



Planning Commission Minutes
October 14th, 2019

Members of the Planning Commission met this day in regular session at City Hall, Brownsville, Oregon at 7:00 p.m.

Present: Commissioners Gary Compton, Rob Wingren, Kaye Fox, Don Andrews, Steve Schilling, Jack Alzman, Erica Harms, City Administrator Scott McDowell, & Administrative Assistant Elizabeth Coleman.

Absent: None.

Public: Linda McCormick, Randy Ginn, Natalie Wade, Lynlee Bischoff, Karen Grant, Wendy Toshitsune, Sheila Wingren.

Presiding: Gary Compton.

The Pledge of Allegiance was recited.

The meeting was called to order at 7:00 p.m.

July 8th, 2019 Minutes

Commissioner Andrews moved to accept the minutes as written, Commissioner Fox seconded, and the motion passed unanimously.

PUBLIC HEARINGS

107 Coshow Avenue Conditional Use Permit for Home Occupation

Lynlee Bischoff, The Balancing Point

Chair Compton explained the process of the hearing and the required statutory statement regarding appeals. Chair Compton asked if there were any conflicts of interest, biases, or ex parte contact. Commissioner Wingren recused himself from the 107 Coshow Avenue hearing, as he is the applicant's landlord.

Commissioners Andrews & Alzman said they have been a customer of the applicant. Chair Compton asked Commissioners Andrews & Alzman individually if an impartial decision could be made based on the findings of fact and relevant policies and ordinances adopted by the City; both said Yes.

Mrs. Coleman summarized the conditional use application. The applicant requests to move her Therapeutic Massage and Wellness Education business to her residence at 107 Coshow Avenue. The residence is in the Medium Density Residential zone. The Brownsville Municipal Code allows Home Occupations as a Conditional Use inside the city limits. Chair Compton reiterated the Staff's conclusion that the application meets the criteria for a home occupation.

Mrs. Coleman explained the proposed use would be in an existing space, no new construction was requested, the applicant stated excessive traffic will not be an issue, as one client will be seen at a time. Adequate parking is available off-street.



Planning Commission Minutes

Commissioner Andrews clarified the Conditional Use does not run with the land. A new application must be submitted if the current applicant ceases to utilize the approved Conditional Use in the future.

Chair Compton gave Ms. Bischoff an opportunity to explain her application. Ms. Bischoff mentioned the Massage Therapy was her home business in California for 14 years. She is currently at the end of a dead-end street and does not foresee any negative impact to the neighbors. She currently works four days a week and sees three clients per day.

Commissioner Alsman agreed the location at the end of a street that has minimal traffic is appropriate for this application request.

Chair Compton opened the public portion of the hearing for proponents or opponents. None were present. Chair Compton closed the public portion of the hearing for Commission Discussion.

Commissioner Fox moved to approve the application for the 107 Coshow Avenue Home Occupation, subject to the conditions of approval, and to adopt the findings of fact and conclusions in the staff report dated September 26th, 2019. Commissioner Schilling seconded and the motion passed unanimously.

209 Templeton Street Conditional Use – Residence Secondary to the Primary Commercial Use Natalie Wade, Bramble House

Chair Compton explained the process of the hearing and the required statutory statement regarding appeals. Chair Compton asked if there were any conflicts of interest, biases, or ex parte contact. Commissioner Wingren said he spoke with the applicant in a business capacity regarding electrical work. He answered Yes to Chair Compton's statement regarding impartial decision making related to the application.

Mrs. Coleman explained the applicant's proposal is to live in an existing building on the premises of the Bramble House, in the Volume Commercial zone. Ms. Wade is the current owner of the Bramble House and has submitted a Business Registration to the City of Brownsville to open a restaurant, event center, and space for temporary guest accommodations located at 209 Templeton Street.

The Brownsville Municipal Code conditionally allows residences, secondary to the primary commercial use in the Volume Commercial Zone. The existing building is located on the northeast side of the property. Ms. Wade found the building was constructed without a permit, and if the application is approved, a Linn County Building Permit and inspection shall be obtained prior to occupancy. Mrs. Coleman explained if the primary use (restaurant) ceases operation, the guestroom/living area will no longer comply with the code and shall not be occupied.

Chair Compton gave the applicant the opportunity to speak about the proposal. Ms. Wade explained the Bramble House is located in a somewhat secluded street off of Templeton. She spends a great deal of time onsite preparing for use of the restaurant and event center. She would like to live closer to the business, yet it is difficult to find rentals in Brownsville. When Ms. Wade purchased the Bramble House, she was not aware the small guestroom/bathroom had not been permitted. The Bramble House also has a bridal suite inside the main building (restaurant), but the Health Department does not allow comingling of restaurant and sleeping areas. Ms. Wade would like permission to bring the secondary building into compliance and live on the premises while caring for the primary business.



Planning Commission Minutes

Chair Compton allowed proponents and opponents the opportunity to speak. Linda McCormick, 37994 Hwy 228 spoke in favor of the application.

Chair Compton closed the public portion of the hearing for Commission discussion. Chair Compton agreed the business is a great use of the space, residences secondary to a primary commercial space have worked in the past. Commissioner Wingren agreed; he walked through the property as well and it seems like a good fit for the area. As a neighboring property owner, he appreciates someone else keeping an eye on the surroundings. Commissioner Harms confirmed with the applicant the business will be events and a restaurant.

Commissioner Andrews moved to approve the application for a residence, secondary to the primary commercial use at 209 Templeton Street, subject to the conditions of approval, and to adopt the findings of fact and conclusions in the staff report dated October 3rd, 2019. Commissioner Wingren seconded and the motion passed unanimously.

250 Main Street Conditional Use – Residence Secondary to the Primary Commercial Use Randy Ginn, Main Street Coffee

Chair Compton explained the process of the hearing and the required statutory statement regarding appeals. Chair Compton asked if there were any conflicts of interest, biases, or ex parte contact. The majority of the Commissioners are regular patrons of the applicant's establishment, Randy's Main Street Coffee. Those Commissioners expressed the ability to provide an impartial decision, based upon the Conditional Use Criteria.

Mrs. Coleman summarized the Staff Report; Mr. Ginn would like to convert a storage area that is located behind the Main Street Coffee Company to a living space for himself. The Old Town Commercial Zone conditionally allows residences, secondary to the primary commercial use of the property, including the use of second story space in commercial buildings for owner occupancy or residential rental purposes. Mrs. Coleman explained one difference between the Old Town Commercial Zone allowance and the Volume Commercial Zone is the ability to use the secondary space for rental purposes, and exterior work on the building may require approval from the Historic Review Board. Commissioner Andrews re-iterated the Conditional Use would not run with the property.

Chair Compton gave Mr. Ginn the opportunity to speak about the application. Mr. Ginn is interested in downsizing and being closer to his business. The structure of the building is acceptable, he will go through the building permit process to convert the space.

No one was present to speak in favor or against the application. Chair Compton closed the public portion of the hearing for Commission discussion. Commissioner Wingren appreciated the residential presence in the commercial area, as Mr. Ginn has been broken into several times. Commissioner Andrews said it was a great use of the space.


Commissioner Andrews moved to approve the application for a residence, secondary to the primary commercial use of the property, at 250 N Main Street, subject to the conditions of approval, and to adopt the findings of fact and conclusions in the staff report dated October 3rd, 2019. Commissioner Alzman seconded and the motion passed unanimously.



Planning Commission Minutes

There being no further business to discuss, the meeting was adjourned at 7:45pm.

ATTEST:


Elizabeth E. Coleman
Administrative Assistant


Gary Compton
Commission Chair