

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BROOKINGS
NOVEMBER 28, 1978

CALL TO ORDER:

Meeting called to order at 7:30 p.m. by Chairman Earl Breuer.

INVOCATION:

By Chairman Breuer.

ROLL CALL:

Commissioners present: Ralph Renn, Jean Hagen, Mary Jane Brimm, Earl Breuer, Archie McVay, Chet Thompson and William Robinson.

Chairman Breuer introduced Hugh Downer, associate representing City Attorney John Spicer, Frank Freeman City Manager, Wendell Bartholomew, Building Official, B. Suzie James, Engineering Assistant and Cora Cooley, Secretary.

Representatives of news media introduced were: Dick Keusink, owner-publisher of the Curry Coastal Pilot and Marge Barrett of KURY Radio.

APPROVAL OF MINUTES:

MOTION by Commissioner McVay, seconded by Commissioner Robinson that minutes of regular October 24, 1978 meeting be approved. Motion carried.

WELCOME TO VISITORS:

An audience of approximately fifteen persons were greeted by the Chairman.

PUBLIC HEARINGS:

1. APPLICATION FOR VARIANCE, V-78-2, BY BYRNE, MEYER & BANKUS, TRUSTEES, TO REDUCE FRONT YARD SETBACK FROM 25 FEET TO 15 FEET ON LOTS 2, 3, 4, 5, 6, 8, 9, 10, 11 & 12, SEACLIFF TERRACE SUBDIVISION, END OF MEMORY LANE, ZONED RL, MAP 41-13-8BA.

Building Official: Mr. Chairman, this application for variance for front yard setback is, as you probably know, on what we call the Seacliff Terrace Subdivision. It encompasses all the lots that were in that subdivision with the exception of one that is not adjacent to a road. I have here the application for the variance, it has been signed and approved; the fee has been collected; I have a certification that, in fact, we did mail notices to all people, all property owners within 250' of the property; I have a certification that there was, in fact, a notice put in the paper for this public hearing and everything is in order as far as a public hearing goes.

Chairman Breuer then asked Mildred M. Byrne, representing the proponents, if she would set forth at this time the reason for request.

Mrs. Byrne responded and asked that a correction be made as to the number of lots abutting road. There are three lots that do not abut the road. But those lots listed are all

those that abut the road that goes through the middle of the subdivision which is a private road.

The variance is being requested because they find the lots are a little small when they get ready to build. There is one lot the proponents plan to build on themselves that is near the entrance to the subdivision. Because of the fact this lot is on a curve it cuts it down quite a bit in size and it does not allow enough room to get the 1500 square feet which is required in the restrictions on the subdivision. Also, there are restrictions that people building in this subdivision must keep all recreation vehicles, trucks, cars, garaged. Therefore, they will have to provide garage space, which in most cases will require two or three garages, and with 1500 square feet, or more, of living area, they will need every foot of land they can get.

Five lots have been sold and there are two more in the process. All have asked proponent for the variance to cut the 25' setback down to 15'. The streets in subdivision will be maintained by the property owners through a property owners association which owns and maintains streets. The City will maintain the sewer and water lines which have been deeded to City and are located in easement.

Commissioner Renn asked to be heard and said: Although this is a more or less private reservation, we'll call it, it is in the City of Brookings and they have a subdivision approved by the City of Brookings. I appreciate the fact that because of the contour and the limited size of residential part and the necessity for housing all vehicles, it is more or less of a blanket variance instead of an individual plot variance. Now it is quoted, the last paragraph in this application, just below the signature, "Each of the applications should be accompanied by plans of the house to be built on it." But we have a group of them here, practically every building plot. I would suggest to overcome this difficulty, instead of upsetting our zoning ordinance, this would upset it to a degree, and granting a blanket variance of a 15' setback instead of a 25', that the proponent request a rezoning of this area to medium density which allows more coverage on the plot and 15' setback. Have no problem then.

The Building Official then addressed the Chairman to advise that medium density requires a 20' setback.

Commissioner McVay could see no reason to delay decision and MOVED that application for variance be granted. Seconded by Commissioner Robinson.

Chairman Breuer called for Roll Call vote which was as follows:

Page 3 - Minutes
Regular Planning Commission Meeting
City of Brookings
November 28, 1978

Commissioner Robinson	Aye
Commissioner McVay	Aye
Commissioner Thompson	Aye
Commissioner Brimm	Aye
Commissioner Hagen	Aye
Commissioner Renn	Aye

Motion carried.

