

BROOKINGS PLANNING COMMISSION MINUTES

September 18, 2007

The public hearing 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: Chair Markham, Steve Bismarck, Bill Dundom, Randy Gorman, Juliane Leighton, Bruce Nishioka, Richard Yock

Staff Present: Dianne Morris, Planning Director, Donna Colby-Hanks, Senior Planner, and Cathie Mahon, Secretary.

Media: Coastal Pilot reporter Tom Hubka

Other: Approximately 25 participants in the audience

CHAIR ANNOUNCEMENTS

Chair Markham opened the Public Hearing at 7:03p.m. She announced the hearing was a continuation of File No. **LDC-1-07**, a consideration of Ordinance No. 07-O-593 titled Downtown Business District (DBD) of Chapter 17.54. The Chair outlined the manner of the meeting. Testimony by participants who have signed in would be heard and any other interested parties. The commissioners and City staff would have the opportunity to review any testimony and ask questions on the material. The public hearing would be closed (for testimony). Deliberation and review of the request from the Commission would follow. A motion would be made to forward a recommendation (either favorable or not) to City Council for their review.

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTION IN THE PUBLIC HEARINGS

Planning Director Morris discussed the updated version, changes that were made from concerns expressed at the initial hearing September 4, 2007. The public hearing was left open so all concerned parties would have an opportunity to voice their concerns. A revised version was prepared based on the comments made at the September 4th hearing. A review of the updated version was highlighted:

- Purpose: This district is intended to assist in the creation of *an attractive, economically viable* town center for Brookings;
- Automobile sales, bowling lanes, motion picture theaters, and existing residential use, were added to the Permitted Uses section;
- Short Term Rentals was added to Conditional Uses.
- Building and Pedestrians Amenities: All new commercial structures shall utilize at least six of the following design features. *All new structures shall utilize at least eight six of the following design features...*
- Yard Requirements and Building Orientation-Pedestrian connections *must be constructed* to parking lots at the rear or sides of building. Pedestrian connections from the public sidewalk to *side and/or rear entries must be constructed, if applicable.* (note: italics are changes from the revised version and at the meeting).

Planner Morris concluded her review by stating the DBD was a City initiated zone for revitalization of the downtown area. The revised version of the DBD zone includes Automobile sales and bowling lane businesses have been added to Chapter 17.54.020 Permitted Uses. A clarification that movie theaters are also a permitted uses.

Read into the record, Exhibit F, was a letter from Ron Walker, president of Coastal Auto Center Inc., located at 530 Chetco Avenue. His request was to be excluded from the proposed DBD zone, citing the zoning restrictions as outlined, would impose a hardship for the business and reduce value of their property.

Discussion ensued. Commissioner Bismarck stated the burden of the stakeholders should be proportional to what the City puts in (contributes). He added having a program similar to the current URA (Urban Renewal Advisory Committee) *Facade Improvement Program* with the City matching funds for the improvements. Commissioner Gorman questioned the same concern about available funds to the business owners.

Proponents

Pete Chasar, 935 Marina Heights, stated he is a member of the URA committee. He stated the goal of the DBD zone is to revitalize the downtown and “make Brookings as good as it can be”. He added he supports the DBD because it is a start toward that goal.

Planner Morris amplified on that goal. The history of revitalization of the downtown started in 1998 with the PROUD (Proud Revalidation of Urban Downtown) committee. The PROUD committee was a group of property and business owners with the objective of beautifying the downtown area. Their study and findings was adopted in July 2000. Drawing from the PROUD study resulted in the creation of the Downtown Brookings Master Plan published in October of 2002.

Opponents (Brookings)

Karen and Gary Kerr, owners of Azalea Lanes	410 Oak Street
Robert Minshew, proprietor of The Gallery Restaurant	515 Chetco Avenue
Ron Walker, owner of Coastal Auto Center	530 Chetco Avenue
Kim Bishop, owner of Bernie Bishop Mazda	365 Wharf and 620-625 Spruce St.
Bob Pieper, owner of Hearth & Home	548 Chetco Avenue
Michelle Scala, employee of Bernie Bishop	P. O. Box 6251
Elmo Mosman	P. O. Box 87
Mark Gadson, owner of ARC Enterprises	531 Spruce St.
Charlie Kocher, Publisher of <i>The Coastal Pilot</i>	507 Chetco Avenue
James Wheelles, owner of Eversun Electronics	636 Hemlock

Planner Morris read the beginning of the purpose statement into the record.

This district is intended to assist in the creation of *an attractive, economically viable* town center for Brookings. The Downtown Business District (DBD) is defined as the first tier of lots on the north side of Hwy.101 (Chetco Avenue) from Center St. to Oak St. to the north side of Railroad St. and from Center St. on the west side of Alder St. The district provides a mix of commercial, residential, and civic land uses in a pedestrian-friendly environment. Design standards encourage complementary uses to locate close together, supporting the storefront character of the district and reducing the need for people to drive. Consolidation of the off-street parking into shared parking areas is encourages in lieu of individual parking lots to promote efficient land use and allow for a critical mass of storefront space...

