

September 12, 1979  
1:30 p.m.

REGULAR MEETING  
BOARD OF COUNTY COMMISSIONERS

Harris Hall  
Main Floor

The following Commissioners were present at this meeting: Vance Freeman, Harold Rutherford, Archie Weinstein and Otto t'Hooff. Gerald H. Rust, Jr., was absent and had consented to this meeting. Chairman Freeman called the meeting to order. Ruby Winther was Recording Secretary for the afternoon meeting.

23. COMMISSIONERS' ANNOUNCEMENTS AND BUSINESS

There were no announcements or business at this time.

24. PUBLIC WORKS

a. PUBLIC HEARING AND ACTION/T-2000 Plan Annual Review

John Goodson, Acting County Engineer, explained the T-2000 Plan Annual Review, and stated that it was required that it be endorsed annually. He stated that copies of this plan had been given to the Commissioners (Goodson showed the Plan on the overhead projector). He stated this project was added to the Plan at the request of the Springfield City Council. This project was contingent on further study and would require coordination. Goodson added that it would be their recommendation that the Board endorse Eugene-Springfield 2000 Area Transportation Plan Annual Review, with the exception that Second and Third streets not be a part of this. Rutherford stated that he had one objection to the recommendation, about "not being a part of the Plan." He would rather say "pending results." Rutherford stated that Springfield and Lane County had shown an interest, but that Eugene had not. Freeman asked if this would still have to go to Eugene, and Goodson answered if it were a freeway type of project, it would have to go to a vote of the people. Rutherford assumed that they had proposed to change that. Goodson stated the wording had been changed in the Plan; this would be a limited access arterial, and he believed it would have to go to a vote of the people. Freeman opened the public hearing.

Tony Martin, Emerald Street, stated that he was a citizen and what they already have would be affected. Mel Christianson, 2637 Madison Lane, Springfield, stated that the proposal, if allowed, would disrupt traffic. He felt that the matter should be weighed and that the advocates needed to demonstrate a genuine need. Can it be shown that an arterial was needed? (Christianson read a letter asking for study and citizen involvement; he asked that Project 55 be deleted and that citizen participation be invited.) Melody Briggs stated that she opposed the extension of Second and Third Streets. Cynthia [redacted], 4669 Hillside Drive, said she was speaking on behalf of the League of Women Voters. (She read a letter and submitted it to the Board.) She said the process of a review should be addressed, as suggested. Freeman asked if there were anyone else who wished to speak. Clark Lois Denis stated that nine letters had been received in opposition to Second and Third Streets. She read the letters and

advised that the letters would be kept on file. Freeman asked if there were anyone else to speak; there was no one else, so Freeman closed the public hearing. Rutherford stated that there had not been enough study; that it was felt there would be a better way. He felt that more consideration should be given to a possible way of relieving truck traffic. Rutherford moved approval to endorse the Fiscal Year 79-80 review with exception of Second and Third Streets not being a part of the Plan, pending results; that no action be taken on project 55 until sufficient public hearings were held; that more specific studies be made to demonstrate genuine need. Freeman seconded the motion. All of the Commissioners voted aye and the motion carried.

