

**MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
NOVEMBER 5, 1991**

The regular meeting of the Brookings Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Brookings City Hall on the above date with the following Commission members and staff in attendance.

Ted Freeman, Jr.
Earl Breuer
Clarence Branscomb
John Herzog
Jeff Holmes
Judi Krebs
Dave Soiseth

John Bischoff, Planning Director
Holly Perin, Secretary

MINUTES

By a unanimous vote (motion: Commissioner Breuer, second: Commissioner Herzog) the Planning Commission approved the minutes of the October 1, 1991 Planning Commission regular meeting.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a unanimous vote (original motion [which did not reflect the change in conditions]: Commissioner Breuer, second: Commissioner Herzog, amended motion [amended to include the change in condition]: Commissioner Breuer, second: Commissioner Herzog) the Planning Commission approved a request for a variance to allow a 30 foot road section from curb face to curb face with a 5 foot side walk on one side (this condition was changed from 4.5 foot to 5 foot side walk), rather than the 36 foot with 2 sidewalks standard; located on the access road within the state highway right-of-way extending north of Glenwood Drive just east of its intersection with Highway 101; in an R-1-6 Zone, submitted by Edward Hewitt.

This action was taken following comments presented in favor of the request by the following persons:

(a) Al Bylund, 1300 North Bank Blvd., Sparks, NV

No one spoke in opposition of this request.

1A. By a unanimous vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved the Final ORDER and Findings of Fact Document for File No. VAR-2-91 with the amended condition.

2. By a unanimous vote (motion: Commissioner Krebs, second: Commissioner Holmes) the Planning Commission approved a request for a 1.5 foot variance in the side yard setback requirement to allow the construction of a second story onto an existing house located at 825 Cameo Court; in an R-1-6 Zone, submitted by Edward and Katherine McCuskey.

This action was taken following comments presented in favor of the request by the following persons:

(a) Edward McCuskey, 825 Cameo Court, Brookings, OR

No one spoke in opposition of this request.

2A. By a unanimous vote (motion: Commissioner Breuer, second: Commissioner Herzog) the Planning Commission approved the Final ORDER and Findings of Fact Document for File No. VAR-4-91.

3. By a unanimous vote (motion: Commissioner Soiseth, second: Commissioner Breuer) the Planning Commission approved a request for a minor partition to create 2 lots of 30,780 and 12,780 sq. ft., located at 715 Third St.; in an R-1-6 zone, submitted by Oliver and Beverly Jacobson.

This action was taken following comments presented in favor of the request by the following persons:

(a) Oliver Jacobson, Brookings, OR

No one spoke in opposition of this request.

3A. By a unanimous vote (motion: Commissioner Breuer, second: Commissioner Krebs) the Planning Commission approved the Final ORDER and Findings of Fact Document for File No. M3-10-91.

4. By a unanimous vote (motion: Commissioner Herzog, second: Commissioner Holmes) the Planning Commission approved for recommendation to the City Council a request to annex into the city limits, two lots totaling 2.84 acres located north of East Harris Heights Road and west of the present terminus of Seacrest Lane; identified as Assessor's Map 40-14-36, Tax Lots 1201 and 1202; in County R-2 Zone, submitted by Leon Burgess and Edward Hewitt.

No one spoke in favor of, or in opposition of, this request.

5. By a unanimous vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved for recommendation to the City Council an amendment to Section 148.040 of the Land Development Code, Annexation impact analysis; the second paragraph shall be amended to read: "...it shall be required that an impact analysis containing but not limited to the following

information be prepared and submitted by the applicant(s) for consideration...."

No one spoke in favor or, or in opposition of, this request.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

Commissioner Soiseth asked, in regard to Commissioner Holmes concerns expressed in an earlier public hearing, if the Commission was not approving variances too easily? Commissioner Holmes stated that his concern was that we state road width not road costs. Commissioner Soiseth stated that the two letters (from GTE and ODOT) were more convincing that the cost of moving the pole but asked if we should require more before granting a variance. Commissioner Krebs stated that she considered the fact that he had talked to staff and was led to believe and that the road width was not a condition of approval, indicated the appropriateness of granting the variance and the four criteria were addressed.

