

**PLANNING COMMISSION MEETING
PUBLIC HEARING/REGULAR MEETING
Thursday, August 19, 2010
City Council Chambers, 1001 Bridge Street, Vernonia OR 97064**

MINUTES

Call to Order: Dan Brown, Chairman called the meeting to order at 7:00 pm

Planning Commission Present: Dan Brown, Sharon Parrow, Nancy Dailey, Don Wallace, Alan MacComb, Grant Williams. One Vacancy

Staff Present: Carole Connell, City Planner; Bill Haack, Interim City Administrator; Joann Glass, Secretary

New Business

1. Public Hearing

a) File #CUP 09-01 Deweber Extension

Conditional Use and Site Development approval in 2009 to re-locate Allen and Sandy Deweber recycling business to a new site on Mist Drive. Applicant is now requesting City approval for an extension of the prior approval which has expired.

Open Public Hearing

Dan Brown opened the public hearing at 7:00 pm

Disclosure Statement

Dan Brown read the disclosure statement

Declaration of conflict of interest, ex-parte contact or personal bias

All Commissioners declared ex-parte contact for the reason that the Conditional Use and Site Development approval was brought before them in 2009.

Staff Report

Carole Connell, City Planner explained that this request is to extend the April 23, 2009 CUP approval that expired October 23, 2009 to locate a recycling collection site on vacant industrial land, until December 31, 2010. She summarized her comments in the Staff Report dated August 12, 2010.

She said a letter was submitted today with signatures and new information from property owners objecting to the location of the recycling facility.

Applicant's Report

Roger Lindsley representing the Deweber's explained that there would be screening at the highway to protect property owners from viewing the site with a 6 foot high fence. This site will get the recycling out of the flood way and on to better property.

Proponents

No comments

Opponents

Bob Wagner expressed to the Commission that he was objecting to the site being on the property where visibility coming into the city will be unfavorable. The objection is not having a recycling center, but that a recycling center should not be in this area. The idea of having compost next to the highway where it will be washed away to the river if there is another flood is not appropriate.

Randall Aultman explained that he had to use an outboard boat to get off of his deck during the last flood and that the area the recycling wants to go also flooded. He

questioned if a fence is going to be put around the site and expressed that he did not like the idea of a recycling center going in this area just because it was zoned Light Industrial.

Audeen Wagner questioned if there would be contaminants on the site and was this allowed on the site they are currently at.

Lorna Poetter expressed that she does not want a recycling center across the street from her. She is still cleaning up her own property of debris left by the flood from other properties. Lorna expressed that she does not feel that the Deweber's have made a good faith effort to keep clean and tidy in the area they presently are located. Lorna asked who would be the "watch dog" to make sure that all the guidelines would be followed. She explained that there was three feet of water on the property and if a flood happens again, where is all the recycling going to go? Lorna expressed to the Commission that she is in opposition of this business going in on Mist Drive.

Dan Brown explained that the area is in the 500 year flood and that the Light Industrial zoning permits a recycling business.

Other: No comments

Closing of Public Hearing

Dan Brown closed the Public Hearing Portion at 7:40 pm

Commission Decision

Sharon Parrow moved "Based on the findings of fact in the report and the public hearing testimony, I move that we approve the request for a time extension for CUP 09-01 Deweber until December 31, 2010, effective retroactively to the original expiration dated of October 23, 2009 with the following conditions.

1. All conditions of the original April 23, 2010 decision must be met.
2. At a minimum, improvements shall include completion of the access road and north/south fence.
3. Compliance with a Flood Plain Development Permit and seasonal flood season regulations shall be satisfied including fastening storage containers securely to the ground.
4. There shall be no storage of loose materials on site.
5. Future phases of development shall be reviewed as a Conditional Use Permit and approved by the Planning Commission at a public hearing.
6. No additional extensions will be granted

Don Wallace seconded the motion. Motion passed.

Open Second Public Hearing 8:30 pm

- b) File #CUP/SD 10-01 Vernonia School District #47J: is requesting City approval of a Conditional Use Permit and Site Development review for a proposed public school complex.

Staff Report

Jeff Harrington, PE, City Engineer and Carole Connell, City Planner reviewed the Staff Report and letters received regarding the Vernonia School District #47J request to build a new public school complex by approval of a Conditional Use Permit and Site Development Permit. There is a separate decision for each permit.

The total site is an estimated 31.71 acres. There are no architectural design standards in the IP zone. ODOT requirements will be part of the Condition for approval. Carole summarized many elements of the site plan and her recommendation for approval of both permits with conditions. She said that the code gave latitude for the Commission to allow the a portion of the gym's extra 1'1" height above the maximum, and that fencing adjoining the parking lot's south side was not necessary due to the large buffer area and landscaping between the lot and the church.

Applicant's Report

Chris Linn reported that they are close to selecting a contractor and will be breaking ground in October. They are ready to do a variance for the height of the gymnasium if needed. There will be trees used as a buffer instead of fencing on the neighbors side and fencing around the ball fields. There will be an agreement with St. Mary's Catholic Church for the use of the church's parking lot.