b. PUBLIC HEARING/Gary Parks, Way of Necessity

Bob Ezell, County Surveyor, presented this item and showed the area on the overhead projector. Ezell explained that there were two reports, one report of the Viewers and a second report, which will become a part of the report. He explained that in March 1979 Mr. Parks filed a land partition. Later there was a Board hearing and a Planning Commission hearing. Mr. Parks submitted a petition and he said he had no access for the property. On April 25, a hearing date was set for May 23. Ezell stated that he had reviewed the site and available transportation systems. The County road was not vacated. He said the Road Viewers met in June, and that they continued onto the site north of Florence. (Ezell read the report of the Viewers for the record.) He stated that the report of the Viewers was sent to the Clerk of the Board, filed with the County Clerk and to Legal Counsel. He filed a surveyor's report on July 5 and could find no evidence that 306 was formally vacated. Ezell stated that on July 10 Legal Counsel and his findings concurred with his; it directed the Road Viewers to answer the question of a way of convenience and practical route. On July 12, Ezell stated he met with Mr. Price and Mr. Parks. They discussed continuing a Way of Necessity or to withdraw it. On July 19 Mr. Parks said he wished to continue the Way of Necessity. On July 20 a County surveyor it, and on July 25 a second report of the Viewers was made. (Ezell read the report into the record.) Ezell continued and stated that he discussed with Legal Counsel the matter of continuance. It was their determination that the road to the north was selected by the Board of Road Viewers. E'Hooff noted that County Road No. 306 remains a public road and, if it is utilized, he wanted who would be expected to maintain it. Ezell responded that he believed the Public Works Director had authority to bring the road up to standard; that he had issued the facility permit. He stated that it had been withdrawn from the County road system; that it was a public easement and that the County had no liability. Ezell stated that it applied only to a portion of it. E'Hooff stated that he did not want to incur a liability. Rutherford noted that the other Commissioners were talking about legal liability. He felt the County was not liable for maintaining it. Ezell explained that the Public Works Director has an option to bring the road up to standard. He stated the existing road is six to eight feet wide. Bill Van Meter, Assistant County Counsel, stated it was the Board's discretion when to open up a road and that it would remain on the books as a public way. E'Hooff wondered if Mr. Price brought the road up to County standards if it could be reopened for use. Ezell answered they

would have to have a facility permit for Mr. Parks' property. Rutherford asked about payment of fees, and Ezell stated that road viewers have a fee for Road Viewer action. Freeman wondered about appropriate charges, and Ezell answered there were other charges for office and transportation; he stated he was a Viewer from the Surveyor's Office. The fee was \$250 for Mr. Graham, \$250 for Mr. Gault, and \$169 for County surveyors, making a total of \$669. t'Hooft asked if there were any other costs and wondered if that covered Ezell's time also. Ezell replied that it did cover his time, and there was a \$1,000 deposit. He added there were no other charges in that area. Freeman asked if there were any more questions of the staff. He opened the public hearing. Stan Long, attorney, stated that he represented Mr. Parks and that he didn't agree with the staff presentation. He said that he would like to make some recommendations about the area. When Mr. Parks acquired tax lots 2200 and 2000, people didn't know 386 existed. People have been building there as well as Mr. Parks. In 1971, people gave property to the County for public road purposes. He said, if the County didn't accept it as a road, then the County didn't own it. The County cut the trees and started building the road. Mr. Parks asked for an easement from the Planning Commission, and the Planning Commission considered and decided they didn't want Taylor Road. They recommended to the Commissioners that Mr. Parks be granted an easement. In April 1978, the Commissioners disagreed with the Planning Commission and made a motion that it be denied. It was suggested that Mr. Parks file a Way of Necessity. (Long showed on the map the way that was suggested to go out). The County Counsel was asked to research as to whether or not there was a Way of Necessity. The County Counsel concluded it had not been vacated, and the statute talked about what was convenient; it had to be convenient. Long continued and explained that the Road Viewers suggested going out this way (he pointed to the map), and a facility permit would be given. Long recommended that a permit be given for 386 and that a route over Taylor Road was what they would like. Then, if not over Taylor Road, he asked for a permit over 386. He said the people were not anxious to have this traffic. Long concluded by asking provision so Mr. Parks could have some reasonable access so he could make use of his property. He suggested barricading it and letting Mr. Parks move up Taylor Road. t'Hooft noted that Mr. Parks said the maximum use would be his brothers and himself. t'Hooft added that he did not see the problem and that it looked like there were about 20 houses. He wondered what kind of traffic would be going along that road. Long stated that once the road was opened up, then the present circumstances have changed. The proposal is to do it for no reason. t'Hooft explained the whole reason it got started was so Mr. Parks would have access to cut wood and build a house. The one-acre sites were being discussed. Long stated that on one other 386 existed. Once it was opened up, the zoning rules applied. There would be access off from 101. Long requested access through Taylor Road and that 386 be vacated. t'Hooft stated that he was not in favor of creating another County road when there was a need. (Long again pointed to the map and showed which way they would like to go in). Rutherford noted there was someone occupying 386. Weinstein inquired if he were talking about 50 or 60 acres, and Gary Parks answered that he was talking about 40 acres for 10-acre parcels. Long wondered which way Mr. Parks could go in or if he would have to go by the

