

Supplemental Packet

CP/Z 1503 – December 17, 2015

Board Of Commissioners

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Curry County Planning Commission
Curry County Courthouse Annex
94235 Moore Street, Suite #122
Gold Beach, OR 97444

December 14, 2015

**RE: Proposed Amendment to the Curry County Comprehensive Plan Map,
LOCAL FILE #: CP/ZC-1503, DLCD FILE #: 003-15.**

The Fair Housing Council of Oregon (FHCO) is a private non-profit fair housing organization incorporated under the laws of the State of Oregon. Founded in 1990, FHCO strives to eliminate discriminatory housing practices and to ensure the equal availability of housing to all persons, without regard to race, religion, gender, national origin, familial status, disability, sexual orientation, source of income, or marital status. We serve all victims of housing discrimination, including housing providers when their fair housing rights have been violated.

We understand that the Curry County Planning Commission will be reviewing a proposal to Amend the Comprehensive Plan Map from Rural Residential to Commercial; and the Zoning Map from Rural Residential (RR-5) Heavy Commercial (C-2) for 9.38 acres located at 15887 Hwy 101, 4113- 09AC-02900. We would like to review the fair housing implications of the amendment to help ensure an adequate supply of affordable and fair housing in Curry County.

We could not locate the staff report and findings on the County's website and would therefore like to formally request a continuance of this hearing so that we can review the findings and prepare any comments.

FHCO is interested in working in a collaborative manner with the Curry County and offering technical assistance to help the community in the region achieve the highest levels of equal opportunity housing choice possible. Please feel free to be in touch with any questions.

Thank you for your consideration.

Sincerely,

Louise Dix
Affirmatively Furthering Fair Housing Specialist

December 10, 2015

In regards to: Application No. CP/Z -1503

CERTIFIED MAIL

Curry County Community Development
94235 Moore St. Suite 113
Gold Beach, OR 97444

Dear Curry County Community Development,

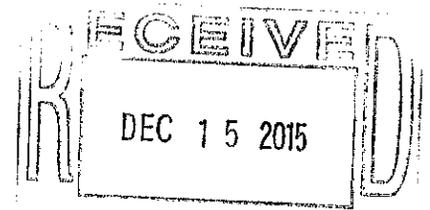
SUBJECT: LAND USE HEARING

I am writing the letter on behalf of John F. & Victoria Lindeman residing at 15940 Pelican Bay Drive, Assessor Map Number: 4113-09AD-00700 and our neighbors, Bob & Heide Heikkila residing at 15948 Pelican Bay Drive, Assessor Map Number 4113-09AD-00600, to voice our concerns regarding the proposed zoning change of property located at 15887 Highway 101, Brookings, Oregon, Assessor Map Number: 4113-09AC-02900.

Our properties are directly adjacent to the 15887 Highway 101 property on the eastern boundary of the 9.38 acres in question. Both of our residences are within 40 feet of the property line. Both families are retired on a fixed income. We plan to live out the remainder of our lives on the property we now occupy and we seldom travel outside of the immediate area. We purchased our property for the serenity and beauty of this area including the ocean view that we relish. We have multiple concerns that changing the zoning to Heavy Commercial (C-1 or C2?) could have a devastating effect on our quality of life and our property values.

Issues effecting our quality of life and/or property value:

1. Ocean View - We are extremely pleased with our current view of the Pacific Ocean, the Port of Brookings, and the unique view of Pelican Bay from the St. George Light House to Chetco Point. It has been said that one's mental health has a direct relationship to the distance one can see to the horizon, on a regular basis. Our current ocean views are spectacular. Impairing, or partially blocking our view by some Commercial enterprise, would have a devastating effect on our quality of life, and the future re-sale value of our residential property.
2. Excessive Noise - Our peace and quiet are very special, and we are far enough from Highway 101 that road noise is not an issue. We are lulled to sleep at night by the sounds of the distant Sea Buoy and occasionally the ringing of the Bell Buoy near the harbor entrance. Any enterprise on the property that creates unacceptable noise levels (traffic or industrial noise) at anytime, day or night, will have a devastating impact on our well being as well as the future re-sale value of our residential property.

