

BROOKINGS PLANNING COMMISSION MINUTES

March 1, 2022

CALL TO ORDER

The regular meeting of the Brookings Planning Commission was called to order by Chair Wulkowicz at 7:04 pm in the Council Chambers at Brookings City Hall followed by the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Anthony Bond, Cody Coons, Clayton Malmberg, Skip Watwood, Chair Gerald Wulkowicz

Commissioners Absent: Skip Hunter

Staff Present: PWDS Director Tony Baron, Planning Tech Lauri Ziemer

Audience – approximately 20

PLANNING COMMISSION CHAIR PERSON ANNOUNCEMENTS - None

PUBLIC HEARINGS

4.1 In the matter of File No. CUP-6-22, a request for approval of a Conditional Use Permit (CUP) to operate a Short Term Rental facility at 1223 Chetco Avenue

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:08 pm. PWDS Director Tony Baron reviewed the staff report.

The applicant's representative, Ron Reel, Premier Ocean Properties, was present to answer any questions and advised the applicants will be paving the parking area before renting out the residence as a short term rental.

No members of the public spoke in opposition and no participant requested additional time to submit materials. The public hearing was closed at 7:15 pm.

The Commission discussed and deliberated on the matter. **Motion made by Commissioner Bond to approve File No. CUP-6-22, a request for a Conditional Use Permit to operate a short term rental at 1223 Chetco Avenue based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

Motion made by Chair Wulkowicz to approve the Final Order regarding file CUP-6-22, based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.

4.2 In the matter of File No. CUP-7-22, a request for approval of a Conditional Use Permit (CUP) to operate a Short Term Rental facility at 1244 Moore Street

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:19 pm. PWDS Director Tony Baron reviewed the staff report.

The applicant's representative, Ron Reel, Premier Ocean Properties, was present to answer any questions. No members of the public spoke in opposition and no participant requested additional time to submit materials. The public hearing was closed at 7:23 pm.

The Commission discussed and deliberated on the matter. **Motion made by Commissioner Watwood to approve File No. CUP-7-22, a request for a Conditional Use Permit to operate a short term rental at 1244 Moore Street based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

Motion made by Chair Wulkowicz to approve the Final Order regarding file CUP-7-22, based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.

4.3 In the matter of File No. CUP-8-22, a request for approval of a Conditional Use Permit (CUP) to operate a Short Term Rental facility at 1115 Sandy Lane

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:24 pm. PWDS Director Tony Baron reviewed the staff report. Neighbors written concerns were entered into the public record.

The applicant/owners, James & Jael Tanti were not present.

Ramona Wilson, 1106 Sandy Lane, Brookings spoke in opposition, advising the applicants were in violation of the neighborhood CCR's by building an unapproved fence and operating a short term rental as a business.

Lance Buckley, 1108 Sandy Lane, Brookings spoke in opposition, concerned about the number of short term rentals taking away from long term rentals and the violating of the neighborhood CCR's .

James Furman, 1110 Sandy Lane, Brookings spoke in opposition, citing approval for a short term rental would have adverse effects on the neighbors, decrease property values, increase transient occupancy and questioned the property manager's availability.

Jeanette Furman, 1110 Sandy Lane, Brookings spoke in opposition, citing approval is a detriment to residents and only benefits the applicant.

No participant requested additional time to submit materials. The public hearing was closed at 7:55 pm.

The Commission discussed and deliberated on the matter. Commissioners advised that the neighborhood CCR's are not enforced by the City and recourse is through civil action by the homeowners. Tony Baron mentioned study conducted in February with the Police Department on the number of complaints made against short term rentals in the last six years which revealed five complaints were received, with only two of them being for a loud party, and both calls referring to the same property. Condition of Approval does allow for revocation of a CUP if multiple complaints are received, and to date Planning Commission has not had a hearing for revocation. Instances of adverse effects on neighborhoods because of a short term rental could not be determined. **Motion made by Commissioner Bond to approve File No. CUP-8-22, a request for a Conditional Use Permit to operate a short term rental at 1115 Sandy Lane based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 3-0 vote the motion carried, with Commissioner Malmberg and Coons voting against.**

Motion made by Chair Wulkowicz to approve the Final Order regarding file CUP-8-22, based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 3-0 vote the motion carried, with Commissioner Malmberg and Coons voting against.

4.4 In the matter of File No. CUP-9-22, a request for an existing church to operate a benevolent meal services facility at 1600 Chetco Avenue, Brookings Nazarene Church

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 8:02 pm. PWDS Director Tony Baron reviewed the staff report.

Pastor Chris Hayne, representative for the Brookings Nazarene Church was present and advised the church is partnering with other churches to provide meal services and was available to answer any questions.

Tammy Tanner, 994B Parkview Drive, Brookings spoke in opposition, citing concern for the safety of people crossing Highway 101 to the church and homeless encampments in the area.

Donn Dickerman, 994A Parkview Drive, Brookings spoke in opposition, citing safety issues on Hwy 101, concerned people will be encroaching on his property, and trash, as problems already exist with homeless people in the area.

Chris Hayne spoke to their concerns, advising the church has installed cameras, gates, signs and fencing to discourage that behavior. They will have security staff to make sure impact is minimal and make adjustments as needed. They are willing to work neighbors on their concerns.

No participant requested additional time to submit materials. The public hearing was closed at 8:18 pm.

The Commission deliberated on the matter. Tony Baron did advised that ODOT does have plans to upgrade Hwy 101 and increase pedestrian safety in the next two years. **Motion made by Commissioner Malmberg to approve File No. CUP-9-22, a request for a Conditional Use Permit to operate a benevolent meal services facility at 1600 Chetco Avenue, Brookings Nazarene Church, based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

Motion made by Chair Wulkowicz to approve the Final Order regarding file CUP-9-22, based on the findings and conclusions stated in the Staff Report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.

MINUTES FOR APPROVAL

5.1 Minutes of regular Planning Commission meeting of February 1, 2022

Motion made by Chair Wulkowicz to approve the Planning Commission minutes of February 1, 2022; motion seconded, with no further discussion by a 5-0 vote the motion carried.

UNSCHEDULED PUBLIC APPEARANCES – None

REPORT FROM THE PLANNING STAFF – PWDS Director Tony Baron provided information on query from the Commission if other jurisdictions require building safety inspections in the application process of a CUP for a short term rental. He advised that four city planning departments were contacted; Astoria, Florence and Bandon do not have any inspection requirements, Talent does have a clause in their conditions of approval “requiring applicant to agree to allow city staff to inspect the dwelling unit prior to approval of the application, should staff determine and inspection is necessary, and at any time after approval in response to complaints, upon 24 hours notice to the applicant”.

COMMISSION FINAL COMMENTS – Commission discussed changing BMC to require inspections and need to have local property representative for short term rentals.

ADJOURNMENT

Chair Wulkowicz adjourned the meeting at 8:37 pm.

Respectfully submitted,



Gerald Wulkowicz, Brookings Planning Commission
Approved at the April 5, 2022 meeting