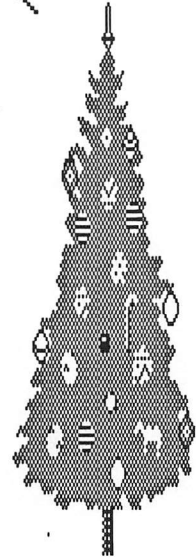


minutes

**CITY OF BROOKINGS
COMMON COUNCIL MEETING
City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
December 13, 1993
7:00 p.m.**



I. CALL TO ORDER

Mayor Davis called the meeting to order at 7:04 p. m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Council Present: Mayor Tom Davis, Councilors Nancy Brendlinger, Bob Hagbom, Dave Scott, Councilor Larry Curry

Staff Present: City Manager Dennis Cluff, Administrative Assistant Donna Van Nest, City Attorney Martin Stone, Community Development Director Leo Lightle

Media Present: Tracy Reed, Curry Coastal Pilot; Martin Kelly, KCRE

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

V. PUBLIC HEARINGS

VI. SCHEDULED PUBLIC APPEARANCES

VII. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

1. Blanche Lombard - Azalea Park Bandshell Project

Blanche Lombard, President of the Brookings Area Council for the Arts, introduced the new officers of the organization, President Finch Hoffer, First Vice President Blanch Lombard, Second Vice President Marie Grube, Secretary B.J. Jahnke and Treasurer Ann Gebhart.

Ms. Lombard made a presentation to the council concerning the proposed bandshell project at Azalea Park, which includes a grant and fund raising for matching dollars with which to construct a base and purchase a collapsible bandshell.

Councilor Scott moved to endorse the bandshell project proposed for Azalea Park by the Brookings Area Council for the Arts and authorize BACA to begin their fundraising campaign, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; bandshell project proposed for Azalea Park by the Brookings Area Council for the Arts endorsed by the council and BACA authorized to begin their fundraising campaign.

VIII. CONSENT CALENDAR

A. Approval of Council Meeting Minutes

1. November 22, 1993 Regular Council Meeting

B. Acceptance of Commission/Board Minutes

1. November 2, 1993 Planning Commission Meeting

C. Approval of Vouchers [\$372,521.90]

D. Miscellaneous

1. Acceptance of Hillcrest Subdivision improvements

Community Development Director Leo Lightle advised that the developer, Dee Stringham, has caused the off-site improvements to be completed for the Hillcrest Phase II Subdivision project. The project engineer has certified that the

construction has been completed and all proper inspections and tests have been accomplished. The developer has also caused the mylars and as-builts to be completed and delivered to the city as well as the warranty bond.

(end Consent Calendar)

Councilor Brendlinger moved to approve the Consent Calendar, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; Consent Calendar consisting of:

A. Approval of Council Meeting Minutes

1. November 22, 1993 Regular Council Meeting

B. Acceptance of Commission/Board Minutes

1. November 2, 1993 Planning Commission Meeting

C. Approval of Vouchers [\$372,521.90]

D. Miscellaneous

1. Acceptance of Hillcrest Subdivision improvements

approved.

IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS

A. Ordinances

B. Resolutions

1. **Resolution No. 93-R-569 - A resolution in support of proposed legislation requiring Circuit Court Judges to be elected by residents of the county in which the judge resides.**

Councilor Hagbom moved to adopt Resolution No. 93-R-569, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; Resolution No. 93-R-569 - A resolution in support of proposed legislation requiring Circuit Court Judges to be elected by residents of the county in which the judge resides. - adopted.

X. COMMITTEE REPORTS

A. Planning Commission

B. Parks and Recreation Commission

C. Golf Board

1. **Golf course Request for Proposals**

Chair Jim Cole, Brookings Golf Board, presented the council with a new Request for Proposals. After some modifications, Councilor Scott moved to approve the revised Request for Proposals for the Jack Creek Golf Course and authorize staff to mail the Request for Proposals to prospective developers when City Attorney Martin Stone is satisfied that the title is free, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; revised Request for Proposals for the Jack Creek Golf Course approved and staff authorized to mail the Request for Proposals to prospective developers when City Attorney Martin Stone is satisfied that the title is free.

D. Chamber of Commerce

XI. STAFF REPORTS

A. Community Development Director

1. Street Standards for Dawson Tract Neighborhood Circulation Plan

Community Development Director Leo Lightle explained that this item is for council review and direction to proceed to prepare for a hearing and adoption or rejection of the proposed plan. The presentation is conceptual only. Many details need to be worked out. Staff as well as the original proponent understand the need for agreement to proceed in this direction before our limited resources are applied to this project.

