

**MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
JANUARY 7, 1992**

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

CHAIRMAN AND VICE-CHAIRMAN NOMINATIONS

Chairperson nominations:

1. Judi Krebs (motion: Commissioner Soiseth, second: Commissioner Branscomb)

2. Ted Freeman (motion: Commissioner Breuer, second: Commissioner Krebs).

Motion to close the nomination: Commissioner Holmes, second: Commissioner Herzog.

By a 5-2 vote, Judi Krebs was elected Planning Commission Chairperson.

Vice-Chairperson nominations:

1. Ted Freeman (motion: Commissioner Holmes, second: Commissioner Krebs)

2. Jeff Holmes (motion: Commissioner Freeman, second: Commissioner Breuer).

Motion to close the nomination: Commissioner Branscomb, second: Commissioner Herzog.

By a 4-3 vote, Jeff Holmes was elected Planning Commission Vice-Chairman.

MINUTES

By a unanimous vote (motion: Commissioner Breuer, second: Commissioner Krebs) the Planning Commission approved the minutes of the December 3, 1991 Planning Commission regular meeting with the following change under REPORT OF PLANNING DIRECTOR: "A series of public meetings will be held, conducted by staff either jointly or separately,...."

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION

By a 6-0 vote [Commissioner Krebs stepping down] (motion: Commissioner Breuer, second: Commissioner Holmes) the Planning Commission approved a request for a one year extension of time for the Conditional Use Permit for a congregate and assisted living facility located approximately 290 feet north of Highway 101 and 140 feet west of Chetco Lane; R-2 zone, submitted by Wedgwood Services.

This action was taken following comments in regards to the request by the following person:

- (a) Ann Ramp, 555 Chetco Lane, Brookings, OR

By a unanimous vote (motion: Commissioner Herzog, second: Commissioner Breuer) the Planning Commission approved a request for final plat approval of Phase 2A of the Cypress Cove Planned Unit Development located on the southeasterly side of Wharf Street opposite of King Street; R-2 zone, submitted by Western Pacific Development.

This action was taken following questions or comments regarding the request by the following persons:

- (a) Phyllis Cottingham, Brookings, OR
- (b) Jerrold Boscoe, Brookings, OR

By a unanimous vote (motion: Commissioner Soiseth, second: Commissioner Breuer) the Planning Commission approved a request for final plat approval of Phase 2B of the Cypress Cove Planned Unit Development located on the southeasterly side of Wharf Street opposite of King Street; R-2 zone, submitted by Western Pacific Development.

UNSCHEDULED PUBLIC APPEARANCES

The Planning Director introduced an item that was passed to the Commission from the City Council. It was a request for comments from the Commission on a developers request for a waiver of the provisions of Section 112 Rear Lot Development, of the Land Development Code which prohibits the use of flag lot if a parcel can be divided in another way.

The City Council had considered the request the night before at their study session and wanted the Commission's thoughts on the matter. The request was to allow flag lots in a subdivision so that a specific lot could be developed with affordable housing pursuant to HUD regulations. State law allows a jurisdiction to waive provisions of the land use codes to allow for affordable housing.

In this case, the lot was a 2.42 acre parcel located on an unnamed right-of-way to the west of Arnold Lane. Because of a number of factors including the location of water and sewer lines in the right-of-way and an access easement across the parcel, this lot could not be economically divided unless at least 14 lots could be created. The Planning Director stated that a number of potential developers had discussed this parcel and had indicated that at least 14 lots were needed to divide the property economically. The only way to get the 14 lots was to use a flag lot configuration as shown on an exhibit presented to the Commission. The property is zoned R-2 and each of the proposed lots would have at least 6,000 sq. ft. of buildable area as required for the zone.

The Commission asked various questions about the water and sewer lines, the existing access easement, proposed lot sizes and etc.

Commissioner Branscomb asked why this was not brought to the Commission in the first place? The Planning Director stated that the City Council is the only body that could waive the requirements and thus they would where the request would be made. In this case the Council wanted the Commission's thoughts.

Commissioner Krebs stated that she was concerned that this was brought to the Commission with no notice. She expressed concern that the project would utilize R-2 land which would reduce the inventory for manufactured homes.

Chairman Freeman asked if manufactured homes could be used on the property. The applicants Mr. Joy and Mr. Bodman stated that he did not know if HUD would accept manufactured homes under the affordable housing provisions.

The Commission asked if the applicant could give a short presentation. Mr. Joy explained what they planned to do and reiterated some of the problems with the site.

Commissioner Krebs said that the Land Development Code required that variances be granted for unique conditions and without seeing this site she could not make a recommendation. The Planning Director said that he understood the concerns but the request was not for a variance but actually a waiver of the provisions.

The Commission could not take formal action since the item was not on the agenda. They instructed the Planning Director to inform the City Council that they were generally in favor of the request but with the concerns expressed during the discussion.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

Commissioner Holmes asked the Planning Director if the Commission could get an update on the sewer connections issued and remaining. The Planning Director said he would have that information at the next meeting.

Commissioner Soiseth if he should have stepped down during the discussion of the ordinance waiver since Mr. Joy worked with him. The Chairman and other Commissioners said that since it was not an official action it was not required.

Commissioner Krebs asked if building permit information could be given in the packet. The Planning Director said that they could have this information by the next meeting.

