

**MINUTES**  
**BROOKINGS PLANNING COMMISSION**  
**Special Meeting**  
**August 16, 2005**

Chair Nishioka called the meeting of the Brookings Planning Commission to order at 7:00 p.m. in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

*Commissioners Present:*

|              |                |
|--------------|----------------|
| Jim Collis   | Randy Gorman   |
| Rick Dentino | Ron Hedenskog  |
| Bill Dundom  | Bruce Nishioka |

Commissioner Absent: Bill Smith

*Staff Present:*

Dianne Snow, Senior Planner; and Cathie Mahon, Community Development Secretary

*Media:* Coastal Pilot reporter, Brian Bullock

*Other:*

Approximately 35 citizens in the audience.

**CHAIRPERSON ANNOUNCEMENTS**

None.

**MINUTES**

1. By a 7-0 vote (motion: Commissioner Collis) the Commission approved the minutes of July 12, 2005, as amended.
2. By a 7-0 vote (motion: Gorman) the Commission approved the minutes of August 2, 2005, as written.

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

1. By a 6-1 vote (motion: Commissioner Smith; Commissioner Collis, Dundom, Gorman, Hedenskog, Gorman, and Smith voted in the affirmative of the motion; Commissioner Dentino against the motion) the Planning Commission voted to deny the request for a 2-foot side yard setback variance for a garage; located at Byrtus Place; Assessor's Map 41-13-06CD, Tax Lot 102; Kenneth Byrtus, applicant, File No. **VAR-3-05**.

Commissioners Collis, Dundom, Hedenskog and Gorman declared ex parte due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

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

|                                    |                |               |
|------------------------------------|----------------|---------------|
| Kenneth Brytus, applicant          | P. O. Box 4880 | Brookings, OR |
| Virginia Brytus, property owner    | same           |               |
| John Babin, attorney for applicant | P.O. Box 1600  | Brookings, OR |
| Tom Muser, Stuntzner Engineering   | P. O. Box 2748 | Brookings, OR |
| Jack Byland                        | 201 Allen Lane | Brookings, OR |

Chair Nishioka read three letters into the record:

|                          |                   |               |
|--------------------------|-------------------|---------------|
| Randall and Lynne Sorbel | 1101 Byrtus Place | Brookings, OR |
| Richard & Carolyn Lamb   | 290 Allen Lane    | Brookings, OR |
| Linda Bottoms            | 1101 Byrtus Place | Brookings, OR |

Exhibits A through T were entered into the record by the applicant:

|          |  |
|----------|--|
| A        | 4 page Final Order from 2002                                     |
| B, C, D  | Sorbel, Lamb and Bottoms letters                                 |
| E        | Survey from 1970-Cunningham                                      |
| F        | Surveyor's Certificate – Allen Subdivision                       |
| G        | Survey by Charlie Smith – Gulbrandsen Partition Plat No. 2000-07 |
| H        | Survey by Reily Smith – Brytus Partition Plat No. 2002-07        |
| I        | Copy of Building Inspections by LL Gray                          |
| J,K      | 2 photos of wall and garage on property                          |
| L thru S | Photos of subject property                                       |
| T        | Survey by Mike Shively – Stuntzner Engineering-12-14-2004.       |

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

2. The Commission denied the request and directed staff to have the Final Order ready for the next meeting (September 6, 2005).

Chair Nishioka called for a recess at 9:40 p.m. The meeting reconvened at 9:50 with the same seven commissioners present.

Chair Nishioka announced with the time approaching 10 o'clock, and one case heard with four left to hear, if consideration should be entertained to postpone some of them. He polled the audience asking for a show of hands of those present for the next case, File No. **M3-5-05**. Approximately 10 people responded. The Chair asked the representatives for the next 3 cases, if they would consider postponing: Files **M3-3-05**- Ron Gable; **CUP-3-05**-Larry Anderson, and **M3-4-05**-Larry Garcia. The representative for Mr. Anderson, and Mr. Garcia both agreed to postpone hearing their requests until the next meeting, September 6, 2005.