existing homes. Weinstein wondered if Taylor Road had been given to Lane County for purposes of a County Road. Bill Van Vactor, County Counsel, replied yes. Long stated that when the County built a road, it implied that the County had accepted it. In reply to Freeman's question about the right-of-way, Long answered that it was 60 feet. Rutherford stated that all things would have to be taken into consideration. Long felt that the staff and Viewers were being selective. He added that there was no mention about the effect on the houses. Freeman said they had heard from West Lane Planning Commission and then found out about 386. t'Hooft stated that there was not access to his property, and now there would be; no one had been denied. He added that he would not want to vacate it. Freeman inquired if they wanted to go in on Taylor Road. Ezell explained that the Road Viewers did consider the road to the south and Taylor Road. He said the aerial photos showed one-half was under water on Taylor Road. The facility permit would come from Public Works. Freeman asked if there were anyone else to speak. Del Wilkins, Friendly Acres, stated that he was a representative of property owners in that area, 24 homes. He said that he had six or seven letters that didn't receive notice or that they had received notice too late. He said he was Chairman of the Friendly Acres. (He pointed to the map and showed the area in green). He explained the whole area was occupied by retired and low-income people who don't have money to hire lawyers. He said he was being caught between developers and County Council. He said they didn't mind if Mr. Parks used that as single-family residences. He said the road already was being used to County and there were up to 100 cars per day using the road. Wilkins proposed that Taylor Road be given to Mr. Parks and that a portion of 325 be vacated. He added that they didn't want traffic through Friendly Acres Road. He felt that now was the time to get the traffic on Taylor Road and get it opened up. He said, if Mr. Parks got it open to the north, that would be 3,000 feet to be developed up to standards. Wilkins stated again that he did not want Mr. Parks' traffic through there. t'Hooft wondered if the County could limit the traffic, and Van Vactor replied the answer would probably be no. If the County accepted the road, then it was declared to be a public road. (Wilkins submitted the letters to the Board). Freeman asked if there were anyone else to speak. Mary Spencer, Highway 101, North, stated that in 1969, she and her husband tried to get that road closed and were not able to do so. She talked about the houses on Friendly Acres and contended that it was illegally subdivided. She said there was no road left for the people, and the County should avoid another situation where it caused illegal subdivision. She wondered how it could be closed. Clerk Denis read a letter to the Board from Bud Wilkins. Ezell noted that Mr. Wilkins was the contract purchaser. Jim Britton, 245 West 25th, Eugene, stated that he had started out in 1970 when the County acquired the right-of-way from the State of Oregon. He added it went back to the State Highway Commission. He spent time surveying, designing, staking and preparing a deed. He said it looked like a description of the road. He added they cleared the land and cleared it; water stands in the right-of-way. Britton said Gary Parks would like an easy way to get in. He added that Florence Land Company owned land on both sides of Taylor Road. Rutherford asked what he considered the damages, and Britton said that he didn't know if it would be \$1,000 or \$20,000; three roads and three

