

VAULT COPY



AGENDA
CITY OF BROOKINGS
COMMON COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
898 ELK DRIVE
BROOKINGS, OR 97415
MAY 13, 2002
7:00 P.M.

A tisket, a tasket,
and then there was May
and Mother's Day Baskets
in the home of winter flowers ~
Brookings, Oregon



agenda

CITY OF BROOKINGS
COMMON COUNCIL MEETING
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
May 13, 2002
7:00 p.m.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. CEREMONIES/APPOINTMENTS/ANNOUNCEMENTS

A. Announcements

1. Proclamation – “Accelerated Reader Day” May 29, 2002
2. Thank you to L. Lee Rogers for service on the City’s Budget Committee
3. “Yard of the Month of May 2002” Recognition
4. “Most Improved Property of the Month of May 2002” Recognition
5. New Community Development Department Secretary – Cathie Mahon

V. PUBLIC HEARING

- A.** In the matter of Planning Commission File No. CZ-1-02, an application for a change of zone change from R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size) over the entire Dawson Tract included within the area bounded on the north by Shigh Creek, on the east by Highway 101, on the south by the northerly boundary of Harris Beach State Park, and on the west by the Pacific Ocean. Walter Battaglia, applicant. This is a quasi-judicial hearing.

- B. In the matter of Planning Commission File No. APP-2-02, an appeal of the Planning Commissions approval of a 10-lot subdivision with lots ranging in size from 7,529 to 8,481 sq. ft. with an average lot size of 7,953 sq. ft., from a 2.09 acre parent parcel; located in the southeast corner of where Dawson Rd. turns from an east/west alignment to a north/south alignment; zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size); Douglas Purdy, applicant; Lloyd Matlock, representative. This is a quasi-judicial hearing.

VI. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

- A. Committee and Liaison reports
 - 1. Chamber of Commerce
 - 2. Council Liaisons
- B. Unscheduled

VII. STAFF REPORTS

- A. City Manager
 - 1. Other/Miscellaneous

VIII. CONSENT CALENDAR

- A. Approval of Council Meeting Minutes
 - 1. Minutes of April 22, 2002, Regular Council Meeting
- B. Acceptance of Parks and Recreation Commission Minutes
 - 1. Minutes of March 28, 2002, regular Commission Meeting
- C. Acceptance of Planning Commission Minutes
 - 1. Minutes of April 2, 2002, Regular Commission Meeting
- D. Approval of Budget Committee Meeting Minutes
 - 1. Minutes of April 24, 2002, Regular Committee Meeting
- E. Approval of Vouchers (\$196,688.93)
(end Consent Calendar)

IX. ORDINANCES/RESOLUTIONS/FINAL ORDERS

- A. Ordinances
 - 1. No. 02-O-547 – in the matter of an ordinance declaring that blighted areas exist within the City of Brookings, recognizing the need for an Urban Renewal Agency to function in the City of Brookings and providing for the exercise of the Agency's powers by the City Council of the City of Brookings

2. No. 02-O-190.D – in the matter of an ordinance amending Ordinance No. 66-O-190, enacted December 30, 1966, and entitled "An ordinance providing rates to be charged for water service by the City of Brookings, Oregon; prescribing the rules and regulations for conduct and operation of the water system of said city and connection therewith; regulating and governing the use of water from said system; providing penalties for non-payment of water service and for violation of this ordinance; and declaring an emergency" by amending provisions for liability for payment of water service.
3. No. 02-O-431.A – in the matter of an ordinance amending Ordinance No. 88-O-431, Section 10 of the City of Brookings, enacted December 15, 1988, entitled, "An Ordinance Prescribing Monthly Service Charges for the Use and Benefits of the Sewage Facility of the City, Providing for the Method of Charges for Sewage Service, Providing for a Penalty for Non-Payment, Providing for the Disposition of Funds Collected From the Monthly Sewer Use Charges, Repealing Ordinance Nos. 38, 78, 116, 378 and 379, and Declaring an Emergency" by amending provisions for liability for payment of sewage service.

B. Resolutions

1. No. 02-R-701 – in the matter of a resolution approving rates for sanitation services to be charged by Curry Transfer and Recycling to customers in the City of Brookings

X. **REMARKS FROM MAYOR AND COUNCILORS**

A. Council

B. Mayor

XI. **ADJOURNMENT**

Council Chambers and Fire Hall Use

May 2002

[illegible]

COPY TO: Council Chambers, Fire Hall, Police Dispatch; Orig-SR

(CC=Council Chmbrs; FH=Fire Hall; BPD=BrkqsPoliceDep)

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CITY OF BROOKINGS EVENTS CALENDAR

Council Chambers and Fire Hall Use

July 2002

July 2002							August 2002						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	4	5	6	7	8	9	10
8	9	10	11	12	13	14	11	12	13	14	15	16	17
15	16	17	18	19	20	21	18	19	20	21	22	23	24
22	23	24	25	26	27	28	25	26	27	28	29	30	31

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<p>9:30am CC- VIPS/Volunteers in Police Service/BPalicki</p> <p>7:00pm FH-FireTng/ChShrp (Fire Hall)</p>	<p>9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)</p> <p>7:00pm CC-Planning Commssn & Plan Review of Urban Renewal Plan(Plan Review MAY BE rescheduled)</p>	<p>12:00pm Community Agencies mtg (Chetco Sr.Center)</p> <p>7:00pm FH-PoliceReserves</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>9:00am CC-Crime Stoppers</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p> <p>2:00pm CC-CEP (Citizens for Emergency Preparedness): MArrell-469-5731, JRupert-469-78783</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p> <p>7:00pm CC-Parks & Rec Comm/LBlodgett</p>
<p>1:00pm AMF Free Summer Concert 2002: Oregon Lab Band at Azalea Park</p>	<p>9:00am CC-Municipal Court/JdgHarper</p> <p>9:30am CC-VIPS/Volunteers in Police Service-BPalicki</p> <p>6:00pm CC-American Red Cross Mtg/DJohnson-412-8407</p> <p>7:00pm FH-FireTng/ChShrp (Fire Hall)</p>	<p>9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)</p>	<p>6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p> <p>7:00pm CC-Parks & Rec Comm/LBlodgett</p>
<p>1:00pm AMF Free Summer Concert 2002: Catishun at Azalea Park</p>	<p>7:00pm FH-FireTng/ChShrp (Fire Hall)</p> <p>7:00pm CC-Council Mtg</p>	<p>9:30am KURY Radio Community Focus Talk Show w/City Staff/Council (KURY 95.3)</p>	<p>6:00pm FH-Subrbn Fire Dist Mtg/RexAtwell</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p>	<p>8:15am CC-CmtyDevDpt Staff mtg/LLightle</p> <p>10:00am CC- Site Plan Com Mtg/Lauralee Gray</p> <p>7:00pm CC-Parks & Rec Comm/LBlodgett</p>

COPY TO: Cound Chambers, Fire Hall, Police Dispatch; Orig-SR

(CC=Council Chmbrs; FH=Fire Hall; BPD=BrkgsPoliceDep)

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PROCLAMATION

WHEREAS, the City of Brookings is proud to join in a partnership with Brookings' Kalmiopsis Elementary School, dedicated to the Accelerated Reader Program, an incentive program which rewards kids for reading; and

WHEREAS, currently entering its seventh year, Kalmiopsis has developed and provided the Accelerated Reader Program by having students read a book and then take an exam on the book by means of a computer, accumulating awarded points for each book; and

WHEREAS, the points awarded, based upon the length and difficulty of a book and percentage correct on the exam, range from 0.5 point on an easy book to 32 points for Harry Potter #4, and the rewards for those points earned, based on their point totals, include such items as pencils to shirts to backpacks; and

WHEREAS, this year's goal was 30,000 points, Kalmiopsis Elementary has far exceeded the goal with several classes already having earned over 2000 points, including two first grade classes; now

THEREFORE BE IT RESOLVED, that I, Bob Hagbom, Mayor of the City of Brookings, recognize and appreciate Kalmiopsis' invaluable contributions to our youth and therefore our community and nation's future by supporting the Accelerated Reader program, a positive practice for the reading skills that they teach every day, allowing them to become a "School of Readers," and do hereby declare Wednesday May 29, 2002, as...

"ACCELERATED READER DAY"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brookings to be affixed this 13th day of May 2002.

Bob Hagbom, Mayor

YARD OF THE MONTH



Courtesy of City of Brookings

From April through September of each year the City of Brookings will honor a *Yard of the Month* and *Most Improved Property of the Month*.

The whole idea is to say a *big thank you* to those residents working hard to make their property and the Brookings community more attractive. Any property within the city limits of Brookings is eligible to be *Yard of the Month/Most Improved Property of the Month*.

Yard of the Month is a property within the city limits that is considered to have outstanding landscape. *Most Improved Property of the Month* will not necessarily be the most attractive property in town, but a property that has been substantially improved. The improvements may be to the yard, buildings or general property clean-up.

Yard Signs will be displayed in the yard of the winning properties throughout the month and each property owner will be credited \$50 towards their city water/sewer account.

To suggest a property to be honored, email city hall, call the City Manager's office at City Hall (469-2163 ext. 204), write a letter to the City, or stop by and tell us. An unbiased and anonymous committee will select the winners each month. The Mayor and other City Councilors will *personally* contact the winners and place yard signs in each property.

We know how hard you work to spruce up your property. Let us show how much we appreciate it.

From April through September of each year the City of Brookings will honor a Yard of the Month and Most Improved Property of the Month.

To suggest a property to be honored, email city hall, call the City Manager's office (469-2163 ext. 204), write a letter to the City, or stop by and tell us. An unbiased and anonymous committee will select the winners each month. The Mayor and other City Councilors will *personally* contact the winners and place yard signs in each property.

We know how hard you work to spruce up your property. *Let us show how much we appreciate it.*

Memorandum

TO: Mayor and City Council
FROM: John Bischoff, Planning Director
THROUGH: Leroy Blodgett, City Manager
DATE: April 11, 2002



Issue: Change of zone case No. CZ-1-02—action by the Planning Commission.

Background: This application is a request to rezone the area of the Dawson Tract bounded on the north by Shigh Creek, on the east by Highway 101, on the south by Harris Beach State Park and on the west by the ocean. The current zoning over this area is R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) and the requested zone is R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size). The Planning Commission heard this case at its April 2, 2002 regularly scheduled meeting and voted to make a recommendation of denial to the City Council.

Recommendation: The Planning Commission and staff recommend that the zone change be denied.

CITY OF BROOKINGS CITY COUNCIL
STAFF AGENDA REPORT

SUBJECT: Zone Change
FILE NO: CZ-1-02
HEARING DATE: May 13, 2002

REPORT DATE: May 7, 2002
ITEM NO: V.A

GENERAL INFORMATION

APPLICANT: Walter Battaglia.

REPRESENTATIVE: None.

REQUEST: A zone change from R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size) over the entire Dawson Tract included within the area bounded on the north by Shigh Creek, on the east by Highway 101, on the south by the northerly boundary of Harris Beach State Park, and on the west by the Pacific Ocean.

TOTAL LAND AREA: 140± Acres

LOCATION: Dawson Tract area west of Highway 101 between Shigh Creek on the north and Harris Beach State Park on the south.

ASSESSOR'S NUMBER: Includes all or portions of Assessor's Maps 40-14-25CC, 40-14-36BA, 40-14-36BB, 40-14-36BC, and 40-14-36BD.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size)

PROPOSED: R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size)

SURROUNDING: North of Shigh Creek—City R-1-6; West of Highway 101—County Industrial; South—North end of Harris Beach State Park—City R-1-6.

COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Single family homes, manufactured homes and vacant lots.

PROPOSED: Same.

SURROUNDING: North of Shigh Creek—Single family homes; West of highway—Industrial uses; South—Harris Beach State Park.

PUBLIC NOTICE: Mailed to all property owners within the subject area, to all property owners within 250 feet of the boundary of the subject area, published in local newspaper.

CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Zone Change
FILE NO: CZ-1-02
HEARING DATE: April 2, 2002

REPORT DATE: March 25, 2002
ITEM NO: 8.1

GENERAL INFORMATION

APPLICANT: Walter Battaglia.

REPRESENTATIVE: None.

REQUEST: A zone change from R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size) over the entire Dawson Tract included within the area bounded on the north by Shigh Creek, on the east by Highway 101, on the south by the northerly boundary of Harris Beach State Park, and on the west by the Pacific Ocean.

TOTAL LAND AREA: 140± Acres

LOCATION: Dawson Tract area west of Highway 101 between Shigh Creek on the north and Harris Beach State Park on the south.

ASSESSOR'S NUMBER: Includes all or portions of Assessor's Maps 40-14-25CC, 40-14-36BA, 40-14-36BB, 40-14-36BC, and 40-14-36BD.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size)

PROPOSED: R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size)

SURROUNDING: North of Shigh Creek—City R-1-6; West of Highway 101—County Industrial; South—North end of Harris Beach State Park—City R-1-6.

COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Single family homes, manufactured homes and vacant lots.

PROPOSED: Same.

SURROUNDING: North of Shigh Creek—Single family homes; West of highway—Industrial uses; South—Harris Beach State Park.

PUBLIC NOTICE: Mailed to all property owners within the subject area, to all property owners within 250 feet of the boundary of the subject area, published in local newspaper.

The petition goes on to state:

- "...the existing streets, water supply, storm drains and other public infrastructure have a limited capacity and cannot support a large number of additional dwellings; and
- "...especially, there are already problems with traffic safety due to the small streets, heavy commercial traffic and lack of enforcement; and,
- "...we are concerned whether emergency services can be effectively provided to everyone in Dawson Tract at current population levels."

A document presented at the last minute—see document stamped Received March 22, 2002, raises concern for:

- Sub-standard streets, no street plan.
- No parks.
- Good will of developers.
- Concern for the environment

ANALYSIS

The Land Development Code does not contain specific criteria to be considered when deciding a change of zone. However, in the process of making such a decision the Commission must consider the different uses allowed as permitted in the requested new zone and the compatibility of those uses with, and the impact they may have on, existing uses in the surrounding area. The Commission must also consider how the requested change affects the goals and policies of the City's Comprehensive Plan. The requested zone change presents three areas that must be analyzed - compatibility with existing uses, traffic impact on existing streets and consistency with the goals and policies of the Comprehensive Plan. The following is staff's analysis.

Compatibility.

Compatibility of uses allowed by the existing zoning and those allowed by the proposed zoning is not a particular issue here since both zones allow only single family residential uses. The only difference is that the density created by the proposed zone will be somewhat lower. The Dawson Tract is currently developed with a variety of lot sizes from the minimum required, 6,000 sq. ft. to over an acre in size.

The applicant states, "Most previously subdivided, unbuilt parcels are already at least 10,000 sq. ft." The subdivision record does not agree with this statement. Review of all of the subdivisions that have been approved since the area was annexed indicate that 122 lots have been created by subdivision and of those 84 lots, 69%, are less than 10,000 sq. ft. in size. There are "unbuilt" lots in the Kury Estates Subdivision that are greater than 10,000 sq. ft. and there are "unbuilt lots in the Oceanside Estates II Subdivision, all of which are smaller than 10,000 sq. ft. The first subdivision to be approved after the annexation was the Cottage Court Subdivision that created 22 lots ranging in size from 6,000 to 11,570 sq ft. Only one lot in this subdivision is greater than 10,000 sq. ft. in size; the next largest lot is 7,311 sq. ft. The minor

1. City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.
2. City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.
4. City shall, through mapping and other means, provide, where known, general information relative to site development suitability.

In regard to the first policy, the Dawson Tract represents the largest area of flat developable land left in the city. By restricting this area to 10,000 sq. ft. lots the city would be placing an undue restriction on land that is capable of being divided to the smallest lots allowed and has no specific reason to require larger lots. It should be noted that although the minimum lot size of the current zoning is 6,000 sq. ft., the provisions of the Dawson Tract Neighborhood Circulation Plan also apply and in actuality the minimum lot size becomes 7,500 sq. ft. By placing a more restrictive zoning in the Dawson Tract area the city would also cause an artificially inflated land cost because larger lots sell for more than smaller lots. The city, like most cities today, needs affordable housing and flat land provides the best opportunity to provide housing at a lower cost. The proposed zone change would tend to increase housing costs in the only area where the city has the best opportunity to keep costs down.

The second policy, providing a variety of housing types, is somewhat represented here in regard to the ability to provide housing at a lower prices as discussed above. In the same way Policy 4 applies because the Dawson Tract represents the largest inventory of flat developable land in the city.

Also in regard to Goal 10, the applicant has made a statements having to do with the highest and best use of land in the Dawson Tract—“That the current zoning does not represent the highest and best use of the land included in the Dawson Tract.” and a statement as to the economy of creating 6,000 sq. ft. lot compared to 10,000 sq. ft. lots—“There is no economic reason to develop to a low standard; in fact, economic conditions may justify even large minimums than those requested.” However, the applicant has provided no evidence to substantiate either of these statements.

In terms of Goal 11, Public Facilities and Services, the applicant states “...the existing streets, water supply, storm drains and other public infrastructure have a limited capacity and cannot support a large number of additional dwellings;...” The issue of streets has been discussed above. As to water supply, the existing facilities were designed to provide adequate water for future development, including fire protection based on the R-1-6. The same applies to the sanitary sewer system.

Storm drainage is developed as the property is developed. For example the Oceanside Estates Subdivision was required to construct an extensive storm drainage facilities that are capable of handling all of the storm water run off generated by future upstream development. New development must design new drainage facilities to handle its water and upstream run off and convey safely to the down stream facility. The applicant did not specify what the “other public infrastructure is.”

- "...especially, there are already problems with traffic safety due to the small streets, heavy commercial traffic and lack of enforcement; and,
 - "...we are concerned whether emergency services can be effectively provided to everyone in Dawson Tract at current population levels."
 - Sub-standard streets, no street plan.
 - No parks.
 - Good will of developers.
 - Concern for the environment.
3. The applicant has submitted a petition with signatures representing 78 lots within the area of the proposed zone change. Renters, not property owners, signed as representing six of those lots, leaving 72 lots represented.
 4. There are 220 privately owned lots within the area of the proposed zone change.
 5. Goal 10, Housing, of the city's Comprehensive Plan contains the following policies that would apply in this case.
 1. City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.
 2. City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.
 4. City shall, through mapping and other means, provide, where known, general information relative to site development suitability.

CONCLUSIONS

1. The subject property was zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) at the time of annexation in 1989. In 1993 the city adopted the Dawson Tract Neighborhood Circulation Plan, which created a street standard for the Dawson Tract area that provided for street standards that are narrower than the normal city street standard.
2. Water and sewer mains were constructed throughout the Dawson Tract area in 1990 and were designed to accommodate development at a density allowed by the R-1-6 Zone. Each new development is responsible to convey storm water safely through their property to the ocean.
3. There is no evidence that developers in the past thought that lots in the area should be larger. Review of all of the subdivisions that have been approved since the area was annexed indicate that 122 lots have been created by subdivision and of those 84 lots, 69%, are less than 10,000 sq. ft. in size. Many of these subdivisions were influenced by topography, which caused lots to be larger. All but one of the subdivisions that were on flat stable ground, Cottage Court, Ocean Park I, Oceanside Estates II, and Williams Subdivision, created a total of 71 lots, of which only three (4%) were greater than 10,000 sq. ft. The one exception was the Kury Estates Subdivision, which created 16 lots, only three of which were less than 10,000 sq. ft. With this subdivision, still only 18% of the lots were 10,000 sq. ft. or greater in size.
4. The applicant has submitted a petition representing only 33% of the 220 privately owned lots

WALTER L BATTAGLIA

17304 Blueberry Drive ♦ Brookings, OR 97415-9717
(541) 469-3593 ♦ e-mail: calxsoft@harborside.com

**Planning Commission
City of Brookings
898 Elk Drive
Brookings, OR 97415**

February 13, 2002

ATTN: John Bischoff, Planning Director

RE: PLAN AMENDMENT, DAWSON TRACT ZONING

To the Planning Commission:

I am applying for a change of zoning for the entire Dawson Tract.

This application, if approved, increases the minimum lot size from 6,000 sq ft to 10,000 sq ft. The entire Dawson Tract is currently zoned R1-6; this would change it to R1-10. No other changes in land use ordinances or regulations are being proposed with respect to Dawson Tract.

The main reason for this application is simply that the current zoning does not represent the highest and best use of the land included in the Dawson Tract. Most recent development has been on parcels larger than the present minimum; a voluntary concession by the developers. In informal conversations with local developers and real estate agents, I learned that Dawson Tract can "support" larger lot sales and development. There is no economic reason to develop to a low standard; in fact, economic conditions may justify even larger minimums than those requested.

Most previously subdivided, unbuilt parcels are already at least 10,000 sq ft. Most of the built parcels adjacent to vacant lots are at least 10,000 sq ft. I believe maintaining the *de facto* 10,000 sq ft standard will result in a more homogenous appearance of the community; i.e., the remaining developments will, in most cases, be similar to what has already been built. According to the real estate professionals I've asked, this is what prospective buyers want. (People buy based on what they see, what is already developed. They expect more of the same.)

I have considered the opinions of my neighbors and Dawson Tract property owners in this request. Some people want even larger lot sizes, or no development at all. The great majority are very critical of the results of recent Planning Commission decisions to allow building on 8,000 sq ft and smaller lots. Almost everyone who owns a home on 10,000 sq ft and larger lots are pleased with what they have. I have not heard any criticism of homes built on 10,000 sq ft (and larger) lots. Thus, it seems to me the majority agree on the 10,000 sq ft standard.

There are some property owners who will oppose this application, because they want to subdivide to a lower standard. As I understand their views, they believe they will make more money by subdividing into 6,000 sq ft lots rather than developing larger lots. I do not agree with that view, based on conversations with developers. The developer makes more money by selling one larger property with a larger house, than would be made by building on subdivided, smaller parcels. In other words, there is a higher margin in developing upscale properties.

If there are specific cases in which this new zoning would impose an undue hardship, I am willing to discuss and negotiate with those concerned to make specific exceptions or modifications to this plan. Hopefully, all of this can be done before the March 2 deadline. (I will advertise this proposal in the neighborhood as soon as possible.)

Not all of the documentation is submitted today with this application. I plan to submit further documentation prior to March 2, 2002. Such documentation should include the Dawson Tract Platt map, and a map coded to show built and vacant properties, and another map showing properties likely to be affected by this proposal. I believe petitions and supporting arguments from Dawson Tract residents and neighborhood groups will also be submitted. I plan to have the application completed at the earliest possible date.

WALTER L BATTAGLIA

17304 Blueberry Drive ♦ Brookings, OR 97415-9717
(541) 469-3593 ♦ e-mail: calxsoft@harborside.com

**John Bischoff, Planning Director
City Of Brookings
898 Elk Drive
Brookings, OR 97415**

February 28, 2002

RE: ZONING CHANGE; APPLICATION # CZP-1-02

Dear sir,

I am submitting documentation in support of my application.

The enclosed Exhibits A, B-1, B-2, B-3, B-4 and B-5 are illustrations described as follows:

EXHIBIT A shows the approximate area affected by this application. The dashed line encloses an area bounded on the North by Shigh Creek, on the East by the Highway 101 easement, on the South by Harris Beach State Park, and on the West by the Pacific Ocean (high water mark). All of these are well known and established boundaries which have not changed for at least 10 years.

EXHIBITS B-1, B-2, B-3, B-4 and B-5 are based on the Curry County Assessor's Tax Maps, numbered 4014-25CC, 4014-36BA, 4014-36BB, 4014-36BC and 4014-36BD respectively. These maps were obtained from the Assessor's Office last week, and represent the latest available editions.

The grey shaded areas represent tax lots on which there are built improvements, as determined by my search of the Assessor's tax records, and by personal inspection of the entire area on February 26, 2002. Several recently purchased homes are not yet listed on the Assessor's records.

The hatched areas represent tax lots on which building is in progress, as determined by personal inspection of the entire area on February 26, 2002. Some of these areas, such as Ocean Park Subdivision, are just starting development, and others, such as Cameron Subdivision are underway.

The white areas represent streets, or tax lots that are as yet undeveloped.

As I understand my zoning application, partitions and subdivisions in the undeveloped areas would be required to maintain the R1-10 standard, as applied in Dawson Tract, considering the Dawson Tract Circulation Plan. Partitions and subdivisions approved prior to my application cannot be affected, unless the owners and developers voluntarily agree to the proposed standard (due to prohibition of *ex post facto* laws).

Partitions and subdivisions of parcels larger than 20,000 sq ft (.45 acre) would be allowed under my proposal, provided the resulting parcels conform to the R1-10 standard as applied in Dawson Tract. This allows owners of improved parcels to partition or subdivide, if sufficient space is available under the R1-10 standard.

In my opinion, applicants for partitions and subdivisions in Dawson Tract filing after my application CZP-1-02 should be notified of a pending zoning change. I believe the effective date for the zoning change, if approved, should be my application date, February 13, 2002.

Exhibit A

City of Brookings
Planning Department
Application # CZP-1-02

Proposed Zoning R1-10 - - - -

Dawson Tract Annexation —————

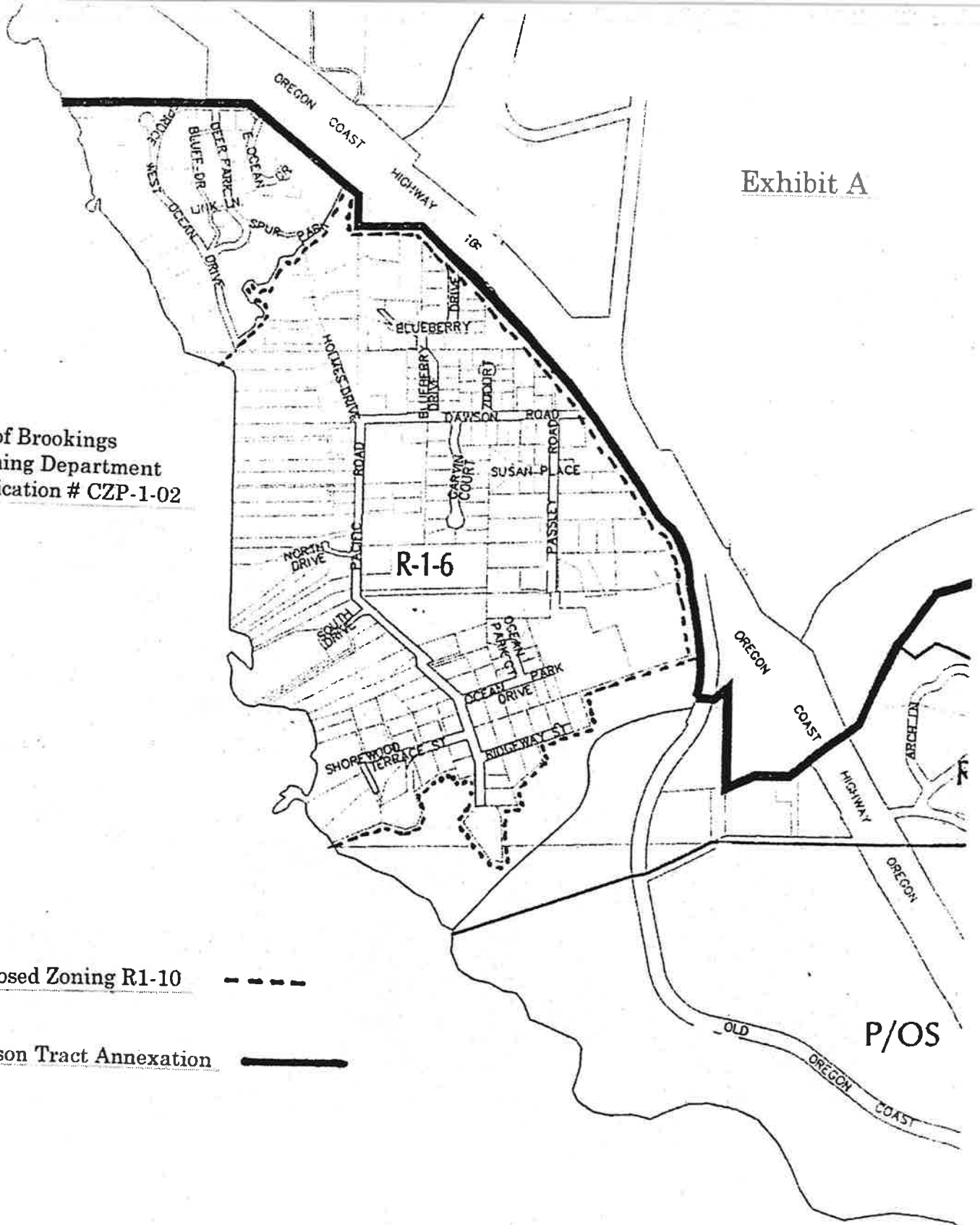
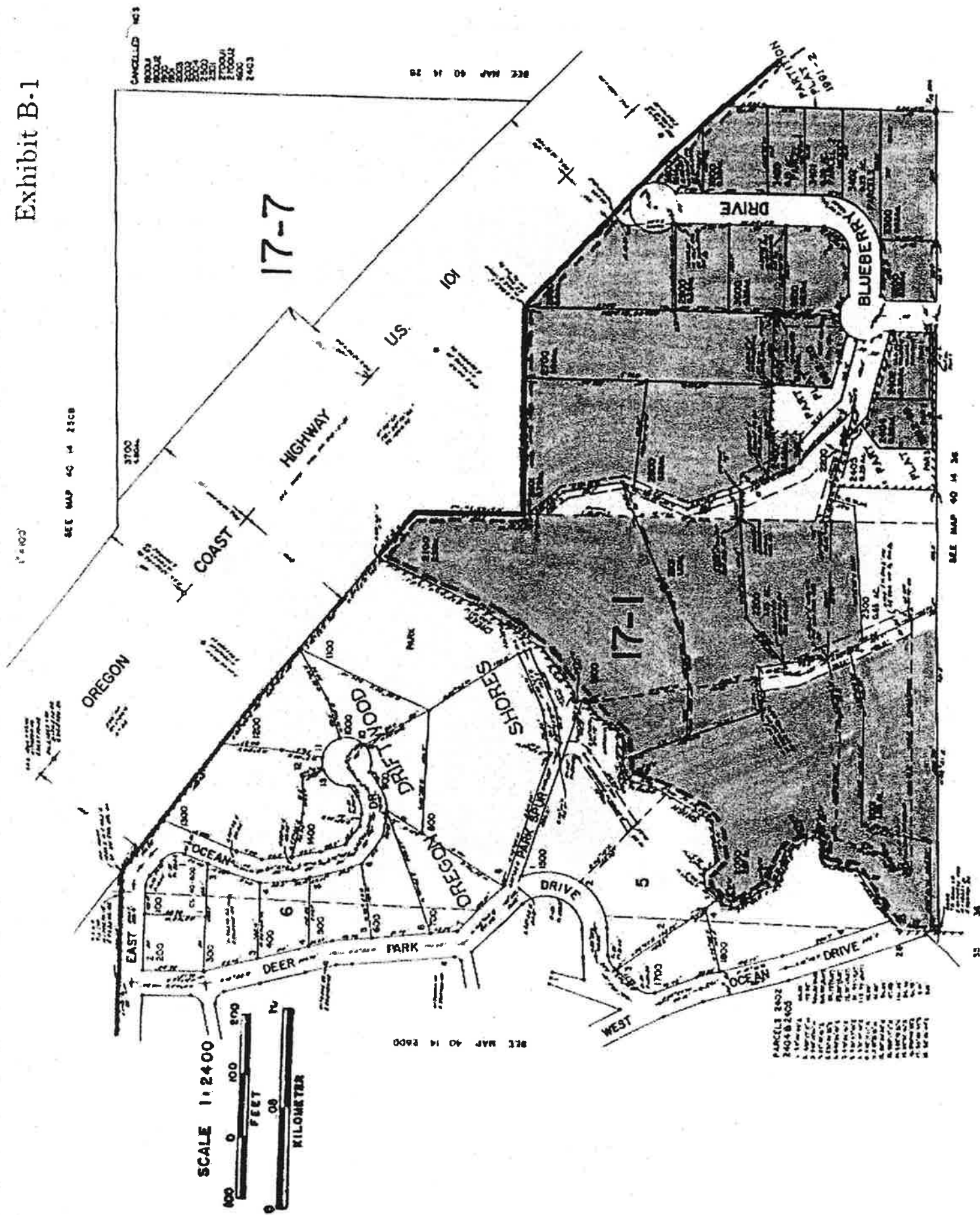
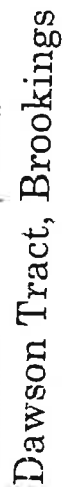


Exhibit B-1





WALTER L BATTAGLIA

17304 Blueberry Drive ♦ Brookings, OR 97415-9717
(541) 469-3593 ♦ e-mail: calxsoft@harborside.com

**John Bischoff, Planning Director
City of Brookings
898 Elk Drive
Brookings, OR 97415**

March 1, 2002

RE: ZONING APPLICATION # CZP-1-02

Dear sir,

With this letter, I am submitting the "site map" required as part of this application.

The map was prepared by Richard B. Davis Inc, Smith River, Calif. for this purpose. The aerial photo shows the Dawson Tract area, improvements, etc. The boundaries of the proposed zoning are shown as yellow dashed lines.

As previously stated, the proposed zoning would apply in the area bounded by Shigh Creek on the north, the Highway 101 easement on the east, Harris Beach State Park on the south, and the Pacific Ocean high water mark on the west. The tax lots included in this area are shown on the previously submitted "property owners" list.

I may file supplemental information regarding this map and other exhibits in my application, when available.

I have met the basic requirements for this application, so this matter should now proceed,

Yours truly,




Walter L. Battaglia
Consultant

cc:
enc:

RECEIVED
MAR - 1 2002
CITY OF BROOKINGS

March 22, 2002

INTER	 MEMO
OFFICE	

To:	City Planner, John Bischoff
From:	William J Sharp, Fire Chief 
Subject:	Dawson Road Area
Date:	3-23-02

The Dawson Road area has seen considerable improvements and growth since annexation into the City of Brookings years ago. The improvements to the road and neighborhoods has added greatly to the desirability of the area and thus we have seen many homes and developments go in. This growth has added to our service requirements and our area to respond to. However, the emergency response to the area has been enhanced also by the developments and improvements that the area has seen. Also the older homes have been removed in some cases and replaced with more modern and fire safe homes. The access to the area currently is by one road in and out namely Dawson Road. The road width and standards are consistent with City standards and more than ample for emergency access. The Fire Dept has no concerns at this time about emergency access or that development is creating a concern over coverage or response to the Dawson Road area.



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Region 3

3500 NW Stewart Parkway

Roseburg, OR 97470

(541) 957-3500

FAX (541) 957-3547

March 18, 2002

John C. Bischoff, Planning Director
City of Brookings Planning Department
898 Elk Drive
Brookings, Oregon 97415

RE: Battaglia Zone Change (CZ-1-02)

Dear *John* Mr. Bischoff:

This correspondence is to provide comments on the proposed zone change from Single Family Residential, 6,000 square feet to Single Family Residential, 10,000 square feet for the Dawson Tract area west of Highway 101. Because the zone change will lower the density of the area, which in turn will generate less traffic, the Oregon Department of Transportation (ODOT) determined that the proposed project is not expected to have a significant effect on state transportation facilities.

We appreciate the opportunity to provide assistance on the proposed zone change, and look forward to working with the City of Brookings in the future. If you have any questions or need additional information, please contact me at (541) 957-3692.

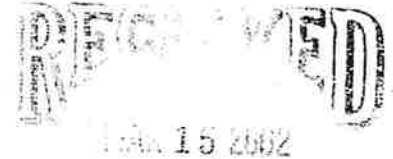
Sincerely,

Thomas Guevara
Short Range Planner

Cc: Ron Hughes, Access Management Engineer
Jeff Waddington, Permits Specialist

March 15, 2002

Mr. John Bischoff, Planning Director
City of Brookings
896 Elk Drive
Brookings, OR 97415



Re: Notice of Public Hearing

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

Dear Mr. Bischoff:

Please consider my comments for the record as the Brookings Planning Commission considers the application for Dawson Tract zone change.

My comments are as follows:

1. To increase the lot size from R-1-6 to R-1-10 will decrease property values. This generally speaking will be the outcome of the proposed zone change.
2. Several years ago, Dawson Tract properties were assessed several thousands of dollars in fees for major infrastructure improvements. These fees were paid by property owners to the City, in good faith, with the qualified understanding that the lot sizes were to remain at 6,000 square feet. Now, today, we find that this is not the case and there is an effort to devalue property and further negate our good faith investments
3. It is my opinion; this zone change will only equate to the public taking of private property through the disguise of a zone change. For every lot increase under this zone change, property owners would lose 4,000 square feet, which is a very substantial amount of property when consideration is given that numerous property owners own two-three acres.

In closing, the City of Brookings most certainly will have some liability in this zone proposal if it moves forward and changes precedents that were set several year ago. The prior assessments were paid, and now this zone change proposal to 10,000 square feet will only serve to diminish our past investments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lloyd D. Whaley".

Lloyd D. Whaley
Dawson Tract Property Owner

412 1519

c: Legal Counsel

Who is Affected (con't)

Thus, the actual minimum lot size for building under the present zoning (R1-6) is 6,000 or 7,500 sq ft, depending on whether on-street parking is available. If the proposed zoning (R1-10) is adopted, the actual minimum lot size would be 10,000 sq ft or 11,500 sq ft, depending on whether public parking is available.

In addition, it is very difficult to determine in advance which lots can or cannot be subdivided because of many regulations concerning terrain, flag lots, remainder lots, street frontage, etc. We cannot determine in advance exactly how the proposed zoning would affect each property owner, because that would require a determination of property owners' private, unexpressed intentions. Therefore, this analysis is limited to general guidelines that usually apply.

We believe property owners will have to make their intentions known to the Planning Commission and City Council, if a more accurate determination of their status is required. Because land use regulations are very complicated, and there are many variations, it is not practical to proceed any other way.

Generally, under the present zoning, a developer would have to have at least 12,000 or 15,000 sq ft (.28 or .35 acre) to subdivide, provided the subdivision would allow the minimum lot size in each subdivided parcel. Parcels smaller than .28 acre clearly cannot be subdivided. Many parcels larger than .35 acre could be subdivided, but whether subdivision would be permitted depends on a myriad of other factors we cannot determine in advance.

Generally, most parcels on N Passley Road, north end of S Passley Road, Lumber View Dr, Whitney Way, Susan Place, Garvin Court, Zia Court, south end of Blueberry Drive and east-west Dawson Road cannot now be subdivided. In addition, the Oceanside II and Ocean Park II private developments (under construction) probably cannot be subdivided. Probably, the Harris Beach Estates and Ocean Park private developments cannot be subdivided.

The proposed zoning would not change the status of any of those properties, because they cannot now be further subdivided or, at least, it appears unlikely they could be partitioned or further subdivided under present law.

There are many large parcels on the south end of S Passley Road, along north-south Dawson Road and near Holmes Drive (a private driveway) which can now be partitioned and subdivided. These parcels could still be partitioned or subdivided under the proposed zoning, although the minimum lot size would be increased.

The proposed zoning would require the minimum lot size to be at least 10,000 or 11,500 sq ft (.23 or .27 acre) after subdivision or partition. Thus, parcels less than 20,000 or 23,000 sq ft (.46 or .53 acre) could not be partitioned or subdivided, if this proposal takes effect.

Comparing the two zoning standards, only those owning properties between 12,001 and 19,999 sq ft (.24 and .45 acre) may be adversely affected by the proposed change. Again, it is not clear in advance whether even these owners would be prevented from partitioning or subdividing, if they are now eligible. A determination would have to be made as to the current status of their properties, based on proposals or applications they have not made.

The following tables, based on Curry County Assessor's records, shows who might be affected by the change.

Table 1. UNIMPROVED LOTS

MAP	LOT #	ACRE	BLDG FIRST NAME or PARTY	LAST NAME or PARTY
36BB	02100	0.00	0 ROBERT & LYLA CAMPBELL	DUGUAY
36BC	00500	0.00	0 GLADYS R	VANDYKE TRUSTEE
36BC	00600	0.00	0 RAYMOND W	MONAIR
36BC	04800	0.00	0 ERNEST C & JANET C	PERRY
36BB	04902	0.31	0 RICHARD L	FIEBELKORN
36BB	04904	0.36	0 KEITH M & DEBRA R	HOFFMAN
36BC	01107	0.40	0 CARLETON K JR & JUDITH	THOMPSON

Public Health

Changing zoning is not expected to have a significant impact on public health with respect to the incidence, prevention, or treatment of disease. These public health factors are also not a reason for retaining the present zoning.

It should be quicker and easier to reach people needing medical attention, if there is less traffic and fewer homes. *There should be a positive impact on the provision of emergency medical services in a less densely built neighborhood.*

Public Welfare

The public welfare is not easily definable, but we think upgrading the minimum lot size will have a strong, positive impact on the welfare of Dawson Tract residents. This opinion is based on many interviews with local residents, who feel oppressed and depressed by the construction proceeding in this area. These feelings would be alleviated, if development were limited by the proposed zoning regulation.

As applied to Dawson Tract, public welfare has to do with "lifestyle" or "quality of life." This is a subjective matter, which can only be defined and reported by each person. Nonetheless, there are desires and attitudes common among Dawson Tract residents which support changing the zoning.

Based on many interviews, people who live here paid a premium to do so. Dawson Tract residents prefer having more open space between their homes. Many people feel having a large back yard (private space) is very important. They enjoy taking walks, and the nearby ocean views. Many residents take up gardening, so growing things is a frequent topic of conversation. Having Harris Beach State Park nearby is a big plus, as most people want to keep this area in its natural state as much as possible.

Dawson Tract residents approve of the fact that their neighborhood is NOT like downtown Brookings. They don't want it to look like the downtown area. They don't want apartment houses, factories or shopping malls in Dawson Tract. They don't want more development, high density housing or raucous neighbors. In fact, a large minority of Dawson Tract residents prefer no further development of any kind. A significant minority would even halt all approved and pending projects. A large number of Dawson Tract residents have been upset by construction practices, and feel threatened by the increasing number of houses - especially high density housing.

The rejection people feel about the onslaught of recent, high-density development is demonstrated by the increased number of homes listed for sale, or sold, during the last year. The developers are de-stabilizing the neighborhood.

So, on balance, Dawson Tract residents prefer their privacy, and a certain distance between neighbors. When they do come out in public, they are open and friendly to others because they have the security and privacy of their homes.

This Association believes the best, attainable interests of Dawson Tract residents are represented in the zoning application. While many residents would like less or no development, the proposed zoning is a compromise almost everyone can tolerate. *The zoning proposal will improve public welfare, as measured by people's perception of it.*

Public Safety

This criterion is the strongest and most urgent reason for increasing the lot sizes. Dawson Tract residents are very concerned that the streets are not safe on account of the increased volume of traffic, careless drivers, lack of law enforcement and substandard quality of the roadways.

This Association and others have explained many times the problems we have. I will note many of them, again, as resolution of these problems is critical.

Public Safety (Con't)

Since the City is apparently not willing to call in DIAs, or pay for improvements out of general revenues, we will have to rely on the those who build new homes to pay the freight. There is just no other way around the problem.

This Association believes raising the minimum lot size is a critical element of any plan to improve public safety. In the first place, increased lot size means fewer homes will be built on available land, thus limiting the scope of known problems. Secondly, larger lots are usually bought by those building larger homes; such buyers usually expect and pay for the "amenities" Dawson Tract requires. Thirdly, with fewer residents than would otherwise be the case, there will be fewer demands on public services, and that restrains the cost of maintaining the area.

We are forced to rely on those who can afford it to provide the public safety features we need, because so far the City has not consistently required or provided them. The zoning proposal will, in that way, improve public welfare.

Public Convenience

Larger lot sizes will leave Dawson Tract less cluttered, more open and more accessible than it otherwise would be. This is especially important in an area that has NO public PARKS, NO bicycle or walking PATHS, NO public FACILITIES and NO PLANS for such amenities.

It is worth noting that the marginal cost of public services is NOT a linear function of population, or even of population density. While it is commonly supposed that the unit cost of sewer services, for example, is reduced by increased density, this is not necessarily the case. While initial capitalization costs of system installation are reduced by a larger user base, on-going per unit maintenance and operational costs increase with the number of users at a faster rate than linearly. Beyond the "set point" of a system, marginal operational costs increase exponentially. The cost of expanding or rebuilding systems that must also continue in operation also increases exponentially.

For example, public parks are relatively cheap to install in the early stages of development. As population grows, this costs rises with the cost of land. Beyond a certain point, the cost rises dramatically, because existing uses will have to be acquired in order to be replaced by a park. Further, if popular demand rises and requires an even larger park, the cost of acquiring property rises even more, because the park itself reduces the supply of available property.

The results and costs of increased population and density are not entirely unpredictable or easily calculated. They are not merely a linear function of initial capitalization costs. They are interactive (i.e., recursive) relations involving feedback. "Chaos theory" is often used to model these situations, and "chaos" is indeed what can happen if systems do not operate as expected or planned.

Recent approved and pending subdivision applications could fill Dawson Tract with high density housing, unrelieved by any public amenities whatsoever, save the streets. And, as stated above, the streets are already inadequate; many places lack even a sidewalk. ***In the absence of any plan or willingness by the City to make provisions for adequate open space and public facilities, we must rely on the space allocated to private homes to meet those human needs.***

Reduced housing density also reduces the risk of the cost and need for services spiraling out of control.

Public Necessity

In the past, local developers designed subdivisions in tune with the needs and desires of Dawson Tract residents. Now we are besieged by absentee developers primarily interested in making money, whether or not that benefits the community. Particularly, the Oceanside II and Spindrift subdivisions are widely opposed by the community because they do not reflect community standards. ***Since we can no longer rely on the good will of the developers, it has become necessary to adopt legal standards to enforce community standards; viz, R1-10 zoning.***

Environment con't

Dawson Tract lies on basaltic lava flows, sand, and soils accumulated since the last Ice Age. I am not aware of any intensive geological study of the area, so it is unknown how the surface will behave when modified by buildings, paving and more or less water.

