

PLANNING COMMISSION MEETING
March 23, 2011

The Bay City Planning Commission met in regular session on March 23, 2011. Chair Terry Griffin called the meeting to order at 6:55 p.m. Commission members present were Terry Griffin, John Sollman, Judy Wadley and Chris Gant. Also present were City Council members Robert Pollock and John Gettman, City Planner Sabrina Pearson, and City Recorder Linda Downey. See an attached list of visitors.

The meeting did not start at the scheduled time. One Planning Commission member was delayed and there was not a quorum present. All visitors in attendance stayed for the meeting. Sabrina answered questions from the visitors about the Conditional Use request.

MINUTES

Motion by John, second by Judy, to approve the minutes of the 02/16/2011 and 03/16/2011 meetings as presented. Motion passed unanimously.

VISITORS' PRESENTATION

None

UNFINISHED BUSINESS

Conditional Use Application #11-01 from the City of Bay City

Terry continued the public hearing for the Conditional Use Application 11- 01. The public hearing on the application was continued at the 3/16/2011 Planning Commission meeting.

Terry reviewed the following.

Application #11-01 a Conditional Use from the City of Bay City. Property is located in the Moderate Intensity Zone and legally described as JJ McCoy's Addition to Bay City, Lot 10 and a portion of Lot 9 and depicted by Tax Assessor's Map 1S 10W 2BC, Tax Lot 100. The City is requesting a Conditional Use permit.

Public notice was sent to 38 surrounding property owners. The City received one written response from S.W. Stein. Mr. Stein was in favor of the request.

No one objected to the jurisdiction of the City Planning Commission to hear the matter. Terry asked if any member of the Commission had a conflict of interest or personal bias to declare.

John Sollman said that he has been working with the Hazard Mitigation Committee which is part of the planning group that began this process. John said felt he could make a fair decision. He asked the Commission if they would like him to step down from his position for the hearing. No Commission member requested John recuse himself from hearing.

All members were familiar with the site.

Sabrina read the applicable criteria. Terry reviewed the public hearing guidelines.

Sabrina reviewed the staff report.

The Conditional Use request is to develop a public recreation area with a sports field, nature playground, public restroom and day use area and parking to serve the use. Access to the property will be improved consistent with City Standards. The wetland on the site will be restored to wetland habitat as a nature viewing and conservation area.

Terry and Sabrina encouraged the visitors to ask questions and give their comments for the record during the public testimony portion of the meeting to help guide the development of the park.

Terry asked for public comments in favor of the request.

Sabrina read the letter from S.W. Stein for the record.

Terry asked for public comment against the application.

Billy Schreiber, from 6665 Tillamook Avenue, stated he was not against the request but was concerned about his liability when people come onto his property to retrieve a ball. He will speak with his insurance company and possibly place signs. Sabrina suggested the Planning Commission require fencing. This issue will be researched.

Johann Sebastian, from 6300 Short Street, was also concerned about people entering his property and his liability. He did not want a fence or buffering more than 4 or 5 feet high or his view of the coast range would be blocked. Johann also acknowledged an area within the buffering area that he believed to be a wetland area. There is existing native vegetation that should be preserved. Sabrina acknowledged that that height of the fence can vary to accommodate the use.

Jeanie Johnson, from 6415 McCoy, is in opposition to the park. She did not think the City needs more than one park. She did not feel the City takes proper care of the rights of way as they should and that they do not need more to care for. She did not want any additional traffic in the area. She said that delivery trucks in the area frequently block the roadways.

Ann Clausen, from 6435 McCoy, requested the vegetation buffer along McCoy remain. Sabrina acknowledged the area is where the wetland restoration area is located and preserving the buffer could be a condition of approval. Ann also asked about the wildlife in the area. The Planning Commission did not believe the deer would leave the area. Ann also expressed her disappointment that the City did not maintain the street right of way or mow around the fire hydrants in the area. Ann was not opposed to the park, but was concerned about the upkeep.