miles. t'Hooft stated that he didn't see what the action would be in this case, and Britton suggested that the County could restore it. Rutherford noted that it looked like Florence Land Company had houses on both sides of the road. Wilkins requested that the road be blocked. In rebuttal, Long stated that the surveyor indicated the route to the north was selected because it was the shortest. He stated that they didn't want to bother Mr. Wilkins and added that the County accepted and recorded the deed, and he felt it was sufficient to think the County wanted to create the road. Freeman closed the public hearing. Rutherford moved that the report of Board of Road Viewers dated July 26, be accepted; that the Board declare its intent that 386 from Friendly Acres Road to southern boundary of Gary Parks property, tax lot 2000, remain as public, and that the proceedings to establish Way of Necessity be discussed because of legal access and easements, that 3669 be returned to him from the Department of Finance in connection with the proceedings. And Van Vactor added "because convenient and practical legal access." Freeman took exception to that and stated that Mr. Parks was still getting what he wanted. He added that Mr. Wilkins didn't want that road opened; that it was inconvenient for Mr. Parks to go around. Freeman suggested leaving it up to the West Lane Planning Commission. Rutherford suggested referring the matter to the Road Review Committee for a report in 90 days. Van Vactor advised, if there was no satisfaction with the Road Viewers, they would have to be sent back out. Weinstein suggested that they look at the second report of the viewers; it was the final report. He felt it should be read into the record. He said that 50 acres was being discussed and that access would have to be provided for tax lots 2200 and 2000. Freeman asked if the viewers went down Taylor Road, and Ezell answered that they didn't walk to the south of 386. t'Hooft stated that a way of necessity needed to be found to give Mr. Parks access to his property. He said the Road Viewers had said the Way of Necessity was not necessary because a road existed. He wondered if they wanted the Road Advisory Committee to look at the most effective way in terms of providing access to the property. There was no second to the above motion. Rutherford moved that the whole matter be referred to the Road Review Committee and West Lane Planning Commission to report in 90 days. t'Hooft seconded the motion, and added that the residents be directed to start reaction petition proceedings. Freeman stated that he was still concerned about Taylor Road. He asked if there were any more questions. Gary Parks noted that if there would be a way of necessity that he would have to pay. Long noted that a lot of different ideas had been expressed, and this was an appeal. (Long pointed to the map). He questioned sending it back to the viewers. t'Hooft wondered if he would like action withheld until a report came back. Long suggested that a proposed order be presented in one week. Freeman suggested that this matter be tabled and final decision be made 1:00 p.m., September 26 in regard to coming in from the south. t'Hooft added that the Road Advisory Committee could make a recommendation. Freeman said he would like to look at the property. Rutherford wondered about the legal implications, and Van Vactor replied there would be appropriate proceedings and that he would work with Mr. Long; he would like to review it. Rutherford moved that County Counsel review this matter along with Public Works to utilize Taylor Road, plus access through 386 and to report back in three weeks, October 3. Freeman seconded

the motion. All the Commissioners voted aye, and the motion carried. Rutherford moved that the whole matter of County Road 386 be referred to the Road Review Committee and West Lane Planning Commission and to report in 90 days. Freeman seconded the motion. All of the Commissioners voted aye, and the motion carried.

c. CONTINUED PUBLIC HEARING, RESOLUTION AND FINAL ORDER  
79-8-29-5/Establishing Thomson Resort Road as a County Road

George Price presented this item and requested a 30-day continuance. He explained that the right-of-way was established in 1940. The County Counsel reminded the Public Works that it should be 50-foot right-of-way. Freeman stated that it was a road the County had improved and that it was access to a boat landing. Van Vactor advised, if the Commissioners concurred, it could be done by statute. Freeman opened the public hearing. No one spoke for or against. He stated this matter would be continued for 30 days. There was no action on this item.

d. SECOND READING, PUBLIC HEARING AND ACTION/Ordinance No. 88 118-79  
Naming Certain Private and Public Roads "Winter Lane," "Collins Lane,"  
"Royster Road" and "Gent Road"

Bob Ezell, Surveyor, explained and presented this item. Freeman opened the public hearing. No one spoke for or against, so the public hearing was closed. Rutherford moved approval of Ordinance No. 88 118-79. t'Hooft seconded the motion. The Secretary polled the Board. All the Commissioners voted aye, and the motion carried.

25. ENVIRONMENTAL MANAGEMENT

a. CONTINUED APPEAL Of Conditional Approval of a Major Partition by Land  
Development Review Committee  
Applicant: Henry Luvart, M 358-79  
Applicant: Wayne Berggren  
Location: London Road

