et ux, by deed recorded July 13, 1943, in Book 219, page 545, Washington County, Oregon Deed Records; thence South $0^{\circ}9'$ West along the West line of said Miller tract a distance of 377.8 feet to the Southwest corner thereof; thence North $89^{\circ} 27'$ East along the South line of said Miller tract a distance of 112.0 feet to the Southeast corner thereof; thence North $0^{\circ}09'$ East along the East line of said Miller tract, a distance of 27 feet to the Southwest corner of that tract of land conveyed to Gisella Cromien by deed recorded September 18, 1950, in Book 311, page 391, said Deed Records; thence North $89^{\circ} 27'$ East along the South line of said Cromien tract a distance of 258.3 feet to a point which is West a distance of 199 feet from the East line of said Lot 2; thence South parallel with the east line of said Lot 2, a distance of

310 feet, more or less, to the North line of that tract of land conveyed to John D. Beeson, et ux, by deed recorded September 5, 1963, in Book 495, page 20, said Deed Records; thence South $89^{\circ}27'$ West along the North line of said Beeson tract a distance of 370.3 feet to the Northwest corner thereof; thence South $0^{\circ}09'$ West along the West line of said Beeson tract a distance of 67.5 feet to the Southwest corner thereof; thence North $89^{\circ}27'$ East along the South line of said Beeson tract a distance of 370.3 feet to a point which is 199 feet West from the East line of said Lot 2; thence South parallel with the East line of Lots 2 and 5 of said SPENCER HOMESTEAD, a distance of 376.8 feet, more or less, to the North line of said Lot 8; thence East along the North line of said Lot 8, a distance of 199 feet to the Northeast corner thereof; thence South along the East line of said Lots 8 and 11, a distance of 753.7 feet to the Southeast corner of said Lot 11; thence West along the South line of said Lots 11 and 10 a distance of 1156.32 feet to the Southwest corner of said Lot 10, thence North along the West line of Lots 10, 9 and 4 of said SPENCER HOMESTEAD a distance of 763.58 feet, more or less, to a point which is 367 feet South from the Northwest corner of said Lot 4; thence East parallel with the North line of said Lot 4, a distance of 220 feet; thence North parallel with the West line of said Lot 4, a distance of 150 feet; thence West parallel with the North line of said Lot 4 a distance of 220 feet to the West line thereof; thence North along the West line of said Lot 4, a distance of 217 feet to the Northwest corner thereof; thence East along the North line of said Lot 4 a distance of 331 feet to the Southwest corner of said Lot 3; thence North along the West line of said Lot 3 a distance of 660 feet, more or less, to the Northwest corner thereof; thence North $78^{\circ}25'$ East a distance of 430 feet, more or less to the point of beginning,

be and the same is hereby changed from single family residential and agricultural residential under the zoning code of Washington County to single family residential (R-S) under the zoning ordinance of the City of Beaverton now in force and effect.

SECTION 2. That a conditional use is hereby granted upon the above described property under the provisions of subsection 6, Section 8, of Ordinance No. 550, as amended, for the development of said property as a planned residential development upon the conditions that all of the conditions and limitations established by the Council in its minutes of December 5, 1966, be complied with and carried out in full detail. A copy of said conditions is attached hereto marked Exhibit "A" and made a part of this ordinance as if incorporated herein. If any of said conditions set forth in the minutes or portrayed by the plot plan presented to the Council shall not be fulfilled the conditional use shall be immediately terminated without further action by the Council.

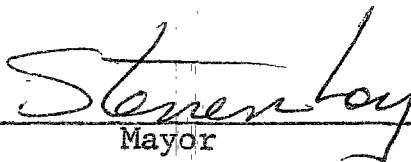
SECTION 3. The Council of this City hereby finds and

determines that it is necessary and expedient that the provisions of this ordinance go into effect forthwith for the preservation of the peace, safety and health of the City of Beaverton and the inhabitants thereof, for the reason it is necessary to determine at an early date to what uses the hereinabove described real property may be developed, improved and used, thereby promoting the development thereof and the general economy of the City. Now, therefore,

AN EMERGENCY IS HEREBY DECLARED TO EXIST and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.


Passed by the Council this 19 day of December, 1966.

Approved by the Mayor this 19 day of December, 1966.



Mayor

ATTEST:



Recorder

EXHIBIT "A"
ORDINANCE NO. 1099
BEAVER CONSTRUCTION

Additional Conditions for Planned Residential Conditional Uses

1. Screening-coniferous plants which will attain a height of not less than six feet in a period of not more than two years, which will substantially screen the development.
2. The developing owner will not be permitted to rent any of the units.
3. Adequate storm sewers to be placed upon all streets, both public and private and constructed under city specifications.
4. That Sixth Street be developed, improved, and dedicated in accordance with city specifications with curbs and sidewalks on both sides thereof before occupancy be allowed in any unit within the development.
5. That no units may be built other than as proposed by the typical floor plan and elevation without approval of the Planning Commission.
6. That all of the locations of buildings, streets, widths of streets, open areas, pools, club house, structures and conditions of any nature set forth and represented on plot plans and drawings are hereby established as a condition which must be developed and maintained in accordance with said presentations.
7. No building permit shall be issued until detailed plans have been submitted and approved by the planning commission. Scale plans should show the exact location, size, height, and character of all structures to be constructed. Detailed paving plans for all landscaped areas, etc., detailed paving plans for all streets and other vehicular and pedestrian access and egress. If the final plan envisages no changes from the preliminary plan previously approved, no council action shall be required. However, if changes from the approved preliminary plan are proposed, a new conditional use proceeding is required. After approval of the preliminary plan for the whole area, final plans may be approved on a partial basis for specific lots and blocks within the total development, provided they are in conformance with the approved preliminary plan.
8. Non-residential use not approved at this time.
9. That there be underground utilities and that each unit have a post light for street and yard lighting purposes.
10. Dedication of the right-of-way shown on plot plan for public use.
11. That the central North South street within the development shall be improved with 34 feet of paving between curbs in accordance with city specifications.

MOTION: Councilman Moore MOVED that the attorney be instructed to proceed with the zone change and conditional use with the conditions attached as has been set forth in the Minutes, which is in addition to the floor plan, and the elevations. SECONDED by Councilman McNulty. Motion CARRIED unanimously.