

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
CITY OF BROOKINGS  
June 5, 1984  
7:30 p. m.

I. CALL TO ORDER

Chairman Brimm called the meeting to order at 7:30 p.m.

II. ROLL CALL

Commission Members Present: Chairman Mary Jane Brimm, Commissioners Leo Appel, Joan Heavey, Jean Hagen.

Commission Members Absent: Vice Chairman Earl Breuer, Commissioners Lonny Draheim, Richard Swigert.

Staff Present: City Manager Lynn Stuart, Planning Director Chuck Rhodaback, Engineering Technician Leo Lightle, Executive Secretary Donna Van Nest.

III. APPROVAL OF MINUTES

There was a MOTION made by Commissioner Hagen, seconded by Commissioner Heavey to approve the March 6, 1984 Regular Planning Commission Meeting minutes and the May 9, 1984, Special Planning Commission Meeting Minutes; MOTION carried unanimously.

IV. ANNOUNCEMENTS OF PUBLIC HEARINGS & PROCEDURES

Chairman Brimm, for the record, read the public hearing procedures for the benefit of the individuals attending the public hearing meeting.

V. PUBLIC HEARINGS - CONDITIONAL USE PERMIT

A. CU-1-84 Harris Beach Properties

Larry Anderson, owner and Howard Cronk, contractor; Tax Lot 101; Assessor's Parcel Map 40-14-36; property located East of Hwy. 101 on East Harris Heights Road; request conditional use permit in Residential Low Density Zone (PD) to allow temporary mobile home to have security personnel during construction of project.

Chairman Brimm declared the public hearing open and asked for the staff report. Mr. Rhodaback briefly explained the request for a temporary mobile home to house security personnel, and the characteristics of the development site (23 acres), adjoining county zoning (Residential R-2, Industrial M-1, and Public Open Space (P/OS)); and current development patterns in the adjacent areas. Mr. Rhodaback

also outlined criteria and preliminary findings to be considered by the Planning Commission in the decision making process. The criteria included (1) consistency with the Comprehensive Plan and Plan Designation; and (2) consistency with City Ordinance and Zoning Ordinance provisions and regulations. The staff, based on criteria and preliminary findings, recommended to the Planning Commission that the request be approved subject to the condition that the use be limited to six (6) months duration.

Chairman Brimm asked for public testimony.

Don Cormack, P.O. Box 1280, representing Larry Anderson, spoke in favor of the request.

Edythe Wellenbrock, 96862 E. Harris Heights Rd., offered testimony pertaining to the portable rock crusher, which Mr. Anderson is also requesting. After some limited testimony, Chairman Brimm explained to Edythe Wellenbrock that the issue being considered was a temporary mobile home and that the portable rock crusher request would be heard later.

Chairman Brimm read into the record a letter from G. Frederic Kalz, 17108 Stafford Road, stating no objections to the proposed mobile home use. Commissioner Appel asked Mr. Rhodaback if the existing mobile home, already located on the property is the one being used for security purposes. Mr. Rhodaback said it was. There being no further testimony, Chairman Brimm closed the public hearing. Commissioner Appel made a MOTION that the request be granted subject to the limitation of six (6) months duration. Commissioner Hagen seconded the MOTION; MOTION carried unanimously.

B. CU-2-84 Harris Beach Properties

Larry Anderson, owner and Howard Cronk, contractor; Tax Lot 101; Assessor's Parcel Map 40-14-36; property located East of Highway 101 on East Harris Height Road; request conditional use permit in Residential Low Density Zone (PD) to allow operation of portable rock crusher to utilize on-site gravel resources for development of proposed residential streets and utility systems.

Chairman Brimm declared the public hearing open and requested that Planning Director Chuck Rhodaback give a staff report. Mr. Rhodaback explained the request for a portable rock crusher and physical characteristics of the development site (23) acres, adjoining county zoning (Residential R-2, Industrial M-1 and Public Open Space (P/OS), and current development patterns and existing land uses on adjacent

properties (South Coast Lumber Company, Harris Beach State Park and county residential development). Mr. Rhodaback outlined criteria and preliminary findings to be considered by the Planning Commission in making a decision. The criteria included (1) consistency with the Comprehensive Plan, Plan Designation and Plan Policies; and, (2) consistency with City Ordinance and Zoning Ordinance provisions and regulations, (Article VII). Based upon criteria and preliminary findings, the staff recommended to the Commission that the request be approved subject to the following conditions: (1) the hours of operation for the portable rock crusher shall be between 9:00 a.m. and 4:00 p.m., Monday thru Friday; and (2) the conditional use permit for the portable rock crusher shall be valid for a period of six (6) months; and (3) the applicant shall meet all operation and permit standards required by the State of Oregon, Department of Environmental Quality. The applicant shall also provide the City of Brookings with copies of operation and permit standards prior to the conditional use permit being valid, and, (4) the crushed rock product will be used for on-site roadway improvements and will not be sold commercially. Chairman Brimm asked for public testimony.

