MINUTES
BROOKINGS PLANNING COMMISSION
August 2, 2016

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

Commissioners Present: Loren Rings, Cheryl McMahan, Gerry Wulkowicz, Ray Hunter, Joseph Vogl
Staff Present: Planning Manager - Donna Colby-Hanks; Administrator - Lauri Ziemer; City Manager - Gary Milliman; City Attorney - Martha Rice
Others Present: 10 audience members

PLANNING COMMISSION BUSINESS

City Manager Gary Milliman introduced City Attorney Martha Rice. Rice provided a handout to the Planning Commission, reviewed the history of public meeting laws, and explained land use decisions. The Commission thanked both Milliman and Rice for attending the meeting to present the information.

PUBLIC HEARINGS

Public hearing procedures were addressed by Acting Chair Wulkowicz.

- Acting Chair Wulkowicz opened the quasi-judicial hearing regarding File No. CPZ-2-16.

File Description: In the matter of the File No. **CPZ-2-16**, Owner: David and Janet Snazuk, Representative: John Bischoff, Wildwood Planning have requested a zone change from Single Family Residential (R-1-6) to Multiple-Family Residential (R-3) on approximately 4.22 acres of a 5.17 acre parcel located at 302 Lundeen Road, Assessors Map 41-13-05B Tax lot 1403. The criteria used to decide this matter can be found in Chapter 17.140 Amendments of the Brookings Municipal Code (BMC). This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:29pm. Planning Manager Colby-Hanks reviewed the staff report. Commissioner Wulkowicz asked if it would be clearer if the zone boundary were described by mete and bounds.

The representative, John Bischoff, Wildwood Planning, verified that the Planning Commission had received the addendum that requested the zoning for the western 4.22 acres of the parcel be changed to R-3. The eastern portion would remain R-1-6 and act as a buffer to the existing single family dwellings. Bischoff discussed the maximum number of dwelling units that could be sited on the property.

Richard Wise, P.O. Box 7682 Brookings spoke in support of the application but questioned the property being split zone. Wise owns a parcel to the east and described the issues that he has encountered in development of his property. Colby-Hanks explained that the Wise property was more challenging as it is located within both the City and Curry County. Wise confers with two jurisdictions for development. The Department of Land Conservation and Development representative, Dave Perry, was contacted regarding the split zone proposal. Perry did not see any issues and felt the R-1-6 portion of the subject property would provide a buffer.

Ted Freeman, Jr, 357 Gardner Ridge Road, Brookings supported the application. Freemen stated his employees are struggling to find apartments and the R-3 zone would provide for needed housing.

There was no one in opposition and no interested parties. Applicant, David Snazuk, P.O. Box 1096, Gold Beach, OR 97444 provided rebuttal and stated that the zone boundary was a surveyed easement.

No participant requested additional time to submit materials and the representative did not request additional time for written rebuttal. The public hearing was closed at 7:55pm.

The Commission deliberated on the matter . By a 5-0 vote (motion: Wulkowicz, 2nd Vogl) the Planning Commission voted to approve File No. CPZ-2-16 to authorize a zone change from R-1-6 to R-3 on the western 4.22 acres of property identified as Assessor's map 41-13-05B; tax lot 1403 located at 302 Lundeen Road, based on the findings and conclusions stated in the staff report and subject to the condition of approval as well as the addition of a condition that the zone boundary be described by metes and bounds.

Commissioner McMahan made a motion to approve the final order with the additional condition of approval, which was seconded by Hunter. The final order was approved by unanimous vote.

- Acting Chair Wulkowicz opened the quasi-judicial hearing regarding File No. APP-1-16.

File Description: In the matter of File No. **APP-1-16**, an appeal of the Public Art Committee's (PAC) denial of a mural permit for a mural proposed at 630 Fleet Street in the General Commercial (C-3) District, Appellant: K. Kresa, Representative: D. Flanagan. The criteria used to decide this matter is found in Chapter 17.156, Appeal to Planning Commission, of the BMC and Resolution 13-R-998. This is a quasi-judicial hearing and the Planning Commission will make a decision on this matter.