Mr. Lightle reviewed the meetings held with citizens of the Dawson Tract area, specifically the area south of Dawson Road that somewhat parallels Highway 101. The people living north of Dawson Road were not specifically involved in the earlier meetings. The people north of Dawson Road were invited to the October 12, 1993 meeting. At that meeting staff encouraged those attending to attend the November 2, 1993 Planning Commission Meeting and the City Council Meeting that tentatively would be held in December.

The plan involves determining:

1. Looped system or not
2. Circulation plan: Grid
 Non-Grid
 Cul-de-sacs

3. Street construction standards

Questions on the technicalities of administering the plan must be worked out, but there will be a presentation by Alex Forrester as to how shadow platting helps set up the administration of the proposed street widths.

The citizens of the area who showed up at the last city sponsored meeting, October 2, 1993 were in favor of a looped cul-de-sac system and the new proposed neighborhood street plan with alternative street standards. There is also a petition by residents of the area for adoption of the Circulation Plan with the alternate streets which was presented earlier.

The Planning Commission, by a majority vote, recommended proceeding with the looped cul-de-sac system with the proposed neighborhood street plan with the new alternate street standards. The Planning Commission noted the overwhelming support by the neighborhood for the new street plan.

Staff is concerned about the additional time required to research, draft and implement the ordinance changes, amendments to the Land Development Code and the Comprehensive Plan amendment.

Alex Forrester of Alex Forrester and Associates presented the general concept of the proposal to the council.

Alex Forrester and Associates volunteered to assist the city in the preparation of the plan.

Following is the staff report prepared by Planning Director John Bischoff.

BACKGROUND INFORMATION

In the fall of 1992 staff approached the Planning Commission and City Council with the need for and a concept of a street plan for the Dawson Tract area. This was based on concerns that many of the lots in the area were currently landlocked or located in relation to existing roads in a manner that did not provide adequate opportunity for their development if and when the owner decided to do so. Since water and sewer lines

have been extended throughout the Dawson Tract, the area has begun to develop. If there is no adopted circulation plan to ensure that all lots are given adequate access, some lots may lose the ability to be divided and developed further.

Since that time the city staff has held three community meetings for residents of the area and a private developer, Michael Gorski has held three community meetings and circulated a petition in the area. Two of the meetings held by staff were basically to introduce the idea of a circulation plan for the area and to present concepts of how streets might be used in the area. In the meetings held by the representatives of Mr. Gorski, the land owners were introduced to the possibility of narrower streets like those within the Oceanside Estates projects. The purpose of the last meeting held by staff, with participation from Alex Forester who represents Mr. Gorski, was to gain direction from the property owners as to what street standards they desired for the Dawson Tract area. At this meeting the owners were presented with a variety of standards ranging from the current city streets to much narrower streets with less improvements.

The city, through the Comprehensive Plan, may create neighborhood street plans designed for specific neighborhoods to meet unique circumstances. These plans may included lesser standards in terms of right-of-way width, travel way width (curb face to curb face), and the need for and/or the type of curbs, gutters and sidewalks. The purpose of this hearing is to enable the commission to make recommendations to the City Council as to what standards should be used in the creation of the circulation plan. To accomplish this the Commission will be provided with the information presented at the last community meeting and given the opportunity to take direct testimony from the property owners. This hearing is not for the circulation plan itself.

The following is a description of each of the standards presented together with any additional conditions each standard may require.

CURRENT CITY STREET STANDARDS

Standard Residential Collector Street Exhibit 1

Right-of-way Width	50 feet.
Travel Way Width	36 feet, curb face to curb face.
Lane Width	10 feet with 8 foot parking lane on each side.*
Improvements	Standard curbs, gutters, 5 foot wide sidewalks on both sides and asphalt pavement.

***Parking lanes are generally not marked on residential streets.**

Residential Street (20 units Max) Exhibit 2

Right-of-way Width	45 feet.
Travel Way Width	30 feet.
Lane Width	8 feet with 7 foot parking lane on each side.*
Improvements	Standard curbs, gutters, 5 foot sidewalks on both sides and asphalt pavement.

***Parking lanes are generally not marked on residential streets.**

Special Conditions

The Planning Commission can allow narrower right-of-way widths under certain circumstances and if walkways are provided internal to the project, sidewalks can be waived on one side of the street.