3. By a 7-0 vote (motion: Commissioner Collis) the Planning Commission approved File No. **M3-5-05**, a request for a minor partition to create three residential building sites by combining two tax lots; located at 1241 Collis Lane; Assessor's Map 41-13-6CB, Tax Lots 5002 and 5005; R-1-6, (6,000 square foot minimum lot size) zone; Gerald Hughes, applicant.

All Commissioners declared ex parte due to a site visit and familiarity to the subject property. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

The motion was amended to include the following conditions:

*Collis Lane will be improved as follows:*

- *a. The applicant will dedicate a 5 foot wide strip of land adjacent to the right-of-way along his frontage and will construct curb, gutter, and sidewalk in this area.*
  
- *b. The applicant will pave an 18 foot road surface from the easterly boundary of the subject property to the intersection with Rowland Lane. A curb and gutter will also be constructed by the applicant adjacent to Tax Lot 5004 to direct storm water run-off to the proposed drainage located in the right-of-way.*

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

Gerald Hughes, applicant                      P. O. Box 97                      Brookings, OR

The following participated at the hearing in opposition to the request:

|                 |                   |               |
|-----------------|-------------------|---------------|
| Phillip Roberts | 1253 Rowland Lane | Brookings, OR |
| Roy Clark       | 1257 Rowland Lane | Brookings, OR |
| Russell Humbert | 1229 Rowland Lane | Brookings, OR |
| Eldon Gossett   | 1012 Easy Street  | Brookings, OR |

Entered into the record was a petition submitted by Mr. Roberts with 17 signatures from 9 residences on Rowland Lane and Truman Lane.

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

4. By a 7-0 vote (motion: Commissioner Collis) the Planning Commission approved the amended Final ORDER and Findings of Fact for File No. **M3-5-05**.
  
5. By a 7-0 vote (motion: Commissioner Smith) the Planning Commission approved File No. **M3-03-05**, a request for a minor partition, to divide a 2.16 acre parcel into two parcels; located at 620 Fern Avenue; Assessor's Map 41-13-06AD, Tax Lot 2000; R-3 (Multi-family) zone; Ron Gable, applicant.

All Commissioners with the exception of Chair Nishioka declared ex parte due to a site visit. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

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

Ron Gable, applicant                                      P. O. Box 908                      Brookings, OR

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

6. By a 7-0 vote (motion: Commissioner Gorman) the Planning Commission approved Final ORDER and Findings of Fact for File No. **M3-3-05**.

### **UNSCHEDULED PUBLIC APPEARANCES**

None.

### **PLANNING STAFF COMMENTS**

City Planner Bischoff updated the commissioners:

- August 17, 2005 is the Council Workshop to discuss the state and local laws of annexations.
- Monday, August 22, 2005, the Council will hear File No. **MPD-1-04 Remand**, which is Borax's response to the LUBA (Oregon Land Use Board of Appeals) decision.
- A joint meeting with Council and the Commission has been scheduled for August 31, 2005.
- Reminded Commission about the City Picnic August 27, 2005.

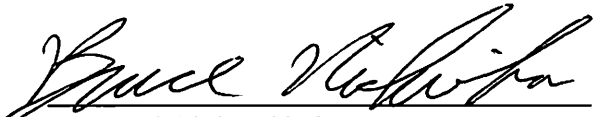
Senior Snow updated the commission:

- On the City Council agenda, September 12, 2005, will be two annexations to be considered for approval; **ANX-1-05**, Bruce Brothers; and **ANX-2-05**, Parkview.
- The County approved, with the Commission's recommendations, County Referral No. **CR-AD-0523**, U.S. Cellular.
- Several road concerns previously mentioned by some commissioners were reviewed by the Traffic Safety Committee: parking limitation on Ransom and Kevin has been addressed by painting the curb red (no parking at any time) and signage: no parking from 8 a.m. to 5:00 p.m. Monday through Friday. Public Works Supervisor Cowan said the signs have been ordered and will be placed as soon as they are delivered.

### **ADJOURNMENT:**

With no further business before the Planning Commission, the meeting was adjourned at 11:43 p.m.

Respectfully submitted,  
**BROOKINGS PLANNING COMMISSION**

  
Bruce Nishioka, Chairperson