Commissioner Appel asked if the rock crusher would be enclosed in a fenced area. Mr. Rhodaback said that the unit would not be enclosed, but that the accessory parts of the unit would be stored within an enclosed area.

Don Cormack, P.O. Box 1280, Brookings, representing Larry Anderson, indicated to the Commission that the portable crusher would be operating intermittently during a three (3) month period, with probably not more than 14 days of total operation. Mr. John Odezio, Department of Environmental Quality, indicated to the applicant that the crusher met all State regulations. Mr. John Phillips, Department of Parks and Recreation, visited the site and didn't seem concerned with the proposed use. Don Cormack stated that Mr. & Mrs. Leon Burgess, 96753 E. Harris Heights Road, were the closest property owners and they did not sign a petition or object to the rock crusher. Don Cormack indicated that South Coast Lumber Company's operation creates as much or more noise than the proposed rock crusher. Mr. Cormack said that the use is both reasonable and within the guidelines as established by D.E.Q. and the Bureau of Mines and would request approval.

Chairman Brimm read into the record a letter from Leon Burgess, 96753 E. Harris Hgts. Rd., Brookings, stating no objections to the proposed use.

Edythe Wellenbrock, 96862 E. Harris Hgts. Rd., Brookings, stated that she was against having a rock crusher on the property longer than six (6) months.

Russ Meyer stated that he was neither for nor against the proposed use, but felt that the Commission should place a time limit on the crusher.

Mike Curry, Stafford Road, wanted to know why the conditional use permit was being considered for six (6) months when the crusher would only be used for 14 days. Planning Director Rhodaback said that the construction period was 130 days and that the proposed six (6) months use was based on the 130 days, plus consideration given to delay time.

Mike Curry, Stafford Road, wanted to know how many yards of materials the proposed project needed and whether or not the applicant had checked with a commercial source in the area. Mr. Rhodaback stated that it is not the responsibility of the staff to compute amounts of gravel required. Mr. Curry suggested that the information could be taken from the engineering plans. Mr. Curry indicated that 14 days of crushing would produce 30,000 yards of material. Mr. Curry wanted to know if the operation would be using a primary jaw, set of rolls or impact cone, because of the amount of noise created. Mike Curry said that he was not in favor of the proposed use because there are commercial sources available and the request does not show how much gravel material is needed for the project. Chairman Brimm stated that the applicant had already figured out the economics and that was the reason for requesting the use. Mike Curry wanted to know when the operation would start. Mr. Rhodaback stated that the conditional use permit, if approved, would not be valid for 15 days due to an appeal period.

Lorna Curry, Stafford Road, stated that she was opposed to the rock crusher, but if it were allowed for a short period of time, it would be alright.

Greg Gowman, 96941 Gowman Lane, asked if anyone on the Commission had heard or watched a rock crusher in operation, and they indicated that they had not.

Karen Koepnick, 17096 Parkview Dr., stated that she was opposed to the rock crusher.

Linda Denton, Gowman Lane, stated that she could hear the ball games at their home and she felt that the rock crusher would certainly make more noise than the games. She also felt that the applicant did not address or answer the questions raised by the concerned property owners in the area.

Mr. Rhodaback stated that the City had been in contact with D.E.Q. and that the applicant was in the process of meeting State requirements for noise and air pollution standards. It was also explained that the operation would be required to comply with State standards during the entire period of rock crushing.

Commissioner Heavey asked if the portable rock crusher was smaller in size than a commercial unit. Mr. Rhodaback said yes and that the portable rock crushing operation is a relatively modern approach to the economic problem and on-site production of resource materials.

Susan Hansen, P.O. Box 1746, felt that the noise wouldn't be too loud because the rock was soft and would crumble.

Fred Hummel, 202 Alder St., wanted to know what the D.E.Q. limitations were and what the decible rating was for the proposed model. Mr. Rhodaback said that D.E.Q. stated that the decible level would be 20.

Mike Curry stated that the decible level would change with the type of rock that is being crushed, depending on the hardness of the rock.

Linda Denton felt that if the applicant wanted 14 days for crushing rock then they should have asked for it.

Mike Curry felt that the applicant didn't need six (6) months to crush the amount of rock they would need.