Joe Hudzikiewicz, Planner, presented this item and showed the area on the overhead projector. He explained there are three parcels off from London Road and that the subject property is shown in blue. He showed Meyerhauser Road and Abene Lane. He explained the Planning Commission granted conditional approval to the requested partition. Several conditions were required, 50-foot road, road improvements be provided so there would be 18-foot gravel surface and plant for streets. He felt that the Planning Commission requirements for public road were consistent with provisions in the Code. He stated that Mr. Berggren requested that private access be established. He said the Planning Commission, under current conditions, felt that it was a logical and natural location. t'Hooft wondered if he were suggesting that Abene Road be approved, subject to Mr. Berggren's opinion, and t'Hooft replied that a partition would have to be approved (he showed the existing road shown in green). t'Hooft stated that he had looked at the property and that he was familiar with it. Freeman opened the public hearing. Wayne Berggren, 72754 Shrewsbury Road, Cottage Grove, stated that Mr. Luvart had to leave and indicated that it would be

agreeable to him what he had to say. (He read a letter). Berggren stated that Woodard Lumber Company bought right-of-way. He assumed that it was a public road and that it was 24-foot wide. Hudzikiewicz stated the Board should have the condition of approval from the Road Review Committee. Berggren read these conditions. He stated that he was required to bring up to freeway standards for two parcels of property. He added that he had a handful of easements and that it was 2,000 feet from County Road to northern corner of parcel number one. The distance remained the same and this road would go through EFU land. He said there was some question about the status of the road. He stated the most practical way was to come in with a private road or an easement. There would be a lot of trees as a buffer. The County zone showed 7-1/2-acre lot with an easement. It didn't have to be 20 acres. He felt that 12 feet was adequate. He added the best use was a 12-foot easement into his property. He didn't feel that it was necessary to have 50 feet. Freeman asked if he felt he could live with the rest of the conditions. Berggren answered, if they go with the easements, it would not be necessary to bring up to freeway standards. It would be surveyed and monumented, and there would be descriptions. t'Hoof asked what the minimum would be, and Hudzikiewicz replied that 16-foot gravel road would normally be required. He recommended a minimum of 20-foot easement with 12-foot gravel surface or a straight 16-foot gravel surface. Freeman asked if there were anyone else to speak. There was no one else, so he closed the public hearing. Rutherford stated that he would have to agree with Mr. Berggren in regard to the way he would like to go in there. He liked the idea of not using up surface of ground, and he would like to see this proposal Mr. Berggren had. Rutherford added, though, that Berggren should go for a road name. Van Vector reviewed the statutes concerning minimum requirements for right-of-way. Berggren stated that he would like to have an easement. He added that if he did get a zone change, the County Road would still be used as access. He added that he didn't want his property cut in two with a dedicated road. He felt it would be to his detriment and that there would be no need for the public to use that road. t'Hoof inquired about the width of Abeene Road, and Hudzikiewicz replied that it appeared to be a 20-foot easement. He added that, in applying standards to improve, there would have to be one thing that should be addressed. The Board could grant modifications to standards. The Board would have to look at the modifications and those issued have to be addressed. Van Vector agreed with this. t'Hoof suggested that a 20-foot minimum road with a 12-foot gravel surface with turnouts be established. t'Hoof would that a 20-foot wide easement across the area, roughly marked in red, to service parcels that are being sold off, be granted, and that the road have a 12-foot wide gravel surface with turnouts, and require, if there were some drainage design, that it be incorporated somehow into it, so there was orderly erosion control. Rutherford seconded the motion. All of the Commissioners voted aye, and the motion carried.

- b. APPEAL of Hearing Official's Denial of a Special Exception  
Applicant/Appellant: Eugene and Opal Lowell, SR 79-224  
Location: 39250 Jasper-Lowell Road

Joe Hudzikiewicz presented this item. He explained it was an appeal of the Hearing Official's action. He explained there was an existing

