



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office Fax: (503) 378-5518

Third Floor/Measure 37 Fax: (503) 378-5318

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

October 30, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Newberg Plan Amendment
DLCD File Number 012-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 14, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Steven Santos, DLCD Economic Development Planning Specialist
Jessica Nunley, City of Newberg

<paa> ya/



FORM 2

DLCD NOTICE OF ADOPTION **DEPT OF**

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 - Division 18

OCT 25 2006

(See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: City of Newberg Local File No.: CPA-06-008/ZMA-06-08
(If no number, use none)

Date of Adoption: 10/19/06 Date Mailed: 10/23/06
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 7/14/06

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: _____

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Comprehensive plan map amendment from IND (Industrial) to PQ (Public-Quasi Public) and zoning map amendment from M-2 (Light Industrial) to I (Institutional) to allow for the continued and future use of an alcohol and drug treatment facility at 1901 Esther St, tax lots 3217-02100 & 3217BD-00100.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from: IND (Industrial) to PQ (Public-Quasi Public)

Zone Map Changed from: M-2 (Light Industrial) to I (Institutional)

Location: 1901 Esther St, Newberg, OR Acres Involved: 21.96

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 012-06
(15392)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply.

Yes: No:

If no, did The Emergency Circumstances Require immediate adoption.

Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: _____

Division of State Lands

Local Contact: Jessica Nunley Area Code + Phone Number: 503-554-7744

Address: 414 E First St City: Newberg

Zip Code+4: 97132 Email Address: jessica.nunley@ci.newberg.or.us

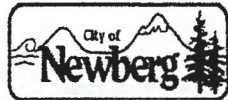
ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



ORDINANCE NO. 2006-2659

AN ORDINANCE DECLARING THAT PROPERTY LOCATED AT 1901 ESTHER ST, YAMHILL COUNTY TAX LOTS 3217-02100 & 3217BD-00100, BE CHANGED FROM ITS CURRENT COMPREHENSIVE PLAN DESIGNATION OF IND (INDUSTRIAL) TO PQ (PUBLIC-QUASI PUBLIC) AND FROM ITS CURRENT ZONING OF M-2 (LIGHT INDUSTRIAL) TO I (INSTITUTIONAL), AND TO APPROVE DESIGN REVIEW OF A 2500 SQ FT ADDITION TO THE EXISTING ADMINISTRATION BUILDING.

RECITALS:

1. On July 17, 2006, Hazelden Springbrook submitted an application for a comprehensive plan amendment and zoning map amendment for the property located at 1901 Esther St, Yamhill County tax lots 3217-02100 & 3217BD-00100, consisting of 21.96 acres. The applicant also submitted a concurrent application for design review of a 2500 sq ft addition to the southwestern edge of the existing Administration Building.
2. After proper notice, on October 16, 2006 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E Third, the City Council held a public hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
3. The Council finds that the requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding comprehensive plan/zoning map amendments and design review have been met.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The City Council finds that the comprehensive plan and zoning map amendments meet the requirements of the Newberg Development Code § 151.122 and that the design review meets the requirements of the Newberg Development Code § 151.192.
2. The City Council adopts the findings, which are attached hereto as Exhibit A and incorporated herein by reference.
3. The property shown in Exhibit B and described in Exhibit C is hereby changed from IND (Industrial) to PQ (Public-Quasi Public) comprehensive plan designation and from M-2

(Light Industrial) to I (Institutional) zoning plan designation.

4. The City Council approves the design review for a 2500 sq ft addition to the existing administration building.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: November 17, 2006.

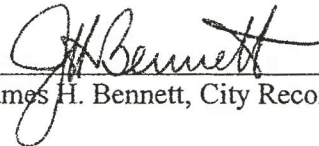
ADOPTED by the City Council of the City of Newberg, Oregon, this 16th day of October, 2006, by the following votes:

AYE: 7

NAY: 0


ABSENT: 0

ABSTAIN: 0



James H. Bennett, City Recorder

ATTEST by the Mayor this 19th day of October, 2006.



Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission Committee at 09/14/2006 meeting.
(committee name) (date)

**EXHIBIT A (PART ONE): COMPREHENSIVE PLAN AMENDMENT/ZONING MAP
CHANGE FINDINGS
CPA-06-008/ZMA-06-08
1901 Esther Street**

A. The proposed change is consistent with and promotes the objectives of the Newberg Comprehensive Plan and this Code.

1. Comprehensive Plan Description

PUBLIC/QUASI-PUBLIC (PQ)

The public/quasi-public designation is used to indicate the location of existing and future schools, public and private; airports; hospitals; continuing care retirement communities; cemeteries; government centers and other non-park facilities serving major community functions.

FINDING: The request to amend the comprehensive plan designation from IND (Industrial) to PQ (Public/Quasi-Public) is consistent with the intent of the PQ designation and is consistent with the current use of the site as a chemical and alcohol treatment center.

2. Development Code - Description and Purpose

INSTITUTIONAL DISTRICT (I)

The Institutional District is intended to support and promote institutional uses. The district provides for the establishment and growth of large institutional campuses as well as accessory and compatible uses. The Institutional District is intended to be consistent with the public/quasi-public designation of the comprehensive plan.

FINDING: The proposed Institutional District would be consistent with the proposed PQ comprehensive plan district. The proposed change would better allow for the continued use and expansion of the existing chemical and alcohol treatment facility located on the parcel. The existing chemical and alcohol treatment facility use is consistent with the description and purpose of the Institutional District and is a permitted use pursuant to:

151.436(H)(10) Hospital or medical center, including uses such as: (1) administrative offices; and (10) exercise, fitness and rehabilitation facilities.

