

ORDINANCE NO. 4640

An Ordinance rezoning approximately 2.5 acres of land from an existing R-4 PD (Multiple-Family Residential Planned Development) zone to a new R-4 PD (Multiple-Family Residential Planned Development) zone to allow an existing structure to be used as an activity center for Hillside Manor, to permit future development of a nursing center, residential care facility, or similar use ancillary to the Hillside Manor facility, and repealing McMinnville Planned Development Ordinance No. 4562 in its entirety.

RECITALS

The Planning Commission received an application (ZC 2-97) from Hillside Manor, dated February 13, 1997 for some 2.5 acres of land located at 1100 NW Hill Road and is further described at Tax Lot 500, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on March 20, 1997, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on March 15, 1997, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Hillside Manor.

Section 2. That the property described in Exhibit "A", which is attached hereto and incorporated herein by this reference is hereby rezoned from an existing R-4 PD (Multiple-Family Residential Planned Development) zone to a new R-4 PD (Multiple-Family Residential Planned Development) zone subject to the following conditions:

- a. That the uses permitted or conditionally permitted on the subject site be limited to a private activity center, residential care facility, nursing center, or similar use ancillary to the Hillside Manor campus and are compatible with the residential surroundings.
- b. That a revised master plan which incorporates the requirements of this zone change and conditional use permit approval shall be submitted to the Planning Director for review and approval prior to the release of any building permits. Said revised master plan shall be placed on file with the Planning Department and become a part of the zone and binding on the owner and developer.

The developer will be responsible for requesting permission of the Planning Commission for any major change of the details of the adopted master plan. Minor changes to the details of the adopted plan may be approved by the City Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the commissioners.

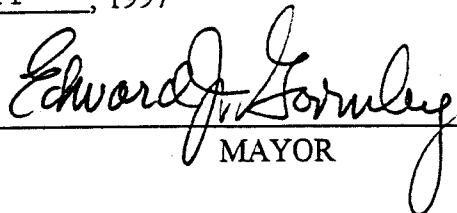
Section 3. That McMinnville Planned Development Ordinance No. 4562 is hereby repealed in its entirety.

Passed by the Council this 8th day of April, 1997, by the following votes:

Ayes: Tomcho, Payne, Massey, Hughes, Windle

Nays:

Approved this 8th day of April, 1997


MAYOR

Attest:

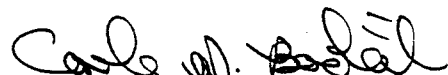

RECORDER

EXHIBIT "A"

A tract of land in the Southeast 1/4 of Section 18, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, being a part of that tract of land described in deed from Manning to W. G. Wright and Donna Wright and recorded on January 14, 1970 in Volume 78, Page 571, Deed Records of Yamhill County, and being more particularly described as follows:

Beginning at the Southwest corner of that tract of land described in deed from James A. Johnson to David Stout and recorded in Book "T", Page 508, Deed Records of Yamhill County, Oregon, said Southwest corner being 2,514.18 feet North $89^{\circ}25'41''$ West, 5,304.37 feet South $00^{\circ}12'11''$ West (Bearings and distances from Park Meadows First Addition plat, a duly recorded subdivision plat in Film 3, Page 452-453, Record of Town Plats in Yamhill County clerk's office) of the Northeast corner of Section 18; thence North $00^{\circ}12'11''$ West along the West line of said Stout tract, a distance of 269.38 feet to the Southwest corner of that tract conveyed to Alan A. Ruden and Judy A. Ruden by deed recorded in Film Volume 293, Page 1378, Deed Records of Yamhill County, Oregon; thence South $89^{\circ}37'47''$ East and along the South line of said Plat, a distance of 390.88 feet to the Southeast corner of said Plat and Southeast corner of Ruden tract; thence South $00^{\circ}44'11''$ West, a distance of 270.37 feet to the South line of tract as described in Film Volume 78, Page 571; thence North $89^{\circ}29'50''$ West, a distance of 189.71 feet; t hence following County Survey C. S. 4100, Volume N, Page 215, Yamhill County Surveyor Records, South, a distance of 36.55 feet; thence North $89^{\circ}28'$ West, a distance of 198.68 feet; thence North, a distance of 36.55 feet to the Southwest corner of Stout and the Beginning Point of this description.

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