Discussion ensued regarding the purpose statement, adding “*an attractive, economically viable*” town center for Brookings. It was noted and unanimously agreed by the Commission.

Discussion ensued with the key question of what funds will the City provide to assist with improvements such as landscaping, and parking.

A short recess was declared from 8:55 p.m. The meeting reconvened at 9:05.

- Commissioner Gorman inquired about the possibility of returning the proposal back to the City.

Planner Morris responded that was a possibility if an agreement could not be reached at this second hearing. She explained the Land Development Code committee is comprised of representatives from: Council, one from the Planning Commission, a Planner, and the City Manager. She stated perhaps the best course is to continue the hearing and in the meantime issues raised at the hearing would be discussed with the Land Development Committee and the City Manager.

- Commissioner Dundom stated the folks affected (in the DBD district) by the new zone should be at some of the meetings, have some input.
- Commissioner Nishioka stated he wanted to keep the proposal going forward but also wanted a response from the City on what the City envisions for parking and the financial aspect between the City and people within the DBD. A key question would be, would it be an economically viable plan for all parties (City and property owners).
- Commissioner Bismarck pointed out parking is necessary whether it remains the current zone of C-3 (General Commercial), or becomes the new zone-DBD (Downtown Business District). Parking is still an issue that needs to be addressed.
- Commissioner Gorman added public improvements-curb and gutter, sidewalks and streets-would be another key improvement.
- Commissioner Nishioka questioned if the City could provide a “cost analysis” for the infrastructure-ie: curb and gutter, sidewalks, and street improvements.
- Commissioner Gorman and Commissioner Dundom expressed their opinion the DBD is a great start for improving the area but the financial burden should not be totally from the business owners.

Discussion ensued:

- Commissioner Nishioka stated he would like to see it go forward to City Council.
- Commissioner Bismarck stated he thought making a motion to forward the issue to City Council made by 10 o'clock.
- Commissioner Dundom pointed out public testimony reflects only one out of 10 participants is in favor of the proposal.

Commissioner Nishioka made a motion to reject the proposal with the recommendation to City Council that they determine economic incentives to promote the Downtown Master Plan. The motion was seconded but was withdrawn.

Discussion ensued with more input from participants in the audience.

- Ron Walker stated the proposal is flawed, questioned why this area and not the whole downtown area, and commented on the severity of the restrictions.
- Bob Minshew stated he is not convinced the plan would be economically positive, adding he thought if the new zone was implemented, it would devalue his property.
- Rick Gray questioned the sidewalk widths, suggested the City realize it rains 100 inches annually and no one walks on the sidewalks 6-7 months out of the year. He also suggested having the property owners submit their input in written form as an option. He concluded a “moderate compromise” with pedestrian walkways, alley access, and building height are issues to review, before submitting it to City Council

Planner Morris reiterated the choices for making a motion:

- Recommend approval or;
- Recommend approval with conditions or;
- Recommend denial.

By a 2-5 vote (Motion: Commissioner Dundom; Commissioners Dundom, and York voted in the affirmative; Commissioner Bismarck, Gorman, Leighton, Nishioka and Markham voted against the motion) the Planning Commission voted to send a denial of the proposal outlined in File No. **LDC-1-07**, based on public testimony from property owners and business owners within the (DBD) zone. Motion failed.

Discussion ensued.

- Commissioner Leighton stated the potential of sending it to Council is, it stays the same. Perhaps we should look at: the infrastructure, funding options, and boundaries, and see how the City can be accountable to these issues. She suggested reviewing all the factors and having a compromise before sending it to Council. She concluded that everyone wants beautification of the downtown area but the total burden should not be solely on the property/business owners.

Commissioner Bismarck made a motion to deny File No. **LDC-1-07**, based on the degree of the burden of proof achieved by the applicant was sufficiently undermined. In other words-the opponents showed a stronger case than the City. This motion was withdrawn.

By a 4-3 vote (Motion by Commissioner Nishioka; Commissioners Gorman, Leighton, Nishioka and Markham voted in the affirmative; Commissioners Dundom, Bismarck and Yock voted against the motion) the Planning Commission voted to continue the public hearing of File No. **LDC-1-07**, until the next Planning Commission meeting on October 2, 2007, in Council Chambers at 7:00 p.m.

COMMENTS by the PLANNING STAFF

- Planner Morris reminded the Commission the next meeting is October 2, 2007 with the Continuation of LDC-1-07. Also on the agenda is a Conditional Use Permit.

COMMISSIONERS COMMENTS

Commissioner Bismarck commented on the public testimony (heard at the current meeting). He stated when a commissioner asks a participant to answer questions, the participant should be reminded to stay on the topic/issue and not get waylaid into other issues. He suggested that be part of the opening statement before hearing a case. Chair Markham concurred.

ADJOURNMENT:

With no further business before the Planning Commission, the meeting closed 10:12 p.m.

Respectfully submitted,

Hedda Markham, Chair
(approved at _____meeting)