

CROOK COUNTY PLANNING COMMISSION MEETING

January 27, 2021

Meeting minutes are not a complete representation of discussions at the meeting. An audio recording is available from Crook County Community Development at plan@co.crook.or.us or (541) 447-3211.

Crook County Planning Commission Chair Michael Warren II called the meeting to order at 6:35 p.m. The meeting was conducted by WebEx, a call-in service and at the Crook County meeting room. Commissioners attending the meeting in person were Chair Warren, Susan Hermreck, Gary Bedortha, and Linda Manning. Commissioners George Ponte, Laquita Stec, and Bob Lundquist attended via phone. The following County staff was present at the meeting: Ann Beier and Hannah Elliott; Katie McDonald participated on the phone.

Participating via phone WebEx:

Brent McLean, Brasada Ranch
Alan Cornelius, Brasada Ranch
Adam Conway, DOWL

ITEMS NOT ON THE AGENDA

- NA

APPROVAL OF MINUTES -moved to the end of the meeting

- September 9, 2020:
- December 2, 2020:

ITEMS OF CONSIDERATION – moved to the end of the meeting

- 2021 Workplan Acknowledgement and Adoption of Decision List

PUBLIC HEARING

Chair Warren called the Public Hearing to order.

Chair Warren read the opening statements and introduced the item for consideration. **Crook County File Number 217-20-001217-PLNG** – This is a request for approval of the tentative plan for Phase 14 of Brasada Ranch Destination Resort. Phase 14 is a single-family residential phase that includes 51 residential lots (29 “traditional” lots and 22 “smaller” lots).

He then read the applicable criteria that the Planning Commission would be weighing the decision against: Crook County Code, Crook County Code, Title 18 - Zoning, Chapter 18.116 Destination Resorts and Title 17 – Subdivision, Chapter 17.16 Tentative Plans.

Chair Warren asked if any of the Planning Commission members had a conflict of interest or had any ex-parte contact with the Applicant or any member of the public.

Chair Warren then disclosed the site visit that had happened earlier in the day. He stated that he attended with Commissioners Gary Bedortha, Susan Hermreck, Linda Manning, and Bob Lundquist. Ann Beier also attended.

Commission Hermreck -no conflict
Commission Bedortha - no conflict
Commissioner Stec - no conflict
Commissioner Manning - no conflict
Commissioner Ponte - no conflict
Commissioner Lundquist - no conflict
Chair Warren responded - no conflict.

Chair Warren asked if any member of the Planning Commission had any ex-parte or contact outside of the site visit:

Commission Hermreck - no
Commission Bedortha - no
Commissioner Stec - no
Commissioner Manning - no
Commissioner Ponte - no
Commissioner Lundquist - no
Chair Warren responded - no

The Chair then asked if a member of the public, including those participating by phone, wished to challenge any member of the Commission. No members of the public stated a challenge.

Chair Warren asked to hear from staff.

Ann Beier (Crook County Community Development Director) stated that a site visit was conducted earlier today. She observed that the site visit allowed for a visual orientation to how the proposal would lay out. Originally, the development was approved in 2004, and Phase 13 was approved in 2019. This proposal is an extension of the Phase 13 area. She then described the layout of the lots. There are a few things that staff verifies, one is the open space requirement. The resort is required to maintain 50% of the resort areas as open space. The development has large unplatted acreage of open space. This proposal maintains the required open space. This project is approximately 30 acres with some taken out for road right-of-ways and two cul-de-sacs off of Spirit Rock Dr. The second item for review is the required overnight to single family dwelling ratio. The approval requires 2.5 dwellings to 1 overnight units; this phase is consistent with that requirement.

Beier then provided a summary of the Subdivision review committee meeting held last week. Those present included, the Roadmaster, Assessor's office, County Counsel's office, the Applicants, Crook County Fire Marshall, and the Planning Department. The group discussed how the roads met the standard with width and gravel shoulders. There was discussion regarding how the fire code was being met (proposed hydrants per feet). The Fire Marshall asked for turnouts on the cul-de-sacs. The Fire Code requires that once cul-de-sacs get to a certain length, there needs to be an emergency vehicle turnaround. It was agreed that those would be shown on a map and the updated copy before you shows those turnouts. According to the Fire Marshall, the turnouts could be graveled and didn't need to be paved.

