

MINUTES
City of Brookings
Special Council Meeting
Brookings City Hall Council Chambers
898 Elk Drive, Brookings, Oregon 97415
Monday, December 18, 2006

Call to Order – Mayor Sherman called to order the meeting at 7:01 p.m. and led the Pledge of Allegiance

Roll Call

Council Present: Mayor Pat Sherman, Councilor President Larry Anderson, Councilors Craig Mickelson, Jan Willms and Dave Gordon; a quorum present

Staff Present: Planning Director Dianne Morris, Public Works Director John Cowan, Administrative Assistant Joyce Heffington.

Media Present: Curry Pilot Reporter Tom Hubka

Other: Approximately 4 other citizens

Action Item

A. Discussion and possible approval to authorize Mayor Sherman to enter into agreement for services of City Manager Pro Tem.

Mayor Sherman deleted this item from the Agenda as having been handled previously at a special meeting.

Public Hearing

Mayor Sherman opened the Quasi Judicial Public Hearing at 7:03 p.m. in the matter of file no. **CPZ-2-06**, a Comprehensive Plan zone change from C-3 (General Commercial) to R-3 (Multi-family Residential), located adjacent to Lucky Lane and north of Chetco Avenue; Assessor's Map 41-13-6BD, Tax Lot 2000; Jeffrey McCollum, representative for South Curry Development LLC, applicant. Criteria used to decide this application can be found in Chapter 17.140-Amendments, of the Brookings Land Development Code.

Ex parte site visits were declared by Mayor Sherman and Councilor Willms. No personal bias was declared and Mayor Sherman reviewed the hearing procedures and guidelines. Mayor Sherman then turned the hearing over to staff.

Planning Director Dianne Morris presented a staff report summarizing the evidence. Council questioned Morris and Public Works Director John Cowan on a few details of the application.

Councilor Anderson questioned language, specifically cited in the Condition of Approval (COA) which states, "Any increase in capacity needed by the proposed development must be engineered, constructed, and paid for by the property owner." Anderson stated that this language reads, to him, as a "blank check," and that his understanding is that the owner pays a proportionate share of these costs.

Morris advised that this condition could be removed by Council if it so desired.

Mayor Sherman turned the hearing over to the applicant. Jim Maize, P.O. Box 628, Brookings, presented evidence on behalf of the applicant.

Hearing no opposition or requests for rebuttal, Mayor Sherman declared the public hearing closed at 7:37 p.m.

At the request of the Applicant, Council moved to discussion and deliberation.

Council discussed the application and possible language modifications to the COA and determined that the sentence in question be changed to read, "Any increase in capacity needed by the proposed development must be engineered, constructed, and a proportionate cost paid for by the property owner."

Councilor Anderson moved, a second followed, and Council voted unanimously to approve the qualified Comprehensive Plan and Zone change from C-3 (General Commercial) to R-3 (multi-family) for file CPZ-2-06, and subject to condition of approval as amended with language change as discussed by Council to include "a proportionate cost paid for by the property owner."

Final Order

Councilor Gordon moved, a second followed, and Council voted unanimously to approve the Final Order and Finding of Fact in the matter of Planning Commission File No. CPZ-2-06; application for a Comprehensive Plan/Zone Change; South Curry Development, LLC, applicant, with the change as approved to the Condition of Approval as stated in the previous motion.

Ordinance

The procedure for reading an ordinance by title only having been followed, Mayor Sherman proceeded to ask for a motion.

Councilor Gordon moved, a second followed, and Council voted unanimously to adopt Ordinance No. 06-0-579, an Ordinance amending the Comprehensive Plan designation on a parcel of land located adjacent to Lucky Lane and north of Chetco Avenue from Commercial to Residential and the zoning from C-3 (General Commercial) to R-3 (Multi-family Residential) with modifications to include a change in paragraph three, to read "Whereas, the Brookings City Council, at its meeting of December 18, 2006, did conduct a hearing on this matter, during which hearing considerable testimony and evidence was presented by the applicant's representative, interested parties and recommendations were received from and presented by Dianne Morris, Planning Director for the City of Brookings."

Councilor Mickelson moved, a second followed, and Council voted unanimously to adopt Ordinance No. 06-0-579, an Ordinance amending the Comprehensive Plan designation on a parcel of land located adjacent to Lucky Lane and north of Chetco Avenue from Commercial to Residential and the zoning from C-3 (General Commercial) to R-3 (Multi-family Residential) with modifications to include a change in paragraph three, to read "Whereas, the Brookings City Council, at its meeting of December 18, 2006, did conduct a hearing on this matter, during which hearing considerable testimony and evidence was presented by the applicant's representative, interested parties and recommendations were received from and presented by Dianne Morris, Planning Director for the City of Brookings."

Remarks

Mayor Sherman remarked that the procedure for adopting an Ordinance with a reading by Title Only was to first read the Ordinance by title only and then make the motion to adopt.

Councilor Anderson remarked on the trees that were being put in and that the light standards would be installed after the first of the year.

Adjournment

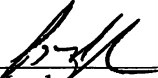
Councilor Willms moved, and Council voted unanimously by voice vote to adjourn the meeting at 7:50 p.m.

Respectfully submitted:



Pat Sherman
Mayor

ATTEST by City Recorder
this 11 day of January, 2006:



Paul Hughes
Administrative Services Director/City Recorder