

PLANNING COMMISSION PUBLIC HEARING
CITY OF BROOKINGS
JANUARY 25, 1971

The meeting was called to order at 7:35 p.m. by Chairman Jack Holte.

Commissioners present were Ernie Christensen, Jerry Ross, Cal Gorte, Gladys Kanick and Mayor Les Williams who acted in his capacity as a voting member of the Planning Commission as provided by Ordinance No. 36, Sections 3 and 8.

PUBLIC HEARING

This meeting held in accordance with public notice published January 14, 1971, in the Brookings-Harbor Pilot, to consider application for zone change of Weideman Property, bordered on the West by Arnold Lane, on the North by Fifield Street and on the East by Mill Beach Road, and consisting of approximately 14 acres.

Chairman Jack Holte asked that each person wishing to be heard, stand and give his name and address before speaking, then called on Mr. Lee Fountain, Building Inspector, to read application for zoning change and pertinent papers pertaining thereto as required by Zoning Ordinance No. 216.

Application for amendment to zoning ordinance was submitted by Mr. Roy Weideman and Mr. Glen Rogers requesting change from RL to RT zone for the above described property, thereby permitting use of land for a mobile home estates subdivision. A map showing the location of property for proposed development was made available to those present.

The Chairman recognized Mr. Roy Weideman who stated that he had owned the property for 28 years and had paid \$25,000 in sewer assessments. In his opinion the proposed development would be an asset to the city from the standpoint of taxes derived from an investment of over a million dollars. Also, the location is particularly desirable for prospective owners in that it is near shopping center and there is an easement for right-of-way to the ocean. Mr. Weideman mentioned his participation in city government as a member of the Planning Commission and City Council in past years and in his opinion there is nothing in the proposal detrimental to the community and it is financially sound.

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Mr. Glen Rogers was then given the floor. As co-owner he said the development for Weideman Tract will be a very favorable asset to the city. He felt that most residents would agree that such a development is long over-due. The nearness to businesses makes it an ideal development and it will create a strictly first class mobile subdivision. It cannot become a transient community. The minimum lot size will be 6000 square feet, the same as large city requirements. The restrictions set up by developers are much stricter than those in the city ordinance. The area will be kept attractive. There will be streets, curbs, and shrubs and all natural growth possible will be retained. He also referred to the improvements in mobile homes in recent years and mentioned they are assessed as any other home. According to Mr. Rogers, a conservative estimate of tract would be at least a million and a quarter dollars.

The Building Inspector clarified the difference between a "trailer park" and a "mobile home park", and the requirements for each, by reading certain sections from city zoning and subdivision ordinances.

Mr. Richard Davis, surveyor for the developers, was called upon and he stated that the minimum size of lots would be 6000 square feet, curbs and gutters would be installed, streets black-topped according to city standards and in accordance with city subdivision and zoning ordinances. Certain restrictions have been set up by developers as per attached listing which is made a part of these minutes. The developers also have plans for utilities to be installed underground.

Mr. William Cunningham questioned Mr. Davis regarding the depreciation of mobile homes then read information received from the County Assessor's Office concerning the applicable depreciation for mobile homes which amounts to approximately 15% per year. This figure he compared with that of other homes which he said do not depreciate nearly so much with proper upkeep.

The Mayor said he had read 5% was the amount of depreciation up to nine years and that the State Legislature would be considering a new building code covering mobile homes in this session.

In response to Mr. Paul Fauerso, whose property abuts Weideman property, a mobile home was defined as being at least 32 feet long and 400 square feet as per city ordinance. Mr. Fauerso

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asked Mr. Davis if a topog map had been made of Weideman property and Mr. Davis responded that none had been made to date. However, if the proposal materialized there would be a drainage plan for the entire area.

Attorney Thomas Y. Higashi introduced himself as representing a group in opposition to the proposed rezoning. He referred to the adoption of Comprehensive Plan by the City of Brookings prior to the adoption of Zoning Ordinance, and said the city had a commitment to the area for long term planning as set forth in the Comprehensive Plan. Also, that changes should not be made without good reason. Reference was made to "spot zoning", that it is arbitrary, is not good zoning practice, gives city power over the general public welfare, and that the matter should be taken up with City Attorney. As for the possible increase in tax roll in addition to what is being paid now, it should be noted that mobile homes are on a declining scale. Then he presented signed petition which was passed to Commission and audience.

The Building Inspector, in response to Mr. Higashi's remark about referral to City Attorney, stated he had a session with the City Attorney and everything is in order as far as attorney is concerned. And, within the Comprehensive Plan it is noted that it is not to be set down and dealt with harshly, but is to be flexible, with conditional uses permitted in any zone.

Attorney Higashi called on Mr. Cunningham who posted a map showing Weideman property outlined in yellow and the individual properties adjacent to and nearby, in red. He commented that trailers depreciated much faster than houses which retained their value if maintained. Also that resale values would be reduced.

Mr. Weideman requested copy of letter which was sent to property owners by the opposition. He was referred to petition.

Attorney Higashi restated his belief that the Comprehensive Plan should not be changed and long term plans should not be made at this time. No justification for change.

Mr. Cy Zeigler, thirteen year resident and local banker, believes that an allowance should be made for mobile homes in the city. In his capacity as advisor to City Councils he has recognized

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the attitude of Brookings residents as being detrimental with regard to the development of mobile homes within the city. As examples he referred to 5th Street property designated as a mobile home park and the Brimm property that went through the procedures required. The Zoning Ordinance allows for change. The developers are asking for a zone change and it would appear substantial capital is available for subdivision to become real, according to Mr. Zeigler. He questioned why the map, posted by Mr. Cunningham, went beyond the ordinance requirement of 250 feet.

