

The Planning Commission of the City of Fort Bragg met in regular session on the above date at 6:02 p.m., in the Fort Bragg Town Hall, 363 N. Main Street, Fort Bragg, and the following items were discussed in the order presented.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chair Don Snyder, Vice Chair Georgia Lucas, Commissioners Meg Courtney, Mark Hannon, and Kathleen Johnson.
Absent: None.
Staff Present: Linda Ruffing, Community Development Director; Jason Dose, Planner III; and Nancy Philips, Administrative Secretary.

APPROVAL OF MINUTES

Moved by Lucas, seconded by Courtney, to approve the September 14, 2005, minutes as written.
VOTE: Ayes: Commissioners Snyder, Lucas, Courtney, Hannon, and Johnson.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

PUBLIC HEARINGS

1. **LLA 2-03 and VAR 2-03; Gayanne and Scott Alexander (applicants); Merchants Finance Corporation (owner); Ed McKinley (agent); 1405 Cedar Street; APN 020-470-20/21; Lot Line Adjustment to transfer 15' by 222' from parcel 2 (APN 020-470-20) to parcel 1 (APN 020-470-21). The remaining 15' of parcel 2 would be dedicated to the City of Fort Bragg for street improvements on Rasmussen Lane. Variance is requested to reduce the street side (west) setback from the required minimum of 10' to a minimum of 5' to provide a larger building envelope on the parcel. The building envelope is established due to the presence of wetlands and a rare plant on a majority of the property. (NOTE: This item was continued from September 14, 2005.)**

Director Ruffing stated that action on the requested applications was continued from the last meeting with direction from the Commission that staff draft alternative findings to support denial of the applications. Staff prepared a memo to the Commission that provides seven findings supporting denial of the applications. Ruffing noted that, at the last meeting, the Chair established an eight minute time limit established for all speakers. Ed McKinley, representing the applicants, had prepared a presentation for the Commission that exceeded the time limit and, consequently, he was unable to complete his presentation. After the meeting, McKinley called the Community Development Department and inquired whether there would be an opportunity to complete his presentation prior to the Commission taking action on the applications. She noted that the City also received a letter late this afternoon from Jim Jackson, an attorney representing the applicants. The letter raises a number of issues and was distributed to the Commission at this evening's meeting.

Staff recommended that the Commission not take action on the item at this time, but rather continue action to the October 26, 2005 agenda in order for the public hearing to be re-noticed. This would allow the hearing to be reopened for McKinley to complete his presentation. It would also give the Commission time to read and consider Jackson's letter prior to taking action.

Discussion:

- Chair Snyder stated that the clock did run longer than eight minutes for McKinley's presentation, but since McKinley was at a disadvantage due to the time limit imposed, continuation is the best approach.
- Responding to a question from the Commission, McKinley stated that his presentation would take about 15 minutes. He has a new map to present as well.
- Hannon added that he would like a full presentation.
- Responding to a question from the Commission, Director Ruffing said that she reviewed the procedures used in the public hearing with the City Attorney who said that the Chair has a right to establish a time limit for speakers as long as it is done when the public hearing is opened. Typically, however, the City has allowed a project applicant more time to make a presentation. She noted that the application has been in process for two years, and that it would be helpful to have the Commission engage in a more detailed discussion to "build a record" supporting their decision. This is particularly important for decisions that are likely to be appealed to the Council.
- Johnson expressed concern that continuing action could establish a precedent for public hearings to be reopened without action being taken.
- Lucas stated that she believes the application warrants more discussion. She feels that the Commission should be specific when discussing an application so it is clear that their decisions are factually based, rather than emotional decisions.

Moved by Lucas, seconded by Courtney, to continue action on LLA 2-03 and VAR 2-03 to the Commission's October 26, 2005 agenda and to direct staff to renote the public hearing.

VOTE: Ayes: Commissioners Snyder, Lucas, Courtney, Hannon, and Johnson.

CONDUCT OF BUSINESS

2. Matters from Chair/Commission/Staff

- A. Director Ruffing reminded the Commission that the City and Georgia-Pacific will be hosting a community meeting on Saturday, October 15, 2005, at Dana Gray Elementary School to inform the public about the Specific Plan process. Commissioners and Councilmembers are encouraged to attend. She added that there is one item agendaized for the Commission's October 12 meeting.

ADJOURNMENT

Chair Snyder adjourned the meeting at 6:21 p.m.