

MINUTES
PLANNING COMMISSION STUDY SESSION
CITY OF BROOKINGS
October 21, 1980

I. CALL TO ORDER:

The meeting was called to order at 7:01 p.m. by Chairman Earl Breuer.

II. ROLL CALL:

Those present were: Blain Gribble, Ralph DeJarnett, Ted Mattson, Richard Swigert, Mary Jane Brimm and Jean Hagen.

Staff members present were: Marshall Ferg, Building Official and Praecilla Pruitt Secretary.

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

IV. WELCOME TO VISITORS:

Chairman Breuer welcomed a small audience of about 3 people.

V. DISCUSSION:

Request by Carl Stein for Planning Commission position on street development on property off Collis Lane, Map 41-13-6CB, Tax Lot 4800.

Marshall Ferg stated that Ken Warthen and Audrey Rust had inquired about information as to developing this piece of property. Mr. Ferg had searched all the Planning Commission and Council minutes and minor land partitions concerning this property owned by Tony Felipe, but there were only a couple things that may pertain to this lot, as the information was not recorded by tax lot or map number. It was mentioned only as Tony Felipe property. Audrey Rust was present and stated that they represented Tony Felipe, the seller and Carl Stein, the prospective buyer. She stated that they desired to show access for development into the property. There was a 40' right-of-way deeded to the City and they would need a 56' right-of-way to comply with the Subdivision Ordinance. There was also a 25' strip along the North side that was deeded to the City for the sewer easement. It is being used as a road. Mrs. Rust further stated that they desired to know if they could purchase Lot 4600 and go ahead and use the 40' street. If not, it would be necessary to purchase additional lots in order to gain entrance. It was stated by Marshall Ferg that Tax Lot 4600 was not a suitable building lot as it was only 40' in width. He thought that supposedly Tax Lot 4600 was split into two tax lots thus creating Tax Lot 4600 and 4601 with the purpose of becoming a 40' street. The minutes mentioned a lot split made by Oscar Boyer on Arnold Lane, but it did not refer to tax lot or map number. Commissioners Breuer and Brimm recalled that Mr. Boyer was going to develop Tax Lot 4800 at one time. Marshall Ferg stated that Tax Lot 4601 had 60' frontage and that the eave line of the house extended over on Lot 4600. Chairman Breuer felt that since the 40' street had been granted and recorded previously, that if they could purchase Tax Lot 4600 there would be no problems. Commissioner Gribble questioned how they would get to the back of the property. Mrs. Rust replied that there would have to be a cul-de-sac and they would be back to the Commission to change the road through the center of the property. Their major concern was to get into the property and develop it with the proper turn-around for the fire trucks. It was mentioned that it was an area where there was a shortage of water, but the prospective buyers were not concerned about it. Chairman Breuer suggested that a motion be made to accept the 40' street if they bought Tax Lot 4600. Marshall Ferg stated that he did not think that a motion was in order as it was a study session and had been advertised as such. Marshall Ferg had told the realtor that they would make some kind of agreement as to what they would do, and a formal motion would be made at the next regular meeting.

MOTION by Commissioner Swigert, seconded by Commissioner Gribble that we accept the 40' street easement as shown on Tax Lot 4800 with the stipulation that in order to get into this property they try and secure Tax Lot 4600 for street purposes.

There was discussion if the motion was legal and if it should be finalized at the next meeting. Chairman Breuer stated that if the motion was passed it would give a consensus of opinion and this is what the realtors desired. If the City Attorney ruled otherwise there would still be a common consent. The motion was voted upon and carried. Commissioners Mattson and DeJarnett abstained from voting.

A proposed Resolution for annexation.

Marshall Ferg stated that he had talked with the League of Oregon Cities, and they stated that it would be difficult to establish a certain amount of property that you would consider for annexation. This is a policy making resolution to establish policy and not law. The attorney with the League of Oregon Cities had informed Mr. Ferg that it would be impossible to establish that you would only consider a certain amount of land because there are so many different things that come into annexations. The resolution contained several reasons for annexation, including the preferral of large annexations, small lot size annexations for health hazards, and extending City Utilities. It was also recommended that small lot annexations should not be considered individually only under certain conditions. It was also mentioned that in some Cities they collect all the annexations and consider them all at one time. Marshall Ferg stated that the cost for annexation was \$350.00 as set by resolution. Councilman Brimm, who was in attendance, stated that he felt that all property contiguous to the City Limits should be allowed to be annexed if they so desired. Chairman Breuer suggested that the Planning Commission study the resolution and at the next meeting pass their recommendations on to the Council. Marshall Ferg mentioned that there were considerable resolutions, ordinances and paper work necessary for each annexation, and that the first annexation had begun five months ago and still was not completed. Chairman Breuer felt that Article 7k of the proposed Resolution should be deleted as it was discriminatory, and that we should get the City Attorney's opinion on this point.

The meeting was adjourned at 8:24 p.m.

This meeting is recorded on tape and is on file in the City Recorder's office.


Chairman

ATTEST:


Secretary