Some Dawson Tract residents who live near the ocean bluffs have consulted geologists. I understand they received advice that too much water seeping into the ground near the bluffs could destabilize them. So, the current practice of draining runoff into vacant land west of Dawson Rd could have unexpected, damaging effects. (For example, this has been done at the southwest corner of Oceanside II.) In the absence of a study done by competent authority, it is not clear what regulation or construction is appropriate.

As of this writing, another subdivision application is pending. Property owners west of that area are concerned about runoff being draining onto their properties and destabilizing the land. The runoff could also run down to Tax Lots 36BB-4800 and 36BB-4801, a low point where water collects. It is not known where the water goes from there.

Our Association believes protection of the wildlife and land requires less development than is being permitted. Since we have no authoritative guidelines for development in Dawson Tract, but there are perceived problems, *the safest course is minimizing further development in the area. Increased lot sizes are a partial solution of the problems.*

General Welfare

There are several factors which interact with public health, safety, welfare, convenience and necessity.

Growth Rate: By almost any measure, Dawson Tract is undergoing *explosive* development. Most communities grow 5% or less annually. A 10% growth rate is usually considered very high. But, Dawson Tract is being developed at rates exceeding 20% annually. This wouldn't be unusual if Dawson Tract were a vacant property, but it is not.

There are about 150 improved properties in Dawson Tract. In the last year, subdivisions including 45 new houses were approved. An application is pending for 10 more. About 10 new houses are being built on Holmes Drive, Dawson Road, Lumber View Dr, Garvin Ct (and maybe elsewhere). This represents at least a 40% increase in housing within 2 years. If the remaining vacant land is developed, the total number of houses could easily double in 5 years.

People living in communities undergoing rapid change, for whatever reason, are stressed. Stress leads to increased health problems, especially among older people. Stress exacerbates high-blood pressure, anti-social behavior and a variety of other conditions (including over-eating, smoking and drug use). The bad side-effects of stress are not instantly observable, but, over a period of time, they take a toll on the community. *An excessive growth rate undermines public health and the sense of personal and social well-being.*

Infrastructure: The Planning Department hasn't made any estimate of what will be required to support a larger population in Dawson Tract; the City hasn't provided for it. It is unknown whether sufficient water is available. It is unknown whether adequate sewage capacity exists. It is unknown whether the increased runoff can be handled. It is unknown whether the streets will require repairs sooner than expected due to increased loads. It is unknown whether the streets can handle the added traffic safely. It is unknown whether the electric utility can support additional peak demand without brown-outs or outages. It is unknown whether the telephone services can be upgraded to meet current, and foreseeable higher, national standards.

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948 calxsoft@harborside.com

John Bischoff, Planning Director
City of Brookings
898 Elk Drive
Brookings, OR 97415

March 20, 2002

RE: ZONING APPLICATION CZP-1-02
Lloyd D Whaley, March 15, 2002

Dear Mr. Bischoff,

I am writing to rebut the claims Mr. Whaley makes in the above-referenced letter.

Burden of the Past

A decade ago, then-residents of Dawson Tract approved a plan to improve the area which included R1-6 zoning. However appropriate that may have been, times have changed, the people have changed, and, most importantly, circumstances have changed.

Mr. Whaley apparently believes we are chained to the will of the "original" property owners. On his view, it does not matter that many originals sold their properties and left the area, or that new residents far outnumber them. It seems not to matter that Dawson Tract is completely and irreversibly changed from what it was a decade ago.

I believe people have the right to change their governance from time to time. If not, the entire City of Brookings is an illegal trespass on land once held by Native Americans.

It appears *a majority of current Dawson Tract residents support upgrading the zoning to R1-10*. They have as much right to do that, as the "originals" had in adopting a different plan. I believe the Courts support my view.

The Sewer Assessment

Mr. Whaley is concerned about the circumstances of the sewer assessment. That assessment was determined on a per acre basis. Since a change of zoning does not change any parcel boundaries, the sewer assessments would remain the same as before.

In fact, as Dawson Tract properties have been sold, the sewer assessment has been paid or acquired by the buyers. Sellers adjust property prices to reflect the costs of the sewer assessment. Those who "invested" in the sewer system can and do recover their costs when they sell their property.

In fact, since the Dawson Tract Annexation and building of the sewer system, land values in the area have increased dramatically. Just since 2000, the market prices of ocean front properties have increased 30% to 100%. Other property values have risen considerably as well. This results from the influx of new residents into Brookings, who value having urban amenities in a semi-rural setting.

I estimate those who invested in Dawson Tract land about 10 years ago can earn a return on investment (ROI) of 100% or more, after deducting all taxes, assessments, etc. The sewer system and other improvements installed during the last decade are primarily responsible for the increased land values.

Again, *zoning has nothing to do with the sewer assessment*. Sellers have recovered sewer assessment costs.

Changed Circumstances

When Dawson Tract was annexed, it was largely undeveloped. Brookings had less than ½ its present population, and property values were much lower. Those who lived here more than 10 years ago preferred the rural life, without the benefits modern cities provide.

Since then, Brookings has grown, mostly due to the immigration of large numbers of Californians. The newcomers enjoy Brookings' rural setting but also want (and demand) the benefits of urbanization. This comes at a high price, but a price the newcomers are willing to pay.

My zoning proposal represents the needs and values of the present majority in Dawson Tract. Mr. Whaley's views are those of a few remaining "original" residents, who did not foresee the evolution of Dawson Tract or Brookings.

Summary

Mr. Whaley raises an objection rooted in the history of Dawson Tract. While the history is interesting, it is simply not germane to the present zoning proposal.

Circumstances have changed. Within broad limits, people have the right to change laws and regulations accordingly.

Property values are not likely to decrease as a result of increased lot sizes; they are more likely to increase. Some property owners may be adversely affected, if there is public pressure to upgrade sub-standard properties.

Nothing in a zoning ordinance constitutes a "taking," or the use of the power of eminent domain.

I think Mr. Whaley's objections have little to do with the zoning decision, as they are not based on present conditions in Dawson Tract.

Yours truly,

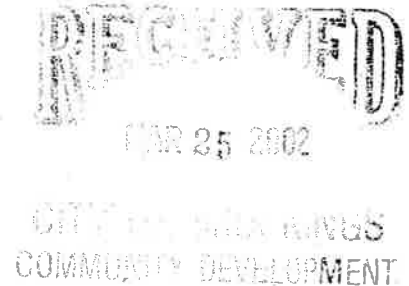
A handwritten signature in dark ink, appearing to read "Walter L Battaglia". The signature is fluid and cursive, with the first name "Walter" and last name "Battaglia" clearly distinguishable.

Walter L Battaglia
Chair

cc:

Jeff Holmes
17350 Holmes Drive
Brookings, Oregon 97415
March 22, 2002
469-3067

Brookings Planning Commission
City of Brookings
Brookings, Oregon 97415



Dear Planning Commission Members,

I am writing this letter in opposition to the proposed zoning change on the Dawson Tract from R-1-6 to R-1-10. While I can sympathize with some neighbors wanting larger lot sizes, there are compelling legal and financial reasons for not changing the zoning.

The landowners in Driftwood Shores, Dawson Tract and West Harris Heights spent 3.3 million dollars (plus interest) to install water and sewer systems in this area, and part of the understanding was that the zoning would be R-1-6. This issue passed by a very narrow margin of 6.5 or 7.5 acres out of 144. It seems reasonable to assume that landowners based their votes, at least in part, upon what they could do with their land after the systems were installed.

The assessments cost landowners 21,565 dollars (plus interest) per acre, and for many areas this only gives them access to city water and sewer. They still have to spend even more money to lay water and sewer lines within the areas they want to develop.

This project also forced many reluctant residents to subdivide their land to recover assessment costs. The property owners in this area have suffered enough with the costs of this project. Don't change the rules now and make it harder, or impossible, for them to develop their land and recover their expenses.

March 22, 2002

Mr. John Bischoff, Planning Director, City of Brookings
896 Elk Drive
Brookings, OR 97415

Re: Rezoning Dawson Tract from R-1-6 to R-1-10

Dear Mr. Bischoff:

Please consider the following when the Planning Commission acts on the application for rezoning Dawson Tract.

My mixed feelings on this matter are largely due to the history of Dawson Tract. My family has lived on Dawson Tract since 1953. In my opinion, at the time this area was annexed into the City of Brookings, if the minimum lot size had been designated 10,000 square feet, the annexation would have failed. I agree that such a lot size would have been preferable from a safety and aesthetic standpoint, but only by setting it at 6,000 square feet did the annexation attempt succeed. I feel the annexation was narrowly approved due to that lot size allowing some of the people to make a profit or at least recover their assessment fees. That vote cost my parents over \$100,000 and nearly devastated them. The landowners back then were assessed the amount immediately, rather than being assessed when they sold or developed down the road, as I understand happens now.

As much as I would like to see less development on Dawson Tract, to approve a change in the zoning now strikes me as grossly unfair to those who paid dearly due to the original zoning. It might even set the City up for potential liability. Like it or not, the die was cast by the annexation vote and the "rules" should not be changed after the fact. Many of the people who are pushing for this zoning change would not even be residents of Dawson Tract now if the zoning option had originally been R-1-10, as some of the land would not have been sold off to developers to help pay the assessment. The people who have moved onto Dawson Tract should have known that, being part of the City, the remaining undeveloped land would not stay that way forever. This is prime land. They should also have been aware of the zoning and what that would potentially mean for future development.

I am also concerned over what is hopefully an unintentional error on the part of the NBCA. I see names on a typed summary of their petition that I know for a fact did not sign the petition (Lloyd Whaley, for example). This makes the petition suspect. Thank you for hearing me out.

Sincerely,

Paula Brande

Paula Brande
Dawson Tract Resident

Jeff Holmes
17350 Holmes Drive
Brookings, Oregon 97415
469-3067
May 7, 2002

RECEIVED
MAY 7 2002

Re: Dawson Tract rezoning from R-1-6 to R-1-10

Brookings City Council Members
City of Brookings

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

My family and I find ourselves in a rather unusual position. When the City wanted to annex this area and build a water and sewer system at the expense of local residents, we were among the most active opponents to this plan. Now we are arguing against changing the zoning from R-1-6 to R-1-10. This might seem odd, until you understand the process.

This explanation is greatly simplified and leaves out many dirty little details, but I hope it gets across the point I am trying to make.

Essentially, by a very close vote based on acreage, the residents of this area decided to annex to the City and build a water and sewer system. The Dawson Tract had a great deal of empty buildable land, and the system cost per acre ran \$35,000 to \$40,000 if you count interest. Therefore it was apparent to us that residents would be under great financial pressure to develop or sell their land. This meant that the area would inevitably be transformed from rural to residential, and that we would need R-1-6 zoning to allow people to recover from the great expenses involved. City officials asked us what zoning we wanted, and that is what we decided on.

Because these details were all worked out before the vote, and because local residents spent over three million dollars (not including interest), we consider the present zoning to be an integral and necessary part of the agreement. Any attempt by the City to change this agreement to the detriment of property owners who need to develop their land, would almost certainly be met with substantial law suits.

The property owners on Dawson Tract and West Harris Heights actually voted against the water and sewer system, and it only carried because the City included Driftwood Shores in the election. The vote was extremely close, and while I can't prove it, I don't think the election would have passed with R-1-10 zoning.

Thus, the residents of this area are opposed to the very condition that made most of their homes possible. I wish the proposed zoning had been R-1-10. I liked the Dawson Tract better the way it was before the City decided it needed more buildable land.

Although the NBCA and Mr. Battaglia have produced copious paper work to try and support their position, there are two very important subjects that they haven't mentioned.

They have barely touched on the subject of how the water and sewer districts came about. They say rules are made to be changed, but they don't say anything about whether contracts are made to be broken. The Dawson Tract is the way it is today because of a contract between the residents and the City, and the spending of 3.7 million dollars. If part of the details were left unrecorded by City officials, the verbal part still exists and is no less valid.

They also have made no mention of financial compensation for the loss of property value that would be suffered by many property owners if the zoning was changed from R-1-6 to R-1-10. No one seems to be stepping up with money in their hand.

Mr. Battaglia likes talk about majority rule, but in this case he seems to be more interested in screwing the minority because he thinks democracy gives him that right. I trust that the City Council will follow the Planning Commissions unanimous example in protecting the rights of property owners and the pocket books of Brookings taxpayers.

Sincerely,



Jeff Holmes



March 27, 2002

ECONOMY

New-Home Sales Bounce Back Following January's Tumble

A WALL STREET JOURNAL ONLINE NEWS ROUNDUP

WASHINGTON -- New-home sales bounced back in February following an unexpected plunge the previous month.

Sales of new, single-family homes rose 5.3% to a seasonally adjusted annual rate of 875,000, the Commerce Department said Wednesday.

Sales had tumbled to a revised pace of 831,000 in January -- a 15.8% drop. December sales were revised sharply higher to a rate of 987,000, from the previous estimate of 966,000.

Economists expected February sales to rise to a rate of 890,000, according to a survey by Thomson Global Markets.

Many economists dismissed January's drop as a fluke, given the remarkable strength the housing sector has shown during the economic downturn.

Earlier this week, the National Association of Realtors said sales of existing homes slipped to an annual pace of 5.88 million, just below January's record rate of 6.05 million.

Low mortgage rates, good weather for house hunting, increases in home values and generally good consumer attitudes all helped to lift sales last month.

In February, the average rate on a 30-year fixed-rate mortgage was 6.89%, down from 7% in January, according to Freddie Mac, the mortgage company.

But mortgage rates, as tracked by Freddie Mac, have climbed the past three weeks as the country has bounced back from recession. The average rate on a 30-year loan rose to 7.14% last week.

Many economists are predicting 30-year rates will reach 7.5% by the end of this year.

While such higher rates would make it impossible for some people to buy a home, rates in the 7.5% range would still be affordable to many and would still support the housing market, economists say.

MARKETS DATA AND RESOURCES

- Economic Indicators
- U.S. Calendar
- International Calendar
- Economic Chartbook
- Reports from Briefing.com

BOUNCING BACK

See the full text of the government report and analysis from Briefing.com:

- New-home sales — Commerce Department¹, Briefing.com²

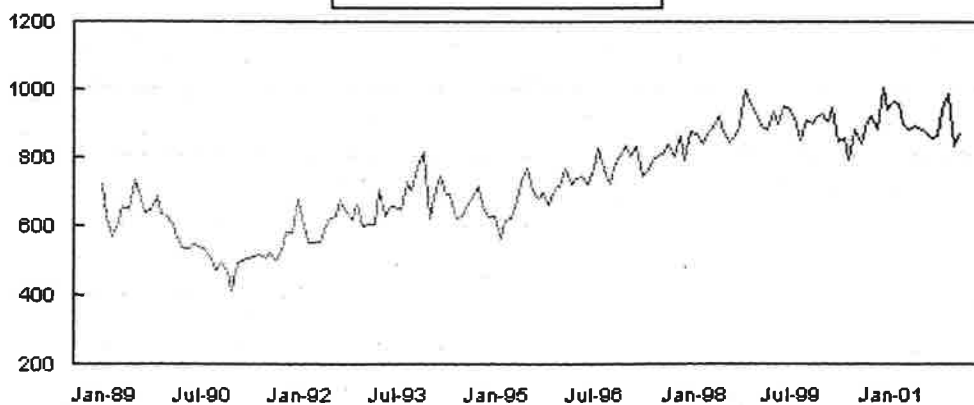
[MARKETS DATA](#)[SECTION INDEX](#)**Briefing.com**

Wednesday, March 27, 2002

Commentary and background from Briefing.com. See an index of reports.**Updated: 27-Mar-02** | [Archive](#) | [Glossary](#)[Return to Economic Calendar](#)

New Home Sales

Thousands



Updated: 27-Mar-02

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[Market Data Main](#)

[Glossary](#)

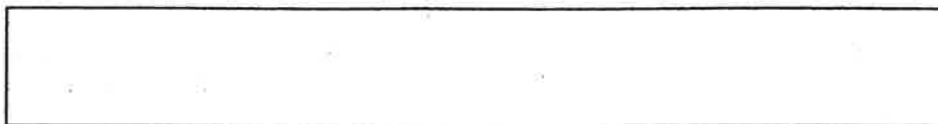
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Oceanside Estates
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CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

PRELIMINARY ENGINEERING REPORT

DAWSON TRACT DRAINAGE BASIN

April 12, 1993



Prepared for
M. F. Gorski, Developer
Oceanside Estates

Prepared by
T. J. Bossard & Associates, Inc.
303 N.E. "E" Street
Grants Pass, OR 97526

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CITY OF BROOKINGS

PRELIMINARY ENGINEERING REPORT

Dawson Tract Drainage Basin

Study Area, Data Base and Intent

The area of study is that area on both sides of Dawson Road to the north, Dawson Road to the west, Shorewood Terrace, Ridgeway Street and Skyline Drive to the south, the proposed Skyline Drive/Passley Road loop, and Passley Drive to the east.

The data base includes an existing aerial topographic map (County Surveyor), County Assessor tax lot maps, construction documents for the water/sewer line extension, Harris Beach Estates Subdivision and Cottage Court Subdivision, and surficial reconnaissance. Detailed topographic, soils and geologic data are known only on Tax Lot 1100, 5300 and 100, proposed for Oceanside Estates, a planned residential community.

The intent of this preliminary analysis is to determine the Dawson Tract drainage basins, estimate relative storm water flows before and after development, and recommend possible storm drain system solutions that are in accord with the recommendations and criteria of the City's Storm Drainage Master Plan, dated June, 1985. The following is intended as a preliminary comparative analysis only, and is not intended for construction document use.

Drainage Basins of the Dawson Tract

The drainage basins are defined primarily by their land contours, and by existing natural drainageways and improved storm drain lines that lead drainage waters to the ocean (see Exhibit A, Dawson Tract Drainage Basins Map). Nine basins are defined in this manner. With the exception of Basin I, all basins currently drain to the ocean within their existing natural drainage sub-basin, either by natural drainage courses or by improved storm drain lines that lead the storm water runoff to the ocean.

The development of Dawson Road and Holmes Drive resulted in the diversion of most of Basin I from sheet drainage in a northwesterly direction across what is now Holmes Drive, to a southerly direction through culvert A under Dawson Road and then along the east side of Dawson Road to culvert B (see Exhibit A). There exists a natural drainway (Shigh Creek) to the north of the intersection of Holmes Drive and Dawson Road, that could carry this drainage.

Basin II drains along an existing natural depression, through culvert B and on through an existing unimproved drainageway to the ocean. This drainway will be improved by Oceanside Estates I.

Basin III drains through culvert D to a natural, unimproved drainageway to the ocean. Culvert C is placed at a high point, and is non-functional.

This criteria is reflected in the City's Storm Drainage Plan guidelines, Page 17, guide a, as follows:

"Planning and design efforts should attempt to retain natural flow conditions, and alterations should be carefully evaluated."

2. Do not concentrate flows to one point of discharge across drainage basins. Concentrated flows create hazards and increase costs, both in conveying flows downslope and at discharge points, but particularly at beach discharge points. Concentrating most of the Dawson Tract area flows at one discharge point could hazard the stability of an entire section of beach, and will create future liabilities.

This criteria is reflected in the City's Storm Drainage Plan guidelines, Page 17, guide b, as follows:

"Drainage facilities should not substantially increase or divert surface water runoff without careful consideration of downstream impacts."

3. Keep runoff in open, natural drainways wherever possible. There appears to be ample potential for maintaining open drainage ways for Basins VI and VII.
4. Distribute the costs of the system equitably, avoiding the "windfall/wipeout" syndrome. Utilizing a number of outfalls will keep costs low, and allow benefitting property owners to share the costs of draining each basin. However, since certain off-site improvements must be installed in order for properties to develop, a systems development charge (SDC's) could be established allowing the City to proceed with installation of sections of the system, and recover costs as properties develop. Drainage basins could also develop as part of local improvement districts (LID's).

This criteria is reflected in the City's Storm Drainage Plan guidelines, Recommendation 5, Page 6, as follows:

"That the City Council, in conjunction with the Engineer and City Attorney, investigate the status of their present revenue sources; and that consideration be given to establishing an ordinance to assess a User Fee and Systems Development Charge to finance the maintenance of existing stormwater facilities and expansion of the system as presented in this report under Priority 1 and Priority 2."

Using these criteria, several scenarios were developed for accommodating the storm flow of the Dawson Tract drainage basins. (See Table 2, Dawson Tract Storm Drainage Scenarios, below.)

Table 2
DAWSON TRACT
Storm Drainage Scenarios

Scenario	Flows @ Culvert B	Flows @ Culvert D
A	10.8 CFS (4,800 GPM) 18" diameter*	16.2 CFS (7,300 GPM) 18" diameter
B	27.0 CFS (12,100 GPM) 24" diameter	0 CFS (0 GPM) 0" diameter
C	37.8 CFS (17,000 GPM) 27" diameter	0 CFS (0 GPM) 0" diameter

* Pipe sizes based on Manning's equation for assumed pipe slope of 2% and pipe roughness coefficient, N, of 0.012

Scenario A in Table 2 shows the developed flows resulting at culvert B and culvert D utilizing the natural drainageways. In this scenario, Basin II is drained by culvert B and Basin III is drained by culvert D. Basin I must be given an alternate drainage to the ocean in this scenario.

Scenario B in Table 2 shows the results of concentrating the drainage from Basin II and Basin III at the same culvert, culvert B. The result of this concentration of drainages multiplies the drainage impact on culvert B by 2-1/2 times, while reducing the drainage at culvert D to practically nothing.

Scenario C in Table 2 shows the impact of adding Basin I to Basins II and III, also at culvert B. One can see here that the natural flows at culvert B are now multiplied by 3 -1/2 times, while the drainage to culvert D is once again eliminated. This is a true windfall/wipeout* situation.

* Source: "Windfall for Wipeout: Land Value Capture and Compensation", Hagman and Mischynski, APA, 1978.

Recommendation

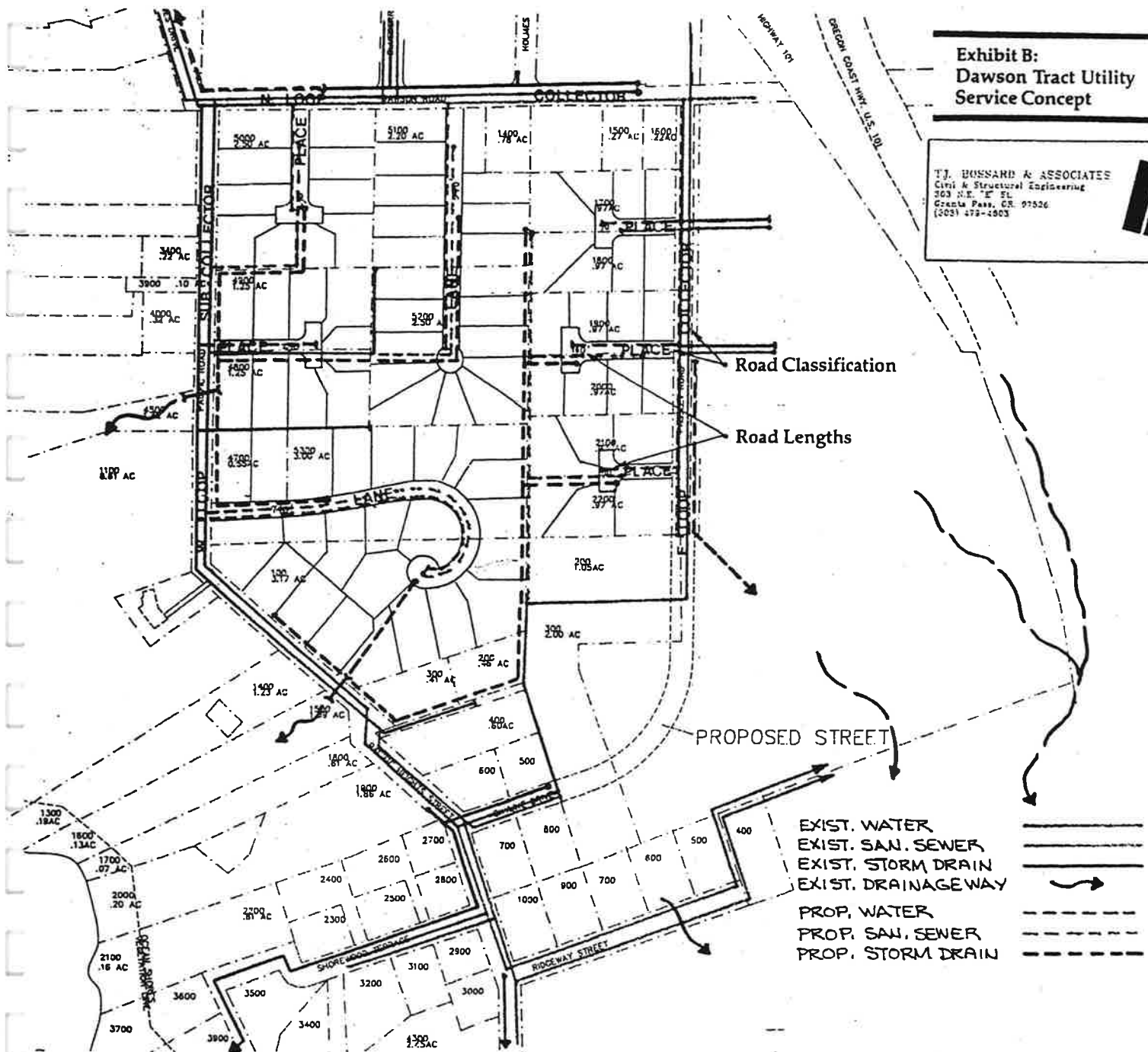
The development of Holmes Drive cut off the northwesterly flow of Basin I, and this was solved at the time by a cross-culvert allowing the drainage from Basin I to be diverted to culvert B. It may be hydraulically tolerable to divert undeveloped flows to culvert B, but at developed levels of runoff, this diversion loads too much runoff at one point, and is contrary to the City's Storm Drainage Plan guidelines. See Scenario B, Table 2, above. Flows at culvert B could reach 12,000 GPM, or the equivalent of emptying over 200 55-gallon drums every minute in one spot!

This problem is worsened if all flows from Basins I, II, III, VIII and IX are forced to use culvert B. This would result in storm discharge of 37.8 CFS from these Basins I, II and III plus 5.4 CFS from Basins VIII and IX for a total of 43.2 CFS or 19,400 GPM at the ocean outfall. Such a concentration will create a hazardous erosion condition at the beach below Oceanside I, potentially incurring liabilities for the City per the City's Master Plan discussion of liabilities, page 17, Item 2:

It is believed that in the modified Scenario A as described above, storm drainage is provided rationally, following existing contours and established drainageways, that storm waters are not concentrated to hazardous levels at their point of outflow on the beach and that costs are apportioned fairly among benefiting property owners.

This storm drainage concept is reflected in Exhibit B, Dawson Tract Utility Service Concept. In this exhibit, the storm drainage system is integrated with existing water and sewer lines, recently extended by the City of Brookings, and with utility extension servicing the suggested Neighborhood Circulation Plan, Exhibit 4, from our January report.

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TERRA FIRMA GEOLOGIC SERVICES

RON SONNEVIL Engineering Geologist
27766 Hunter Creek Road, Gold Beach, OR 97444
(503) 247-2091

RECEIVED
MAY 3 2002

DATE: July 19, 1993
FROM: Ron Sonnevill, Engineering Geologist
TO: Michael Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

SUBJECT: Oceanside Estates, Lot 13

INTRODUCTION

This report documents a geologic investigation conducted on June 30 and July 14, 1993. The area is proposed Lot #13 of the Oceanside Estates Subdivision and is part of Tax Lot 1100, 40-14-36 BC, located off of Dawson Road, Brookings, Curry County, Oregon.

The purpose of the investigation was to address the suitability of the lot for development as a single family dwelling. The investigation consisted of inspection of aerial photographs, site mapping, measurement of ground surface profiles and examination of soils in backhoe dug test pits.

SITE CONDITIONS

The geology of the area has been described in two other reports by Busch Geotechnical Consultants (1992) and H. G. Schlicker and Associates, Inc. (1992). The reader is referred to these reports for a more detailed discussion of the general geology and geomorphology of the site. The proposed lot is located on the western edge of a gently sloping Pleistocene age marine terrace. The west edge of the terrace is bounded by a 35 degree slope which represents the eastern edge of a landslide feature or landslide complex which extends to the beach (Figure 1). The purpose of the investigation was to examine the landslide feature and asses the potential for it to impact a home on the proposed lot.

The terrace surface between the eastern boundary of the proposed lot and Dawson Road is nearly flat, however, near the east boundary of the proposed parcel there is a marked change in slope gradient where the ground surface has a westerly slope of 25 to 30 percent. West of this steeper slope the terrace "benches out" to a 25 foot wide area with a 5 to 10 percent grade before it is truncated by the edge of the landslide (Figure 1). In the H. G. Schlicker and Associates, Inc. (1992) report, written by Gless and Ralls, this bench is hypothesized to be a block which has been dropped down to the west by a landslide

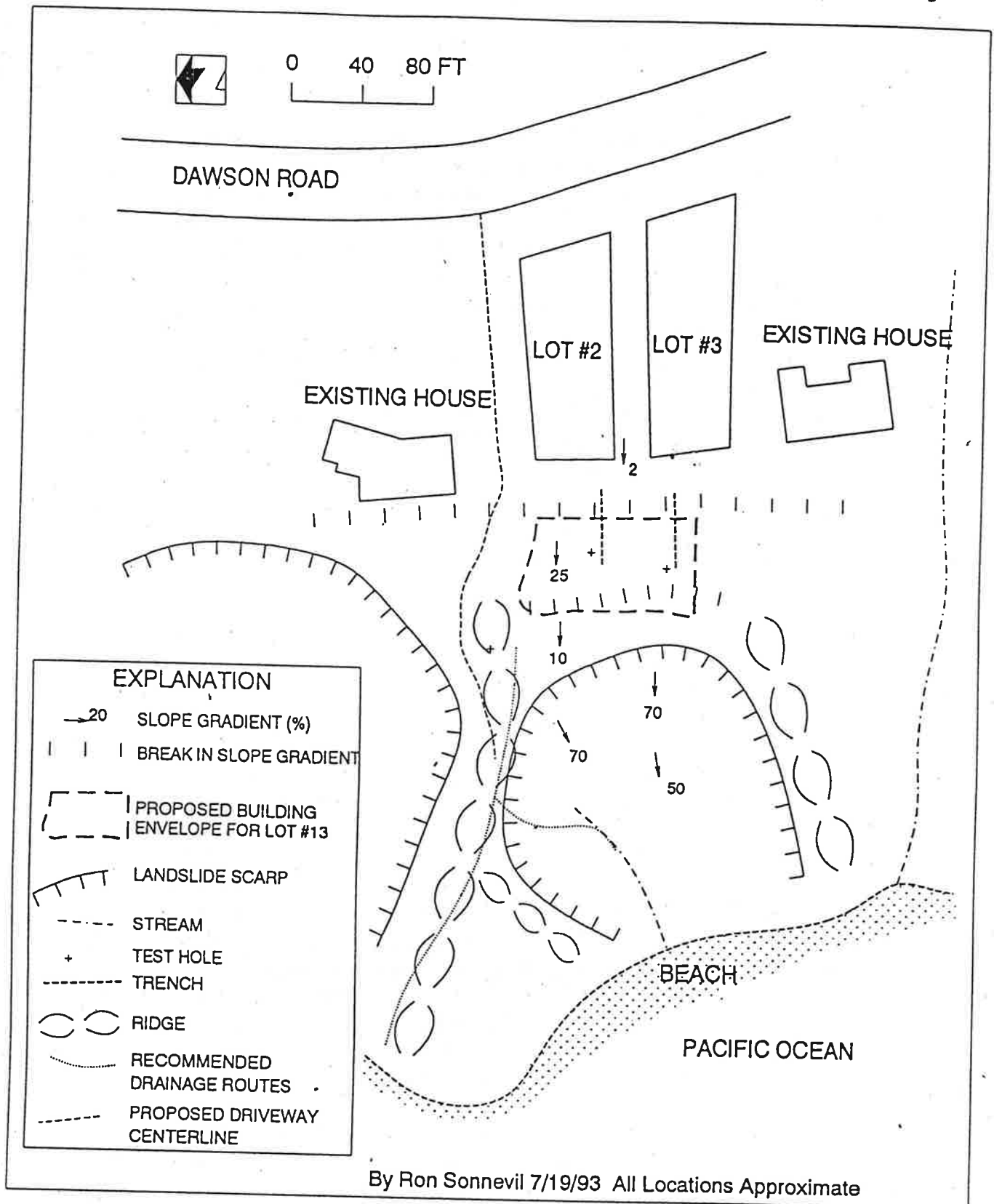


Figure 1. Map of proposed Lot #13 and vicinity, Oceanside Estates, Brookings, OR.

4. At the time of the investigation it was proposed that the elevation of the building pad be reduced by grading to an elevation of approximately 10 feet below the existing ground surface. Such grading should not significantly affect the stability of the parcel if cutslopes are designed to a stable configuration or are reinforced with a retaining structure. Lowering the grade, however, may place the foundation within loose sand which will require a site-specific determination of bearing capacity to assign appropriate foundation loads.
5. Because of the uncertainty in determining a final setback from the edge of the landslide it is recommended that the east boundary of Lot #13 be moved to the east to accommodate the uncertainty in determining a final setback. If the grade of the building site is lowered as proposed then moving the boundary to the east should not significantly impact the view of Lots 2 and 3.
6. Guidelines were requested concerning where to route storm runoff from homesites 2, 3 and 13. It is recommended that this storm runoff, conveyed in a pipe, be routed and discharged in one of two locations. The alternative with the least risk is to route the pipe out the ridge to the point north of the bowl and discharge the water onto non-erodible rocks below the point. The second alternative is to route the pipe along the ridge and down the south facing slope of the ridge into the bottom of the bowl. The pipe should be routed along the existing "channel" for at least 50 feet and then discharged onto a non-erodible surface such as rock or gabian baskets filled with rock. The existing channel has little armor and may experience some scour, depending on the amount of discharge. In my opinion the risk is low that discharge from three homes will cause enough scour to have a major impact on hillslope stability. Containing the runoff all the way to the beach in a pipe is feasible and would eliminate the risk altogether.
7. Guidelines were requested concerning the location of the driveway leading out on the ridge north and west of Lot #13. The edges of the driveway should maintain a setback of at least 10 feet from the top of the bluff or landslide scarps adjacent to it. Bear in mind that portions of the cliff up to 20 feet wide can fail at once and setting the road back 10 feet will not ensure that the road will be safe from bluff retreat. The further the road is from the edge of the bluff the safer it will be. The 10 foot setback is only intended to provide a setback which, in my opinion, is the minimum necessary to reduce the impacts of road construction on bluff edge stability. Brush should not be removed between the road and the edge of the bluff and, if brush is absent or disturbed, deeply rooted brushy species should be planted to reinforce the stability of the bluff edge. A qualified botanist can prescribe appropriate brush species. The driveway should be curbed or constructed to ensure that runoff is not allowed to be discharged onto the adjacent slope. Runoff from the driveway should be conveyed in the storm drain discussed in recommendation #6 above.

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APPENDIX D

GEOLOGISTS REPORT AND LETTERS



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230
(503) 257-9666

Project #92-966

December 14, 1992

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Geological Reconnaissance of
Proposed Residential Development on
Parcel 2, Tax Lot 1100, Sec. 36, T.40S., R.14W., W.M.,
County Map 40-14-36-BC
City of Brookings, Oregon

Dear Mr. Gorski:

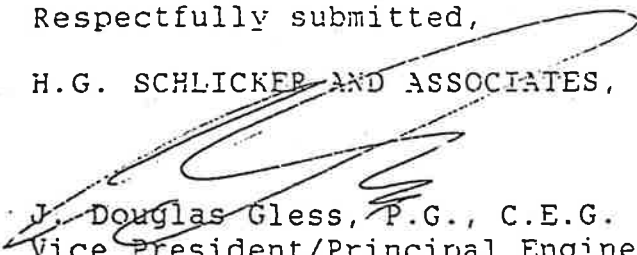
The accompanying report presents the results of our engineering geologic investigation of the above referenced site for the development of single-family residential homesites.

After you have reviewed our report, we would be pleased to discuss the report and to answer any questions you might have.

This opportunity to be of service is sincerely appreciated. If we can be of any further assistance regarding this or future projects, please contact us.

Respectfully submitted,

H.G. SCHLICKER AND ASSOCIATES, INC.



J. Douglas Gless, P.G., C.E.G.

Vice President/Principal Engineering Geologist

JDG:cec



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230
(503) 257-9666

Project #92-966

December 14, 1992

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Geological Reconnaissance of
Proposed Residential Development on
Parcel 2, Tax Lot 1100, Sec. 36, T.40S., R.14W., W.M.
County Map 40-14-36-BC
City of Brookings, Oregon

Dear Mr. Gorski:

1.0 Introduction

At your request, we have completed an engineering geologic reconnaissance of the subject site to assist you in planning the development of the property.

It is our understanding that you intend to subdivide the property into single-family residential homesites. The site plan, including the location of the lots will be developed based, in part, on the information provided in this report.

1.1 Purpose

The purpose of this report is to provide you with geologic information suitable for use in site planning.

1.2 Scope of Work

The scope of our work included surficial engineering geologic reconnaissance completed in late October and early November, 1992, interpretation of topographic maps and stereo aerial photography, limited subsurface exploration, and a limited review of geologic literature pertinent to the site. Soils testing, slope monitoring and controlled mapping were not conducted.

1.3 Location and Topography

The property is located near the center of the west half of the northwest quarter of Section 36, Township 40 South, Range 14 West of the Willamette Meridian (Figure 1). The property is located on the ocean front with a nearly flat lying upper terrace surface on the eastern margin at about 130 feet elevation MSL (Figure 2). Two rocky headlands, located in the southwest and northwest part of the property extend to the southwest and are separated by a cusp shaped beach and bowl shaped depression. Similar but smaller bowls

underlying bedrock materials. These unconsolidated gravels, pebbles and sands belong to a Pleistocene marine terrace which formed when the upper terrace at the site was at sea level. At that time the upper surface of the Dothan Formation was scoured and planed by the ocean and eroded by streams which formed gullies or depressions into the softer shales and siltstones, while leaving some higher ridges and units of harder sandstone, pebblestone and greenstone bedrock. The eroded gullies and depressions were filled in first with gravels and sands grading upwards and finally covering the flat lying areas with sands and silts.

The thickness of the marine terrace materials are variable. The thinnest sections, less than 10 feet, overlie sandstone and greenstone bedrock units. The thickest sections, perhaps more than 20 feet overlie areas of very soft sheared shales.

The marine terrace materials form an aquifer in the general vicinity of the property. This water can be observed discharging at the base of the marine terrace materials in some thicker sections where exposed along the ocean-front slopes.

3.0 Bedrock Structural Geology

The property is located in a structurally complex area, with many faults and associated bedrock shearing. Two large mappable faults occur at the property. One in the northwest corner which trends nearly north-south separating greenstone on the west from shale and siltstone on the east. Another large fault is present in the south part of the property and trends northeast-southwest separating greenstone on the north side at the west end of the headland from shales and siltstones south of the fault. These two faults are believed inactive and were likely contemporaneous with development of the Carpenterville Shear Zone.

The Carpernterville Shear Zone is a major structural feature along the coast in Southern Curry County. This shear zone is believed to be Cretaceous in age and associated with regional thrusting. The shearing has created a melanged or broken formation out of the Dothan rocks. This shearing has completely destroyed the original sedimentary fabrics of the shales and siltstones, resulting in some very weak and low strength rock. The largest units of high strength greenstone were less affected by the shearing. Smaller units of greenstone, sandstone or pebblestone were broken, separated, and rotated within a matrix of more plastic shales and siltstone which is present at the property in the southwest area represented on the Development Suitability Map as M-srs (Figure 3).

At the south central part of the property and in the area shown as M-mt on the Development Suitability Map (Figure 3) there exists a bench slightly lower in elevation from the adjacent eastern terrace. This bench is interpreted to be a translational landslide which has moved downhill from the original surface of the upper eastern terrace. The marine terrace materials are somewhat thick in this area and discharge water at the base year around.

Subsurface exploration by backhoe test pits in this area revealed infilled fractures in the soil indicative of slope instability.

5.2 Ocean Erosion

Erosion at the toe of the slopes next to the beach can be severe at times in areas of shales and siltstone. This erosion primarily occurs during severe winter storms when the ocean waves are very large. Erosion of the hard and dense greenstone and volcanic units along the shoreline is negligible during most ocean storms. However, at the northwest corner of the property, next to the beach, there are some sea caves which have been eroded along fractures and faults in the greenstone bedrock. Although this bedrock is generally resistant to erosion, these fractures and the associated sea caves can result in some very high hydraulic impact forces when large waves push into the fractures and the caves. Because water has very low compressibility, the force of the moving water as it terminates against the walls of the cave and fractures is nearly instantaneous resulting in some wave impact induced ground shaking. This shaking is not likely to cause structural damage to properly constructed homes nearby, but, may be felt during such storm events. The fracture in the bedrock at the northwest corner of the property extends from the shoreline through the north margin of the rocky point. Areas within proximity of this fracture and exposed cracks north of it are considered high hazard areas.

Erosion of the shales and siltstones at the beach also causes slides and other slope failures. A recent example of a slide caused by toe slope erosion is present at the extreme southwest corner of the property next to the shoreline and believed to have occurred in the last several years.

5.3 Seismicity

Historically, earthquakes impacting Curry County have been rare and of relatively low magnitudes, with the largest event of Mercalli VII-VIII on November 22, 1873, being felt in Port Orford, Oregon and Crescent City, California. Recent geologic information acquired within the last several years, suggest that a serious

L-r	Low-rock	Low hazard areas located on rocky points at the northwest and southwest portions of the property. Bedrock is close to surface and composed of hard, well indurated volcanics. Hazards include rock failure on or close to vertical or steep slopes. Suitability for development will require some recommended setbacks from steep slopes and or some localized rock bolting.
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CLASS II, MEDIUM HAZARDS

M-rs	Medium-rock slope	Medium hazard area located on steep slopes underlain with thin upper mantle of soil and shale, and bedrock or hard, well indurated volcanics. Site development will require some site specific recommendations with respect to placement of structures on top the hard volcanic bedrock and the associated site preparations. Bedrock may require some rock bolting in areas of localized higher hazards.
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M-rmt	Medium-rock & marine terrace	Medium hazard area located on top ridgeline area east and behind rocky point at southwest part of property. This area is underlain by combinations of rocky bedrock exposed at the surface and surrounded by thicker sections of marine terrace materials. Hazards include some brittle areas of bedrock units of moderately high foundation strengths. Development will require some engineering geology subsurface exploration to provide adequate recommendations with respect to foundations, and other construction.
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M-mt	Medium-marine terrace	Medium hazard area located on a bench slightly lower in elevation and west of the L-mt area mentioned above. This area is a bench underlain with marine terrace materials and may represent an older translational slide. Will require subsurface exploration to determine stability before development.
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H-r	High-rock	High hazard area located at the extreme northwest corner of the property and underlain by hard dense volcanic bedrock. This area is separated or has a large fracture traversing along an east to west direction, from the L-r and M-rs areas adjacent and to the south. This large and deep fracture runs through the bedrock and has some major rock failures in the north end of the L-r area. This H-r area is believed unsuitable for development.
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TRANSITIONAL CLASSES

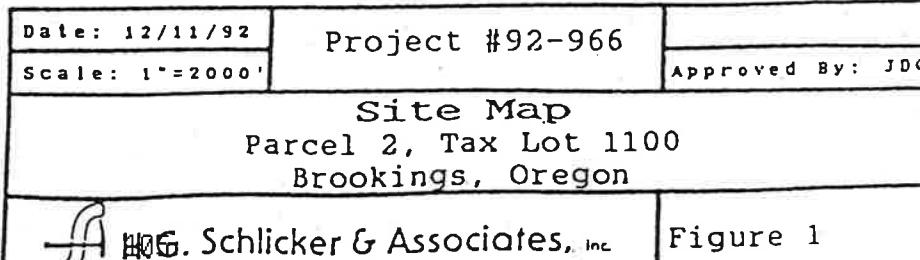
L-M	Low-Medium	Low to Medium hazard area located in transitional area between upper marine terrace and lower bench in the southeast part of the property. Development suitability will require some subsurface exploration with respect to placement of structures and some geologic recommendations. Suitability of this area is similar to L-mt on eastern margin and similar to M-mt on western margin.
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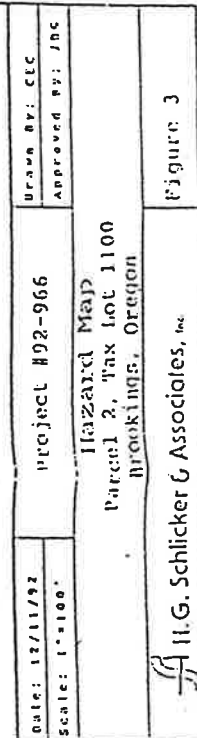
L-H	Low-High	Low to High hazard area located in setback zone behind upper bluff edge, east and above areas of high slope hazard area. The L-H area is similar on its eastern margin to the L-mt or L-ss areas and similar to the H area on its western margin.
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Each of the above classes and subclasses may grade into and may contain small areas of any other adjacent or separate class. These areas were either too small to map separately, hidden in the dense vegetation, or were covered by soils and vegetation that did not allow for site reconnaissance without the use of exploration equipment.

