

# **MINUTES**

## **City of Brookings**

### **SPECIAL MEETING**

Brookings City Hall Council Chambers  
898 Elk Drive, Brookings, Oregon 97415

**Wednesday, December 3, 2008**

#### **I. Call to Order**

Mayor Anderson called the meeting to order at 7:00pm.

#### **II. Roll Call**

Council present: Mayor Larry Anderson, Councilors Hedenskog, Gordon and Pieper; a quorum present. Councilor Kitchen was absent.

Staff present: City Manager Gary Milliman, Planning Director Dianne Morris, and City Recorder Joyce Heffington.

Other present: Curry Coastal Pilot Reporter Arwyn Rice, and approximately 10 public.

#### **III. Public Hearings**

Mayor Anderson opened the continuation of the public hearing begun on October 20<sup>th</sup>, 2008, at 7:02pm in the matter of File No. APP-2-08/DDP-1-08, an appeal of the Planning Commission's approval of a Detailed Development Plan (DDP) for Southwestern Oregon Community College (SWOCC), on a 10 acre site and a subdivision creating this 10 acre parcel and platting a street from an 80 acre parent parcel; located on the easterly side of Highway 101 approximately 1 mile north of its intersection with Carpenterville Road; Assessor's Map 40-14-00 Tax Lot 2400; zoned Master Plan Development (MPD); Oregon Shores and Catherine Wiley, appellants; CRAG, representative. Criteria used to decide this application can be found in Section 156-appeal to City Council; Section 70-Master Plan Development District (MPD); Section 100-Hazardous Building Site Protection; Section 176.060-Major Partitions and Subdivisions; and Section 172-Public Facilities, of the Brookings Land Development Code (Ord.89-O-446). Reviewing the DDP (Detailed Development Plan) using these code sections is required by Chapter 70.110-MPD.

#### *Under ex parte:*

Councilor Gordon stated that he and Catherine Wiley had attended a County meeting together and had a very brief discussion, the extent of which involved Wiley generally telling him that the public's perception that she is against the college is incorrect.

In response to a written request by Oregon Shores for further clarification of his ex parte declaration at the October 20<sup>th</sup> hearing, Councilor Hedenskog generally stated that he had worked as an employee for the Richard B. Davis Company, a surveying firm, and was the field surveyor who performed the boundary survey and a map of the subdivision on the parent parcel.

There were no conflicts or bias declared and no objections to Council's jurisdiction to hear the matter.

Mayor Anderson entered Exhibits P, Q and R, submitted subsequent to the October 20<sup>th</sup> hearing, into the record.

Mayor Anderson stated that public testimony portion of the hearing had been closed on October 20<sup>th</sup>, and introduced for discussion a timely-submitted written request from the Applicant to allow a period for written testimony to be submitted in response to wetland issues brought forward by the Department of State Lands in Exhibit O-1, and a

recommendation from staff to allow a period for written testimony in response to cultural resource issues.

**Councilor Hedenskog moved, a second followed and Council voted unanimously to grant the request to re-open the written record portion of the hearing in the matter of APP-2-08/DDP-01-08, limited to wetland and cultural resource issues, to be submitted to the Planning Department, according to the following timetable:**

From Thursday, December 4, 2008, to no later than 4:30 p.m., Tuesday, January 6<sup>th</sup>, 2009, anyone who has participated in this hearing proceeding is allowed to submit additional written testimony and/or evidence limited to the issues as stated. No additional testimony will be accepted after this time.

From Wednesday, January 7<sup>th</sup>, 2009, to no later than 4:30 p.m., Friday, February 6<sup>th</sup>, 2009, anyone who has participated in this hearing may provide written rebuttal only to testimony and/or evidence submitted during the prior period. No new evidence will be accepted after this time.

From Saturday, February 7, 2009, to no later than 4:30 p.m., Friday, February 13<sup>th</sup>, 2009, the applicant will be allowed to submit written rebuttal to any testimony and/or evidence submitted during the first two periods. No new evidence may be submitted during this period.

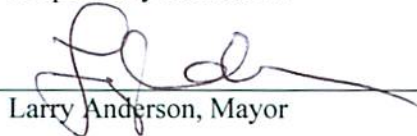
**Councilor Hedenskog moved, a second followed and Council voted unanimously to establish Wednesday, February 25<sup>th</sup> as the next date to review and deliberate on this issue [APP-2-08].**

The hearing was continued to a date and time certain of February 25, 2009 at 7:00pm.

#### **IV. Adjournment**

**Councilor Hedenskog moved, a second followed and Council voted unanimously by voice vote to adjourn at 7:14pm.**

Respectfully submitted:

  
\_\_\_\_\_  
Larry Anderson, Mayor

ATTESTED:  
this 13<sup>th</sup> day of January 2009:

  
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Joyce Heffington, City Recorder