Terry recommended that concerned residents contact the City in writing to complain about the cutting of vegetation.

Johann Sebastian asked if the new park is part of the City budget. Sabrina said the budget will include the park maintenance.

Tom Imhoff, from 5660 Salem Street, was glad the City was pursuing the use. Tom asked if there were any way of mitigating the issues that may arise after the use is in place. Sabrina explained that because it is a conditional use it can be reviewed to mitigate concerns. Sabrina recommended that the use be reviewed annually. Tom asked if the park could be used for clubs to hold games. Sabrina said the ball field would not meet national standards but the size would meet the requirements for football and soccer.

Hours of operation, lighting and the possibility of gating the parking area were discussed. Recommended hours of operations were sunrise to sunset.

Discussion was held on who would address the immediate noise complaints. Discussion was held on the need for a police force in the City and the lack of support from Bay City residents to vote in a police force.

Tom Imhoff asked about the demolition of the existing building. John Sollman explained that an asbestos survey will be completed.

Jeanie Johnson thanked the Commission for their willingness to serve.

Bud Hubbard, from 6190 Short Street, is concerned about Short Street. If the street is improved what would happen to the neighbors that have a business that often block the roadway? Sabrina explained that an engineer will review the street access. Traffic concerns about the intersection of Short Street, 9th Street and the entrance onto Highway 101 were also discussed.

Discussion was held on the best entrance for the park.

Tom Imhoff suggested access from McCoy, not Short Street. Tom suggested improvements to McCoy to keep large truck traffic from turning east onto McCoy.

John Sollman requested that Tom attend the Hazard Mitigation meeting.

The recommendation was made to close Short Street at 9th Street. The recommendation was also made to close 9th Street at Highway 101.

Terry closed the public testimony portion of the meeting. All visitors with the exception of Tom Imhoff left the meeting.

Terry opened discussion to the Planning Commission.

John Sollman acknowledged that several issues were raised and will be discussed at the Hazard Mitigation meeting.

John Gettman noted that the proposed changes in the transportation plan had not been

discussed. Sabrina said revisions would not conflict with the transportation plan. Discussion continued on street access for the park.

The comments received from the local residents, about delivery trucks blocking roadways, were discussed. The different ways to address the issue were discussed. Tom Imhoff recommended that all businesses be given an informational letter about the park plan and the possible impact to the area and traffic patterns. The letter could also contain a reminder of their responsibilities to keep the roadways open, and a request that they remind their delivery truck drivers.

Tom Imhoff left the meeting at 8:55 p.m.

Several issues were discussed including access, gating the parking area, lights on timers, vegetation buffers and fencing.

After discussion Sabrina revised the recommended conditions of approval. She recommended approval with the following conditions:

1. Lot Size, Open Area, Building Height, Landscaping, and Setbacks: Site development shall be consistent with the Moderate Intensity Zone standards and within the areas of development shown on the site plan submitted with the application. Lot coverage shall not exceed 40% lot coverage. Open Area shall be a minimum of 60%. A minimum of 10% of the total lot area shall be maintained in landscaped open area located on the street side or in front of a use. Setbacks shall be consistent with Section 3.3. Structures shall not exceed 24 feet in height.
2. Hazard Report and Engineering: The site is located within the hazards overlay zone due to the presence of non-engineered fill and slopes that exceed 12%. A site investigation report and engineering for all hazards shall address all improvements to the site, installation of the parking lot, and access from Short Street through McCoy Road; and report recommendations shall be incorporated into site development plans prior to site development.
3. Wetland Restoration: The City shall restore the wetland area consistent with its functional values, consistent with applicable criteria, and under the guidance of qualified professionals and state and federal agencies. Prior to work in the wetland areas for the proposed restoration and provision of low intensity recreation, the city shall file a wetland land use notification form and shall obtain written concurrence that the work proposed is exempt from permit requirements, or obtain required approvals.
4. Traffic Circulation and Off-Street Parking: The design of traffic circulation, parking lot access, and the parking lot shall be consistent with City ordinances including Bay City Development Ordinance Sections 3.5, 3.6 and Public Works Standards. The site plan anticipates 25-30 off-street parking spaces with two parking spaces consistent with the Americans with Disabilities Act Accessibility Guidelines. Access to and from McCoy Road shall be improved to City Standards, shall provide access to a parking lot with a looped traffic circulation system, and shall be

