

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BROOKINGS
July 20, 1982

I. CALL TO ORDER

The meeting was called to order by Chairman Earl Breuer.

II. ROLL CALL

Commission Members present: Chairman Earl Breuer; Commissioners Leo Appel, II, Mary Jane Brimm, Ralph DeJarnett, Jean Hagen, Jean Heavey and Dick Swigert. No members were absent.

Staff present: City Manager, Lynn Stuart; Recorder/Treasurer, Naomi Bradfield; and Administrative Assistant, Georgia Shirilla.

III. WELCOME VISITORS

Chairman Breuer welcomed the audience. Later in the meeting, Chairman Breuer announced that former mayor Wilma Kemp, and Councilman Lovejoy were in the audience.

IV. APPROVAL OF MINUTES

A MOTION was made by Commissioner Brimm to approve the minutes of the June 15, 1982, Planning Commission meeting and the minutes of the June 28, 1982, Work/Study Session. The motion, seconded by Commissioner Hagen, carried unanimously.

V. APPOINTMENTS

None.

VI. ANNOUNCEMENTS

None.

VII. PUBLIC HEARING

1. Zone Change - Z-82-3 - Gerald and Peggy Hudson, T.L. 3800, Map 41-13-6DA

Chairman Breuer announced the public hearing and asked for the Staff Report which was then read by the Administrative Assistant. Application Z-82-3 is for a zone change from Residential High-Density (R-HD) to Commercial-General (C-G) classification of a tract of land consisting of 5,000 sq. ft., and located at the corner of Pacific Avenue and Valley Street, one block off Chetco Avenue. The Administrative Assistant incorporated the following revisions to the Staff Report dated July 14, 1982:

Under Item 2) - Add the note that as of July 20, 1982, the dwelling was unoccupied, and Under Item 5) A. (1) change the word "major" to "minor".

Approval of the request would constitute a minor revision to the Comprehensive Plan because the land is designated for residential use.

Staff, upon request by Chairman Breuer, then read the uses allowed outright in a (C-G) zone from Ordinance No. 216, and Ordinance No. 340.

Chairman Breuer explained the "burden of proof" requirement and outlined the procedure of the public hearing. A member of the audience remarked that he had trouble hearing the speakers and Chairman Breuer summarized what had been said. Chairman Breuer then asked for the proponents to speak.

Gerald Hudson introduced himself and his wife. Mr. Hudson stated that the main reason for the request was for "resale". He added that the Comprehensive Plan indicates a need for more commercial land and that the property is located next to commercial property. Chairman Breuer asked Mr. Hudson if he had a prospective buyer. Mr. Hudson responded that someone was interested in the property for a barber shop earlier, but that they had no prospective buyers at the present time.

Chairman Breuer asked for input from opponents of the request.

Jack Shimmin, 427 Hillside, introduced himself and explained his opposition to certain types of businesses being located on the property and the encroachment of commercial property into a residential area.

Members of the Commission and Staff discussed briefly the restrictions that could or could not be placed on the use of the land during the re-zone process. Commissioner Heavey questioned a reference number cited in the Staff Report. The number was corrected for the record later in the meeting as follows, Under Section 5) A. (1) of the Staff Report, change the Implementation No. "4" to No. "3". Commissioner Appel, II asked for clarification on the conditional use that was granted earlier for a gift shop and if, in fact, the dwelling had been used for commercial purposes. Staff responded that the permit was issued, but the gift shop was never established.

The Commission and Staff briefly discussed the location of the fire hydrant in relationship to the public right-of-way, the size of the lot, the condition of the existing building, possible parking spaces, signs and off-site improvements. The City Manager referred to the Staff Report and read Section 5) A. (3) a second time for the record. Commissioner DeJarnett mentioned that it was curious to him that the property had not been zoned earlier for commercial use.

Chairman Breuer asked for further input from the applicants and Peggy Hudson responded. Mrs. Hudson agreed with Commissioner DeJarnett in that she did not understand why the property was not zoned commercial prior to this time. She added that the location of the property in relationship to the other residences, the adjacent commercial property and Chetco Avenue makes the property ideal for commercial property. Mrs. Hudson stated that they want to sell the property and have had several chances to do it if the property had been zoned commercial. She added that they have leveled and graveled a portion of the lot, providing more area for parking space. Commissioner Hagen asked if they planned to level the house and Mrs. Hudson responded that a new owner would most likely do that because of the structure's state of repair. She added that a new structure might be located in closer proximity to Chetco Avenue than is the existing structure.

