

**MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
November 2, 1999**

The regular meeting of the Brookings Planning Commission was called to order by Chair Marv Lindsey 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.

Vikki Nuss	Reily Smith	John Bischoff, Planning Director
Judi Krebs	Earl Breuer	Linda Barker, Secretary
Marv Lindsey		

Commissioners Freeman and Dentino were not present.

CHAIRPERSON ANNOUNCEMENTS

None

MINUTES

By a 4-0 vote (motion: Commissioner Krebs, second: Commissioner Smith; Commissioner Breuer abstained as he was not at the October 5, 1999, meeting) the Planning Commission approved the minutes of the October 5, 1999, regular 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 Breuer, second: Commissioner Krebs; Commissioner Smith declared conflict of interest and left bench) the Planning Commission approved a request for a minor partition (M3-6-99) to divide a 0.45 acre parcel of land to create two parcels of 9,213 and 10,536 sq. ft. in size; located in the southwest corner of Hassett Street and Pioneer Road, more specifically 523 Hassett Street; zoned R-2 (Two-family Residential); Larry and Marie Hannan, applicants.

The following Commissioners declared ex parte contact as a result of a site visit: Nuss, Lindsey, and Krebs. No member of the audience challenged any Commissioner with bias or conflict of interest.

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

Larry Hannan

PO Box 340

Brookings Oregon

The applicant waived his right to seven (7) additional days in which to submit written argument.

2. By a 4-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission approved the Final ORDER and Findings of Fact for File No. M3-6-99.
3. By a 4-1 vote (motion: Commissioner Krebs, second: Commissioner Breuer; voting for: Commissioners Breuer, Lindsey, Krebs, and Smith; voting against: Commissioner Nuss) the Planning Commission approved a request for a conditional use permit (CUP-5-99) to erect a 100-foot tower for cellular telephone communications and associated equipment; located on a 0.50 acre parcel on the east side of King Street approximately 18 feet east of Center Street, with frontage on Railroad Street approximately 125 feet east of Center Street; zoned I-P (Industrial Park); United States Cellular Wireless, applicant; Bernie Gribben, representative. The approval included a change in No. 6 condition of approval to require the fence to sight-obscuring around the complete perimeter of the site.

Before the hearing began the following Commissioners declared ex parte contact as a result of a site visit: Lindsey, Nuss, Krebs, and Smith. 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 people:

Bernie Gribben	1826 Charles Timmons Lane	Eureka California
Eldon Gossett	PO Box 610	Brookings Oregon
Nathaniel Warner	237 Wharf Street	Brookings Oregon
Doug Sierka	241 Wharf Street	Brookings Oregon

The applicant waived his right to seven (7) additional days in which to submit written argument.

4. By a 4-1 vote (motion: Commissioner Krebs, second: Commissioner Breuer; voting for: Commissioners Lindsey, Krebs, Smith and Breuer; voting against: Commissioner Nuss) the Planning Commission approved the Final ORDERS and Findings of Fact for File No. CUP-5-99 with the changes to condition No. 6.
5. By a 4-0 vote (motion: Commissioner Breuer, second: Commissioner Nuss; Commissioner Krebs declared bias and left the bench) the Planning Commission voted to send a favorable recommendation to the City Council in the matter of VAC-2-99, a request to vacate a section of the alley between Highway 101 on the north and Spruce Street on the south and extending from Willow Street west for a distance of 180 feet; zoned C-3 (General Commercial); Terry Miller, applicant. The favorable recommendation will include a notation that the encroachment into the alleyway be dealt with, either by a lot line adjustment between the affected lots or by combining all the lots in question into one lot.

Before the hearing began the following Commissioners declared ex parte contact as a result

of a site visit: Commissioners Smith and Nuss. Commissioner Nuss also declared she is a member of Better Business for Brookings which leases space for a visitors center within the building owned by the applicant and that this caused no bias or conflict of interest. No member of the audience challenged any Commissioner for bias or conflict of interest.

Speaking to the Commission regarding this matter was Rex Atwell, PO Box 6364, Brookings Oregon.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

1. By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Breuer) the Planning Commission voted to direct staff to send a supplemental letter to the Curry County Planning Commission regarding CR-AD-9912. The Planning Commission had voted to send a favorable recommendation in this matter (a request for an administrative conditional use permit to operate a pre-school/day care facility for more than 23 children; located at 15940 Oceanview Drive) during its October 5, 1999, meeting. After the recommendation had been sent it was learned that the county had not supplied the city with all documents pertaining to this case: in particular, eleven (11) letters and a petition against the planned use signed by 42 people. The city also had not been advised that the County Planning Director had written to the applicants before the City Planning Commission's meeting that he would not be making an administrative decision but instead this would be decided by the County Planning Commission. The supplemental letter will state that the Brookings Planning Commission "may have made a different recommendation had it had all the evidence that had been submitted to the County."

UNSCHEDULED PUBLIC APPEARANCES

Nancy Brendlinger, PO Box 6667, Brookings, Oregon commented on the Planning Commissioners leaving the room when they removed themselves for bias. The city will ask its attorney if this should be done or if the member should remain in the room to vote in case of a tie.

She also stated she has received a copy of the DOGAMI maps which reveal that the city, except for a liquefaction- prone area along the Chetco River, is in Zone D, an area not prone to shaking caused by an earthquake.

REPORT OF THE CITIZENS ADVISORY COMMITTEE

None

MESSAGES AND PAPERS FROM THE CITY MANAGER

None

MESSAGES AND PAPERS FROM THE MAYOR

REPORT OF THE PLANNING DIRECTOR

1. Director Bischoff reported he had posted the property and mailed a letter to Paul Litty about the junked cars and other debris in his yard. Another property owner on the same street was

notified about unregistered cars in his lot. This person is getting the autos running and registered.

2. He also explained how citizen action committees and citizen involvement committees are utilized by the city. This was in answer to a question by Commissioner Nuss.

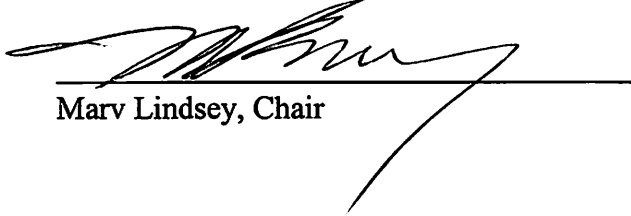
PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

1. Commissioner Breuer asked staff to look into the bright lights on the building at the new location of the Chetco Trader on Railroad Street.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 8:47 p.m.

Respectfully submitted,
BROOKINGS PLANNING COMMISSION



Marv Lindsey, Chair