

**MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
December 5, 2000**

The regular meeting of the Brookings Planning Commission was called to order by Vice Chair Rick Dentino 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.

Jim Collis	Rick Dentino	John Bischoff, Planning Director
Fred Howe	Judi Krebs	Linda Barker, Secretary
Vikki Nuss	Richard Gyuro	

Commissioner Freeman was not present at the meeting.

CHAIRPERSON ANNOUNCEMENTS

MINUTES

By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Collis, Commissioners Gyuro abstaining as he was not present at the November 7 meeting) the Planning Commission approved the minutes of the November 7, 2000, regular meeting as corrected.

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 5-1 vote (motion: Commissioner Nuss, second: Commissioner Howe; voting for: Commissioners Collis, Gyuro, Nuss, Howe and Dentino; voting against: Commissioner Krebs) the Planning Commission approved (File No. CUP-5-00) a request for a conditional use permit to construct and operate a 5,200 sq. ft. building to house Human Society offices, a cat shelter, 50+ dogs kennels, and maintenance facilities located at 828 Railroad Street; zoned I-P (Industrial Park); South Coast Humane Society, applicant; Donald J. McGehee, representative. The approval included changes in the conditions of approval as follows:
 - Condition 12 amended to read: The city reserves the right to require sound baffling walls around the outdoor exercise area if noise levels consistently exceed 45 db at the property line.
 - Condition 27 amended to read: The kennels and exercise yard shall be cleaned regularly and in such a manner that precludes odor and vector problems. The applicant shall provide evidence to the city, based on statements from experienced kennel operators, as to the best

surface material for the outdoor exercise yard to preclude odor and fecal matter building up and that material will be used in the exercise area.

Before the Public Hearing started all commissioners present declared ex parte contact due to a site visit. Commissioner Nuss also declared that she was a member of the South Coast Humane Society and that the humane society is a customer of her business but this caused no bias. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

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

Paul McLeod	17521 Ross Lane	Brookings Oregon
Buzz Hansen	97832 Titus Lane	Brookings Oregon
Lucy LaBonte	PO Box 1521	Gold Beach Oregon
Kathy Hartso	14757 Oceanview Drive	Brookings Oregon
Bruce Spotwood	761 Cottage Street	Brookings Oregon
Gary MacEachern	914 Midland Way	Brookings Oregon

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 8:10 p.m.

Discussion on this request centered around possible noise that would be generated by barking dogs.

2. By a 5-1 vote (motion: Commissioner Gyuro, second: Commissioner Nuss; voting for: Commissioners Nuss, Howe, Gyuro, Collis and Dentino; voting against: Commissioner Krebs) the Planning Commission approved the Final ORDER and Findings of Fact for File No. CUP-5-00 as amended.

The meeting was recessed at 8:40 p.m. and continued at 8:48 p.m.

3. By a 5-1 vote (motion: Commissioner Nuss, second: Commissioner Collis; voting for: Commissioners Krebs, Gyuro, Dentino, Collis and Nuss; voting against: Commissioner Howe) the Planning Commission approved as amended (File No. VAR-2-00) a request for a variance that would allow the homeowners association to close the walkways within the common area of the Claron Glen subdivision to the public while retaining sidewalks on one side of the street only; located between Hasset Street on the south and Brooke Lane on the north and from the first tier of lots on the west side of Third Street to the west boundary of the Brookings Meadow Subdivision; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Claron Glen Homeowners Association, applicant; William A. Boynton, representative. An additional condition of approval was included in the approval:

Condition No. 2: All landscaping within the common areas will be maintained in accordance with the provisions of the applicable city ordinances.

Before the public hearing began all commissioners present declared ex parte contact as a result of a site visit. Commissioners Nuss declared the Claron Glen Homeowners Association was a customer of her business and this caused no bias. Commissioner Gyuro declared the presenter and many in the audience were customers of his business and that this caused no bias. Commissioner Dentino declared many in the audience were his neighbors and friends and this caused no bias. There was no challenge from the audience to the Planning Commission's jurisdiction to hear this request.

