

BROOKINGS PLANNING COMMISSION MINUTES

May 1, 2018

The regular meeting of the Brookings Planning Commission was called to order by Chair Bryan Tillung, at 7:01 PM in the Council Chambers at Brookings City Hall.

Commissioners Present: Skip Hunter, Cheryl McMahan, Loren Rings, Bryan Tillung, Gerry Wulkowicz

Staff Present: Parks & Planning Manager – Tony Baron; Administrator - Lauri Ziemer

Others Present: 10 audience members

PUBLIC HEARINGS

Public hearing procedures were addressed by Chair Tillung.

- Chair Tillung opened the quasi-judicial hearing regarding File No. CUP-1-18

File Description: In the matter of the File No. CUP-1-18, a request for approval of a Conditional Use Permit to operate a Short Term Rental facility at 609 Meadow Lane, a 0.99 acre parcel located on Assessor's Map No. 40-13-31DD; Tax Lot 1500. The applicant/owner is Jason & Caroline Covington. The criteria used to decide this matter is found in Section 17.124.170 – Short-term rentals, Chapter 17.136 - Conditional Uses, and Section 17.20.040(Q) Single-Family Residential (R-1-6) Conditional uses of the Brookings Municipal Code (BMC). This is a Quasi-judicial hearing and the Planning Commission will make a decision on the matter.

There was no ex parte contact 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 7:05 PM. Parks and Planning Manager Tony Baron reviewed the staff report.

Applicant Jason Covington, 2313 E 1450 S, Spanish Fork, Utah described the reason for requesting a conditional use permit to operate a short term rental and was there to answer any questions.

Doug Hutton, 601 Meadow Lane, Brookings stated he was opposed to a vacation rental in the neighborhood and stated that the lawn is not maintained and the trash cans remain on the street.

Holly Beyer, 625 Meadow Lane, Brookings stated she was concerned about the rental aspect and the influx of unknown people at the property along with pets and the yard is not fenced. Also concerned about possible loud parties and noise disrupting a quiet neighborhood.

Kathy Jirsa, 619 Meadow Lane, Brookings stated she was opposed to a vacation rental, unknown people in the neighborhood and the impact.

Joyce Hannun, 604 Meadow Lane, Brookings questioned if a sign was going to be installed, if visiting dogs would disrupt the neighborhood, if vehicles would be parked on the street and if there was a City noise ordinance.

Applicant Jason Covington addressed the neighbors concerns by advising that the home will be rented for only three days or more, background checks will be conducted on renters, and advise renters no loud parties are allowed. He will have a local property manager to take care of the lawn maintenance and trash. No animals will be allowed, no sign is going to be put up and the renters will have parking for two vehicles in the garage and four vehicles in the driveway. He will provide neighbors with his phone numbers and the property manager to address any concerns with renters.

Parks and Planning Manager Tony Baron advised that the City does have a noise ordinance and neighbors can call the police who will cite the parties involved.

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 7:34 PM.

The Commission deliberated on the matter. Commissioner Wulkowicz explained to the audience the Conditions of Approval for short term rentals and if issues arise, the Conditional Use Permit be revoked. By a 5-0 vote (Motion: Wulkowicz, 2nd Rings) the Planning Commission approved File No. CUP-1-18 as presented.

Commissioner Wulkowicz made a motion to approve the final order as presented, which was seconded by Chair Tillung. The final order was approved by unanimous vote.

- Chair Tillung opened the quasi-judicial hearing regarding File No. CUP-2-18

File Description: In the matter of the File No. CUP-2-18, a request for approval of a Conditional Use Permit to operate a marijuana concentrate extraction and distillation facility at 648 Hemlock, a 0.76 acre parcel located on Assessor's Map No. 41-13-06DA; Tax Lot 4900. The applicant is Chris Swick. The criteria used to decide this matter is found in Section 17.52.040 (N) – Conditional Uses and Chapter 17.136 - Conditional Uses of the Brookings Municipal Code (BMC). This is a Quasi-judicial hearing and the Planning Commission will make a decision on the matter.

There was no ex parte contact 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 7:37 PM. Parks and Planning Manager Tony Baron reviewed the staff report.

Applicant Chris Swick, PO Box 7583, Brookings, explained that his business is OLCC regulated and licensed with the state and was there to answer any questions.

A letter from Robert and Doris Allsup, PO Box 2053, Brookings, was read into the record, objecting to the permitting of another marijuana business in Brookings.

Applicant Chris Swick addressed those concerns by advising that this was not a retail business and he will not be selling marijuana to the public.

Commissioner Rings questioned how left over material after processing was disposed of. Applicant stated there is no material left over and any trash will be disposed of in trash bags and picked up by CTR.

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 7:52 PM.

The Commission deliberated on the matter. By a 5-0 vote (Motion: Wulkowicz, 2nd McMahan) the Planning Commission approved File No. CUP-2-18 as presented.

Commissioner Wulkowicz made a motion to approve the final order as presented, which was seconded by Commissioner McMahan. The final order was approved by unanimous vote.

APPROVAL of MINUTES

By a 3-0 vote (motion: McMahan, 2nd Rings, with Commissioners Wulkowicz and Chair Tillung abstaining due to absence from the meeting) the Planning Commission approved the minutes of the February 6, 2018 Planning Commission meeting as presented.

PLANNING STAFF REPORT

Staff presented the 2017 Committee for Citizen Involvement report as required by resolution 399. By a 5-0 vote (motion: Wulkowicz, 2nd Rings) the Commission accepted the CCI annual report. The report will be forwarded to the City Council.

CHAIR ANNUAL REPORT

Chair Tillung presented the annual report that summarized the Commission's activities for 2017. By a 5-0 vote (motion: Wulkowicz; 2nd Rings) the Planning Commission accepted the report. The report will be forwarded to the City Council.

ELECTION OF CHAIR AND VICE-CHAIR

Commissioner Wulkowicz nominated Chair Tillung to continue as Chair for 2018, seconded by Commissioner Rings. By a 5-0 vote, Chair Tillung was reappointed as chair for 2018.

Commissioner Wulkowicz nominated Commissioner Rings as Vice-chair for 2018, seconded by Commissioner McMahan. By a 5-0 vote, Commissioner Rings was appointed vice-chair for 2018.

ADJOURNMENT

Meeting adjourned at 8:00 P.M.

Respectfully submitted,



Vice Chair, Brookings Planning Commission
Approved at the June 5, 2018 meeting