

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

I. CALL TO ORDER

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

II. ROLL CALL

Commission members present: Chairman Earl Breuer; Commissioners Ralph DeJarnett, Blain Gribble, Jean Hagen, Mary Jane Brimm and Joan Heavey.

Staff present: City Manager Lynn Stuart, Administrative Assistant Georgia Shirilla, Building Official Marshall Ferg and Secretary Praecilla Pruitt.

III. WELCOME TO VISITORS

Chairman Breuer welcomed an audience of about 23 visitors.

IV. APPROVAL OF MINUTES

MOTION by Commissioner Hagen, seconded by Commissioner Brimm to approve the March 18, 1982 Planning Commission minutes. Motion carried unanimously.

V. APPOINTMENTS

1. New Planning Commission member - Oath of Office

The Administrative Assistant, Georgia Shirilla, administered the Oath of Office to Joan Heavey. Chairman Breuer welcomed Mrs. Heavey as our new Planning Commissioner.

2. Ad hoc Committee's Report

Commissioner Hagen reported that the ad hoc committee was recommending the following names to the City Council in priority order: Michael Delvin; Leo Appel, II; and John Wheeler.

MOTION by Commissioner Brimm, seconded by Commissioner DeJarnett to accept the report of the ad hoc committee as presented and that the names be recommended to the Council. Motion carried unanimously.

VI. ANNOUNCEMENTS

1. Report on Comprehensive Plan - Acknowledgment request

Georgia Shirilla, Administrative Assistant, reported that on April 15, 1982, the City had appeared before LCDC. Two weeks prior to that time, the City had received the DLCD Staff report on the Plan identifying those Goals which needed to be addressed. Georgia outlined the items reporting that Goals 1 through 14 were close to reaching compliance. The City could not receive full acknowledgment until the County submitted their Plan. Chairman Breuer commended the Staff for their efforts.

VII. PUBLIC HEARINGS

1. Conditional use permit No. CU-82-4 by Martin Palmer for home occupation.

Georgia Shirilla reported that this request by Martin Palmer was to allow office space in the basement of the home owned by Mrs. Dorothy Palmer at 19 Tanbark Road. The property, also described as Tax Lot 2000, Map 41-13-8BB, is in a Residential Low Density zone. Mr. Palmer's business, PGA Financial Services, is conducted through the use of telephone lines and mailings with few people coming to the residence. The Staff had found no violation of the zoning ordinances and received no comments concerning the request.

Chairman Breuer asked for the proponent to speak. Mr. Martin Palmer stated that there would be no clients within a 150-mile radius of Brookings coming to his location. Commissioner Gribble asked if it would be strictly a telephone business and Mr. Palmer stated that it would. Commissioner Brimm questioned if there would be customer traffic, and Mr. Martin stated that there would not be any. For the record, Mr. Bob Heavey requested that no signs be displayed. Chairman Breuer stated that the conditional use could be granted with the stipulation that no signs be allowed.

Chairman Breuer requested input from the opponents. There was none.

Roy Brimm questioned the width of the street, and Mr. Ferg stated that it was 24' in width. Chairman Breuer stated that because of the street width it should be stipulated in the motion that there would be no increase in traffic.

MOTION by Commissioner Heavey, seconded by Commissioner Hagen to grant the conditional use request No. CU-82-4 on Tax Lot 2000, Map 41-13-8BB dba PGA Financial Services, with the stipulation that traffic not be increased and no visible commercial signs be shown. Motion carried unanimously.

2. Conditional use permit No. CU-82-2 by Chip Stebbins for home occupation.

Chairman Breuer announced the public hearing. Staff reported that a hearing had been held at the last meeting and the request had been denied because of two violations of the Zoning Ordinance. Mr. Stebbins was requesting to re-open the hearing as he had mistakenly thought that the zoning ordinance regulations could be changed through his request. Chairman Breuer stated that Mr. Stebbins was now only requesting office space for a desk and telephone, and the request could be reconsidered.

Chairman Breuer requested the proponent to speak. Mr. Stebbins stated requesting space for a desk and telephone adding that sales and service of the television systems would be conducted in Harbor.

Commissioner DeJarnett asked where the satellite dish would be parked and also about access to the back of Mr. Stebbins' property. Mr. Stebbins stated that the dish would be parked in Harbor, but that behind his property, there was a City right-of-way easement with a gate. Commissioner Brimm asked about the employee he was hiring. Mr. Stebbins stated that the employee would not be working in his home but in Harbor.

Chairman Breuer requested input from the opponents. There was none.

Georgia Shirilla stated that Staff had received two notices from property owners favoring the request and a phone call favoring the request, with the condition that there be no displays.

MOTION by Commissioner Brimm, seconded by Commissioner DeJarnett to grant the conditional use request No. CU-82-2 on Tax Lot 4400, Map 41-13-5BC for a home occupation, with the stipulation that there be no signs displayed and the home occupation be for telephone and office space only as presented in the revised application. Motion carried unanimously.