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

William Boynton	959 Timberline Drive	Brookings Oregon
Al Francis	930 Hidden Court	Brookings Oregon
Ken Burns	PO Box 967	Brookings Oregon
Gary MacEachern	914 Midland Way	Brookings Oregon
Jim Wilson	928 Midland Way	Brookings Oregon
Pam Schrum	924 Midland Way	Brookings Oregon
Debbie Hodges	955 Third Street	Brookings Oregon
Cyndi Crabtree	920 Midland Way	Brookings Oregon
Pam Wilson	928 Midland Way	Brookings Oregon
Richard Calkins	941 Helen Lane	Brookings Oregon
Nancy De Mond	957 Helen Lane	Brookings Oregon
Wayne Robinson	949 Helen Lane	Brookings Oregon
Joe Hodges	955 Third Street	Brookings Oregon

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 10:50 p.m.

Two motions died for a lack of a second. Commissioner Howe moved and Commissioner Gyuro seconded a motion to remand the request to the city council with a recommendation to find a solution that provided sidewalks on both sides of the street with the city sharing the cost of the solution. After discussion on the nature of the motion Commissioner Gyuro withdrew his second. Commissioner Krebs moved to add a second condition to the conditions of approval to require the removal or trimming of cypress trees that are impacting Brookings Meadows homeowners at the expense of Claron Glen Homeowners Association. This motion died for lack of a second.

4. By a 6-0 vote (motion: Commissioner Gyuro, second: Commissioner Nuss) the Planning Commission approved the Final ORDER and Findings of Fact for File No. VAR-2-00 as amended.
5. By a 6-0 vote (motion: Commissioner Nuss, second: Commissioner Krebs) the Planning Commission will send a favorable recommendation to the City Council in the matter of (Planning Commission File No. LDC-3-00) a city-initiated request to amend Section 88 of the Land Development Code, Sign Regulations, to provide for the display of "Welcome" flags from within the holes along the commercial area of Chetco Avenue.

During discussion on this request it was noted that flags located near crosswalks can cause hazards. Director Bischoff stated that wording of the code change reserves the right of the city to have any individual flag removed if it is considered to create a hazard or nuisance.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

None

UNSCHEDULED PUBLIC APPEARANCES

None

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

Director Bischoff reminded the Commissioners that election of new officers would take place at the end of the meeting.

He reported a sign was being made by a residence of the unnamed street off Marine to indicate the street addresses located on that street. It was determined a bush near the street would not cause a sight problem.

Bischoff stated that there is no city policy to paint stop bars at all intersections.

He noted he had seen sheds for sale on a bare lot on Chetco Avenue and he would be contacting the seller as this is in violation of the Land Development Code. He would also check to see if the seller has a business licence.

Carpenter Auto has installed a sight obscuring fence around its yard on Chetco Avenue and may consider landscaping.

In regards to complaints of the condition of property on Matot Street he stated that while the owner of the property has a conditional use permit to operate his business it is not for this piece of property and at this time the condition of the property, while messy, does not constitute a nuisance.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

Commissioner Krebs asked if city staff has seen the blight ordinance the City of Crescent City is considering and whether the city should consider a similar ordinance.

Commissioners Howe presented a draft annual report. The commissioners will consider this draft for adoption at their next meeting for presentation to the City Council at the following Council meeting.

Officers for the calendar year 2001 were elected. For Chair, Commissioner Howe nominated Commissioner Gyuro. Commissioner Krebs seconded, and with no further nominations, closed the nominations. Commissioner Nuss nominated Commissioner Krebs for Vice-chair who declined the nomination. Commissioner Nuss then nominated Commissioner Freeman. Commissioner Collis seconded, and with no further nominations, closed the nominations.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 11:50 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION


Richard Gyuro, Chair