7.0 Conclusions

The geology and associated hazards at the property are, for the most part, related to bedrock types and structure, deformation fabrics in the bedrock and soils, slope angle and aspect, influence of groundwater and the processes of shoreline erosion caused by the ocean. Areas of the property with some High hazards of slope instability are generally located in the bowls and underlain by weak soil and bedrock materials, these areas are generally unsuitable for most development. Areas of some Medium hazards and those in Transitional areas have variable conditions and may





TEST PIT LOGS

<u>Test Pit #1</u>	<u>Material Description</u>	<u>USCS Type</u>
0.0-0.5 feet	Topsoil, dark/medium brown, sandy, organic.	Sandy Peat
0.5-2.0 feet	Sand/rounded gravels and cobbles and boulders, yellow-brown, unconsolidated, loose.	SW/GW
2.0-5.0 feet	Shale/Clay, dark grey, graphitic, soft, highly plastic.	GC/CH

<u>Test Pit #2</u>	<u>Material Description</u>	<u>USCS Type</u>
0.0-0.5 feet	Topsoil, dark/medium brown, sandy, organic.	Sandy Peat
0.5-8.0 feet	Sand, yellow-brown, unconsolidated, loose.	SW
8.0-9.0 feet	Sandstone/Conglomerate, bedrock, variegated, varicolored, hard, dense.	Cemented GW

<u>Test Pit #3</u>	<u>Material Description</u>	<u>USCS Type</u>
0.0-1.0 feet	Topsoil, dark/medium brown, sandy, organic.	Sandy Peat
1.0-5.0 feet	Sand, yellow-brown, unconsolidated, loose.	SW



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230

(503) 257-9666

Project #92-966

January 3, 1993

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Addendum to report of December 14, 1992
Engineering Geologic Report on Parcel 1,
Tax Lot 5300 and 100, Section 36, T.40S., R.14W., W.M.
City of Brookings, Oregon

Dear Mr. Gorski:

The following letter report briefly addresses the geology of parcel 1 comprised of T.L. 5300 and 100, and should be included as an addendum to our report of December 14, 1992.

The purpose of this addendum is to address the geology of parcel 1, located east of Dawson Road, with respect to your proposed development.

Parcel 1, shown on Figure 1 (attached), is located east of Dawson Road a substantial distance from the edge of the bluff and entirely on the Marine Terrace, as a result, the associated geologic hazards are limited and this area was not addressed in our geologic report of December 14, 1992. Nevertheless, some geologic conditions with respect to Parcel 1 east of Dawson Road should be considered during your development planning.

The property is not ocean front and is separated from ocean front slopes by several hundred feet. The topography is nearly flat with a gentle southwest trending slope of about 3% which is covered mostly with various grasses.

The southwest border of the property abuts Dawson Road, and because Dawson Road was constructed above the surrounding terrain, a slight depression or lower lying area exists along its margins. This low lying area next to Dawson Road can accumulate standing water during heavy or prolonged rainfall. Apparently, existing ditches and culverts are inadequate to provide proper drainage.

Soils at the site consist predominately of the Blacklock fine sandy loam in areas of slightly higher elevations, and of Ferrello loam in the lower lying areas. Subsurface exploration was not conducted, therefore, SCS soils information represents the extent of our knowledge of subsurface conditions. Before drainage plans are implemented, we recommend that subsurface exploration be conducted to determine groundwater conditions.



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230
(503) 257-9666

Project #92-966

January 8, 1993

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Addendum to report of December 14, 1992
Engineering Geologic Report on Parcel 1,
Tax Lot 5300 and 100, Section 36, T.40S., R.14W., W.M.
City of Brookings, Oregon

Dear Mr. Gorski:

The following letter report briefly addresses the geology of parcel 1 comprised of T.L. 5300 and 100, and should be included as an addendum to our report of December 14, 1992.

The purpose of this addendum is to address the geology of parcel 1, located east of Dawson Road, with respect to your proposed development.

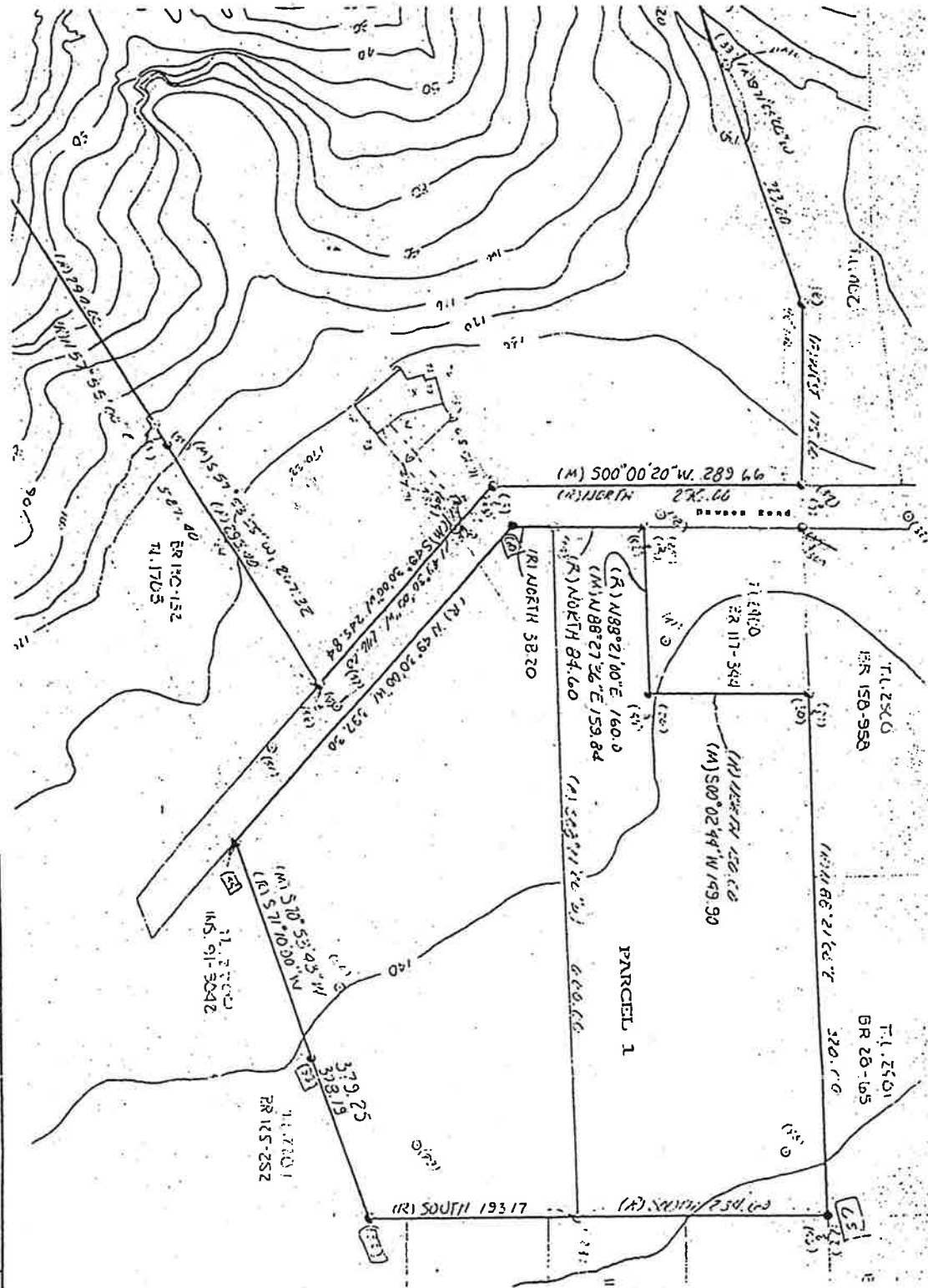
Parcel 1, shown on Figure 1 (attached), is located east of Dawson Road a substantial distance from the edge of the bluff and entirely on the Marine Terrace, as a result, the associated geologic hazards are limited and this area was not addressed in our geologic report of December 14, 1992. Nevertheless, some geologic conditions with respect to Parcel 1 east of Dawson Road should be considered during your development planning.

The property is not ocean front and is separated from ocean front slopes by several hundred feet. The topography is nearly flat with a gentle southwest trending slope of about 3% which is covered mostly with various grasses.

The southwest border of the property abuts Dawson Road, and because Dawson Road was constructed above the surrounding terrain, a slight depression or lower lying area exists along its margins. This low lying area next to Dawson Road can accumulate standing water during heavy or prolonged rainfall. Apparently, existing ditches and culverts are inadequate to provide proper drainage.

Soils at the site consist predominately of the Blacklock fine sandy loam in areas of slightly higher elevations, and of Ferrelo loam in the lower lying areas. Subsurface exploration was not conducted, therefore, SCS soils information represents the extent of our knowledge of subsurface conditions. Before drainage plans are implemented, we recommend that subsurface exploration be conducted to determine groundwater conditions.

Date: 1/7/93	Project #92-966	Approved by: JDC
Plat Map Parcel 1, Tax lot 5300 and 100 Sec. 36, T.40S., R.14W., N.M., Brookings, Oregon H.G. Schlicker & Associates, Inc.		
		Figure 1



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CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948



A PETITION TO THE BROOKINGS PLANNING COMMISSION
AND THE BROOKINGS COMMON COUNCIL

Whereas, the existing streets, water supply, storm drains and other public infrastructure have a limited capacity and cannot support a large number of additional dwellings; and, especially, there are already problems with traffic safety due to the small streets, heavy commercial traffic and lack of enforcement; and, we are concerned whether emergency services can be effectively provided to everyone in Dawson Tract at current population levels;

Whereas, there are no public parks or spaces in Dawson Tract, except for the streets, and none are planned; and such open spaces as exist in Dawson Tract are entirely privately owned, and Dawson Tract residents have relied on the good will and efforts of the homeowners to maintain those open spaces in a manner acceptable to the community; and the present arrangements preserve the environment and minimize impact on Harris Beach State Park, a protected area adjacent to Dawson Tract;

Whereas, Dawson Tract residents share a common vision of how our neighborhood should be developed, and of what is the highest and best use of the land in Dawson Tract;

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<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3/06/02	Eldon Gossett	1012 Easy ST. / P.O. Box 4610
(Sign)		BROOKINGS OR 97415
_____	_____	_____
(Sign)	_____	_____
<u>Circulated by:</u>	Walter L Battaglia	17304 Blueberry Drive
(Sign)		Brookings, OR 97415-9717
		(541) 469-3593 calxsoft@hARBORSIDE.COM

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<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3-6-02	Jean Pirih	96364 Dawson Road
(Sign)	<u>Jean Pirih</u>	469-0807
3-6-02	Robert T. Pirih	96364 Dawson Road
(Sign)	<u>Robert T. Pirih</u>	469-0807
Created by:	Walter L. Battaglia	17304 Blueberry Drive
(Sign)	<u>Walter L. Battaglia</u>	Brookings, OR 97415-9717 (541) 469-3593 cabxsoft@harborside.com

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CITY OF BROOKINGS

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DATE

NAME

ADDRESS & PHONE

2-22-02

Mark Foley

P.O. Box 623

17317 Blueberry Dr

(Sign)

M Foley

541-469 0291

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)

Walter L Battaglia

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BROOKINGS
COMMUNITY DEVELOPMENT

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DATE

NAME

ADDRESS & PHONE

2/25/02

NADINE SLONIKER

96500 SUSAN PL. BROOKINGS OR
97415

(Sign)

Nadine Sloniker

412-8182

2/25/02

RALPH SLONIKER

96500 SUSAN PL. BROOKINGS, OR
97415

(Sign)

Ralph E. Sloniker

412-8182

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

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DATE

NAME

ADDRESS & PHONE

2/24/02 CAROLYN DOUGLASS 96392 DAWSON
BROOKINGS, ORE. R. 97415
(Sign) Carolyn Douglass 1-541-412-9410

(Sign) _____

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)

Walter L Battaglia

(541) 469-3593 calxsoft@harborside.com

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CITY OF BROOKINGS
JUN 13 2002

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

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DATE

NAME

ADDRESS & PHONE

2-25-02

ALAN L SMITH

96507 SUSAN PL

BROOKINGS

(Sign)

[Signature]

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)

[Signature]

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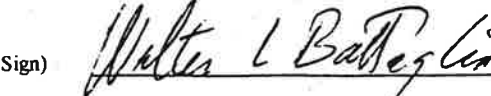
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<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
<u>2-25-02</u>	<u>HAROLD L. GALLATY</u>	<u>96346 DAWSON RD.</u>
(Sign)	<u></u>	<u>BROOKINGS, OREGON 97415</u>
<u>2-25-02</u>	<u>SHERY GALLATY</u>	<u>96346 DAWSON RD.</u>
(Sign)	<u></u>	<u>BROOKINGS, OR 97415</u>
<u>Circulated by:</u>	<u>Walter L Battaglia</u>	<u>17304 Blueberry Drive</u>
(Sign)	<u></u>	<u>Brookings, OR 97415-9717</u>
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DATE

NAME

ADDRESS & PHONE

2/25/02

ROY A. KING

96436 OCEAN PARK DR
BROOKINGS, OR 97415
412-9311

(Sign)

[Signature]

2/25/02

MRS
MARLIN KING

96436 OCEAN PARK DR
BROOKINGS OR 97415
412-9311

(Sign)

Marlin T. King

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

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DATE

NAME

ADDRESS & PHONE

2/25/02 Cassie Coleman

mailing PO Box 6186
17255 S. Passley
Brookings OR 97415

(Sign)

Cassie Coleman

469-2748

(Sign)

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Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)

Walter L Battaglia

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DATE	NAME	ADDRESS & PHONE
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2/28/02 Michael Tidwell 96382 Dawson 4692498

(Sign) Michael Tisdwell

Lou Tidwell

(Sign) Law Tidwell

Circulated by: Walter L Battaglia 17304 Blueberry Drive

(Sign) Walter L Battey, Jr. Brookings, OR 97415-9717
(541) 469-3593 calxsoft@harborside.com

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<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
<u>1 March 02</u>	<u>Mary Cordone</u>	<u>17170 Ocean Park Ct</u>
(Sign)	<u>Mary Cordone</u>	<u>Brookings, OR 97415</u>
<u>1 Mar 02</u>	<u>Almo Cordone</u>	<u>17170 Ocean Park Ct</u>
(Sign)	<u>Almo Cordone</u>	<u>Brookings, OR 97415</u>
<u>Circulated by:</u>	<u>Walter L Battaglia</u>	<u>17304 Blueberry Drive</u>
(Sign)	<u>Walter L Battaglia</u>	<u>Brookings, OR 97415-9717</u>
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DATE

NAME

ADDRESS & PHONE

2/27/02

Brenda Hodges

96422 Dawson Rd (541)-412-8616
Brookings, OR 97415

(Sign)



2/27/02

96422 Dawson Rd (541)-412-8616
Brookings, OR 97415

2/27/02

Kenneth Hodges

(Sign)



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Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)



(541) 469-3593 calxsoft@harborside.com

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MAY -7 2002

CLERK AND SHERIFF
DEPARTMENT

North Brookings Community Association

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3/3/02

JOHN STAHLER

17338 BLUEBERRY DR

BROOKINGS, OR 97415

469-3434

(Sign)

John Stahler

(Sign)

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(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION AND THE BROOKINGS COMMON COUNCIL

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DATE

NAME

ADDRESS & PHONE

3-15-02 GROOP PRICC 17337 BLUEBERRY DR.

(Sign)



BROOKINGS OR 97415

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)



Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

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We request Zoning Change Application #CZP-1-02 be approved.

DATE

NAME

ADDRESS & PHONE

3-15-02 Roland Winters 412 0221
NBCA?

☐

(Sign)

ROLAND WINTERS

3-15-02 BARBARA WINTERS
NBCA?

☐

(Sign)

Barbara Winters

3-15-02 Carlo Ferrando 412-1008
NBCA?

☐

(Sign)

Carlo Ferrando

17250 Garvin Court

3-17-02 Robert Moulton 412 990
NBCA?

☐

(Sign)

Robert Moulton

3-17-02 David A. Millette
NBCA?

☐

(Sign)

David A. Millette

96513 Susan Place

3-18-02 John Kling
NBCA?

☐

(Sign)

John Kling

17244 S. Parsley Rd.

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

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<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
<u>3-1-2002</u>	<u>ROBIN SIMPSON</u> (Sign) <u>[Signature]</u>	<u>96453 Shorewood Terrace</u> <u>Brookings, Oregon 97415-7118</u>
<u>3-1-2002</u>	<u>SUSAN SIMPSON</u> (Sign) <u>[Signature]</u>	<u>96453 Shorewood Terrace</u> <u>BROOKINGS, OR 97415</u>
<u>Circulated by:</u>	<u>Walter L Battaglia</u> (Sign) <u>[Signature]</u>	<u>17304 Blueberry Drive</u> <u>Brookings, OR 97415-9717</u> <u>(541) 469-3593 calxsoft@harborside.com</u>

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

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DATE

NAME

ADDRESS & PHONE

3-14-02

Virginia Englestad

17310 BLUEBERRY DR. - 469-7558

(Sign)

3-14-02

LARRY WALLIN

17312 21A CT 469-4090

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

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DATE

NAME

ADDRESS & PHONE

5/16/2002

Kim C. Reynolds

16308 N. 16th ave.

Phoenix, AZ. 85015

602/841-4945

(Sign)

[Signature]

3-16-02

Petra D. Reynolds

Same

(Sign)

[Signature]

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)

[Signature]

(541) 469-3593 calxsoft@harborside.com

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DATE

NAME

ADDRESS & PHONE

3/20/02
NBCA?

ANDREW DRAGO

96344 DAWSON RD.



(Sign)

Brookings, OR 97415

BROOKINGS, OR 97415

3/20/02
NBCA?

Mrs Maria Mactavish

96506 Ocean Park Dr.



(Sign)

MRS MARIA MACTAVISH

3/20/02
NBCA?

BETTY M. SHEPPARD

96416 Ridgeway St.



(Sign)

Betty M. Sheppard

Brookings, Or. 97415

NBCA?



(Sign)

NBCA?



(Sign)

NBCA?



(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

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<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3/20/02	DIXIE EVANS	17316 Holmes Drive
(Sign)		Brookings, OR 97415
3/21/02	Joyce Pickens	17316 Holmes Dr
(Sign)	 JOYCE PICKENS	Brookings, OR 97415
Circulated by:	Walter L Battaglia	17304 Blueberry Drive
(Sign)		Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

RECEIVED
MAR 14 2002
CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

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DATE

NAME

ADDRESS & PHONE

2/20/02 Emma McMillan 96458 Dawson rd

(Sign)

McMillan Brookings OR 97415

2/20/02 James C. McMillan 96458 Dawson rd
Clintonmcmillan@hotmail.com

(Sign)

(541) 469 9579
jesus_girlie@hotmail.com

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Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)

Walter L Battaglia (541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

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RECEIVED

MAR 14 2002

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DATE

NAME

ADDRESS & PHONE

3-11-02

NBCA?

☐

(Sign)

Loris M. Gallego
Doris M Gallego

17300 Garvin Ct

3-11-02

NBCA?

☐

(Sign)

Barbara Cleveland
Barbara Cleveland

17270 Garvin Ct

Brookings, OR 97415

3-11-02

NBCA?

☐

(Sign)

GERALD L CLEVELAND
Gerald L Cleveland

17270 Garvin Ct

Brookings, OR 97415

3-13-02

NBCA?

☐

(Sign)

Judith Fernandez
George Fernandez

Brookings, Or.

96424 Dawson

3-13-02

NBCA?

☐

(Sign)

George Fernandez
Judith Fernandez

3-13-02

NBCA?

☒

(Sign)

Michael P. Leonard
Michael P. Leonard

96382 Dawson Rd

469-2498

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

RECEIVED
APR 14 2002
CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

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c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

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DATE

NAME

ADDRESS & PHONE

3/3/02 Kip Burman Freels 17332 Blueberry Dr.

(Sign)

Kip Burman Freels Brookings, OR 97415

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

RECEIVED
OCT 14 2009
CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

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DATE

NAME

ADDRESS & PHONE

3/7/12

Terri Zimmerman

17379 Blueberry Dr

(Sign) _____

(Sign) _____

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign) _____

Walter L Battaglia

(541) 469-3593 calxsoft@harborside.com

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DATE

NAME

ADDRESS & PHONE

2/25/02

Charlene M. Loza

(Sign)

Charlene M. Loza

469-2108 ext 270

2/25/02

Martin Loza

(Sign)

Martin Loza

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

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DATE

NAME

ADDRESS & PHONE

3/21/02

Ronald G. Worland, MD

17140

~~17140~~ Pacific Heights

Brookings, OR.
Medford 541-772-7243
Brookings 469-6587

(Sign)

Ronald Worland

3/21/02

I. Lou Worland

"

(Sign)

I. LOU WORLAND

"

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

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DATE

NAME

ADDRESS & PHONE

3-25-02

STAN C AOB

17280 GARVIN CT 412-8030

NBCA?

☐

(Sign)

[Signature]

BROOKINGS, OR 97415

3/25/02

Paul L McClellan

17255 Garvin CT 469-4939

NBCA?

☐

(Sign)

Paul L McClellan

Brookings, OR 97415

NBCA?

☐

(Sign)

NBCA?

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NBCA?

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NBCA?

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(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

[Signature]

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

RECEIVED

North Brookings Community Association

MAY 8 2002

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

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DATE

NAME

ADDRESS & PHONE

5-4-2002

Kenneth Anderson

17320 Lakewood

Brookings, OR 97415

541-469-4617

(Sign)



(Sign)

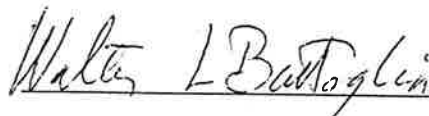
Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(Sign)



(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED
MAY 8 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS COMMON COUNCIL

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DATE

NAME

ADDRESS & PHONE

5/10/02 Mike DAVIS 17144 Pacific Heights Dr

(Sign)

M. Davis

Brookings, OR 97415

530-345-3278

(Sign)

Circulated by:

Walter L Battaglia

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(Sign)

Walter L Battaglia

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DATE

NAME

ADDRESS & PHONE

3/30/02 Rose M. Thomas 17313 ZIA Ct 469-3024
(Sign) Rose M. Thomas Brookings OR 97415

3/30/02 RUDY THOMAS 17313 ZIA CT. 469-3025
(Sign) Rudy Thomas BROOKINGS OREGON 97415

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(Sign)

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MAY 7 2002
COMMUNITY DEVELOPMENT

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DATE

NAME

ADDRESS & PHONE

3-21-02

Debra Hoffmann

29030 Avenida de Las Flores

(Sign)

Debra Hoffmann

Quail Valley, CA 92587

909-244-4504

3-21-02

Keith Hoffmann

(Sign)

Keith Hoffmann

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(Sign)

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DATE

NAME

ADDRESS & PHONE

3-26-02 ROBERT KONN

(Sign) 

17343 BLUEBERRY RD.
BROOKINGS, OR. 97415
541-469-7973

(Sign) _____

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17304 Blueberry Drive

(Sign)



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APR 15 2002

North Brookings Community Association
c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

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DATE

NAME

ADDRESS & PHONE

22 Mar 2002

Tom Suchanek

3707 Sutter Hill Lane, Carmichael, CA 95608

(Sign)

T Suchanek

and parcel on Dawson Rd, Brookings, OR

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

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DATE

NAME

ADDRESS & PHONE

4-9-02 ROBERT JAKSCH 17339 BLUEBERRY RD. W.
(Sign) Robert Jaksch BROOKINGS, OREGON 97415

(Sign)

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Walter L Battaglia

17304 Blueberry Drive

(Sign)

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DATE

NAME

ADDRESS & PHONE

4/14/02

Tom Zinner

17379 Brookside Rd

(Sign)

TRZ

(Sign)

Circulated by:

Walter L Battaglia

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(Sign)

Walter L Battaglia

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DATE

NAME

ADDRESS & PHONE

4-15-02

SCOTT AE ROGERS

17240 GARVIN CT

(Sign)

Scott AE Rogers

BROOKINGS, OR 97415

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

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APR 22 2002

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

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DATE

NAME

ADDRESS & PHONE

4/18/02

WAID WOODRUFF

96378 DAWSON RD

(Sign)

Waid Woodruff

BROOKINGS, OR 97415 541-469-4403

4/18/02

BARBARA WOODRUFF

96378 DAWSON RD

(Sign)

Barbara Woodruff

BROOKINGS, OR 97415

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

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DATE

NAME

ADDRESS & PHONE

4-16-2002

Joseph R Knapp II

17351 Blueberry Dr

(Sign)

JOSEPH R KNAPP II

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

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DATE

NAME

ADDRESS & PHONE

13 APR 02

DAVID J. GRIMES

PROPERTY OWNERS:

HARRIS BEACH ESTATES
LOT #4

(Sign)

David J. Grimes

13 APR 02

EMILY S. GRIMES

2610 VIVIAN ST
LAKEWOOD, CO

80215

(Sign)

Emily S. Grimes

303-233-6238

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

California Expert Software

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MAY 3 2002

**CITY OF BROOKINGS
COMMUNITY DEVELOPMENT**

From: "John B. Wordeman" <jwordema@calpoly.edu>
To: <calxsoft@harborside.com>
Sent: Thursday, May 02, 2002 2:52 PM
Subject: We Go For 10,000 Sq.Ft. Lots!

We, Gaynelle R. Wordeman and John B. Wordeman, who own a 12,000 sq.ft.Lot near the Dawson Tract Zoning area, are enthusiastically in favor of having all future lots upgraded to a 10,000 sq.ft.minimum. It would enhance our properties in many ways, as advocated and supported by the DAWSON TRACT ZONING UPGRADE TO R1-10 APPEAL OF PURDY SUBDIVISION. More power to the North Brookings Community Association and its leaders Charles Stanton, Vice-Chair, Roger White, Treasurer, and Walter L. Battaglia, Chair.

5/2/2002

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED
MAY 3 2002

A PETITION TO THE BROOKINGS COMMON COUNCIL CITY OF BROOKINGS DEVELOPMENT

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NAME

ADDRESS & PHONE

04.14.02 BRAD RAYMOND 1640 WADSWORTH AVE

(Sign)

Brad Raymond

503.589.8624

04-16-02 Jean Vincent M. Raymond Salem, OR 97302

(Sign)

Jean Vincent M. Raymond

96333 Dawson Rd.
Brookings, OR 97415

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

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North Brookings Community Association

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Brookings Common Council
City of Brookings
898 Elk Drive
Brookings, OR 97415

RECEIVED
MAY 3 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT
May 3, 2002

RE: **DAWSON TRACT ZONING CHANGE #CZ-1-02**
PURDY SUBDIVISION #APP-2-02

To the Council:

I am writing in regard to certain STORM DRAINS in Dawson Tract. I think how the Oceanside Estates storm drain system was built, and whether it is capable of sustaining the flows delivered to it, are issues germane to the zoning application and the Purdy subdivision.

I have reviewed material available in the Oceanside Estates file, particularly reports by Ron Sonnevill, Terra Firma Geological Services (7/19/1993) and T.J. Bossard & Associates (4/12/1993). With Roger White, a member of the Oceanside Estates Home Owners Association, I have inspected the storm drain located near North Drive.

It appears the installed storm drain system follows T.J. Bossard's "Scenario B" ("Preliminary Engineering Report", p5). In this scenario, the system was intended to service Oceanside Estates and flows collecting near Tax Lots 40-14-36BB-4800 and 40-14-36BB-4801 (the Chapman properties). These flows come from Basins II and III, as identified in the report. The system in Scenario B was NOT intended to capture Basin I flows (Bossard, p5 and Exhibit A).

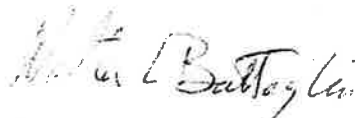
The fact is, however, that flows from Basin I are being directed to the Chapman area by a system of open ditches and culverts. This is easily observable, and noted in Bossard's report.

I and others have also observed that there are significant flows at culvert D (cf Bossard, Exhibit A). In a conversation with Mr. Southey, owner of Tax Lot 40-14-36BC-01500 where culvert D empties, these flows are causing problems in his plans to build on that property. In Scenarios B and C (Bossard, p5), this flow was supposed to be minimal, based on assumptions about water movements in Oceanside Estates II. Perhaps there is more runoff than estimated.

In looking at the storm drain west of North Drive, it appears the rip-rap is cracking in places and is being undercut by the flows. There may be some embankment collapse in places. For this reason, Mr. White and other members of the Oceanside Estates HOA have engaged Mr. Bossard to inspect and report on the system.

I enclose copies of the Sonnevill and Bossard reports, and the geologist's report of H.G. Schlicker & Associates (12/14/1992), which I believe are relevant to both cases. I will submit additional reports as soon as they are available.

Yours truly,



Walter L Battaglia
Chair

cc:
enc:

Jeff Holmes
17350 Holmes Drive
Brookings, Oregon 97415
469-3067
April 12, 2002

RECEIVED

APR 12 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

re: Dawson Tract rezoning

John Bischoff
City of Brookings

John,

When we were working out the details of our annexation, water and sewer district, and zoning, the city officials that we talked to didn't always pass information back to the City Council or put it down in writing. That's too bad. It sure would have saved you a lot of work if the agreement had been recorded properly.

I thought your staff report was very good. However your presentation during the Planning Commission meeting raised one concern.

As you currently count them, the NBCA doesn't have petitions signed by a majority of the Dawson Tract property owners. However, you also said something to the effect, "If they did have a majority, that might be a different story."

What you seem to be overlooking is the simple fact that the signed petitions are not valid. If you look closely at the first three paragraphs, the only statement that is actually true or relevant, is that there are no parks, and none are planned.

Since most of the statements in this petition are either false, misleading or irrelevant, the people signing the petition are concerned about problems that don't actually exist. There is no place in Brookings that meets the description contained in this petition.

March 29, 2002

To: John Bischoff, Planner
City of Brookings

From: Eldon Gossett
Coldwell Banker Oregon Coast Realty
P.O. Box 4610
Brookings, OR 97415

Re: Dawson Tract Rezone Petition

RECEIVED
APR 5 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

Dear John,

Recently I attended a meeting held by property owners in the Dawson Tract area. The meeting was held to discuss the benefits of having 10,000-square-foot lots as opposed to the present 6,000-square-foot lots.

The case being made by the Chair dealt with the safety aspect of the area.

Mr. Walter Battaglia, homeowner, presented his concern about access, namely, one way in, one way out is becoming an unsafe condition as population there increases.

He contends that the single road access, which is a danger in itself, will not allow for orderly emergency egress or for fire trucks or ambulance protection in the case of emergencies.

His argument is, as the population increases so does the safety issue.

There were other issues by other attendees such as quality of life and property values but their issues were groundless and, for the most part, self-serving.

I personally feel that the Dawson Tract was annexed over sewer and water and the safety issue was never a concern.

I don't think anybody thought the Dawson Tract would grow as rapidly as it has. The Holmes were the first landowners to put up land for low income housing.

It is my opinion that access is bad. I have complained to the Brookings police that exiting Dawson Road onto Highway 101 is dangerous.

School children walking or riding their bicycles should be better protected. I watch people carrying groceries from downtown to the Dawson area with no place to walk safely while cars and trucks are passing at 55 miles an hour and faster.

If I were a mother with school-aged children, at every City Council meeting I would be asking for better sidewalks and bike paths beside the highway.

Memorandum

TO : Mayor and City Council
FROM : John Bischoff, Planning Director
THROUGH : Leroy Blodgett, City Manager
DATE : April 13, 2002



Issue: Appeal Case No. APP-2-02

Background: At its regularly scheduled meeting of April 2, 2002, the Planning Commission considered this application and approved a 10 lot subdivision located in the southeast corner of the north/south and the east/west alignment of Dawson Rd. This approval is now being appealed on the basis that the subdivision does not meet the criteria set forth in the Land Development Code. A City Council Staff Report, the Planning Commission Staff Report, and a Final Order are attached.

Recommendation: The staff is recommending that the appeal be denied.

CITY OF BROOKINGS CITY COUNCIL
STAFF AGENDA REPORT

SUBJECT: Appeal of Planning Commission Decision REPORT DATE: May 6, 2002
FILE NO: APP-2-02 ITEM NO: V.B
HEARING DATE: May 13, 2002

GENERAL INFORMATION

APPELLANT: North Brookings Neighborhood Association

REPRESENTATIVE: Walter Battaglia.

REQUEST: An appeal of the Planning Commissions approval of a subdivision creating eleven lots ranging in size from 7,529 to 8,481 sq. ft. with an average size of 7,953 sq. ft.; File No. SUB-2-02.

TOTAL LAND AREA: 2.09 acres.

LOCATION: In the southeast corner of where Dawson Rd. turns from an east/west alignment to a north south alignment.

ASSESSOR'S NUMBER: 40-14-36BB, Tax Lot 5000.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

PROPOSED: Same.

SURROUNDING: All R-1-6.

COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Vacant.

PROPOSED: Residential lots.

SURROUNDING: Single family homes and vacant lots.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

amendment per Section 172.040.” The purpose of this provision is to ensure that where long narrower lots exist, as on the west side of Passley Rd., and it is not feasible to place a street on each lot, a street will be place between the lots so that both benefit and participate in the cost of development (See Map 172.035-2). Susan Place is an example of this type of street. Subsection .020.D.2,b implies that if the proposed street is to serve only one tax lot, the location of the street is not fixed. The street provided in the subject subdivision serves only one tax lot and since all of the surrounding lots are divided to the fullest extent, there is no need for the proposed street to serve more than the subject, single, lot.

The appellant also refers to Subsection 172.020.C.2, Standard Minimum Right of Way and Road Way Widths. This section sets the standard right of way and travel way width standard for streets in the city. Subsection C.2 simply states that if there is a neighborhood circulation plan, the standards of the plan are to be used. There is no reference to street location or to a map.

Safety Issues

The appellant contends that the subdivision as approved is not the safest configuration possible because it would allow two driveways onto the east/west Dawson and one driveway and a street onto north/south Dawson. It should be noted that Lots 4 and 10 of the approved subdivision have, through restrictions on the map, been restricted from taking access from Dawson Rd. and that Lot 3 is required to take access from the southerly 30 feet of the north/south Dawson frontage. Lot 2 is also restricted to place the driveway on the easterly ½ of its frontage on Dawson for sight distances.

The appellant has submitted an exhibit, Appellant's Exhibit C-1, showing a subdivision configuration with the street accessing from the east/west Dawson alignment with 7 lots all of which are able to access from the cul-de-sac street, however, in this exhibit all of the lots are at least 10,000 sq. ft. in size. The lot sizes in the appellant's exhibit are inline with the appellant's main objection to the approved subdivision—that the lots are too small. The entire Dawson Tract area is zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) and with the provisions of the Dawson Tract Neighborhood Circulation Plan, all lots must be at least 7,500 sq. ft. The city has no authority to require proposed subdivisions to have lots larger than the minimum allowed by the ordinances. The subject property can be subdivided in a manner that would create ten lots, using a cul-de-sac street from the east/west Dawson alignment as shown in Exhibit 1. This configuration would not reduce the number of driveways accessing Dawson Rd., just move all three on to Dawson n/s. This configuration, however, would place the new street closer to the corner of Dawson e/w and Dawson n/s providing less sight distance between the corner and the street.

The subdivision, as approved does have three driveways that enter onto Dawson Rd., two on the e/w alignment and one on the n/s alignment, however, driveways entering from both side of the street in residential neighborhoods are not uncommon and are a factor in several subdivisions in the Dawson Tract, including Oceanside Estates I and II, Kury Estates, and Ocean Park I and II. The approved subdivision also places the new street in a location that provides for a greater line of sight for cars approaching the intersection.

The appellant also raises, as a safety issue, the sight distance around the corner of Dawson n/s and Dawson e/w, stating that a house on this lot would block the view of cars coming around the corner. The R-1-6 Zone requires a front yard setback of 20 and a street side yard setback of 15

The new subdivision will be required to ensure that water drainage from the subdivision is conveyed to the ocean in a safe manner. This is an engineering issue and is part of the construction plans that will be reviewed by the City Engineer. In regard to the house on Tax Lot 5100, protection of the garage from runoff from the sidewalk is an issue to be built into the construction plans. As to the grade from the sidewalk to the garage, it is currently very slight and may get slightly greater when the sidewalk is installed, however, the resulting driveway will not be particularly steep.

Goal 10, Housing, Issues

Goal 10, Housing, of the Comprehensive Plan, contains 10 policies pertaining to placement of housing within the city. Of those the first three relate to the approval of a subdivision and the remaining seven relate to construction, quality and record keeping.

Policy One states:

“City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.”

Undue restrictions would be requirements beyond the standards and criteria contained in the Land Development Code.

Policy Two states:

“City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.”

This policy ensures that the city provides a variety of residential zoning that allows for various housing types ranging from single family to multiple family to manufactured homes. In this case the area of the approved subdivision is zoned R-1 (Single Family Residential, 6,000 sq. ft. minimum lot size), which allows either stick built homes up to 30 feet in height or manufactured homes. The Land Development Code does not dictate the height of the house beyond the maximum, as long as it meets the required yard setbacks. The single family zone also provides for a minimum lot size of 6,000 sq. ft. In this case the Dawson Tract Neighborhood Circulation Plan requires lots on streets constructed to the circulation plan standard to be at least 7,500 sq. ft. to allow for additional off street parking. All of the lots in the approved subdivision are at least 7,500 sq. ft. in size.

Policy Three states:

“City shall advance, where possible, the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities and other urban development.”

Driveways in the subdivision will enter Dawson Rd. in the vicinity of the corner where the east/west alignment changes to a north/south alignment. The issue of driveways is addressed under Safety Issues above.

At the time of annexation the Dawson Tract area was zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) and in 1993 the Dawson Tract Neighborhood Circulation Plan was adopted that provided for the additional 1,500 sq. ft. for each lot, creating the 7,500 sq. ft. standard. Discussion with the County Assessor's Office has confirmed that there is no reason to believe that development at the zoning standards will have a negative impact on property values of existing houses within the same zone, particularly if one's lot is smaller than those of the approved subdivision.

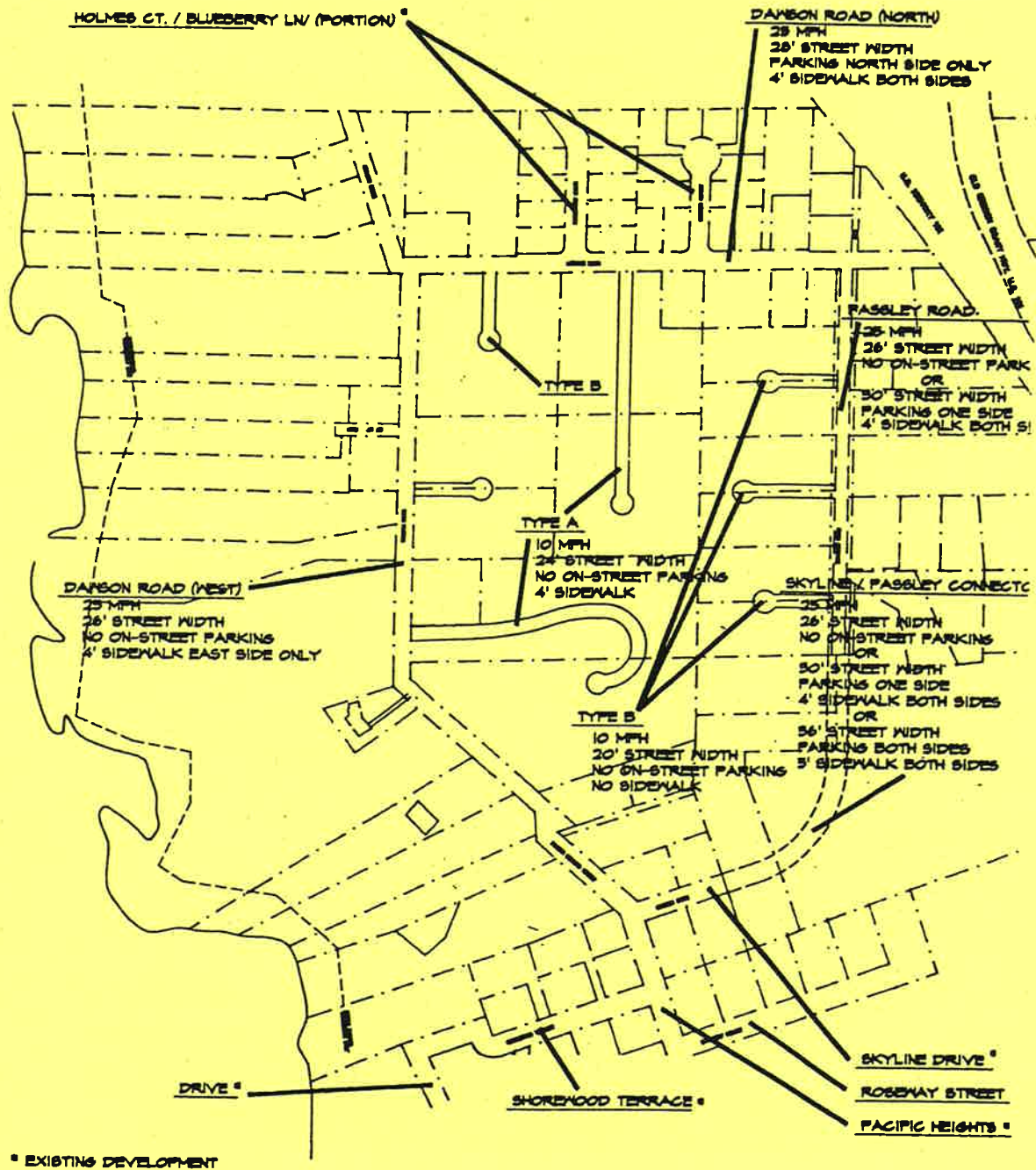
PROPOSED FINDINGS

1. The applicant is requesting a subdivision to divide a 2.09-acre parcel of land into 10 lots ranging in size from 7,529 to 8,481 sq. ft. with an average size of 7,953 sq. ft. and will create a new street with a hammerhead turnaround pursuant to the provisions of the Dawson Tract Neighborhood Circulation Plan.
2. The subject property is zoned R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) and is designated as Residential by the Comprehensive Plan.
3. The proposed subdivision is located within the area of the Dawson Tract Neighborhood Circulation Plan, which allows cul-de-sac streets of 20 feet in width with a 4 foot wide sidewalk on one side and no more than 400 feet in length.
4. All of the lots surrounding the subject property have frontage on a public street.
5. Pursuant to the Dawson Tract Neighborhood Circulation Plan all lots fronting on a narrow street with no on-street parking must be at least 7500 sq. ft. in size to accommodate four additional parking spaces.
6. The county planning staff has stated that there are no other subdivisions in the county with the name of, or similar to Spindrift Subdivision.
7. A check of the 97415 Zip Code area has revealed that there are no streets with the name of, or similar name as Spindrift Ln.
8. Dawson Rd. is a paved travel way within a 45-foot wide right of way adjacent to the north boundary of the subject property and a 50-foot right of way adjacent to the northerly 190 feet of the westerly boundary and 45 feet from that point south, with no other improvements.
9. There is a water and sewer main located in both alignments of Dawson Rd.

PROPOSED CONCLUSIONS

1. All of the lots created by the proposed subdivision are less than twice the size of the minimum lot allowed by the R-1-6 Zone and therefore there are no remainder lots. All of the lots surrounding the subject property have frontage on a public street and are either developed or can be accessed for development. The proposed subdivision will not prevent any of the surrounding lots from being accessed for development.

Map 172.020-1
Dawson Tract Neighborhood Circulation Plan Map



Appellant: Walter Battaglia

Assessor's No: 40-14-36 BB TL 5000

Location: south side of Dawson Rd., 350 ft. west of Garvin Court

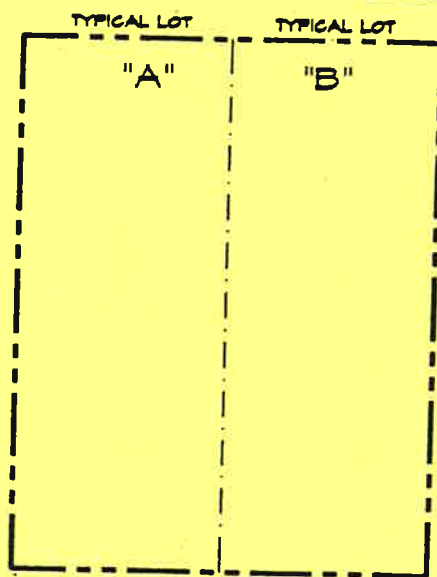
Size: 2.09 acres

Zone: R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size)

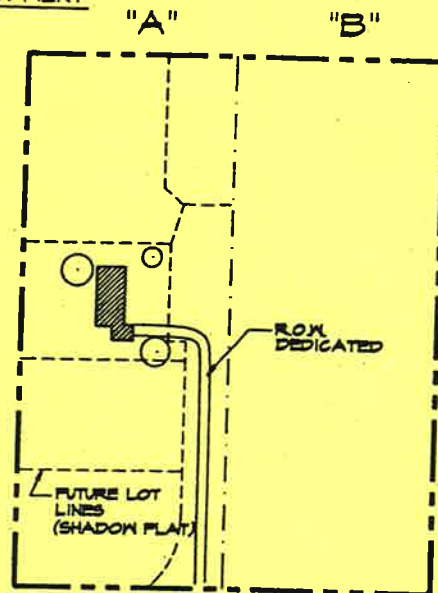


Map 172.055-2
Future Lot Divisions (Shadow Platting)
For more than one property

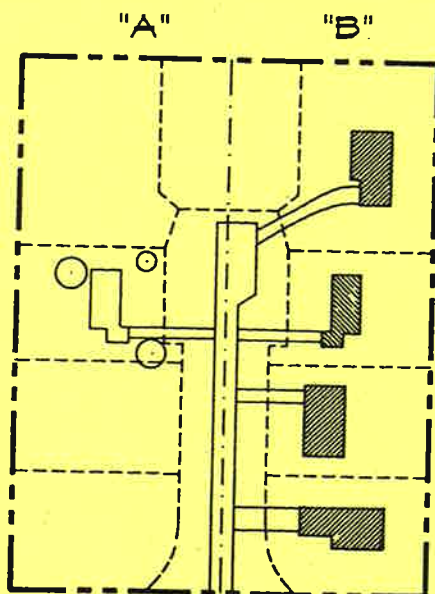
PHASED DEVELOPMENT



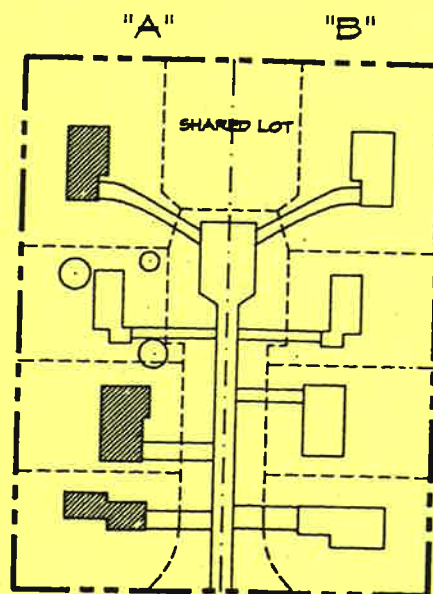
(a) LOTS PRIOR TO DIVISION OR DEVELOPMENT



(b) LOT A: PARTIAL DEVELOPMENT



(c) LOT B: FULL DEVELOPMENT



(d) LOT A: COMPLETE DEVELOPMENT

Appellant: Walter Battaglia

Assessor's No: 40-14-36 BB TL 5000

Location: south side of Dawson Rd., 350 ft. west of Garvin Court

Size: 2.09 acres

Zone: R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size)



CITY OF BROOKINGS PLANNING COMMISSION
STAFF AGENDA REPORT

SUBJECT: Subdivision
FILE NO: SUB-2-02
HEARING DATE: April 2, 2002

REPORT DATE: March 15, 2002
ITEM NO: 8.2

GENERAL INFORMATION

APPLICANT: Douglas Purdy.