There was no ex parte contact, bias or personal interest, or conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:27pm. Planning Manager Colby-Hanks reviewed the staff report. The representative, David Flanagan, 1013 7th Street, Sacramento, CA, explained the artist, Kathleen Kresa, was his sister. He stated there was a conflict of interest with the Public Art Committee and the other mural permit should be expired. Flanagan explained that there are currently no murals in the neighborhood.

There was no one in opposition and no interested parties. No participant requested additional time to submit materials and the representative did not request additional time for written rebuttal. The public hearing was closed at 8:20pm.

The Planning Commission deliberated on the matter discussing the written findings provided by the appellant as well as the documentation regarding progress on the 2014 mural. Tony Barron, Brooking Parks & Technical Services Supervisor, explained that the 2014 mural continues to make progress as indicated by the PAC minutes. By a 5-0 vote (motion: McMahan, 2nd Hunter) the Planning Commission voted to approve File No. APP-1-16 and overturn the Public Art Committee's decision to deny the mural application on property identified as Assessor's map 41-13-06DA; tax lot 10100, bases on the appellant's findings, the findings and conclusions stated in the staff report, the Planning Commissions conclusions and subject to the conditions of approval. Commissioner Wulkowicz made a motion to approve the final order, which was seconded by Commissioner McMahan. The final order was approved by unanimous vote.

- Acting Chair Wulkowicz opened the legislative hearing regarding File No. LDC-2-16.

File Description: In the matter of File No. **LDC-2-16**, revision of BMC Section 17.124.140 Specific Standards Applying to Conditional Uses, Bed and breakfast facilities to clarify this section applies to bed and breakfast facilities renting more than one room and Section 17.104.030, Home Occupation Criteria to add a one room bed and breakfast. City initiated. The criteria used to decide this matter are found in Chapter 17.140 Amendments, of the BMC. This is a legislative hearing and the Planning Commission will make a recommendation to City Council on the matter.

There was no conflict of interest declared. There was no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 8:29pm. Planning Manager Colby-Hanks reviewed the staff report.

Ilona Gyurko, 19 Otter Terrace, Brookings, stated she was supportive of the code change and felt this would be good for Brookings. Mary Geyer, 3 Otter Terrace, Brookings, stated that she was supportive of this and felt the reduced fee for a home occupation is more reflective of the level of income from the use.

There was no one in opposition and no interested parties. No participant requested additional time to submit materials. The public hearing was closed at 8:42pm.

The Planning Commission deliberated on the matter discussing the best way for citizens utilizing this provision to become aware of any requirement for changes to their homeowners insurance. Due to no other application having this requirement, Staff will conduct research on the matter.

By a 5-0 vote (motion: Wulkowicz, 2nd Vogl) the Planning Commission voted to made a positive recommendation to City Council on File No. LDC-2-16 for revisions to BMC Section 17.124.140 Specific Standards Applying to Conditional Uses, Bed and breakfast facilities to clarify this section applies to bed and breakfast facilities renting more than one room and Section 17.104.030, Home Occupation Criteria to add a one room bed and breakfast.

APPROVAL of MINUTES

By a 3-0 vote (motion: Hartzell, 2nd Rings) the Planning Commission approved the minutes of the July 5, 2016 Planning Commission meeting as presented. Commissioners Hunter and Vogl abstained due to being absent from the meeting.

STAFF REPORT

The September meeting will be cancelled due to a lack of applications. A code revision regarding short-term rentals will be ready for the October meeting.

ADJOURNMENT

Meeting adjourned at 8:50 pm.
Respectfully submitted,

Gerald Wulkowicz, Chair of the Brookings Planning Commission
(Approved at the 10/04/16 meeting)