designed, engineered and installed to serve both visitor vehicles and emergency vehicles. Access to and from Short Street shall only be provided where access, including the entrance and exit to and from US Highway 101, can be designed, engineered and improved consistent with City Standards, approved by the Oregon Department of Transportation consistent with the Bay City Transportation System Plan. The City shall consider securing the parking lot when the park is closed. The City shall consider the use of speed humps to slow down traffic.

5. Public Utilities and Services: All necessary public utility and service extensions shall be provided at the cost of the City.
6. Buffer: The City shall provide and continuously maintain a vegetated buffer with a width of 25 feet from all property boundaries adjacent to McCoy Street and privately owned property except adjacent to Partition Plat 1993-35 Parcel 2 and Partition Plat 1993-36 Parcel 2. Adjacent to these two parcels, a 30 foot wide vehicular access easement across Tax Lot 100 that serves these two parcels, provides a buffer from the park. The City shall consider the installation of fencing to inhibit trespassing. The City shall install and maintain a suitable hardscape barrier that obstructs vehicular trespass to the park and yet still allows the City to access the park with equipment to perform park maintenance.
7. Grading and Erosion Control Permit: Prior to excavation for site improvements anticipated to be in the areas of the parking lot, the storm water infrastructure rain gardens, nature play park, playground, wetland restoration, and street improvements to Short Street, the city shall obtain a grading and erosion control permit. Storm water management shall be sized to be appropriate for the total amount of impervious surface (which shall not exceed 40%), for rainfall of a 50 year storm event and designed to avoid adverse impacts to adjacent and surrounding property.
8. Park Operation and Maintenance, Signage and Lighting: The Park shall be operated consistent with the Bay City Park Ordinance. The park shall be continuously maintained by the City consistent with approved plans and applicable criteria. Signage shall not exceed 32 square feet (unless approval of additional signage is granted by the City). Signage shall be consistent with Section 3.8. Lighting shall be shielded in design and shall be the minimum necessary to serve the use. The Planning Commission shall continue to evaluate hours of operation suitable to the use.
9. Planning Commission Review: The Planning Commission shall review this public recreation area on an annual basis to determine if it is being maintained consistent with applicable criteria and conditions of approval and to determine if additional conditions are necessary for the continuation of the use.

Terry closed the public hearing and requested a decision from the Planning Commission.

Motion by Chris, second by Judy, to approve Conditional Use application from the City of Bay City, with the findings of fact and the amended conditions of approval.

John Sollman requested a roll call vote.

The roll was called: Terry Griffin, Judy Wadley and Chris Gant voted in favor. John Sollman abstained from the vote, citing his involvement in the planning process with the Hazard Mitigation Committee. Motion carried 3-0

NEW BUSINESS

None

PLANNING COMMISSION, CITY PLANNER AND CITY COUNCIL CONCERNS

John Sollman noted that Linda had asked him to complete a community health survey for Tillamook Health Department. He provided a copy to the Planning Commission.

ADJOURNMENT

Motion by Judy, second by John, to adjourn the meeting at 9:30 p.m. Motion carried unanimously.

Respectfully Submitted,

Linda Downey
City Recorder

SIGN-IN SHEET

PLANNING COMMISSION MEETING

MARCH 23, 2011, 6:00 PM

JOHN GETTMAN

Jeanie Johnson

Tom IMHOFF

JOHANN SEBASTIAN

Robert Pollock

Billy & Mary Scherker