

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BROOKINGS
MAY 23, 1978

CALL TO ORDER:

Chairman Earl Breuer called the meeting to order at 7:30 p.m. in the Engineer's Office in City Hall. This change in location due to an election being held and polls set up in Council Chambers.

INVOCATION:

Invocation by Chairman Breuer.

ROLL CALL:

Answering roll call were: Chet Thompson, Ralph Renn, and Archie McVay. Mr. Al R. Hooten, City Manager, was present and sat in as member of the Commission to make up quorum.

APPROVAL OF MINUTES:

Commissioner Thompson MOVED that minutes of April 25, 1978 meeting be approved. Motion seconded by acting Commissioner Hooten and carried unanimously.

WELCOME TO VISITORS:

Chairman Breuer greeted audience of five and expressed the appreciation of the Commission for their attendance.

Commissioner Hagen arrived at this time.

PUBLIC HEARING:

1. RE-HEARING OF APPLICATION Z-78-2 FOR ZONE CHANGE BY CUSTOM LEASES.

Chairman Breuer read letter from Custom Leases requesting postponement of one month for the re-hearing of their application for zone change. The Chairman said there was no reason to delve into it and went on to the next item.

Dick Keusink of the Brookings-Harbor Pilot walked in and was greeted by the Chairman.

LEGISLATIVE ACTION:

1. MINOR PARTITION REQUEST BY PATRICK M. SIMMONS, TAX LOT 600, MAP 41-13-5BB, ON WEST SIDE OF PIONEER ROAD, NEAR HASSETT STREET.

Building Official Bartholomew stated this piece of property had been before the Commission in August of 1977 when the owner then petitioned the Commissioners to cut off a front portion of this particular lot.

Our map shows this was approved and he reserved at that time a 25 foot easement back to the back portion. He split it in two parcels.

On the map accompanying the current request, there is a portion shown split off in front previously and now this request is to split the remaining piece into three parcels. Land is zoned Residential Medium. It is possible for the petitioners to put a duplex on each one of these parcels. That would mean there could be six families back there and you will recall at the last meeting we had a parcel just up from this one that was very similar to this where there would be three parcels potentially split off of it. At that time the motion was that we grant the request with proviso there would be a 30 foot easement set forth for access to property. I would think there might be a request for conversation with the proponents. The lot sizes are sufficient, it is zoned properly and there would be sewer and water available. There is really no reason why it couldn't be split up into three parcels if it had proper access, or if you so choose, the 25 foot access is adequate if you decide it is.

Questions about the actual width of access shown on map, which was not too clear, brought out fact the access shown was 35 feet.

Discussion followed regarding turn around for refuse and fire trucks.

Commissioner Robinson arrived at this time.

Commissioner Renn MOVED we accept the application provided on Parcel 2 and Parcel 3, any building construction thereon be set back a minimum of 20 feet from the easement line. Seconded by Commissioner Thompson and carried unanimously.

2. MINOR PARTITION REQUEST BY DEXTER WILLIAMS, TAX LOT 103, MAP 41-13-6AA, NORTHWEST AREA, ON HASSETT STREET.

The whole piece of property is under the ownership of Mr. Whitehead and Mr. Williams. So they can start building their own homes in this area, they are requesting a lot split of two parcels off the original, the rest of which would remain in the area for proposed Sundown Subdivision.

Water is available, sewer is not, but this is a portion of the new sewer district and one of the things Mr. Williams wants to do while waiting for all the developments to take place, is to be working on residences owners plan to live in.

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Mr. Williams is aware, in fact agreed to sign an agreement that no one would occupy the dwellings until they are connected to sewer and water.

There was discussion regarding the proposed subdivision relative to the sewer lines, new sewer district, etc.

MOVED by Commissioner McVay, seconded by Commissioner Hagen that minor partition request by Dexter Williams be granted. Carried unanimously.

Commissioner Thompson asked about the approval of final plat of Sundown Subdivision which, as of this date, has not been presented for approval. His interest was in the name "Heather Lane" being shown on Sundown's preliminary plat because Commissioner Thompson has an approved final plat of his own, "Heather Lane Subdivision", which provides for a street being named "Heather Lane". Mr. Bartholomew informed the Commissioner the Sundown Subdivision final plat has yet to be approved.

