

**DUNES CITY PLANNING COMMISSION
REGULAR MEETING
October 20, 2005**

I. CALL TO ORDER

Lee Riechel called the meeting to order at 7:04 p.m.

ROLL CALL

Present: Chair Lee Riechel; Commissioners, Susie Navetta, Les Zemlicka, George Burke, Ron Schearer; Recording Secretary, Teri Tinker; LCOG Planner, Hilary Dearborn; eight citizens in the audience at the beginning of meeting.

II. APPROVAL OF MINUTES

September 15, 2005 Planning Commission Regular Meeting

ACTION: Susie Navetta made a motion to approve the minutes of the September 15, 2005 Planning Commission Meeting. Les Zemlicka seconded the motion. The motion was passed with 3 ayes, 0 nays, 2 abstain by Lee Riechel and Ron Schearer.

III. ANNOUNCEMENTS AND CORRESPONDENCE

None

IV. PUBLIC HEARING

A. Subdivision - SUB 03-05 Sunset Ridge, Map 19-12-24-00, Tax Lot 212,432, approximately 10 acres.

Lee Riechel notified the audience of their legal rights. Riechel explained how testimony would be taken, and the hearing procedure.

Riechel asked if the Commissioners had any actual or potential conflicts of interest. There were none. Riechel asked if any Commissioner had ex parte contact. Riechel said all the Commissioners except Ron Schearer, and the Planning Secretary visited the site with Don Wolford who had explained the project. Riechel asked if there were any discovery of facts that were not included in the application or staff report. Susie Navetta said Don Wolford mentioned drainage and a cul-de-sac that was not in the material. Riechel said that there was something needed but there was no design at this time.

Process Guide

Riechel requested a demarcation of the ~~cheat sheet~~ to what he needs to read and what is action.

Riechel opened the public hearing at 7:16 PM.

Riechel asked for the presentation of the staff report. Hilary Dearborn reviewed the Staff Report and the Facts of Finding. Dearborn said the report recommends approval with conditions. Dearborn went over the items to be addressed and the conditions (See Exhibit B, pages eight and nine).

Riechel opened the meeting to the applicant to present evidence.

Don Wolford was not present due to family situation

Riechel asked if there was anyone in the audience who wished to speak in favor of the application.

None

Riechel asked if there was anyone who wished to speak against the subdivision.

Jerry Wasserburg, 84606 East Lake Drive, Florence, OR 97439

Wasserburg said that there is no hydrologist report referred to for the water sources being supplied by the wells, streams, septic tanks, or water run off for the steep terrain. Wasserburg asked who pays for the maintenance and construction of the roads especially with the hilly terrain and with the Erhart traffic having to carry two-way traffic. Wasserburg said the fire hydrants, which is a water problem, was unclear to him as to what the requirements are and if providing water for the fire hydrants were part of the development. Wasserburg wanted to know how you can say "may" or "may-not" install street lights.

Riechel said the definition of "shall" means that we have to do it, and "may" is discretionary. Riechel said street lights are discretionary and the Road Commission is running under the rules of Dunes City to put street lights at road intersections and turnarounds, but due to the cost of the lights, we only put them where there is a definite safety problem.

Wasserburg asked if there was a hydrologist report?

Dearborn said that the City does not have the ability to require hydrology report with the codes, but we can require that there is evidence of adequate water.

Robert Quandt, 83573 Erhart, Florence, OR 97439

Quandt said he owns the property to the south of the development and what is noted as drainage on the map is their water supply. In 1983-1985 they purchased an easement for collection and storage of water. Quandt asked if this was taken into consideration when the development was done, and if his water will be protection from the drainage of excavation and septic off lot four. Quandt said they do not have the luxury of water on their property and this is their only means of water. Quandt asked if they should have any concerns?

Riechel said that nothing had been taken into consideration, because they did not know about the situation.

Quandt said the conditions of his easement is vague and is for collection and storage of water with no specific location, but there is a survey with point of diversion and collection.

Riechel requested a copy of the survey map for records.

Quandt said he had another concern of logging, drainage, and soil going down and filling culverts with increased run-off and wanted to make sure this will be taken care of.

Riechel asked Quandt if his response was in opposition or of concern. Quandt said he is not opposed, just concerned.

Cara Hogervorst, 5650 Alder Court, Florence, OR 97439

Hogervorst said she spoke to the City Council when the lots were cleared with opposition of the barn and horse. Hogervorst said the former landowner did not abide to or fulfill some of the requirements, so she does not feel that these requirements will be fulfilled now. Hogervorst said she walks the road all the time and the dirt does move. Hogervorst said her husband is a Hydrologist and talks about the areas of Erhart Road and is concerned about the drainage of lots four, five, and six, and that lot six turns into a stream and the manure runs right down onto their property. Hogervorst said she is concerned about 12% slopes and septic and storm water run-off especially off lots five and six where there is a lot of silt from the run-off and wanted to know if the property is really suitable for homes being built on. Hogervorst said there are signs stating slow/children and by lot six there is a sign with a speed of 20 mph, which people ignore, so there is concern about more traffic. Hogervorst said lot four and five's driveway is on a sharp curve with poor visibility and does not feel this is a good plan and is dangerous to pedestrians.

Hogervorst said she is concerned about run off into Siltcoos and her husband has done a hydrology study on Woahink over the last 20 years and she has

documentation that shows there is a change and is concerned about the lack of concern.

