

**MINUTES  
BROOKINGS PLANNING COMMISSION  
REGULAR MEETING  
September 2, 2003**

Chair Randy Gorman called the regular meeting of the Brookings Planning Commission 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.

*Commissioners Present:*

Jim Collis                Bob Gilmore  
Ted Freeman             Randy Gorman  
Bruce Nishioka         Bill Smith  
Russ Fritz

*Staff Present:*

Leo Lightle, Community Development Director  
John Bischoff, Planning Director  
Cathie Mahon, Secretary

**CHAIRPERSON ANNOUNCEMENTS**

Chair Gorman welcomed Bob Gilmore to the Planning Commission. He also announced this would be the last meeting for Russ Fritz.

**MINUTES**

By a 6-0-1 vote, the Planning Commission (motion: Commissioner Freeman; Commissioner Gilmore abstained due to absence from the meeting) approved the minutes of the August 5, 2003.

By a 5-0-2 vote, the Planning Commission (motion: Commissioner Gilmore; Commissioners Smith and Fritz abstained due to absence) approved the minutes for the special work-study on August 12, 2003.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS**

By a 7-0 vote (motion: Commissioner Gilmore) the Planning Commission approved the denial for File No. **VAR-1A-03**, an application for a variance to encroach 5 feet into the 10 foot required side yard setback, located at 251 Marine Drive; Assessor's Map 40-13-32 CD, Tax Lot 1702; SR (Suburban Residential) zone district; Peter Castellini, applicant.

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

1. By a 7-0 vote (motion: Commissioner Gilmore) the Planning Commission approved the final map for File No. **SUB-3-02**, a subdivision to divide a 1.18 acre parcel of land into 6 lots, located at First Street and Ransom Avenue; Assessor's Map 41-13-06 BB, Tax Lot 1300; R-2 (Two-family Residential) zone; Larry Garcia, applicant.

2. By a 7-0 vote (motion: Commissioner Freeman) the Planning Commission approved the request to allow a DIA (Deferred Improvement Agreement) in lieu of curb, gutter, and sidewalk; Assessor's Map 41-13-05, Tax Lots 7500,7501,7800 and 7801; located at 437 Chetco Avenue; the Beaver State Motel; KiranRai and Nilesh Amin, applicants; Zia & Associates, representative.
  
3. By a 7-0 vote (motion: Commissioner Gilmore) the Planning Commission approved the final map for File No. **SUB-5-03**, a subdivision to divide a 1.57 acre parcel of land into 6 lots; located on the east side of Parkview Drive; Assessor's Map 40-13-31 CB, Tax lot 1200; R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot size) zone; William Welch, property owner; Zia & Associates, representative.

**THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS**

1. By a 6-0 vote (motion: Commissioner Smith) the Planning Commission denied File No. **SUB-6-02/MC-1**, a request for a minor change to the configuration of an existing berm; located at the Chetco Point Terrace Subdivision on Wharf Street and the Wastewater Treatment Plant; Assessor's Map 41-13-07 A, Tax Lot 409; R-2 (Two-family Residential) zone; Noah Bruce, applicant; John Babin, representative.

Commission Nishioka recused himself due to potential conflict of interest. All Commissioners present declared ex parte due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

The action was taken following questions and comments regarding the request from the following:

- |   |                          |                     |
|---|--------------------------|---------------------|
| John Babin, representative for Bruce Brothers                     | P. O. Box 61             | Brookings, OR 97415 |
| Noah Bruce  | P. O. Box 61             | Brookings, OR 97415 |
| Joshua Bruce  | P. O. Box 61             | Brookings, OR 97415 |
| Joan Coito  | 831 Chetco Point Terrace | Brookings, OR 97415 |
| Daryn Farmer  | P. O. Box 969            | Brookings, OR 97415 |
| Mrs. Ostrander  | 843 Chetco Point Terrace | Brookings, OR 97415 |
| Gary Georgeff, representative for The Cove Homeowners Association |                          |                     |
|   | P. O. Box 847            | Brookings, OR 97415 |
| Jim Rich,   | 107 Schooner Bay Drive   | Brookings, OR 97415 |
| Yvonne Dunn   | P. O. Box 7500           | Brookings, OR 97415 |
| Leo Lightle, Director of Community Development, City of Brookings |                          |                     |

- Entered into the record from Mr. Babin and Mr. Noah Bruce were 5 exhibits:
1. Conditions of Approval-File No. SUB-2-90 PUD; 56 unit development
  2. Bruce Brothers letter to Cove Board of Directors-January 15, 2003
  3. Map of Chetco Point subdivision and The Cove
  4. Wind Evaluation-The Cove Project Berm Design-Don Munson
  5. Overlay exhibit with Chetco Point Subdivision and The Cove housing unit