3. Comprehensive Plan Goals and Policies

CITIZEN INVOLVEMENT GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

FINDING: The process of holding a public hearing before the Planning Commission and City Council for approval of this request is consistent with providing citizens an opportunity to have involvement in the land use process.

LAND USE PLANNING:

Policy (3): Industrial land use needs shall be periodically evaluated.

Policy (4): When Comprehensive Plan statements conflict, the relative importance of the statements should be balanced by giving consideration to existing and future public need, impacts on surrounding areas, and the effect of any precedent that may be established.

FINDING: The most recent land needs inventory for the years 2005-2025 indicated that the City of Newberg will need 100 acres of large industrial sites by the year 2025 (City of Newberg Ordinance No. 2005-2626). Based on this calculation, the City is facing a future deficit of needed large industrial sites by 40 acres in 2025. The Hazelden Springbrook parcel is currently zoned M-2 (Light Industrial District) and is 21.96 acres, which would classify it as a large industrial site.

The lands inventory also identifies a need for institutional lands. In the category of "other" institutional uses (other than schools and parks), the City will need 79 acres by the year 2025. In total, for all institutional uses (designated as PQ in the Comprehensive Plan), the City will need 164 buildable acres by 2025, and is projecting a deficit of 164 acres of buildable land for institutional uses. The reason for this projected deficit is that the City of Newberg does not designate specific parcels for future institutions without the consent of the property owner and/or the institution. Therefore, and in accordance with City of Newberg Ordinance No. 2005-2626, in order to provide an adequate supply of land, some of the institutional uses may reasonably take away from the residential or other land supply.

The current use of the property as a chemical and alcohol treatment facility does not adequately comply with the current industrial zoning and comprehensive plan designation. Granting the comprehensive plan/zone change would bring the current use into compliance with the institutional zoning code and comprehensive plan designation. Although there is a need for large site industrial parcels, there is also an identified need for institutional lands in the city. The site in question would be a good fit for either designation since it is buffered from the adjacent residential uses by the stream corridor.

URBAN DESIGN GOAL: To maintain and improve the natural beauty and visual character of the City.

General Policy (c): Non-residential uses abutting residential areas should be subject to special development standards in terms of setbacks, landscaping, sign regulations, building heights and designs.

General Policy (f): The City shall encourage compatible architectural design of new structures in the community.

FINDING: Because this site is buffered from the adjacent residential properties by the stream corridor, no special development standards are required to be met. The existing buildings on the site are built to emulate the residential character of the surrounding development. The proposed addition to the Administration Building would be built using the same design characteristics as the rest of the facility.

TRANSPORTATION GOAL 2: Establish consistent policies which require concurrent consideration of transportation/land use system impacts.

Policy: Transportation improvements shall be used to guide urban development and shall be designed to serve anticipated future needs.

TRANSPORTATION GOAL 9: Create effective circulation and access for the local transportation system.

Promote reliance on multiple modes of transportation and reduce reliance on the automobile.

Policy:

c. Develop a system of roads which provide for efficient movement of traffic, considering the general design guidelines below:

2) Minor Arterial Streets. Minor Arterials shall collect and distribute traffic from major arterials to collector and local streets; and, facilitate traffic movement between neighborhoods.

5) Local Streets. Local streets provide direct access to adjoining properties and connect to collector streets.

FINDING: Esther Street is a private drive serving both ADEC and Hazelden Springbrook. It takes access from Mountainview Drive, an unimproved minor arterial that runs east and west to the north of the site. The City of Newberg Transportation System Plan includes a plan for future updates to Mountainview Drive (6.2.2(15)). This application for comprehensive plan/zone change and design review would have minor impacts upon the transportation system and would not necessitate street improvements at this time. Future additions to the Hazelden Springbrook complex may require street improvements at that time.

PUBLIC FACILITIES AND SERVICES GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

All Facilities & Services Policy (a): The provision of public facilities and services shall be used as tools to implement the land use plan and encourage an orderly and efficient development pattern.

FINDING: No new public facilities are required to serve this site. The existing site is connected to city sewer and water systems. The site currently handles storm water onsite in its open areas and has a water supply system looping the site for fire hydrants. There is a service road for access to all structures located on the site.

In summary, the proposed zone change and comprehensive plan amendment promotes the objectives of the Development Code and Comprehensive Plan.

B. Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.

FINDING: Water, sanitary sewer and storm drainage are available to support the uses allowed by the proposed changes. The City of Newberg provides police and fire protection to the site.

CONCLUSION: The proposed reclassification from M-2 to I meets the applicable criteria. In addition, the city has indicated a need for institutional lands for the future. This parcel would be a good fit for either an industrial or an institutional designation. However, in order to allow for the continued use of the site as a chemical and alcohol treatment facility, the parcel would need to be reclassified as an institutional use. The property is fully served by sanitary sewer and water. Storm water is handled onsite.

EXHIBIT A (PART TWO): DESIGN REVIEW FINDINGS & CONDITIONS
DR2-06-018

Design review approval to construct a 2,500 square foot addition to the existing Administration Building at Hazelden Springbrook – 1910 Esther Street

I. Applicable Design Review Criteria – Newberg Development Code § 151.194:

(1) Design compatibility. The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.

Finding: The proposed addition will match the existing building in height, material, roof design and color. The existing buildings are intended to look residential in nature to better match both their use as a chemical and alcohol treatment facility as well as the abutting residential neighborhoods to the west. No trees will be removed for this addition and new landscaping will be added around the addition to better match the existing site.

