

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BROOKINGS
June 26, 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 Blain Gribble, Richard Swigert, Ralph DeJarnett, Theodore Mattson, Jean Hagen and Mary Jane Brimm.

Staff members present: Marshall Ferg, Building Official and Alexa Coombs, Secretary.

Representative from the press was Bob Rodriguez from the Curry Coastal Pilot.

III. APPROVAL OF MINUTES:

MOTION by Commissioner Brimm, seconded by Commissioner Hagen, that the minutes of the May 27, 1980 meeting be approved as presented. Motion carried unanimously.

IV. WELCOME TO VISITORS:

Chairman Breuer welcomed approximately 20 people in the audience and stated it was good to know that people of the community were interested in their local government.

V. PUBLIC HEARINGS

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

Marshall Ferg informed the Commission that the application was filed by Mr. Evans, 303 Spruce Drive on June 3, 1980. The property is 225' long and 73.5' wide and is a triangular shape. Mr. Ferg has inspected both the house and the property. It is a sound house, and it would meet the requirements with an occupancy load of 50 people. There is plenty of room to park off street. This property is actually two parcels, parcel 1 being 7,112 sf and parcel 2 being 7,700 sf, for approximately 14,812 sf. Mr. Evans addressed the Commission requesting approval of the application. The congregation consists of approximately 27 members. He stated that if anything is not up to standards the Church is prepared to facilitate the necessary changes. Mr. Ferg stated that zoning is proper. Mr. Evans further stated that the Church has no meetings lasting later than 8:00 p.m. The church does not operate a day-care center or a school. They do not use music in their services. The church conducts quiet services.

Mr. Dick Percival, 1397 Chetco Avenue, addressed the Commission stating that he also represented Dr. and Mrs. Monaco. He stated they were opposed to having the property used for anything other than residential. He felt that if the Commission allowed one non-residential use it would be easier for commercial buildings to receive permission to do the same. He further stated that the area is becoming very congested, and in the last month there have been two accidents there, one very serious. The tax assessor told Mr. Percival that there will be 300 to 400 more homes in that area in the future, and that most of them will be using Ransom Avenue as a thoroughfare. He stated that while they had nothing against the church in any way, they wanted to keep the area exclusively residential. C. Fell Campbell, 1359 Chetco Avenue, addressed the Commission in opposition of approval of the application. He objected to any further encroachment of non-residential in the area. He stated that while the churches often start out small, they do grow. Barbara Ward who addressed the Commission, stated that she lived directly to the east of the proposed church

location. She is very concerned about the parking situation. The way the property lies, it looks as if they would have to park on the lawn. Mr. Ferg stated they would have to create off-street parking. She asked what would prevent them from parking on Chetco Avenue. Mr. Ferg stated the Police would control that. She said they already have a problem with renters parking on Chetco Avenue. Mark Baker, 1321 Ransom Avenue, told the Commission he objected to the proposed site because of the congestion. He stated that there is another street that comes in where Ransom Avenue and Chetco Avenue meet which causes quite a problem when turning right from Chetco on to Ransom if any cars are parked on Ransom. Mr. Evans stated that as far as encroachment of any industrial area a church must request a conditional use permit anywhere within the City Limits of Brookings. He has seen churches that are right in the middle of a residential area. It is up to the Planning Commission to stop the detrimental type of encroachment. He stated the Church did not have to necessarily use the driveway that is there. They could use Chetco Avenue as an access to eliminate any further problem on Ransom Ave. Chairman Breuer stated that the State Highway Commission would probably not allow that. Mr. Evans stated that he appreciated the people's concern, but reiterated that the church would not be buying or selling anything and would not be conducting a day care center or school. Mr. Ferg read letters from Ray N. Cropper and Mr. & Mrs. Proschold objecting to approval of the permit mainly due to the congestion already on Ransom Avenue.

MOTION by Blain Gribble, seconded by Commissioner DeJarnett to ask Mr. Evans to draw up a plat of the parking and access and present it at the next Planning Commission meeting. Motion carried unanimously.

