

PLANNING COMMISSION MEETING
September 21, 2011

The Bay City Planning commission met in regular session on September 21, 2011. Chair Terry Griffin called the meeting to order at 6:09 p.m. Commission members present were Terry Griffin, John Sollman, Chris Gant, Phyllis Wustenberg, Judy Wadley and Mark Hannah. Also present were City Council members John Gettman and Robert Pollock, City Planner Sabrina Pearson and Planning Commission Secretary Gaile Harris. Visitors: Diane Griffin, Bob Larson, Bev Conden, Tiffany Wright, Gary Wright and Terry Jones.

MINUTES

Motion by John, second by Mark, to approve the minutes of the 7/20/2011 meeting as presented. Motion passed unanimously.

VISITORS' PRESENTATION

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Application #2011-04 for a Minor Partition from Gary & Tiffany Wright:

Terry opened the public hearing for Minor Partition Application #11-04.

Terry recused himself as Chair, stating a possible conflict of interest. Phyllis presided over the hearing on Minor Partition Application 11-04.

Application #11-04 is a Minor Partition from Terry Jones as Applicant on behalf of Gary and Tiffany Wright, property owners, to partition Lot 1 of Block 12, Bewley's Addition to Bay City, into three parcels. Property is located in the Moderate Intensity Zone at 8755 Bewley Street. The property is depicted by Tax Assessor's Map 1S 10W 2A, Tax Lot 1400.

Public notice was sent to 16 surrounding property owners. The City received no response.

No one objected to the jurisdiction of the City Planning commission to hear the matter.

Phyllis asked whether any Planning Commission member has had any ex parte contact with the applicant. Mark stated that he had spoken with Gary Wright regarding the property fill issue when he went for a site visit. Sabrina explained that the Partition itself is what's being presented, and the fill is a separate issue which has nothing to do with the partition process.

Phyllis asked if any Planning Commission member had visited the site. All the members acknowledged they had been to the site. John prepared a written site visit report with photos, which was available for everyone.

Sabrina stated that there are copies of the applicable criteria and the staff report available on the back table.

Phyllis called for public comment in favor of the application. Comments offered didn't conform exactly with the normal order of business, and Phyllis elected to allow considerable latitude for those expressing their views on the application.

Gary Wright stated that he is proposing a single family dwelling on the back lot (Parcel 2). Nothing can be done with Parcel 1 due to drainage. Parcel 3 already has an existing house and garage. Eventually he would like to obtain road access onto Seattle Street.

Public comment in favor of the application:

Bev Conden, 6975 Seattle Street, stated her concern regarding the existing culvert, as drainage comes over to her property with the rains.

Sabrina said the drainage is not an issue to the Partition and has been addressed to the applicant with his grading permit. Sabrina also stated that Dave Pace, Public Works Superintendent, the City Engineer and the County will be working together to find a suitable solution for the culvert.

Phyllis asked Sabrina to explain what is to be developed on the three lots. Sabrina stated that there is already development on one parcel where the existing house is. Terry Jones from Bayside Surveying stated that the Partition Plat process is a re-platting of Lot 1 into three parcels. Mark asked if there was still going to be development on Parcel 1 as stated on the Application. Terry Jones stated that Parcel 1 could have a duplex on it, as the zone permits that, and that maybe sometime in the future it would be built. Gary Wright stated that nothing will be done on Parcel 1 at this time.

Sabrina read the applicable criteria and reviewed the staff report.

Phyllis asked Sabrina what happens next if the Partition is approved by the Planning Commission. Sabrina stated that the County Surveyor prepares the final plat for signatures; it then gets filed with the County Clerk. The Assessor's office will make new maps, and existing Lot 1 will be identified with the Parcel numbers as shown on the survey map prepared by Terry Jones, and a Partition Plat number.

Phyllis asked when people can voice concerns regarding the drainage issue on Parcel 1. Sabrina stated that, under Section 3.257 of the Development Ordinance, the City and property owners will work together to find solutions for these type of problems. Property owners can come to the City or present a concern in writing. Sabrina added that the problem with this particular culvert is that it is located in the public right of way. Gary Wright explained how he intended to fill and grade to the bottom of the culvert without any further alteration.

