

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BROOKINGS
July 15, 1980

I. CALL TO ORDER:

The meeting was called to order at 7:30 p.m. by Chairman Earl Breuer.

II. ROLL CALL:

Those present were: Chairman Earl Breuer, Commissioners Richard Swigert, Ralph DeJarnett, Jean Hagen and Mary Jane Brimm. Staff members present were: Marshall Ferg, Building Official and Praecilla Pruitt, Secretary.

Representative from the press was Dick Keusink from the Curry Coastal Pilot.

III. APPROVAL OF MINUTES:

MOTION by Commissioner Swigert, seconded by Commissioner Hagen to approve the minutes. Motion carried unanimously.

IV. WELCOME TO VISITORS:

Chairman Breuer welcomed approximately 16 people who were in the audience. Councilman Brimm and C. Fell Campbell, former Mayor, were also in attendance.

V. PUBLIC HEARING:

1. Variance request No. V-80-3 by Donald F. Hintzman on Tax Lot 2200, Map 41-13-6AC for street width.

Marshall Ferg stated that Mr. Hintzman had come before the Planning Commission several months ago for a minor land partition in which he wants to divide Tax Lot 2200 into 3 parcels of land. He had been instructed to obtain additional street width since the right of way width to these parcels of land did not meet the Zoning Ordinance requirements. He had obtained from Exxon Oil Company an additional 10' of land to give right of way width of 35' which is all that is available. Since it did not meet the requirements for a street, it was necessary for him to file a variance. There were no proponents for or opponents against the variance request. Chairman Breuer and Mr. Ferg agreed that this would be a recommendation to the City Council.

MOTION by Commissioner Swigert that the request for a variance for street width to Tax Lot 2200 be given with the stipulation

and recommendation to the Council that there be no parking of any type in this area because of the width.

Commissioner DeJarnett questioned that with a 35 foot right of way did Mr. Hintzman increase the width of the roadway. Mr. Hintzman stated that he had acquired the additional 10' right of way as requested. Marshall Ferg stated that it would be the requirement of the developer of the land to increase the street roadway. The motion was seconded by Commissioner Hagen and carried unanimously.

2. Conditional use application No. CU-80-4 for Brookings Church of Christ on Tax Lot 800, Parcel 1 and 2, Pam 41-13-6BB, Ransom Avenue and U.S. Highway 101.

Chairman Breuer stated that in the last meeting there was a hearing and a request by motion for a parking and access plan. Marshall Ferg stated that the two street accesses to the lot, as an entrance to the parking area and the exit through the side were adequate for space. There was also a new partition that was included in the Planning Commission packet. It was noted that there was a new petition with 34 signatures opposing the conditional use application. Chairman Breuer stated that there were 19 parking spaces in the plan and he had counted 23 or 24 cars where they are presently holding services and if they added to the building it would cut down on the parking space. Mr. Breuer felt that it was an inadequate piece of property and that a church should have at least four City lots and they should be able to find 4 lots at another location. Robert Evans stated there were not that many cars, as 6 or 8 belonged to the apartment complex. There are 23 members and 11 children. Chairman Breuer read a letter from Mark Baker of 1321 Ransom Avenue in opposition to the conditional use permit. Chairman Breuer stated that it was not a good location for a church.

MOTION by Commissioner Brimm, seconded by Commissioner DeJarnett, to deny the conditional use application for the Brookings Church of Christ due to fact of the number of remonstrances against it and the access on Highway 101 being dangerous.

Chairman Breuer thanked the church for presenting the map to the Commission and desired to express that no one of the Commission was against anyone that attends this particular church but it was denied because it was not an adequate site. Motion carried unanimously.

VI. LEGISLATIVE ACTION:

1. Amendment to Subdivision Ordinance No. 325 concerning Grading and Clearing.
Marshall Ferg read the revision of the subdivision amendments which had previously been requested at the June 25, 1980 meeting, and the original amendment.

MOTION by Commissioner DeJarnett, seconded by Commissioner DeJarnett that we recommend Ordinance No. 325 amendments to the City Council. Motion carried unanimously.