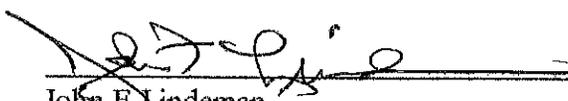
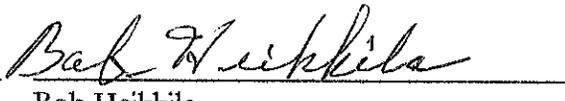
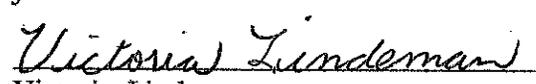
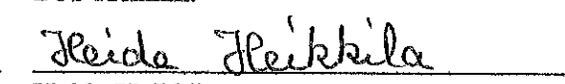


- 3. Night Lighting - Our night sky is especially unique, considering the convenience of our location. At our ages, a good night's sleep is essential to our good health. Blaring night lights such as security lighting, parking lot lighting, excessive vehicle lights etc., will be a huge detriment to the serenity of our neighborhood and the future re-sale value of our residential property.
- 4. Noxious Odors - Prevailing winds in our area are from the South or the North West. Any noxious odors as a by-product of a Commercial Enterprise on the property in question will be blown directly into our residences effecting the quality of life and the future re-sale value of our residential property.

We are strongly opposed to the proposed change in zoning of the property located at 15887 Highway 101, Brookings, Oregon, Assessor Map Number:4113-09AC-02900 from it's current RR-5 Zoning to Heavy Commercial (C-1 or C2?) Zoning. We realize the current absentee owner(s) are interested in optimizing the value of sale of their estate. To do so, without regard for those of us in the vicinity of the property, is unreasonable.

Perhaps the property in question would be much better utilized if zoned for 1 acre Residential. To do so would allow the current property owner to realize a better return on the sale of their estate without jeopardizing the serenity of our neighborhood.

Sincerely,

 _____ John E. Lindeman	 _____ Bob Heikkila
 _____ Victoria Lindeman	 _____ Heide Heikkila

**CURRY COUNTY BOARD OF COMMISSIONERS
LAND USE HEARING**

November 25, 2015

Application No. CP/Z – 1503

I. LAND USE ACTION

Type of Land Use Action Considered: A request to change the Curry County Comprehensive Plan designation from Residential to Commercial with a concurrent Zone change from Rural Residential Five (RR-5) to Heavy Commercial (C-2) for a 9.38 acre parcel within the Brookings Urban Growth Boundary. The request will be the subject of a Curry County Board of Commissioners Decision under the authority granted by Section 2.060(3)(a), and in accordance with the procedural requirements of the Curry County Zoning Ordinance.

Nature of Use, Which Could Be Authorized: Approval change the Curry County Comprehensive Plan designation from Residential to Commercial with a concurrent Zone change from Rural Residential Five (RR-5) to Heavy Commercial (C-2) for a 9.38 acre parcel within the Brookings Urban Growth Boundary.

II. APPLICABLE CRITERIA

Citation of Criteria that are applicable to the Decision in this Matter:

Curry County Comprehensive Plan

Section 19.2	Future Planning Issues
Goal 1	<u>Citizen Involvement</u>
Goal 2	<u>Land Use Planning</u>
Goal 8	<u>Recreation</u>
Goal 9	<u>Economy</u>
Goal 10	<u>Housing</u>
Goal 11	<u>Public Facilities</u>
Goal 12	<u>Transportation</u>
Goal 13	<u>Energy</u>
Goal 14	<u>Urbanization</u>

Curry County Zoning Ordinance

Section 3.080	<u>Rural Residential Five (RR-5)</u>
Section 3.160	<u>Heavy Commercial (C-1)</u>
Section 9.010	<u>Authorization to Initiate Amendments</u>
Section 9.020	<u>Application for a Zoning Change</u>
Section 9.021	<u>Standards for a Zone Change</u>
Section 9.030	<u>Application for a Comprehensive Plan Amendment</u>
Section 9.031	<u>Standards for Comprehensive Plane Amendment for Nonresource Land</u>

III. APPLICANT AND SUBJECT PROPERTY

Owner: Marjorie Reynolds Trustee for Harvey and Etta Schafer
Applicant: Harder Diesslin Development Group – Walt Harder
Agent: Cascadia Geoservices, Inc. – Eric Oberbeck

Subject Property

Description of Location: The subject property is located at 15887 Highway 101, Brookings, Oregon.