3. Conditional use permit No. CU-82-5 and 5a by James Cole for home occupation.

Chairman Breuer announced the public hearing. Staff reported that Mr. Cole was requesting permission for office space for a desk, typewriter, files and copy machine as agent for Golf International Corporation. Mr. Cole, who is presently renting a home at 428 Maple Street, is building a new home at 1108 Sandy Lane. Mr. Cole requesting a temporary permit to conduct his business at Maple Street changing to a permanent permit at his new location on Sandy Lane when he moves. The property at 428 Maple is located within a Residential High-Density zone; and at 1108 Sandy Lane, the property is zoned Residential Low-Density.

Chairman Breuer requested input from the proponent. Mr. Cole stated that all his clients were located in foreign countries. There would be no signs and no traffic or incoming goods, except a few samples brought in by UPS.

Chairman Breuer requested further questions. Commissioner Brimm asked if his business would be conducted by phone, and he stated that it would. Commissioner Heavey questioned about Mr. Cole using the word "basically" no traffic, and Mr. Cole stated that his customers would be met out of State.

Chairman Breuer requested input from opponents on the Maple Street request. There was none.

Chairman Breuer then requested input from the opponents on the Sandy Lane request. There was none.

Staff reported that they had received a letter favoring the request from a property owner on Maple Street and two letters from property owners near Sandy Lane favoring the request.

Chairman Breuer requested any further input. There was none.

MOTION by Commissioner Hagen, seconded by Commissioner Gribble to grant the conditional use request No. CU-82-5 and 5a by James Cole for a home occupation on Tax Lot 1600, Map 41-13-5CC at 428 Maple Street, and Tax Lot 303, Map 41-13-6CD at 1108 Sandy Lane as presented. Motion carried unanimously.

4. Minor Partition - Larry Anderson

Staff reported that the purpose of the minor partition request was to allow Mr. Anderson to establish and complete Harris Beach PUD in phases. Mr. Anderson was requesting that the Phase I area be split from the remaining area of T.L. 101, Map 40-14-36 as shown on the Preliminary Plan.

Staff informed the Commission that when Mr. Anderson's property was annexed to the City, the northern 40-foot strip of land was excepted. Annexation of the strip needs to be done and should be made a condition of the Planning Commission's approvals.

MOTION by Commissioner Brimm, seconded by Commissioner Hagen to grant the minor partition request by Larry Anderson on Tax Lot 101, Map 40-14-36 as presented. Motion carried unanimously.

5. Zone Change Request - Larry Anderson - R-LD with PD Overlay

Chairman Breuer announced the public hearing and requested the proponent to speak. Mr. Larry Anderson stated that the property was annexed to the City under an R-2 zone, and he was asking that the PD zoning be attached to the zoning in order to obtain State approval and make better use of the land for both high and low density areas in Phase I of his project.

Chairman Breuer asked the Commission and audience for any questions. Commissioner Heavey questioned if there would be a total of 132 units. Mr. Anderson answered that 132 had been planned but that the number may be reduced to 125 units. Commissioner Heavey asked what type of units would be constructed, and Mr. Anderson stated that they would attached dwellings, some two story and single story.

Mr. Arthur Lister expressed concern about the development polluting his well from surface contamination in the future and requested to be annexed to the City in order to obtain City water. Chairman Breuer stated that it could be possible to make a request to the City Council for City water under a hardship case.

Chairman Breuer requested further input from the opponents. There was none. He then asked for further questions, and there was none.

Staff reported that the City had received a telephone call from Mr. Ed Hewitt about the extension of utilities to Mr. Hewitt's property north of Mr. Anderson's development. Mr. Anderson responded by saying that the utilities would be extended to the property on Seaview Lane and to the far end of the project to accommodate the Brookings Master Water Plan, but would not extend along the highway.

Staff informed the Commission that Preliminary Plan of Phase I had been approved with certain engineering stipulations. Mr. Anderson had been correcting the construction plans and plat, but there were still matters to be addressed. Steve Majors of H.G.E. cited the following engineering concerns: access to the State Highway and written agreement for City's files; City's disclaimer of responsibility for any problems relating to the State and Coos Curry Electric right-of-ways; a stub out or addition to the storm drain manhole for future development to the north of the property; proper turning radiuses and access for those people living north of the development.

MOTION by Commissioner Gribble, seconded by Commissioner Brimm to grant the zone change request No. Z-82-1 on Tax Lot 101, Map 40-14-36 as presented, subject to a meeting with Mr. Anderson, City Staff and the Engineer to settle all City concerns so that there is a mutual agreement between the City and Mr. Anderson. Motion carried unanimously.

VIII. LEGISLATIVE ACTION

1. Minor Partition - Bellotti

Staff reported that Mr. Bellotti was requesting the creation of a flag lot. The land was improved with a house and a minor partition would allow the owner to build a second dwelling. The property is located on Buena Vista Loop off Memory Lane and is zoned Residential Low Density. Staff reported that the request met all of the lot requirements with no apparent violations.