Commissioner Krebs stated that the note sent to the chairman concerning the Periodic Review was to be read at the joint meeting not the Planning Commission the next night. Chairman Freeman said that because he had been unable to attend the joint meeting the comments were read the following night.

Commissioner Krebs reported on the Ad Hoc Committee saying that the Planning Commission Ordinance was sent to the City Attorney and came back with only two changes to Section 9 having to do with the wording. The Ad Hoc Committee chose to leave in the yearly report to the City Council.

Commissioner Krebs reported that there was to be a "River Conference - Who Owns The River" on the future of the Rouge River.

Commissioner Krebs reported on the Planning Commission Training session in Eugene (this report was partially obscured by the change of recording tape) and in relation to that subject, that the City Attorney says there are some things that must be read that we are not reading including the criteria by which each quasi-judicial hearing is decided. This does not go along with the cover sheet which is read at each hearing. Also this would mean that, like tonight we may have variances, conditional use or minor partitions and the criteria for each must be read. At the county hearing the Planning Director reads the meat of the staff report, and states that the criteria for this has been addressed and has been available to the public and the commissioners have had the criteria in their packets, but they don't read the nitty gritty of the criteria. Commissioner Branscomb asked if she had said the criteria was the same for each type of application? Commissioner Krebs responded that it was not the same and varied depending on the type of case.

Commissioner Krebs asked if it would be helpful if the staff report contained a statement of the number of DIAs on a given segment of

the street subject to the minor partition request? The Planning Director said that it could easily be placed in the report.

Commissioner Krebs reported that he County Commissioners had a rather extensive agenda item addressing the length of stay at a R V parks and currently the county does not have a length of stay regulation and also the state is looking into this issue. The concern was related to complaints concerning park model RVs and do they constitute a subdivisions and could a developer skirt the subdivision regulations by developing a R V park and putting in park models? and that it would probably be cheaper and with higher densities. She said the commission might want to talk about it since we have one approved park in the city. She said that the conversation at the county hearing was that existing parks in the county had everything from people living in an old school bus to requirements on age to park models to provision of hot meals to seniors. Commissioner Krebs said that these are things we should be aware of if we get any more applications for R V parks when you could end up with a mini subdivision with permanent residents in a commercial zone. She said that she had been told that RVs provide low income housing and if this is the case the issue of low income housing should be addressed and not allow this to occur in commercial area.

Commissioner Holmes asked the Planning Director if the Dawson Fire Protection District still existed now that the Dawson Tract had been annexed? The Planning Director said that it was his understanding that the district was still in tact and the Brookings Fire Department still served it as before.

Chairman Freeman asked that is Mr. Hewitt went ahead with his development, would he be reimbursing the developer of the Harris Beach PUD for part of the pump station? The Planning Director stated that the ordinances have a provision for payback in these cases but he was not here when all of the agreements were made for this project and did not know the specifics and it would be best to ask the Community Development Director.

Chairman Freeman also asked the Commission if they thought the projector screen should be moved to a better position? No decision was made.

Commissioner Breuer stated that at the last meeting the Commission had asked him to bring a report on Deferred Improvement Agreements (DIA) back to the commission. The Planning Director has called the League of Oregon Cities and found two cities that use a document similar to the DIA, Albany and Gresham and that Albany had sent a copy of their agreement. There were no cities our size using such a document. Commissioner Breuer said that rather than make a recommendation at this time we might need to do more research. We need to be sure to treat all citizens equally. One way the city could ease the burden of street improvements and possibly water and sewer, would be a capitol improvement programs. The personnel at the waste water treatment plant have said that one of the biggest

problems is solids and those of us who have garbage disposal pay no more than those who don't, maybe there is room for a fee there. Many cities license bicycles. He said that in his opinion the city should work toward creating a capitol improvement program and it was pointed out very thoroughly that the people on Easy St. were given a free ride while those on Ransom Av. were being charged as much as \$100 a foot. It would still be costly but better if the city could meet half of the costs. Commissioner Breuer also said that he felt the city should look more closely at our street width standards, particularly those with fewer homes and collector street should be wider but residential streets might be narrower with less improvements, suggesting 40 or 36 foot streets with sidewalks on only one side. This would encourage low cost housing. Hillside property will take greater street widths. Perhaps, if the city is successful in gaining a new tax base, there would be funds for a capitol improvement program.