REPRESENTATIVE: Lloyd Matlock

REQUEST: A subdivision to divide the subject parcel into 10 lots ranging in size from 7,529 to 8,481 sq. ft. with an average size of 7,953 sq. ft.

TOTAL LAND AREA: 2.09 acres.

LOCATION: In the southeast corner of where Dawson Rd. turns from an east/west alignment to a north south alignment.

ASSESSOR'S NUMBER: 40-14-36BB, Tax Lot 5000.

ZONING / COMPREHENSIVE PLAN INFORMATION

EXISTING: R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size).

PROPOSED: Same.

SURROUNDING: All R-1-6.

COMP. PLAN: Residential.

LAND USE INFORMATION

EXISTING: Vacant.

PROPOSED: Residential lots.

SURROUNDING: Single family homes and vacant lots.

PUBLIC NOTICE: Mailed to all property owners within 250 feet of subject property and published in local newspaper.

4. Conditions necessary to satisfy the intent of the land development code and comprehensive plan can be satisfied prior to final approval.

5. The proposed street plan affords the most economic, safe, efficient and least environmentally damaging circulation of traffic possible under existing circumstances.

6. The proposed name of the subdivision shall be approved by the commission, provided the name does not use a word which is the same as, similar to or pronounced the same as a word in the name of any other subdivision in Curry County, except for the words "town", "city", "place", "court", "addition", or similar words unless the land platted is contiguous to and platted by the same applicant that platted the subdivision bearing that name, or unless the applicant files and records the consent of the party who platted the subdivision bearing that name and the block numbers continue those of the plat of the same name last filed.

7. The proposed name of a street in the subdivision shall be approved by the commission provided it is not the same as, similar to or pronounced the same as the name of an existing street in the same zip code area, unless the street is approved as a continuation of an existing street. A street name or number shall conform to the established pattern for the area.

8. Streets that are proposed to be held for private use shall be distinguished from the public streets on the subdivision plat, and reservations and restrictions relating to the private streets are established.

The following is staff's analysis of the proposed project in relation to the criteria listed above. Since the first criterion includes the other 7, it will be considered last.

Criterion 2, Remainder Property.

A remainder lot is defined as a lot created by a partition or subdivision that is twice or greater than the size of the minimum lot size allowed by the underlying zone. In this case the minimum lot size is 6,000 sq. ft. and the largest lot proposed is 8,481sq. ft., therefore there are no remainder lots created in this project. All of the lots are 7,500 sq. ft. or greater in size because of the provisions of the Dawson Tract Neighborhood Circulation Plan, which calls for narrower street standards that cannot accommodate on street parking. The Dawson Tract Neighborhood Circulation Plan requires all lots on the narrower standard to be at least 7,500 sq. ft. to provide for additional on-site parking.

Criterion 3, Adjoining Property.

All of the lots surrounding the subject property have frontage on a public street and are either developed or can be accessed for development. The proposed subdivision will not prevent any of the surrounding lots from being accessed for development.

Criterion 4, Conditions of Approval.

The conditions proposed for the approval of this subdivision will contain both standard conditions and project specific conditions. All of the conditions applied to the approval of this subdivision will be able to be satisfied prior to the recordation of the final plat map.

3. The proposed subdivision is located within the area of the Dawson Tract Neighborhood Circulation Plan, which allows cul-de-sac streets of 20 feet in width with a 4 foot wide sidewalk on one side and no more than 400 feet in length.
4. All of the lots surrounding the subject property have frontage on a public street.
5. Pursuant to the Dawson Tract Neighborhood Circulation Plan all lots fronting on a narrow street with no on-street parking must be at least 7500 sq. ft. in size to accommodate four additional parking spaces.
6. The county planning staff has stated that there are no other subdivisions in the county with the name of, or similar to Spindrift Subdivision.
7. A check of the 97415 Zip Code area has revealed that there are no streets with the name of, or similar name as Spindrift Ln.
8. Dawson Rd. is a paved travel way within a 45-foot wide right of way adjacent to the north boundary of the subject property and a 50-foot right of way adjacent to the northerly 190 feet of the westerly boundary and 45 feet from that point south, with no other improvements.
9. There is a water and sewer main located in both alignments of Dawson Rd.

CONCLUSIONS

1. All of the lots created by the proposed subdivision are less than twice the size of the minimum lot allowed by the R-1-6 Zone and therefore there are no remainder lots. All of the lots surrounding the subject property have frontage on a public street and are either developed or can be accessed for development. The proposed subdivision will not prevent any of the surrounding lots from being accessed for development.
2. The conditions of approval applied to the approval of this subdivision will include standard conditions and project specific conditions, all of which can be satisfied prior to the recordation of the final plat map.
3. By intersecting with the north/south alignment of Dawson Rd. the new street, Spindrift Ln., provides the best sight distance for cars traveling north on Dawson Rd. The proposed street plan is consistent with the provisions of the Dawson Tract Neighborhood Circulation Plan and provides the most safe, economical and environmentally sound street alignment.
4. There are no subdivisions in Curry County with the name of, or similar to, Spindrift Subdivision.
5. There is no street within the 97415 Zip Code area with the name of or similar to Spindrift Lane.
6. The proposed subdivision is consistent with the provisions of the R-1-6 Zone in terms of lot size and design, is consistent with the provisions of the Dawson Tract Neighborhood Circulation Plan, and meets the criteria addressed above. The subdivision is consistent with the goals and policies of the Comprehensive Plan, particularly Goal 10, Housing, which contains a policy that

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MAR 25 2002
CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948 calxsoft@harborside.com

John Bischoff, Planning Director
City of Brookings
898 Elk Drive
Brookings, OR 97415

March 24, 2002

**RE: SUBDIVISION APPLICATION # SUB-2-02
DOUGLAS & EMILY PURDY, APPLICANTS**

Dear Mr. Bischoff,

I am writing to present certain exhibits and analysis concerning the above-referenced application.

The Cul-de-Sac

The layout submitted in this application does not conform to the Dawson Tract Circulation Plan (DTCP), as shown on Exhibit E-4 (Map 172.020-1). The map clearly shows several cul-de-sacs and streets in Dawson Tract, all of which have been built in substantial conformity to the map - except the one proposed in this application.

There is a very good reason why the layout should conform to the DTCP Map. Brookings Development Code, section 172.020.D.2 states:

“2. Dawson Tract Neighborhood Circulation Plan Map. The Neighborhood Circulation Plan map (see Map 172.020-1) is to be used in conjunction with the Neighborhood Circulation Plan standards in Table 172.020-2. In the event of a conflict between the map and the table of standards, the table shall govern.”

There is no conflict between the map and table of standards in this case. The map clearly can be used to develop a layout for this subdivision. The language establishes that the map is not ‘merely suggestive.’

This morning, I spent 1½ hours drawing a simple layout that roughly conforms to the DTCP map (Exhibit C-1). I drew this layout on tracing paper to use the boundaries and scale in Mr. Matlock’s layout. Exhibit C-2 is an overlay of my drawing on Mr. Matlock’s layout, showing that both diagrams use the same boundaries and scale.

I am neither an architect nor a surveyor, but I did not find it difficult to allocate land to 7 parcels, each containing at least 10,000 sq ft. Moreover, my design solves several problems:

- ✓ It allows the driveway in Tax Lot 5001 to connect to the cul-de-sac. This can solve the drainage and driveway slope problems (see below).
- ✓ It suggest houses should be built near the cul-de-sac street, thus clearing the view along Dawson Road.
- ✓ Orienting any structures east-west will minimize obstruction of views from Garvin Ct, thus reducing the visual impact of this subdivision. This orientation also allows building of the drainage systems needed to channel water from the underground stream area (east side of Tax Lot 5000) into the storm drains.
- ✓ By placing the sidewalk and parking on the east side of the cul-de-sac, smaller interior lots can be built. This follows the general “housing gradient” in Dawson Tract: lots and houses get larger to the west and south.

Summary

This Association believes existing safety and drainage problems are best resolved by building the proposed street in the north-south direction, intersecting Dawson Road approximately where shown in Exhibit P2. We believe this plan is prescribed by Section 172.020-1 (map).

Further, we believe all of the parcels in the subdivision should have frontage on the interior cul-de-sac only; i.e., there should be no driveways accessing Dawson Road.

We believe the evidence and arguments we have presented support our view that this application should be denied.

For the Association,

Yours truly,


Walter L Battaglia
Chair

cc:

enc: Exhibits C-1, C-2, E-4, P1-P6

11. A note shall be placed on the final plat map stating that Lot 3, as shown on the approved preliminary plat map, stating that access to the lot shall be from the southerly 30 feet of the west boundary which fronts on the north/south alignment of Dawson Rd., for vision clearance purposes.
12. A note shall be placed on the final plat map stating that Lot 2, as shown on the approved preliminary plat map, stating that access to the lot shall be from the easterly ½ of the frontage on the east/west alignment of Dawson Rd., for vision clearance purposes.

Street Conditions

13. The applicant shall construct sidewalk along both Dawson Rd frontages of the parent parcel including the frontage of Tax Lot 5001 Assessor's Map 40-14-36BB (Recorded as Partition Plat 1996-35). If required, sufficient additional right of way shall be dedicated to the city to ensure all street improvements are within the street right of way.
14. Spindrift Ln. shall be improved with a minimum of 20 feet of paved travel way and a sidewalk on the north side pursuant to the provisions for a Type B cul-de-sac street in the Dawson Tract Neighborhood Circulation Plan and the hammerhead turn around shall be paved for its entire 90 foot width.
15. The radius of the turn on Dawson Rd. where Dawson turns from an east/west alignment to a north/south alignment, shall be no greater than 20 rather than the 25 foot radius shown on the preliminary plat map.
16. All street improvements shall include any required underground storm drain facilities.
17. All street improvements shall be approved by the City Engineer prior to construction.
18. A street light shall be installed at the corner of Spindrift Ln. and Dawson Rd.; at the hammerhead end of Spindrift Ln. and at the north west corner of the subject property where Dawson Rd. turns from a north/south alignment to a east/west alignment.
19. A stop sign and street sign shall be placed at the intersection of Spindrift Ln. and Dawson Rd. and two "No Parking" signs shall be placed on both sides of Spindrift Ln. and on both alignments of Dawson Rd.

Sanitary Sewer And Storm Drain Conditions

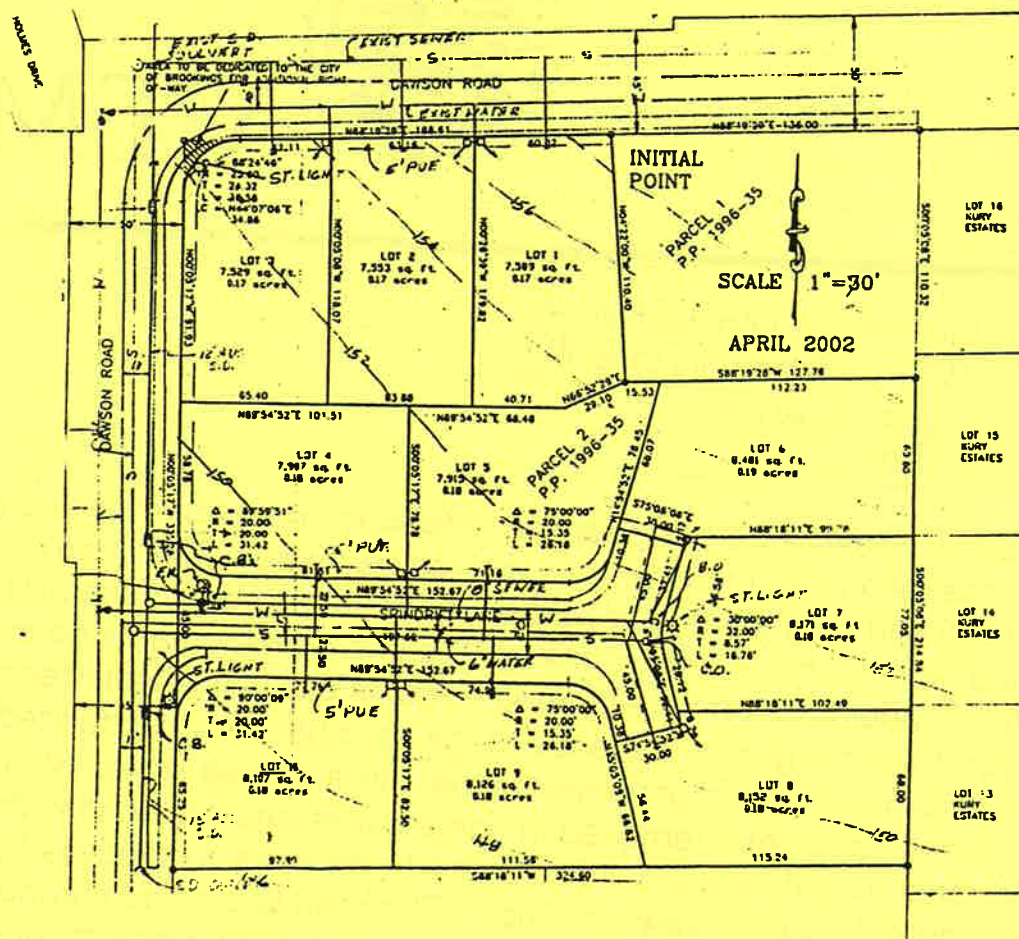
20. The applicant shall extend sewer service mains as required by the City Engineer or Community Development Department staff. Service laterals shall be extended to each lot within the subdivision.
21. Sanitary sewer installation shall comply with the standards of the State of Oregon Department of Environmental Quality and the provisions of Brookings City Ordinance No. 430, and Standard Specifications Document, dated August, 1988.

Restrictive Covenants

37. In order for retaining walls, fences, etc, to be constructed within the remaining public right-of-way in back of and abutting the sidewalks the applicant shall incorporate in the covenants a "hold harmless" clause absolving the city and/or utilities of any liability or responsibility for the replacement of such appurtenances within the right-of-way should it be necessary to remove same to make repairs to existing facilities or install new facilities therein.

Bond And Agreement

38. Prior to the Planning Commission certification of the final plat, the applicant shall install the required improvements.
39. The applicant shall file, to assure his full and faithful performance thereof, one of the following:
1) surety bond executed by a surety company authorized to transact business in the State of Oregon, 2) cash, or 3) an irrevocable standby letter of credit from a bank of savings and loan association. The assurance of full and faithful performance shall be for a sum approved by the City Manager sufficient to cover the cost of the improvements, engineering, and repair of existing streets and other public improvements damaged in the development of the subdivision, and must be approved by the City Attorney as to form and content. The performance bond shall guarantee the improvements to be free of defects for one (1) year after written acceptance by the City Manager.



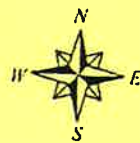
Applicant: Douglas and Emily Purdy

Assessor's No: 40-14-36 BB TL 5000

Location: south side of Dawson Rd., 350 ft. west of Garvin Court

Size: 2.09 acres

Zone: R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size)





CITY OF BROOKINGS POLICE DEPARTMENT

CHIEF CHRIS WALLACE

898 ELK DRIVE
BROOKINGS, OREGON 97415

PHONE (541) 469-3118
FAX (541) 412-0253

March 22, 2002


John Bischoff
Planning Director
City of Brookings

John,

According to our records there have been no significant traffic accidents in the Dawson Tract area. These records would include the access to Highway 101, and the surrounding side streets.

As the Dawson Tract is within the city limits of Brookings, they would be afforded the same protection and service the Brookings Police Department gives the rest of the residents of the city.

At this time there is no specific concerns regarding Law Enforcement for this residential area from the Brookings Police Department.

Lt. John Bishop 
Brookings police Department



"Home of Winter Flowers"



The Purdy's new application suffers from most of the same defects as the ill-fated previous one. It would create more driveways on Dawson Rd. These driveways are perilously close to the Dawson corner. It could complicate bringing north-south Dawson Rd up to city-wide street standards. It is not clear what restrictions will have to be imposed on the corner lot to assure traffic safety. All of these problems would be solved simply by requiring all subdivision driveways to intersect the interior street, so there is just one exit into Dawson Rd.

The rounding of the corner (on lot # 3) at Dawson Rd corner is a partial, but not complete, solution of the traffic problems there. The rounding suggests traffic will not stop, whereas it was previously decided that STOP signs and a street light are required. Further, all of Purdy's lots #1, 2, 3 and 4 will need building restrictions imposed to prevent obstruction of the view around the corner.

We hold that the Dawson Tract Circulation Plan map is more than suggestive. The interior cul-de-sac should intersect Dawson Rd on the east-west segment, not the north-south segment. There are several reasons for this, including that east-west Dawson Rd is already built to city standards whereas north-south Dawson Rd is not. The proposed parcels along north-south Dawson Rd should be configured to allow road widening to city standards along the entire length of the Purdy's land. What is the reason the sidewalks end at Spindrift Lane, so that Dawson Rd shrinks to 45 ft?

Inspection of the Purdy's layout shows it would not be difficult to build a north-south cul-de-sac, and make all the lots face onto the interior street. This would eliminate driveway problems on Dawson Rd. A city-standard width north-south Dawson Rd, with sidewalks, could be built on the west side of the lot. This would pass by the BACK yards of homes oriented toward the interior street. This reorientation would allow more open space near the corner which improves visibility for Dawson Rd traffic.

The corner lot poses a special problem, because it is on a busy corner and there are many easements. Therefore, this parcel should be considerably larger to allow reasonable building area and to keep driveways, etc away from the corner. The only realistic solution to this problem, once again, is connecting to an interior street, not Dawson Rd.

The Purdy's plan increases the hazards of entering Dawson Rd from driveways on east-west Dawson, because of the slope of the property. The obvious difference between the Dawson Rd grade and lot height has been ignored. For whatever reason, this lot has been declared "substantially" flat when it is not.

Placing the street as shown on the Dawson Tract Circulation Plan (north-south) solves another problem that will be created in building this subdivision. There is a 5 foot east-west tilt to this parcel, which will increase when sidewalks are built along east-west Dawson. The Dawson Rd grade is above Tax Lot 5001 and part of Tax Lot 5000, until it gets near the corner. In order to install sidewalks matching the Dawson Rd grade, a strip along tax lot 5000 will have to be graded and filled. This will make the incline from the road to the garage at Tax Lot 5001 rather steep. The same will be true of the proposed adjacent lots #1 and #2, and that will increase the difficulty of exiting from those driveways. Building the interior street just west of Tax Lot 5001 solves this problem, especially since the driveway for that Tax Lot 5001 could pass in front of the house and exit into the interior street rather than Dawson Rd.

The Dawson Tract Circulation Plan requires 1500 sq ft of parking space on those lots which front on streets without parking. This increases runoff and drainage problems, multiplied by the large number of lots in the Purdy's subdivision. It was not clear that this problem is addressed in this plan. Runoff would be reduced by building fewer houses on the 2 acre lot, and allowing parking on at least 1 side of the interior street. Neighbors on the ocean (west) side of Dawson Rd are concerned about the long-term destabilizing effects of increased runoff on their properties. The runoff and drainage problem is clear to anyone who lives here even for a few months, especially during the rainy season. We believe the Purdys should prove their plan does not have destabilizing effects, not merely assume that.

The Purdys' street plan will cause a lot of the runoff to flow immediately west - downhill - because the lot is tilted down toward the west. This will increase drainage problems across the street. On the other hand, building a north-south street would restrain water flow, encourage absorption into the ground, as it is now, thus reducing runoff.

There may be other drainage problems, as indicated by the unused well on the property. A lot of underground water flows through the Purdys' property. It needs to be determined how this affects whatever is built there.



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Von C. Miller, A.I.A. RCI
Russ Dodge, PLS
Stephen R. Cox, P.M.

March 11, 2002

City of Brookings
PO Box 898
Brookings, Oregon 97415

Attn: Leo Lightle
Community Development Director

Re: Proposed Subdivision
SUB-2-02
Project No. 01.30

Dear Leo:

We have reviewed a preliminary subdivision proposed by Pacific Coast Surveys for an area South and East of Dawson Road. In general, the proposed subdivision has access to water and sewer facilities at this area, and the lot layout appears satisfactory. We have concern with the proposal to provide a rounded turn on Dawson Road, because this ultimately will be a traffic concern as growth continues in the area. We believe that this corner should be developed in a tee style intersection, potentially with a large radius curb return, but planned for a more traditional intersection. Access to the corner lot will be a concern, and the driveway for the home should be located at least 75 feet from the intersection to provide sight distance and stopping distance for automobiles traveling in either direction on Dawson Road.

We appreciate the continuing opportunity to provide assistance to the City of Brookings. Please contact me if you have questions or concerns in any regard.

Very truly yours,

HGE INC., Architects, Engineers, Surveyors & Planners

Richard D. Nored, P.E.
President

c. LeRoy Blodgett, City Manager
John Bischoff, Planning Director
Dennis Barlow, Public Works Superintendent

Purdy
Spindrift Subdivision
Statement of findings

1.
There are no remainder lots in this subdivision.
2.
All adjoining lot around this subdivision has access from Dawson Road or Garvin Court.
3.
A check with the Curry County Surveyor's office shows that the name Spindrift Subdivision has not been used.
4.
There is overhead power along the northerly boundary and a power transformer at the southwesterly corner of this proposed subdivision.
5.
There does exist sewer and water along Dawson Road.
6.
There is an existing fire hydrant at the corner of Blueberry drive and Dawson road.
7.
This subdivision will not restrict the adjoining lots of any further development.
8.
This subdivision conforms to the comprehensive plan.
9.
A check the Brookings fire department finds that the name Spindrift lane has not been use for a street.

1 TO: Brookings Common Council

2 City of Brookings

3 898 Elk Drive

4 Brookings, OR 97415

5
6 RE: PLANNING COMMISSION CASE # SUB-2-02; SUBDIVISION OF TAX LOT 5000
7

8 APPELLANT: Walter L Battaglia, Chair

9 North Brookings Community Association

10 c/o 17304 Blueberry Drive

11 Brookings, OR 97415-9717
12

13 I am appealing the decision of the Planning Commission on April 2, 2002 to approve the application
14 identified as case SUB-2-02. I have standing before the Common Council for this appeal because I
15 submitted written and oral arguments and evidence on this matter recognized by the Planning
16 Commission. I represent the North Brookings Community Association for the purposes of filing this
17 appeal, which is also a participant in this matter. The North Brookings Community Association reserves
18 the right to appoint such other representatives in this matter as it may deem necessary from time to time.
19

20 The Brookings Common Council (hereinafter, "the Council") is empowered to alter, review and supervise
21 the decisions of the Brookings Planning Commission (hereinafter, "the Commission"), and is the
22 appropriate body to hear this appeal. I understand there are 4 courses of action the Council may take with
23 respect to the Commission's decision as a result of this appeal: (1) affirm the decision, (2) overturn the
24 decision, (3) alter the decision or (4) remand the case to the Commission for further consideration as
25 instructed by the Council.
26
27
28

1 6. Appellant claims the Commission failed to consider the existing pattern of development on adjacent and
2 nearby parcels, which is a precedent as a result of Commission decisions over a period of several years;
3 and

4 7. Appellant claims the Commission failed to consider the economic impact of this subdivision on Dawson
5 Tract property owners, the City of Brookings and Curry County, particularly with respect to the net income or loss
6 estimated to accrue to the City and the effect on nearby property values, and also whether there is "increased demand,"
7 which consideration is required in order to evaluate several elements of the Brookings Comprehensive Plan,
8 particularly, Goal 10, Housing, Policy 1.

9
10 Appellant contends the foregoing errors and omissions in the Commission's findings are sufficient cause for the
11 Council to conduct a full hearing on the application.

12 Relief Sought

13
14 Appellant seeks denial of the application to subdivide Tax Lot 5000.
15

16 Appellant also seeks consideration and resolution of the following matters by the Commission and Council,
17 prior to approval of any application to subdivide or build on Tax Lot 5000:
18

19 1. The Council's instructions to the Commission, that any subsequent application pertaining to
20 Dawson Tract must conform to the Dawson Tract Neighborhood Circulation Plan.
21

22 2. Revision of the Dawson Tract Neighborhood Circulation Plan, particularly with respect to
23 upgrading the narrower width standards existing on north-south Dawson Rd from the northwest corner
24 of Tax Lot 5000 to the Oceanside Estates II subdivision, which affects the layout of the proposed
25 subdivision on its west side;
26

27 3. Adoption of a plan to remove traffic safety problems at the intersection of Dawson Rd and
28

1 3. The parcel layout in the subdivision shall be made after the street plan is first and separately
2 approved, and the parcel sizes shall each be at least 10,000 sq ft or as large as the immediately adjacent
3 parcels on the east and south sides of Tax Lot 5000;

4
5 4. The parcel layout and any building permits shall consider and be consistent with pre-existing
6 structures and subdivisions adjacent to this subdivision in accord with the Brookings Comprehensive Plan,
7 Goal 10 Housing, policies 2, 3 and 6.

8
9 5. The driveway at 96447 Dawson Rd (Tax Lot 5001) shall be reconstructed to prevent further
10 traffic hazards resulting from sidewalk construction by connecting it to the interior street, and suitable
11 storm drainage systems will be installed to prevent flooding of the below-grade areas.

12
13 Request for Hearing

14
15 Appellant believes there is sufficient cause for appeal and relief, and requests the Council hear this appeal.

16
17 Appellant also requests the Council to schedule this matter early in its meeting, as many participants in this
18 matter are elderly or have medical needs that make attendance on the Council at late hours very difficult.

19
20 Theories of Relief

21
22 The appellant proposes several theories, taken together or separately, upon which the Council may
23 proceed in hearing this appeal and granting the requested relief, as follows:

24
25 1. The Commission approved a subdivision plan which does not conform to Brookings Land
26 Development Code Map 172.020-1 and Section 172.020.D.2; either the Commission failed to observe the
27 ordinance, or relied on the Director's misreading of the ordinance, or allowed an unauthorized change in
28 the Dawson Tract Neighborhood Circulation Plan;

1 Appellant believes each one of the foregoing theories is a sufficient reason for denial of the application,
2 and, further, that the theories, taken together, constitute sufficient and multiple reasons for denial.
3

4 Appellant believes there may be other causes justifying denial of the application, and granting of the
5 requested relief, which have not yet been discovered. This document represents only those causes known
6 to the appellant as of this writing, and is not intended to exclude additional evidence or causes.
7

8 The remainder of this document is appellant's analysis of this case. Several Exhibits are attached which
9 were not submitted at the time of the hearing, which are copies of relevant ordinances or documentation.
10 References are also made to Exhibits submitted by the appellant or others, using the appellant's Exhibit
11 identifier. (The Commission Secretary may have subsequently assigned a different number to the exhibits,
12 which is unknown to the appellant at this time.)
13

14 The Petitioners

15
16 Some 60 Dawson Tract property owners, and 5 tenants, submitted petitions opposing this subdivision, including
17 almost all of those who own property adjacent to Tax Lot 5000. Since the hearing, more petitions in opposition have
18 been submitted and none have been withdrawn. This Association represents the strongly held view of most Dawson
19 Tract residents (property owners and tenants) that this application should be denied.

20 Several nearby property owners did not submit petitions opposing this application, because they felt their petitions
21 supporting the zoning application (#CZ-1-02) implied their opposition to the application (since the applicant's layout
22 does not conform to the proposed R1-10 zoning). Some nearby property owners did not submit petitions because they
23 felt this Association was too "friendly" to the applicant; i.e., they felt that the applicant's property should not be
24 developed at all, or should have fewer parcels than the 6 parcels this Association would support.
25

26 Appellant was able to identify just one nearby property owner who supports the applicant "in principle" for ideological
27 reasons. There are two others who have mixed views about this subdivision. Everyone else either opposes the
28 subdivision application or refuses "to become involved" (no opinion).

1 Appellant believes the subdivision should use the circular turnaround option, as this option is generally thought to
2 allow the greatest access by large vehicles, especially emergency vehicles, and easy deployment of equipment. It also
3 simplifies access by motor homes (RVs), which many Dawson Tract residents own. Further, all of the other cul-de-
4 sacs in Dawson Tract have been built as circular turnarounds, so there is precedent for continuation of that style (cf
5 Goal 10, policy 6⁵).

6
7 In the April 2, 2002 hearings on zoning (application # CZ-1-02) and this subdivision, the Director referred to Dawson
8 Rd as a "major street." Section 172.020.E of the Brookings Development Code provides:

9
10 "Frontage roads. When any parcels front on a major or arterial street, the Planning Commission
11 may require the developer to dedicate and improve a frontage road at the front of the parcel to serve
12 the resulting lot(s)."

13 The clear intent of Section 172.020.E is to prevent direct access to a major or arterial street by street(s) within a
14 subdivision. In the present case, a cul-de-sac servicing all driveways within the subdivision serves this purpose. All
15 of the other cul-de-sacs in Dawson Tract have been built this way, which appellant believe constitutes a precedent.

16
17 HGE Inc's letter of November 25, 2001⁶ recommended the layout should be rotated 90°, which conforms to Map
18 172.020-1. Somehow, HGE Inc's opinion is changed in its letter of March 11, 2002, but the consulting firm does note
19 that "Access to the corner lot will be a concern ..."⁷. The problem of access to the corner lot is solved simply by
20 requiring all parcels take access from the cul-de-sac. This also solves the problem of obstructed view on the corner,
21 as structures could be built further from the corner⁸. Appellant requests HGE, Inc to explain in detail why and how
22 its recommendations changed during this period. Appellant requests the Director state what actions, if any, were
23 taken to cause HGE, Inc to change its report and the reasons for any such activities.

24
25 ⁵ Exhibit A

26 ⁶ Exhibit F HGE, Inc is the City's consulting engineer.

27 ⁷ Letter from HGE, INC, hearing packet p. 120

28 ⁸ Exhibit C-1, hearing packet p 128 The applicant's drawing suggests structures could be
built farther from the corner, leaving open space along the west side of Tax Lot 5000.

1 5. The Director's argument is completely undermined by the fact that 2 driveways will take access
2 from east-west Dawson Rd. The Director argued that access on the east-west portion is less safe
3 than on north-south Dawson Rd. The Director's argument implies that no driveways should be
4 allowed on east-west Dawson Rd. Nonetheless, the Director inconsistently recommends the
5 applicant's layout, including driveways on lots #1 and #2.
6

7 Further, if TWO driveways on east-west Dawson are safe enough, why is ONE cul-de-sac any less
8 safe? The fact is that only one car could enter or leave the cul-de-sac at a time, whereas two cars
9 could have access to east-west Dawson Rd in the applicant's plan.
10

11 6. The Director's arguments about visibility on north-south Dawson Rd are clearly wrong, as shown
12 in exhibits submitted by this Association¹⁰. Just south of Tax Lot 5000, Dawson Rd dips. North
13 bound traffic is in the dip before it gets to the area of the proposed street, so the view of those
14 driving north is not clear.¹¹ South-bound left turners will find on-coming traffic partially hidden
15 in the dip. On the other hand, the view in both directions on east-west Dawson Rd is not obscured
16 or difficult¹², where the road has an even (flat) grade. Further, the view to the west and south from
17 east-west Dawson Rd would be improved by clearing the northwest portion Tax Lot 5000.

18 Taken together, these 6 faults in the Director's representations indicate the applicant's layout does not conform to the
19 Dawson Neighborhood Circulation Plan, but is clearly inferior to a conforming plan. The simplest way to resolve
20 traffic safety problems is shown by Map 172.020-1, and requiring that all access be from the interior cul-de-sac.
21

22 Appellant notes the Director made all of the reported arguments for the applicant's plan, and did not support any
23 objections to it. Appellant believes the Director's presentation and advocacy in this instance overstep his authority,
24 are not consistent with the public interest, and violate the concept that the 'applicant bears the burden of proof.'
25

26 ¹⁰ Exhibits P-2, P-3 and P-5, hearing packet

27 ¹¹ Ibid, Exhibit P-5

28 ¹² Ibid, Exhibit P-2

1 Appellant believes the proposed layout does not solve any of the foregoing problems, whereas appellant's
2 proposals in fact minimize them. Further, if all the parcels take access from a 30 ft width cull-de-sac, there
3 will be less need for 1500 sq ft parking lots (thus, less runoff), access to Dawson Rd would be controlled,
4 and multiple driveway intersections would be eliminated. Appellant's plan provides better control of traffic
5 on Dawson Rd than applicant's, because there is just one access point.
6

7 Dawson Rd is currently the major street in Dawson Tract. North-south Dawson Rd should be widened
8 to the same standard as east-west Dawson Rd; i.e., to the City-wide standard. Approving the proposed
9 subdivision may render widening of Dawson Rd very costly or impossible, so this is a critical decision.
10 Appellant believes the applicant should be required to extend the sidewalks and city-standard street to at
11 least the southwest corner of Tax Lot 5000.
12

13 The Commission has been concerned about several aspects of this application related to the Dawson Tract
14 Neighborhood Circulation Plan. The Commission clearly understood that approval of the subdivision
15 would increase traffic at the Dawson Rd "S" curve, and reduce safety on Dawson Rd. The Commission
16 previously scheduled this matter for a working meeting with the Council, and the City Manager
17 announced in January, 2002 that a "re-engineering study" would be considered (done?) this year. Since
18 then, no action has been taken. Appellant believes this problem must be solved before further construction
19 proceeds on Tax Lot 5000 and other subdivisions in Dawson Tract.
20

21 Appellant believes the Commission should consider the eventual cost to neighborhood residents of traffic
22 accidents, as well as the stress caused by increased traffic, accidents, etc. Increased traffic flow is a direct
23 result of the subdivisions approved by the Commission. The increased number of parcels in Oceanside
24 Estates II impacts traffic flow at Dawson Rd corner, as that subdivision increases traffic all along Dawson
25 Rd. Appellant believes the Oceanside Estates II developer has some liability for the increased traffic, and
26 the costs imposed on the neighborhood as well as applicant.
27
28

1 The applicant's plan would require paving of 10 - 1500 sq ft parking spaces, building of 10 houses probably covering
2 at least 1500 sq ft each, and a street covering ca 4000 sq ft. Thus, about 37% of the present vacant lot (34,000 / (2.09
3 * 43560)) would not be available to absorb runoff. Presumably that runoff would be directed to storm drains. On days
4 when the rainfall is about 2" (1/6 foot), this amounts to about 5600 cf of water. If this water accumulated in an 8 hour
5 period, a not uncommon occurrence, the flow rate is about 11-12 cfm (5600 / 480). That is enough water to fill a
6 drainage ditch 1 foot high over a length of 12 feet in 1 minute.

7
8 On stormy days, I have observed the drainage ditch on the west side of Tax Lot 5000 fill to at least 1/2 ft. When there
9 is 2-3 inches rainfall, the ditch fills completely - a depth over 1 foot. Thus, I estimate the additional runoff from the
10 applicant's project will double the effluent dumped into the ditch at the southwest corner of the property. This may
11 result in flooding along the Johnson and Callaway properties, and water accumulation on the Chapman properties.

12 If the proposed subdivision is built, runoff from Dawson Rd will be increased. Currently, that runoff drains into the
13 drainage ditches along Tax Lot 5000 and is partially absorbed into the ground. If the subdivision is built, this
14 drainage will be collected and "passed on" rather than absorbed, so the expected flows at the southwest corner will
15 increase. The increased effluent will aggravate any flooding problems south of Tax Lot 5000.

16
17 The Director stated at the April 2, 2002 hearing, that there is a storm drain system located in Oceanside Estates
18 capable of handling all upstream effluent in Dawson Tract. The Director did not mention that nothing connects the
19 proposed subdivision's drainage system to the Oceanside Estates collection point. Thus, the effluent will just run in
20 the open ditch to wherever it will go. While some of it may eventually arrive in the Oceanside drainage system, this
21 is merely a concept; actual flows have not been tested. The runoff could as well flood portions of Dawson Tract, drain
22 into bluff-top properties across the street, or flow back into below-grade portions of Tax Lot 5000 or adjacent
23 properties. Appellant believes, in the absence of testing and a qualified engineering report, there is no evidence
24 whatever to suggest drainage resulting from the proposed subdivision is well controlled.

Public Interest

The Commission is the public agency which regulates land use in the City of Brookings (hereinafter, "the City") according to policies set forth in the Comprehensive Plan and other ordinances enacted by the Council. The Council determines the regulatory intent which the Commission implements by overseeing the Planning Department. The Planning Department consists of the civil service staff, supervised by the Director, which carries out the day-to-day operations required in the administration of land use within the City. Generally, this structure is set up to regulate land use within the City in the public interest.

The present subdivision application is regulated by policies in the Comprehensive Plan, Goal 10 Housing.¹⁵ The Director interprets those policies with the following language: "... the city will not place undue restrictions on the development of land within the city ..." ¹⁶ and "The subject subdivision ... is consistent with the general goal of using land efficiently."¹⁷ The Commission appears to accept that language in its decisions, since it routinely approves the Director's reports organized around that language. The Director recommends a decision based on evaluation of some 7 points, which he routinely subsumes under Goal 10 (his first point), and then treats the 7 points if they were the entire content (application) of Goal 10.

Appellant notes the Director nowhere states explicitly that his criteria 2 - 8 constitute the entire content of Goal 10, but the Director uses no other criteria in evaluating Goal 10. The Director routinely asserts "The subdivision is also consistent with the goals and policies of the Comprehensive Plan, particularly Goal 10 Housing ..." ¹⁸, but does not submit any analysis of all the Goals to support that claim.

¹⁵ Exhibit A

¹⁶ Staff Report SUB-2-02, p4 This is only a summary of 10 policies enumerated in the Comprehensive Plan, Goal 10 Housing. See below for further discussion.

¹⁷ Loc. cit.

¹⁸ Loc. cit.

1 The Commission has the power to modify land use applications as a condition of approval and, in fact,
2 routinely does so. The Commission can determine what are "undue restrictions" in each case. The Director
3 seems to construe the "undue restrictions" clause as preventing the Commission from imposing too many,
4 or even any, burdens on applicants. But, "undue" is not a specific criterion, nor is "too many." "Undue
5 restrictions" are not the same thing as "no restrictions."

6
7 The Commission has not made explicit what is "undue;" so it is impossible to know what basis the
8 Commission had for approving the application. Appellant believes the Commission should have ruled
9 whether each proposed modification constituted "undue restrictions." In making such rulings, the
10 Commission would have explicated the Director's language.

11
12 The Commission's authority includes discretion, which appellant believes is sufficient to grant the
13 requested relief. Appellant believes the Commission should have considered and ruled on each of the
14 appellant's proposed modifications separately as to the "undue restrictions" clause. Since the Commission
15 did not make such rulings, appellant's only recourse is to request the Council to specify what is an "undue
16 restriction," and thereby regulate the scope of the Commission's discretion.

17
18 If the Council does not regulate the Commission concerning the intent of the Comprehensive Plan, Goal
19 10 Housing, then appellant believes the Director's interpretation of Goal 10 Housing is 'vague' and 'overly
20 broad,' thus incapable of any lawful application. If the Commission is without specific regulation by the
21 Council, it cannot make any decision based on Goal 10 Housing. In that event, the Commission has no
22 effective regulatory authority; only the Council could decide to approve or deny an application. Thus,
23 either the Commission's decision was uninformed by lawful regulation and the application should be
24 denied, or the Council must determine how the policies in the Comprehensive Master Plan apply.

25
26 The Commission seems devoted to the "undue restrictions" clause, almost to the exclusion of considering
27 "using land ... efficiently," even though both clauses are present in the Director's language. The
28 Commission appears to permit applicants to do almost anything that does not violate minimal, technical

1 "6. City shall give consideration to alternative residential construction both in form and
2 layout, for such reasons as aesthetic, energy conservation, lessened development costs, and
3 provision of more usable open space."²¹
4

5 Since, according to Webster, "efficiently" is an adverb, it modifies a verb which is an action; i.e., the word
6 qualifies what is done, but does not state what is done. On Webster's first meaning of the word, the
7 Director's language has any content one cares to impute, so that meaning cannot be the basis of lawful
8 regulation (unless we accept the principle the Commission is free to do whatever it wants). So, we must
9 prefer the Director's language as defined in Webster's second meaning, which does imply qualities by
10 which we may evaluate the application. Nonetheless, these qualities (modifiers) only apply to 'a desired
11 effect, product,' and do not specify that effect or product. To give the Director's language specific effect,
12 appellant believes we must refer to the full set of policies in Goal 10 Housing; i.e., the Director's words
13 point to and require those policies. Appellant believes policies 3 and 6 are most relevant to the present
14 application.
15

16 Appellant believes the Commission regulates land use in the public interest; i.e., property rights are neither
17 unlimited nor unrestricted, nor even solely restricted by minimal zoning and other regulations. Since using
18 land 'efficiently' is inherently a matter of judgement, public interest and private equity are often in conflict.
19 Appellant believes the Commission is the public's agent and does not represent the applicant, since it is
20 generally supposed that the applicant bears the 'burden of proof'²² in all land use decisions. The applicant
21 has to show the proposal conforms to applicable laws and regulations; not the other way around. Land
22 use regulation differs from other civil and criminal proceedings, where the State (public) bears the burden
23 of proof against a defendant. Land use proposals have immediate and consequential effects on the
24 property and well being of others, often over long periods of time. The more urbanized an area, the more
25 consequences follow from land use decisions; thus, a greater public interest.
26

27 ²¹ Loc. Cit.

28 ²² Exhibit C-1, Goal 2 policy 2

1 effects on the public. "Interior" land is surrounded by neighbors, all of whom have an equity interest in
2 what happens to adjacent land, so far as land use changes the neighbors' property.

3
4 The cumulative effect of Commission decisions in the Dawson Tract is shown by inspection of the map²⁴:
5 a "housing gradient" exists from North and East, to West and South. Near Highway 101, along S. Passley
6 and the eastern portion of Dawson Rd, the parcels and houses are smaller. Going westward, the parcels
7 and houses get larger. The assessed value of Dawson area properties also increases from East to West.
8 This gradient represents past practice in developing the Dawson area, all under the regulation of the
9 Commission. Appellant believes the Commission has established precedents in determining land use in
10 Dawson Tract.

11
12 Those precedents are reflected in previously approved subdivisions and partitions adjacent to Tax Lot 5000.
13 The subject property is surrounded by 10,000 and 12,000 sq ft parcels. Even the applicant created a .35
14 acre partition in 1996, Tax Lot 5001. Tax Lot 5000 has become "interior"²⁵ land as the cumulative result of
15 the applicant's and Commission decisions.

16
17 For example, adjacent houses on Garvin Ct. were built on larger lot sizes, and the parcels south of the
18 applicant's property are also larger lot sizes, than the applicant proposes. Appellant believes the
19 Commission established a precedent in approving nearby subdivisions, and that precedent governs land
20 use in the applicant's "interior" land. The burden of proof is on the applicant to show why that precedent
21 should not apply, but no such showing was made in the application or at the hearing.

22
23 The Commission's precedents imply parcels south of east-west Dawson Rd, and east of north-south
24 Dawson Rd should contain 10,000 or 12,000 sq ft. This precedent overrules zoning, because existing
25 property owners have an equity interest in the land use decisions made so far. In other words, as the area

26
27 ²⁴ Exhibit 1, hearing packet p. 112

28 ²⁵ Loc. Cit. Note "Subject Property" in relation to surrounding parcels, and cf. NBCA Exhibit PV-1 Dawson Tract map.

1 Goal 10 Housing policies include 3 and 6 cited above. Both policies include aesthetic considerations, and
2 policy 6 includes consideration of open space as well. The Commission did not consider those policies with
3 respect to the present application. The Director did not discuss aesthetics or open space in the staff report.
4 Appellant's requested relief corresponds to the public interest in consistent application of policies 3 and 6,
5 as discussed below. Appellant contends aesthetic and open space considerations are sufficient reasons to
6 modify the applicant's subdivision proposal, and, further, such modification would improve the
7 subdivision's compliance with the Dawson Tract Neighborhood Circulation Plan.²⁶

8
9 Appellant believes aesthetic considerations are also governed by precedent, in the same manner as parcel
10 size discussed above. Houses constructed on parcels adjacent to the proposed subdivision have been
11 largely custom-built. There are very few non-unique houses; i.e., houses of the same model. In short, the
12 Dawson Tract near applicant's land has not been developed as a housing tract based on just a few model
13 homes. Appellant's interviews with adjacent property owners and other owners in the Dawson Tract
14 support appellant's opinion that custom homes on larger lots are what is expected if and when applicant's
15 land is built. Appellant's opinion corresponds to the pattern of development which has occurred due to
16 previous Commission decisions on land use; i.e., applicable precedent.