mobile home and a driveway out to the County road. (He pointed to the map on the overhead projector and that the property is shown in red). He stated that the applicant requested a special exception. The minimum parcel size would be 20 acres. He said the staff report and findings from the Hearing Official were given to the Commissioners. He stated that the property is under joint ownership; the second family doesn't currently live on the property. There was some discussion of a possibility of rezoning this property and property around it. Hudzikiewicz added that, to his knowledge, there had been no application for rezoning the property. It was shown as Rural, Woodland and Grazing. There was a mixture of soils on the property, and it would lend itself to hobby farming. Their request was denied. Freeman opened the public hearing. Robert Ackerman, 1212 South "A" Street, Springfield, stated that he was representing Mr. and Mrs. Lowell. The property was purchased by them and their son and daughter-in-law in 1972. They intended to divide this property into two suitable units. The ownership had continued until the present time. Ackerman contended that their right had been zoned away. (He read a portion of the staff report). He said their request was to allow special exception so the parcel could be divided as originally intended. (He read a portion from the OIS regarding general powers to pass zoning ordinances). He said there are exceptions, and he felt that his clients had a rather unusual situation where they had purchased before zoning went into effect. Now they find that they can't; it was denied by the Hearing Official. (Ackerman discussed different items in the staff report). He concluded that his client had pre-existing rights; that they could not be legislated away. Van Vactor explained that it used to go through Circuit Court, but in 1977, it had been removed from the Court. Freeman asked if there were more questions. Mrs. Lowell stated that it belonged to them. Freeman asked if there were anyone else who wished to speak. There was no one else, so Freeman closed the public hearing. Freeman moved to overturn the hearing Official's denial of a special exception in regard to Eugene and Opal Lowell, SE 79-224. Weinstein seconded the motion. Freeman reopened the public hearing. Ackerman responded to the staff report and stated that this would be a hobby-type farm. t'Hooft noted there was a lack of suitable alternatives. Van Vactor noted that the exceptions came in at the planning, and that the goals are applicable. Rutherford referred to item number four, and he felt Mr. Spickerman's finding concerning rezoning was not the answer. He felt that it was not a suitable alternative, and there was a need for seniors to move onto the property. t'Hooft noted that under the present circumstances there would be no other action with pre-existing problem. This resulted in lack of suitable alternatives. This land was owned by both of these couples prior to the zoning. He added that there were unusual circumstances and that they could have taken the action prior to the zoning. Rutherford reiterated that if it would be detrimental for a person to move, that moving would be detrimental to the well-being. t'Hooft noted that there was also an economical point, to try to find two five-acre parcels. This lacked a suitable alternative. Freeman asked if there were any more discussion. All of the Commissioners voted aye, and the motion carried.

- c. APPEAL of hearing official's Denial of a Conditional Use permit  
 Applicant/Appellant: Paul D. Green, Goup 79-209  
 Location: 37405 Wheeler Road, Pleasant Hill

Joe Hudzikiewicz, Planner, presented the staff report. He stated the request would be for a conditional use permit to allow a golf course. He added there was no more information on how the property would be developed. He stated that Mr. Green was after conceptual approval before spending the money. (Hudzikiewicz showed the area on the overhead projector). He said there would be 230 acres and the use permit was denied by the Hearing Official. He explained the property was zoned FF-20 and was zoned prior to agricultural land being zoned EFU. The County took the position that Farm Forestry-20 was adequate to zone agricultural land. Now they find it was not adequate. Rutherford wondered if it would still be agricultural land even if it was FF-20. Weinstein stated that both he and his Aide had discussed this with Paul Green and that it wouldn't affect his partial decision. Rutherford stated that he had also reviewed this, and it wouldn't affect his partial decision. Van Vactor stated that the goal would have to be applied. Freeman stated that it wouldn't take much to revert it back. Freeman opened the public hearing. Robert