Jenny Harrison, 5680 Maple Drive, Florence, OR 97439

Harrison said her main concern was that the existing driveway drains down into her driveway. Harrison said if they will be logging these areas, the log trucks and traffic will cause wear and tear on the road they just fixed, and they don't want to have to redo the roads because of trucks. Harrison said that she wondered about the zone change for the farm animals.

Riechel said that the zoning was not changed for the horses, that the Code allows for minimal level of animal husbandry, but is still zoned residential single family.

Robert Quandt, (address as above)

Quandt said he was also concerned about the logging and drainage. Quandt said that this area is not stable as it was just recently logged. Quandt said trees and logs were just pushed and piled up and the trees will die due to cover up and Quandt would assume there will be engineering to make sure this area will be stable.

Riechel said that there are a lot of people concerned about logging and lack of trees, but unfortunately the State allows for logging and replanting. Riechel said that the Road Commission is recommending culverts be opened or replaced.

Riechel closed the public hearing at 8:28 pm.

Deliberations:

There was discussion concerning drainages, and the preference for easements for protection from runoff. The Commission also discussed the need to have a setback for natural vegetation for the drainage protection on lots two, six, five, and four. Riechel said that drainage on lot five washed out Erhart Rd. with large expenditures to the City.

There was discussion concerning the easement that the neighbor has on lot four. Burke asked Quandt if he has a copy of the easement and Quandt replied yes.

There was discussion concerning the lot that is outside ^{Dunes} ~~Dues~~ City Limits. Dearborn said that this is an existing lot that is part of the determination and does not have to be annexed.

There was discussion of the access road on lots one, two and three. Riechel said the Road Commission wanted this to be a driveway, but because this is a Subdivision, it has to be a private road constructed on an easement and cannot be a public road as it would break up lots one and two. There was discussion concerning either a cul-de-sac or hammerhead for fire access on lot three.

There was discussion of access from lot four not being at a good angle, but is an existing driveway.

CONDITION #1 (MODIFIED): The final plat shall be revised to show a private road on lots one and two with a cul-de-sac or another acceptable turn-around on lot three for emergency vehicles that is approved by the fire marshal and that meets the lot frontage requirements as per 155.084.

CONDITION #4 (MODIFIED): Site review with engineered plans is required for all lots. Demonstrate the safety of the proposed development in areas of slopes >12% will require engineered geologist.

CONDITION #5 (MODIFIED): Develop access roadways and driveways in accordance with the standards of the Subdivision Ordinance. 155.089 (C) (2) and the Master Road Plan.

CONDITION # 8 (MODIFIED): demonstrate availability of domestic water from on-site wells prior to final plat approval.

CONDITION #10 (MODIFIED): A storm water plan that requires roadside engineering adequate to handle storm water runoff from slopes along the roadway and construct all water drainage facilities serving the subdivision in accordance with 155.104 of the subdivision ordinance.

CONDITION #14 (NEW): Easement with city for natural vegetation and plot map modified for collection point and water storage. Require an independent engineering report for the protection of drainage.

CONDITION #15 (NEW): Plot map modified to show the neighbor's easement for water lines, sources, and collection site.

CONDITION #16 (NEW): Develop report that shows storm water, run off and septic drain fields and make sure is isolated from the neighbors point of diversion and upstream.

Riechel requested that the Road Commission or Bob Petersdorf review the driveway locations of lots four, five, and six for safety.

Riechel said he did not know what a Restrictive Covenant for Resource Management that Roseburg Resources requested is and did not think there was

anything that they could do. Dearborn said that this is good question for Gary. Dearborn said the second request for the 150' setback could not be required as it is not in the Dunes City Code.

ACTION: Lee Riechel made a motion to accept the Staff Report for the Sunset Ridge Subdivision. George Burke seconded the motion. There were 5 ayes, 0 nays. Motion carried

ACTION: George Burke made a motion to approve the request by Mark Harrison for (1) a Subdivision to Tax Lots 212-432, Assessor's Map 19-12-24-00 and (2) the preliminary plat for Sunset Ridge Subdivision. The Planning Commission has considered the evidence presented by those for the proposal, as well as against the proposal, and it has found by the weight of the evidence that the proposal should be approved with the 16 conditions of the Planning Commission.

This approval is based upon the Draft Findings of Fact and Conditions of approval, as modified, for file numbers SUB 03-05, dated October 20, 2005, that are adopted by reference in support of this decision.

Les Zemlicka seconded the motion. There were 4 ayes, 1 nay. Motion carried.

ACTION: Lee Riechel wanted a note to the minutes that the Planning Commission's conditions do not include the Road Commission's recommendation #3 and that the Road Commission needs to present that recommendation to the City Council.

V. NEW BUSINESS

Tinker said Charlcie at The Building Department, said that a Planning fee should be added to the building permit. Riechel recommended at least four hours planning time and overhead and put an amount before the City Council.

VII. UNSCHEDULED BUSINESS

None

VIII. ADJOURNMENT

Lee Riechel adjourned the meeting at approximately 9:56 p.m.



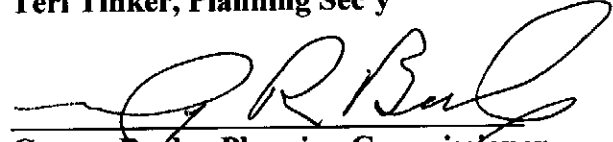
Lee Riechel, Chairperson



Teri Tinker, Planning Sec'y



Les Zemlicka, Planning Commissioner



George Burke, Planning Commissioner



Susie Navetta, Planning Commissioner



Ron Scheerer, Planning Commissioner