Tom Short, a property owner living on Iris Street, asked how much are trailer estates going to be worth. Mr. Rogers said at least \$20,000 which is conservative figure. Lots \$7,000 plus improvements. Some mention made of retired people who live in mobile home estates vote against school taxes. Mr. Rogers referred to school tax election at Wood burn which was turned down. After an analysis of votes it was determined that retired persons passed the school bonds. Mr. Dale Corner, another property owner, wanted to know why mobile homes should be approved when this is a timber and logging community.

Attorney Higashi asked if property would be sold individually to buyers; whether restrictions were in deeds and were they subject to change.

Another exchange regarding the minimum size of mobile homes and who would do the policing of restrictions ensued. Mr. Rogers was firm in his statement that the restrictions be adhered to, although he did not know just how it would be done, he had confidence that his attorney would be able to give him the answer.

In response to Mr. Zeigler's query about why Mr. Cunningham went beyond the 250 foot requirement, he said it was done purposely because those in surrounding area are interested too.

The Building Inspector said restrictions are not required until preliminary plat is prepared. Also, the policing is done the same as in any other subdivision.

According to Mr. Cunningham, believing that restrictions will be enforced is like buying a pig in a poke.

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Paul Fauerso wanted to know just what could be done now with the application on hand. The Building Inspector said the Planning Commission could recommend it to the City Council and the City Council would hold a Public Hearing.

The Mayor said he had resided here since 1957 and there has been no noticeable change in Brookings but there has been quite a difference in Harbor. He lived adjacent to mobile home estate in Harbor and value of property went up.

Mr. Fountain read portion of ordinance authorizing amendment to Zoning Ordinance.

Mr. Harrison asked if sewers are adequate and will streets be improved. Mr. Elmer Lee, Superintendent of Public Works, said sewers are adequate but present pump station on Mill Beach Road is not. In response to Mr. Fauerso's inquiry about the Mill Beach Pump Station, Mr. Lee said this was included in sewer bond issue passed by recent election. The completion of the secondary phase of treatment plant is scheduled for July 1, 1972. The proposed development, if approved, could not possibly be completed by that time according to Mr. Rogers. The plan of developers calls for the division of land into three units, each unit to be developed before commencing another. If rezoning is approved, plans and specifications will be presented to Planning Commission for approval.

Mr. Tom McGovern was concerned about depreciation and taxes. Mr. Rogers criticized petition for in his opinion it misrepresented the issue. Mr. Fauerso wanted plat, plans and specifications now. Mr. Davis said the developers do not pay for plans until assured of okeh by city. Can't spend dollars on engineering unless it can be developed.

Commissioner Ross asked Mr. Fountain, Building Inspector, to read subdivision ordinance pertaining to mobile homes.

The Commission then took a five minute recess at 10:00 p.m.

After the recess Fred Fox, local business man, said the business community needs people in the area. There has been practically no growth and we need places for people to live in. The proposed development presents an opportunity to develop place to live. He said trailers are not tin boxes any more. Also

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pointed out that trailer parks and mobile home estates are not in the same class.

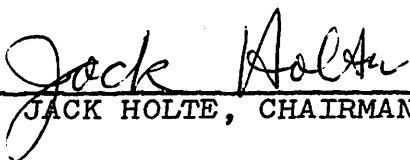
Commissioner Gladys Kanick made MOTION to recommend to City Council to change RL zone to RT zone. Commissioner Ross seconded the Motion and roll call was as follows:

Commissioner Ernie Christensen	Aye
Commissioner Cal Gorte	Aye
Mayor Lester R. Williams	Aye
Commissioner Jerry Ross	Aye
Commissioner Gladys Kanick	Aye

The Motion carried unanimously.

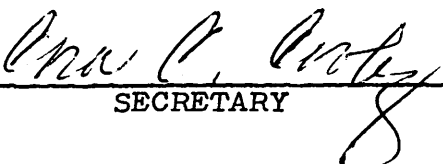
A gentleman asked for a hand count of those in the audience. Eleven opposed, three for change. Then a count of those living within 250 feet of property revealed seven opposed and none approved.

MOTION was made by Commissioner Gorte and seconded by Commissioner Ross that the meeting be adjourned. The meeting adjourned at 10:20 p.m.



JACK HOLTE, CHAIRMAN

ATTEST:



SECRETARY

TENTATIVE RESTRICTIONS

Mobile Home Subdivision - Wiedeman Property City of Brookings, Oregon

1. All lots shall be used only for single family mobile home residences.
2. No lot within this development may be split, or the boundaries changed from the configuration to be shown on the final map.
3. All materials used in construction of cabanas or utility buildings, including garages, must be in accordance with the Uniform Building Code, and must be painted.
4. The exteriors of all mobile homes and additions thereto, [cabanas] and utility buildings shall at all times be maintained in an attractive condition.
5. Setback area to be in lawn and shrubbery except for that portion occupied by driveway. This to be completed within 60 days of placement of mobile home.
6. Auxiliary buildings limited to a 2-car garage or carport plus 1 implement storage building not over 8' by 10' in rear of lot.
7. Each mobile home to be skirted within 60 days of placement on lot. This includes removal of moving mechanism or suitable covering of same.
8. Minimum size of each mobile home shall be 10' x 50'.
9. Each mobile home shall be not more than 3 years old at time of placement on lot.
10. Driveways to be concrete or black top and must be completed within 120 days of mobile home placement.
11. All mobile homes must meet or exceed minimum standards specified by the State of Oregon.
12. All mobile homes must be on proper foundations and in all other ways installed in conformance with City of Brookings Code.