17
18 The Dawson Tract contains no public parks or other public open spaces, except nearby Harris Beach State
19 Park.²⁷ Dawson Tract residents are therefore dependent on the proper design of development to achieve
20 the "usable open space", which may considered under Goal 10 Housing policy 6. Residents have been
21 fortunate so far that most property owners have built homes with due regard for open space. Walking
22 through Dawson Tract - a common habit of residents - is a pleasant experience for many people on account
23 of the open spaces left between attractive homes. The public has an interest in retaining that open space
24 for personal and aesthetic reasons.

25
26 ²⁶ See Exhibits E-1, E-2, E-3 and E-4, discussed above .

27 ²⁷ But, note Exhibit D-2, Goal 12 Transportation policy 5 regarding bike paths and walkways. The City has provided none,
28 and there is no path or bike route to Harris Beach State Park for Dawson Tract residents.

1 the Planning Department's activities on a daily basis, its operations are essentially undisclosed. There is
2 no simple and effective way to determine what the Planning Department is doing, when it is doing it, or
3 what the outcome of its work will be. There is no procedure for public discussion or comment, other than
4 appearing at Commission hearings.

5
6 When the 20 day public notice is given, the site development process is largely complete, so there is little
7 opportunity for the public - especially those directly affected - to have any role in the process.²⁹ Anyone
8 who disagrees with the Director's recommendations is burdened with preparing and presenting a case in
9 about 2 weeks. Based on my experience, preparation involves several days of full-time effort and
10 considerable cost. When the lack of outreach is combined with the Commission's narrow, technical focus
11 in reviewing applications, it is nearly impossible to change any proposed development.

12
13 There is a tremendous disparity between the access afforded the Planning Department to those in the real
14 estate and construction industries, as distinct from the rest of the public. The Planning Department leaves
15 it to the public to determine what it is doing, which means someone has to have the constant interest, time
16 and money to review its activities. Of course, those regularly employed in the real estate and construction
17 industries are paid for their activity; for the rest of the public it is an unpaid burden. This results in
18 discrimination favoring the real estate and construction interests, with possible adverse consequences for
19 the taxpayers and general public.³⁰

20
21 The Commission's impartiality is undermined by the Director's method of evaluating applications. The
22 emphasis on "undue restrictions" makes it very difficult for the public to have any voice whatsoever in
23 land use applications. Further, when the applicant is not required to show cause why the application
24 should be approved, contrary to the policy that 'the burden of proof is on the applicant,' the public is left

25
26 ²⁹

See Exhibit C-1, Goal 2 Land Use Planning, policy 1. The question is, what is a reasonable effort?

27 ³⁰

28 See Exhibit C-2, Goal 2 Land Use Planning, policy 3, which admonishes impartiality, because "These bodies are responsible for considering the effects of a decision on the entire community ..."

1 There is nothing in the language of the Comprehensive Plan Goal 10 Housing to justify reduction of
2 existing property values. While Goal 10 Housing policy 1 states "City shall not unduly restrict land
3 development thereby artificially inflating the cost of both new and existing housing, ..." this policy does
4 not demand deflation. Appellant notes that even this policy supports the requested relief because it is
5 impossible to determine whether there is inflation, deflation or neither without economic analysis.

6
7 The Commission's recent approval of subdivisions in the Dawson Tract has undermined the peace of the
8 community. Many residents are upset about the appearance, density and pace of construction. While only
9 anecdotal evidence, appellant has been told in confidence that some homeowners fear the recent high
10 density subdivisions will devalue their investment, so they may sell before the market collapses. In fact,
11 I have noticed an increase in "for sale" signs the last few months. This illustrates how the neighborhood
12 may be destabilized by the recent high density subdivisions approved by the Commission.

13
14 I note that recent MLS listings suggest a decline in asking prices for some properties in Dawson Tract. The
15 asking price for houses on Garvin Ct, for example, has dropped from \$245,000 to \$225,000 during the last
16 year. Several property owners I interviewed in connection with the zoning application were considering
17 selling, because of the perceived over-development now in process. It appears recently constructed houses
18 in Oceanside Estates II are not selling. At least one Oceanside Estates II buyer is already selling a recently
19 purchased house. Based on my observations and interviews, I believe approved construction is already
20 having negative and far-reaching effects on Dawson Tract property values.

21
22 Many homeowners paid a premium to live in Dawson Tract, and now fear loss of their investment.
23 Appellant believes the anecdotes lend credibility to appellant's argument that an economic analysis is
24 required. Otherwise, fear and rumor could cause a panic resulting in unrecoverable devaluation of
25 property; a not unusual behavior in free markets. Without any economic analysis of the subdivisions,
26 including the present application, no one knows what will happen. For most residents, that is an very
27 stressful experience.
28

1 Comprehensive Plan Goal 2 Land Use Planning, policy 3, instructs the Commission to consider "... the
2 effects of a decision on the entire community ..."³² One of the greatest effects on a community is the
3 economic change that follows development. That change is often permanent, for better or worse. The
4 appellant believes an economic study of the community, done by recognized professionals, is required.
5 A study including the applicant's proposed conditions and building plans, as well as alternate plans, could
6 provide the information needed to evaluate the application.

7
8 Appellant contends the Commission has not sought any economic analysis, and has failed to determine
9 the economic effects, of the proposed subdivision. The Commission's decision is flawed because it lacked
10 sufficient information to make an informed, rational decision. Appellant requests the Council to correct
11 this deficiency by instructing the Commission to obtain an economic analysis in the application process.

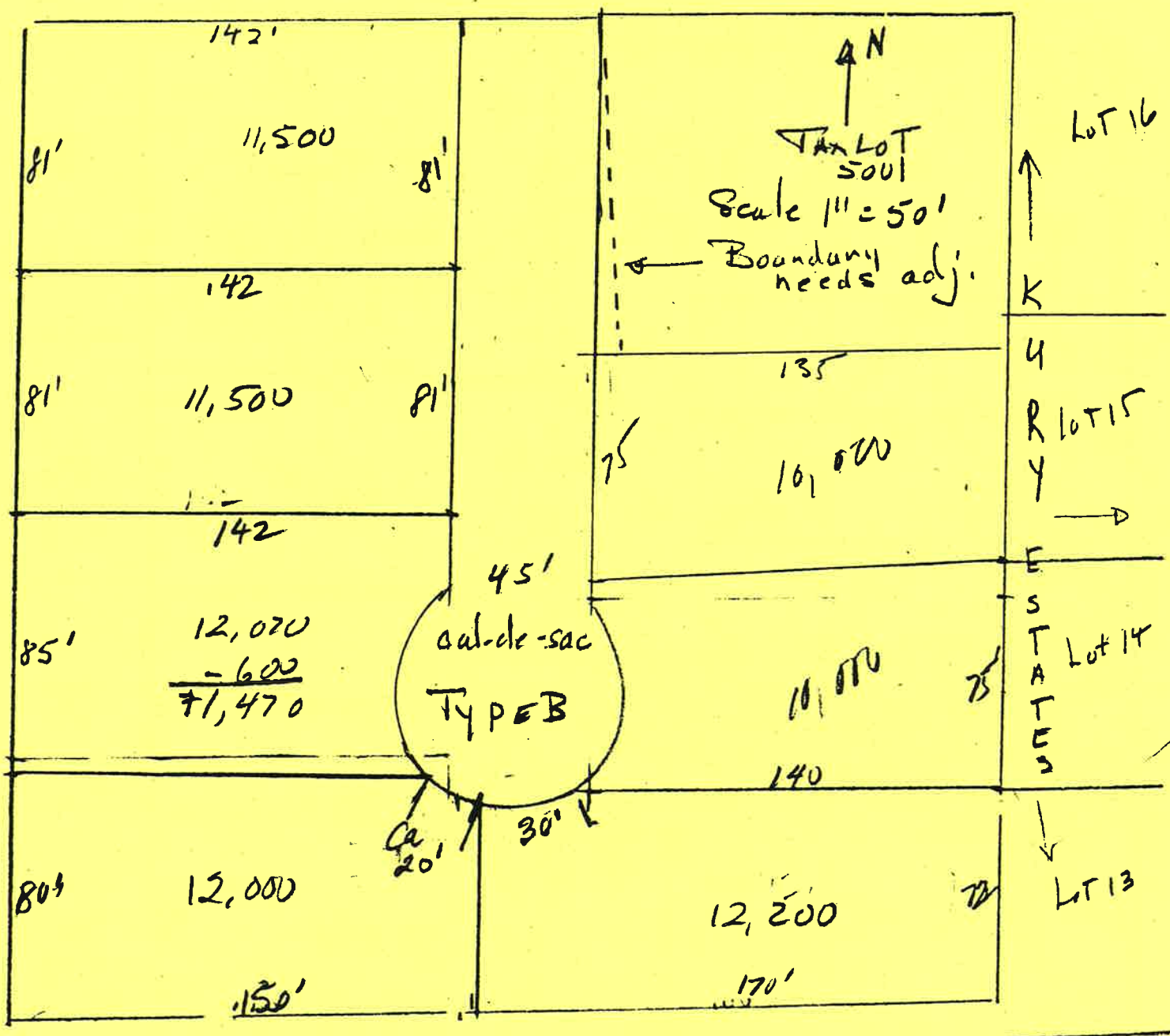
12
13 Summary

14
15 Appellant contends the Commission did not act in the Public Interest, as prescribed by various policies of
16 the Brookings Comprehensive Plan. Appellant further contends the Commission's procedures are
17 sufficiently biased in favor of the applicant, contrary to the policies in the Brookings Comprehensive Plan,
18 that an impartial decision cannot be made. In these two contentions, appellant claims the hearing on the
19 application was procedurally defective, so invalid.

20
21 Appellant contends the Commission's decision was not based on the preponderance of evidence, either
22 because the Commission failed to discover relevant evidence, minimized countervailing facts or simply
23 ignored conditions brought to its attention; thus, it erred in approving the application.

24
25 Based on the foregoing analysis and arguments, the applicant believes the Council has the authority and
26 sufficient reason to grant appellant the requested relief.

27
28 ³² Exhibit C-2



Tax Lot 5000
 Subdivision into 7 parcels
 PER Dawson Tract Circulation Plan
 Walter L Battaglia 3/24/2002
 Exhibit C-1

California Expert Software

From: "John B. Wordeman" <jwordema@calpoly.edu>
To: <calxsoft@harborside.com>
Sent: Thursday, May 02, 2002 2:52 PM
Subject: We Go For 10,000 Sq.Ft. Lots!

RECEIVED
MAY 3 2002

We, Gaynelle R. Wordeman and John B. Wordeman, who own a 12,000 sq.ft.Lot near the Dawson Tract Zoning area, are enthusiastically in favor of having all future lots upgraded to a 10,000 sq.ft.minimum. It would enhance our properties in many ways, as advocated and supported by the DAWSON TRACT ZONING UPGRADE TO R1-10 APPEAL OF PURDY SUBDIVISION. More power to the North Brookings Community Association and its leaders Charles Stanton, Vice-Chair, Roger White, Treasurer, and Walter L. Battaglia, Chair.

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

5/2/2002

POLICIES

1. City shall not unduly restrict land development thereby artificially inflating the cost of both new and existing housing, but rather provide land in suitable quantities and encourage the construction of new residential units to meet increased demand.
2. City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized the private sector will continue their leadership role in this function.
3. City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities and other urban development.
4. City shall, through mapping and other means, provide, where known, general information relative to site development suitability.
5. City shall keep an inventory of the city's housing stock and regularly update significant statistics.
6. City shall give consideration to alternative residential construction both in form and layout, for such reasons as aesthetic, energy conservation, lessened development costs, and provision of more usable open space.
7. City shall allow mobile homes in mobile home parks, mobile home subdivisions and planned developments.
8. City shall, in light of increasing demand for multi-family housing, provide suitable and adequate areas for such development.
9. City shall encourage maintenance of the existing housing stock in safe and livable condition.
10. City shall continuously monitor and inspect all phases of both new residential construction and improvements to existing structures to insure safety and code compliance.

Copy of Goal 10 Housing Policies
[Exhibit A]

GOAL 2

LAND USE PLANNING

GOAL:

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDINGS:

In order for planning to be fair and effective, there must be clear procedures for making decisions. These should include provisions for making day-to-day decisions that implement the Plan and means of involving the public in planning decisions of the City. In so doing planning should be flexible enough to respond to changes in public opinion and unforeseen circumstances, yet avoiding decisions made to satisfy special interests. Planning should be a well thought out reasoning process, based on the best data available, avoiding hastily made judgments. Planning must be in the interests of the entire community and conducted in a fair and open manner.

This section of the plan established policies that will guide the processes by which planning decisions are made and assures the participation of all interested parties.

POLICIES:

1. The City will make all reasonable efforts to publicize planning issues and meetings where these issues will be discussed and decided upon.
2. The burden of proving the need for a change in land uses shall be borne by the proponent of the land use request.

Copy of Goal 2 Comp Plan

[EXHIBIT C-1]

GOAL 12

TRANSPORTATION

GOAL:

To provide and encourage a safe convenient and economic transportation system.

FINDINGS:

1. U.S. Highway 101 links coastal communities and is the only through highway in Curry County. Access to commercial establishments and adjacent private property is direct from the highway. Current conditions of roads and streets is generally poor and the maintenance bill to the City is high.
2. Although the facilities at the airport are adequate, more service connecting Brookings with other cities is needed.
3. A 14 foot channel is currently maintained in the Chetco Estuary. Under current conditions barges and tugs negotiate the bar only at high tide and during daylight hours.
4. Brookings will provide and encourage a safe, convenient and economic transportation system.

POLICIES:

1. The City will develop a system of streets that provides adequate access to all property in terms of utilities and fire and police protection. The downtown business district will be made more accessible to vehicular and pedestrian traffic and street patterns will be developed which discourage a high-speed vehicular traffic and noise in residential areas.
2. The City will encourage improvement to airport facilities and assure that airport approach zones are protected, by coordinating development in the Brookings Urban Growth Boundary and Area of Mutual Interest with the State of Oregon and Curry County in accordance with the Brookings State Airport Master Plan.

Copy of GOAL 12 GMP PLAN
283 EXHIBIT D-17

TABLE 172.020-2
Dawson Tract Right-of-Way And Roadway Width

<u>Street Name Or Type</u>	<u>Estimated ADT±</u>	<u>Min/Max Right of Way Width (Ft)</u>	<u>Min/Max Roadway (curbface to curbface) Width (Ft)</u>	<u>Minimum Sidewalk Width (Ft)</u>	<u>Curbs Square Curb (SC) Rolled Curb (RC) Gutter (GT) Gravel Shldr (GS)</u>
Dawson Rd. (North●)	1400	50	28*	4-Both sides Park on north	SC/GT
Dawson Rd. (West●)	800	50	26**	4 - East Side	SC/GT
Pacific Heights●●		50	36	5 - Both side	SC/GT
Shorewood Terrace●●		50	36	5 - One Side	SC/GT
Skyline Dr.●●		50	36	5 - Both sides	SC/GT
Ridgeway St.●●		50	36	5 - Both sides	SC/GT
Passley R.	800	50	26**/30*	4 - Both sides	SC/GT
Skyline/Passley Connector	800	50	26**/30*/36	5 - Both sides	SC/GT
* Holmes/Blueberry Loop (Future)					
Type A (cul-de-sac) 50 Lot maximum 750 Ft. maximum length	400	45	24**/30*	4 - One side	RC
Type B (cul-de-sac) 12 Lot maximum 400 Ft. maximum length	100	45	20**/30*	4 - One side	RC
Cul-de-sac radius or hammerhead dimensions	See Map 172.020-3	See Map 172.020-3	N/A		
Private (private drive) 6 Lot maximum	60	20***	N/A		GS

● Existing, improved one side only.

●● Existing improved both sides.

* Parking one side only. Lots serviced by no-parking side shall provide 6 off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 172.020-3)

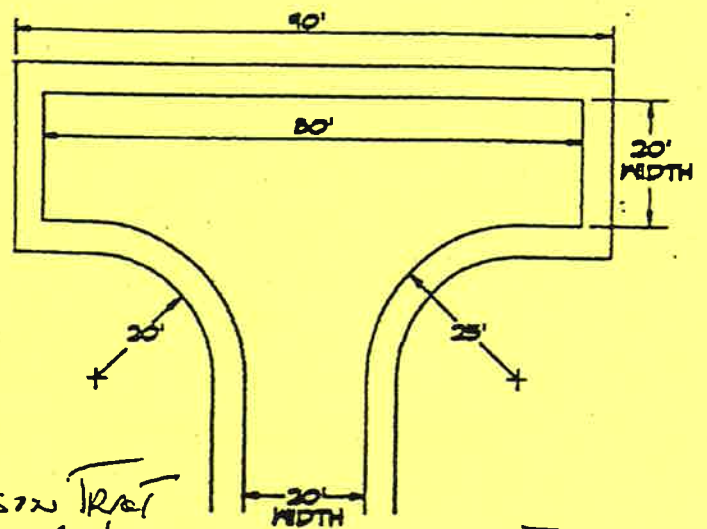
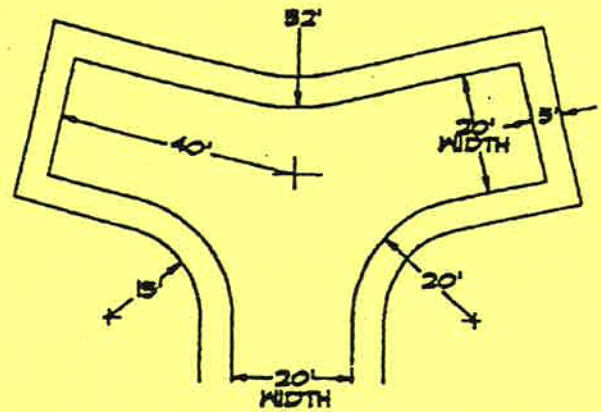
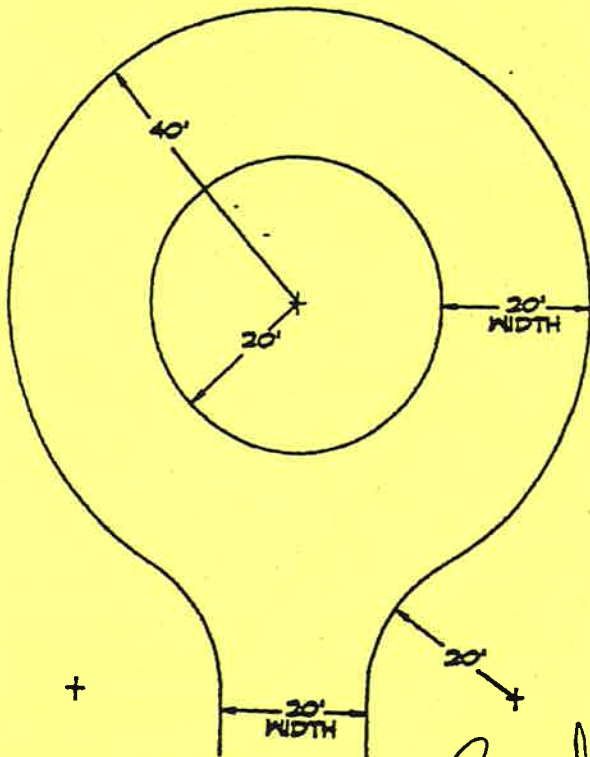
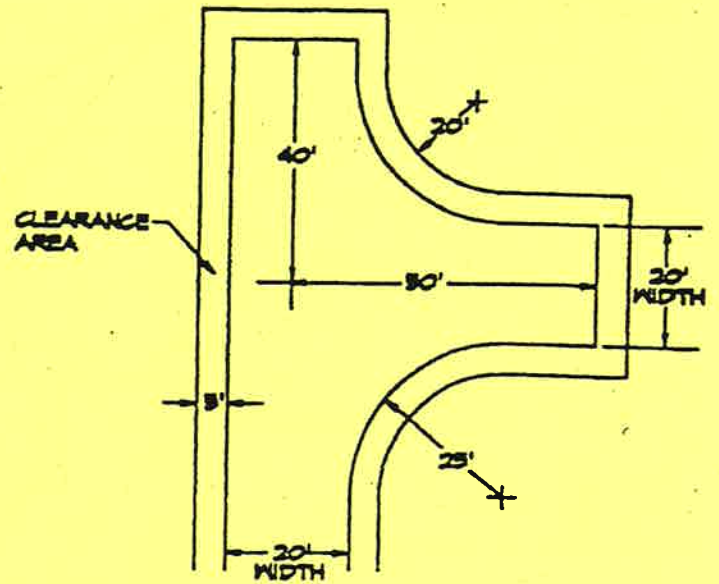
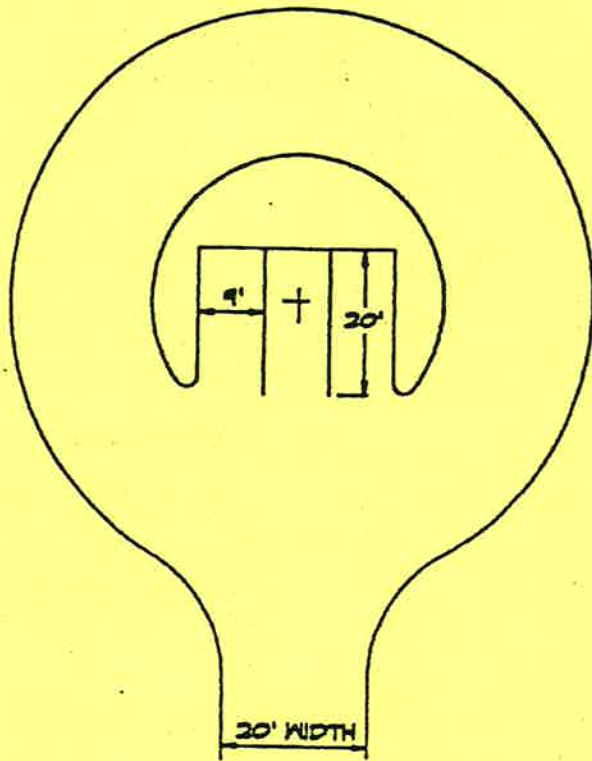
** No on-street parking. All lots serviced by no parking streets shall provide 6 off-street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 172.020-4)

*** For properties landlocked, or impacted by steep slopes, geological or soil hazard, or unusual parent parcel dimensions. No on street parking permitted. Lots serviced by Drives shall provide six (6) off street parking spaces in parking bays or on each lot. Add 1500 square feet to minimum lot size. (See parking sketch 172.020-3).

+ ADT = Average Daily Traffic, (for mixed family/retirement area, computed at 8 ADT per dwelling unit).

Copy of Dawson Tract Dev Code
 [Exhibit E-1]

MAP 172-020-B
DAWSON TRACT NEIGHBORHOOD CIRCULATION PLAN
TURNAROUND OPTIONS FOR TYPE A AND TYPE B CUL-DE-SACS



Copy of Dawson Tract
 Dev Code [Exhibit E-3]

Dawson Rd in front of Tax Lot 5001
March 19, 2002
Proposed Sidewalk crosses Driveway



The house on Tax Lot 5001 is about 3' below the Dawson Rd grade. Water drains from Dawson Rd into this driveway, creating shallow pools whenever it rains. The water seeps into the ground because the area is not paved.

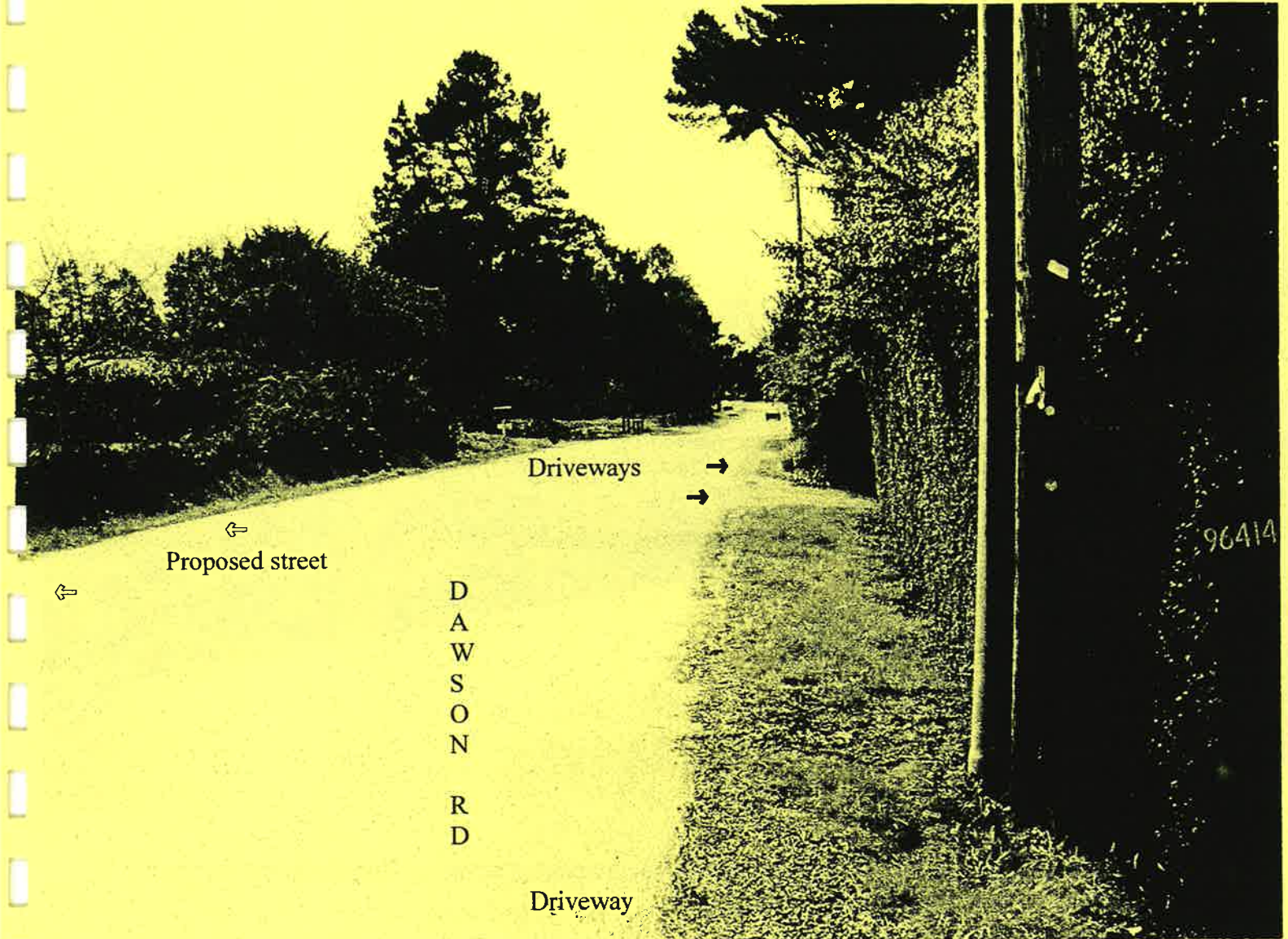
The proposed sidewalk would be built where now there are trees, to align with the sidewalk to the east (left of photo, not shown). This will shorten the driveway, thus increasing its slope.

Exhibit P1

Dawson Rd along West side of Tax Lot 5000

March 15, 2002

Driveways & Proposed Street



There are several "blind" driveways on the west side of Dawson Road (indicated by arrows), just across from the proposed street. The present roadway is only about 23 ft wide, making it difficult to avoid the drainage ditch on the east side of Dawson Rd, when backing out of a driveway.

The road slopes downward, and dips just past the Johnson home. Water accumulates in the lots just east (left) of the southbound car.

Exhibit P3

Dawson Rd at Northwest corner of Tax Lot 5000

March 17, 2002

Driver's View of Dawson Rd Corner & South



Looking south, there are nearly invisible driveways on the right side of Dawson Rd. There is a driveway just past the 25 mph sign, and 2 more in the hedges beyond that. These driveways are shown in Exhibit P1.

At the lower right corner, a driveway is visible near the mail box. Just to the right of the photo, there is another driveway and Holmes Dr.

The car approaching from the south is partially hidden in the dip of the road, just past the end of Tax Lot 5000.

Exhibit P5



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

Region 3
3500 NW Stewart Parkway
Roseburg, OR 97470
(541) 957-3500
FAX (541) 957-3547

March 18, 2002

John C. Bischoff, Planning Director
City of Brookings Planning Department
898 Elk Drive
Brookings, Oregon 97415

RE: Purdy 10-lot Subdivision (SUB-2-02)

Dear Mr. Bischoff:

This correspondence is to provide comments on the proposed 10-lot subdivision from a 2.09-acre parcel of land located on the south side of Dawson Road, west of Garvin Court. The Oregon Department of Transportation (ODOT) determined that the proposed project is not expected to have a significant effect on state transportation facilities.

We appreciate the opportunity to provide assistance on the proposed subdivision, and look forward to working with the City of Brookings in the future. If you have any questions or need additional information, please contact me at (541) 957-3692.

Sincerely,

Thomas Guevara
Short Range Planner

Cc: Ron Hughes, Access Management Engineer
Jeff Waddington, Permits Specialist

DAWSON TRACT

PRECINCT LIST

MAP	LOT #	ZONE	SUBD	DONR	FIRST NAME or PARTY	LAST NAME or PARTY	SITUS
36BC	01101	Y	Y	Y	ROGER T & WENDI	WHITE	96360 DAWSON RD
36BC	01103	Y	Y	Y	JEAN & ROBERT J	PIRIH	96364 DAWSON RD
36BB	04506	Y	Y	Y	WILLIAM G & DONNA M	ROBERTSON	96366 DAWSON RD
36BB	04500				GLADYS R WOODRUFF TRUST	WAID S & BARBARA K WOODRUFF ET , 96378 DAWSON RD	96380 DAWSON RD
36BB	04400				WILLIAM & JACKLYN	ALLISON TRUSTEE	96380 DAWSON RD
36BB	04000	Y	Y	Y	MICHAEL O & LOU E TIDWELL	MIKE LEONARD	96382 DAWSON RD
36BB	04100	Y	Y	Y	AL & MARIAN L LACOM	LLOYD E FRANKC	96384 DAWSON RD
36BB	04903	Y	Y	Y	NORMAN R & MARIE	CALLAWAY	96385 DAWSON RD
36BB	03800	Y	?	Y	PHILIP J & KATARZYNA M	GUERRIERI	96388 DAWSON RD
36BB	03500	Y	Y	Y	GERALD W & CHRISTINA	WEICHERS	96390 DAWSON RD
36BB	04900	N	N	N	RUSSELL S & JACQUELINE	JOHNSON	96391 DAWSON RD
36BB	05000	N	N	N	DOUGLAS & EMILY	PURDY	96447 DAWSON RD
36BB	03400	YT	YT		CAROLYN	DOUGLASS	96392 DAWSON RD
36BB	03300	NO	NO	Y	JAMES T & LINDSAY D	BERRYMAN	96396 DAWSON RD
36BB	03000				LEE G & FERN	VANDUZEE TRUST	96414 DAWSON RD
36BB	03003	Y	Y	Y	KENNETH R & BRENDA K	HODGES	96422 DAWSON RD
36BB	03002	Y	Y	Y	GEORGE & JUDITH M	FERNANDEZ	96424 DAWSON RD
36BB	01800	N	N	N	JOHN J & AUDREY L	FITZGERALD	96432 DAWSON RD
36BB	01700	NO	NO	Y	ORVEL & ANN DAWSON	PROP XFR TO SONS	96434 DAWSON RD
36BB	00600	Y	Y		EMMA & JAMES C	MC MILLAN	96458 DAWSON RD
36BA	01200	NO	NO	NO	GEORGE R & WENDY J	THACKER	96478 DAWSON RD
36BA	01400				ALLAN C & DONNA	SANDVIG	96483 DAWSON RD
36BA	01403	Y	Y		ROLAND & BARBARA	WINTERS TRUSTEE	96487 DAWSON RD
36BA	01401	Y	Y		ROBERT E	MAULDIN	96490 DAWSON RD
36BA	01402	Y	Y	Y	JAMES E	ALEXANDER	96496 DAWSON RD
36BA	00700	Y	Y	Y	DONALD W & LORENA G	TAYLOR	96500 DAWSON RD
36BA	00701	V	V	V	JAMES A & GEORGIANNA	ROBINETT DECEASED	96510 DAWSON RD
36BA	01500	Y-NT	NT		ELDEN M & BARBARA A GOSSETT	ALEXANDER (ARMSTRONG = N)	96511 DAWSON RD
36BA	00400	YT	YT	Y	TERESA & KEFFE	DILLON	96512 DAWSON RD
36BA	01600				DAVID B & DANA E	HALL	96515 DAWSON RD
36BA	03500	N	N	N	LLOYD	WHALEY	96543 DAWSON RD
36BB	05106	N	N	N	GARY & EVELYN	MASCHMEYER	17210 GARVIN CT
36BB	05108	N	N	N	WILLIAM J	PRATT	17230 GARVIN CT
36BB	05109				DOUGLAS WALKER	LANA WHITE ET AL	17240 GARVIN CT
36BB	05105	Y	Y	Y	MARTIN & CHARLENE M	LOZA	17245 GARVIN CT
36BB	05110	Y	Y	Y	CARL & JOYCE	FERRANDO	17250 GARVIN CT
36BB	05104	Y	Y	Y	PAUL L & RUTH F	MC CLOUD	17255 GARVIN CT
36BB	05111	NO	NO		KEVIN	HARDESTY	17260 GARVIN CT
36BB	05103	Y	Y	Y	RONALD L & JOYCE LAVEL	SLONIKER	17265 GARVIN CT

DAWSON TRACT

PRECINCT LIST

MAP	LOT #	ZONE	SUBD	DN	FIRST NAME of PARTY	LAST NAME of PARTY	SITUS
36BC	01101	Y	Y	Y	ROGER T & WENDI	WHITE	96360 DAWSON RD
36BC	01103	Y	Y	Y	JEAN & ROBERT J	PIRIH	96364 DAWSON RD
36BB	04506	Y	Y	Y	WILLIAM G & DONNA M	ROBERTSON	96366 DAWSON RD
36BB	04500			Y	GLADYS R WOODRUFF TRUST	WAID S & BARBARA K WOODRUFF ET,	96378 DAWSON RD
36BB	04400			Y	WILLIAM & JACKLYN	ALLISON TRUSTEE	96380 DAWSON RD
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36BB	01800	N	N	N	JOHN J & AUDREY L	FITZGERALD	96432 DAWSON RD
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36BB	05108	N	N	N	WILLIAM J	PRAATT	17230 GARVIN CT
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36BB	05105	Y	Y		MARTIN & CHARLENE M	LOZA	17245 GARVIN CT
36BB	05110	Y	Y		CARL & JOYCE	FERRANDO	17250 GARVIN CT
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36BB	05103	Y	Y	Y	RONALD L & JOYCE LAVEL	SLONIKER	17265 GARVIN CT

DAWSON TRACT

PRECINCT LIST

MAP	LOT #	ZONE	SUBD	DONR	FIRST NAME or PARTY	LAST NAME or PARTY	SITUS
36BD	00800	NO	NO		RICHARD A & MARGARET J	VAUGHN	96469 RIDGEWAY ST
36BD	00700				JOHN A & MARILYN R	DUKE TRUSTEE	96497 RIDGEWAY ST
36BD	00600				MARGUERITE O	MULLANEY, TRUSTEE	96503 RIDGEWAY ST
36BA	02600	V	V	V	MICHAEL & LAUREL	HUPAL	17200 S PASSLEY RD
36BA	02700	NO	NO	NO	JAMES E & LAURETTA	PHELPS	17201 S PASSLEY RD
36BA	02500	NO	NO	NO	HARLAN DEAN & LINDA	MARTIN	17202 S PASSLEY RD
36BA	02800				VIRGINIA	VANVLIET (SAME AS NEXT)	17203 S PASSLEY RD
36BA	02900				EDWARD & VIRGINIA	VANVLIET TRUSTEE	17205 S PASSLEY RD
36BA	02201	Y	Y		HERBERT RAY & DORETTE	MCEVERS	17214 S PASSLEY RD
36BD	00100	YT	NO		SHANNON KRUG	LARRY R & NIECA WRIGHT	17215 S PASSLEY RD
36BA	03000				PEDRO M & HORTENCIA	HERNANDEZ	17231 S PASSLEY RD
36BA	02000	N	NO	N	MARTIN D & ELIZABETH L	ANDRUSS	17234 S PASSLEY RD
36BA	01900	Y	Y		JOHN H & DEBRA KAY	KLING	17244 S PASSLEY RD
36BA	01802	N	N	N	VICTOR R & SUSAN C	WILLIAMS	17250 S PASSLEY RD
36BA	03301	Y	NO		CASSIE	COLEMAN	17255 S PASSLEY RD
36BA	03400				CHERYL RUTH	PITTS	17261 S PASSLEY RD
36BC	04000	NO	NO	NO	DALE W & MELODY L	WELLS	96424 SHOREWOOD TR
36BC	02201				MICHAEL T	MAHAR	96432 SHOREWOOD TR
36BC	02200				MICHAEL & RITA	WAREN TRUSTEE	96436 SHOREWOOD TR
36BC	02204				ERIC B	MEYERS TRUSTEE	96438 SHOREWOOD TR
36BC	02300	Y	NO		JAMES G & RUBY D	SANBORN	96440 SHOREWOOD TR
36BC	02400				D A	FAULSTICK, MD	96448 SHOREWOOD TR
36BC	03100	Y	Y		ROBIN A & SUSAN MARY	SIMPSON	96453 SHOREWOOD TR
36BA	01803	Y	Y		RALPH E & NADINE L	SLONIKER	96500 SUSAN PL
36BA	01800	NO	NO	NO	LARRY & PATRICIA	LEE	96506 SUSAN PL
36BA	01700	Y	Y		ALAN L & TEODORA F	SMITH	96507 SUSAN PL
36BA	01703	V	V	V	PETER E, EDWARD E	BURDESS ET AL	96509 SUSAN PL
36BA	01801	Y	Y	Y	ALBERT R & DONNA M	TERVO	96510 SUSAN PL
36BA	01702	H	H	H	GARY L, DEBRA L, JUNE S	GARRISON ET AL	96511 SUSAN PL
36BA	01701	Y	Y		DAVID & DONNA F	MILLETTE, TRUSTEES	96513 SUSAN PL
36BA	03300				SUSAN C CLIPPINGER, TRUSTEE	DIANE COURSEN ET AL	17257 WHITNEY WY
36BA	03200				GEORGE B III & REBECCA	WATWOOD	17258 WHITNEY WY
36BA	03201	NO	NO		DANIEL L & NAYDENE M PETTUS	NEW OWNERS	17259 WHITNEY WY
36BA	01300	H	H	H	LAURYL COLEMAN, TERYLA COCHRAN,	LISA ARCHIBALD ET AL	17307 ZIA CT
36BB	00500	Y	Y		ALAN	NEERENBERG	17308 ZIA CT
36BB	00400	Y	Y		LAWRENCE K	WALLIN II	17312 ZIA CT
36BA	01100	Y	Y		ROSE M	HARRELL (THOMAS, REMARRIED)	17313 ZIA CT
36BB	00300	NT	NT		MARK R & ALMA H	STEVENS	17318 ZIA CT
36BA	01000	NO	NO	NO	MICHAEL S & LAUREL L	OWENS	17319 ZIA CT

DAWSON TRACT

PRECINCT LIST

MAP LOT #	ZONE	SUBD	DONR	FIRST NAME or PARTY	LAST NAME or PARTY	SITUS
	ZONE	SUBD				
	00084	00074		Y = SUPPORTER, PROP OWNER		
	00006	00005		YT = YES, TENANT		
	00002	00000		YA = YES, OUT OF AREA		
	00013	00011		N = OPPOSES		
	00002	00002		NT = NO, TENANT		
	00000	00000		NA = NO, OUT OF AREA		
	00020	00033		NO = NO OPINION		
	00002	00002		H = HOSTILE, DO NOT DISTURB		
	00009	00009		V = VACATION, VACANT OR FOR SALE		
	00000	00002		? = SUPPORTER, BUT NO PETITION		
	00129	00129		Total Interviews, Households		
	65.1	57.4		% Favorable, Prop Owners		
	71.3	61.2		% Favorable, All Interviews		
	71.3	62.8		% Favorable or Leaning		
	11.6	10.1		% Opposed		
	17.1	27.1		% No Opinion, Refused or Not Asked		
	68.3	68.3		% Sampled, Households		
	5			% Vacation, vacant, sale or unavailable		
	00105	00092		Total Dawson Tract Participants		
	00086	00086		% Yes on Zoning, No on Subdivision		
	00014	00014		% No on Zoning, Yes on Subdivision		
	00056	00049		% Participation of 186 properties		

Assumptions of Final Tally: Only residents of Dawson Tract were counted. Only those who indicated a YES or NO preference were tallied. All those who refused to take any position were NOT counted in each category. As in any election, those who don't participate (don't vote) have no influence on the outcome.

California Expert Software

From: "Walter L Battaglia" <calxsoft@harborside.com>
To: "John Bischoff" <bischoff@brookings.or.us>
Cc: "Ron & Susan Griswold" <rgriswold@harborside.com>; "Tom & Cindy Suchanek" <thsuchanek@ucdavis.edu>; "Alan & Brenda Southey" <abs94@integrity.com>; "Barbara & Gerald Cleland" <gbcleland@wave.net>; "Carolyn Douglass" <cardon44@aol.com>; "Chuck Stanton" <stanchuk@aol.com>; "Debra Hoffman" <hoffy@pe.net>; "James C McMillan" <clintonmcmillan@hotmail.com>; "Jean & Bob Pirih" <jeanhike@aol.com>; "Jim Alexander" <traxfax@charter.net>; "Julie Atteberry" <jatteb@harborside.com>; "Mary Cordone" <searose@harborside.com>; "Mike Freels" <fcaptmike@aol.com>; "Paula Brande" <pbrande@uci.net>; "Phillip Guerrieri" <kppguer@wave.net>; "Regina Rushe" <reginar@harborside.com>; "Robert Pirih" <BPirih@aol.com>; "Roger White" <hydra@wave.net>; "Teresa Dillon" <ktdillon@wave.net>
Sent: Tuesday, April 09, 2002 5:10 PM
Subject: DAWSON NEIGHBORHOOD CIRCULATION PLAN
Thanks for calling today.

This will confirm our discussion, as follows:

1. I have read Section 172.020.D.2 that you cite. We agree on the language of the section, but directly disagree as to its application. The key phrase, in my opinion, is "In the event of a conflict ...". I don't think you have shown any "conflict" exists, so the map 172.020-1 applies. I believe I made these same comments, and cited the same section, at the April 2 hearing.

2. As for your reference to Section 172.020.D.2.b, I have read the language, but I do NOT have Map 172.020-3. So, I am not able at this time to interpret its meaning. I will drop by tomorrow to get a copy of that map.

Nonetheless, the map reference of "conceptually" is another map, not the one specified in 172.020.D.2.

3. As I stated, I think your arguments concerning traffic safety were intended to justify overriding the clear direction of the Map 172.020-1. But, as I stated, I think the argument faulty since (a) modification of the Circulation Plan is a "second subject" not within the purview of the Purdy application (requires separate action of the Council) and (b) you do not remove the safety problems alleged to exist on the east-west portion of Dawson Rd.

My conclusion, which differs from yours, is that all the driveways in the Purdy subdivision should connect to the interior cul-de-sac, and that the cul-de-sac is best positioned according to the Map 172.020-1. Therefore, the application should have been denied. As I indicated, I am writing my brief for the appeal on this case, and expect to file that in the near future - probably by next Monday.

I take it the appeal deadline is Monday, April 15, 2002 (oddly enough, a taxing day). If the deadline is otherwise, please advise.

I hope this clarifies our discussion of this matter.

[Exhibit G]

4/9/2002



MAY 3 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

PRELIMINARY ENGINEERING REPORT

DAWSON TRACT DRAINAGE BASIN

April 12, 1993



Prepared for
M. F. Gorski, Developer
Oceanside Estates

Prepared by
T. J. Bossard & Associates, Inc.
303 N.E. "E" Street
Grants Pass, OR 97526

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APR 16 1993
CITY OF BROOKINGS

PRELIMINARY ENGINEERING REPORT

Dawson Tract Drainage Basin

Study Area, Data Base and Intent

The area of study is that area on both sides of Dawson Road to the north, Dawson Road to the west, Shorewood Terrace, Ridgeway Street and Skyline Drive to the south, the proposed Skyline Drive/Passley Road loop, and Passley Drive to the east.

The data base includes an existing aerial topographic map (County Surveyor), County Assessor tax lot maps, construction documents for the water/sewer line extension, Harris Beach Estates Subdivision and Cottage Court Subdivision, and surficial reconnaissance. Detailed topographic, soils and geologic data are known only on Tax Lot 1100, 5300 and 100, proposed for Oceanside Estates, a planned residential community.

The intent of this preliminary analysis is to determine the Dawson Tract drainage basins, estimate relative storm water flows before and after development, and recommend possible storm drain system solutions that are in accord with the recommendations and criteria of the City's Storm Drainage Master Plan, dated June, 1985. The following is intended as a preliminary comparative analysis only, and is not intended for construction document use.

Drainage Basins of the Dawson Tract

The drainage basins are defined primarily by their land contours, and by existing natural drainageways and improved storm drain lines that lead drainage waters to the ocean (see Exhibit A, Dawson Tract Drainage Basins Map). Nine basins are defined in this manner. With the exception of Basin I, all basins currently drain to the ocean within their existing natural drainage sub-basin, either by natural drainage courses or by improved storm drain lines that lead the storm water runoff to the ocean.

The development of Dawson Road and Holmes Drive resulted in the diversion of most of Basin I from sheet drainage in a northwesterly direction across what is now Holmes Drive, to a southerly direction through culvert A under Dawson Road and then along the east side of Dawson Road to culvert B (see Exhibit A). There exists a natural drainway (Shigh Creek) to the north of the intersection of Holmes Drive and Dawson Road, that could carry this drainage.