Commissioner Krebs said that at the last meeting she had reported that the County Commissioners were reviewing the length of stay for RVs in RV parks and as of the Commissioners meeting of last Monday at the request of the County Planning Commissioners the scope of the study has been broadened into two areas - not only the length of stay for RVs in parks but also the use of RVs for residential living on private lots. There will be a public hearing in Gold Beach on January 16 on this issue.

Commissioner Krebs said that she read in the paper that we were not getting Bi Mart and that she thought we had minor partitioned a parcel of land to provide a lot for Bi Mart to buy. The Planning Director said that he has heard the same thing and that Bi Mart has applied for protection under the bankruptcy chapters.

Commissioner Krebs asked the Planning Director about the public meetings that were to be held on the expansion of the UGB. The Planning Director said that as usual they (city and county staff) were running behind schedule. He explained where they were in the process and there was a meeting scheduled to discuss the criteria to be used to evaluate the land to be considered.

Commissioner Krebs asked about street naming in regard to the last meeting where a minor partition was approved on a lot split by a dedicated but unnamed street. She asked if the Commission wanted to ask the City Council about the possibility of naming a new street after the person selected as the volunteer of the year. Commissioner Breuer said that it was the Commission's responsibility to name streets and the Council's to accept new streets. There was discussion of street naming and the correct procedure by the Commission.

Commissioner Krebs introduced Ellen Warring (?) in the audience from the Audobon Society.

Commissioner Branscomb asked if the projector screen could be raised a couple of feet because it was hard to see at the existing level from that portion of the Commission table. The Planning Director said he would look into it.

Commissioner Holmes asked if the Borax property was contiguous to the UGB. The Planning Director said that it was not contiguous and that it was separated by one lot and he thought that Borax had asked the owner of that lot if they objected to being included in the UGB and the answer was no they did not care.

Chairman Freeman asked Bob Krebs, in the audience, if he had anything to report from the Harbor Sanitary District? Mr. Krebs said that they have a meeting on the 19th (January ?) in Portland and that he thought the City Manager would be there. He then gave a short update on the status of the effort to get approval of the new treatment plant for Harbor.

Chairman Freeman gave Commissioner Soiseth his certificate which was issued at the City's Volunteer Recognition night to Commission members.

Chairman Freeman read the list of items to be presented to the City Council at the annual report. He listed the following items:

Staff follow up on conditions of approval established by the Commission.

Post site review to ensure conditions have been completed and brought back to the Commission.

How many DIAs have been granted in the vicinity of an application for Minor Partition.

How do we revisit an application for amendment after approval. (There was discussion on this matter between the Commission and Planning Director on this item.)

The Commission would like an update on EDUs and Building Permits and quarterly updates on projects, both city and private.

When property is donated for a park with an application, the Commission sees a need for a procedure to handle the donation of the land and who is responsible to notify the responsible parties such as Parks and Recreation. Some discussion followed.

Ordinances and codes in relation to hillside development and possible reduction of standards.

Does the Commission need C,C,&Rs for new PUDs and Subdivisions and if so they would want them in their packets. There was discussion about this issue. The Planning Director said that he felt that this should be brought to the City Attorney. He felt that by bringing all C,C,&Rs into the Commission it could be perceived that the City is in the position to enforce them.

Topography should be required on all applications involving slopes greater than ?%.

The Commission is of the opinion that there should be an alternative to DIAs. Possibly an engineering estimate should be made to determine cost of the improvement and funds collected from the applicant for a sinking fund at interest

to be used in the future for improvements. Discussion followed this item.

Commissioner Krebs said that there were some definitions that have been discussed at various meetings throughout the year that need to be added to the LDC including a definition of Congregate and assisted living and convalescent home.

Chairman Freeman introduced the second portion of the report - Present Impacts as follows:

Traffic and crosswalks across Highway 101 from Pacific to Arnold, drainage, sewer hookups, water treatment.

Commissioner Krebs stated that the City Council authorized staff to continue with the Railroad St. highway couplet concept.

Chairman Freeman introduced the third portion of the report - Future Concerns as follows:

Post Office congestion, parking at the apartments across from the Local Office. The Planning Director said that the parking situation at the apartments was specific enough that it should be given to staff to correct rather than placed in the annual report. Chairman Freeman agreed and asked that staff look into the problem.

Commissioner Breuer read a report on Deferred Improvement Agreements that he and Commissioner Branscomb had prepared. The report contained a recommendation that a Capitol Improvement Fund be established and some possible fund sources. Discussion of DIAs and their implications followed. Chairman Freeman added Commissioner Breuer's report to the Annual Report.

Commissioner Krebs complimented Chairman Freeman on the job he had done during the last year.

REPORT OF PLANNING DIRECTOR

The Planning Director introduced two items that in his opinion needed to be amended in the Land Development Code. The first item was the section dealing with the hearing notice on quasi-judicial hearings. The Code was out of date in relation to state law which now requires public notice to be mailed 20 days prior to the hearing. The Code only requires a 10 day notice.

The second item was concerning Section 28, the R-3 Zone, and the minimum lot areas which is 6,000 sq. ft. an a requirement for 1,500 sq. ft. of additional lot for each additional unit. The problem is that there is no clear indication as to how many units are allowed on the initial 6,000 sq. ft.

The third item was the need to amend the Code to allow the ability to change a portion of an approved CUP, PUD, or Subdivision, without opening the entire project back up to review.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 9:01 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION



Judi Krebs, Chairperson