

MINUTES
REGULAR PLANNING COMMISSION MEETING
October 1, 1985
7:00 p.m.

I. CALL TO ORDER

Chairman Appel called the meeting to order at 7:00 p.m.

II. ROLL CALL

Commission Members Present: Chairman Leo Appel II, Commissioners Jean Hagen, Mary Jane Brimm, Elgin Gunderson

Commission Members Absent: Vice Chairman Jim Izett, Commissioners Earl Breuer, Lonny Draheim

Staff Present: Planning Director Chuck Rhodaback, Engineering Technician Leo Lightle, Executive Secretary Donna Van Nest, City Recorder Judy Pectol, City Councilman Bob Rogers.

III. APPROVAL OF MINUTES

A. September 3, 1985 Regular Planning Commission Meeting

There was a MOTION made by Commissioner Gunderson, and seconded by Commissioner Brimm to approve the September 3, 1985 Regular Planning Commission meeting minutes; MOTION carried unanimously.

B. September 5, 1985 Planning Commission Study Session

Commissioner Brimm made a MOTION, seconded by Commissioner Hagen, to approve the September 5, 1985 Planning Commission Study Session minutes; MOTION carried unanimously.

IV. PLANNING COMMISSION CHAIRMAN ANNOUNCEMENTS

Chairman Appel welcomed those attending the meeting, and went over the procedures to be followed by those attending.

V. MAJOR SUBDIVISION REPLAT PRELIMINARY APPROVAL

M1-1-85 James M. and Crystal R. Cole
Tax Lot 111 and 318, Assessor's Parcel Map 41-13-6 CD;
property located at end of Sandy Lane; request a Major
Subdivision Replat to enlarge existing lot with no dev-
elopment at this juncture.

Chairman Appel asked staff for the report. Mr. Rhodaback briefly explained the request for the proposed Major Subdivision Replat Review. Request Major Subdivision Replat, preliminary approval for replat of Lot 4, Zwagg Rock Acres Subdivision. The property is located at the West end of Sandy Lane. The staff, based on the review and preliminary findings, recommend to the Planning Commission that the Major Subdivision Plat, Replat, be granted preliminary approval. In addition to granting preliminary approval, the staff would further recommend that the Planning Commission Chairman be authorized by

members of the Planning Commission to sign the final Replat Plat at such time as the owner complies with all Subdivision Ordinance requirements, and other City requirements.

Chairman Appel then asked for questions to staff from Planning Commission members, and there were none. Chairman Appel then asked Mr. Rhodaback if there was a 20 foot easement or a 40 foot easement. Mr. Rhodaback stated that there was a 40 foot easement. Chairman Appel also asked how many .216 acres was, and it was stated that it was 9,000 sq. feet. Chairman Appel asked for public input.

Chairman Appel then asked for comments from anyone in favor of this issue.

Mr. James Cole, 1108 Sandy Lane, stated that he purchased this lot as a buffer zone from himself and existing property.

Chairman Appel then asked for comments from anyone in opposition.

Commissioner Hagen asked Mr. Cole if he had any intentions of putting a house on the property, and he said no.

Commissioner Gunderson made a MOTION, seconded by Commissioner Brimm to approve staff recommendation. MOTION carried unanimously.

VI.

MINOR PARTITION

M3-4-85

Gerald Ross

Tax Lot 105, Assessor's Parcel Map 41-13-60; property located on Ross Road next to Elk Drive.

Chairman Appel asked staff, since there being only 4 members present, if one member declared a conflict of interest, would 3 votes be a valid vote. Mr. Rhodaback stated that 4 votes would be needed.

Chairman Appel asked for staff report. Planning Director, Chuck Rhodaback explained the request to Minor Partition a parcel of land into 2 commercial lots, for the proposed development of a mortuary. Based on a review and evaluation of the preliminary findings and the proposal, the staff would recommend that the Minor Partition be approved.

Commissioner Gunderson asked the purpose of the long strip, 72 feet wide on the North side. Mr. Rhodaback stated that the main purpose of the strip was to provide direct access to the interior parcel for the new mortuary. Commissioner Gunderson questioned the possibility of access off Elk Dr. Mr. Rhodaback pointed out that there was a steep embankment that virtually prohibits any access from that point. Commissioner Gunderson wanted to know if there was adequate ingress and egress for fire equipment, and the staff stated that there was.

