

**MINUTES**  
**BROOKINGS PLANNING COMMISSION**

October 6, 2009

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:*

Hedda Markham  
Ken Bryan  
Randy Gorman  
Kelly McClain  
Jerry Wulkowicz  
Steve Bismarck

*Commissioners Absent:*

Cheryl McMahan

*Staff Present:*

Planning Director Dianne Morris, Senior Planner Donna Colby-Hanks and Secretary Alex Carr-Frederick

*Press:* no press

*Participants:* Approximately 16 participants

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

The Chair announced at 7:02pm that the public hearing regarding File No. **CPZ-1-09**, Applicant: Curry General Hospital, a request to change the zoning of two parcels from Multi-family Residential (R3) to General Commercial (C-3) located on Assessor's map 41-13-06AC tax lot 100 and Assessor's map 41-13-06AD tax lot 700 was open. A possible conflict was declared by Commissioner Bismarck as his wife is employed by Curry General Hospital (CGH) and he recused himself. No other exparte contact, personal bias, personal conflicts or objections were declared by the remaining commissioners. There was no challenge from the audience as to the jurisdiction of the Commission to hear these requests.

Director Morris reviewed the staff report. By changing the zoning of the parcels in question, the City would also be satisfying a recommendation from the Economic Opportunity Analysis prepared earlier this year. In that report, it was noted that Brookings has a shortage of large commercial parcels in the 5-10 acre range. This zone change would create an eight acre parcel. Staff recommended approval of this application.

CGH Representative John Bischoff of 96333 Wildwood Rd. spoke in favor of the zone change, citing the facts that CGH planned to maintain a 30 foot wide 'buffer' zone between the residentially zoned neighbors and the proposed re-zone area, and that the exit onto Hawthorn Street would be gated and used for police and fire emergencies only.

Dwayne Cork of 635 Hawthorn St. spoke in opposition to the change. He felt there was plenty of space across the street in the Fifth St Medical Building. He also expressed doubt about CGH's ability to keep a new, larger facility properly staffed.

Interested parties from the audience then spoke. Carol Brewer, PO Box 1865 wished to have additional Conditions of Approval added to the zone change application. Two trees on the subject property overhang private property on Hawthorn St. and their removal should be mandated, the developers should be responsible for the re-paving of Hawthorn St., the properties

neighboring the subject property should be allowed to keep their fences intact and the buffer zone should be expanded to 45 feet to accommodate an access street for a land locked parcel, map and tax lot # 41-13-06AC 300 between Fifth and Hawthorn. In addition to agreeing with the removal of trees condition, Dorothy Schreiber of 634 Hawthorn also expressed concern over possible drainage problems that could result from re-paving Hawthorn if the street ended up higher than the residents driveways. Next Judi Krebs of 15951 Bayview spoke. She suggested that instead of a zone change, the City should consider granting a Conditional Use Permit to CGH, or making the re-zone provisional, specific to CGH only. She expressed concern over allowing a commercial zone so near to the schools and other residential parcels. If for some reason CGH is unable to fulfill their building plans, the City of Brookings will have a large commercial property, on a sub-standard street, with all of it's allowed uses, very close to the schools.