(2) Parking and on-site circulation. Parking areas shall meet the requirements of § 151.610. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in § 151.610. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

Finding: The applicant is required to provide 61 spaces for their current use and proposed addition:

▪ Rooming & Boarding:	1 per room (26 rooms)	26 spaces
▪ Offices	1 per 400 sq ft (5000 sq ft)	13 spaces
▪ Admissions Bldg Offices	1 per 400 sq ft (4100 sq ft)	11 spaces
▪ Administrative Bldg Offices	1 per 400 sq ft (4150 sq ft)	11 spaces
	TOTAL	61 spaces

The applicant currently provides 101 parking spaces, well over the number required. The parking lot is accessed on the east side of the parcel from Esther Street and there is a roundabout in place to facilitate ease of entering and exiting the lot. The proposed addition is not large enough to require that bicycle parking spaces be provided.

(3) Setbacks and general requirements. The proposal shall comply with §§ 151.535 through 151.540 dealing with height restrictions and public access; and §§ 151.550 through 151.568 dealing with setbacks, coverage, vision clearance, and yard requirements.

Finding: The proposed project will meet the height restrictions and public access requirements, setback, coverage, vision clearance and yard requirements of the Code. Access to a public street, Mountainview Drive, is provided via a private drive, Esther Street, as required in § 151.538. The Institutional zone (I) requires a maximum building height of 75 feet as well as front and interior setbacks of 25 feet. Both

standards are met with the existing structures and the proposed addition. There are no other applicable lot coverage, vision clearance, or yard requirement standards for this site.

(4) Landscaping requirements. *The proposal shall comply with § 151.580 dealing with landscape requirements and landscape screening.*

Finding: The majority of the existing site is landscaped, exceeding the 15% required by the Code. The existing parking area is landscaped according to the standards required by the Code. The applicant states, and we agree, that new landscaping shall be placed around the addition to better match the existing site.

(5) Signs. *Signs shall comply with § 151.590 et seq. dealing with signs.*

Finding: Not applicable - No sign revision or addition is proposed at this time.

(6) Manufactured home, mobile home and RV parks. *Manufactured home, mobile home, and recreational vehicle parks shall also comply with the standards listed in §§ 151.655 et seq., in addition to the other criteria listed in this section.*

Finding: Not applicable – This site is not a manufactured home, mobile home or RV park.

(7) Zoning district compliance. *The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in §§ 151.280 through 151.438. Through this site review process, the Director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the Director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.*

Finding: The applicant is applying concurrently for a zone change to I (Institutional) from M-2 (Light Industrial). The existing use of the site is a chemical and alcohol treatment facility, which is a permitted use in the Institutional zone: § 151.436(H) Hospital or medical center, including uses such as: (1) administrative offices; and (10) exercise, fitness and rehabilitation facilities.

(8) Sub-district compliance. *Properties located within sub-districts shall comply with the provisions of those sub-districts located in §§ 151.450 through 151.526.*

Finding: Not applicable – This site is not located within any sub-districts.

(9) Alternative circulation, roadway frontage improvements and utility improvements. *Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.*

Finding: No additional improvements are required at this time.

(10) Traffic study improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the Director.

Finding: Not applicable - No traffic study is required at this time as fewer than 40 trips per PM peak hour will occur as a result of this project.

II. CONCLUSION:

Based on the above-mentioned findings, this project meets the criteria required within the Newberg Development Code, subject to completion of the attached conditions:

CONDITIONS OF APPROVAL - FILE DR2-06-018

A. THE FOLLOWING MUST BE COMPLETED BEFORE THE CITY WILL ISSUE A BUILDING PERMIT:

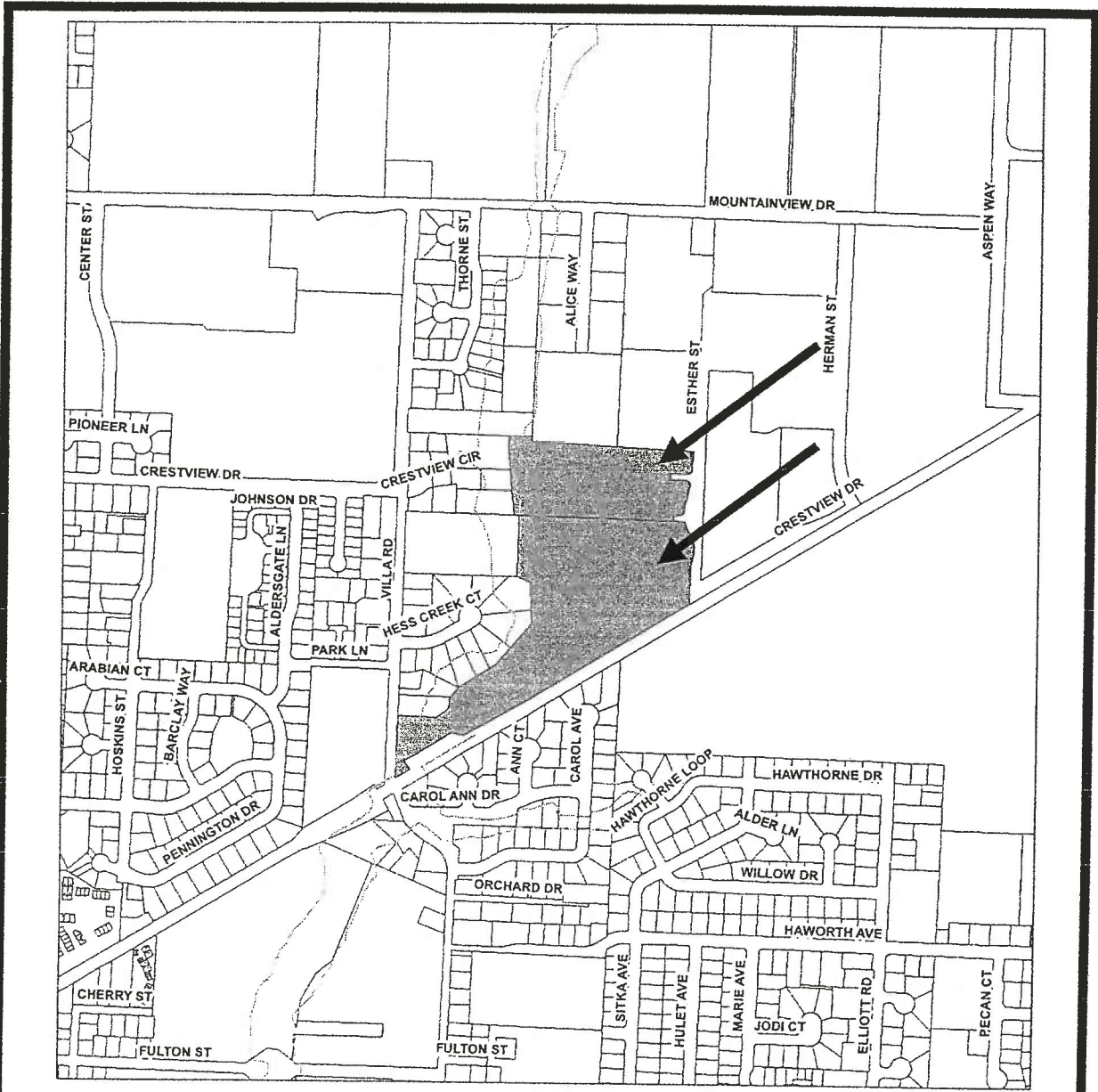
- **Permit Submittal:** Submit a building permit application, two (2) complete working drawing sets of the proposed project, two (2) complete electrical plans, and two (2) copies of a revised site plan.
- **Conditions of Approval:** Either write or otherwise permanently affix the conditions of approval contained within this report onto the first page of the plans submitted for building permit review.
- **Disabled/ADA Requirements:** Coordinate with the Building Division to comply with O.S.S.C. Chapter 11 requirements.

