

MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
August 3, 1999

The regular meeting of the Brookings Planning Commission was called to order by Vice Chair Ted Freeman 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	John Bischoff, Planning Director
Rick Dentino	Linda Barker, Secretary
Judi Krebs	
Reily Smith	
Earl Breuer	

Commissioners Nuss and Lindsey and Ex Officio Commissioner Ball were not present.

CHAIRPERSON ANNOUNCEMENTS

None

MINUTES

By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved the minutes of the July 6, 1999 meeting as written.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON WRITTEN REQUESTS AND COMMUNICATIONS

None

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 4-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer; Commissioner Smith declared conflict of interest, left the bench and did not participate in the hearing) the Planning Commission approved (File No. M3-4-99) a request for a minor partition to divide a 0.76 acre parcel of land into two lots of 22,378 and 10,718 sq. ft. in size; located on the west side of Fern Avenue approximately 650 ft south of Easy Street and 70 feet north of the intersection of Elk Drive and Fern Avenue; zoned R-3 (Multiple-family Residential); C. L. and Barbara Goode, applicants.

Before the hearing began Commissioners Dentino, Breuer, Krebs and Freeman declared ex parte contact as a result of a site visit. No member of the audience challenged any Commissioner for bias or conflict of interest.

This action was taken following questions or comments regarding the requests from the following:

Barbara Goode

543 Fern Avenue

Brookings Oregon

The applicant waived an additional seven day period to submit written evidence.

2. By a 4-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved the Final ORDERS and Findings of Fact for File No. M3-4-99 as written.

Commissioner Smith returned to the bench.

3. By a 5-0 vote (motion: Commissioner Breuer, second: Commissioner Dentino) the Planning Commission approved (File No. M3-5-99) a request for a minor partition to divide a 1.00 acre parcel of land into two parcels of 21,232 and 22,239 sq. ft. in size; located in the northeast corner of the intersection of Old County Road and Marine Drive; zoned SR-20 (Suburban Residential, 20,000 sq. ft minimum lot size); Royal Star, Inc., applicants; Nancy Brendlinger, representative.

The following Commissioners declared ex parte contact as a result of a site visit: Krebs, Smith, Dentino and Freeman. Commissioner Freeman also declared he had done business with the applicant in the past but this caused no bias or conflict of interest. No member of the audience challenged any Commissioner for bias or conflict of interest.

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

Nancy Brendlinger

PO Box 6667

Brookings OR 97415

The applicant waived an additional seven day period to submit written evidence.

4. By a 5-0 vote (motion: Commissioner Breuer, second: Commissioner Krebs) the Planning Commission approved the Final ORDERS and Findings of Fact for File No. M3-5-99 as written.
5. By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved (VAR-2-99) a request for a variance to allow a 12 foot side yard setback to permit an addition to an existing church; located on the south side of Fir St. at its intersection with Old County Road; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); St. Timothy's Episcopal Church, applicant; Bernie Lindley, representative.

All Commissioners present declared ex parte contact as a result of a site visit. No member

of the audience challenged any Commissioner for bias or conflict of interest.

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

Bernie Lindley	16225 Chapman Lane	Brookings Oregon
Don Smith	1210 East Mar Vista Lane	Brookings Oregon
Bill Smith	820 Highland Avenue	Brookings Oregon

The applicant waived an additional seven day period to submit written evidence.

6. By a 5-0 vote (motion: Commissioner Breuer, second: Commissioner Krebs) the Planning Commission approved the Final ORDERS and Findings of Fact for File No. VAR-2-99 as written.
7. By a 4-1 vote (motion: Commissioner Krebs, second: Commissioner Freeman; voting for Commissioners Krebs, Smith, Dentino and Freeman; opposing: Commissioner Breuer) the Planning Commission voted to send a favorable recommendation to the City Council on (File No. LDC-5-99) an amendment to the City's Land Development Code to add Section 108, titled Wireless Communications Facilities; city initiated. The favorable recommendation will include changes to the staff recommended wording to:
 1. remove the C-3 General Commercial, Section 52, from this ordinance.
 2. include wording in Section 108.040.A to address the maximum height of the tower.
 3. include wording in Section 108.040.E to require the fencing to be site obscuring.
 4. address the responsibility of who and explore the cost of removing an abandoned tower and explore pre-bonding of the tower in Section 108.050.
 5. bring any extensions of the 6-month abandoned tower clause (Section 108.50.B) before the Planning Commission for action.