2. Minor land partition request by Marvin H. Pope on Parcel 1 of Tax Lot 2000, Map 41-13-6AB, Ransom and Fifth Streets.

Marshall Ferg stated that Mr. Pope had asked to divide one parcel of land into 3 separate parcels of land; one on Ransom and 5th; two fronting on 5th Street. All three parcels of land are over the requirements of 6,000 square feet.

MOTION by Commissioner DeJarnett, seconded by Commissioner Swigert that the minor partition on Tax Lot 2000 be granted. Motion carried unanimously.

3. Minor land partition request by Mr. and Mrs. Preston Paull on Tax Lot 41-13-1AA on Beach Avenue.

Marshall Ferg stated that several months back a minor land partition had been submitted to the Planning Commission and was denied. At that time the partition did not include a 25 foot right of way access to Beach Avenue. On the proposal Mr. Paull has a 25 foot access to Beach Avenue, a portion of which is a joint user easement, by the adjoining property owner. The lot meets the requirement of 6,000 square feet and is 60' in width and 100' deep on one corner and longer on the other corner. Beach Avenue was approved with the stipulation that the City would never be obligated to maintain that street. A question about the footage was made by the Commission and Mr. Ferg explained that if the partition is granted, then the necessary surveys would be done.

MOTION by Commissioner Swigert, seconded by Commissioner DeJarnett that we approve the minor partition on Tax Lot 200. Motion carried unanimously.

It was made clear that this would in no way obligate the City for acceptance of this street as it is a substandard street.

4. Waterway Project Permit Review by Department of the Army, Corps of Engineers for Gerrid C. Joy, Smugglers Cove.

Marshall Ferg stated that this was a public notice and permit review for work done in the coastal zone on the river. This permit was to place a dock on the Chetco River on the base of the hill where he is developing Smuggler's Cove. Marshall did not see any objection to the request. He had discussed this matter with CCOG and once the Comprehensive Plan is approved it will have to come before the Planning Commission anyway.

MOTION by Commissioner Swigert, seconded by Commissioner Hagen to approve the permit for Gerrid C. Joy. Motion carried unanimously.

VII. OTHER ITEMS

1. Building permits for June 1980.

Marshall Ferg stated that there was a total of 15 permits issued in the total amount of \$586,670.75 and 13 plumbing permits issued in the total amount of \$104.00. He stated that Brookings was the only place in the State that is above valuation from a year ago.

2. Chairman Breuer asked Mr. Ferg about having a meeting with the City Engineer concerning storm drainage. Mr. Ferg explained there was to be a meeting arranged with the Engineer was coming down on some other matters.

3. Commissioner Swigert asked that a recommendation be made to the Council concerning drainage on the Riviera Heights Subdivision and that Chairman Breuer should appear before the City Council and recommend that an injunction, stop work order and complete shutdown be made. He distributed pictures to the Commissioner taken during the last rain. Chairman Breuer stated that he would appear before the Council if it was a recommendation of the Commission. Mr. Orval Harris stated that their subdivision was to come before the Council for approval at its next regular meeting and that Pipeline Road was to be the first project to get it compacted in and the ditches under control and seeded. He stated that the road was not a street but it was an easement and the people were using the street as a free lance road and that the people feel they should have a highway on his own property. It is only a water easement.

Chairman Breuer stated that Mr. Harris had violated every rule and ordinance and that he had not tried to work with the Council and that was why they did not have any confidence of faith in him. Mr. Harris contended that he had been operating within the subdivision laws and regulations. Mr. Ferg stated that he had viewed the final plat of the subdivision but not the drainage plan. He also had received the geologist's report. He stated further that the City Attorney had informed him that Mr. Harris' subdivision could not be shut down according to our subdivision ordinance on any clearing of brush unless Mr. Harris has done some damage to the City sewer or water system. He stated that he had reports that damage had been done to the water system and if this was true then he would see the City Attorney about getting a stop work order, if there was damage.

MOTION by Commissioner Hagen, seconded by Commissioner Brimm that Chairman Earl Breuer go before the City Council and represent the Planning Commission. Motion carried unanimously.

The meeting was adjourned at 8:27 p. m.


Chairman

ATTEST:


Secretary