

**MINUTES**  
**City of Brookings**  
**Special Council Meeting**  
Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon 97415  
**Monday, October 20, 2008**

**Call to Order**

Mayor Anderson called the meeting to order at 7:00pm.

**Roll Call**

Council present: Mayor Larry Anderson, Councilors Dave Gordon, Ron Hedenskog, Jake Pieper and Dave Kitchen; a quorum present.

Staff present: City Manager Gary Milliman, Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, City Attorney John Trew and City Recorder Joyce Heffington.

Others present: Curry Coastal Pilot Reporter Arwyn Rice and approximately 20 public.

**Public Hearings**

Mayor Anderson opened the public hearing at 7:02pm, in the matter of File No. **APP-2-08**, an appeal of the Planning Commission's approval of a Detailed Development Plan (DDP) for Southwestern Oregon Community College (SWOCC), on a 10 acre site and a subdivision creating this 10 acre parcel and platting a street from an 80 acre parent parcel; located on the easterly side of Highway 101 approximately 1 mile north of its intersection with Carpenterville Road; Assessor's Map 40-14-00 Tax Lot 2400; zoned Master Plan Development (MPD); Oregon Shores and Catherine Wiley, appellants; CRAG, representative. Criteria used to decide this application can be found in Section 156-appeal to City Council; Section 70-Master Plan Development District (MPD); Section 100-Hazardous Building Site Protection; Section 176.060-Major Partitions and Subdivisions; and Section 172-Public Facilities, of the Brookings Land Development Code (ord.89-0-446). Reviewing the DDP (Detailed Development Plan) using these code sections is required by Chapter 70.110-MPD.

Under ex parte, Councilor Hedenskog stated that he had site familiarity, having worked as a surveyor for the firm that surveyed the property years ago.

Under actual conflicts of interest, Councilor Kitchen stated that the same conflict applied to this hearing as to the Lone Ranch hearing and he would recuse himself from discussion and decision.

Hearing no objections to the Council's jurisdiction, Mayor Anderson reviewed the guidelines.

Planning Director Morris reviewed the various criteria, stating that the criteria had been met by the applicant.

Mayor Anderson accepted Exhibits O-1, O-2, O-3 into the record and requested that the conversation between Councilor Hedenskog and staff referred to in the final paragraph of Exhibit M be made a part of the record at some time during the hearing process.

The applicant, Michael Crow, generally stated that until they had applied for the ingress permit from the Division of State Lands (DSL) they had been unaware that the full wetland delineation (since provided by Borax) had not yet been submitted; that DSL has yet to review on-site conditions and while Administrative Rules had changed, the standards had not; that the

delineation should have no effect on the calculations for either the hydrology study or the storm water plan; that state and federal requirements regarding both the wetland areas and archeological issues were being met and addressed; that there had not been any discussion with the City regarding the provision of infrastructure; and that it was DEQ who would determine the type of septic system that would be required.

Speaking in support of the applicant were:

Peggy Goergen, 1227 Collis Lane, generally asking that the application be approved as the facility was needed to provide an adequate environment for students;

Richard Edmiston, 18831 Montbretia Lane, generally stating that he would like to get the "obfuscation of this college cleared out," and get a decent college built.

Les Cohen, 324 S. Hazel, representing the Chamber of Commerce, read a section of one of the Chamber's adopted "Advocacy Statements" dealing with education, and generally stated that the Community College campus was needed to provide crucial technical workforce training.

Speaking as an interested party, Suntayea Steinruck, 140 Rowdy Creek Road, Smith River, representing the Smith River Rancheria, generally stated that she is interested in protecting the cultural resources located on the site; that she believes there are more areas containing resources than stated; and asked that a decision not be made until they were provided the opportunity to become involved with the process. Steinruck further stated that they had staff available for this process and have both oral and some written historical evidence pertaining to the site.

Michael Crow generally stated that another tribe had also claimed jurisdiction of the site; that his intention was to work with whichever tribe was determined to have jurisdiction - a decision that would probably be made by the office of State Historic Preservation (SHPO); that once the archeologist was on board he would coordinate with SHPO and whichever tribe was deemed to have jurisdiction and that he would agree to having a line in the conditions of approval stating something to this effect.

Mayor Anderson announced that the record would remain open to allow the submission of additional written evidence, argument and testimony regarding the application at the request of Attorney Courtney Johnson, on behalf of Oregon Shores Conservation and Catherine Wiley.

The public testimony portion of the hearing was closed at 8:14pm and Mayor Anderson outlined the timeline to be used for submissions and stated that no additional oral testimony would be permitted.

The hearing was continued to a date and time certain of Wednesday, December 3, 2008 at 7:00pm in City Hall Council Chambers.

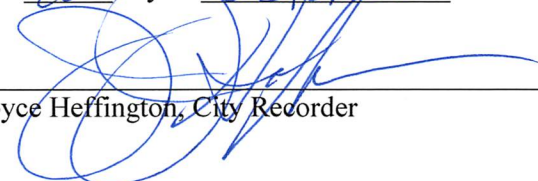
**Adjournment**

**Councilor Hedenskog moved a second followed and Council voted unanimously by voice vote to adjourn at 8:18pm.**

Respectfully submitted:

  
Larry Anderson, Mayor

ATTESTED:  
this 28<sup>th</sup> day of October 2008:

  
Joyce Heffington, City Recorder