B. THE FOLLOWING MUST BE ACCOMPLISHED PRIOR TO OCCUPANCY:

- **Site Inspection:** Contact the Building Division (537-1240) for Building, Mechanical, and Plumbing final inspections. Contact the Fire Department (537-537-1260) for Fire Safety final inspections. Contact Yamhill County (538-7302) for electrical final inspections. Contact the Planning Division (537-1240) for landscaping final inspections.

C. DEVELOPMENT NOTES:

1. The design review fee collected for this application (DR2-06-018) was \$4,020.00. This fee was based on a total project cost of \$670,000.00. If the City determines that the actual project cost exceeds the original estimate, at time of construction of the project, there may be additional design review fees collected.
2. If current garbage service location or method of refuse collection is altered as a result of this application, provide a trash enclosure plan including material, size and type of containers. Submit to Newberg Garbage Service for approval. Provide written confirmation that Newberg Garbage Service has approved the method of refuse collection, and the design, size, and location of the proposed refuse collection area.



Description: Comprehensive Plan and Zoning Map Change

File: CPA-06-008/ZMA-06-08/DR2-06-018

Date: September 29, 2006

EXHIBIT B

LOCATION MAP

3217 02100 & 3217BD 00100

Tax Lot: 3217 02100 & 3217BD 00100

Location: 1901 Esther Street

Application By: Hazelden Springbrook

EXHIBIT C: LEGAL DESCRIPTION



All County Surveyors
& Planners, Inc.

PO Box 955

• Sandy, Oregon 97055

• Phone: 503-668-3151

• Fax: 503-668-4730

Legal Description Exhibit "A"

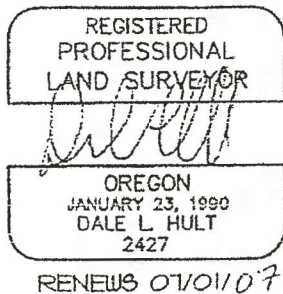
A tract of Land located in the Northeast $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of Section 17, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and described as follows:

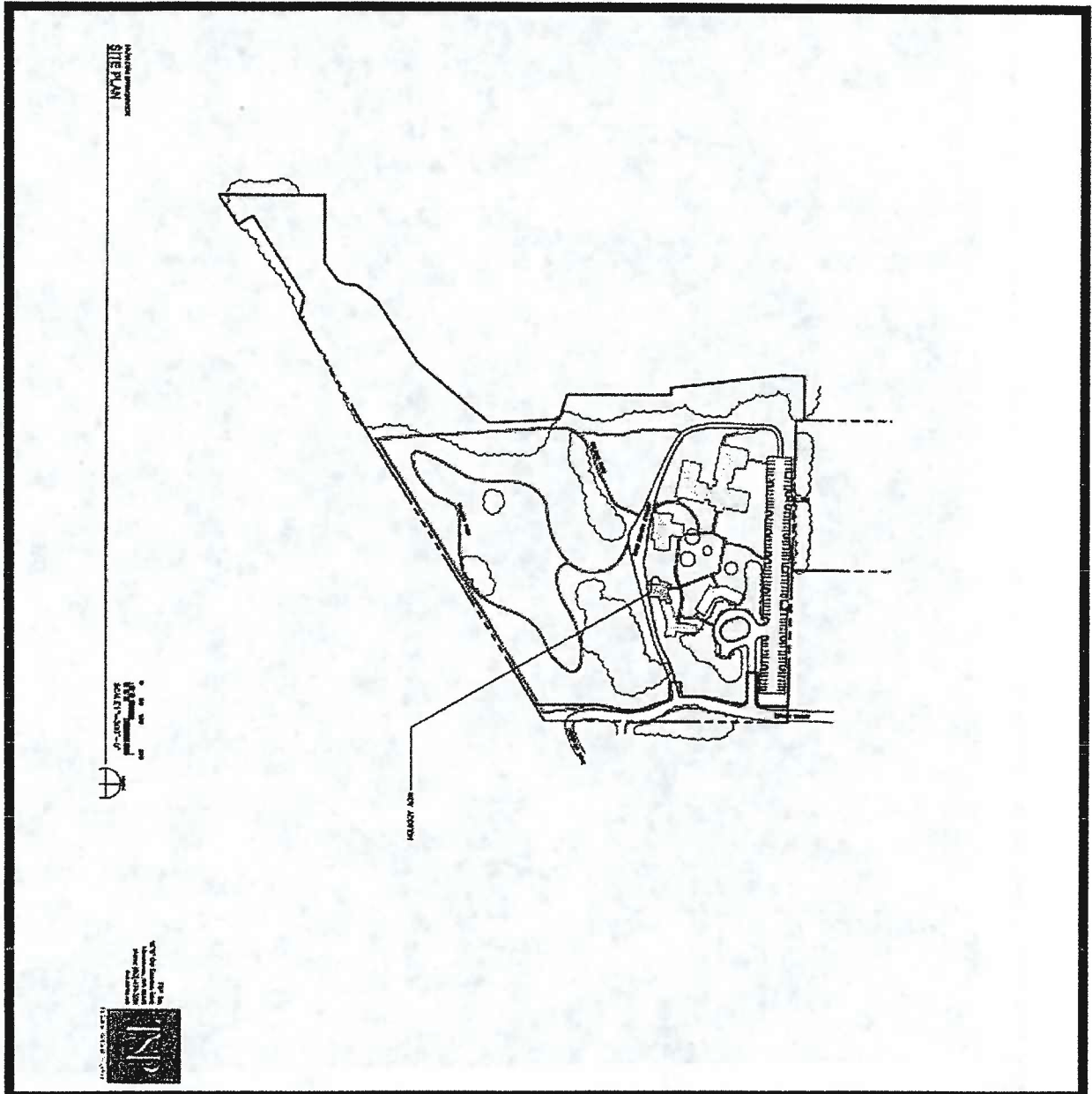
Commencing at a point in the center of County Road No. 58 (Mountain View Drive), on the Section Line between Section 8 and 17, marking the Northwest corner of a tract of land conveyed to Frank H. Lockyear by deed recorded March 4, 1966 in Film Volume 51, Page 253, Deed Record for Yamhill County, Oregon, said point is recorded as being 244.20 feet West of an angle corner in the West line of the Solomon Heater Donation Land Claim No. 48, said point also bears 1372.80 feet West of an iron pipe marking the Southeast corner of the William Wallace Donation Land Claim; thence South along the West line of said Lockyear tract 1158.62 feet to an iron rod, being the Southeast Corner of that tract of land described in deed from ADEC, INC to Oshio Oregon, Inc and recorded in Film Volume 212, Page 1957, Deed Record for Yamhill County, Oregon; thence along the South line of said Film Volume 212, Page 1957 tract, North $88^{\circ}32'27''$ West, 59.33 feet to the TRUE POINT OF BEGINNING; thence South $10^{\circ}15'37''$ West, 6.21 feet; thence South $00^{\circ}01'12''$ West, 71.89 feet to the beginning of a curve concave to the Northwest having a radius of 24.00 feet; thence Southerly and Westerly 37.70 feet along said curve (chord bears South $45^{\circ}01'12''$ West, 33.94 feet); thence North $89^{\circ}58'48''$ West, 80.05 feet; thence South $00^{\circ}01'21''$ West, 30.00 feet; thence South $89^{\circ}58'48''$ East, 75.11 feet to the beginning of a curve concave to the Southwest having a radius of 20.00 feet; thence Easterly and Southerly 35.44 feet along said curve (chord bears South $39^{\circ}13'14''$ East, 30.98 feet); thence South $11^{\circ}32'20''$ West, 98.54 feet to the beginning of a curve concave to the East having a radius of 175.00 feet; thence Southerly 29.74 feet along said curve (chord bears South $06^{\circ}40'14''$ West, 29.70 feet) to the beginning of a curve concave to the West having a radius of 19.00 feet; thence Southerly and Westerly 26.94 feet along said curve (chord bears South $42^{\circ}25'42''$ West, 24.74 feet); thence South $83^{\circ}03'18''$ West, 34.18 feet; thence South $02^{\circ}13'56''$ East, 25.08 feet; thence North $83^{\circ}03'18''$ East, 36.07 feet to the beginning of a curve concave to the South having a radius of 20.00 feet; thence Easterly and Southerly 27.86 feet along said curve (chord bears South $57^{\circ}02'24''$ East, 25.66 feet) to the beginning of a curve concave to the East having a radius of 175.00 feet; thence Southerly 50.86 feet along said curve (chord bears South $25^{\circ}27'37''$ East, 50.68 feet); thence South $33^{\circ}47'08''$ East, 9.67 feet to the beginning of a curve concave to the West having a radius of 124.00 feet; thence Southerly 96.68 feet along said curve (chord bears South $11^{\circ}26'58''$ East, 94.25 feet); thence South $10^{\circ}53'11''$ West, 59.19 feet; thence South 181.60 feet more or less, to the Northerly right of way of the Southern Pacific Railroad, said point being located Southwesterly along said Northerly right of way line 59.73 feet from the East line of that tract of land described in deed from Springbrook Institute Inc. to George K. Austin and Joan D Austin and recorded in Film Volume 263, Page 935 (Parcel 2) marked by a iron rod and referenced as set in CSP-8989 on file with the Yamhill County Surveyor; thence South $57^{\circ}29'03''$ West along said Northerly right of way line, 944.64 feet to an iron rod marking an angle point therein; thence South $58^{\circ}59'52''$ West along said Northerly right of way line, 378.64 feet to an angle point therein; thence North $78^{\circ}30'54''$ West along said Northerly right of way line, 57.58 feet to an iron rod marking an angle point therein; thence South $57^{\circ}29'03''$ West along said Northerly right of way line, 267.90 feet to an iron rod marking an angle point therein; thence South $32^{\circ}30'57''$ East along said Northerly right of way line, 50.00 feet to an iron rod marking an angle