Restrictions

There are not particular restrictions associated with the city's street standards. If a narrower right-of-way or travel way is allowed, parking may be prohibited on one or both sides.

ALTERNATE STANDARDS

The following are street standards for the Dawson Tract circulation plan as proposed by Mr. Gorski.

Dawson Road North Exhibit 3 (The east-west alignment between Highway 101 and Holmes Dr.)

Right-of-way Width	40 feet.
Travel Way Width	28 feet, curb face to curb face.
Lane Width	10 feet with 8 foot parking lane on north side only.*
Improvements	Standard curbs, gutters, 4 foot wide sidewalks on both sides and asphalt pavement.

*Parking lanes are generally not marked on residential streets.

Restrictions

Lots fronting on the south side of Dawson Rd. North would be required to provide additional off street parking. Off street parking requirements will be discussed below.

Dawson Road West Exhibit 4 (That portion of Dawson Rd. from Holmes Dr. south to Skyline Dr.)

Right-of-way Width	40 feet.
Travel Way Width	26 feet, curb face to curb face.
Lane Width	13 feet with no parking on either side.

Improvements

Standard curbs, gutters, 4 foot wide sidewalks only on the east side and asphalt pavement.

Notes

1. An additional 5 feet of right-of-way has been received from a minor partition on the west side of Dawson Rd. extending south from Holmes Dr. for a distance of 193.78 feet.

2. An additional 5 feet of right-of-way has been received on from a minor partition the east side of Dawson Rd. starting at a point 330 feet south of the 90 degree turn in Dawson Rd. and extending 165 feet south.

3. From the point where Dawson Rd. enters the Harris Beach Estates Subdivision the street is constructed as a standard residential street with full improvements in a 50 foot right-of-way (See Standard Residential Street above).

Restrictions

Lots fronting on the west side of Dawson Rd. West would be required to provide additional off street parking. Off street parking requirements will be discussed below.

Skyline Drive Exhibit 4 (Provides the southerly connection between Dawson Rd. and South Passley Rd.)

Right-of-way Width

40 feet.

Travel Way Width

26 feet, curb face to curb face.

Lane Width

13 feet with no parking on either side.

Improvements

Standard curbs, gutters, 4 foot wide sidewalks on south side only and asphalt pavement.

Notes

1. The westerly portion of Skyline Dr. is located in the Harris Beach Estates Subdivision and extends east from Dawson Rd. (Pacific Heights St. on the Tax Map) for a distance of 200 feet. This street is improved to full city standards within a 50 foot right-of-way.

2. This section currently represents the only portion of Skyline Dr. that is dedicated right-of-way. The neighborhood circulation plan will include the eventual link to South Passley Rd.

Restrictions

If the remaining portion of Skyline Dr. is completed to the standards stated above, lots fronting on both sides of the street would be required to provide additional off street parking. Off street parking requirements will be discussed below.

South Passley Road Exhibit 4

Right-of-way Width	40 feet.
Travel Way Width	26 feet, curb face to curb face.
Lane Width	13 feet with no parking on either side.
Improvements	Standard curbs, gutters, 4 foot wide sidewalks on east side only and asphalt pavement.

Note

At least one house, possibly two, along South Passley Rd. are located very close to the 40 foot right-of-way line. In one known location it may be possible to swing the street away from the house. If the other house is unacceptably close to the right-of-way this would require further consideration when the circulation plan is prepared.

Restrictions

Lots fronting on the both sides of South Passley Rd. would be required to provide additional off street parking. Off street parking requirements will be discussed below.

Typical Cul-De-Sac Section Exhibit 5

Right-of-way Width	30 feet.
Travel Way Width	22 to 24 feet, curb face to curb face.
Lane Width	11 to 12 feet with no parking on either side.
Improvements	Rolled curbs, a 4 foot wide sidewalk on one side only and asphalt pavement.

Restrictions

- 1. Lots fronting on the both sides of these streets would be required to provide additional off street parking. Off street parking requirements will be discussed below.**
- 2. Maintenance vehicles would have to park on the sidewalk to allow traffic to move in both directions.**

Private Drive (Street) Section Exhibit 6

In some of the areas with in the Dawson Tract, it may be necessary or appropriate to provide access through the use of private streets. The Land Development Code requires private streets to be constructed to city standards. The alternative standard proposed for the Dawson Tract circulation plan is as follow:

Right-of-way Width	24 feet.
Travel Way Width	18 feet with no curb.

