

ORDINANCE NUMBER 1613

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBER 1438, BY REZONING CERTAIN PROPERTY FROM R-3 PD TO R-3, REMOVING IT FROM THE BROOKSIDE PLANNED DEVELOPMENT FINAL PLAN AND PROGRAM (ZC-86-05).

WHEREAS, a Zoning Map Amendment was considered at public hearings before the Planning Commission on October 28, 1986 and City Council on December 2, 1986, and

WHEREAS, the City Council finds that the applications should be approved based on the findings listed below,

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The following findings of fact and conclusions are adopted:

FINDINGS:

1. The Applicant proposes to reduce the total area of the site from 6.91 acres to 6.105 acres.
2. The resulting Planned Development will maintain a density of one dwelling unit per 3,324 square feet.
3. The underlying R-3 zone allows a maximum density of one dwelling unit per 3,000 square feet.
4. The Applicant proposes to reduce the total open space available from 3.481 to 2.676 acres.
5. The resulting open space comprises 43.8% of the site.
6. The PD (Planned Development) Zone requires that one-third of the gross area of the site be devoted to open space. One-third equals 33.3%.
7. The remaining open space is comprised of an area which, by visual assessment, is equal to the area upon which the dwellings are situated.

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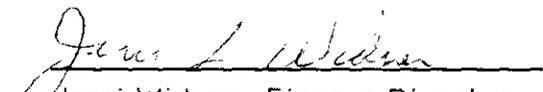
Read the first time on December 2, 1986, and moved to
second reading by 3 - 0 vote of the City Council.

Read the second time and adopted by the City Council on
December 16, 1986.



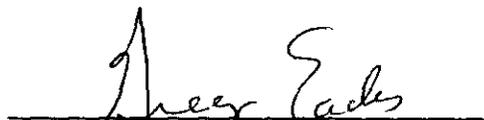
Mayor

ATTEST:



Jerri Widner, Finance Director

Approved as to form:



Greg Eades, City Attorney

Attachment A

The legal description of the parcel to be acquired is as follows:

Part of the George Wills and Wife DLC in Section 30, T.1S., R.2E., of the W.M., in the County of Clackamas, State of Oregon described as follows:

Beginning at that corner between lots 9 and 10 of Gibson's Subdivision of the J.A. Logan Tract lying on the South boundary of said Subdivision, thence Northwesterly along the South boundary of Gibson's Subdivision of the J. A. Logan Tract to its point of intersection with the centerline of Johnson Creek, thence Southeasterly along the centerline of Johnson Creek to its point of intersection with the extension of the South boundary of Gibson's Subdivision of the J. A. Logan Tract, thence Northwesterly along the South boundary of Gibson's Subdivision of the J. A. Logan Tract and it's aforesaid extension to the Point of Beginning; being part of Parcel I described in the deed from James Praggastis and David Alexander DBA Iron Mountain Investment Co. to Culver Construction Co. recording no. 7330494 Sept. 25, 1973 Record of Deeds for Clackamas County, Oregon.