2. CONTINUED FROM OCTOBER 24, 1978 MEETING - APPLICATION FOR ZONE AND COMPREHENSIVE PLAN CHANGE FROM RL TO CT ZONE BY SOUTH COAST LUMBER COMPANY, LOTS 12 & 13 OF PACIFIC CIRCLE SUBDIVISION, AKA TAX LOT 1400, MAP 41-13-6BC LOCATED ON NORTH CHETCO AVENUE NEAR INTERSECTION OF EASY STREET.

Building Official: Mr. Chairman, you have in your packets, and I have here before me, a letter written on the stationery of South Coast Lumber Company dated November 6th directed to the Brookings Planning Commission and it states that,

"In regards to our request for a zone and comprehensive plan change on Lots 12 & 13 of Pacific Circle Subdivision, we are unable at the present time to assemble all the pertinent information to support our request and please allow us to postpone until we can provide such evidence. We will contact you when we have the evidence".

Mr. Fallert was in my office today. He inquired whether he should be at the meeting to present this letter. I assured him I could do it satisfactorily for him. I would respectfully submit this letter to you for consideration so we could get a full hearing with all the presentation as required by our resolution.

Chairman Breuer: As I recall further, too, the minutes support me on this, we asked some information of Mr. Fallert and so I think it's only in order that we grant his request so that he has the time to provide us with the information we asked for. So I think this would require a motion to give him this time.

Commissioner Renn MOVED, Commissioner Brimm seconded that this time be granted to Mr. Fallert. Motion carried unanimously.

LEGISLATIVE ACTION:

1. REQUEST BY KEN WARTHEN, AGENT, FOR MINOR LOT PARTITION OF LOT 1, HEIKLA TRACT, AKA TAX LOT 2001, MAP 41-13-6BB LOCATED WEST OF FIRST STREET AND NORTH OF WEST MAR VISTA LN.

Building Official: You have there a location map, it's the second sheet of this request. The surrounding is processed showing the whole tax lot. This request is a little unique in the fact that the ordinance provides a corner lot be a minimum width of 70 feet. Also it requires a minimum side yard setback be 5 feet. There is an existing house on this property and by taking the 5 foot setback from the existing

house and processing that as a property line they come up with 69 feet for the width of the property. So it doesn't meet the requirements of a full size lot. In presentation, the map doesn't show the exact location as far as the trees and what-not around there. It is a well landscaped piece of property. It looks like a real good piece of property. Mr. Warthen is here at this time and possibly he would like to address you on this matter.

In discussion it was brought out that the lot consists of approximately 6500 square feet, and there is ample area for a fairly good sized residence.

MOVED by Commissioner Renn, seconded by Commissioner Thompson that the lot split be granted with the reservation that 10 feet from the adjoining property be the line rather than the usual five (5). Motion carried.

2. PRESENTATION OF A PROPOSED AMENDMENT TO ORDINANCE NO. 216 TO PERMIT THE CONSTRUCTION OF CLUSTER TYPE OR TOWNHOUSE DWELLINGS.

Building Official: I have just handed out a little memo along with a portion of the Ordinance 216 that we wish to amend. It is a very simple amendment but presently we have difficulty in some parcels of land and with some plans of subdividers or developers with our present ordinance, in developing open spaces in cluster type or condominium buildings. Our proposal is that we permit the planned unit development to enter into this type of development. Actually this was what it was planned for. We have a limitation now, at this time, of a minimum of five (5) contiguous acres, before you can even consider a PUD. What this recommendation or memo asks is that you recommend to the Council that, after proper proceedings, that we amend this Ordinance 216, the zoning ordinance, to read that "in a PUD there are no minimum requirements for acreage for dwellings of residential, medium, light, and high". Now essentially what this means is that a person could, if they had the proper land, they could cluster their buildings together, single family dwellings, if necessary, they could cluster them together and have the rest of the area as a play yard, or anything apart in a piece of property. The way our ordinance is now we can't do that. We have to have the required setbacks, we have to be so many feet from each other and the hazards would be taken care of by this close proximity, in the building code. Through the building code you can build up to the line by putting in the right type of construction. So it gives a possibility for greater latitude for development of properties that are not just flat and square as we think of most developments. The densities would remain the same. They would be required to have 1500 square feet of land for each dwelling unit in high density. The land wouldn't have to be contiguous to that dwelling, it could also be included as a common in another part of the parcel. So it seems like its a good

Page 5 - Minutes
Regular Planning Commission Meeting
City of Brookings
November 28, 1978

way to further development of our very, very difficult developing lands now. We've taken all the good land, the easily developed land and built upon it. Now we are getting back to the more difficult lands. I would like your consideration and I will be glad to answer any questions that you have of me.

After this proposed amendment was discussed at length, with audience participation, the following action was taken;

MOTION by Commissioner Brimm, second by Commissioner Hagen, that public hearing be held on proposed amendment to Ordinance No. 216. Motion carried unanimously.

