

MINUTES
BROOKINGS PLANNING COMMISSION
REGULAR MEETING
September 4, 2001

The regular meeting of the Brookings Planning Commission was called to order by Chair Richard Gyuro 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	Richard Gyuro	John Bischoff, Planning Director
Randy Gorman	Judi Krebs	Linda Barker, Secretary
Ted Freeman, Jr.	Vikki Nuss	

Commissioner Fritz was not present at the meeting.

CHAIRPERSON ANNOUNCEMENTS

Chair Gyuro announced that Russ Fritz had been appointed to Planning Commission Position No. 3 replacing Fred Howe who resigned. Commissioner Fritz was not able to attend this meeting as he is recouping from eye surgery.

MINUTES

By a 5-0 vote (motion: Commissioner Freeman, second: Commissioner Krebs; Commissioner Nuss abstaining as she was not present at the July 10, 2001 meeting) the Planning Commission approved the minutes of the July 10, 2001, 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

1. By a 6-0 vote (motion: Commissioner Nuss, second: Commissioner Collis) the Planning Commission granted a one-year extension of time for a minor change to add 16 more units to the existing 16 unit residential care facility which was approved September, 1997 (CUP-9-97/ MC-1); located on the south side of Parkview Drive approximately 625 feet east of Highway 101, more specifically 984 Parkview Drive; Jitendra Patel, applicant.
2. By a 5-1 vote (motion: Commissioner Nuss, second: Commissioner Krebs; voting for: Commissioners Nuss, Freeman, Krebs, Collis and Gorman; voting against: Commissioner Gyuro) the Planning Commission approved a motion recommending that the City Council instruct staff to move forward in developing an ordinance regulating short term rentals including a conditional use permit for any short term rental units.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

1. By a 6-0 vote (motion: Commissioner Krebs, second: Commission Nuss) the Planning Commission approved (File No. SUB-4-01) a request for a subdivision to divide two

parcels into 18 lots ranging in size from 6,307 to 103,577 sq. ft with an average size of 19,675 sq. ft. and creating a new street and a private street. The new street will connect the southerly end of Passley Road and the easterly end of Ocean Park Drive; located at the east end of Ocean Park Drive and at the south end of Passley Road; zoned R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size); Mike Mahar, applicant, Kurt Kessler, representative. The approval included changes to the conditions of approval as follows:

- a. A statement shall be placed in the C, C, & Rs stating lots 12, 13, 14, and 15 cannot be divided again as will be noted on the final plat map.
- b. All houses constructed on lots 10 thru 15 must have a total of six hard surface parking spaces pursuant to the provisions of the Dawson Track Neighborhood Circulation Plan.
- c. The private street shall be constructed with a rolled curb on both sides and a sidewalk on the north side.
- d. The applicant shall provide and install "No Parking" signs on both sides of the private street.
- e. Streets lights along Ocean Park Dr., Passley Road, and the private street shall be provided.
- f. Condition #10 was changed to read Lots 9 and 16 must take access from the public street and not the private street, instead of Lot 19.
- g. A typographical error in Condition #35 was changed to read ...Ocean Park Drive, Passley Road, the new private street...

Before the Public Hearing started all Commissioners present declared ex parte contact due to a site visit. Commissioner Freeman declared the representative has been a customer of his firm in the past. Commissioner Nuss declared a person from the neighborhood had called her but she did not discuss the application with that person. Commissioner Gyuro stated he knows the applicant's representative through the Chamber of Commerce. The three commissioners stated these associations caused no bias on their part. 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:

Kurt Kessler	PO Box 6335	Brookings OR 97415
Joyce Reynolds	15780 Pelican Bay Drive	Brookings OR 97415
Julia Attebery	17290 Garvin Court	Brookings OR 94715

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 8:17 p.m.

2. By a 6-0 vote (motion: Commissioner Krebs, second: Commissioner Gorman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. SUB-4-01 as amended.

The Planning Commission recessed between 8:25 p.m. and 8:30 p.m.

3. By a 6-0 vote (motion: Commissioner Freeman, second: Commission Collis) the Planning Commission approved (File No. CUP-2-01) a request for a conditional use permit to create a four-unit dwelling group of two duplex buildings on the 13,199 sq. ft. subject property; located on the east side of Pioneer Road approximately 300 feet north of Easy Street, more specifically 714 Pioneer Road; zoned R-2 (Two-family Residential); Peter and Marianne Padilla, applicants; Lloyd Matlock, representative.

Before the Public Hearing started Commissioners Gyuro, Freeman, Krebs, Nuss and Collis declared ex parte contact due to a site visit. 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:

Lloyd Matlock PO Box 8026 Brookings OR 97415

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 8:47 p.m.

4. By a 6-0 vote (motion: Commissioner Collis, second: Commissioner Gorman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. CUP-2-01 as written.
5. By a 5-0 vote (motion: Commissioner Krebs, second: Commission Gorman; Commissioner Collis declared bias and left the bench) the Planning Commission approved (File No. MC-2-01) a request for a minor change to a de-facto conditional use permit to place a manufactured home on the property of the Star of the Sea Church to provide a residence for a retired reverend; located on 4.90 acres in the southeast corner of the intersection of Old County Road and Marine Drive; zoned R-3 (Multiple-family Residential); Archdiocese of Portland, applicant; Leo Brueggeman, representative.

Before the Public Hearing started Commissioners Nuss, Freeman, Krebs, Gyuro and Gorman declared ex parte contact due to a site visit. Commissioner Nuss declared she was raised a Catholic and that the church is a customer of her business and 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:

Leo Brueggeman 95800 Cape Ferrelo Road Brookings OR 97415

The applicant waived his right to seven (7) additional days in which to submit written argument. The public hearing was closed at 9:05 p.m.

6. By a 5-0 vote (motion: Commissioner Krebs, second: Commissioner Freeman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. MC-2-01 as written

Commissioner Collis returned to the bench at 9:06 p.m.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS

None

UNSCHEDULED PUBLIC APPEARANCES

Barbara Nysted of 420 Buena Vista Loop addressed the Commission regarding short term rentals.

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

The Oregon Planning Institute will be held in Eugene.

A Citizen Action Committee (CAC) met Thursday, August 30, to begin development of the downtown master plan.

The owner of the Exxon Station will be contacted regarding the state of the landscaping at the station on the corner of Hwy 101 and Alder Street.

PROPOSITIONS AND REMARKS FROM COMMISSION MEMBERS

As a result of comments and discussion on SUB-4-01, Commissioner Krebs recommended a communication to staff regarding striping and "No Parking" signs for Passley Road above the subdivision approved earlier in the meeting. Also to be included should be wording on the danger and liability of the "S" curve where Dawson Road meets Highway 101. She also questioned why part of Harris Beach State Park is zoned R-1-6 (Single-family Residential) and whether it should be rezoned correctly to Public/Open Space.

Commissioner Gyuro commented on the state of the Verizon Communications yard and that the fence should be site obscuring. Director Bischoff noted this use of the property predates the

Land Development Code and the fencing requirement. Commissioner Krebs added the County yard and Chetco Trader to the list of those that need site obscuring fences. A discussion followed about equal enforcement of the Land Development Code for all properties and uses in Brookings.

ADJOURNMENT

There being no further business before the Planning Commission, the meeting adjourned at 9:20 p.m.

Respectfully submitted,

BROOKINGS PLANNING COMMISSION



Richard Gyuro, Chair