MINUTES BROOKINGS PLANNING COMMISSION

June 3, 2008

The regular meeting of the Brookings Planning Commission was called to order by Chair Markham at 7:00 in the Council Chambers at the Brookings City Hall on the above date with the following Commission members and staff in attendance.

Commissioners Present:

Steve Bismarck Hedda Markham Ken Bryan Cheryl McMahan

Randy Gorman Bruce Nishioka (arrived at 7:07 p.m. before File No. M3-2-08 was opened)

Juliane Leighton

Staff Present:

City Attorney John Trew, Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks, and Secretary Cathie Mahon.

Other: approximately 20 citizens in the audience and Curry Coastal Pilot reporter, Kurt Madar

CHAIR ANNOUNCEMENTS

None.

WRITTEN REQUEST and COMMUNICATIONS

None.

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

None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION ON FINAL ORDERS None.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

 By a 7-0 vote (Motion: Commissioner Nishioka) the Planning Commission approved an application for a request for a minor partition, located at 280 Johnson Lane; Assessor's Map 41-13-05CD, Tax Lot 9202; R-1-6 (Single-family Residential 6,000 sq. ft. minimum lot size) zone; Alberto and Eloise Rosicelli, applicants, Alberto and Eloise Rosicelli.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. 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:

Alberto Rosicelli, applicant and property owner 280 Johnson Lane Brookings OR 97415

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The motion was amended to include:

• Install a street light if required by Public Works' General Engineering Requirements and Standard Specifications Document.

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

- 2. By a 7-0 vote (Motion: Commissioner Gorman) the Planning Commission approved the Final ORDER and Findings of Fact for File No. **M3-2-08**, as amended.
- 3. Chair Markham opened the Public Hearing at 7:25 p.m. for File No. **MPD-1-04**, a request for a two-year extension of time for the 553 acre parcel located on the easterly side of Highway 101 between Carpenterville Road and Cape Ferrelo; Assessor's Map 40-14 and Index, Tax Lots 2400, 2401 and a portion of 2402; U.S. Borax, applicant; Burton Weast, representative.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. All commissioners were familiar to the site. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request.

Chair Markham closed the meeting at 7:35 p.m. in order to give the Commissioners time to review *Exhibit C*, documents submitted June 2nd and 3rd (distributed before the meeting).

The public meeting resumed at 7:45 p.m.

Planning Director Morris reviewed the staff report (Exhibit A) and briefly discussed the documents in supplemental packets *Exhibit B* and *Exhibit C*. *Exhibits A*, *B*, and *C* were entered into the record.

Exhibit A

staff report and map of subject property

Exhibit B-documents submitted by:

Pat Sherman P. O. Box 1140 Brookings, OR Pete Chasar 935 Marina Heights Rd. Brookings, OR Allan Haddox, Chairman of Rainbow Rock, 17744 N. Hwy. #100 Brookings, OR

Exhibit C:

Catherine Wiley 96370 Duley Creek Rd. Brookings, OR James Brown, attorney for *CRAG* Law Center, 917 SW Oak St. Suite 417

Portland, OR 97205

Jason Wood, SOCC (Southern Oregon Community College) 420 Alder St. Brookings Dianne Morris, Director of Planning, City of Brookings Final Order

Genc Emre, OTAK, Inc. 17355 SW Boones Ferry Lake Oswego, OR 97068 Kalmiopsis Audubon Society P. O. Box 1265 Port Orford, OR 97465

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

Proponents-

Timothy Ramis, of Ramis Jordon Schrader PC, legal council for Borax,

P. O. Box 230669, Portland, OR 97281

Jim Relaford P. O. Box 7760 Brookings, OR 97415
Dr. Richard Edmiston 18831 Montbretia Lane Brookings, OR 97415

Interested Party:

Ron Adams 26000 Myers Creek Gold Beach, OR 97444 Kathi Testa Smith 17744 Hwy.101N-D111 Brookings, OR 97415

Opponents:

Pete Chasar 935 Marina Heights Road Brookings, OR 97415
Pat Sherman P. O. Box 1140 Brookings, OR 97415
Catherine Wiley 96370 Duley Creek Rd. Brookings, OR 97415

Exhibit D: was entered into the record by Pete Chasar

Exhibit E: was entered into the record by Pat Sherman

The Public Hearing was closed at 9:18 p.m. Discussion ensued and a vote was taken.

A motion was made by Commissioner Nishioka to approve the request for the extension of File No.MPD-1-04. By a 4-3 vote the Planning Commission voted to denied U.S. Borax's request. Commissioners Bismarck, Bryan, Leighton, and McMahan vote to deny the request. Commissioners Nishioka, Gorman, and Markham vote in the affirmative.

4. Chair Markham opened the Public Hearing at 9:40 p.m. for File No. **LDC-9-08**, an amendment to <u>Chapter 17.128-Interpretations and Exceptions</u> of the Brookings Municipal Code. The Chair announced the hearing was legislative and the Commission will make a recommendation to City Council.

No exparte contact, personal bias, personal interest, conflicts or objections were declared by the Commission. There was no challenge from the audience as to the jurisdiction of the Commission to hear the request. The Public Hearing was closed at 10:15 p.m.and a vote was taken.

By a 6-1 vote, (Motion: Commissioner Leighton; the dissenting vote was by Commissioner Markham) the Planning Commission voted to forward to City Council, File No. **LDC-9-08**, with the suggested changes from the Commission.

The action was taken following questions and comments from:

John Brazil, Harbor Fire Department P. O. Box 2001 Harbor, OR

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COUNTY REFERRELS

None.

APPROVAL of MINUTES

By a 7-0 vote, (Motion: Commissioner Bismarck) the Planning Commission approved the minutes of May 20, 2008.

COMMENTS by the PLANNING STAFF

Planning Director Morris updated the Commission on the next meeting, July 1, 2008.

- A workshop will be held to review and comment on a new Land Development chapter on *Affordable Housing*.
- An application for a Conditional Use to approve a vacation rental has been filed.
- A Comprehensive Plan to adopt the "Storm and Surface Water Facilities Plan for the Brookings-Harbor Area" will be reviewed by the Planning Commission and possibly adopted by City Council.

COMMISSIONERS COMMENTS

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed at 10:28 p.m.

Respectfully submitted,

Hedda Markham, Chair

(approved at 7-1-0/8 meeting)