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point therein; thence South 57°29'03" West along said Northerly right of way line, 86.29 feet to an iron rod on the East right of way line of Villa Road (County Road No. 61), said iron rod being 30.00 feet Easterly of the centerline of said road; thence North 00°10'22" East along said East right of way line, 303.04 feet to a point on the South line of that tract of land conveyed to Leslie Gerald Buchan and Clytis Elaine Buchan by Deed recorded in Film Volume 112, Page 1148, Deed Record for Yamhill County, Oregon; thence South 89°52'39" East along the South line of said Buchan tract, 187.16 feet to a point in the center of Hess Creek; thence Northeasterly along the center of said Hess Creek the following courses and distances: North 52°40'55" East, 64.57 feet and North 22°47'30" East, 22.53 feet and North 03°49'30" East, 32.41 feet and North 35°09'30" East, 67.67 feet to a point marking the Northeast corner of said Buchan tract, said point also marks the Southeast corner of Lot 3 of HESS CREEK ESTATES SUBDIVISION as platted and recorded in Volume 9, Page 167, Book of Town Plats for Yamhill County, Oregon; thence North 56°27'09" East along the Easterly boundary line of said Subdivision, 209.37 feet to an iron rod marking an angle point therein; thence North 39°20'01" East continuing along said boundary line, 264.88 feet to an iron rod marking an angle point therein; thence North 03°06'22" West continuing along said boundary line, 201.02 feet to a punch mark in the North rim of a sewer manhole cover, marking an angle point therein; thence North 71°08'59" West, 72.68 feet to an iron rod marking an angle point in said Subdivision; thence North 00°05'54" East, 260.99 feet to an iron rod marking the Southwest corner of that tract of land conveyed to the City of Newberg by Deed recorded in Film Volume 98, Page 1516, Deed Record for Yamhill County, Oregon; thence North 00°05'54" East along the West line of said City of Newberg tract, 32.00 feet to a point which is South 00°05'54" West along the West line of said City of Newberg tract, 8.00 feet from the Northwest corner thereof; thence North 89°59'37" West, 19.36 feet to a point in the center of Hess Creek; thence Northerly along the center of said Hess Creek the following courses and distances: North 18°29'58" West, 92.11 feet and North 04°54'56" West, 75.86 feet and North 03°12'31" West, 151.93 feet and North 01°08'25" East, 36.95 feet to a point which is 900.67 feet North 88°33'39" West, from the true point of beginning; thence South 88°33'39" East, 900.67 feet to the **TRUE POINT OF BEGINNING**

Courses and Distances were gathered from the Key Title Report No. 21-21736 and from CSP-8989 a private land survey by Clarence Barker date March-October 1987 on file with the Yamhill County Surveyor.