MOTION by Commissioner DeJarnett, seconded by Commissioner Hagen to grant the minor partition request by Betty and Peter Bellotti on Tax Lot 400, Map 41-13-8BB as presented. Motion carried unanimously.

2. Minor Partition - Phillip Shay

Staff requested that this item be removed from the agenda to allow time for the City Engineer to review it, adding that it would be placed on the next meeting's agenda. Marshall Ferg informed the Commission that there was concern about the request because two maps showed different ownership and location of the road.

IX. OTHER ACTION

1. Harbor View Subdivision Variance request

Chairman Breuer read a letter from Jensen & Associates, Engineers, requesting a reduction in street right-of-way width to 40", and curb-to-curb width of 28' for Harbor View Drive and Brimm Avenue, and a 3' sidewalk along one side only. The variance was requested because of the steepness of the slope and the proposed design would leave more land in its natural state. Slope easements would be granted as requested and shown on the final plat.

Commissioner Brimm requested to abstain from voting or discussion due to a conflict of interest.

Staff presented a slide which compared the request with City standards and those approved for the adjacent subdivision, Riviera Heights. The Commission discussed hillside development and directed the City Staff and Engineer to review the City ordinance and address street widths according to the steepness of the terrain. Commissioner Heavey asked how many houses would be in the subdivision and Mr. Brimm responded that there would be 48 lots.

MOTION by Commissioner Hagen, seconded by Commissioner Gribble to grant the variance request on the Harbor View Subdivision with 28' curb-to-curb street width, a 4' sidewalk on one side only, and a 40' right-of-way width. The Commissioners were polled with results as follows: Commissioners Brimm and Heavey abstained; Commissioner Gribble, Hagen, DeJarnett and Chairman Breuer, "Yes". Motion carried.

2. Zone Change - Urban Growth Area - Crooks

Staff reported that this request was for a zone change from Residential-2 to Industrial (M-1) on Tax Lots 3200 and 3300, Map 41-13-9B, located in Harbor immediately south of the boat basin on the west side of Harbor Drive. The request was to be reviewed by the Planning Commission in accordance with the Urban Growth Area Management Agreement. Mr. Crooks stated that he was requesting that the property be rezoned to commercial or industrial, allowing consistent uses with adjoining properties.

MOTION by Commissioner Gribble, seconded by Commissioner Brimm, to recommend to the County Planning Commission to grant William and Betty Crooks a commercial and industrial zone change on Tax Lots 3200 and 3300, Map 41-14-9B. Motion carried unanimously.

3. Gravel Removal Permits

Chairman Breuer felt that those gravel applications below our City water intake should be granted as recommended by the City Engineer. He suggested that those two gravel removal applications above the City water intake be granted with restrictions that they should be strictly adhered to as recommended by the City Engineer. The Staff recommended that a request be made for an extensive study on gravel removal in the Chetco River to be conducted by the State.

MOTION By Commissioner DeJarnett, seconded by Commissioner Hagen to grant approval of the gravel removal permits, subject to those above the City water intake being strictly adhered to as recommended by the City Engineer. Motion carried unanimously.

4. Rescheduling May meeting

The Planning Commission scheduled the May meeting to May 20th because of an election on the regular Planning Commission meeting date.

5. Commission initiative - Setback variance on Beach Avenue

The Administrative Assistant stated that at the last Planning Commission meeting there had been a request for a variance of 19' on Beach Avenue and the City Staff had felt that there should be a Commission initiative for a variance on the tax lots 401, 402, 403, and 404 with the same situation.

MOTION By Commissioner Gribble, seconded by Commissioner DeJarnett to grant the setback variances on Beach Avenue on Tax lots 401, 402, 403, 404, Map 41-14-1AA as discussed in the March 18, 1982 Planning Commission meeting. Motion carried unanimously.

6. Building permits for March 1982

Marshall Berg reported that there were 18 permits issued totalling \$295,876.00.

7. Spruce Knoll Subdivision - Signing of Plat

The City Manager stated that the developers of Spruce Knoll Subdivision desired to record their plat prior to completing the off-site improvements. It would be necessary that the developer submit an agreement to the City stating that the work be done within a specific period of time and submit one of the following three items: An irrevocable letter of credit; a bond for the off-site improvements; or cash to pay for off-site improvements. This would guarantee that the project would be completed and submitted in the form of an agreement. An irrevocable letter had been received for the completion of the work and the City Engineer had reviewed all the documents and was recommending that the Commission authorize signing this plat so the developer could continue with his project. The Commission concurred with the request.

X. COMMENTS

Commissioner Brimm requested that the applications for conditional uses be typed rather than handwritten so they would be legible. The City Manager stated that if they were handwritten they would try to reproduce them so that they would be legible.

XI. ADJOURNMENT

The meeting was adjourned at 10:26 p.m.


Chairman Earl Breuer

ATTEST:


Administrative Assistant