2. Variance application V-80-1 for Raymond F. & Evelyn M. Todd on Tax Lot 213, Map 41-13-8BB, 409 Buena Vista Loop for minor land partition and driveway width. Mr. Todd stated that the purpose of the partition was to build a small 1,200' home. The parcel would be 76' by 275'. The entrance to the home would be off Buena Vista Loop. The existing driveway would not be affected. He stated that Lot 100, which is approximately 100' by 360' had a partition and there are now four lots on that piece of property. There are two homes on Lots 16 and 17 which are 90' by 150' approximately. He stated that his request does not set a precedent since there are other lots of equal size in that area with more than one home on it. Carl Larsen, Lot No. 216, addressed the Commission in opposition to the application. He stated that the whole subdivision is Residential I. If the Commission allowed one owner to build a house on their property it would leave it open for anyone else to do the same. This would create a rental area, which would generate noise and traffic. He stated that an extra home on the property would depreciate the property. He presented the Commission with a written objection signed by 18 people within 250 feet of the subject property. He further stated that there is a 6' easement that carries a 4' drainage pipe. He noted that Mr. Todd's fence was on the tube. He was concerned about blockage and flooding. They have had a problem with flooding in the past. Chairman Breuer read the written petition. Mr. Todd stated that the fence is right on his property line. He also stated that Mr. Larsen is talking about large lots, but there are only about three large lots left in the area. Chairman Breuer asked Marshall Ferg to inspect the fence on Mr. Todd's property line.

MOTION by Commissioner Brimm, seconded by Commissioner Mattson to deny the application. Motion carried unanimously.

3. Variance application V-80-2 for James D. Mercer on Tax Lot 102, Map 41-13-6AA, 601 Hassett Street concerning side yard and rear yard setback requirements. Marshall Ferg informed the Commission that Mr. Mercer filed his application on May 14, 1980 after applying for a building permit. The Zoning Ordinance requires a 15' set back. He has 10'. He plans on a 6' breezeway between the garage and the existing structure. The garage is 60' back from the property line. He has permission to use the 20 road easement. Mr. Ferg stated he would recommend approval of the application. He felt Mr. Mercer has made every effort to meet the Zoning requirements. Mr. Mercer told the Commission that he purchased an additional 10' of property on the back of his property line to build a garage. When applying for the building permit he found that 15 feet was required. Florence Hedley, 830 Ransom Avenue, addressed the Commission in favor of the application. She stated that she saw no reason to deny the application.

MOTION by Commissioner Hagen, seconded by Commissioner DeJarnett to grant the application. Motion carried unanimously.

4. Amendment to Subdivision Ordinance No. 325.
- (a) To amend Article 2, Section 2.060 (E) by adding Subsection (G) grading and clearing.
 - (b) To amend Article 4, Section 4.030, Specific Information to include grading and clearing.

Mr. Ferg stated that this was a staff recommendation. He recommended amending Section 2.060 from "subdivision improvements" to "subdivision". Mr. Ferg read the recommended changes. John Thorpe addressed the Council stating that the recommendation appeared to be a blanket ordinance for any grading and clearing. Mr. Thorpe recommended setting a minimum amount of earth to be moved before having to have an engineer or geologist. Mr. Ferg stated he had no objection to that, but wanted to make it clear that this ordinance is referring to subdivisions, not individual lots. Mr. Orval Harris addressed the Commission stating that there had to be some clearing to enable the geologist to get in with the proper equipment to make the tests. He also stated it would be very expensive to get a geologist to come from either Eugene or Medford to Brookings. He stated that while he has had some problems at his building site with grading and clearing, it is not necessary to penalize the next man for it. Chairman Breuer said that he went on a tour of the area west of Florence. The terrain in that area has a great deal of brush. When they would build the only brush removed was for the house and the street and the rest of it stayed. Commissioner Swigert stated that the ordinance amendment should be reworded to allow some flexibility and discretion on the part of the engineer and the Planning Commission or Council.

MOTION by Commissioner Swigert, seconded by Commissioner Brimm to reword the proposed amendment to the ordinance to allow some flexibility and discretion on the part of the engineer and Planning Commission or Council.

Commissioner Gribble stated it should be up to the City Building Department to decide when an engineer or geologist should be brought in. Mr. Ferg stated that he would rather have the Planning Commission or Council's decision in this matter. Motion carried unanimously.

5. Amendment to Subdivision Ordinance No. 325, by amending Article 7, Section 7.010 (2) concerning right-of-way and street width at dead end streets.

Mr. Ferg stated that the intention of this staff recommendation is to first clarify dead end streets with cul-de-sacs and the turn around radius of a cul-de-sac and second, to allow a minimum right-of-way width of 50' and minimum width of 34 feet face to face of curb. Mr. Ferg questioned both a 3' greenstrip on the cul-de-sac and a 53' right-of-way. Commissioner Swigert stated there was very little utilization of a greenstrip in a cul-de-sac, and felt that the 50' width is adequate. The main thing is to get it standardized. If additional sidewalk is needed, then sacrifice the greenstrip. Commissioner Gribble stated that it was the same problem on residential streets. They are between 40' and 50'. Commissioner Gribble stated he felt a 50' street was adequate. Mr. Ferg stated that the recommendation applied to dead end streets with cul-de-sacs not over 400' in length only.