Lane Width

9 feet with no parking on either side.

Improvements

Asphalt pavement.

Restrictions

- 1. Lots fronting on the both sides of private streets would be required to provide additional off street parking. Off street parking requirements will be discussed below.**
- 2. Vehicles such as delivery vans, maintenance trucks, etc, would not be allowed to park on private street. No vehicle would be allowed to block the street completely.**

OFF STREET PARKING REQUIREMENTS

Section 92 Off Street Parking and Loading Regulations, of the Land Development Code requires two off street parking spaces for each single family residential unit. This does not limit the residence to two off street spaces but generally when these units are located on a street constructed to existing city standards, additional parking for guests is understood to be provided within the street right-of-way.

Since all of the alternative street standards presented above allow parking on one side only or prohibit parking altogether, guest parking would be limited to the homeowners property only. If each residential unit was only required to have two off street parking spaces, guests would have not alternative but to park in the street. The choices then would be to restrict the number of guests, which of course is unrealistic, or to create a requirement for additional off street parking within the provisions of the neighborhood circulation plan. In this regard staff is recommending six designated off street parking spaces for each residential unit. This would allow for at least four more cars. If it is considered that many homes have two or more cars, a boat and/or a motor home, six additional spaces may not be enough.

COMMENTS QUESTIONS, AND OBSERVATIONS FROM THE LAND OWNERS

The comments, questions and observations from the land owners in attendance of the October 12, 1993 meeting fell into two basic categories. The first was based on concern for children playing in the streets and how on street parking created a hazard caused by children running into the street from between cars. The second were centered around the need to provide off street parking on streets with narrower travel ways. These were general in nature and were either answered at the meeting or otherwise satisfied by the selections ultimately made by the owners.

Two comments from the audience should receive further consideration in the process of determining street standard for the circulation plan. One comment was that the area would never look complete and thus strange since some of the streets would have two sidewalks while some only have one. Since some streets have already been built to full standards (Exhibit 1) a mismatching of standards would occur on the same street. Streets with 40 foot right-of-ways and one sidewalk would suddenly become full standard streets in 50 foot right-of-ways with two sidewalks.

The second comment was that this sounds good now but the reality of presenting the requirements for off street parking and the implications of these requirements to future developers is a different matter.

When polled as to what standards they preferred, the land owners voted for the alternative standards as presented.

COMMENTS AND CONCERNS OF STAFF

It is staff's opinion that the following concerns must be considered while in the process of establishing street standards, other than those adopted by the city, for a neighborhood circulation plan.

1. What constitutes a "unique area" that warrants a neighborhood street plan. The concern here is what prohibits any neighborhood from requesting that a circulation plan with reduced standards be prepared for their area.

2. Is it fair to allow a street with standards which provide for parking on one side to require developers of property on the non- parking side to provide six off street spaces while allowing the developer on the parking side the standard two space. A mitigation of this concern could be to require developers on both sides to provide six off street spaces. In this case it may be appropriate to require both sides to provide a reduced number of off street spaces, such as four.

3. One of the biggest concerns is how to establish fair and equitable regulations within the circulation plan to ensure that off street parking can and is enforced and how to enforce the provision of on site parking spaces, for example how to prevent the dedicated parking spaces from being used for boats, motor homes, extra cars etc.

4. On streets where parking is limited or prohibited, how to avoid unsightly, cluttered front yards. If the streets are developed as a part of a planned unit development (PUD) these concerns can be avoided through C,C & Rs enforced by a homeowners association. However, not all of the parcels within the circulation plan area will develop as a PUD. The use C,C & Rs required and enforced by the city is one answer but the question must be asked if the city should or even wants to place itself in this role.

5. The fact that a circulation plan contains provisions for street standards than for the city in general should not prohibit a developer from building a street on his property to the city standard. If the developer on one parcel decides to build his half of a street to city standards the adjoining parcel responsible for the other half of that street must also build to the same standard. This would work both ways.

RECOMMENDATION

The Planning Commission has four alternative recommendations as follows:

1. **No recommendation. This would be the same as recommending the existing city street standards.**
2. **Recommend that the city should stay with the existing city street standards and present the reasons why.**
3. **Recommend that the Dawson Tract Neighborhood Circulation Plan use the alternative street standards as presented.**
4. **The Commission can mix and match standards to create a different set of standards for the circulation plan.**

Councilor Brendlinger moved to adopt the Dawson Tract Neighborhood Circulation Plan in concept and direct staff to continue on with the project, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; Dawson Tract Neighborhood Circulation Plan adopted in concept and staff directed to continue on with the project.