Commissioner Branscomb asked if Commissioner Breuer thought a capitol improvement fund could be specified as to what it was for? Commissioner Breuer said that yes you could specify what it could be for and the crucial thing now was street. Commissioner Branscomb agreed.

Commissioner Breuer said that the Albany agreement limited the life of the agreement to ten years.

Chairman Freeman asked if they (the Commission) should put a date as to when the report should be completed and ready for the City Council? Commissioner Breuer asked the Planning Director if he would call the League again for more information on capitol improvement programs and the next meeting could complete the action.

Bob Krebs spoke from the audience, stated that he serves on a committee that has been working as a capitol improvement program and devising a system development fund and suggested the commission look at a booklet prepared by HGE for the city in which they restructured the system development charges and outlines a capitol improvement plan for the next 20 years and funds are set aside for each project. The I and I project is partially funded from this. The funds was for new improvements not replacements. Commissioner Breuer said he understood this work done around city hall in 1990 was from a fund but what he was talking about was a matching fund to help people build a street in front of their house. Mr. Krebs said that this fund does this; it identifies certain streets and water lines and sewer lines in the program. Commissioner Branscomb asked how this was recommended for funding? Phyllis Cottingham said that what was probably confusing you was that this was once called system fees charged for new construction. Commissioner Branscomb asked if these fees were just for sewer and water. Mr. Krebs stated that now the funds went to various improvements and listed some of the percentages. Discussion followed as to the nature and distribution of these fees. Commissioner Breuer asked if this was the same as the fees voted on in 1987? The answer was

that those fees were system replacement fees and appeared on the water bill. Commissioner Krebs said that the latest city newsletter had an article on system replacement charges. Further discussion of the nature of these programs followed.

Commissioner Breuer said that what he was talking about was a entirely different program which would be a matching funds type of program primarily for streets. Mr. Krebs said that the system development charges have the possibility of being able to borrow ahead within the 20 year time frame. More discussion followed. Mr. Krebs said that he found it regretful that so many of the commissions and committees did not understand what the other groups were doing and that there was not enough time to share this information. Commissioner Breuer said that he had never been for the DIA program but if we were going to have it, lets make sure that the citizens understand what its all about, possible news releases, input to the real estate people. Commissioner Krebs said that the city newsletter should have an article on this. Mr. Krebs said that the city should fight for the access channel on the local television cable.

Chairman Freeman said that item 9 on the agenda must be changed to read "Unscheduled Public Appearances". The Commission secretary said that she would do this.


REPORT OF PLANNING DIRECTOR

The Planning Director reported that the city was appealing an action taken by the County Planning Commission in the approval of the mobile home park on Tolman Lane behind the Brookings Harbor Shopping Center and explained the nature of the appeal.

The Planning Director said that during the discussion of the Ad Hoc Committees recommendation a yearly report to the City Council at an earlier meeting, he had not said anything. However after the meeting he had mentioned to the Chairman Freeman and Commissioner Krebs that he thought the report was a good idea in that it was the Commissions way of indicating to the Council what the future held in terms of planning and related areas, pointing out potential problems etc. Both thought that this was a good idea. Commissioner Krebs pointed out that the report has always been the ordinance and the only change is that now it is to be done orally and in January not October.

The Planning Director said that while at the Planning Institute Conference in Eugene, he became aware of the fact that Ashland has an affordable housing program and has a document prepared by a committee to study ways to implement affordable housing programs. He said that he has ordered this document and is waiting for it to arrive.

Commissioner Krebs said that she found the Planning Commissioner Training Program in Eugene to be extremely valuable.


Ted Freeman, Jr., Chairman

BROOKINGS PLANNING COMMISSION

Respectfully submitted,

There being no further business before the Planning Commission, the meeting was adjourned at 9:17 p.m.

ADJOURNMENT