Address: 15887 Highway 101
Assessor Map Number: 4113-09AC-02900

IV. PUBLIC HEARING

Date: Thursday, December 17, 2015
Time: 10:00 A.M.
Place: Commissioners' Hearing Room
Curry County Courthouse Annex
94235 Moore Street
Gold Beach, OR 97444

V. OTHER INFORMATION

REQUIRED STATUTORY NOTICE:

ORS 197.763 (3)(e) states that failure to raise an issue in the hearing either in person or by letter or failure to provide statements or evidence sufficient to allow the decision maker an opportunity to respond to the issue precludes appeal to Land Use Board of Appeals on that issue.

DOCUMENTS AND STAFF REPORT:

A copy of the file containing the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for review at no cost at the Department of Community Development office located at 94235 Moore Street, Gold Beach, Oregon. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing in the office or on line at <http://co.curry.or.us/publicservices/publicservices.htm>

Copies of the above documents can be obtained at the Department of Community Development office for a copy charge of \$0.25 per page.

GENERAL EXPLANATION of the Requirements for submission of testimony and the procedure for conduct of hearings:

Persons may submit documents or evidence to the record of the hearing on this matter until the record of the hearing is declared closed by the decision making body. All written evidence or documents submitted by mail, e-mail or FAX must be received by the staff prior to the commencement of the hearing in order to ensure that the material will be submitted into the record. All verbal testimony shall be stated directly to the decision making body prior to that point in the public hearing that the public hearing is declared closed. If the decision making body declares that the record is to remain open for a time period following the public hearing written evidence and documents shall be submitted in accordance with the instructions provided at the public hearing. All written evidence and documents submitted should be legible, page numbered and identified with the application number indicated on this notice

For further information regarding this notice please contact: chesterN@co.curry.or.us

The Department of Community Development office is located at:

Nancy Chester, Planner
Curry County Community Development
94235 Moore St. Suite 113
Gold Beach, OR 97444
Telephone: (541) 247-3284
FAX: (541) 247-4579

Curry County Annex Office Building
(Lower Level)
94235 Moore Street
Gold Beach, OR 97444

Nancy Chester

From: Carolyn Johnson
Sent: Wednesday, December 16, 2015 9:12 AM
To: Eric Oberbeck; Walt Harder; James Cant
Cc: Nancy Chester
Subject: RE: East Benham Lane

Certainly.

From: Eric Oberbeck [<mailto:eric@cascadiageotechnical.com>]
Sent: Wednesday, December 16, 2015 8:49 AM
To: Carolyn Johnson; Walt Harder; James Cant
Subject: Fwd: East Benham Lane

Carolyn, attached is an email from Doug Robbins regarding the proposed access for the northern parcel off of East Benham Lane. Can you please add this e-mail to our application for the meeting tomorrow? Thanks, Eric

Eric Oberbeck, RG, CEG
Cascadia Geoservices, Inc.
190 6th Street
Mail: PO Box 1026
Port Orford, Oregon 97465
Direct. 541-332-0433
Cell. 541-655-0021
e-mail: eric@cascadiageoservices.com
web: www.cascadiageoservices.com



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----- Forwarded message -----
From: Doug Robbins <robbinsd@co.curry.or.us>
Date: Mon, Dec 14, 2015 at 8:50 AM
Subject: RE: East Benham Lane
To: Eric Oberbeck <eric@cascadiageotechnical.com>

Eric,

I did get a chance to review your access plan and you average daily traffic projections. East Benham is a low volume road with a low speed limit, it has a signaled intersection to Highway 101 for safe approach for large trucks. The road itself is

in good condition with 4" of asphalt designed to handle the traffic. East Benham has been repaved in the last 10 years or so. With these factors in mind I feel that East Benham is suitable for the use you are requesting.

Regards,

Doug Robbins

Curry County Road Department

541-247-7097

From: Eric Oberbeck [mailto:eric@cascadiageotechnical.com]
Sent: Sunday, December 13, 2015 1:16 PM
To: Doug Robbins
Subject: East Benham Lane

Hi Doug. Our meeting for the Fed Ex shipping facility is Thursday at 10 AM at the BOC. I was wondering if you had a chance to look at the access point on East Benham Lane and if so, if you thought it would be ok? If it is, can you please send me a brief e-mail in-case this comes up in our meeting on Thursday? Thanks, Eric

Eric Oberbeck, RG, CEG

Cascadia Geoservices, Inc.

190 6th Street

Mail: PO Box 1026

Port Orford, Oregon 97465

Direct. 541-332-0433

Cell. 541-655-0021

e-mail: eric@cascadiageoservices.com

web: www.cascadiageoservices.com



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