REPORT BY CITY MANAGER:

City Manager Frank Freeman hopes, by attending all the Planning Commission meetings, to provide a strong link of communications between the Planning Commission and the City Council.

Along with zoning and planning administration, there is another area in which the Planning Commission and the City Manager are vitally concerned, and that is long range comprehensive general planning and its process. The Planning Commission is involved in depth and the City Manager would like to do his utmost in helping the Commission in bringing the total comprehensive plan process closer to the Planning Commission, closer to the citizens with a strong sense of input, and closer to the City Council.

Not only is City Planning exciting, comprehensive City planning is as important as any of the functions at the management level, according to City Manager Freeman.

The first way the City Manager attempted to be useful to the Planning Commission was in his response to a request generated by the City Council to the consulting engineers to bring forth an updated and amended subdivision ordinance for consideration, and when they did that, it was the City Manager's recommendation to the City Council that the rough draft be referred to the Planning Commission for their consideration, their setting of a public hearing, their recommendation to the City Council. The City Council setting a public hearing, then making up the necessary amendments and adoption.

At this time the Chairman announced the Committee for Citizen Involvement meets every month, and sometimes twice a month. He specifically asked permission of Mr. William Cunningham if the Building Official might notify him when the meetings are held and invited Mr. Cunningham to attend and contribute citizen input. Mr. Cunningham, who was vitally concerned and contributed to the discussion regarding the proposed amendment to Ordinance No. 216, was agreeable to the suggestion by Chairman.

REPORT BY BUILDING OFFICIAL:

You have before you the Building Report for the month of October. Another good month, the weather is holding, I don't know what we are going to do in November but at least October was good. We had three new single family dwellings, three additions to residences, two alterations, one to a church and

Page 6 - Minutes
Regular Planning Commission Meeting
City of Brookings
November 28, 1978

REPORT OF BUILDING OFFICIAL: (CONT'D)

one to a club. A permit for the construction of a church and four miscellaneous items like fences and mechanical permits for stoves and two plumbing permits. I don't know how we have three single family dwellings and two plumbing permits, but we'll have to check into that! But the total valuation of the building in Brookings in October was \$387,700. The permits were \$1,271.92, plumbing permits were \$72.80, making a total of \$1,344.72 collected in Brookings in October. Thank you.

OTHER MATTERS:

BRIEFING ON CONSULTING ENGINEER'S DRAFT OF BROOKINGS SUBDIVISION REGULATIONS, 1978, BY BUILDING OFFICIAL AND PRESENTATION TO PLANNING COMMISSION FOR STUDY AND RECOMMENDATION TO CITY COUNCIL.

Building Official: Each of you received draft of this proposed ordinance. It was prepared by Marquess & Associates in Medford. We have representatives of the firm here - Cliff Shaw is here. I think they have a little presentation. I hope they don't try to read this whole thing. Basically, what I would like to see done this evening is to review the reasoning behind some of the changes, a brief outline of this thing, and some pointed information as to where you should look in this proposed draft, as you will have it another month, at least, to study and to dwell upon. We will have to have a public hearing on it but we would like to have your comments and hopefully, Cliff and his associate will be able to give you the areas of comment they think is pertinent.

General comments by Cliff Shaw.

The proposed draft of subdivision ordinance eliminates four existing ordinances besides replacing Subdivision Ordinance No. 217.

Something engineers recommend and plan to develop is a check-list of the major items of the ordinance. This will do several things. It will assist the City in maintaining control of subdivisions and thereby protect the City's interest. A member of City staff would be required to see that check-list is maintained and furnish a status report to the City.

It is recommended that preliminary plats be submitted 15 days before the Planning Commission meeting. A written staff report would be submitted to the Planning Commission in this 15 day period with input from the various departments and City engineer's review. With these reports the Planning Commission would then be informed when the preliminary plat came before them for review.

Mr. Shaw then went through the proposed ordinance giving Article and what it encompassed. After this a general discussion ensued.

It was the general consensus of opinion that a work session should be set up to study the various points of this proposed

Page 7 - Minutes
Regular Planning Commission Meeting
City of Brookings
November 28, 1978

ordinance, also that interested persons such as contractors, and any other interested citizens should be invited to participate and furnish input. Chairman Breuer asked Building Official to set a date for the work session prior to the next regular Planning Commission meeting.

ADJOURNMENT:

Chairman adjourned the meeting at 9:05 p.m.

This meeting was electronically recorded and is on file in the office of the Building Official.

Mary Jane Burin

CHAIRMAN

ATTEST:

Ann A. Gill

SECRETARY