

**CROOK COUNTY COURT MINUTES
OF APRIL 28, 2022 PUBLIC HEARING
Open Portion**

Be It Remembered that the Crook County Court met in a Public Hearing on April 28, 2022, at 9:00 a.m. in the Clover Building located at 502 SE Lynn Blvd, Prineville, Oregon 97754.

Court Members Present: Judge Seth Crawford, Commissioner Jerry Brummer and Commissioner Brian Barney

Absentees: None

Others Present in Person or Via WebEx: Legal Counsel John Eisler; Administration Executive Assistant Amy Albert; Director Will VanVactor; Planning Manager Brent Bybee; Planning Technician Senior Hannah Elliott; Laura Craska Cooper; Brent McLean; Megan Burgess and members of the community.

PUBLIC HEARING SESSION

The meeting was **called to order at 9:00 a.m.**

The County Court held a public hearing regarding the appeal hearing of Application No. 217-21-001-013-PLNG plat Phase 15 of the Brasada Ranch Destination Resort. Judge Crawford discussed the procedural history of this matter and established the procedure moving forward. The public hearing was opened.

Staff Report: Planning Manager Brent Bybee gave a brief overview of the staff report followed by a slide show addressing the applicable criteria for this matter.

Applicant: Brett McLean and his attorney, Laura Craska Cooper addressed the appellant's arguments for appeal. It was noted that trails are not required to be recorded in the final plat by county code or state law. Ms. Craska Cooper stated the improvement agreement has expired, not requiring sidewalks in phase 15. The applicant clarified that there are 243 OLU's within 91 individually owned cabins and 1 applicant owned ranch house, all are deed restricted and must be available 45 weeks per year.

Appellant: Megan Burgess, attorney for the Brasada Ranch Community Coalition outlined the appellants grounds for appeal. The Brasada Ranch Community Coalition believes trails should be shown and dedicated on the final plat, as trails qualify as easements. Ms. Burgess referenced the 2005 Improvement Agreement in coordination with the trail improvement requirements. Ms. Burgess requested more sufficient evidence relating to the overnight lodging unit ratio.

Applicant: Mr. McLean and Ms. Craska Cooper issued a rebuttal to Ms. Burgess statements. While easements are not required for trails, Mr. McLean is willing to provide a temporary easement in the final plat for phase 15, he will also submit a map clarifying the location of the trails. It was once again stated that phase 15 does not require sidewalks due to an expired improvement agreement. Clarification was provided

on the overnight lodging; Mr. McLean is willing to provide additional information, if needed.

Staff: Community Development Director Will VanVactor recommended the Court remand the decision back to the Planning Commission to address the additional evidence in their final decision.

MOTION to ratify this matter with an Order at a future meeting. Motion seconded. No further discussion. Motion carried 3-0.

Public hearing closed.

MOTION pursuant to CCC 18.172.110(13), I move to remand this matter to the planning commission to consider the appeal issues raised by the appellants in their notice of appeal, with instruction to re-open the record to receive additional evidence and argument, including, but not limited to, the new evidence and related arguments submitted by the applicant in response to the appellants' appeal. The remand shall proceed in accordance with CCC 18.172.120. Motion seconded. No further discussion. Motion carried 3-0. There being no further business before the Court, the meeting was **adjourned at 10:14 a.m.**

Respectfully submitted,

Amy Albert