Entered into the record from Mr. Gary Georgeff, representative for Cove Homeowners:

1. Memo from A. Forester to City-berm design-5-90
2. Planning Commission Staff Agenda-SUB-2-90-PUD; hearing July 17, 1990
3. Planning Commission Final Order and Findings of Fact and conditions for SUB-2-90-plan development
4. Letter from Mr. Babin to Mr. Jerrold Boscoe-September 1990
5. Letter from Mr. Babin to Mr. Gillespie-real estate disclosure statement-1991
6. Indemnity Agreement-1990
7. Real Estate Transfer Disclosure Statement
8. Letter from Mr. Gillespie, City attorney, to Mr. Babin ref. Real Estate Transfer Disclosure Statement
9. Wind Evaluation-Don Munson, National Weather Service Observer
10. HGE engineering letter-re: engineering design of berm –August 29, 1991
11. Conditions of Approval-Planning Commission meeting September 3, 2002.
12. Petition-26 signatures from the Homeowners of Cove

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

A recess was declared at 10:08 p.m. The meeting reconvened at 10:17 p.m. with Commissioner Nishioka returning to the meeting.

2. By a 6-0-1 vote (motion: Commissioner Smith; Commissioners Collis, Freeman, Fritz, Gilmore, Gorman, and Smith voted to deny; Commissioner Nishioka abstaining due to personal bias) the Planning Commission denied the Final ORDER for File No. **SUB-6-02/MC-1**.
3. By a 7-0 vote (motion: Commissioner Gilmore) the Planning Commission approved File No. **CUP-10-03**, a request for a conditional use to operate a Bed & Breakfast, located at 1100 Coral Court; Assessor's Map 41-13-06 BA, Tax Lot 2220; R-1-6 (Single-family Residential) zone; Richard Vartanian, property owner; Lea Ray, applicant.

Four commissioners (Commissioners; Collis, Gilmore, Gorman and Smith) declared a site visit ex parte. There was no challenge from the audience as to the jurisdiction of the Commission to hear this request.

The action was taken following questions and comments regarding the request from the following:

Lea Ray, applicant	1100 Coral Court	Brookings, OR 97415
Mrs. Coral Rensch	1104 Coral Court	Brookings, OR 97415

Entered into the record was a letter in opposition:

Mrs. Sherrill Mickelson	738 Third Street	Brookings, OR 97415
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The applicant waived her right to seven (7) additional days in which to submit written argument.

4. By a 7-0 vote (Motion: Commissioner Gilmore) the Planning Commission approved the Final ORDER and Findings of Fact for File No. **CUP-10-03**.
5. By a 7-0 decision (Motion: Commissioner Freeman) the Planning Commission voted to send a recommendation to City Council, File No. **LDC-4-03**, an amendment to Section 92 of the Land Development Code, *Off-Street Parking* and *Loading Regulations*, to bring the ADA (American with Disabilities Act) parking requirements into compliance with the new state law.

#### **THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON COUNTY REFERRALS**

1. By a 7-0 vote (Motion: Commissioner Freeman) the Planning Commission will send a favorable recommendation to Curry County; File No. **CR-AD-0334**, a request for a conditional use permit to operate a mini-storage facility; located .5 miles south of Benham Lane, on the west side of Highway 101; R-C (Rural Commercial) zone; Rocky and Jeanette McVay, applicants.

#### **UNSCHEDULED PUBLIC APPEARANCES**

None.

#### **PROPOSITIONS AND COMMISSIONERS COMMENTS:**

Chair Gorman:

- Asked Planning Director Bischoff to convey to Public Works the problem pot holes on Parkview, a resulting from construction on the road.
- He asked Planning Director Bischoff to discuss the "*hold harmless*" phrase mentioning during the first case of the meeting, File No. **SUB-6-02/MC-1**.
- On behalf of the Commission, he thanked Russ Fritz for his service on the Commission and wished him well in his move to Arizona.

#### **REPORT OF THE PLANNING DIRECTOR**


- Planning Director Bischoff reminded the Commission regarding the joint work session with City Council on September 8, 2003, starting at 6:00 p.m. He explained the work session is being held to discuss the ODOT (Oregon Department of Transportation) Access Management Plan (AMP).

#### **ADJOURNMENT**

With no further business before the Planning Commission, the meeting adjourned at 11:11 p.m.

Respectfully submitted,

**BROOKINGS PLANNING COMMISSION**

  
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Randy J. Gorman, Chair