Description: Comprehensive Plan and Zoning Map Change

File: CPA-06-008/ZMA-06-08/DR2-06-018

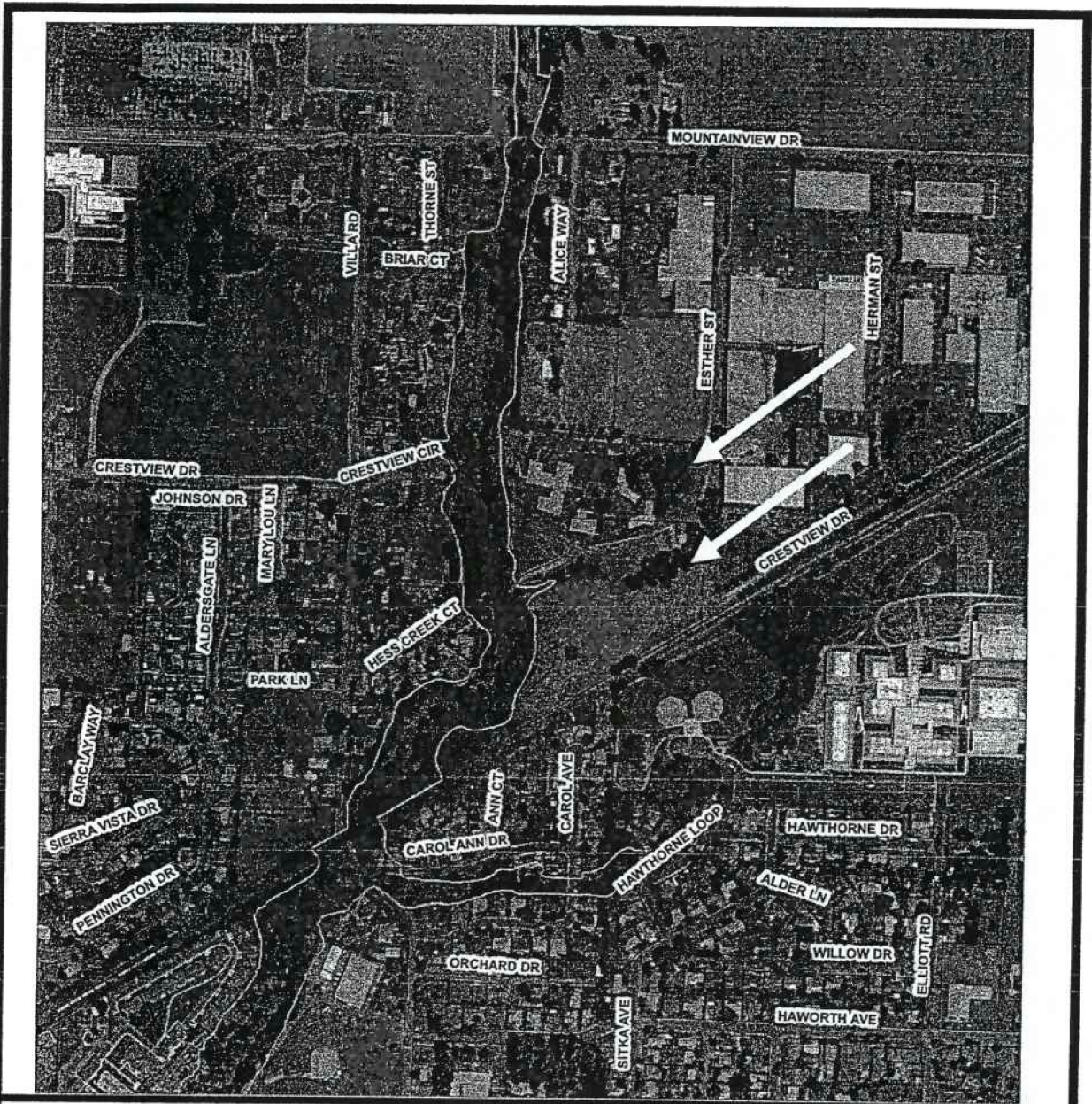
Date: September 29, 2006

**EXHIBIT D
SITE MAP**

3217 02100 & 3217BD 00100

Tax Lot: 3217 02100 & 3217BD 00100

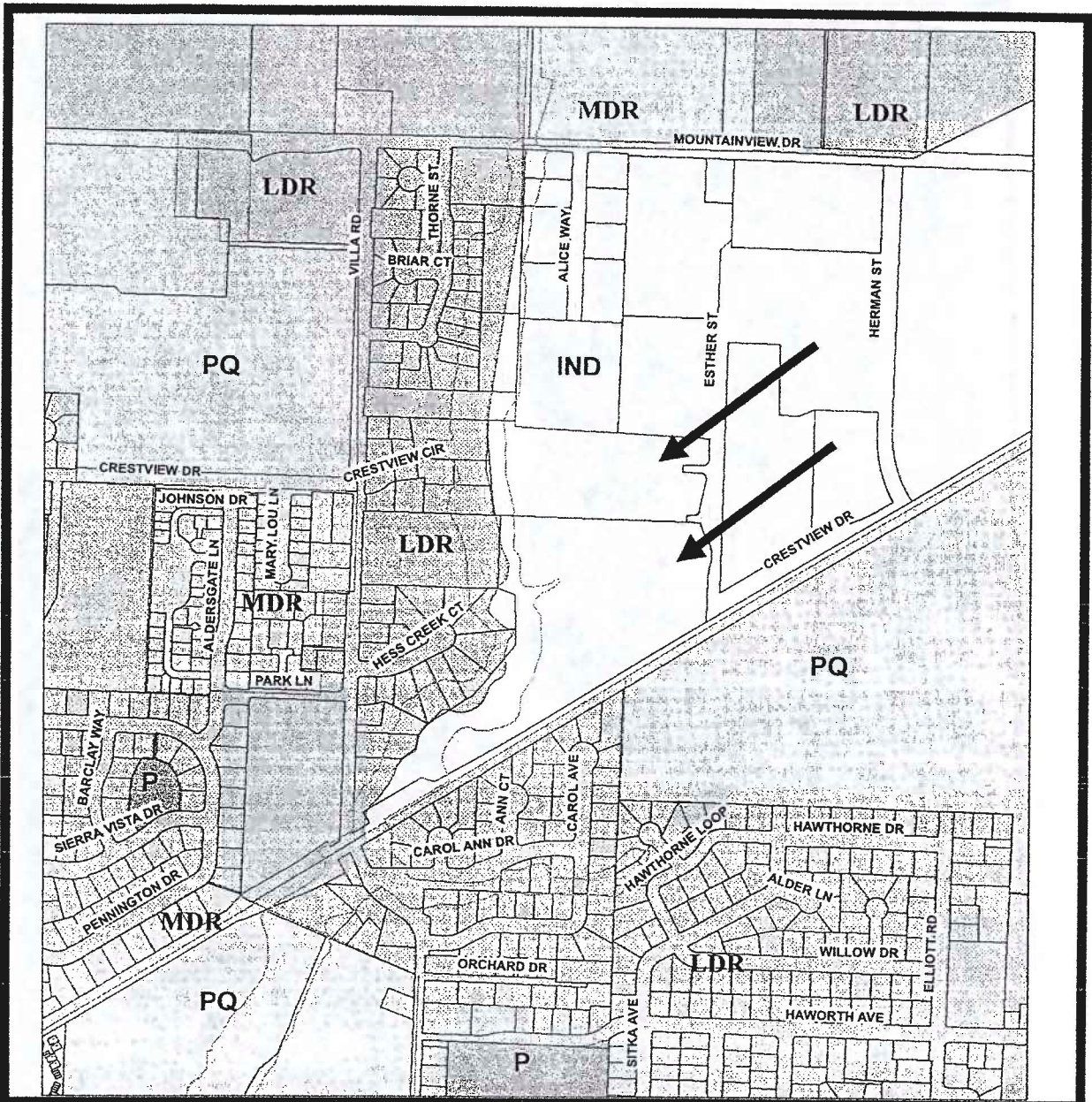
Location: 1901 Esther Street
Application By: Hazelden Springbrook