Mr. Bischoff was given time to rebut and recommended that the citizen concerns be discussed between City Staff and the Applicant. He agreed with Ms. Krebs regarding the permanence of the new C-3 zone and offered that the issue could be remedied through qualified or conditioned zoning, but then he went on to say that Brookings has not used conditioned zoning in the past. Mr. Bischoff deferred questions regarding construction details to D&K Builders Jim Kelly of 92 Tanbark Circle. He confirmed that access for the construction vehicles will be on Hawthorn and that the heavy construction vehicles could damage the sub standard Hawthorn Street further. Todd Construction out of Portland was awarded the construction contract and while D&K may be a sub on the job, Mr. Kelly didn't know if the road would be re-paved. He deferred that question to Blake Middleton of 23896 Carpenterville Road, a third representative for CGH. He stated construction was to take 57 weeks, and he did not know if Hawthorn would be re-paved at the end of construction. Director Morris explained that Public Works did not deem it reasonable to require the developer to pave Hawthorn after construction as it was only to be used as an emergency exit. Morris suggested that the Commission could add an additional condition of approval requiring the applicant to bring Hawthorn Street back to the condition it was in before construction. Commissioner McClain asked why the City was choosing to re-zone the parcels instead of granting a Conditional Use Permit which would allow the parcels to revert to R-2 in case CGH failed to finish it's plans. Director Morris stated that the applicants were spending a great deal of money and did not want to invest such a large sum on a project that would be hampered by specific conditions regarding where the parking is. By changing the zoning, CGH has the right to expand the medical facilities in the future if need be. Commissioner McClain asked if the proposed parking area would have to remain as such if the City decided to go the Conditional Use route. Director Morris stated that CGH would be confined to whatever they applied for in the Conditional Use permit. She also reminded the Commissioners that the subject properties are currently adjacent to a C-3 zoned parcel. She also stated that this application was a qualified zone change with conditions, so if another commercial endeavor did take over the parcels, they would still have to abide by the buffer zone on the North, Hawthorn gated access, and they would be required to perform a traffic impact study. Chair Markham closed the public discussion at 7:53 pm. After adding an additional condition of approval which requires that Hawthorn Street be paved to minimal municipal standards after construction is completed (Motion Commissioner Wulkowicz/ Second Chair Markham) the PC recommended approval of File # CPZ-1-09 to the City Council 5-0.

The Chair opened the public legislative hearing regarding File No. **LDC-13-09**, Hazardous Building Site Protection/ Hillside Development Standards, a proposed amendment to Chapter 17.100 of the Brookings Municipal Code, of the BMC, City initiated. The criteria used to decide this matter is found in Chapter 17.140 Amendments, of the BMC. 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 these requests. Sr. Planner Colby-Hanks reviewed the staff report. A Letter from the State Board of Geologists that redefined "geological report" and clarified which individuals could submit that type of report, prompted the revisions. Erosion control measures and additional assurances that engineered plans were actually constructed as approved were also added. The new language includes reference to Chetco River adjacent properties and Commissioner Wulkowicz was concerned that citizens attempting to build on flat river front properties would be required to utilize expensive engineers and geologists when it may be unnecessary. Director Morris explained that river adjacent properties often have storm drainage concerns that require engineering and for that reason requiring engineering consultation is a good thing for the community and the property owner. She suggested that the PC add the words 'with a greater than 15% slope' to the text concerning Chetco River adjacent properties. With a minimum of further discussion, Commissioner Bismarck made a motion and Commissioner Gorman seconded that the PC make a recommendation to City Council, with the addition of 'with a greater than 15% slope' for approval of File No. **LDC-13-09**. Motion passed unanimously.

The Chair opened the public legislative hearing regarding File No. **LDC-15-09** Establishment of Zoning Districts & Zoning Map, a proposed amendment to Chapter 17.12 of the BMC, City initiated. The criteria used to decide this matter is found in Chapter 17.140 Amendments, of the BMC. Sr. Planner Colby-Hanks reviewed the staff report regarding File No. **LDC-15-09**. The revisions included, adding Master Zone, some language simplification and an update of the zoning map. Commissioner Bryan moved that the PC make a recommendation to City Council for approval of File No. **LDC-15-09**. Commissioner Wulkowicz seconded and the motion carried unanimously.

#### **APPROVAL of MINUTES**

By a 5-0 vote (motion: Chair Markham Second: Commissioner Bryan, Commissioner Bismarck abstaining) the PC approved the minutes of the September 1, 2009 PC meeting.

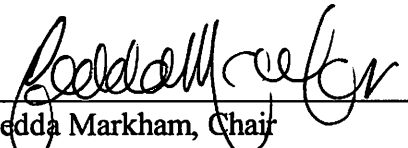
#### **COMMENTS by the PLANNING STAFF**

Director Morris reminded the PC that they had received an invite to the Volunteer Recognition event. November 2<sup>nd</sup> will be a Joint Management Agreement Workshop at 4:00pm. Additionally the LCDC Chair responded to Mr. Thomas Huxley regarding his concerns surrounding the planning process in Brookings, Director Morris shared the letter.

#### **ADJOURNMENT:**

With no further business before the Planning Commission, the meeting closed at 8:19 pm.

Respectfully submitted,

  
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Hedda Markham, Chair  
(approved at 11/3/2009 meeting)