This vote was taken after an amended motion made by Commissioner Smith and seconded by Commissioner Breuer was defeated (vote 3-2 against; voting for: Commissioners Breuer and Smith; voting against: Commissioners Dentino, Freeman, and Krebs). The amended motion would have eliminated the tower height restriction in Section 108.040.A and cause tower height to be considered at the hearing for a conditional use permit for a tower. The amended motion also eliminated the sentence in Section 108.040.C stating that all new wireless telecommunication towers shall be of a monopole structure. After discussion of the amended motion Commissioner Smith further amended the motion to state that all new wireless telecommunication towers shall be of a self-supporting structure. This amendment was seconded by Commissioner Breuer.

No member of the audience challenged any Commissioner for bias or conflict of interest.

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

Lee Garvin	96977 Hampton Road	Brookings Oregon
Bernie Gribben	1826 Charles Timmons Lane	Eureka California
Vern Garvin	96953 Hampton Road	Brookings Oregon
Chuck Hayward	222 Del Norte Lane	Brookings Oregon
George Ciapusci	PO Box 7025	Brookings Oregon

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

None

UNSCHEDULED PUBLIC APPEARANCES

Council Liaison Ciapusci reminded the Commissioners of the Curry County Planning Commission's review of the Salmon Run Golf Course conditional use permit extension, August 5 and said a show of support would be welcome. Commissioners Smith and Breuer showed interest in attending.

REPORT OF THE CITIZENS ADVISORY COMMITTEE

None

MESSAGES AND PAPERS FROM THE CITY MANAGER

None

MESSAGES AND PAPERS FROM THE MAYOR

None

REPORT OF THE PLANNING DIRECTOR

1. Planning Director Bischoff reported that although Dr. Chickenell had made some progress on the landscaping at this dental office it was not complete.
2. Landscaping along the west side of the Subway Sandwich Shop is completed. The back boundary has been cleaned out but it has not been landscaped. The ordinance only requires landscaping equivalent to 7% of the parking area and they may have met this requirement. Director Bischoff will discuss further plans with them.
3. The new Building Official will be contacting the owner at Railroad and Alder streets to clean up the accessory buildings there.
4. In September the Oregon Planning Institute will hold their annual conference in Eugene. Again there is no Planning Commission training held in conjunction with the Planners' meetings.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

1. Commissioner Freeman noticed they have removed some of the stacked soil from the old

Union 76 station lot. This is soil that is being cleaned after a spill while removing the old tanks from the property.

2. Commissioner Krebs again asked whether outside lube bays are legal as these are being used in an area behind the dirt piles. These were formerly behind the old station building which was removed. Staff has not seen them being used but will check into it.
3. The Commissioners voted unanimously that staff should notify Dr. Chickenell that his conditional use permit will be revisited at the September 7, 1999, meeting (motion: Commissioner Freeman, second: Commissioner Breuer).
4. Commissioner Krebs questioned that since the city water department had a water use restriction in July, should there be a notice on all Final ORDERS and Findings of Fact similar to that for wastewater. Director Bischoff said he would speak with the Community Development Director regarding this.
5. At the Lea Building at Pacific and Railroad streets there is congestion caused by cars parked too near the corner. Staff will look into having the curbs here painted yellow signifying no parking.
6. Parking at an adult foster home is causing problems at the intersection of Oak and Railroad streets. Commissioner Krebs noted that at noon time six to eight cars are parked in front of the facility, all parked so as to necessitate backing onto Railroad Street to leave the facility. This site had been granted a conditional use permit to operate an assisted living facility in August, 1997, but the permit lapsed as the project never got underway. The same principals are operating the adult foster home and had been notified earlier in the day that they need a business license and a sign permit for a newly erected sign posted in the yard.
7. Commissioner Krebs thanked Commissioner Smith for bringing in copies of an article he found about camouflaging communications towers.
8. Commissioner Krebs also reminded all Commissioners about the joint Planning Commission/City Council meeting of August 17 regarding the Public Facilities and Services Plan. The meeting will begin at 7:00 p.m. in the Council Chambers. The final draft document has been received and copies will be distributed this week.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 9:27 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION


Ted Freeman, Jr. Vice Chair