Commissioner Heavey wanted to know if the request could be tabled until Tuesday, June 12, 1984, to allow the applicant to answer questions raised by property owners. Chairman Brimm indicated that the Commission could have a special meeting. Commissioner Appel stated that he felt that the applicant did not prove his case and made a MOTION to deny the request. Commissioner Hagen seconded the MOTION; MOTION carried 3 to 0 with Chairman Brimm, Commissioner Appel and Commissioner Hagen voting against and Commissioner Heavey not voting.

#### VI. MINOR PARTITION

M3-1-84; owners Richard D. and E. June Juelson; legal description Tax Lot 700, Assessor's Parcel Map 41-13-5BB; number of parcels two (2); land use classification Residential Medium Density (R-MD); location is 145 feet from the intersection of Pioneer Road and Hassett Street. Chairman Brimm requested the staff report. Mr. Rhodaback briefly explained the proposed minor partition of one parcel into two lots, with one lot being a "flag lot". Mr. Rhodaback also outlined criteria and preliminary findings to be considered by the Planning Commission in the decision making

process. The criteria included (1) consistency with the Comprehensive Plan, Plan Designation and Plan Policies; and (2) consistency with City Zoning Ordinances and Subdivision Ordinances (Article II). The staff, based on criteria and preliminary findings, recommended to the Commission that the request be approved subject to the condition that the property owner dedicate to the public five (5) feet of right-of-way along the South side of Pioneer Road.

Chairman Brimm indicated that there had been previous discussions about creating a new street along the South property line of the parcel being subdivided. Chairman Brimm felt that when the houses were built on Mendy Street, a decision was made to leave enough land area for a future street and suggested that the staff check the record to determine what action was taken.

Commissioner Heavey asked if there was a traffic problem or impact in the area. Mr. Rhodaback explained that there was a need for a master street plan to determine future street needs and locations of new streets. At the present time the area doesn't present a traffic problem, but future thought should be given to locating a new street in conjunction with development of the remaining large land parcels in the area. Mr. Rhodaback also addressed the need for additional right-of-way on Pioneer Road, which at the present time is only 40 feet. Chairman Brimm agreed that consideration should be given to a master street plan.

Commissioner Hagen made a MOTION to approve the request subject to the condition that the property owner dedicate to the public five (5) feet of right-of-way along the South side of Pioneer Road. Commissioner Appel seconded the MOTION; MOTION carried unanimously.

#### VII. OTHER SCHEDULED COMMISSION ACTION

Curry County Conditional Use Permit located within the Brookings Urban Growth Boundary (Port of Brookings, Board of Commissioners File No. C-8410); request to allow construction of a 20 unit laundry facility within a Public Facility (PF) Zone.

Chairman Brimm asked for a staff report. Mr. Rhodaback briefly explained the request, county zoning, surrounding land uses and proposed laundromat facility. Mr. Rhodaback also outlined preliminary findings to include: (1) the Curry County Zoning Ordinance allows, by a conditional use permit, accessory uses to the outright permitted uses within the Public Facility (PF) Zone. The City Zoning Ordinance identifies publicly owned areas as Public Open Space (P/OS) Zones. Selected public uses and services are permitted outright and accessory uses are permitted by a conditional use. The staff would question the proposed commercial use as an accessory use in a Public Facility (PF)

Zone; and, (2) the Comprehensive Land Use Plan has designated the Port property adjacent to the ocean and beach area as future open space, with the other Port properties being future industrial development. The staff stated that there needs to be a clarification of allowable uses within public zoned lands and the base land use zones need to be brought in line with Comprehensive Plan designations. Based on preliminary findings, the staff recommended that the request be postponed until the issues have been addressed and resolved.

Don Mann, Port of Brookings manager, stated that the Public Facility Zone is designated to identify and reserve public and private areas for the development or maintenance of needed public facilities and services. Mr. Mann indicated the the proposed laundromat is a service facility and that there aren't very many recreational vehicle parks without such a facility. Mr. Mann stated that the facility will be under a long-term lease and at the end of the lease period the facility will revert back to Port ownership. Mr. Mann felt that the present interpretation of the County Zoning Ordinance allows the proposed use.

Chairman Brimm asked Mr. Mann if the Port of Brookings had a master development plan and Mr. Mann stated that they were in the process of working with the County on the Comprehensive Plan.

Commissioner Appel asked Mr. Mann if the convenience store would have food and drink machines or would it be more like a mini-mart. Mr. Mann said that it would be more like a concession type convenience store.

Commissioner Appel made a MOTION to recommend to the Curry County Planning Commission that the request be approved. Commissioner Hagen seconded the MOTION; MOTION carried unanimously.

There being no further business, Chairman Brimm adjourned the meeting at 9:50 p.m.

  
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Chairman Mary Jane Brimm

ATTEST:

  
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Naomi Bradfield, City Recorder