Description: Comprehensive Plan and Zoning Map Change
File: CPA-06-008/ZMA-06-08/DR2-06-018
Date: September 29, 2006

EXHIBIT E
AERIAL PHOTO
 3217 02100 & 3217BD 00100

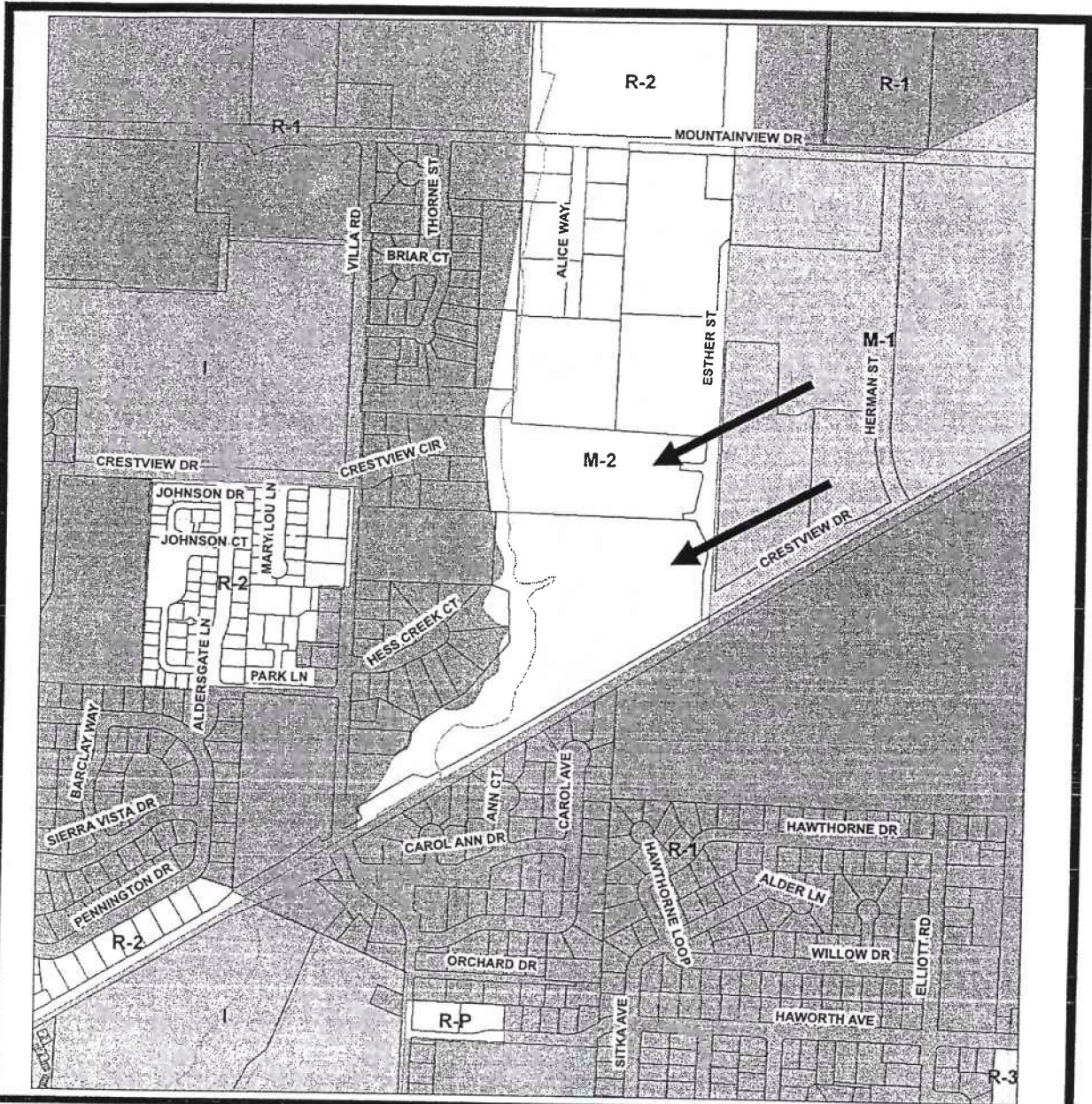
Tax Lot: 3217 02100 & 3217BD 00100
Location: 1901 Esther Street
Application By: Hazelden Springbrook



Description: Comprehensive Plan and Zoning Map Change
File: CPA-06-008/ZMA-06-08/DR2-06-018
Date: September 29, 2006

**EXHIBIT F
 COMPREHENSIVE PLAN
 MAP
 3217 02100 & 3217BD 00100**

Tax Lot: 3217 02100 & 3217BD 00100
Location: 1901 Esther Street
Application By: Hazelden Springbrook



<p>Description: Comprehensive Plan and Zoning Map Change</p> <p>File: CPA-06-008/ZMA-06-08/DR2-06-018</p> <p>Date: September 29, 2006</p>	<p align="center">EXHIBIT G</p> <p align="center">ZONING MAP</p> <p align="center">3217 02100 & 3217BD 00100</p>	<p>Tax Lot: 3217 02100 & 3217BD 00100</p> <p>Location: 1901 Esther Street</p> <p>Application By: Hazelden Springbrook</p>
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