Proponents

No Comments

Opponents

No Comments

Other

No Comments

Closing of Public Hearing

Dan Brown closed the Public Hearing portion at 9:35 pm. No concerns were raised by the Commission about the need for security fencing or additional variances.

Commission Decision

Conditional Use Permit: Sharon Parrow moved, "Based on the findings in the Staff Report and the plans as submitted, I move we approved CUP/SD 10-02 School District Conditional Use Permit subject to the following conditions:

Prior to issuance of a building permit the following items must be resolved:

1. The responsible party shall install school hour speed reduction signage on E. Bridge Street per ODOT standards.
2. The City believes that security fencing should be considered around the storm water detention pond, and possibly on the outer edges of the ball fields. The addition of fencing should be added to the final site plan.
3. A legal agreement between the School District and the St Mary's Catholic Church guaranteeing the availability for school use of the parking lot shall be provided to the City.
4. The subject site has steep slopes, unstable soils and wetlands. The applicant's Geo-technical report has 12 pages of construction techniques and recommendations that need to be carefully adhered to and monitored during site grading and building construction. In addition, work below the high water mark can only occur between July 1 and August 31. Tree clearing can only occur between October 15 and February 15 to avoid the Migratory Bird treat Act.
5. A pedestrian or street connection conceptual plan from the school site east to existing and planned residential development shall be included on the approved final site plan.
6. An easement across private land to the Nehalem River for the school's storm water outfall pipe must be obtained and provided to the City.

Construction activity in the riparian area on the river's edge shall be approved by the City.

7. Compliance with ODOT highway improvement requirements in accordance with their letter dated 8-11-10 is required.

8. Road right-of-way on E. Bridge Street and Missouri Avenue must be obtained to complete the proposed street improvements.

9. Completion of three pending decisions on the subject site including a Lot Line Adjustment on the Webb site transferring a portion of land to the School District; annexation ordinance adoption and recording documents for three of the subject parcels, and a Plan and Zone Map Amendment ordinance adoption zoning all six parcels Institutional Public. Provide complete Title of ownership to the City.

10. The Wetlands Mitigation Plan shall be finalized and approved by the DSL and ACOE, and a copy provided to the City.”

A CUP approval is valid for one (1) year unless substantial construction has taken place. The Planning Commission may extend authorization for an additional period not to exceed one (1) year on request.

Nancy Dailey seconded the motion. Motion passed.

Second Motion:

Site Development Review: Don Wallace moved, “Based on approval of the accompanying Conditional Use Permit for City File # CUP/SD 10-02 Vernonia School district, the applicant’s site plans and submittal dated July 9, 2010, and the findings in the City Staff Report dated August 12, 2010, I move we approve the Site Development permit subject to the following conditions:

(A Grading Plan may be submitted and approved by the City prior to issuance of a building Permit so that site work can begin)

Prior to issuance of a Building Permit:

1. The applicant shall comply with the conditions of approval in the associated Conditional Use Permit decision.
2. The Site Plan shall be modified to include the following improvements. Three (3) copies of the Final Site Plan shall be dated and supplied to the City.
 - a. Locate the bollards on Texas Avenue to prohibit access, other than for emergency use, from the school.
 - b. Locate “No Parking” signs on both sides of Missouri Avenue from E. Bridge Street to the alley (Louisiana Ave.), about 125’. This maybe included in the construction plans along with all other traffic control signage.
 - c. Locate fencing if applicable
 - d. Indicate future pedestrian or vehicle access connections to adjoining land to the east (Riverside Drive area).
 - e. Add two (2) on-site parking stalls.
3. The applicant shall provide the City with verification of approved plans in compliance with ODOT requirements as stated in their letter dated August 11, 2010.
4. The applicant shall provide the City with detailed construction plans addressing all public works standards and the items listed in the city Engineer’s

letter dated August 11, 2010 including but not limited to a storm water management plan, a landscape irrigation plan, a lighting plan, technical recommendations in the site's Geo technical Engineering Report. Site development monitoring procedures shall be established to assure City and applicant coordination throughout construction.

5. Prior to installation the applicant shall obtain a City sign permit for sit signage.

6. A landscape and lighting maintenance agreement between the School District and the City for the sidewalk and landscape strip on the east side of Missouri Avenue shall be enacted to assure long-term maintenance.

7. All utilities shall be located underground, if feasible.

8. City SDC fees shall be paid as determined by the City Administrator

This approval is valid for one year within which time work must begin. An approval extension up to two (2) years may be approved by the Planning Commission.

Alan MacComb seconded the motion. Motion passed.

REGULAR MEETING

Topics from the Floor/Audience Participation

No comments

Consent Agenda

1. Minutes from August 5, 2010

Don Wallace moved to accept the minutes as written. Sharron Parrow seconded the motion. Motion passed.

Unfinished Business

1. Downtown Parking Plan – Marilyn said they are working on it.

New Business

1. Letter of Resignation from James Baraibar

Dan Brown accepted the resignation of James Baraibar from the Planning Commission.

Correspondence

City Planner Report

Commissioner Report

Sharon Parrow reported that she had a lovely vacation

Adjournment

The Planning Commission adjourned at 9:45 pm

Planning Commission approved the August 19, 2010 minutes September 2, 2010