The other discussion item was a change to the Fire Code since the 2004 approval. It requires if there are more than 30 houses on a road there has to be a secondary access or the homes have to have fire sprinklers. The Applicant and Fire Marshall have had continued discussions. Beier stated that a secondary access may be problematic due to the topography but the applicant could further address how the fire code could be met. Currently there are subdivisions in the County that do have the fire suppression (sprinkler) requirement. She concluded that the proposal meets the criteria for the Destination Resort and is consistent with proposals that have come before it. There are a few conditions of approval included with the staff report. Ann suggested adding a condition that the applicant meets the requirements of the Fire Code.

Chair Warren asked if there were any questions of staff from the Commissioners.

Commission Hermreck - no

Commission Bedortha - no

Commissioner Stec - no

Commissioner Manning - no

Commissioner Ponte - no

Commissioner Lundquist - no

Chair Warren asked if Russ (Fire Marshall) had seen the latest version of map with the turnouts shown. Beier said she thought he had, but perhaps the applicant could address that.

No further questions from the Commissioners.

Chair Warren asked for Applicant Testimony.

Brent McClain, with Brasada Ranch thanked everyone for their time and the opportunity; he then spoke about the particular phasing of the development. He identified DOWL as the company they were working with that had done previous phases and were familiar with the product. Adam with DOWL was on the phone tonight. Adam also provided the open space calculation and provided information that they are well within the requirement of open space. Latham Excavation is doing the excavation for this phase and they did the work on Phase 13, therefore they know the area, partners and providers involved. McClain then talked about the different product type with the smaller lot sizes, smaller dwellings and is excited to introduce this product to Brasada. The smaller product would average 1,300 to 1,900 square feet.

The Fire Code standard did come as a surprise to them as it has not come up previously and they are fully aware of the importance and severity. They are working toward a solution. At this time they are proposing to have the homes sprinkled. If the opportunity to provide a secondary access comes up they may be able to work something out with the Fire Marshall, and they would like that as an option, but the current proposal before the Commission is to sprinkle the houses.

Adam Conway, with DOWL, then spoke to Ann's comments. He had emailed the latest layout to Russ and received positive feedback. There will be another look with the final plat as it makes it rounds. Hydrants will be in accordance with Avion water and the fire code.

*Audio cut out and when reestablished:

Chair Warren asked Conway to go back to the hydrant comments.

Conway then continued with testimony regarding the hydrant spacing and then went onto detail road standards at Brasada for 20-foot paved section with gravel shoulder and ditches to accommodate storm water runoff. Adam commended Ann's summarization of the open space and overnight ratio.

Chair Warren asked for clarification if the map that Conway had emailed Russ was the same as the map that the Planning Commission had in the packet.

Conway stated that the current map was the one with the two turn around sections, then detailed his process and confirmed it was the same map.

Chair Warren asked for questions from Commissioners.

Commission Hermreck - no

Commission Bedortha - no

Commissioner Stec - no

Commissioner Manning - no

Commissioner Ponte - no

Commissioner Lundquist - no

Chair Warren asked if a condition of approval could be included, that the applicant met Crook County Fire approval?

Beier stated the applicant offered language that all units in Phase 14 will have fire suppression systems. They will come back with a final plat and at that time if Russ offers an alternative then the county could accept it at that time. Beier continued that by adding the condition of all units having a fire suppression system, then prior to an alternative for meeting the fire code, we know they meet it currently.

Commissioners discussed adding a Condition of Approval number six regarding an alternative approval from Fire Marshall to allow the applicants to meet the fire code.

Beier stated that a condition could be worded in that, as of now the units would have sprinklers but if an alternative was agreed upon by the Fire Marshall it would be acceptable.

Commissioner Bedortha added that the alternative was mutually agreed upon.

Beier concurred with Commissioner Bedortha.

Commissioner Manning asked why the turnouts were not paved.

Beier responded that it was discussed at the Subdivision Review Committee and paving was not required. She then stated that the applicant may have more information. Gravel turnouts were approved for Phase 13 and they have to have enough gravel and base to support emergency vehicle loads.

Commissioner Hermreck added that it may be more helpful with runoff being graveled as well.

Beier asked if Conway could address the Commissioner's question further.

Conway stated they are designed to be all weather access and to support the emergency vehicle load, in compliance with the Fire Code and they were approved in Phase 13.

Chair Warren asked if there was anyone else on the phone that would like to speak in support of the proposal.