B. City Manager

1. Community Forest Assistance Grant - Azalea Park

The application is for a grant from the Oregon Urban and Community Forestry Assistance Program which, with matching funds, would make possible an Urban Forest Management Plan for Azalea Park.

Councilor Brendlinger moved to authorize staff to pursue the grant from the Community Forestry Assistance Program for an Urban Forest Management Plan for Azalea Park, which motion was seconded by Councilor Curry. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott,
Mayor Davis

Nays: None

Motion carried; staff authorized to pursue the grant from the Community Forestry Assistance Program for an Urban Forest Management Plan for Azalea Park.

2. Ad Hoc Committee on tax base

City Manager Dennis Cluff advised that by law, cities with insufficient tax bases must seek an adequate tax base at primary and/or general elections of even numbered years. Mr. Cluff indicated that it would be helpful to have a citizen group review and discuss the city tax base needs. The citizen portion of the Budget Committee seems to be an ideal group to discuss this issue, since they already have a background pertaining to city services and the city budget structure.

There is one current vacancy on the Budget Committee which Council may want to fill.

Councilor Curry moved to designate the Brookings Budget Committee and Councilors Scott and Hagbom to review and discuss the city tax base needs, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott,
Mayor Davis

Nays: None

Motion carried; Brookings Budget Committee and Councilors Scott and Hagbom designated to review and discuss the city tax base needs.

C. City Attorney

1. Action on Notice by Bay Area Rehabilitation Center of Withdrawal of Appeal Without Prejudice

City Attorney Martin Stone explained the reasons for the Withdrawal of Appeal Without Prejudice and recommended that the council affirmatively accept the withdrawal of appeal by Bay Area Rehabilitation Center and make finding that the withdrawal is "without prejudice" so that the applicant can file again its application at any time in the future.

Councilor Brendlinger moved to affirmatively accept the withdrawal of appeal by Bay Area Rehabilitation Center and make finding that the withdrawal is "without prejudice" so that the applicant can file again its application at any time in the future, which motion was seconded by Councilor Scott. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; the withdrawal of appeal by Bay Area Rehabilitation Center affirmatively accepted and staff directed to make finding that the withdrawal is "without prejudice" so that the applicant can file again its application at any time in the future.

City Attorney Martin Stone noted for the record that a letter presented to the council from the League of Women Voters concerning the appeal was not pertinent to the case before the council tonight and it should be returned to the League for presentation at the appropriate time.

XII. REMARKS FROM MAYOR AND COUNCILORS

A. Mayor

B. Council

1. Request for Donation for Advertisement - MADD

Local supporters of Mothers Against Drunk Drivers (MADD) are seeking \$50.00 donations to support a full page ad in both the December 29th and December 31st Pilot editions.

Councilor Brendlinger moved to approve the \$50.00 donation to support a full page ad by Mothers Against Drunk Drivers (MADD) in both the December 29th and December 31st Pilot editions, which motion was seconded by Mayor Davis. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

Motion carried; \$50.00 donation to support a full page ad by Mothers Against Drunk Drivers (MADD) in both the December 29th and December 31st Pilot editions approved.

2. Council Meeting - December 27

In the holiday spirit and amidst vacations and holiday activities, it might be reasonable for the council to cancel the last business meeting of the month (and year).

Councilor Scott moved to cancel the regular council meeting scheduled for December 27, 1993, which motion was seconded by Councilor Brendlinger. The clerk called the roll with the following results:

Ayes: Councilors Brendlinger, Curry, Hagbom, Scott, Mayor Davis

Nays: None

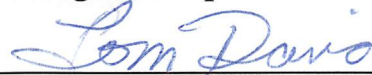
Motion carried; the regular council meeting scheduled for December 27, 1993, cancelled.

EXECUTIVE SESSION - ORS 192.660 (1)()

XIII. ADJOURNMENT

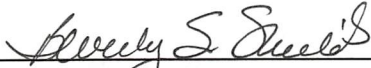
Councilor Brendlinger moved to adjourn, which motion was seconded by Councilor Scott; **motion carried unanimously.**

Mayor Davis adjourned the meeting at 9:20 p.m.



Tom Davis
Mayor

ATTEST:



Beverly S. Shields
City Recorder



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]