Chairman Appel asked what the width of the strip was. The strip is 50 feet across.

Bill Cunningham, Mill Beach Rd. asked if there was going to be a crematorium there, or if that use would be allowed in the future.

Chairman Appel stated that the decision made by the Planning Commission was only for the lot split. Mr. Rhodaback was asked if a crematorium was an allowable use. He stated that the zoning ordinance allows as a permitted use, a mortuary, not a crematorium.

Karl Johnson, Seashore Real Estate, pointed out that Mr. Massey has no intention of going for a crematorium at anytime.

Mr. Massey, 17256 Old County Rd. reiterated that he has no intention of putting in a crematorium at anytime.

Commissioner Hagen made a MOTION, seconded by Commissioner Brimm to approve the request; MOTION carried unanimously.

VII. A. Division of State Lands-Commercial Gravel Removal Renewal Application Permit on Chetco River

Karl Osterberg

Planning Director Chuck Rhodaback briefly explained the request. Chairman Appel asked if Mr. Osterberg had removed gravel this past year out of this area. Mr. Rhodaback stated that, yes in fact Mr. Osterberg has been operating under a removal permit that was issued a year ago. He is now requesting that the same permit be reviewed and approved for the continued removal of gravel.

Commissioner Brimm asked if the State did approve the permit a year ago. Staff reported that yes the State did approve it.

Commissioner Hagen questioned the Planning Commission's weight in the issue. Mr. Rhodaback stated that the City needs to go on record with their concerns.

Commissioner Gunderson asked why the City couldn't bring an action to injoin him from removing gravel. Mr. Rhodaback stated that the action would have to be addressed by the City Attorney.

Commissioner Brimm stated a concern over the City's water supply.

Chairman Appel asked if this would go before the City Council at their next meeting. Mr. Rhodaback stated that this is sent to the City and reviewed by the Planning Commission. The Planning Commission recommendation is then sent through the County, back to the Division of State Lands.

Chairman Appel asked if it would be appropriate at this time for the Commission to ask the City Attorney if it is possible to bring an action to injoin Mr. Osterberg from continuing his operation.

Engineering Technician, Leo Lightle stated that in the past a lot of testimony had been given to stop similar operations and it was difficult to actually prove what will happen when you remove gravel.

Bill Cunningham, Mill Beach Rd. voiced a concern in jeopardizing our water system. He objected to the continued removal of gravel, in case of a big run-off or flood which could strip down the City property to the point where a well couldn't be drilled.

Chairman Appel asked Mr. Rhodaback if Mr. Cunningham could submit his concerns to the Division of State Lands. Mr. Rhodaback said that Mr. Cunningham was well within his right to give either written or verbal testimony to the Division of State Lands. Mr. Cunningham requested that it be entered into the record that he was opposed to the gravel removal.

Jean Cunningham, Mill Beach Rd. gave the name of a book to Mr. Rhodaback that deals with salt-water intrusion.

Commissioner Gunderson made a MOTION to approve the recommendation of staff,

and forward to the appropriate authority along with a copy of Mr. Cunningham's statement, and that the City Council consider bringing an action to injoin Karl Ostenberg from removing any gravel from the Chetco River. Commissioner Hagen seconded the MOTION; MOTION carried unanimously.

B. Adoption of Land Use Decision Findings of Fact Documents

CU-6-85 Southern Curry Cemetary Maintenance District

Commissioner Gunderson made a MOTION, seconded by Commissioner Brimm to approve the Findings of Fact document CU-6-85; MOTION carried unanimously.

VAR-3-85 William and Evelyn Davies

Commissioner Brimm made a MOTION, seconded by Commissioner Gunderson to approve the Findings of Fact document VAR-3-85; MOTION carried unanimously.

M3-3-85 Al Clements Lumber Company

Commissioner Hagen made a MOTION, seconded by Commissioner Brimm to approve the Findings of Fact document M3-3-85; MOTION carried unanimously.

VIII. ADJOURNMENT

Commissioner Gunderson made a MOTION, seconded by Commissioner Brimm, to adjourn the meeting; MOTION carried unanimously.

Chairman Appel adjourned the meeting at 7:48 p.m.



Leo Appel II
Chairman

ATTEST:



Judy Pectol
Recorder