Sr., Brooklyn Street, Eugene, read a letter from Mr. Green's daughter. (He also read a letter from a neighbor who was in favor of his proposal, Cliff Everett.) The proposal would be for a golf course, and he felt there was a need for this public facility. He added that he had been involved in trying to get a golf course for several years and that Mr. Green's property would be well suited for this particular thing. (He also read a letter from Dave Powers.) The letter was made a part of the record. He added that they planned to preserve the land and utilize it to its best use. He reviewed the criteria for compliance with Comprehensive Plan. He addressed concerns of traffic, 300 golfers could be handled in a 12-hour period. The hours of operation would be daylight to dark. There would be good road access, and the sanitation would be no problem. In addition, he addressed fertilization. In conclusion, he said the property met a recreational need and Greenway compliance. There would be an 18-hole golf course complete with picnic tables, a non-denominational chapel, one or two buildings to house equipment, a pro shop (not a country club style clubhouse). He wanted to preserve the land for use by the public. Freeman stated the surrounding neighbors complained about irrigation problems. Peterson stated that two lakes on the property would suffice. They could cut down on the use of water by using fertilizers. L'Hooft addressed type IV soils and wondered if the buildings could be located on those areas. Peterson said yes, that this would not be an undue hardship as the chapel and shop would be constructed here. L'Hooft wondered if the water rights would be available to Willamette River, and Peterson replied yes. He referred to the Hearing Officer's record and concern about taking water out of Rattlesnake Creek. He asked if the golf course would take appropriate erosion control methods, and Peterson said yes, as part of their management. Peterson said Mr. Green did not wish to build a park in the traditional sense as a high-density usage. Rutherford asked if it would be left in its natural state, and Peterson replied the architect intended to leave the topography and trees as they were. Freeman asked how economical it had been as a farm, and Peterson replied that

It was not at all economical, and it had been years since it had been farmed. The lease would expire in the spring. There was not more than 110 acres, and the man who was leasing paid a flat fee for about. t'Hooft wondered about the road capabilities and if additional traffic could be handled. Peterson replied that Jasper Road and Wheeler Road were below what could be handled, 150 cars per day would be projected. He added that all they were asking for would be conceptual approval. t'Hooft inquired about farming activities around the area. Peterson replied that from Highway 58 to the parcel there was very little, and further out, it was mostly grain and seed. t'Hooft wondered if the public using the golf course would interfere with farming activities. Peterson stated that the proximity of the golf course would not interfere. Van Vactor stated that, under the agricultural goal, it would be possible to apply goal and findings and exceptions. t'Hooft was concerned about the conflict with the FF-20, and Peterson reassured him that the trees would not be affected. He also expressed concerns about economy of area, recreation needs, conflict with adjoining neighbors, energy conservation, availability of bus lines, and Peterson didn't see any problems. t'Hooft was also concerned about urbanization of rural areas and asked his opinion. Peterson answered this acreage use would be for recreation. Rudzkiwicz addressed the point of building on nonfarm lands. He stated the bulk of the property would be Class I and II soils. Rutherford wondered where he intended to build the chapel, and Peterson responded that it would be somewhere in a grove area. Freeman stated the ground there would probably be poorer agricultural soil. Peterson said that one of the existing buildings would be used as a pro shop. They would be constructing a chapel and storage shed. Rudzkiwicz noted that the Planning Department had not received a detailed plot plan and that normally a plan was required for a conditional use permit because a decision needed to be made on a compatibility issue. He suggested that final approval be delayed until the final site plan was submitted. Van Vactor stated that there was no procedure for conceptual approval on a conditional use permit, and he warned that any expenditure by the applicant would be at his own risk. Peterson said that he would submit specific data later. Freeman closed the public hearing. Rutherford moved to overturn the Hearing Officer's denial of a conditional use permit and conceptually approve, subject to final approval of site plan. t'Hooft seconded the motion. All of the Commissioners voted aye, and the motion carried. Peterson asked when he should submit the data, and the Board replied he should do this as soon as possible, should look at the water rights, traffic, egress and ingress and development. Van Vactor recommended withholding findings until a final plan was submitted. Rutherford expressed displeasure of the Hearing Officer's findings and that this was a beautiful use and preservation of land. t'Hooft was concerned with the taking property out of private taxable to public taxable status.

#### 26. EMERGENCY BUSINESS

- A. Clerk Donis asked the Board about the terms of appointment for the Alcohol Planning Committee, and suggested the first appointments be for one year; the second four be for two years; and the third four be

for three years. Rutherford moved approval and Freeman seconded the motion. All the Commissioners voted aye and the motion carried.

- b. Clerk Donis requested clarification on the site for the Willamette-Long Tom "Industrial Triangle" hearing, and was told the Junction City Grange Hall on November 15 would be the site, due to the large number of interested people in that area.

The meeting was adjourned at 6:55 p.m.

*Ruby Winters (ed)*  
Recording Secretary to the Board