REPORT FROM BUILDING OFFICIAL:

Although it seems like the final figures do not indicate the amount of work going on, as you can see in the report we had five single family dwellings this month; remodel of a commercial and addition to a commercial, two fences, one fireplace, a flue, and six plumbing permits. The total valuation of construction in the City this past month was \$245,180.00. Permit fees for that were \$969.00 with a surcharge of \$37.69, making a total of fees collected in building permits, \$986.69. We had six plumbing permits for \$160.00 plus \$6.40, \$166.40 making a total of collected fees, \$1,153.09. It seems like we are busier than that but that isn't too bad, we have hit nearly a quarter of a million dollars every month this year, so far, so it looks like a banner year. We have had some terrible weather too!

REPORT BY CITY MANAGER:

Inasmuch as there had been discussion about the proposed Sundown Subdivision, Mr. Hooten mentioned water study of the area and that the installation of a 10" water main has been recommended from Highway 101 up Ransom Avenue to the bottom of subdivision, pointing out the developments add to the valuation of the City, but at the same time, the tax rate is not sufficient to cover the cost to the City of the facilities demanded to serve the additional growth. The subdivider is not liable, because he doesn't necessarily require that size line, so, it looks as if the City will have to pick up the difference in the pipe size cost for these oversize lines.

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There was a discussion concerning the size of pipes and how many units could be served by the various sizes. Mr. Hooten pointed out the City has to consider what the Insurance Services Office of the State of Oregon is now doing to us, not for us, but to us. There must be adequate flow of water for fire protection.

Last month, and prior to that time, the Council has been struggling with the concept of some sort of an assurance to the City that when developments go in - especially along streets, then the sidewalks and curbs will be taken care of. Then, of course, it comes back to our subdivision ordinance which obviously requires the developer to put the interior streets, sidewalks, etc., in with no questions.

We had, at that point in time, when this was first being broached, a situation where a developer was in the process of selling off properties he had cleared through the Dept. of Commerce, State level, and so forth, and was given an okeh, so he sold off bare properties to private individuals. Some of them were buying for speculation purposes. To date the cul de sac is not finished in that subdivision. It has been a mickey mouse operation since it began and so the City is now wondering if we forced the subdivision ordinance, which requires curbs, gutters, and sidewalks, and this structure is put in front of a bare piece of property with no structure on it yet, then when the person builds their house, at that time they will figure out where their driveway entrance is. The Council took the position that in order to save the owner some money, they would not require sidewalks in those particular cases for a period of two years and the new owner, once having built his/her house, would not be given an occupancy certificate until they had built that sidewalk. The idea being that you wouldn't chop out a 20 foot section of concrete to provide a driveway.

Since that time the Council has processed an ordinance that would require a developer with periphery properties abutting street right of way to either build a structure if the City could provide the proper elevations for the curb, etc., or to sign a waiver of protest for a period of ten years during which time, if the City got the folks across the street and on down the block a ways, to go for a local improvement district, at least these bodies would be willing to pay their share which seems to be fair.

This thing has been kicked around, back and forth, and finally at this last Council meeting, our City Attorney suggested that before this were to become an ordinance the Planning Commission should have a public hearing on the matter with all the facts at hand. There seems to be a technicality in the ORS that when an ordinance, that puts

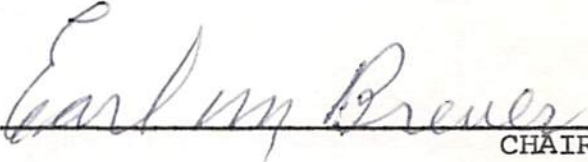
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a restriction against your property or my property and obligates us for some particular reason, by law you must give us the right to a public hearing on the matter prior to that ordinance. So that is why at the next Planning Commission meeting you will have this subject to discuss and deal with.

There was a discussion about requirements for subdividers and the laws governing, fees paid, etc.


ADJOURNMENT:

Chairman adjourned meeting at 8:30 p.m. Meeting taped and is on file in the office of the Building Official.



CHAIRMAN

ATTEST:



SECRETARY