Basin II drains along an existing natural depression, through culvert B and on through an existing unimproved drainageway to the ocean. This drainway will be improved by Oceanside Estates I.

Basin III drains through culvert D to a natural, unimproved drainageway to the ocean. Culvert C is placed at a high point, and is non-functional.

Distribution of Flows for Development of the Dawson Tract

As an area is developed, provisions for storm drainage must be made in a rational way. There are several reasons for this. First, increasing development increases the storm water runoff, as indicated above. This seems obvious; however, since storm water runoff is not a commodity that needs to be supplied to the development (such as potable water or electrical power), nor a waste product that needs to be collected and processed (such as sewerage), it can be overlooked.

Second, in the undeveloped state, storm waters tend to find many ways down to a creek, river or ocean. Conversely, a storm drainage system tends to concentrate these flows at certain points. This is critical to the Dawson Tract area, since most of the Tract is a plateau some 125 feet above ocean level, and all storm flow ends up being discharged at the beach. Concentrating storm drainage flows at fewer points of ocean outfall can result in hazardous erosion at these points, due to the concentrated volume of storm waters released. This erosion could create unwanted liabilities, and could result in the destruction of the very same value the systems were designed to service, namely beachfront or ocean view property. Highly erosive discharge points, in conjunction with ocean storms and tides, could begin a whole series of erosion activities and result in the radical transformation of an entire section of shoreline. This has been the case all too often in beachfront development history, and must be avoided here. A more appropriate methodology is to utilize as many viable, natural discharge points as possible, in order to lessen the impact of storm flows at any one given point. Fortunately, this appears possible with the Dawson Tract, as there are several natural and improved drainways.

Third, Oregon codes provide that any storm drainage runoff resulting from development in excess of natural flows cannot flow across property lines unless that flow follows existing drainways.

And finally, some care must be given to distribute the costs as equitably as possible over all properties that will benefit from development. This can be accomplished through either system design, through some allocation of system development charges (SDC's), through the creation of local improvement districts (LID's) or some combination of these methods.

Given these concerns, several criteria may be developed to guide the design of a storm drainage system for the Dawson Tract.

1. Follow natural drainageways. A drainage system should not "buck the natural grade". Working against grade requires developers to artificially fill and contour sites, thereby destroying the natural land form, and impacting existing trees and other vegetation. Pipe trenches tend to get too deep, affecting the cost of the system. A system that runs counter to the natural grade creates more "trouble spots" where temporary ponding can occur during heavy storms that exceed the design parameters, such as a 50-year, 75-year or 100-year storm.

Table 2
DAWSON TRACT
Storm Drainage Scenarios

<u>Scenario</u>	<u>Flows @ Culvert B</u>	<u>Flows @ Culvert D</u>
A	10.8 CFS (4,800 GPM) 18" diameter*	16.2 CFS (7,300 GPM) 18" diameter
B	27.0 CFS (12,100 GPM) 24" diameter	0 CFS (0 GPM) 0" diameter
C	37.8 CFS (17,000 GPM) 27" diameter	0 CFS (0 GPM) 0" diameter

* Pipe sizes based on Manning's equation for assumed pipe slope of 2% and pipe roughness coefficient, N, of 0.012

Scenario A in Table 2 shows the developed flows resulting at culvert B and culvert D utilizing the natural drainageways. In this scenario, Basin II is drained by culvert B and Basin III is drained by culvert D. Basin I must be given an alternate drainage to the ocean in this scenario.

Scenario B in Table 2 shows the results of concentrating the drainage from Basin II and Basin III at the same culvert, culvert B. The result of this concentration of drainages multiplies the drainage impact on culvert B by 2-1/2 times, while reducing the drainage at culvert D to practically nothing.

Scenario C in Table 2 shows the impact of adding Basin I to Basins II and III, also at culvert B. One can see here that the natural flows at culvert B are now multiplied by 3 -1/2 times, while the drainage to culvert D is once again eliminated. This is a true windfall/wipeout* situation.

* Source: "Windfall for Wipeout: Land Value Capture and Compensation", Hagman and Mischynski, APA, 1978.

Recommendation

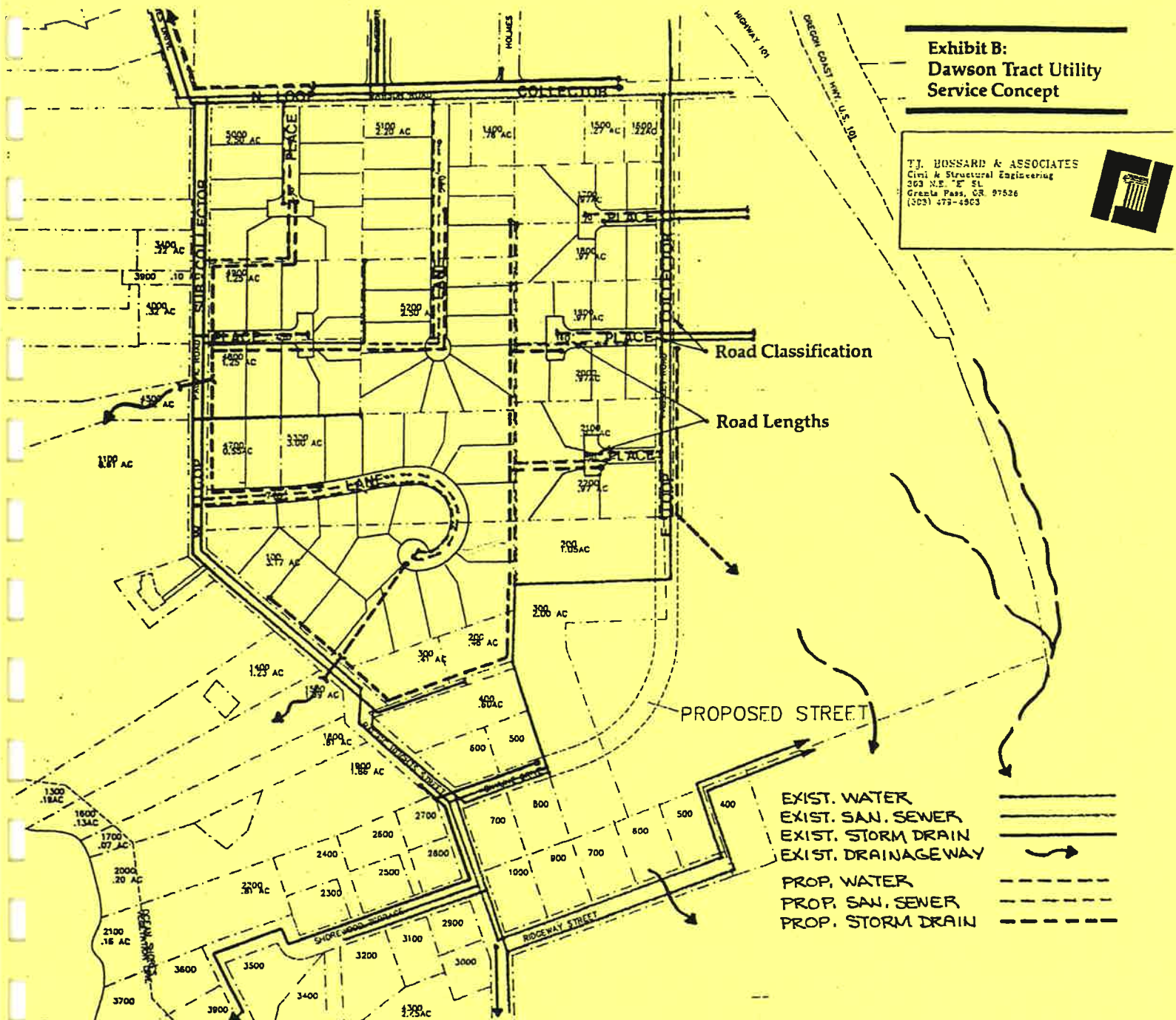
The development of Holmes Drive cut off the northwesterly flow of Basin I, and this was solved at the time by a cross-culvert allowing the drainage from Basin I to be diverted to culvert B. It may be hydraulically tolerable to divert undeveloped flows to culvert B, but at developed levels of runoff, this diversion loads too much runoff at one point, and is contrary to the City's Storm Drainage Plan guidelines. See Scenario B, Table 2, above. Flows at culvert B could reach 12,000 GPM, or the equivalent of emptying over 200 55-gallon drums every minute in one spot!

This problem is worsened if all flows from Basins I, II, III, VIII and IX are forced to use culvert B. This would result in storm discharge of 37.8 CFS from these Basins I, II and III plus 5.4 CFS from Basins VIII and IX for a total of 43.2 CFS or 19,400 GPM at the ocean outfall. Such a concentration will create a hazardous erosion condition at the beach below Oceanside I, potentially incurring liabilities for the City per the City's Master Plan discussion of liabilities, page 17, Item 2:

It is believed that in the modified Scenario A as described above, storm drainage is provided rationally, following existing contours and established drainageways, that storm waters are not concentrated to hazardous levels at their point of outflow on the beach and that costs are apportioned fairly among benefiting property owners.

This storm drainage concept is reflected in Exhibit B, Dawson Tract Utility Service Concept. In this exhibit, the storm drainage system is integrated with existing water and sewer lines, recently extended by the City of Brookings, and with utility extension servicing the suggested Neighborhood Circulation Plan, Exhibit 4, from our January report.

T.J. BOSSARD & ASSOCIATES
Civil & Structural Engineering
363 N.E. "E" St.
Gresham, OR 97030
(503) 478-4963



TERRA FIRMA GEOLOGIC SERVICES

RON SONNEVIL Engineering Geologist
27766 Hunter Creek Road, Gold Beach, OR 97444
(503) 247-2091

DATE: July 19, 1993

FROM: Ron Sonnevil, Engineering Geologist

TO: Michael Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

RECEIVED

MAY 3 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

SUBJECT: Oceanside Estates, Lot 13

INTRODUCTION

This report documents a geologic investigation conducted on June 30 and July 14, 1993. The area is proposed Lot #13 of the Oceanside Estates Subdivision and is part of Tax Lot 1100, 40-14-36 BC, located off of Dawson Road, Brookings, Curry County, Oregon.

The purpose of the investigation was to address the suitability of the lot for development as a single family dwelling. The investigation consisted of inspection of aerial photographs, site mapping, measurement of ground surface profiles and examination of soils in backhoe dug test pits.

SITE CONDITIONS

The geology of the area has been described in two other reports by Busch Geotechnical Consultants (1992) and H. G. Schlicker and Associates, Inc. (1992). The reader is referred to these reports for a more detailed discussion of the general geology and geomorphology of the site. The proposed lot is located on the western edge of a gently sloping Pleistocene age marine terrace. The west edge of the terrace is bounded by a 35 degree slope which represents the eastern edge of a landslide feature or landslide complex which extends to the beach (Figure 1). The purpose of the investigation was to examine the landslide feature and asses the potential for it to impact a home on the proposed lot.

The terrace surface between the eastern boundary of the proposed lot and Dawson Road is nearly flat, however, near the east boundary of the proposed parcel there is a marked change in slope gradient where the ground surface has a westerly slope of 25 to 30 percent. West of this steeper slope the terrace "benches out" to a 25 foot wide area with a 5 to 10 percent grade before it is truncated by the edge of the landslide (Figure 1). In the H. G. Schlicker and Associates, Inc. (1992) report, written by Gless and Ralls, this bench is hypothesized to be a block which has been dropped down to the west by a landslide

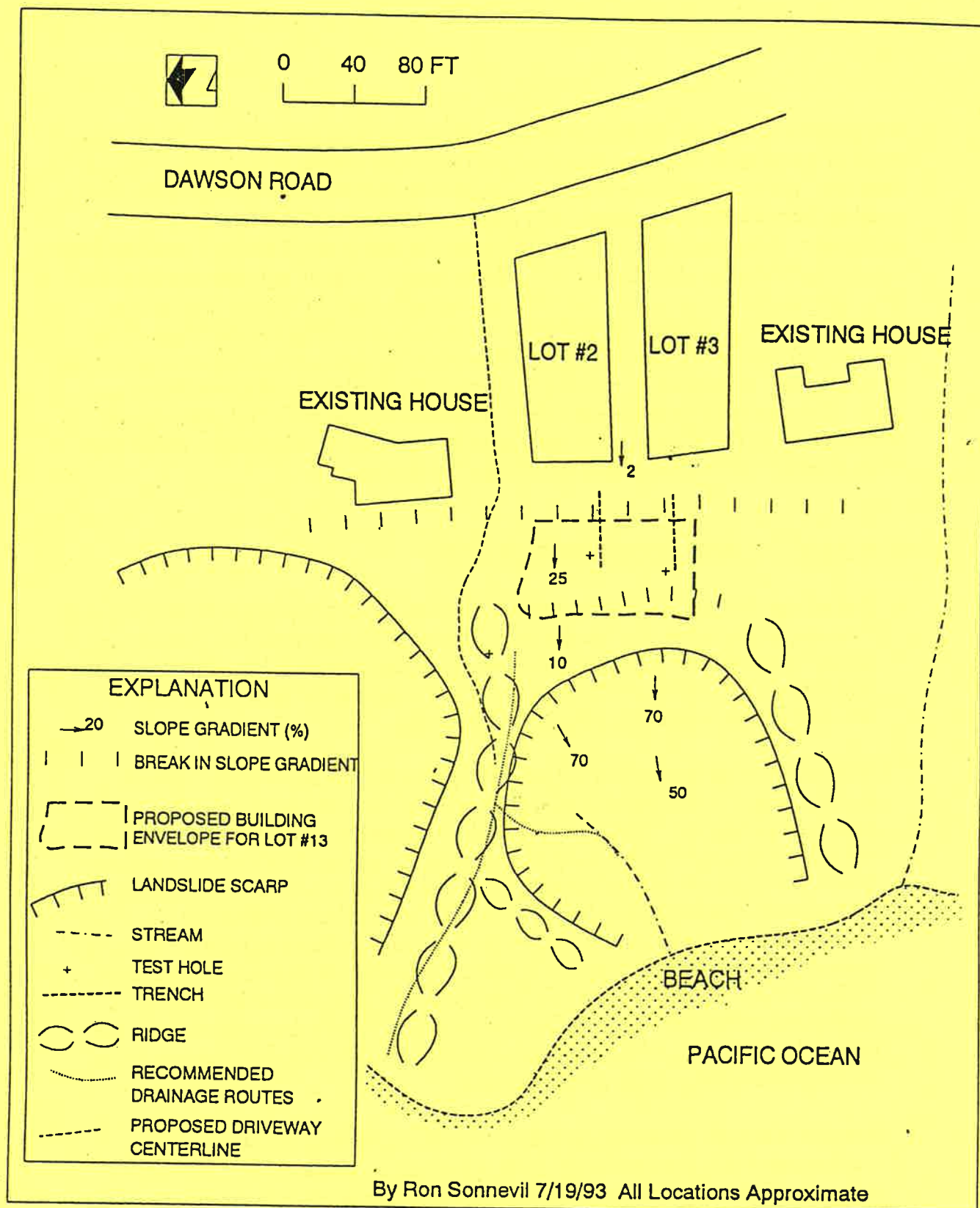


Figure 1. Map of proposed Lot #13 and vicinity, Oceanside Estates, Brookings, OR.

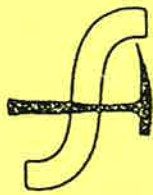
4. At the time of the investigation it was proposed that the elevation of the building pad be reduced by grading to an elevation of approximately 10 feet below the existing ground surface. Such grading should not significantly affect the stability of the parcel if cutslopes are designed to a stable configuration or are reinforced with a retaining structure. Lowering the grade, however, may place the foundation within loose sand which will require a site-specific determination of bearing capacity to assign appropriate foundation loads.
5. Because of the uncertainty in determining a final setback from the edge of the landslide it is recommended that the east boundary of Lot #13 be moved to the east to accommodate the uncertainty in determining a final setback. If the grade of the building site is lowered as proposed then moving the boundary to the east should not significantly impact the view of Lots 2 and 3.
6. Guidelines were requested concerning where to route storm runoff from homesites 2, 3 and 13. It is recommended that this storm runoff, conveyed in a pipe, be routed and discharged in one of two locations. The alternative with the least risk is to route the pipe out the ridge to the point north of the bowl and discharge the water onto non-erodible rocks below the point. The second alternative is to route the pipe along the ridge and down the south facing slope of the ridge into the bottom of the bowl. The pipe should be routed along the existing "channel" for at least 50 feet and then discharged onto a non-erodible surface such as rock or gabian baskets filled with rock. The existing channel has little armor and may experience some scour, depending on the amount of discharge. In my opinion the risk is low that discharge from three homes will cause enough scour to have a major impact on hillslope stability. Containing the runoff all the way to the beach in a pipe is feasible and would eliminate the risk altogether.
7. Guidelines were requested concerning the location of the driveway leading out on the ridge north and west of Lot #13. The edges of the driveway should maintain a setback of at least 10 feet from the top of the bluff or landslide scarps adjacent to it. Bear in mind that portions of the cliff up to 20 feet wide can fail at once and setting the road back 10 feet will not ensure that the road will be safe from bluff retreat. The further the road is from the edge of the bluff the safer it will be. The 10 foot setback is only intended to provide a setback which, in my opinion, is the minimum necessary to reduce the impacts of road construction on bluff edge stability. Brush should not be removed between the road and the edge of the bluff and, if brush is absent or disturbed, deeply rooted brushy species should be planted to reinforce the stability of the bluff edge. A qualified botanist can prescribe appropriate brush species. The driveway should be curbed or constructed to ensure that runoff is not allowed to be discharged onto the adjacent slope. Runoff from the driveway should be conveyed in the storm drain discussed in recommendation #6 above.

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COMMUNITY DEVELOPMENT

APPENDIX D

GEOLOGISTS REPORT AND LETTERS



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230
(503) 257-9666

Project #92-966

December 14, 1992

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Geological Reconnaissance of
Proposed Residential Development on
Parcel 2, Tax Lot 1100, Sec. 36, T.40S., R.14W., W.M.,
County Map 40-14-36-BC
City of Brookings, Oregon

Dear Mr. Gorski:

The accompanying report presents the results of our engineering geologic investigation of the above referenced site for the development of single-family residential homesites.

After you have reviewed our report, we would be pleased to discuss the report and to answer any questions you might have.

This opportunity to be of service is sincerely appreciated. If we can be of any further assistance regarding this or future projects, please contact us.

Respectfully submitted,

H.G. SCHLICKER AND ASSOCIATES, INC.

J. Douglas Gless, P.G., C.E.G.
Vice President/Principal Engineering Geologist

JDG:cec



H.G. Schlicker & Associates, Inc.

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To: Mr. Michael F Gorski
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Proposed Residential Development on
Parcel 2, Tax Lot 1100, Sec. 36, T.40S., R.14W., W.M.
County Map 40-14-36-BC
City of Brookings, Oregon

Dear Mr. Gorski:

1.0 Introduction

At your request, we have completed an engineering geologic reconnaissance of the subject site to assist you in planning the development of the property.

It is our understanding that you intend to subdivide the property into single-family residential homesites. The site plan, including the location of the lots will be developed based, in part, on the information provided in this report.

1.1 Purpose

The purpose of this report is to provide you with geologic information suitable for use in site planning.

1.2 Scope of Work

The scope of our work included surficial engineering geologic reconnaissance completed in late October and early November, 1992, interpretation of topographic maps and stereo aerial photography, limited subsurface exploration, and a limited review of geologic literature pertinent to the site. Soils testing, slope monitoring and controlled mapping were not conducted.

1.3 Location and Topography

The property is located near the center of the west half of the northwest quarter of Section 36, Township 40 South, Range 14 West of the Willamette Meridian (Figure 1). The property is located on the ocean front with a nearly flat lying upper terrace surface on the eastern margin at about 130 feet elevation MSL (Figure 2). Two rocky headlands, located in the southwest and northwest part of the property extend to the southwest and are separated by a cusp shaped beach and bowl shaped depression. Similar but smaller bowls

underlying bedrock materials. These unconsolidated gravels, pebbles and sands belong to a Pleistocene marine terrace which formed when the upper terrace at the site was at sea level. At that time the upper surface of the Dothan Formation was scoured and planed by the ocean and eroded by streams which formed gullies or depressions into the softer shales and siltstones, while leaving some higher ridges and units of harder sandstone, pebblestone and greenstone bedrock. The eroded gullies and depressions were filled in first with gravels and sands grading upwards and finally covering the flat lying areas with sands and silts.

The thickness of the marine terrace materials are variable. The thinnest sections, less than 10 feet, overlie sandstone and greenstone bedrock units. The thickest sections, perhaps more than 20 feet overlie areas of very soft sheared shales.

The marine terrace materials form an aquifer in the general vicinity of the property. This water can be observed discharging at the base of the marine terrace materials in some thicker sections where exposed along the ocean-front slopes.

3.0 Bedrock Structural Geology

The property is located in a structurally complex area, with many faults and associated bedrock shearing. Two large mappable faults occur at the property. One in the northwest corner which trends nearly north-south separating greenstone on the west from shale and siltstone on the east. Another large fault is present in the south part of the property and trends northeast-southwest separating greenstone on the north side at the west end of the headland from shales and siltstones south of the fault. These two faults are believed inactive and were likely contemporaneous with development of the Carpenterville Shear Zone.

The Carpernterville Shear Zone is a major structural feature along the coast in Southern Curry County. This shear zone is believed to be Cretaceous in age and associated with regional thrusting. The shearing has created a melanged or broken formation out of the Dothan rocks. This shearing has completely destroyed the original sedimentary fabrics of the shales and siltstones, resulting in some very weak and low strength rock. The largest units of high strength greenstone were less affected by the shearing. Smaller units of greenstone, sandstone or pebblestone were broken, separated, and rotated within a matrix of more plastic shales and siltstone which is present at the property in the southwest area represented on the Development Suitability Map as M-srs (Figure 3).

At the south central part of the property and in the area shown as M-mt on the Development Suitability Map (Figure 3) there exists a bench slightly lower in elevation from the adjacent eastern terrace. This bench is interpreted to be a translational landslide which has moved downhill from the original surface of the upper eastern terrace. The marine terrace materials are somewhat thick in this area and discharge water at the base year around.

Subsurface exploration by backhoe test pits in this area revealed infilled fractures in the soil indicative of slope instability.

5.2 Ocean Erosion

Erosion at the toe of the slopes next to the beach can be severe at times in areas of shales and siltstone. This erosion primarily occurs during severe winter storms when the ocean waves are very large. Erosion of the hard and dense greenstone and volcanic units along the shoreline is negligible during most ocean storms. However, at the northwest corner of the property, next to the beach, there are some sea caves which have been eroded along fractures and faults in the greenstone bedrock. Although this bedrock is generally resistant to erosion, these fractures and the associated sea caves can result in some very high hydraulic impact forces when large waves push into the fractures and the caves. Because water has very low compressibility, the force of the moving water as it terminates against the walls of the cave and fractures is nearly instantaneous resulting in some wave impact induced ground shaking. This shaking is not likely to cause structural damage to properly constructed homes nearby, but, may be felt during such storm events. The fracture in the bedrock at the northwest corner of the property extends from the shoreline through the north margin of the rocky point. Areas within proximity of this fracture and exposed cracks north of it are considered high hazard areas.

Erosion of the shales and siltstones at the beach also causes slides and other slope failures. A recent example of a slide caused by toe slope erosion is present at the extreme southwest corner of the property next to the shoreline and believed to have occurred in the last several years.

5.3 Seismicity

Historically, earthquakes impacting Curry County have been rare and of relatively low magnitudes, with the largest event of Mercalli VII-VIII on November 22, 1873, being felt in Port Orford, Oregon and Crescent City, California. Recent geologic information acquired within the last several years, suggest that a serious

L-r Low-rock

Low hazard areas located on rocky points at the northwest and southwest portions of the property. Bedrock is close to surface and composed of hard, well indurated volcanics. Hazards include rock failure on or close to vertical or steep slopes. Suitability for development will require some recommended setbacks from steep slopes and or some localized rock bolting.

CLASS II, MEDIUM HAZARDS

M-rs Medium-rock
slope

Medium hazard area located on steep slopes underlain with thin upper mantle of soil and shale, and bedrock or hard, well indurated volcanics. Site development will require some site specific recommendations with respect to placement of structures on top the hard volcanic bedrock and the associated site preparations. Bedrock may require some rock bolting in areas of localized higher hazards.

M-rmt Medium-rock &
marine terrace

Medium hazard area located on top ridgeline area east and behind rocky point at southwest part of property. This area is underlain by combinations of rocky bedrock exposed at the surface and surrounded by thicker sections of marine terrace materials. Hazards include some brittle areas of bedrock units of moderately high foundation strengths. Development will require some engineering geology subsurface exploration to provide adequate recommendations with respect to foundations, and other construction.

M-mt Medium-marine
terrace

Medium hazard area located on a bench slightly lower in elevation and west of the L-mt area mentioned above. This area is a bench underlain with marine terrace materials and may represent an older translational slide. Will require subsurface exploration to determine stability before development.

H-r High-rock

High hazard area located at the extreme northwest corner of the property and underlain by hard dense volcanic bedrock. This area is separated or has a large fracture traversing along an east to west direction, from the L-r and M-rs areas adjacent and to the south. This large and deep fracture runs through the bedrock and has some major rock failures in the north end of the L-r area. This H-r area is believed unsuitable for development.

TRANSITIONAL CLASSES**L-M Low-Medium**

Low to Medium hazard area located in transitional area between upper marine terrace and lower bench in the southeast part of the property. Development suitability will require some subsurface exploration with respect to placement of structures and some geologic recommendations. Suitability of this area is similar to L-mt on eastern margin and similar to M-mt on western margin.

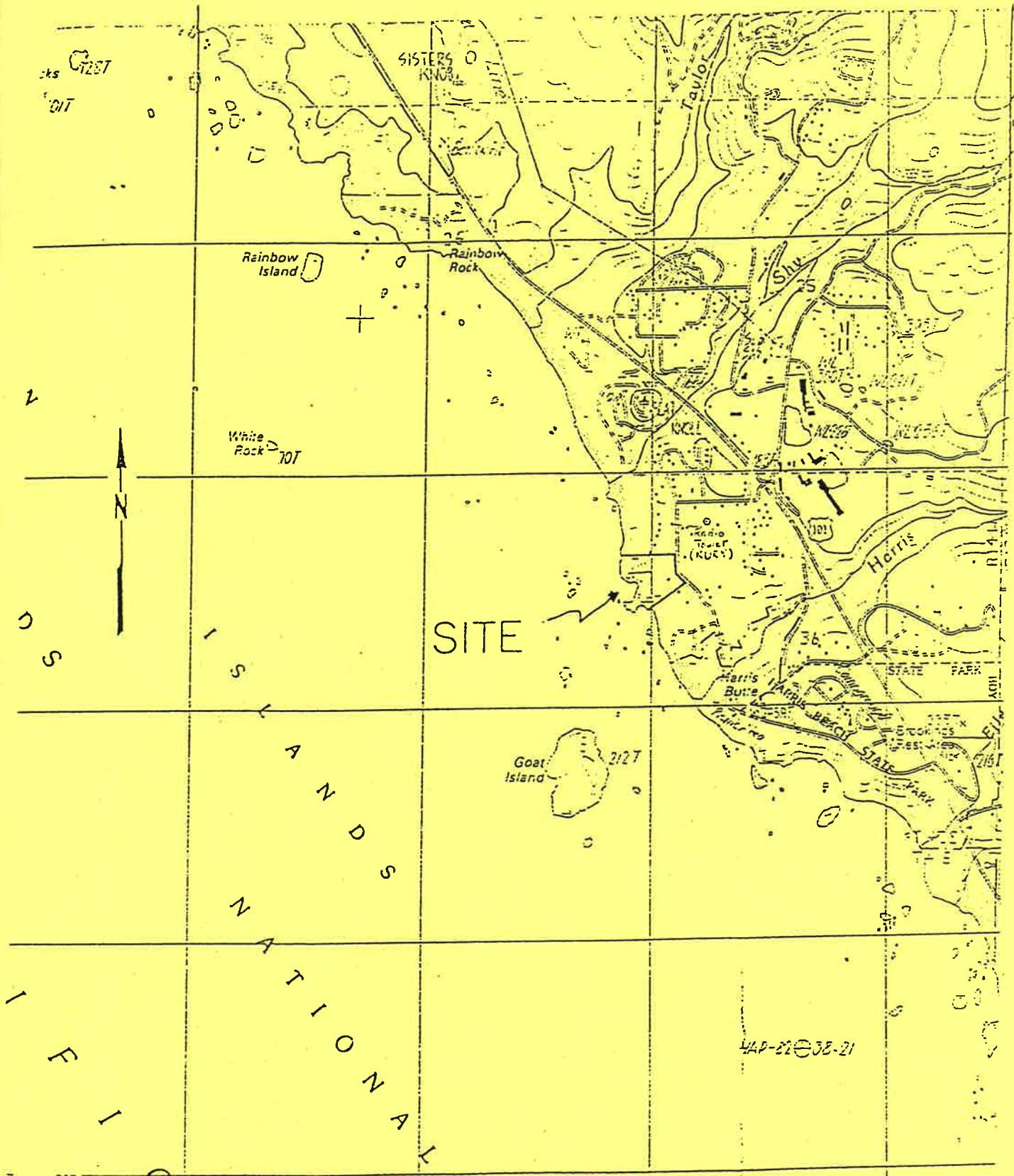
L-H Low-High

Low to High hazard area located in setback zone behind upper bluff edge, east and above areas of high slope hazard area. The L-H area is similar on its eastern margin to the L-mt or L-ss areas and similar to the H area on its western margin.

Each of the above classes and subclasses may grade into and may contain small areas of any other adjacent or separate class. These areas were either too small to map separately, hidden in the dense vegetation, or were covered by soils and vegetation that did not allow for site reconnaissance without the use of exploration equipment.

7.0 Conclusions

The geology and associated hazards at the property are, for the most part, related to bedrock types and structure, deformation fabrics in the bedrock and soils, slope angle and aspect, influence of groundwater and the processes of shoreline erosion caused by the ocean. Areas of the property with some High hazards of slope instability are generally located in the bowls and underlain by weak soil and bedrock materials, these areas are generally unsuitable for most development. Areas of some Medium hazards and those in Transitional areas have variable conditions and may



Date: 12/11/92

Project #92-966

Scale: 1"=2000'

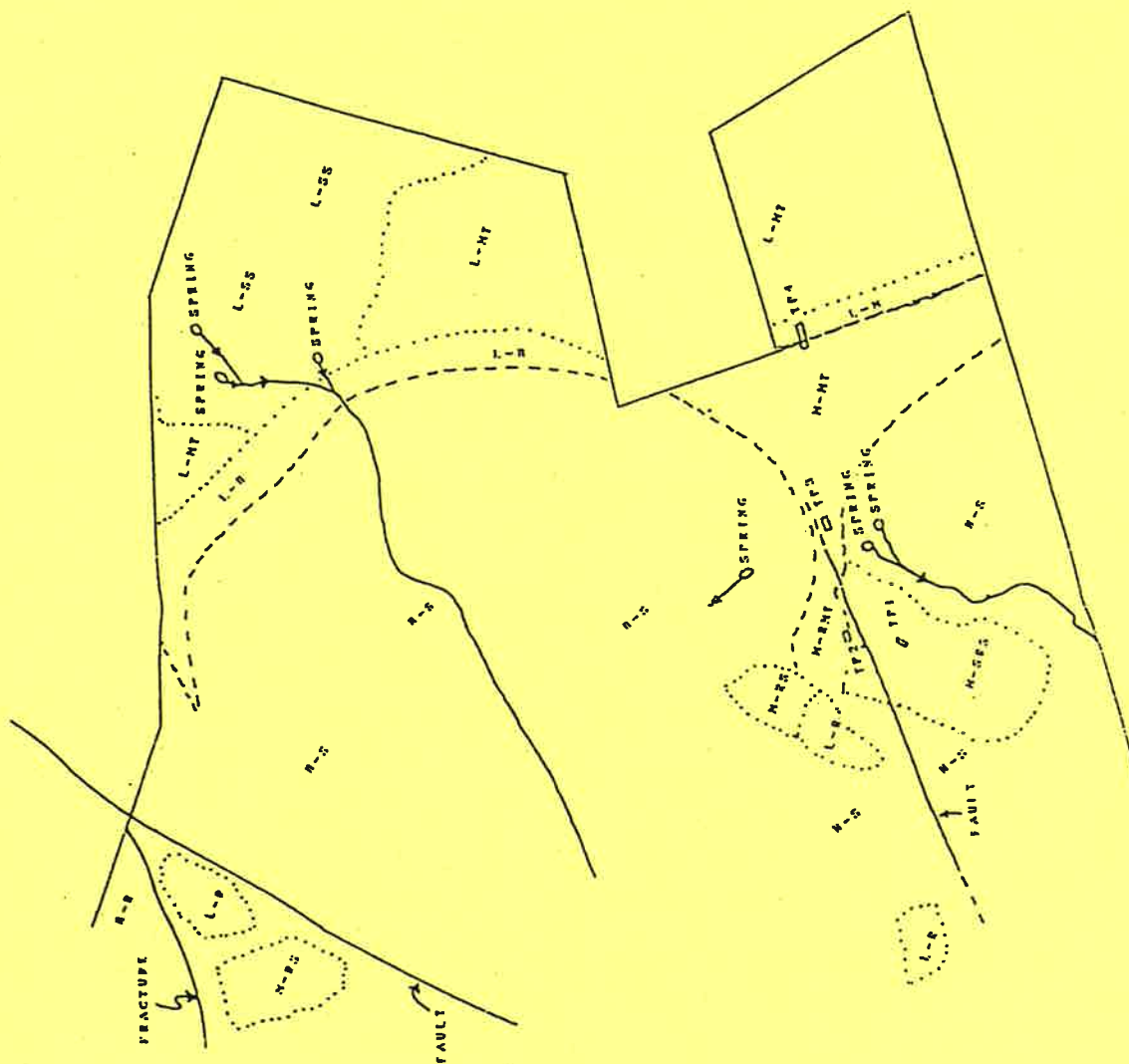
Approved By: JDC

Site Map
Parcel 2, Tax Lot 1100
Brookings, Oregon



RSC Schlicker & Associates, Inc.

Figure 1



Date: 12/11/92
Scale: 1"=100'

Project #92-966

Drawn by: CEC
Approved by: JNC

Hazard Map
Parcel 2, Tax Lot 1100
Brookings, Oregon

H.G. Schlicker & Associates, Inc.

Figure 3

TEST PIT LOGS

<u>Test Pit #1</u>	<u>Material Description</u>	<u>USCS Type</u>
0.0-0.5 feet	Topsoil, dark/medium brown, sandy, organic.	Sandy Peat
0.5-2.0 feet	Sand/rounded gravels and cobbles and boulders, yellow-brown, unconsolidated, loose.	SW/GW
2.0-5.0 feet	Shale/Clay, dark grey, graphitic, soft, highly plastic.	GC/CH

<u>Test Pit #2</u>	<u>Material Description</u>	<u>USCS Type</u>
0.0-0.5 feet	Topsoil, dark/medium brown, sandy, organic.	Sandy Peat
0.5-8.0 feet	Sand, yellow-brown, unconsolidated, loose.	SW
8.0-9.0 feet	Sandstone/Conglomerate, bedrock, variegated, varicolored, hard, dense.	Cemented GW

<u>Test Pit #3</u>	<u>Material Description</u>	<u>USCS Type</u>
0.0-1.0 feet	Topsoil, dark/medium brown, sandy, organic.	Sandy Peat
1.0-5.0 feet	Sand, yellow-brown, unconsolidated, loose.	SW



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230
(503) 257-9666

Project #92-966

January 3, 1993

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Addendum to report of December 14, 1992
Engineering Geologic Report on Parcel 1,
Tax Lot 5300 and 100, Section 36, T.40S., R.14W., W.M.
City of Brookings, Oregon

Dear Mr. Gorski:

The following letter report briefly addresses the geology of parcel 1 comprised of T.L. 5300 and 100, and should be included as an addendum to our report of December 14, 1992.

The purpose of this addendum is to address the geology of parcel 1, located east of Dawson Road, with respect to your proposed development.

Parcel 1, shown on Figure 1 (attached), is located east of Dawson Road a substantial distance from the edge of the bluff and entirely on the Marine Terrace, as a result, the associated geologic hazards are limited and this area was not addressed in our geologic report of December 14, 1992. Nevertheless, some geologic conditions with respect to Parcel 1 east of Dawson Road should be considered during your development planning.

The property is not ocean front and is separated from ocean front slopes by several hundred feet. The topography is nearly flat with a gentle southwest trending slope of about 3% which is covered mostly with various grasses.

The southwest border of the property abuts Dawson Road, and because Dawson Road was constructed above the surrounding terrain, a slight depression or lower lying area exists along its margins. This low lying area next to Dawson Road can accumulate standing water during heavy or prolonged rainfall. Apparently, existing ditches and culverts are inadequate to provide proper drainage.

Soils at the site consist predominately of the Blacklock fine sandy loam in areas of slightly higher elevations, and of Ferrello loam in the lower lying areas. Subsurface exploration was not conducted, therefore, SCS soils information represents the extent of our knowledge of subsurface conditions. Before drainage plans are implemented, we recommend that subsurface exploration be conducted to determine groundwater conditions.



H.G. Schlicker & Associates, Inc.

235 N.E. 122nd Avenue, Suite 300 • Portland, Oregon 97230
(503) 257-9666

1-25-93

Project #92-966

January 8, 1993

To: Mr. Michael F Gorski
M.F. Gorski Construction, Inc.
9749 Hampton Circle North Drive
Indianapolis, IN 46256

Subject: Addendum to report of December 14, 1992
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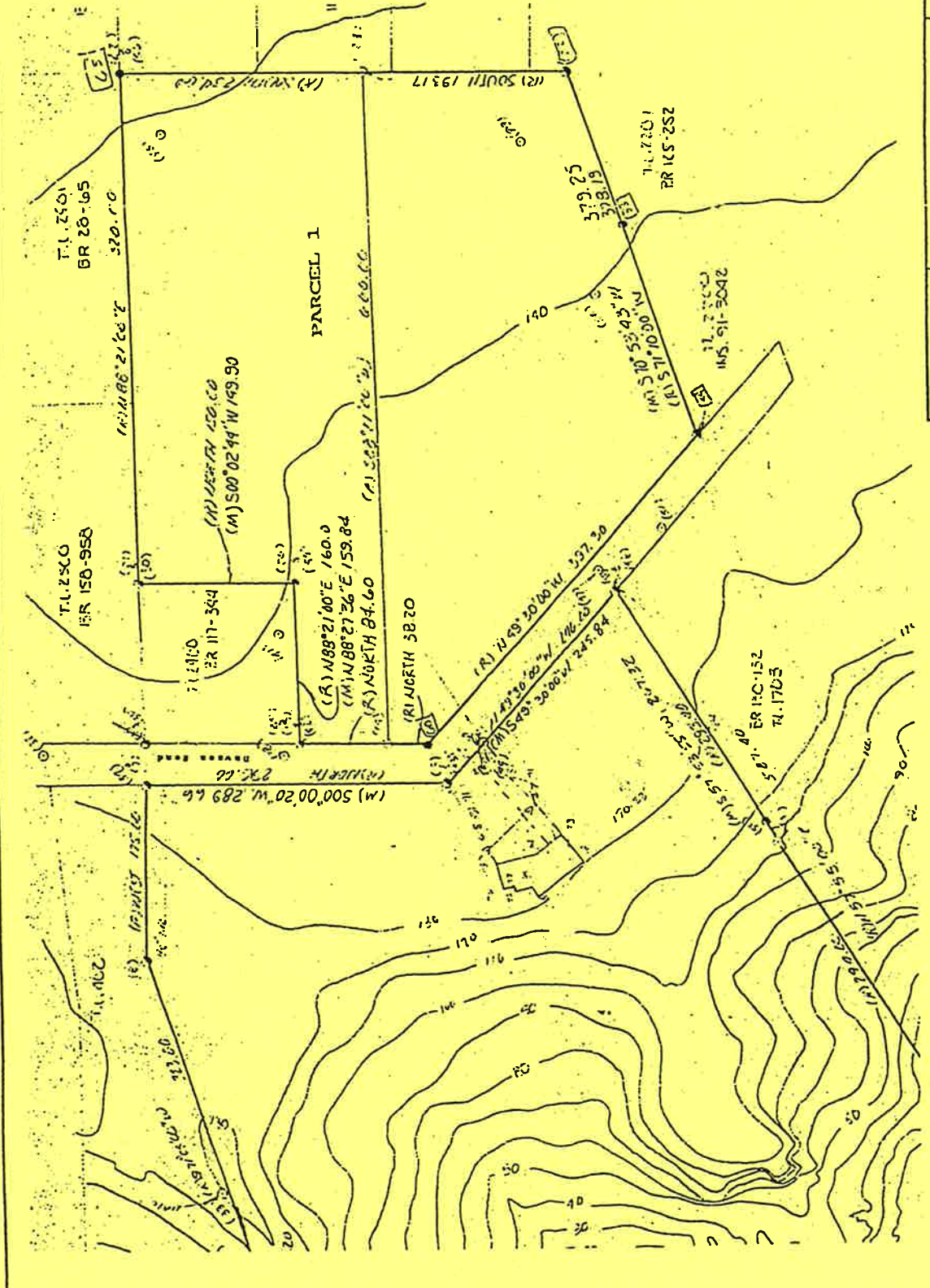
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Date: 1/7/93	Project #92-966	Plat Map	Approved BPL JOC
Parcel 1, Tax Lot 5300 and 100			
Sec. 36, T.40S., R.14W., W.M., Brookings, Oregon			
H.G. Schlicker & Associates, Inc.			Figure 1

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9711
(541) 469-3593 or (541) 412-7948 calxsoft@harborside.com

RECEIVED

APR 22 2002

Leo Lightle, Community Development Director
City of Brookings
898 Elk Drive
Brookings, OR 97415

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

**RE: PURDY PROPERTY, TAX LOT 5000
EQUIPMENT OPERATION**

Dear Mr. Lightle,

I am writing about an incident I witnessed between 5-5:30 PM, April 21, 2002. I wrote most of these details shortly after the incidents described.

Just before 5 PM, April 21, 2002, P&S Construction hauled a Hitachi excavator into the Purdy property, using the entrance across Dawson Rd from my house. After unloading the excavator, their grey truck (OR RED license #YCBF349?) circled back through the lot, and got stuck in the mud near the trees. The truck sank into the mud while going about 5 mph and could not free itself. The P&S workers towed out the truck using the Hitachi excavator.

After the truck was freed, and backed into Dawson Rd, it dropped a lot of mud and composted plant matter on the street. The driver took the truck east on Dawson, leaving a trail of debris. The rear 4 wheels of the truck had sunk deeper than the axle and rear differential - at least 1 ft and maybe more. As the truck moved up Dawson Rd, the debris fell off the tires and undercarriage, leaving a trail at least as far as S Passley Rd.

I called Charles Stanton, a neighbor, and asked him to photograph the droppings and truck ruts in Tax Lot 5000.

About 5-10 minutes later, the truck driver came back on a tractor, driving west on Dawson Rd on the wrong side of the street, plowing off most of the droppings. When he saw Mr. Stanton taking photographs, he became extremely irate and started yelling at Mr. Stanton and myself. He expressed his hatred of this Association, and his feelings we had no right to complain about whatever he was doing. He didn't care what law applied to this situation, or to our objections about the subdivision; he felt the City Council would approve everything and our opinion did not matter.

I told the driver that I was Chair of the Association, which represents the majority view in this neighborhood, that this is a democracy and people are entitled to express their views, and that he should present his views to the City Council.

Later, around 6:30 PM, the driver returned and used the excavator to tear down the shrubs near Dawson corner.

This morning, April 22, 2002, the workers returned around 6:45 AM, and started operating heavy equipment on the Purdy lot, clearing off the bushes and trees near Dawson Rd. I became aware of these operations due to the noise, which at times was louder than my TV. The workers left approx. 8:05 AM.

The foregoing are examples of what Dawson Tract residents have suffered during the last year or more. Work is not scheduled during the normal business week; it is just done whenever, without notice. Proper precautions are not taken, even though children are nearby (on Sunday) and operations interfere with traffic (Monday morning).