Phyllis called for public comment against the application:

Diane Griffin, 8730 Bewleys Street, commented that runoff from the drainage has come across the street and flooded her basement three times in the past. Diane is concerned that the applicant would be filling the area and this could create the problem again.

Terry Griffin, 8730 Bewleys Street, stated that he knows the history of what this property has been for over 30 years. Terry stated that, if Gary Wright wants to put fill in there, that he has to follow the land use procedures for the wetland area that can possibly exist. Terry feels that the fill shouldn't be put in before a plan has been submitted outlining what is intended. Terry asked Sabrina to address this issue.

Sabrina stated that a Stop Work Order has been issued and possibly some of the dirt may have to be removed. Gary Wright stated that he did get a Grading and Erosion Permit which was approved by Dave Pace.

Further discussion was held regarding the drainage issue and the culvert, possible solutions, and which jurisdiction, the City or the County, would be responsible to fix it.

There were no additional questions or comments from the public.

Planning Commission Discussion:

John commented that he routinely provides a written site visit report with photos for all land use issues that come to the Planning Commission, and that the report was "for the record."

Final comments:

There were no additional comments or questions by the Planning Commission or the applicant.

The applicant waived keeping the record open for seven days to allow submission of further written comments.

Phyllis closed the public hearing at 7:00 p.m. and requested a decision from the Planning Commission.

Motion by John to approve the Minor Partition request, relying on the Findings of Fact and subject to conditions 1 & 2 of the Staff Report presented by Sabrina Pearson, City Planner.

Seconded by Judy. Motion passed unanimously.

OTHER

Additional discussion was held regarding drainage and culvert problems within Bay City.

PLANNING COMMISSION, CITY PLANNER AND CITY COUNCIL CONCERNS

Mark would like to refresh the blue lines painted on the roads to depict an 80' elevation, as they have faded. He also suggested painting the elevation there.

Discussion was held regarding tsunami awareness.

Terry voiced his concern again about the fill discrepancy that surfaced with the Partition Plat application heard tonight. He felt things were confusing for the applicant and stated that items in the Staff Report describing what could or should be done with the land, were not done because of the applicant's lack of knowledge. Fill had been deposited in an area which could be deemed a watercourse. He hopes this doesn't come up again.

Sabrina stated that she should be the person to sign all grading permits in hazard areas and in or near watercourses. Dave Pace had signed off on the Wrights' grading permit. Sabrina stated that every grading permit should be checked against the hazard overlay map.

Further discussion was held regarding any similar situation that could arise in the future.

Discussion was held regarding drainage in the area of the Wright Partition Plat.

John Sollman cautioned commissioners and staff that side conversations not be conducted during the session. These conversations are picked up on the recorder, which makes it difficult for the secretary to understand what is on the tape. They are also discourteous to those who are addressing the Commission.

Mark suggested using video for record keeping during meetings.

John stated that he is still working on the reorganization of the Comprehensive Plan. It is broken down by land use planning goals. The estuarine material is grouped according to similarity. John is still working on the index. The maps currently in the Development Ordinance and Comprehensive Plan would be moved to a separate ordinance or appendix to serve both the Development Ordinance and the Comprehensive Plan. He has made some punctuation, spelling and grammar corrections, but no substantive changes.

Further discussion was held regarding natural drainage.

ADJOURNMENT

Motion by John, second by Mark, to adjourn the meeting at 8:00 p.m. Motion carried unanimously.

Respectfully submitted,



Gaile Harris
Planning Commission Secretary

SIGN-IN SHEET

PLANNING COMMISSION MEETING

SEPTEMBER 21, 2011, 6:00 PM

Chris Gant

Robert Pollock

JOHN GETTMAN

JOHN SULLMAN

Deane Huffer

Bob Larson

Ben Corder

~~Sarah~~ Huffer + Gary Wright

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Terry Jones