Commissioner Lundquist asked for further clarification from a question posed at the site visit about possible future development going to the east, and the map before the Commission shows an undeveloped large parcel. He would like to know about an alternate route and where the property boundaries or property development boundaries were and if an alternative route was to be proposed, where would it be considered?

McClain clarified the map that was being looked at was the green one. He then stated that where Phase 14 is now, if you go to the bottom of phase 14, that is where the property boundary is. The large black line is the border with BLM property. There is a truck road to the south, it has a grade that is larger than 10% and there is a distance to travel to a main road, but they are exploring that option.

Lundquist thanked them for the clarification.

Chair Warren then asked for opponents.

Chair Warren asked Commissioners if they had any questions for Ann or further questions.

Commission Hermreck - no

Commission Bedortha - no

Commissioner Stec - no

Commissioner Manning - no

Commissioner Ponte - no

Commissioner Lundquist - no

Chair Warren - no

Chair Warren asked if the applicants wished to rebut anything that was said. They declined.

Chair Warren asked if the applicants if they would like to waive their seven day rebuttal period. They waived the rebuttal period.

Commissioner Hermreck moved that the hearing be closed to the public.

Commissioner Bedortha seconded the motion.

No discussion

Commission Hermreck - aye

Commission Bedortha - aye

Commissioner Stec - aye

Commissioner Manning - aye

Commissioner Ponte - aye

Commissioner Lundquist - aye

Chair Warren - aye

Passes 7-0.

Chair Warren closed the public hearing.

Chair Warren asked if Commissioners on the phone had any further questions for Staff.

Commissioner Ponte responded no.

Commissioner Stec responded no.

Commissioner Lundquist stated that these guys at Brasada Ranch have done a remarkably good job of developing this property and he doesn't see any issues of it going forward. They are knocking it out of the park for a destination resort.

Chair Warren then stated he would entertain a motion.

Commissioner Bedortha moved for the approval application #217-20-001217-PLNG including the staff report as presented, with a condition #6 that the applicant and Crook County Fire department will come to an amenable agreement for fire suppression on those lots.

Commissioner Hermreck seconded the motion.

Chair Warren called for the vote.

Commission Hermreck - aye
Commission Bedortha - aye
Commissioner Stec - aye
Commissioner Manning - aye
Commissioner Ponte - aye
Commissioner Lundquist - aye
Chair Warren - aye
Passes 7-0.

Beier then thanked the Commissioners and Applicants for their patience and we will be looking forward to the final plat

APPROVAL OF MINUTES

- September 9, 2020:
 - Commission Hermreck made a motion to approve the minutes, as presented. -aye
 - Commission Bedortha - abstained
 - Commissioner Stec: 2nd the motion -aye
 - Commissioner Manning - abstained
 - Commissioner Ponte - abstained
 - Commissioner Lundquist - abstained
 - Chair Warren - aye
 - Commissioner Hermreck stated that Commissioner Weberg was at the meeting. Staff will call Lawrence for a vote. Current Vote is 3- 3- 0
- December 2, 2020:
 - Commission Hermreck - aye
 - Commission Bedortha made a motion to approve the minutes, as presented.
 - Commissioner Stec - aye
 - Commissioner Manning - aye

Commissioner Ponte: 2nd the motion -aye
Commissioner Lundquist - abstained
Chair Warren: aye
Motion passes 6-0-1

ITEMS OF CONSIDERATION

- 2021 Adoption of Decision List

Beier stated that the Decision List was discussed and made available at the January Worksession.

Commission Hermreck made a motion to approve the Crook County Planning Commission Decision List 2021.

Commission Bedortha - aye
Commissioner Stec - aye
Commissioner Manning - aye
Commissioner Ponte: 2nd the motion
Commissioner Lundquist - abstained
Chair Warren - aye

Motion passes 6-0-1

Beier stated that the Commission did not need to make a formal adoption of the WorkPlan, but they could. Commission decided that they did not need to make that formal. Beier then gave an update on upcoming Planning Commission meetings and Community Development Department Updates.

Commissioner Bedortha made a motion to adjourn the meeting, Commissioner Hermreck seconded the motion.

Commission Hermreck - aye
Commission Bedortha - aye
Commissioner Stec - aye
Commissioner Manning - aye
Commissioner Ponte - aye
Commissioner Lundquist - aye
Chair Warren - aye
Passes 7-0.

Chair Warren closed the meeting @ 7:20 p.m.