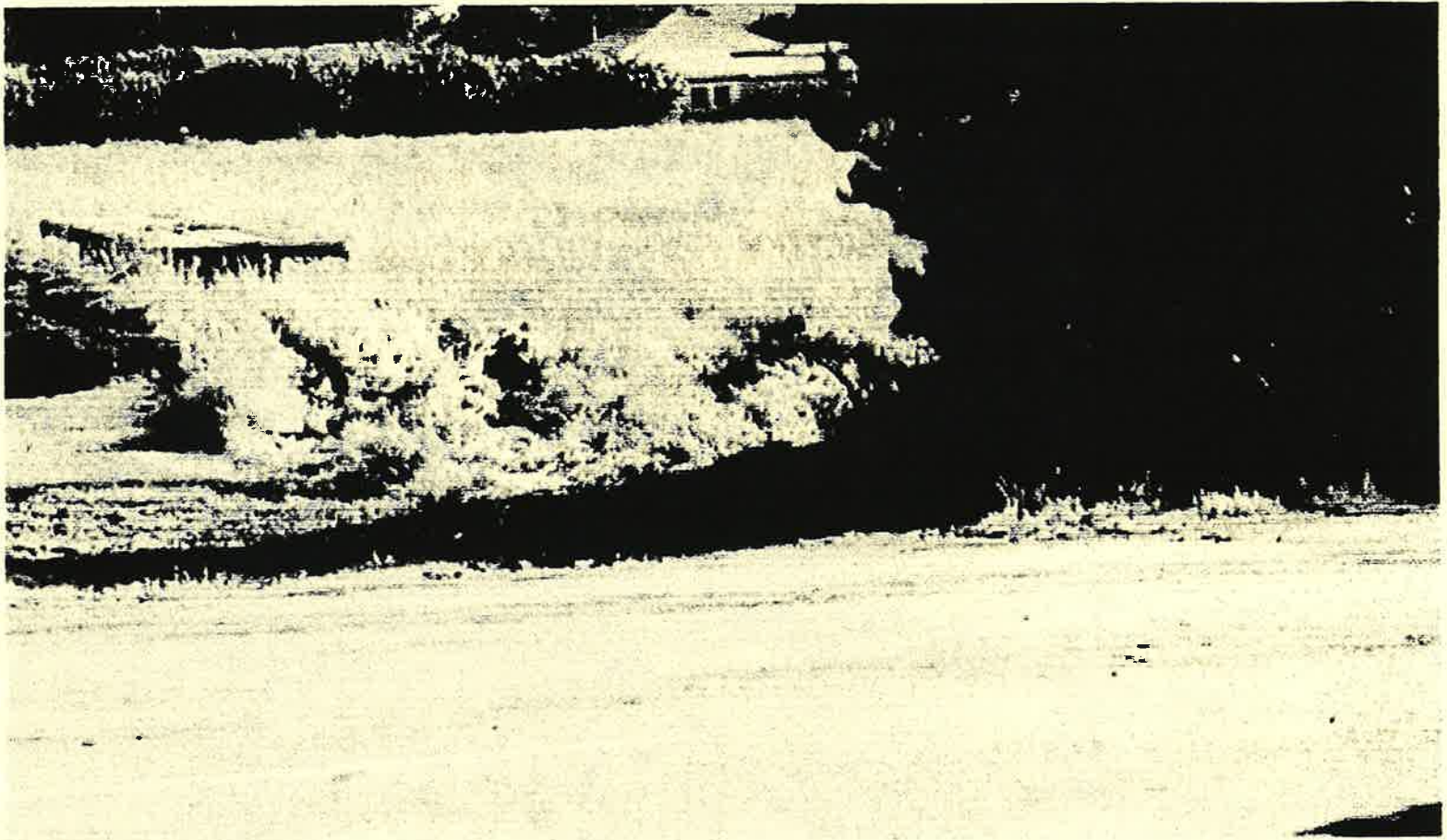
The contractors are sometimes abusive, even hostile, to neighborhood residents. They express extreme ill will towards those who do not approve what they are doing, and believe they have the right to do anything they want. They believe they are supported in their attitudes by your department, the City Council and City officials generally.

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APR 22 2002

On Dawson Rd at Tax Lot 5000
View of Truck Tracks near Tax Lot 5001
April 21, 2002

CITY OF DOWNSIDE
COMMUNITY DEVELOPMENT



Here we see the place where the P&S Construction truck got stuck in the mud. The camera does not show the depth of these tracks as well as the human eye.

For reference, the trailer platform is at least 2 ft high. The truck sank into the mud near the center of the photo, leaving tracks at least 1 ft deep. Water collects in this area.

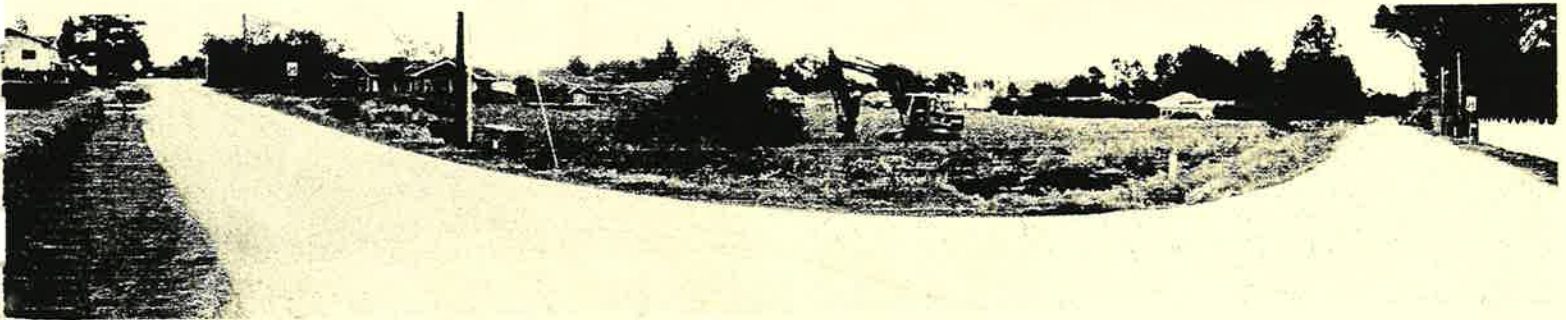
Exhibit PSM-6

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APR 22 2002

Dawson Rd corner at Tax Lot 5001
Panoramic View to Southeast
April 22, 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT



This shows a driver's view going east and south from Holmes Dr. The view east is longer than that south. The dip in Dawson Rd just south of the Johnson house is clearly visible.

The area immediately adjacent to Dawson Rd - to the right of the telephone pole - is below grade.

Note scale: the telephone box is about 1.5 ft high.

Exhibit PSM-4

RECEIVED

APR 22 2002

Dawson Rd corner at Tax Lot 5001

View to Northwest ~~east~~

April 22, 2002

CITY OF OROUO
COMMUNITY DEVELOPMENT



This shows a driver's view rounding the corner, going north then east. The two driveways on east-west Dawson Rd are clearly visible just past the mailboxes and behind the telephone pole.

The runoff ditch is invisible, just on the other side of the vegetated area along the road. The area immediately adjacent to Dawson Rd - to the right of the telephone pole - is below grade.

Note scale: the telephone box is about 1.5 ft high.

Exhibit PSM-2

RECEIVED

APR 22 2002

Dawson Rd near Entrance to Tax Lot 5000
View of Tractor Clearing the Road
April 21, 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT



The tractor driver cleared droppings from the P&S Construction truck from at least S Passley Rd to this point. This was done without preparation or warning, and by driving the wrong way in the east-bound lane. No one was assigned to handle or direct any traffic while this was done.

Shortly after this photo was taken, the driver (assumed to be Sam Williams) made irate comments and started an altercation with Walter Battaglia and Charles Stanton.

Exhibit PSM-7

The actual grade of this lot was not clearly visible until the brush was cleared. Now that it is visible, we believe the Planning Department should reconsider its report on the subdivision. We believe the drainage and runoff issues must be directly addressed and resolved before any subdivision on this property can be approved.

Traffic Safety

The panoramic view in Exhibit PSM-4 clearly shows there is a clear view on east-west Dawson Rd, which is long, straight and evenly graded. On the other hand, the dip just beyond the southwest corner of Tax Lot 5000 is clearly visible on north-south Dawson Rd. There is clearly a longer view on east-west Dawson than north-south Dawson.

It is also easy to see that the north side of east-west Dawson is relatively unimpeded, with just two driveways beyond the mailboxes. These are easy to see when driving. There are several driveways on the west side of north-south Dawson Rd, none of which are visible in the photograph. Those driveways are "blind", because they are invisible to drivers on Dawson Rd, just as Dawson Rd is invisible to those exiting those driveways.

This panorama supports our contention that the safest access to Dawson Rd is from the north section of Tax Lot 5000.

Exhibits PSM-5 and PSM-6 show the place where we think the proposed cul-de-sac should connect to east-west Dawson Rd. That place is clearly wet, and in need of drainage. Building the cul-de-sac there, rather than a house, allows a solution of drainage problems, as well as of runoff problems from Tax Lot 5001. The street will have the drains installed exactly where they are needed. This plan avoids building houses with future structural problems due to ground slump or water accumulation.

Summary

While we are certainly disappointed about a contractor's behavior, we are at least grateful that he cleaned up the mess he made. We are also thankful for clearing - at long last - the brush along Dawson Rd which created a traffic hazard.

Of course, we are puzzled why this brush clearance wasn't done long ago.

Now that Tax Lot 5000 is more clearly visible, so is the slope of the property and the fact that it is below grade on its north side. The Exhibits we now submit support our view that runoff and drainage is a problem, and needs the careful attention of the Planning Department.

We ask the Council to take measures to resolve the problems we have with contractors. And, we repeat our request that the Purdy subdivision application be denied.

Yours truly,



Walter L Battaglia
Chair

cc:
enc:

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948 calxsoft@harborside.com

**Brookings Common Council
City of Brookings
898 Elk Drive
Brookings, OR 97415**

April 15, 2002

**RE: APPEAL OF CASE #SUB-2-02
ADDENDA and SUMMARY**

To the Council:

I am writing to summarize the brief we are filing today concerned this proposed subdivision, and to comment on overlooked or understated issues.

ADDENDUM: Runoff

We must point out that there could be eventual, serious problems as a result of uncontrolled runoff. It is not simply a matter of water collecting downstream near the Chapman properties, the bottom of a dip in Dawson Rd. The runoff eventually will be absorbed into the ground, and flow underground toward the ocean. This could change the water content of the ground near the bluffs, and destabilize land near the bluffs.

We do not know whether this runoff effect could happen, or on what time scale it would happen. Nonetheless, we think it reasonable to suppose the water has to go somewhere, and, locally, it usually runs downhill toward the ocean. What we do know is that within living memory at least one house was lost in a bluff collapse, and that the bluffs are unstable.

It is not sufficient to say that the problem will be passed onto the next property downstream. Neither we nor the Planning Department have contacted the owners of the downstream properties to determine what, if anything, they propose to do about the effluent created by the Purdy's subdivision. Thus, approving this subdivision will only create a problem for others to solve and, while it is unsolved, the effluent may adversely affect a larger downstream area.

We have observed that not all of the runoff from Oceanside Estates II is being handled in the Oceanside Estates storm drain system. As one of the photographs we have on file shows, water is being drained across Dawson Rd onto the Southey property. I have discussed this with Mr. Southey, who is planning to build a house. He is unhappy about the additional costs and problems - identified by his architect - that the runoff is causing.

What this shows is that runoff is not entirely handled by the Oceanside Estates storm drain system, contrary to the Planning Director's statements. This supports our view that additional, unobserved problems are likely.

We are not aware of any geological study that resolves this issue. In the absence of such a study, we believe the Planning Director's assurances, that there are no problems, are without merit. At the very least, our concerns have as much weight as the Planning Director's statements.

We believe the Planning Department should require a geological study of Dawson Tract that will resolve this issue before any further construction is done. Developers should pay the cost of the study, because 'the burden of proof is on the applicant.' Until that study is completed, the proposed subdivision should be held back or denied. We also believe other construction should be delayed or stopped for the same reason.

The application does not resolve drainage and runoff problems in a satisfactory manner. The Planning Director's views, that either there are no problems or that any problems are passed on to downstream property owners, is plainly careless and irresponsible. The Planning Director has no factual basis for his views, because no study has been done by a qualified expert. There is also no expert advice with respect to other environmental problems.

There are several on-going problems with the streets in Dawson Tract which are not being resolved. Approving more construction and more houses will only make the problems worse. It is high time the City took responsibility for solving the problems before they happen, especially since the City can control the situation.

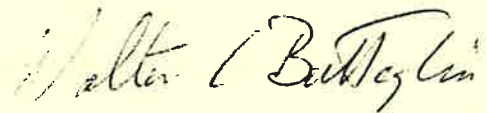
The Planning Director overstepped his authority in becoming an advocate for the applicant. The Planning Director did not evaluate alternatives or objections to the application, and generally refused to consider any other plan, contrary to the policy that the 'applicant bears the burden of proof.'

There are several defects in the Planning Commission's procedures which exclude, or make difficult, participation by the public. The public is not granted equal time or access to that of the applicant and Planning Director. The Planning Commission relies far too much and too often on the Planning Director, and does not independently and fully examine application of the Brookings Comprehensive Plan and Land Development Code.

There are several policies included in the Brookings Comprehensive Plan which have not been considered at all with respect to this and other applications. The Planning Director has misconstrued the Brookings Comprehensive Plan in a manner which favors developers and ignores public interest. The Planning Commission has relied on the Planning Director, and has not independently balanced public and private interests.

For these and other reasons, this Association and more than 60 petitioners ask the application be denied.

Yours truly,

A handwritten signature in dark ink, appearing to read "Walter L. Battaglia". The signature is fluid and cursive, with the first name "Walter" and last name "Battaglia" clearly distinguishable.

Walter L Battaglia
Chair

cc:
enc:

Safety can be increased by eliminating blind spots, installing street lights, painting center lines more often, keeping speed limits low, and safe driving. Dawson Road can never be extended to serve a larger area, so the maximum traffic load is limited. There are plenty of residential streets in bigger cities, with corner lots and driveways, that have many times the traffic flow that Dawson Road will ever have.

There are several simple measures the City could take to increase traffic safety for the Dawson Tract. Get the State Highway Department to extend the 45 MPH limit north to Rainbow Rock Condominiums. Install some extra street lighting. Enforce shrub height limits to eliminate blind corners. Repaint, and possibly add bumps to the centerline of the 'S' curve, so people don't cross it. Spend some money to put in a couple hundred feet of sidewalk. You rake off half a percent on most of the water and sewer district loans. Maybe you should spend a little bit of it on neighborhood safety.

3. Dawson Tract Neighborhood Circulation Plan: I may have been partly responsible for the creation of this plan. Shortly after the annexation of this area I was appointed to the City Planning Commission. On several occasions I urged John Bischoff to work out a development plan. We needed to make sure the area could build up without any area getting landlocked or some really screwy streets being built.

The plan was designed by professionals and had to have enough teeth built into it so that it couldn't just be ignored. However, it also should not be set in stone. In the case of the Purdy property, I doubt if the original designer spent any tortured nights deciding which way the street should run, or guessing how big the lots would be. He probably picked the north-south orientation because it allowed slightly less driving distance.

Frankly, the proposed street location seems safer to me than the original circulation design, and the location of the driveways are common practice in cities all over the country. The small hill on north-south Dawson road still allows the driver in one car to see any car turning out of the side street. The NBCA's impassioned plea for drowning everyone in red tape makes no practical sense. This is a simple alternative that in no way defeats the original purpose of the circulation plan.

"... and that it does not conform to the Dawson Tract Circulation Plan", is a valid issue, but the proposed alternative seems just as good or better, and certainly conforms to the 'spirit' of the plan.

Second outlet and tsunami zone:

The Dawson Tract is not in the official tsunami zone, although a few lots at the lower end of Shorewood Terrace are. To escape from a tsunami, all they would have to do is walk 50 yards up the hill. I'm not saying that having an area served by a single main road is not an issue, but it's not a big one for the Dawson Tract. It's very hard to imagine any disaster that would cause wholesale evacuation of this area. Especially since there is little danger of a serious fire.

Land use efficiency:

Mr. Battaglia spends several pages arguing that land use efficiency means using bigger lot sizes. Personally, I like my lot sizes to be at least an acre, and 5 or 10 acres is even better. But I would never claim that this is efficient land use inside a city. Because of the geography around Brookings, there is only a certain amount of buildable land, and smaller lot sizes mean that more people can live here. It also means that retired people can have smaller homes for one or two person families, and much less yard maintenance. That is land use efficiency.

Planning Commission did not consider some issues:

Mr. Battaglia contends in several places that the Planning Commission members didn't consider matters that he feels are important. He is assuming that if they didn't discuss them at the meeting, they didn't consider them. This, of course, is not necessarily true. Commission members have a great deal of time to consider issues when they read their packets. They have often accepted or rejected arguments long before they get to the meeting.

In the case of the Dawson Tract, there's lots of complaining, but they all voted with their money and actions to live here. They knew that development of the remaining vacant land was most likely inevitable. They knew what the zoning was. They knew that the traffic would increase.

It is unfair to punish developers like the Purdys for not building what Mr. Battaglia wants around him, but he was not willing to pay for himself.

Building season is here. How much obstruction and red tape are we going to place in the path of people who want to build on the Dawson Tract? With the possible exception of the hammer head at the end of the road, there is simply nothing wrong with this development.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Holmes", with a stylized flourish at the end.

Jeff Holmes

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED

MAY 3 2002

A PETITION TO THE BROOKINGS COMMON COUNCIL BROOKINGS

COMMUNITY DEVELOPMENT

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

2-16-02
NBCA?
☐ (Sign) _____

04.16.02
NBCA?
☐ (Sign) BRAD RAYMOND
1640 MANORNA AV S
503 589 8024

4.16.02
NBCA?
☐ (Sign) Donald M. Raymond
96333 Dawson Rd
Brookings OR 97405

NBCA?
☐ (Sign) _____

NBCA?
☐ (Sign) _____

NBCA?
☐ (Sign) _____

Circulated by:

Walter L Battaglia
(Sign) Walter L Battaglia

17304 Blueberry Drive
Brookings, OR 97415-9717
(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

RECEIVED

APR 15 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

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DATE

NAME

ADDRESS & PHONE

4/10/02 ALHA Comg 96389 Dawson Rd.

NBCA?



(Sign)

ALHA Comg

541-469-3478

NBCA?



(Sign)

LEOYD E. FRANK 96389 Dawson Tr

Lloyd E Frank

541-469-3469

NBCA?



(Sign)

NBCA?



(Sign)

NBCA?



(Sign)

NBCA?



(Sign)

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17304 Blueberry Drive

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(541) 469-3593 calxsoft@hARBORSIDE.COM

(Sign)

Walter L Battaglia

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

4/08/02

Ron Griswold

96515 Ocean Park Dr

412 3534

NBCA?

☐

(Sign)

Ron Griswold

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

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NBCA?

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(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

4/10/02

ROY A. KING

96436, Ocean Park Dr
Brookings, OR 97415

NBCA?

☐

(Sign)

NBCA?

☐

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(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

(541) 469-3593 or (541) 412-7948

APR 15 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

281

North Brookings Community Association
c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED

APR 15 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS COMMON COUNCIL

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

4-14-2002 Evelyn Maschmeyer 17235 CARVIN CT

NBCA?

☐

(Sign)

Evelyn Maschmeyer

NBCA?

☐

(Sign)

Sharon Allen

17360 Blueberry Rd

Sharon Allen

NBCA?

☐

(Sign)

Tom Zimmer

17379 BLUEBERRY RD

Tom Zimmer

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

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APR 15 2002

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS COMMON COUNCIL

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
4/10/02	RALPH E. SLONIKER	96500 SUSAN RD
NBCA?	<input type="checkbox"/> (Sign) <u>Ralph E. Sloniker</u>	
4/10/02	NADINE L. SLONIKER	96500 SUSAN RD
NBCA?	<input type="checkbox"/> (Sign) <u>Nadine L. Sloniker</u>	
NBCA?	<input type="checkbox"/> (Sign) _____	
NBCA?	<input type="checkbox"/> (Sign) _____	
NBCA?	<input type="checkbox"/> (Sign) _____	
NBCA?	<input type="checkbox"/> (Sign) _____	
NBCA?	<input type="checkbox"/> (Sign) _____	
<u>Circulated by:</u>	<u>Walter L Battaglia</u>	<u>17304 Blueberry Drive</u>
(Sign)	<u>Walter L Battaglia</u>	<u>Brookings, OR 97415-9717</u>
		<u>(541) 469-3593 calxsoft@harborside.com</u>

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

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APR 22 2002

CITY OF BROOKINGS

A PETITION TO THE BROOKINGS COMMON COUNCIL

COMMUNITY DEVELOPMENT

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

FORMERLY 4336 Falling Wat
Bum Ridge Del 6052

NBCA?

☐

(Sign)

CINDRA GARTHWAITE

220 S. BRUNER

HINSDALE, IL 60521

NBCA?

☐

(Sign)

RICHARD GARTHWAITE

same

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

North Brookings Community Association
c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED
APR 22 2002

A PETITION TO THE BROOKINGS COMMON COUNCIL
**CITY OF BROOKINGS
COMMUNITY DEVELOPMENT**

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
4/18/02	John Stahmer	17338 Blueberry Dr.
NBCA? <input type="checkbox"/> (Sign)	John Stahmer	469-3434
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
Circulated by:	Walter L Battaglia	17304 Blueberry Drive
(Sign)	Walter L Battaglia	Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED

APR 22 2002

A PETITION TO THE BROOKINGS COMMON COUNCIL

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

4.17.02

Cartie Williams

3640 Gresham Dr Conway AR 72034

NBCA?

☐

(Sign)

Suzanne Williams

501 513 4030

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED

APR 22 2002

A PETITION TO THE BROOKINGS COMMON COUNCIL COMMUNITY DEVELOPMENT

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

4-16-2002

JOSEPH R KNAPPE

17331 Blueberry Dr

NBCA?

☐

(Sign)

Joseph R Knappe

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED

APR 22 2002

A PETITION TO THE BROOKINGS COMMON COUNCIL CITY OF BROOKINGS COMMUNITY DEVELOPMENT

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

13 APR 02

DAVID J. GRIMES

PROPERTY OWNERS?

NBCA?

☐

(Sign)

David J. Grimes

HARRIS BEACH ESTATES

13 APR 02

EMILY S. GRIMES

LOT #4

NBCA?

☐

(Sign)

Emily S. Grimes

2610 VIVIAN ST
LAKEWOOD, CO 80265

NBCA?

☐

(Sign)

303-233-6288

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

RECEIVED

North Brookings Community Association

APR 22 2002

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS COMMON COUNCIL

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
4-12-02	Eugene Laiho	734-4979 323 South Ocean St
<input type="checkbox"/> NBCA?	(Sign)	
<input type="checkbox"/> NBCA?	(Sign)	
<input type="checkbox"/> NBCA?	(Sign)	
<input type="checkbox"/> NBCA?	(Sign)	
<input type="checkbox"/> NBCA?	(Sign)	
<input type="checkbox"/> NBCA?	(Sign)	

Circulated by:

Walter L Battaglia

(Sign)

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

RECEIVED

MAY 8 2002

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS COMMON COUNCIL

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

5/1/02
NBCA?

☐

(Sign)

Cassie Cross
Cassie Cross

PO Box 6186

Brookings 469-2748

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Colman

S Passley Rd.

NBCA?

☐

(Sign)

40-14-363A - 3301

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

North Brookings Community Association
c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED

MAY 8 2002

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS COMMON COUNCIL

We, the undersigned, residents or property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

5/10/02

Mike Davis

17144 Pacific Heights Dr

NBCA?

☐

(Sign)

Mike

Brookings, OR 97415

530-365-3278

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(Sign)

Walter L Battaglia

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3-31-02	Martin Loza	17245 GARVIN CT OK
<input type="checkbox"/> NBCA?	(Sign) Martin Loza	
<input type="checkbox"/> NBCA?		
<input type="checkbox"/> NBCA?		
<input type="checkbox"/> NBCA?		
<input type="checkbox"/> NBCA?		
<input type="checkbox"/> NBCA?		
<input type="checkbox"/> NBCA?		
<u>Circulated by:</u>	Walter L Battaglia	17304 Blueberry Drive
(Sign)	Walter L Battaglia	Brookings, OR 97415-9717
		(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

28 Dec
2002

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

3-18-02 Richard Fiebelkorn 803 W. 1st
NBCA? Phoenix OR 97535 -
541-535-7013
☐ (Sign) Richard Fiebelkorn (Prop. behind 96385 Dawson)
my Address - 96387 - No Del.

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

NBCA?

☐

(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@hARBORSIDE.com

(Sign)

Walter L Battaglia

RECEIVED

MAR 14 2002

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

CITY OF BROOKINGS
COMMUNITY DEVELOPMENT

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We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

3-11-02

NBCA?

☐

(Sign)

Loree M. Gallop

17300 Garvin Ct. ✓
17280 GA

3-11-02

NBCA?

☐

(Sign)

STAN ABBES

17280 GARVIN CT - P.O. Box 6532
BROOKINGS, OR 97415 B

3-11-02

NBCA?

☒

(Sign)

GERALD CLELAND
DANIEL L. CLELAND

17270 GARVIN CT ✓
BROOKINGS, OR 97415

3-11-02

NBCA?

☒

(Sign)

Barbara Cleland
Barbara Cleland

17270 Garvin CT.
Brookings, OR. 97415

3-13-02

NBCA?

☐

(Sign)

George Fernandez
JUDITH FERNANDEZ

96424 Dawson ✓
" Brookings.

3-13-02

NBCA?

☐

(Sign)

JUDITH FERNANDEZ
GEORGE FERNANDEZ

96424 BROOKINGS

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

(3)

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3/19/02 NBCA? <input type="checkbox"/> (Sign)	Herb McEvers Herb McEvers	17214 S. Passley ✓ 469-9824
3/19/02 NBCA? <input type="checkbox"/> (Sign)	Mary Cordone Mary Cordone	17170 Ocean Park Ct Brookings 97415
3/19/02 NBCA? <input type="checkbox"/> (Sign)	Almo J. Cordone Almo J. Cordone	17170 OCEAN PARK CT. ✓ BROOKINGS, OR 97415
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
Circulated by:	Walter L Battaglia	17304 Blueberry Drive
(Sign)	Walter L Battaglia	Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

(6)

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3-18-02 NBCA? <input type="checkbox"/> (Sign)	John Kling <u>John Kling</u>	17244 S Parsley Rd ✓ _____
3-18-07 NBCA? <input type="checkbox"/> (Sign)	Albert r. Jervo <u>Albert r. Jervo</u>	96510 Susan Pl. ✓ BROOKINGS, OR. 97415
3-18-07 NBCA? <input type="checkbox"/> (Sign)	Donna M. Tervo <u>Donna M. Tervo</u>	96510 Susan Pl. ✓ Brookings, OR. 97415
3-18-02 NBCA? <input type="checkbox"/> (Sign)	Robert Simpson <u>Robert Simpson</u>	96453 Shorewood Terrace ✓ Brookings, Oregon 97415
3-18-02 NBCA? <input type="checkbox"/> (Sign)	Susan Simpson <u>Susan Simpson</u>	96453 Shorewood Terrace ✓ BROOKINGS, OR. 97415
3-19-02 NBCA? <input type="checkbox"/> (Sign)	John Sandbrook <u>JOHN SANDBROOK</u>	96467 OCEAN PARK DRIVE ✓ " "
Circulated by:	Walter L Battaglia	17304 Blueberry Drive
(Sign)	<u>Walter L Battaglia</u>	Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

(6)

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3-17-02 NBCA?	Joyce FERRANDE	17250 GARVIN CT BROOKINGS P.O. Box 6941 541 412 1008
<input type="checkbox"/> (Sign)	Joyce Ferrande	
3-17-02 NBCA?	William G Robertson 96366 DAWSON Pk 469-4576	
<input type="checkbox"/> (Sign)	Wm G Robertson	Brookings OR 97415
3-17-02 NBCA?	Donna M. Robertson 96366 Dawson Rd.	
<input type="checkbox"/> (Sign)	Donna M. Robertson	Brookings, OR 97415
3/17/02 NBCA?	Rose M. Thomas 17313 ZIA Ct.	
<input type="checkbox"/> (Sign)	Rose M. Thomas	
3-17-02 NBCA?	David A. Millette	
<input type="checkbox"/> (Sign)	David G. Millette	96513 Susan Place ✓
3-17-02 NBCA?	MAUREEN SMITH	96513 Susan Place P.O. Box 7111 B
<input type="checkbox"/> (Sign)	Maureen Smith	Brookings
Circulated by:	Walter L Battaglia	17304 Blueberry Drive
(Sign)	Walter L Battaglia	Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

6

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

3-14-02

NBCA?

☐

(Sign)

VIRGINIA EUGLES TADDER

17310 Blueberry DR - 469-7558 ✓

3-14-02

NBCA?

☐

(Sign)

James McMillan

96458 Dawson RD

3-14-02

NBCA?

☐

(Sign)

LARRY WALLIN

17312 ZIA CT 469-5090 ✓

Larry Wall

WALL 1955 @ KETMAIL.COM

3-15-02

NBCA?

☐

(Sign)

ROLAND WINTERS

412-0221

Roland Winters

96487 DAWSON RD ✓

3-15-02

NBCA?

☐

(Sign)

Barbara A. Winters

412-0221

Barbara A. Winters

96487 Dawson Rd.

3-15-02

NBCA?

☐

(Sign)

Carlo Ferrando

412-1007

Carlo Ferrando

17250 Garvin Ct.

PO Box 6941
B

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

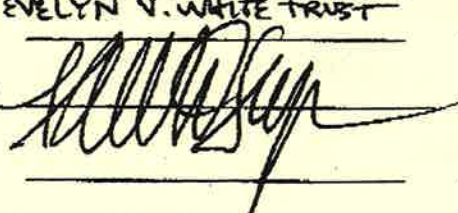
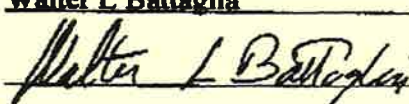
North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE	NAME	ADDRESS & PHONE
3-21-02	FREDERICK T. KRIGER TRUSTEE EVELYN V. WHITE TRUST	P O BOX 917 ORINDA, CA 94563 (925) 945-7979
NBCA? <input type="checkbox"/>	(Sign) 	
NBCA? <input type="checkbox"/>	(Sign)	
NBCA? <input type="checkbox"/>	(Sign)	
NBCA? <input type="checkbox"/>	(Sign)	
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Circulated By	Walter L Battaglia	17304 Blueberry Drive Brookings, OR 97415-9717 (541) 469-3593 calxsoft@hARBORSIDE.COM
(Sign)		

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

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We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE

NAME

ADDRESS & PHONE

3/20/02

DIXIE EUERS

17316 Holmes Dr. ✓

NBCA?



(Sign)

Dixie Evers

Brookings, OR 97415

3/21/02

Joyce Pickens

17316 Holmes Dr. ✓

NBCA?



(Sign)

Joyce Pickens

Brookings, OR 97415

NBCA?



(Sign)

NBCA?



(Sign)

NBCA?



(Sign)

NBCA?



(Sign)

Circulated by:

Walter L Battaglia

17304 Blueberry Drive

(Sign)

Walter L Battaglia

Brookings, OR 97415-9717

(541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3/18/02	TERENCE AXEL	17305 Blueberry Dr
NBCA? <input type="checkbox"/> (Sign)	Terence Axel	BROOKINGS OR
	Mike Frels	17332 Blueberry Dr
NBCA? <input type="checkbox"/> (Sign)	Mike Frels	Brookings, OR
	Kip Frels	Blueberry
NBCA? <input type="checkbox"/> (Sign)	Kip Frels	Brookings, OR
	Diana M. George	17316 Blueberry Dr
NBCA? <input type="checkbox"/> (Sign)	Mark Foley (M. J. Foley)	# 17317 Blueberry Dr, Brookings, OR
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
<u>Circulated by:</u>	Walter L Battaglia	17304 Blueberry Drive
(Sign)	Walter L Battaglia	Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

duplicate

PO box 1031

North Brookings Community Association

c/o 17304 Blueberry Drive Brookings, OR 97415-9717

(541) 469-3593 or (541) 412-7948

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS & PHONE</u>
3-24-02 NBCA? <input type="checkbox"/> (Sign)	Charlene M. Loza Charlene M. Loza	17245 Garvin Ct Brookings, OR 97415 ✓
3-24-02 NBCA? <input type="checkbox"/> (Sign)	Alan Neerenberg Alan Neerenberg	17308 Zia Brookings, OR 97415 ✓
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
Circulated by:	Walter L Battaglia	17304 Blueberry Drive
(Sign)	Walter L Battaglia	Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

North Brookings Community Association

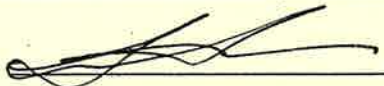
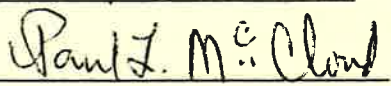
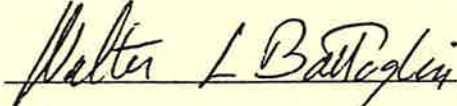
c/o 17304 Blueberry Drive Brookings, OR 97415-9717
(541) 469-3593 or (541) 412-7948

RECEIVED
MAR 23 2012
CITY OF JUNE 11 1990
COMMUNITY DEVELOPMENT

A PETITION TO THE BROOKINGS PLANNING COMMISSION

We, the undersigned, residents and property owners in the area of Brookings commonly known as DAWSON TRACT, believe subdivision of TAX LOT 5000 into 10 parcels is not in the best interest of this community. We believe this subdivision will only increase unresolved problems concerning traffic, safety, emergency services, construction standards and the environment; that it is not the highest and best use of this land; and that it does not conform to the Dawson Tract Circulation Plan.

We request Douglas and Emily Purdy's application to create the "SPINDRIFT SUBDIVISION" be denied.

DATE	NAME	ADDRESS & PHONE
3-25-02 NBCA? <input type="checkbox"/> (Sign)	STAN C HOBBS 	17280 GARVIN CT 412-8030 BROOKINGS, OR 97415
3/25/12 NBCA? <input type="checkbox"/> (Sign)	Paul L. McCloud 	17255 Garvin CT Brookings, OR 97415 469-4939
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
NBCA? <input type="checkbox"/> (Sign)		
Circulated by:	Walter L Battaglia 	17304 Blueberry Drive Brookings, OR 97415-9717 (541) 469-3593 calxsoft@harborside.com

CITY OF BROOKINGS
Council and Planning Commission Work-Session at 5:30 p.m. and
COMMON COUNCIL MEETING at 7:00 p.m.
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
April 22, 2002

5:30 p.m.

City Council and Planning Commission Work
Topic – Deferred Improvement Agreements

At 5:30 p.m., City Council and Planning Commission met to discuss Deferred Improvement Agreements and safety concerns due to the lack of sidewalks and open ditches along Pioneer, Pacific, and Hassett Streets near the school. Those from the Council in attendance were Mayor Bob Hagbom, Councilors Lorraine Kuhn, Frances Johns, Rick Dentino, and Council President Larry Curry. Present from the Planning Commission was Chair Randy Gorman, Commissioners Russ Fritz, Craig Mickelson, Ted Freeman, Jr., Tom Davis, and Ernest Cofrances. Staff members present were City Manager Leroy Blodgett, City Planner John Bischoff, Building Official LauraLee Gray, and Administrative Secretary Sharon Ridens. Newspaper Reporter Brian Bullock attended from the Curry Coastal Pilot, along with prior Planning Commissioner Judi Krebs.

As a result of the workshop, Council and Planning Commission members agreed staff should develop a policy to be followed by City Council, Planning Commission, and City staff, which would be to not issue any future DIA's and that public improvements be constructed at the time of development unless there is an unusual circumstance beyond the developer's control. There was mutual consensus DIA's should only be issued by approval of the Planning Commission and all requests for DIA's to be issued only by approval of the Planning Commission and all requests for DIA's to be accompanied by a staff report and staff recommendation. Staff will present a developed policy to Council and the Planning Commission for review. By unanimous consensus, those present felt the burden of proof is to be on the applicant for a building permit.

I. CALL TO ORDER

After a short recess from the work-session, Mayor Bob Hagbom called the meeting to order at 7:00 p.m.

d. National Pet Week – May 5 ~ 11, 2002

Mayor Hagbom also proclaimed May 5 through 11, 2002, as National Pet Week and asked the people of our community to take advantage of the special events planned in conjunction with this particular recognition of animals who are treated with love, care & respect. A copy of the request for this proclamation and form are included as part of these minutes.

2. Special Recognition to Judy Krebs - Thank you for service on Planning Commission

Mayor Hagbom stated he was honored to give special recognition to past Planning Commissioner Judi Krebs for her 13 years of dedicated service to the citizens of Brookings. Krebs received a special framed certificate of appreciation.

3. Special Recognition to Richard Gyuro - Thank you for service on Planning Commission

Mayor Hagbom presented a certificate of appreciation to Richard Gyuro for his 2 years and 2 months of volunteer service to the citizens of Brookings.

4. Resignation of Budget Committee member L. Lee Rogers

Mayor Hagbom announced Lee Rogers had given Council her resignation from the Budget Committee. Notice for the vacancy will be forthcoming.

B. Appointments

1. Parks & Recreation Commission Pos. #7, Effective: Immediately, 4-year term expires February 1, 2006

Mayor recommended Pat Sherman, currently a member of the Brookings-Harbor Garden Club, to be appointed to Position No. 7 of the Parks and Recreation Commission.

Councilor Dentino moved, a second followed, and the Council voted unanimously to appoint Pat Sherman to Position No. 7 of the Parks and Recreation Commission, effective immediately.

2. Planning Commission Pos. #6, Effective: Immediately, 4-year term expires April 1, 2005

Mayor recommended Bruce Nishioka, currently a member of the City of Brookings Budget Committee, to be appointed to Position No. 6 of the Planning Commission, effective May 6, 2002.

April 22, 2002 Minutes

Brookings Council and Planning Commission Joint Work-Session at 5:30 p.m.

Brookings Common Council Meeting Minutes at 7:00 p.m.

Prepared by Sharon A. Ridens, Administrative Secretary

Page 3 of 14

any questions.

- Anyone who would like to testify in favor of this application will be asked to speak.
- Anyone who would like to testify against this application will be asked to speak.
- Any interested parties, including public agencies, who wish to comment, will be asked to speak.
- The applicant will be given the opportunity to rebut any testimony given. No new evidence will be permitted during the rebuttal.
- The Planning Staff will be given the opportunity to make additional comments or summation.
- Participants in the hearing will be asked if they would like time to submit additional written evidence.
- The record will then be closed.
- The applicant will be asked if they would like the Council to make a decision now or they may request additional time to submit additional written evidence.
- The Council will discuss the issue and make a decision.
- Any applicant or participant may file an appeal with the Oregon Land Use Board of Appeals.

Blodgett advised if anyone wished to speak for, against or comment in any way, the following would comply:

- Please stand and approach the microphone, giving your name and mailing address.
- Make your statement.
- All statements and/or questions should be directed to the presiding officer. The Council may ask questions of all speakers.”

He followed with:

1. The planning staff will identify and list the applicable substantive criteria as part of the staff report to the Council.
2. All testimony, arguments and evidence must be directed toward the criteria outlined in the Staff Report or other criteria in the comprehensive plan or land use regulation, which the person believes applies to the decision.
3. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issues precludes appeal to the Oregon Land Use Board of Appeals (LUBA) based on that issue.
4. The failure of the applicant to raise constitutional or other issues relating

No participants requested that the record remain open for an additional seven days in order to submit additional written evidence, argument or testimony.

Council President Curry closed the public hearing on File No. VAC-1-02 at 7:40 p.m., April 22, 2002.

Curry asked if the applicant wished an additional seven days to submit final written arguments in support of the application or is the applicant was willing to waive written argument and have a decision made this evening. The applicant waived written argument and requested a decision be made at this meeting. Council proceeded with minimal discussion.

Councilor Dentino moved, a second followed, and the Council voted unanimously to approve and adopt the Final Order and Findings of Fact in the matter of Planning Commission File No. VAC-1-02; application for approval of a right-of-way vacation, Paul Sherman, applicant, as written.

City Manager Blodgett read Ordinance No. 02-O-545, in the matter of vacating the southerly most 55± feet of Truman Lane as described in attached Exhibit A, in it's entirety.

Councilor Johns moved, a second followed, and the Council voted unanimously to read Ordinance No. 02-O-545 by title only.

City Manager Blodgett read Ordinance No. 02-O-545 by title only.

Councilor Dentino moved, a second followed, and the Council voted unanimously to approve Ordinance No. 02-O-545, in the matter vacating the southerly most 55± feet of Truman Lane as described in attached Exhibit A.

- B. In the matter of Planning Commission File No. ANX-1-02, application for approval of an annexation of a 5.78 acre parcel of land consisting of 4 lots located on the west side of Parkview Drive approximately 220 feet north of Hampton Road and adjacent to the easterly boundary of Harris Beach State Park, which forms the city limits; zoned County R-1 (Residential-One); Mike Mahar, Ken and Melody Gossard, and Ben Murray Applicants; Jim Capp, Western Land Use Services, representative

City Manager Blodgett proceeded on behalf of Council President Larry Curry by advising the second public hearing section of agenda, a quasi-judicial public hearing, was being called to order at 7:45 p.m. on this Monday, April 22, 2002.

further comments. The participants did not request the record remain open for an additional seven days in order to submit additional written evidence, argument or testimony.

Blodgett closed the public hearing on File No. ANX-1-02 at 8:01 p.m., April 22, 2002.

The applicant waived his right to an additional seven days to submit final written arguments and asked for a decision at this meeting. Blodgett proceeded to Council for discussion and decision. There was no further discussion.

Councilor Johns moved, a second followed, and the Council voted unanimously to approve and adopt Final Order and Findings of Fact in the matter of Planning Commission File No. ANX-1-02; application for approval of an annexation, Mike Mahar, Ken and Melody Gossard, and Ben Murray applicants.

Blodgett read ordinance in its entirety.

Councilor Kuhn moved, a second followed, and the Council voted unanimously to have Ordinance No. 02-O-546 read by title only.

Blodgett read Ordinance No. 02-O-546 by title only.

Councilor Kuhn moved, a second followed, and the Council voted unanimously to approve and adopt Ordinance No. 02-O-546, in the matter of amending the city limits and zoning map of the City of Brookings by annexing a 5.78 acre parcel of land and rezoning the parcel R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) on that certain property described in ordinance.

- C. In the matter of Planning Commission File No. APP-1-02, an appeal of the Planning Commission's approval of a subdivision to divide a 1.86-acre parent parcel into ten lots with an average lot size of 6,122 sq. ft and including the extension of Weaver Lane; located on the north end of Weaver Lane approximately 380 feet north of Hassett Street; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Gay and Valnora Weaver, applicants; John Babin, representative. This is a quasi-judicial hearing.

City Manager Blodgett called for the third public quasi-judicial hearing at 8:08 p.m. on the appeal on the Planning Commission's approval of a ten lot subdivision on a

minimum lot size); Gay and Valnora Weaver, applicants; John Babin, representative, at 8:45 p.m.

Appellant waived rights and asked for a decision at this meeting.

Blodgett asked for motion to consider decision and repeated staff recommendation.

Councilor Kuhn moved, a second followed, and the Council voted unanimously to uphold the appeal to Planning Commission File No. APP-1-02.

Councilor Kuhn moved, a second followed, and the Council voted unanimously to approve the Final Order and Findings of Fact in the matter of Planning Commission File No. APP-1-02; an appeal of the Planning Commission's approval of a subdivision to divide a parcel into ten lots, including extension of Weaver Lane; Gay and Valnora Weaver, applicants; John Babin, representative.

VI. ORAL REQUESTS AND COMMUNICATIONS FROM THE AUDIENCE

A. Committee and Liaison reports

1. Chamber of Commerce

There was no report from the Chamber of Commerce

2. Council Liaisons

Councilor Kuhn was on vacation.

Councilor Johns attended the openings of the bids for the remodeling & building of our new school.

Councilor Dentino attended the Harbor Sanitation District meeting last week and filed report; attended AMF meeting to set up the 2002 schedule; attended VFW memorial ceremony; Children's & Family Services meeting; and attended a local-focus group with Blodgett on Saturday in Jacksonville. He also worked on the Rotary Club track meet on Saturday.

Ex Officio Councilor Connelly attended a youth advisory committee meeting and a parks meeting at school. Elections are coming up and she is running for Jr. Class President. The Prom was successful.

Due to medical issues, Councilor Curry did not attend any meetings.

April 22, 2002 Minutes

Brookings Council and Planning Commission Joint Work-Session at 5:30 p.m.

Brookings Common Council Meeting Minutes at 7:00 p.m.

Prepared by Sharon A. Ridens, Administrative Secretary

Page 11 of 14

This matter was handled previously.

2. No. 02-O-547 – in the matter of amending the city limits and zoning map of the City of Brookings by annexing a 5.78 acre parcel of land and rezoning the parcel R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot size) on that certain property described below
This matter was handled previously.

B. Final Orders

1. Final Order and Findings of Fact in the matter of Planning Commission File No. VAC-1-02; application for approval of a right-of-way vacation, Paul Sherman, applicant
This matter was handled previously.
2. Final Order and Findings of Fact in the matter of Planning Commission File No. ANX-1-02; application for approval of an annexation, Mike Mahar, Ken and Melody Gossard, and Ben Murray applicants
This matter was handled previously.
3. Final Order and Findings of Fact in the matter of Planning Commission File No. APP-1-02; an appeal of the Planning Commission's approval of a subdivision to divide a parcel into ten lots, including extension of Weaver Lane; Gay and Valnora Weaver, applicants; John Babin, representative.
This matter was handled previously.

X. REMARKS FROM MAYOR AND COUNCILORS

A. Council

There were no additional remarks from Council

B. Mayor

There were no additional remarks from the Mayor

April 22, 2002 Minutes

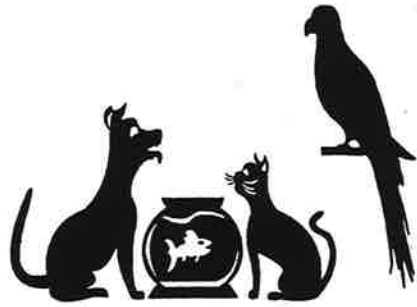
Brookings Council and Planning Commission Joint Work-Session at 5:30 p.m.

Brookings Common Council Meeting Minutes at 7:00 p.m.

Prepared by Sharon A. Ridens, Administrative Secretary

Page 13 of 14

PROCLAMATION



Handed
out @
4:00
cent

WHEREAS, the People of Brookings, Oregon have distinguished themselves by their care and concern for pets and animals through the attention of their health and welfare; and

WHEREAS, being kind to animals not only encourages humane treatment and care of animals, but promotes awareness about the needs of animals worldwide,

NOW THEREFORE, I, Bob Hagbom, Mayor of Brookings, do hereby proclaim May 5 through May 11, 2002, as



**NATIONAL PET WEEK
in Brookings, Oregon,**

and I call upon the people of our community to take advantage of the special events planned in conjunction with this particular recognition of animals who are treated with love, care and respect.