MOTION by Commissioner Swigert, seconded by Commissioner Hagen, to recommend the proposed changes to the City Council. Motion carried unanimously.

IV. LEGISLATIVE ACTION

1. Minor land partition for Ralph L. Barlow on Tax Lot 1500, Map 41-13-5BB at 808 Pioneer Road.

Mr. Ferg recommended approval of the application if Mr. Barlow would add another 10' to the 25' road easement. He felt that the 35' would be sufficient because 3 lots are all you can get out of the property. Chairman Breuer asked if he had sufficient property to add another 10'. Mr. Ferg stated he did. Commissioner Swigert asked if this was actually a minor land partition. Mr. Ferg stated he felt it was. The street easement is already there and he is simply recommending widening it. Commissioner Swigert asked how Mr. Ferg arrived at 35'. Mr. Ferg stated it went back to ORS 92 and he felt that the City needs a standard that tells what to do in this type of situation.

MOTION by Commissioner Swigert, seconded by Commissioner Mattson to approve the minor land partition with a 25' easement. Motion carried unanimously.

2. Minor land partition for Kelly Ross on Tax Lot 1600, Map 41-13-6BD on Easy St.
Mr. Ferg reported to the Commission that this item was before the Planning Commission several months ago and the Commission did not act on it. The difference is in the length of the land and width of the easement. It has a proposed 40' roadway easement. It is 450' in depth from Easy Street and allows for possible expansion. If he divides it three more times it would become a subdivision. Commissioner Swigert stated that since it could become a subdivision in the back, they should look at a street. Chairman Breuer stated the Commission could grant a variance on it if they desired. Commissioner Swigert asked if there was a sewer system in the area. Mr. Ferg stated there was a system within the proposed 40' easement. Mr. Ross stated that he could

not see cutting it up into more than two lots. Chairman Breuer noted that if Mr. Ross sold the lots the new owner may want to further partition the land.

MOTION by Commissioner Brimm, seconded by Commissioner Swigert to approve the application. Motion carried unanimously.

3. Minor land partition for Mr. & Mrs. Gerrid Joy on Tax Lot 800, Map 41-13-5CD on Del Norte Lane (Smugglers Cove).

Mr. Bud Jones addressed the Commission in favor of the land partition. He indicated that there was no change in the original plans for the development as approved by the Commission, and that this request was more of a legal maneuver. Because of the economic picture at this time, it was felt that it would be better to build the condominiums in phases. Their attorney, Mr. Hassen, in Medford told them that the law requires all the condominiums to be built before one could be sold. By breaking it into a phase program, they could legally complete one section, begin selling them, and work on the next phase. The 15' easement is the original driveway that was approved by the Commission to allow access to the back buildings. Chairman Breuer stated that since it was a legal thing, perhaps the City Attorney should take a look at it. Mr. Thorpe asked if it would be possible for the Commission to consider it as a variance. Mr. Jones asked if the Commission could approve it conditionally upon the City Attorney's approval.

MOTION by Commissioner Swigert, seconded by Commissioner Mattson, to approve the application with the condition that the City Attorney approve it. Motion carried unanimously.

VII. OTHER ITEMS

1. Building permits for May 1980.

Marshall Ferg reported that there were 11 permits issued for the month of May for a total valuation of \$702,472.13. Total permit fees were \$1,700 and plan check fees were \$145.00.

2. Resolution No. 241 concerning City-wide Street and Storm Drainage Program.

Chairman Breuer stated the Commission was delinquent on this matter. He had spoken with the Mayor to try to get together with the City Engineer. Mr. Ferg stated that he would like to get together with the Engineer and to have the Commission members sit down and talk it over with the City Engineer and come up with something on this. Chairman Breuer stated Mondays and Thursday would be the best day for him. Mr. Ferg stated that the Engineer would be down to look at some other projects. Chairman Breuer instructed Mr. Ferg to set up a meeting with him. Commissioner Gribble asked if the City had any maps of our existing storm drains. Mr. Ferg stated the City did not have any over-all maps of the storm sewer or water or sanitary sewers. He said the City has maps showing water lines but they are out of date. Mr. Ferg stated that over-all maps were badly needed.

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3. Discussion on change of regular meeting date to Third Tuesday of the month.
The Commissioners had no objections to changing the meeting date to the third Tuesday of each month.

VIII. COMMENTS:

There were no comments offered.

IX. ADJOURNMENT:

There being no further business to discuss the meeting was adjourned at 9:28 p.m.


Chairman

ATTEST:


Secretary