Scuddah Timberlake, 761 Valley, expressed her opposition to commercial zoning because of increased noise and the fact she did not want to be surrounded by commercial property. Chairman Breuer inquired as to the zoning of Ms. Timberlake's lot, and it was determined that her lot was zoned Commercial-General (C-G). Chairman Breuer and the City Manager discussed briefly the limitations of the use of the lot due to its size. Chairman Breuer asked for further input or questions. There being none, Chairman Breuer closed the hearing.

Chairman Breuer and the City Manager briefly discussed Resolution No. 213 and the City's zoning ordinances.

A MOTION was made by Commissioner Swigert to approve zone change Z-82-3, Gerald and Peggy Hudson, T.L. 2800, Map 41-13-6DA. Commissioner Swigert added that the lot is adjacent to commercial properties and he feels with the building restrictions and the ordinance on nuisances and noise, any nuisances that would arise could be controlled. He added that there is no reason why the property should not be utilized as commercial property. Commissioner DeJarnett seconded the motion. Chairman Breuer polled the Commissioners and the motion carried as follows:

Commissioner Hagen - Aye
 Brimm - No
 Heavey - No
 Appel, II - Yes
 DeJarnett - Yes
 Swigert - Yes

Chairman Breuer directed Staff to finalize the findings for the Commission's review at the next Planning Commission meeting.

VIII. LEGISLATIVE ACTION

1. Adoption of Findings - Z-82-2 (P. Johnson)

Staff read the proposed Findings Document for Zone Change Application Z-82-2. The application, filed by the landowners Paul and Ellen Johnson, is a request to rezone approximately 3.1 acres of land, described as a portion of T.L. 1400, Map 41-13-5B, from Residential Low-Density (R-LD) to Residential High-Density (R-HD). A public hearing on the request was held before the Brookings Planning Commission on June 15, 1982. At that meeting, the Commission tentatively approved the request.

Following the reading of the Document, a MOTION was made by Commissioner Brimm to approve the Findings of Fact as presented. The motion, seconded by Commissioner Appel, II, carried unanimously.

XI. OTHER ACTION

1. Application for Zone Change--Area of Mutual Interest, Steevens Bros., Inc.

Commissioner Breuer explained that the application pertained to land located near the City's water intake facility. The applicant, Mike Steevens, was in the audience and informed the Commission that the purpose of the application is to reinstate the former zoning of the subject property prior to the adoption of the 1982 Curry County Comprehensive Plan. Approval of the request would constitute a Comprehensive Plan change and a zone change from Rural Residential-2.5 to a Commercial-1 classification of approximately 3 acres of land. The property, described as a part of T.L. 505, Map 41-13-34, is located approximately 3.1 miles north of Highway 101 on the Chetco River North Bank Road. The City Manager reported to the Commission that the map included in the packet was inaccurate in the showing of the location of the City's intake facility, adding that the intake is located 2600 feet downstream from the property. The City Manager went on to explain the history of action on the subject property including the City's repeated concerns of the use of the property due to its proximity to the intake facilities of both Brookings and Harbor. It is Staff's position that the request be denied. The City Manager read a statement from the City Engineer for the record as follows:

"We would recommend denial of the zone change on the Steeven's property to C-1 until community sewage facilities are provided. The property is located approximately 2600 feet above the Brookings City Water Intake and the pollution from any established means of sewage treatment would be a definite concern. This would apply regardless of whether we were involved with septic tanks or packaged sewer treatment facilities. In addition, contamination of groundwaters

would be a concern with a vastly increased concentration of population in vehicles immediately upstream from the water intake. The concern here would be the pollutants from oils and surface contaminants washing into the Chetco River."

Chairman Breuer expressed his mutual concern about any use of the property that could create wastewater and cause a potential health hazard to the Brookings-Harbor residents. Chairman Breuer reported on a similar situation occurring on the Matolias River.

Following the discussion, a MOTION was made by Commissioner Heavey to recommend to Curry County that Application Z-8216 be denied. The motion, seconded by Commissioner Brimm, carried unanimously.

2. Building Permits - June and FY 81-82


The Administrative Assistant summarized the building permits issued by the City during the month of June, 1982 and FY 81-82. She reported that starting next month, Staff will be providing 5-year comparisons for the monthly reports.

X. COMMENTS

The City Manager reported on the status of the development of a hillside development ordinance in relationship to Staff's plan to develop a land-use ordinance. The City Manager informed the Council that Staff had received ordinances from other cities and would distribute them to the Commission members for review and comment.

XI. ADJOURNMENT

There being no further comments, Chairman Breuer adjourned the meeting.


Chairman Earl Breuer

ATTEST:



Naomi Bradfield, City Recorder