Bob Hagbom, Mayor



"National Pet Week (NPW)" Media Summary Sheet

National Pet Week, May 5-11, 2002 Celebrates
"People, Pets, and Veterinarians... A Winning Team"

"Pet as a Best Friend" Essay Contest

- Typed essay no longer than 500 words describing how a special pet has acted as a best friend
- Contest open to entire community
- Deadline is Monday, April 29th, 5:30pm at closing at Town and Country Animal Clinic
- Winners announced Friday, May 3rd
- See official handout for rules and prizes

Coloring Contest for Children

- Entries must be submitted on *pre-printed* handout
- Entrants are limited to children in grades K-6 **ONLY**
- Deadline is Monday, April 29th, 5:30pm at closing at Town and Country Animal Clinic
- Winners announced Friday, May 3rd
- See official handout for rules and prizes

Pet Food Drive for Local Shelter/ Humane Society

- Food collection receptacles at local places of business/ high schools
- Food collection actually takes place during week of May 5-11
- In **Brookings**: Town and Country Animal Clinic, CFCU, Brookings Harbor High School, SCHS Thrift Store and Shelter, Washington Mutual, Chetco Pharmacy, Sandy's Pets, Brookings Police Dept., Chetco Community Public Library, The Pilot, KURY Radio, Azalea Middle School, Upper Chetco School, Kalmiopsis School, For Pet's Sake, The Cat Cove
- In **Crescent City**: KCRE Radio
- In **Gold Beach**: Town and Country Animal Clinic, CFCU, Dan's Ace Hardware, Curry County Animal Shelter, Gold Beach High School, Washington Mutual, Riley Creek School

2nd Annual Paws and Prints Day, Saturday, May 11th

- In conjunction with local law enforcement, kids will be fingerprinted and their pets will be pawprinted
- A small fee will be charged with ALL proceeds going to the Curry County Animal Shelter
- Each child will be sent home with a packet of information explaining the importance of identification for them and their pets
- Every participant will be photographed with their pet
- The event will take place from **1-4pm** in the parking lot of Town and Country Animal Clinic
- Optional micro-chipping will be offered as an additional service to pet owners
- See official handout for additional activities and events

For more information on any or all events, please call: (541) 469-4661...
Or stop in at 15740 Highway 101 S., Brookings, OR 97415

We expect you to get involved!

The people of Brookings, Oregon have distinguished themselves by their care and concern for pets and animals through the attention of their health and welfare; therefore May 5-11, 2002 will be proclaimed as NATIONAL PET WEEK in Brookings, Oregon. We at Town and Country Animal Clinic call upon the people to take advantage of the events planned in conjunction with this observance.

National Pet Week "Pet as a Best Friend" Contest

National Pet Week, May 5-11, 2002 Celebrates
"People, Pets, and Veterinarians... A Winning Team"

Town and Country Animal Clinic is looking for stories about why your pet is your best friend. Enter our essay contest for a chance at winning great prizes and giving your special friend the recognition he or she deserves!

To enter...

- ◆ Complete a typed essay no longer than 500 words describing why your pet makes a great best friend.
- ◆ Include a photo of your pet that will be displayed with your entry.
- ◆ Please do not write your name anywhere on the entry itself. Each entry will be assigned a number to keep anonymity for judging purposes.
- ◆ Also include a 3x5 card with your name, pet's name, address, and phone number.
- ◆ Entries are due by Monday, April 29th, 5:30pm at closing at Town and Country Animal Clinic. They can be hand delivered or mailed to 15740 Highway 101 S., Brookings, OR 97415
- ◆ Please call 541-469-4661 with any questions.

Prizes

- ◆ Entries will be judged for 1st and 2nd place by clinic staff, and winners will be announced Friday, May 3rd. Essays will be divided into two categories for judging, entrants age 17 and under, and entrants age 18 and over.
- ◆ Winning entries will be displayed in the lobby of the clinic and winning names published in the newspaper on Saturday, May 4th. All other entries will be displayed in the Chetco Community Library.
- ◆ 1st Place receives a leash and collar for their special friend, a one-month supply of a pet food of their choice, a National Pet Week T-shirt, and a \$50.00 cash award.
- ◆ 2nd Place receives a National Pet Week T-shirt and a \$25.00 cash award.

The people of Brookings, Oregon have distinguished themselves by their care and concern for pets and animals through the attention of their health and welfare; therefore May 5-11, 2002 will be proclaimed as NATIONAL PET WEEK in Brookings, Oregon. We at Town and Country Animal Clinic call upon the people to take advantage of the events planned in conjunction with this observance.

National Pet Week, May 5-11, 2002 Celebrates
"People, Pets, and Veterinarians...
A Winning Team"


Town and Country
**ANIMAL
CLINIC**

18740 Hwy. 101 South
Brookings, OR 97415
(541) 469-4661

29641 Ellensburg Ave.
Gold Beach, OR 97444
(541) 247-9244



PARKS AND RECREATION COMMISSION MEETING MINUTES

City of Brookings

898 Elk Drive, Brookings, Oregon

March 28, 2002 7:00 p.m.

Call To Order

Vice-Chair Tony Parrish called the meeting to order with the pledge of allegiance led by Commissioner Dori Blodgett.

Roll Call

Commissioners Present: Nina Canfield, Dori Blodgett, Lorraine Williams, Bill Boynton, Paul Prevenas, and Tony Parrish.

Ex Officio Commissioner Present: none

Commissioners Absent: Ex Officio Commissioner Nowlin

Council Liaison Present: Councilor Frances Johns

Staff Present: City Manager Leroy Blodgett, Special Projects Assistant Jeremy McVeety, Public Works Supervisor Dennis Barlow, Parks Maintenance Worker Dave Lentz, and Community Development Secretary Linda Barker

Minutes

Commissioner Canfield moved, it was seconded, and the Commission voted unanimously to approve the February 28, 2002, minutes as written.

Public Appearances

There were no public appearances.

Committee Reports

Stout Park: Commissioner Parrish asked if money in the Stout Park Trust Fund could be used to hire a tree service to cut out dead trees in the park. Parks Maintenance Worker Lentz said the city has used Coos-Curry Forest Protective Association to do this in the past at no cost to the city and that he did not know their availability. The Commissioners will meet at Azalea Park on April 9 at 6:30 p.m. to consider whether to leave the lower section in a natural setting or cultivate it into a more formal type setting. City staff will research past Commission direction on the development of the lower section and have it to the Commissioners before their April 9 tour. Commissioner Parrish volunteered his time to do some weeding at the Park but will wait until after consideration by all the Commissioners as to what should be done.

Chetco Point Park: City Manager Blodgett remarked that no applications have been received for the Commissioner position opened by Craig Mickelson's resignation. The position has been readvertised and the Council will be appointing someone at its April 22 meeting.

Softball/Soccer Fields: Commissioner Prevenas commented the fields are seeing a lot of use.

Kidtown: none

Brookings-Harbor Babe Ruth Association request to use Azalea Park fields for pre-season baseball practice and season games: Public Works Supervisor Barlow reported the Association is asking to make baseball fields out of softball fields. This would also impact the soccer fields and fencing. City Manager Blodgett stated the softball leagues have put a lot of time and expense into construction of the fields. Commissioner Boynton moved, it was seconded, and the Commission voted unanimously to keep the fields for softball use.

Golf Tournament: Commissioner Parrish had good news/bad news. The good news was that 60 to 80 kids are expected to participate in the junior tournament. By beginning the tournament at 8:00 on a Thursday, Salmon Run Golf Course will waive their charges. Pee Wees will play 9 holes, and 13-and-up will play the full 18 holes. Volunteers will be needed to shuttle participants between holes.

Bad news included the dates chosen for the tournament may already be reserved by a group that held a tournament last year. The women's tournament has been eliminated as most local women will be playing in a big invitational tournament the weekend before and just weren't interested in two tournaments in a row. Commissioner Parrish will continue with finalizing dates and events and will report at the next meeting.

Other: Commissioner Boynton volunteered to answer a letter written to the Commission by Boy Scout Gideon Warren. Warren is working on his Citizenship in the Community merit badge and fulfilled one requirement by writing a letter about a problem in the community and giving a solution to that problem. Warren wrote about the swimming pool and the need to enclose it so more people can use it year round. He proposed user fees and a bond measure to finance the construction.

Commissioner Parrish reminded the Commissioners about the "ethics for public officials" presentation that will be given April 8 at 6:00 p.m. by City Attorney John Trew.

City Manager Blodgett announced that Pam Callaway will be heading up the Summer Recreation program this year. Programs will be held in various locations with the school being a primary location since construction on school grounds will be outside not inside this summer. Next year new locations may need to be found.

Commissioner comments

Commissioner Blodgett said she is working as a liaison with the Summer Recreation program and has met with Callaway. Any ideas or suggestions for the program may be given to either Callaway or Commissioner Blodgett.

Commissioner Williams reported two incidences of vandalism at Azalea Park. The soda machine placed there by Sea Cove Training Center was destroyed as well as damage done to the Jubilation statue. She recommended a motion sensitive light and video camera be installed when the new snack shack/restrooms is built.

MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
April 2, 2002

The regular meeting of the Brookings Planning Commission was called to order by Chair Randy Gorman at 7:00 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

Russ Fritz	Craig Mickelson	John Bischoff, Planning Director
Randy Gorman	Tom Davis	Linda Barker, Secretary
Ted Freeman, Jr.	Ernie Cofrances	Bill Sharp, Fire Chief
Erin Gardner, Ex Officio Commissioner		

CHAIRPERSON ANNOUNCEMENTS

Chair Gorman introduced Ernest Cofrances who was appointed to Commissioner Position No.5.

MINUTES

By a 5-0 vote (motion: Commissioner Davis; Commissioner Cofrances abstaining as he was not present at the March 5, 2002, meeting) the Planning Commission approved the minutes of the March 5, 2002, regular meeting as corrected. The adjournment time had been recorded as 7:30 p.m. rather than 9:30 p.m. when the meeting was actually adjourned.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

By a 6-0 vote (motion: Commissioner Freeman) the Planning Commission approved the final map for (File No. SUB-2-99/PUD/FINAL) Phases 3 and 4 of the Oceanside Estates II Subdivision, consisting of twelve lots located in the easterly portion of the subject parent parcel which is located on the east side of Dawson Road, approximately 800 feet south of Holmes Drive intersection; Pacific-West Associates, Inc., applicant, John Babin, representative.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 5-0 vote (motion: Commissioner Davis; Commissioner Fritz had declared bias and did not participate in the hearing) the Planning Commission voted to send a recommendation to deny (File No. CZ-1-02) a request for a zone change from R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size) to R-1-10 (Single-family Residential, 10,000 sq. ft. minimum lot size) over the entire Dawson Tract included within the area bounded on the north by Shigh Creek, on the east by Highway 101, on the south by the northerly boundary of Harris Beach State Park, and on the west by the Pacific Ocean; Walter Battaglia, applicant.

Don Hoag	17156 Mountain Drive	Brookings Oregon
Emily Purdy	PO Box 172	Ophir Oregon
Richard Wilson	117 Tanbark Road	Brookings Oregon
Walter Battaglia	17304 Blueberry Drive	Brookings Oregon
Jeff Holmes	17350 Holmes Drive	Brookings Oregon
Charles Stanton	17315 Holmes Drive	Brookings Oregon
Roger White	96360 Dawson Road	Brookings Oregon
Carolyn Kelly-Douglass	96392 Blueberry Drive	Brookings Oregon
Mike Freels	18332 Blueberry Drive	Brookings Oregon

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 9:55 p.m.

3. By a 5-0 vote (motion: Commissioner Freeman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. SUB-2-02 as written.

Commissioner Fritz returned to the bench at 10:00 p.m. Chair Gorman announced the agenda order was being changed to hear the County Referral next. This was done because of a time limit the City has to get its recommendation to Curry County. If the meeting was recessed to another date the City would be beyond that time limit. This request is detailed under County Referrals.

4. By a 6-0 vote (motion: Commissioner Davis) the Planning Commission will send a favorable recommendation to the City Council on (File No. ANX-1-02) a request for annexation of a 5.78 acre parcel of land consisting of 4 lots located on the west side of Parkview Drive approximately 220 feet north of Hampton Road and adjacent to the easterly boundary of Harris Beach State Park, which forms the city limits; zoned County R-1 (Residential-One); Mike Mahar, Ken and Melody Gossard, and Ben Murray, applicants; Jim Capp, representative.

Before the hearing begin all Commissioners present declared ex parte contact due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

This action was taken following questions or comments regarding the request from the following:

Jim Capp	PO Box 2937	Harbor Oregon
Susan Wimberley	1005 Parkview Drive	Brookings Oregon
Gary Wimberley	PO Box 329	Brookings Oregon
Bob Covey	16987 Parkview Drive	Brookings Oregon
Don Hoag	17156 Mountain Drive	Brookings Oregon

The public hearing was closed at 10:40 p.m.

It was decided to continue the meeting and hear all requests rather than recessing to a later date.

Planning Commission approved (File No. SUB-3-02) a request for a subdivision to create 9 lots ranging in size from 6,002.54 to 10,477 sq. ft including a new cul-de-sac street located on the north side of Hassett Street approximately 380 feet west of Old County Road; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Noah and Joshua Bruce, applicants. The approval included the requirement that a quantified drainage study be done on the property before construction is allowed.

All Commissioners present declared ex parte contact due to a site visit. Commissioner Freeman said he sold products to the Bruce brothers in the past but this caused no bias. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

This action was taken after questions or comments regarding the request from the following:

Don Hoag	17156 Mountain Drive	Brookings Oregon
Walter Murray	PO Box 1745	Brookings Oregon
Julie Derr	540 Hassett Street	Brookings Oregon
Richard Heyman	PO Box 6328	Brookings Oregon

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 11:47 p.m.

9. By a 6-0 vote (motion: Commissioner Freeman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. SUB-3-02 with the added condition.

By a 6-0 vote (motion: Commissioner Davis) the Planning Commission directed Planner Bischoff to bring safety issues on Hassett Street between Pioneer Road and Old County Road and on Pioneer Road to the attention of the City Manager.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

The County Referral section of this agenda was heard after the Final ORDER and Findings of Fact was approved for SUB-2-02.

By a 6-0 vote (motion: Commissioner Freeman) the Planning Commission will send a favorable recommendation on (File No. CR-AD-0203) a request for a conditional use permit to place a single family house on a 0.65 acre parcel of land zoned by the County as C-1 (Light Commercial); located on the south side of Shopping Center Avenue, approximately 800 feet from the intersection with Lower Harbor Road, more specifically 97760 Shopping Center Avenue, behind Larry's Marine on Lower Harbor Road; applicants, Ernest and Elodie Krauss. No one spoke on this request.

UNSCHEDULED PUBLIC APPEARANCES

None

CITY OF BROOKINGS
BUDGET COMMITTEE MEETING MINUTES
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon
April 24, 2002

I. CALL TO ORDER - Mayor Hagbom

Council President Larry Curry called the Budget Committee to order at 7:00 p.m. in the Council Chambers of City Hall.

II. PLEDGE OF ALLEGIANCE

Finance Department Accounting Specialists Nancy Corrigan led the pledge of allegiance.

III. ROLL CALL

Those present were Council President Larry Curry, City Councilors Lorraine Kuhn, Frances Johns, Rick Dentino, Budget Committee Members Bruce Nishioka, Stanley Baron, Harold Thiesen, and Virginia Byrtus. Mayor Bob Hagbom and Budget Committee Member Lee Rogers were excused.

Staff members present included Budget Officer and City Manager Leroy Blodgett, Finance Director Paul Reed, Administrative Secretary Sharon Ridens, Public Works Supervisor Dennis Barlow, Finance Department Accounting Specialist Nancy Corrigan, Police Chief Chris Wallace, Fire Chief Bill Sharp, Community Development Department Director Leo Lightle, and Police Lt. John Bishop.

Also present in the audience was Reporter Brian Bullock from the Curry Coastal Pilot Newspaper.

IV. ELECTION OF OFFICERS

Council President Curry proceeded to ask for a nomination and motion to elect the Chairperson of the Committee. It was moved, seconded, and passed unanimously to elect Bruce Nishioka as the Chair of the Budget Committee. Nishioka proceeded as the presiding officer. It was moved, seconded, and passed unanimously to elect Stanley Baron as Vice Chair of the Budget Committee. It was moved, seconded, and passed unanimously to elect Virginia Byrtus as Secretary of the Budget Committee. Administrative Secretary Sharon Ridens was asked to record the minutes of the meeting.

VII. BUDGET DOCUMENT PRESENTATION-Budget Officer Leroy Blodgett

Budget Officer Blodgett, along with new Finance Director Hughes, explained the Budget Document going through each section and page. He detailed and highlighted any major changes, with discussion along the way, and asked the Committee to wait until the end to approve the document. However, should changes be necessary, he suggested they be handled at the time of review. Blodgett also explained the effect of Measure 50 as he went through each fund. Discussion ensued regarding new construction, leased vehicles vs. purchase, travel costs for training, contract services, and the swimming pool as a line item.

Chair Nishioka asked for any last questions or comments. There were none. By unanimous consensus, the Committee was satisfied with what they had heard and with what had been presented.

VIII. BUDGET APPROVAL

It was moved, seconded, and passed unanimously to accept the City of Brookings FY2002-2003 Proposed Budget as presented, with appropriate correction as recommended by staff: page 6-"health"; page 7-year corrections on graphs.

It was moved, seconded, and passed unanimously to accept the Permanent Property Tax Rate of 3.7630/\$1,000 of assessed value.

It was moved, seconded, and passed unanimously to approve the Budget Committee meeting minutes of April 18, 2001, as printed.

IX. ADJOURNMENT/CONTINUANCE

Council President Curry thanked the Budget Committee, Council, Management Team and staff for all their hard work and dedication to the citizens of Brookings.

The Budget Committee meeting was adjourned at 8:42 p.m.

Respectfully submitted:

Sharon A. Ridens, Admin. Secretary
Recording Secretary to Budget Committee

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
04/02	04/04/2002	43282	1731	VOID - Doug & Mary Tilley	10-00-2005	8.74 -M
04/02	04/08/2002	43312	1550	Academic & Scientific Supply	10-00-2005	52.00
04/02	04/08/2002	43313	150	Any Time Coffee Service	10-00-2005	39.85
04/02	04/08/2002	43314	1718	Barron & LaVonne Peterson	10-00-2005	13.89
04/02	04/08/2002	43315	146	Bay West Supply, Inc	10-00-2005	57.32
04/02	04/08/2002	43316	138	Becco, Inc	10-00-2005	73.80
04/02	04/08/2002	43317	148	B-H Chamber of Commerce	10-00-2005	2,488.84
04/02	04/08/2002	43318	1522	Blumenthal Uniforms	10-00-2005	49.45
04/02	04/08/2002	43319	110	Brookings Auto Parts	10-00-2005	206.47
04/02	04/08/2002	43320	416	Brookings Lock & Safe Co	10-00-2005	32.50
04/02	04/08/2002	43321	313	Brookings Vol Firefighters	10-00-2005	2,083.33
04/02	04/08/2002	43322	149	Carpenter Auto Center	10-00-2005	1,841.99
04/02	04/08/2002	43323	370	CCIS	10-00-2005	2,347.45
04/02	04/08/2002	43324	193	Central Equipment Co, Inc	10-00-2005	165.43
04/02	04/08/2002	43325	178	Chetco Pharmacy & Gift	10-00-2005	39.57
04/02	04/08/2002	43326	820	CMI Business Systems	10-00-2005	170.61
04/02	04/08/2002	43327	183	Colvin Oil Company	10-00-2005	980.16
04/02	04/08/2002	43328	182	Coos-Curry Electric	10-00-2005	10,960.28
04/02	04/08/2002	43329	1674	Correct Equipment	10-00-2005	209.82
04/02	04/08/2002	43330	169	CTR - Roto Rooter	10-00-2005	4,265.60
04/02	04/08/2002	43331	389	Cummins Northwest	10-00-2005	55.47
04/02	04/08/2002	43332	151	Curry Coastal Pilot	10-00-2005	590.80
04/02	04/08/2002	43333	173	Curry Equipment Company	10-00-2005	14.00
04/02	04/08/2002	43334	316	Donald & Roberta Chandler	10-00-2005	548.00
04/02	04/08/2002	43335	261	Engineered Control Products	10-00-2005	336.68
04/02	04/08/2002	43336	153	Ferrellgas	10-00-2005	712.46
04/02	04/08/2002	43337	105	First Impressions	10-00-2005	305.34
04/02	04/08/2002	43338	298	Freeman Rock Enterprises, Inc	10-00-2005	268.94
04/02	04/08/2002	43339	119	Gall's Inc	10-00-2005	43.98
04/02	04/08/2002	43340	282	GFOA	10-00-2005	130.00
04/02	04/08/2002	43341	139	Harbor Logging Supply	10-00-2005	342.35
04/02	04/08/2002	43342	1734	James & Nancidee Horn	10-00-2005	13.62
04/02	04/08/2002	43343	526	Joe Ingwerson	10-00-2005	90.00
04/02	04/08/2002	43344	1708	John & Taunya Dombusch	10-00-2005	46.04
04/02	04/08/2002	43345	1732	John Bailey	10-00-2005	65.85
04/02	04/08/2002	43346	1635	John Kiesling	10-00-2005	3.48
04/02	04/08/2002	43347	1038	Julie Watson	10-00-2005	180.00
04/02	04/08/2002	43348		Information Only Check	10-00-2005	.00 V
04/02	04/08/2002	43349		Information Only Check	10-00-2005	.00 V
04/02	04/08/2002	43350		Information Only Check	10-00-2005	.00 V
04/02	04/08/2002	43351		Information Only Check	10-00-2005	.00 V
04/02	04/08/2002	43352		Information Only Check	10-00-2005	.00 V
04/02	04/08/2002	43353	162	Kerr Hardware	10-00-2005	383.81
04/02	04/08/2002	43354	1397	L N Curtis	10-00-2005	97.20
04/02	04/08/2002	43355	681	Linda Barker	10-00-2005	9.50
04/02	04/08/2002	43356	1722	Luzier Hydrosiences	10-00-2005	2,713.20
04/02	04/08/2002	43357	525	Mark Haglund	10-00-2005	90.00
04/02	04/08/2002	43358	155	Mory's	10-00-2005	106.35
04/02	04/08/2002	43359	911	Nancy Corrigan	10-00-2005	21.61
04/02	04/08/2002	43360	683	OR Assoc Chiefs of Police	10-00-2005	100.00
04/02	04/08/2002	43361	144	OR Teamster Employers Trust	10-00-2005	7,755.44
04/02	04/08/2002	43362	189	OR Teamster Employers Trust	10-00-2005	16,618.80
04/02	04/08/2002	43363	143	Oregon Department of Revenue	10-00-2005	1,750.88
04/02	04/08/2002	43364	427	Oregon Pacific Company	10-00-2005	69.12
04/02	04/08/2002	43365	1733	Oregon State University	10-00-2005	18.75
04/02	04/08/2002	43366	252	Paramount Pest Control	10-00-2005	35.00
04/02	04/08/2002	43367	322	Postmaster	10-00-2005	520.00

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
04/02	04/12/2002	43425	293	Petty Cash	10-00-2005	188.66
04/02	04/12/2002	43426	1700	Phil's Auto Recycling	10-00-2005	35.00
04/02	04/12/2002	43427	1019	Phone Supplements, Inc	10-00-2005	11.95
04/02	04/12/2002	43428	187	Quality Fast Lube & Oil	10-00-2005	234.50
04/02	04/12/2002	43429	493	Ray Allen Manufacturing	10-00-2005	170.70
04/02	04/12/2002	43430	1741	RBF Consulting	10-00-2005	8,630.47
04/02	04/12/2002	43431	380	Stadelman Electric	10-00-2005	2,426.18
04/02	04/12/2002	43432	179	Trew, Cyphers & Meynink	10-00-2005	3,023.50
04/02	04/12/2002	43433	978	U.S. Bank	10-00-2005	3,234.64
04/02	04/12/2002	43434	991	Verizon Northwest	10-00-2005	1,562.58
04/02	04/12/2002	43435	686	Worlton Auto Body	10-00-2005	68.50
04/02	04/12/2002	43436	253	Xerox Corporation	10-00-2005	249.31
04/02	04/18/2002	43437	190	Bankcard Center	10-00-2005	261.90
04/02	04/18/2002	43438	1746	Brookings Christian Fellowship	10-00-2005	375.00
04/02	04/18/2002	43439	988	Brookings Harbor Ford	10-00-2005	227.93
04/02	04/18/2002	43440	182	Coos-Curry Electric	10-00-2005	894.41
04/02	04/18/2002	43441	195	Curry Transfer & Recycling	10-00-2005	10.31
04/02	04/18/2002	43442	1702	Douglas Welding Supply	10-00-2005	2,480.00
04/02	04/18/2002	43443	145	EBS Trust	10-00-2005	51.00
04/02	04/18/2002	43444	261	Engineered Control Products	10-00-2005	98.83
04/02	04/18/2002	43445	198	Grants Pass Water Lab	10-00-2005	133.00
04/02	04/18/2002	43446	131	HGE, Inc	10-00-2005	3,516.26
04/02	04/18/2002	43447	114	HPS Electrical Apparatus	10-00-2005	1,094.91
04/02	04/18/2002	43448	1750	Mrs. Guardino	10-00-2005	19.89
04/02	04/18/2002	43449	424	Munnel & Sherrill	10-00-2005	50.98
04/02	04/18/2002	43450	279	One Call Concepts, Inc	10-00-2005	23.40
04/02	04/18/2002	43451	311	Paramount Supply Company	10-00-2005	169.78
04/02	04/18/2002	43452	187	Quality Fast Lube & Oil	10-00-2005	54.00
04/02	04/18/2002	43453	1704	Ryan Herco Products	10-00-2005	91.74
04/02	04/18/2002	43454	1744	Sandy Scheppeler	10-00-2005	21.91
04/02	04/18/2002	43455	380	Stadelman Electric	10-00-2005	3,860.63
04/02	04/18/2002	43456	854	SWOCC Curry Program	10-00-2005	75.00
04/02	04/18/2002	43457	142	Tidewater Contractors Inc	10-00-2005	22,141.91
04/02	04/18/2002	43458	136	United Pipe & Supply Co Inc	10-00-2005	982.98
04/02	04/18/2002	43459	1736	University of Oregon	10-00-2005	3,750.00
04/02	04/24/2002	43460	1694	Comfort Inn	10-00-2005	59.40
04/02	04/24/2002	43461	1218	Rick Dentino	10-00-2005	44.00
04/02	04/25/2002	43462	1755	A Scott & Julie Lamar	10-00-2005	9.00
04/02	04/25/2002	43463	150	Any Time Coffee Service	10-00-2005	21.75
04/02	04/25/2002	43464		Information Only Check	10-00-2005	.00 V
04/02	04/25/2002	43465	138	Becco, Inc	10-00-2005	974.51
04/02	04/25/2002	43466	1757	Carl & Peggy Dement	10-00-2005	10.29
04/02	04/25/2002	43467	1753	Carroll A Sharp	10-00-2005	28.33
04/02	04/25/2002	43468	183	Colvin Oil Company	10-00-2005	1,285.16
04/02	04/25/2002	43469	182	Coos-Curry Electric	10-00-2005	2,776.29
04/02	04/25/2002	43470	1756	David D Pettigrew	10-00-2005	11.37
04/02	04/25/2002	43471	284	Day-Wireless Systems	10-00-2005	805.00
04/02	04/25/2002	43472	196	DHR Child Support Unit	10-00-2005	203.08
04/02	04/25/2002	43473	250	DHR Child Support Unit	10-00-2005	278.31
04/02	04/25/2002	43474	113	Fred Meyer	10-00-2005	118.80
04/02	04/25/2002	43475	1748	G.O. Construction	10-00-2005	1,364.00
04/02	04/25/2002	43476	1754	George Postma	10-00-2005	1.54
04/02	04/25/2002	43477	1759	Hazel Plummer	10-00-2005	29.46
04/02	04/25/2002	43478	131	HGE, Inc	10-00-2005	5,272.82
04/02	04/25/2002	43479	1505	Kessler/Murphy	10-00-2005	26.28
04/02	04/25/2002	43480	271	Larry Curry	10-00-2005	81.69
04/02	04/25/2002	43481	910	OR Department of Justice	10-00-2005	115.38

M = Manual Check, V = Void Check



Staff Report

To: Mayor Hagbom & City Councilors
From: Leroy Blodgett, City Manager
Date: May 7, 2002
Re: Formation of an Urban Renewal Agency

BACKGROUND

As you are aware, the Downtown Development Committee has been working on the formation of an Urban Renewal District. Charles Kupper has held workshops with the Downtown Development Committee and general public to gather input and provide information. There has also been a series of public workshops in preparation of our downtown master plan. The first official action necessary is to adopt an ordinance creating an Urban Renewal Agency.

An ordinance has been prepared for Council consideration. The ordinance declares that blighted areas exist in Brookings and creates the Urban Renewal Agency of the City of Brookings. City Council will actually be the Urban Renewal Agency. However, meetings of the Agency are not part of a City Council meeting.

The next steps are to adopt an Urban Renewal District and an Urban Renewal Plan. These will be presented in July.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1. Definitions. There are hereby declared to be blighted areas existent in the City of Brookings. There is further declared to be a need for an urban renewal agency to function in the City of Brookings, which urban renewal agency shall be deemed to have all powers provided by ORS Chapter 457. For purposes of this declaration, blighted areas are deemed to be areas which by reason of deterioration, faulty planning, inadequate or improper facilities, deleterious land use or the existence of unsafe structures, or any combination of these factors, are detrimental to the safety, health, or welfare of the City of Brookings. The term "blighted areas" is more particularly defined in ORS 457.010 and those definitions are incorporated herein by reference.

Section 2. Declaration of need. The City Council declares and recognizes that there is a need for an Urban Renewal Agency to function within the City of Brookings.

Section 3. Agency's rights, powers, duties, privileges and immunities granted and vested. The City Council further declares, Pursuant to ORS 457.045(3), that all of the rights, powers, duties, privileges and immunities granted to and vested in an Urban Renewal Agency by the laws of the State of Oregon shall be exercised by and vested in the City Council of the City of Brookings, provided, however, that any act of the governing body acting as the Urban Renewal Agency shall be and shall be considered, the act of the Urban Renewal Agency only and not of the City Council.

Section 4. Name of agency. The corporate name of the agency provided by the Ordinance shall be, and said agency shall be known as, "The Urban Renewal Agency of the City of Brookings."

Section 5. Members' terms of office. The term of office of each member of the Urban Renewal Agency shall be concurrent with each member's individual term of office as a member of the City Council.



Staff Report

To: Mayor Hagbom & City Councilors
From: Leroy Blodgett, City Manager
Date: May 7, 2002
Re: Water/Sewer Ordinance Amendments

BACKGROUND

Currently, if a tenant moves without paying an outstanding water & sewer bill the property owner is held responsible for payment. The bill must be paid before the utilities are turned on in any else's name. In review of the policy (ordinance) staff feels this practice is inappropriate. To change the practice, adoption of two ordinances are necessary. Below are the recommended changes to the ordinances:

Water Ordinance

- A. Liability for payment. All bills for water service shall be charged against ~~the premises where supplies and to the owner thereof and/or to the applicant for water service.~~ The premises applicant shall be held liable for the payment of such service, together with such fines and penalties as may accrue against the same by reason of any of the provisions of this ordinance. ~~and no change of ownership, business or occupancy or manner of billing for water service shall affect the application of this section~~

Sewer Ordinance

Liability for payment. All bills for sewage service shall be charged against the ~~premises where supplies and to the owner thereof and/or to the applicant for sewage service.~~ The premises applicant shall be held liable for the payment of such service, together with such fines and penalties as may accrue against the same by reason of any of the provisions of this chapter. ~~And no change of ownership, business or occupancy or manner of billing for sewage service shall affect the application of this section.~~

"Section 19.A. Billing and Payment

A. Liability for payment. All bills for water service shall be charged against the applicant for water service. The applicant shall be held liable for the payment of such service, together with such fines and penalties as may accrue against the same by reason of any of the provisions of this ordinance.

First Reading: _____

Second Reading: _____

Passage: _____

Effective Date: _____

Signed by me in authentication of its passage this _____ day of May 2002.

Bob Hagbom
Mayor

ATTEST by City Recorder this _____ day of May 2002.

Paul Hughes
City Recorder

Section 2. Amendment to Section 10. Ordinance No. 88-O-431, is amended to read as follows:

"Section 10. Liability for payment. All bills for sewage service shall be charged against the applicant for sewage service. The applicant shall be held liable for the payment of such service, together with such fines and penalties as may accrue against the same by reason of any of the provisions of this chapter.

First Reading: _____

Second Reading: _____

Passage: _____

Effective: _____

Signed by me in authentication of its passage this _____ day of May, 2002.

Bob Hagbom, Mayor

ATTEST by City Recorder this _____ day of May 2002.

Paul Hughes
City Recorder



Staff Report

To: Mayor Hagbom & City Councilors
From: Leroy Blodgett, City Manager
Date: May 9, 2002
Re: Curry Transfer & Recycling Rate Increase

BACKGROUND

The solid waste franchise agreement with Curry Transfer & Recycling (CTR) allows for an annual rate adjustment based on the annual Consumer Price Index (CPI). The CPI for this year is 2.8%. However, CTR the new proposed rate schedule reflects only a 1.9% increase in rates. The new rates are shown in the attached "Exhibit A".

A resolution must be passed if City Council wishes to approve the proposed rate adjustments. Staff has prepared such a resolution for consideration.

STAFF RECOMMENDATION

Adopt Resolution 02-R-701 in the matter of approving rates for sanitation service to be charged by Curry Transfer & Recycling to customers in the City of Brookings.

News

Bureau of Labor Statistics

United States
Department of Labor
San Francisco, CA 94119



CONTACT:

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Fax-On-Demand (415) 975-4567 --

Code: #9150

BLS 02-15

FOR RELEASE:

Wednesday, February 20, 2002

**PORTLAND-SALEM CONSUMER PRICES UP 1.3 PERCENT IN THE
SECOND HALF OF 2001—2.3 PERCENT ABOVE A YEAR AGO**

Consumer prices in the Portland metropolitan area rose 1.3 percent in the second half of 2001 according to the Bureau of Labor Statistics of the U.S. Department of Labor. Regional Commissioner Stanley P. Stephenson said that rising housing prices were largely responsible for the overall increase. Compared to the same period a year ago, prices increased 2.3 percent. The area's Consumer Price Index for All Urban Consumers (CPI-U) advanced to 183.6 (1982-84=100) during the second half of 2001. This means a market basket of goods and services that cost \$100.00 in 1982-84 would have cost \$183.60 during the past six months. Local area CPI data are not seasonally adjusted.

The overall housing index rose 1.8 percent during the second half of 2001 and are up 3.3 percent from the same period in 2000. In the past six months, the shelter component of housing advanced 1.3 percent, fuels and utilities increased 8.2 percent, and household furnishings and operations prices were up 0.3 percent. Compared to a year ago, shelter advanced 2.5 percent, fuels and utilities increased 11.0 percent, and household furnishings and operations rose 1.5 percent.

Prices for food and beverages rose 1.8 percent in the second half of 2001. Grocery prices, represented by the food at home index, increased 2.7 percent in the same period. The price of food away from home in the second half of 2001 advanced 1.0 percent while prices paid for alcoholic beverages rose 0.1 percent. For the past 12 months, the food and beverage index rose 2.1 percent.

The miscellaneous other goods and services index advanced 5.6 percent in the past six months, the largest percentage gain of all eight major expenditure categories, and 6.7 percent over the year.

Medical care prices increased 2.5 percent in the recent six month period. Compared to the second half of 2000, medical care prices are up 7.9 percent in the Portland metropolitan area.

The recreation index rose 1.4 percent in the past six months and measured 1.6 percent higher in the past 12 months.

Prices for education and communication advanced 0.5 percent during the second half of 2001 and were up 1.0 percent since the second half of 2000.

revisions of the index. Such major revisions have taken place approximately once each decade-in 1940, 1953, 1964, 1978, 1987, and 1998. The goal in employing more current expenditure weights is to have the CPI reflect, as much as possible, the inflation currently experienced by consumers. More specifically, the use of more current weights will help to ensure that the relative importance of CPI item categories, such as food away from home, college tuition, or medical care services, more accurately reflects how consumers are allocating their spending.

Consumer Price Index for All Urban Consumers (CPI-U): Indexes for semiannual averages and percent changes for selected periods

Portland-Salem, OR-WA (1982-84=100 unless otherwise noted)

Item and Group	Semiannual average indexes			Percent change to 2nd half 2001 from-	
	2nd half 2000	1st half 2001	2nd half 2001	2nd half 2000	1st half 2001
Expenditure category					
All items	179.5	181.2	183.6	2.3	1.3
All items (October 1967=100)	525.5	530.6	537.5	-	-
Food and beverages	158.6	159.2	162.0	2.1	1.8
Food	158.6	159.2	162.1	2.2	1.8
Food at home	155.8	155.1	159.3	2.2	2.7
Food away from home	163.8	167.6	169.3	3.4	1.0
Alcoholic beverages	161.0	161.4	161.5	0.3	0.1
Housing	179.6	182.3	185.6	3.3	1.8
Shelter	206.1	208.4	211.2	2.5	1.3
Rent of primary residence	190.7	193.8	196.5	3.0	1.4
Owners' equivalent rent of primary residence (1)	212.6	215.9	217.9	2.5	0.9
Fuels and utilities	147.8	151.6	164.0	11.0	8.2
Fuels	120.7	123.6	138.3	14.6	11.9
Gas (piped) and electricity	147.5	152.1	173.0	17.3	13.7
Electricity	158.0	159.4	183.6	16.2	15.2
Utility natural gas service	119.2	130.7	143.7	20.6	9.9
Household furnishings and operations	120.2	121.6	122.0	1.5	0.3
Apparel	134.9	134.6	130.4	-3.3	-3.1
Transportation	168.3	167.9	167.2	-0.7	-0.4
Private transportation	168.5	167.3	166.4	-1.2	-0.5
Motor fuel	150.4	139.6	135.3	-10.0	-3.1
Gasoline (all types)	150.8	139.9	135.7	-10.0	-3.0
Gasoline, unleaded regular (2)	147.7	136.9	132.8	-10.1	-3.0
Gasoline, unleaded midgrade (2) (3)	132.1	122.3	117.6	-11.0	-3.8
Gasoline, unleaded premium (2)	146.0	136.6	132.3	-9.4	-3.1
Medical care	253.6	266.9	273.6	7.9	2.5
Recreation (4)	102.6	102.8	104.2	1.6	1.4

Search:

OF LABOR SALES
 (million)

2001
 9-11-2001

2001 (15) 9-11-2001
 2001 (15) 9-11-2001

Western
 Text

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON

*In the Matter of approving rates)
for sanitation services to be)
charged by Curry Transfer and)
Recycling to customers in the City)
of Brookings)*

Resolution No. 01-R-689

WHEREAS, Ordinance No. 95-0-510, Section 7 states that rates for service shall be those currently approved for the franchisee by the City Council by resolution; and

WHEREAS, Ordinance No. 95-0-510, Section 7 states that the rates shall be attached to Ordinance No. 95-0-510 as Exhibit "A";


NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BROOKINGS THAT the rates shown on attached Exhibit "A" shall be approved, effective July 1, 2001, and shall remain in effect until such time as any change in rates shall be approved by the City Council:

PASSED by the Brookings Common Council and signed by the Mayor this 21st day of May, 2001.



Bob Hagbom
Mayor

ATTEST:



Randy Reed
City Recorder

PC: CTR
Finance Dir.
Accts Payable
CDD
Sharon
orig - Vault

CPI INFLATION RATE ADJUSTMENT - BROOKINGS JULY 1, 2002

CPI INFLATION 2002 (US CITY AVERAGE)	2.8%
CTR RATE ADJUSTMENT	1.9% (68% OF CPI)
INCLUDES PORT ORFORD POST CLOSURE = .13 PER MONTH	
DISCONTINUES WRIDGE CREEK POST CLOSURE = (.29) PER MONTH	
CURRENT RATE 32 GAL RES.	\$ 16.82
PORT ORFORD CLOSURE	\$ (-.13)
WRIDGE CREEK CLOSURE	\$ 0.29
RATE	\$ 16.98
CPI (1.9%)	\$ 0.32
ADJUSTED RATE	\$ 17.30
PORT ORFORD CLOSURE	\$ 0.13
WRIDGE CREEK CLOSURE	\$0.00
RATE	\$ 17.43
1 YARD	\$ 20.62
PORT ORFORD CLOSURE	\$ (-.15)
WRIDGE CREEK CLOSURE	\$ 0.33
RATE	\$ 20.80
CPI (1.9%)	\$ 0.40
ADJUSTED RATE	\$ 21.20
PORT ORFORD CLOSURE	\$ 0.15
WRIDGE CREEK CLOSURE	\$0.00
RATE	\$ 21.35
CURRENT RATE 32 GAL COMM	\$ 19.20
PORT ORFORD CLOSURE	\$ (-.13)
WRIDGE CREEK CLOSURE	\$ 0.29
RATE	\$ 19.36
CPI (1.9%)	\$ 0.37
ADJUSTED RATE	\$ 19.73
PORT ORFORD CLOSURE	\$ 0.13
WRIDGE CREEK CLOSURE	\$0.00
RATE	\$ 19.86

EXHIBIT A
Effective July 1, 2002
RATE SCHEDULE - CITY OF BROOKINGS

CANS/CARTS: SET OUT (CURB SIDE) SERVICE:

\$17.43 per month - one thirty - two (32) gallon can each week.
\$34.86 per month - one sixty - four (64) gallon cart each week.
\$52.29 per month - one ninety - six (96) gallon cart each week.
\$13.30 per month - one twenty (20) gallon When Available-Recycle Only.
Residential Compactor-in Excess Of 2 Bags-1.5 Times Can Rate.

CANS/CARTS: OTHER THAN SET OUT SERVICE:

\$1.02 per trip for each: Driveway, additional- twenty five feet from truck access, long driveways- over 100 yards- for each additional 200 yards or portion. An additional charge for each gate, fence, hallway and/or stairs overweight limits of cans (32 gallon - 55 lbs), each unsecuring or securing of container.

COMMERCIAL/RENTAL SERVICES (Container/Carts/Cans):

32 Gallon Cart (including Rentals Five and up.	\$19.86
Container Service - Per Loose Yard - Per Pick-Up.	\$21.35
Container Service - Per Loose Yard - Brush (Roll Off).	\$10.51
Container Service - Per Loose Yard - Metal (Roll Off).	\$10.51
Container Service - Gate Fee (Each Time) - Extra.	\$5.69
Container Rental - One-Eight Yards - Per Month.	\$12.59
Customer Requested - Other Than Wkly-Each Trip Minimum.	\$12.59
Customer Requested - Customized Pick Up (Times)-Minimum.	\$15.95
Customer Service -Special events, Construction, Clean-up, etc. per trip	\$15.95
Container Service Roll Out Service - Extra.	10%
Container Service - Ramp Roll Out Service - Extra.	20%
Customer Requested After Hour, Saturday or Sunday - Extra.	50%
Mechanically Compacted Waste 2.75 Times Yard Or Can Rate.	

RECYCLING CREDITS (Commercial When Service Available):

Container Service - Newsprint (Properly Prepared) of commercial Rate	50%
Container Service - Waste Paper/Office Paper/Cans/Bottles/ Plastics/Glass (Properly Prepared) of Commercial Rate.	25%

OTHER RESIDENTIAL & COMMERCIAL CHARGES:

(1) Occasional Extra In Route Pickup - Each.	\$4.61
(2) Customer Requested Special Pickup-Minimum.	\$7.01
(3) Initial One Time Set Up Charge.	\$5.69
(4) Monitored Inactive Status - Each Time.	\$5.69
(5) Rental Property Owners Responsible For Sanitation Charges.	
(6) Extra Heavy Roofing/Demolition 2.75 Time Yd. Rate.	
(7) Waste In Excess Of 280 LBS PR. YD. Subject To The Approved Tonnage Rate.	
(8) Household Hazardous Waste. (As Approved)	

BUILDING DEPARTMENT ACTIVITIES SUMMARY

For Month of **April, 2002**

No.	Building	Permit Fee	Plan Check Fee	Surcharge	SDF's	Value Current Month	No. to Date	Total to Date	No. Last Yr	Total Last Year
2	Single Family Dwelling	\$1,073.50	\$697.78	\$0.00	\$8,934.00	\$281,912.00	13	\$2,147,877.00	11	\$2,356,255.00
2	Single Family Addition	\$119.00	\$77.36	\$8.33	\$0.00	\$11,393.00	6	\$89,602.00	10	\$196,596.00
2	Single Family Garage-Carport	\$107.00	\$69.56	\$7.49	\$0.00	\$9,806.00	6	\$61,785.40	7	\$74,968.80
0	Two Family Residential	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$361,941.00	2	\$371,906.00
0	Multi-Family Residential Apts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
1	Commercial New	\$850.50	\$893.03	\$59.54	\$0.00	\$266,760.00	3	\$1,012,545.00	1	\$329,448.00
2	Commercial Addition-Change	\$448.00	\$466.40	\$31.36	\$0.00	\$102,054.00	2	\$102,054.00	6	\$146,868.00
0	Churches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	1	\$3,317.00
0	School Repair-Addition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Building Removal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	0	\$0.00
0	Misc.-Retaining Wall-Fence	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1	\$10,900.00	1	\$0.00
9	Total Building Permits	\$2,598.00	\$2,204.13	\$181.86	\$8,934.00	\$671,925.00	32	\$3,786,704.40	39	\$3,479,358.80
4	Mechanical Permits	\$93.85	N/A	\$6.57	N/A	N/A	24	N/A	26	N/A
3	Plumbing Permits	\$142.80	N/A	\$10.00	\$0.00	N/A	17	N/A	18	N/A
0	Manufactured Home Permits	\$0.00	N/A	\$0.00	\$0.00	N/A	0	N/A	2	N/A
16	TOTAL PERMITS	\$2,834.65	\$2,204.13	\$198.43	\$8,934.00	\$671,925.00	73	\$3,786,704.40	85	\$3,479,358.80
	Total Year to Date Calculated Fees	\$15,112.75	\$10,042.55	\$1,057.90	\$74,835.00					
	2001 YTD Calculated Fees									

DEQ has lifted the requirement to report EDUs connected to the Brookings Wastewater System. We will continue to report monthly EDUs issued for Brookings and Harbor
 Harbor- 1
 Brookings-2