

City of Selah  
Planning Commission Minutes  
Of  
January 19, 2016

Selah Council Chambers  
115 W. Naches Ave.  
Selah, Washington 98942

A. Call to Order – Vice Chairman Smith called the meeting to order at 5:33 pm.

B. Roll Call

Members Present: Vice Chairman Smith, Commission Torkelson and Miller.  
Members Absent: Commissioner Quinnell and Commissioner Pendleton.  
Staff Present: Tom Durant, Consultant, Caprise Groo, Secretary.

E. Approval of Minutes

1. December 15, 2015

Commissioner Miller motioned to approve the minutes.

Commissioner Torkelson seconded the motion.

Vice Chairman Smith asked for a voice vote and the minutes were approved with a vote of 3-0.

F. Public Hearings

1. Old Business –None  
2. New Business-None

G. General Business

1. Old Business – None

2. New Business-

1. “Volunteer Park” Class 2 Review – Passive Park 926.61.15-04,  
Environmental Review 971.61.15-11

Vice Chairman Smith turned the meeting over to Mr. Durant.

Mr. Durant stated this was Volunteer Park” Class 2 Review – Passive Park 926.61.15-04, Environmental Review 971.61.15-11. Mr. Durant proceeded to highlight the staff report. (Attached) He read all the Environmental Review measures, Public Comments and Issues and Recommendation conditions as well as the issue of encroachment and fencing. (All exhibits attached.)

Vice Chairman Smith asked if there were any questions.

Mr. Durant stated that Joe Henne the Public Works Director was here for the applicant.

Vice Chairman Smith opened the meeting for public comment in support of the park.

Shannon Cornett stated her address as 113 E Orchard Ave, Selah, WA. She stated that she was for the park. She explained that this was not just a park but an all-inclusive park that would allow children of all abilities to play together. She stated that when her family goes to the parks around here her son sit on the side and watch other children play. She expressed her need to give her sons as many typical experiences as she could such as playing, wheeling around, using their imagination and swinging in a swing. She stated that the last time her family was able to go to a park where both of her boys could play was December 30, 2014 in Portland Oregon. She stated that it was 2016 and a park like this should not be a rarity and all children should have a place to place.

Owen Packard stated his address as 560 Lakes Lane, Selah, WA. He stated that at a prior meeting the public had expressed concern about safety, vandalism and greater problems. He stated that he had research the issue online and found many articles on the subject. He read the key points of articles from The City Parks Forum of the American Planning Association, Green Health Washington and Change Lab Solutions. (Attached) He stated he was for the park.

Cindy Huntimer stated her address as P.O. box 63 Sole Lane Selah, WA. She stated she was for the park. She explained that she had been to a park in Jacksonville Florida that allowed handy-capped children to interact with other children. She stated the park had all kinds of activities for parents and kid. She explained that the fence was 4 ½ feet tall and had latches that a parent had to access. She stated that all kinds of children played there with no barriers. She stated that she had worked for the Selah School District for 26 years and has had to watch children with disabilities sit and watch as the other children played. She stated that it would make a big difference to have a park where children of all abilities could play. She explained that she had a son in a wheel chair and she was always trying to provide activities so that her son could feel normal.

Don Wayman, City Administrator. He discussed fences on city land, the extension of the fencing on the north side of the park and Mitigation of the concerns the neighbors have.

Lori Echler stated that her address was 1003 S 90<sup>th</sup> Ave #1, Yakima. She stated that she and her son go to the park in West Valley. She explained that the park had wood chips and it made it hard for her son to get up to the slide. She told a couple of stories about her son. Her main concern was acceptance. She stressed that all children want is acceptance weather they are special needs or not. She stressed that people just need to say "Hello".

Amy Berkheimer stated her address as 73 Clemans View Rd, Selah, WA. She stated she had a 10 year old son in a wheel chair and last summer was the first time her son had gotten to play at a park for special needs children in Palo Alto California. She explained that it had a wheel chair accessible teeter totter and merry-go-round. She expressed her excitement at watching her son being pushed on the merry-go-round by the other children. She stated that her son had attended Selah Elementary and he had to stay behind the barriers and couldn't get closer to watch the children playing on the equipment. She explained that he will be attending Selah Intermediate and it has padding on the ground that would allow her son to get closer to watch the children playing on the equipment. She stated the park was important to her because it would be a place where her special needs friends and other friend could goes to play together.

Barb Petrea (604 Lancaster, Selah, WA) She stated the she didn't get it. She explain that she didn't realize there was a problem until on April 1 she saw what a park like this could do and she saw parents like Shannon with their children. She expressed the need to educate the community.

Rocky Jackson stated his address as 770 Dixie Drive, Selah, WA. He stated that he was neither for nor against the park. He pointed out that he didn't think the application was complete. He stated that historically there was lead and Arsenic in the soil. He stated that the determination should not have been made before a soil test was done. He brought up the issue of parking on Merinda Dr. He stated that the neighborhood should not have to absorb the overflow parking for a park. He stated that the street was not wide enough to do that. He expressed his concern that the fencing on the north side, by his property, was not tall enough and does not extend far enough. He explained that when he bought his property the park was represented as a neighborhood park or a nature path. He stated that he had sent in written comments to the city. (Exhibit 13 Attached).

Tom Stokes stated his address as 760 Dixie Drive, Selah, WA. He stated that he was here to address issues that he believed had not been vetted out. He stated that his concerns were the same as Mr. Jackson and he would address

them. He stated the nature of the park was to be a neighborhood park with nature paths not a regional or community park. He referred to information in the application for the park. (Exhibit 2 Attached). He talked about parking on Merinda Drive, the soil testing, the access to the park and the fencing. He then thanked the Commission.

Burt Ross stated his address as 516 Stacy Court, Selah, WA. He stated he agreed with both Mr. Jackson and Mr. Stokes. He stated his additional issues as security, tagging and buffer zones. He stated that people, mainly kids, walk through there all the time. He explained that neighbors have been tagged and things stolen from them. He stated his concern that the City did not have the operating fund to maintain the park. He stated he was opposed to the park.

Vice Chairman Smith asked if anyone else would like to comment.

Question: How did homes get build around the park? Was this an orchard at one time?

Mr. Durant addressed that the soil contamination was through the whole valley. He stated that the concern here was that is Park would be a child use and ADA area.

Question: Is it possible for the park to continue in a different direction and not stall with the opposition to it.

Mr. Durant stated that the Planning Commission had to make a decision based on this proposal.

Vice Chairman Smith stated the Commission could approve with conditions. She explained that those conditions need to be discussed to please both sides

Joe Henne: Public Works Director. He stated he would have to look at the plat agreement for Merinda Drive and if need be post no parking signs. He stated that the property currently owned by Mr. Stokes and Mr. Jackson was sold by the City to finance the baseball fields at McGonagle Park. He stated that the City will have the soil tested and do what needed to be done in accordance with the Model Toxic Control Act.

Vice Chairman Smith asked it this was orchard at one time.

Mr. Henne replied that is had been in the 30-50's. He stated that that was the time that those chemicals were used.

Discussion: Chemicals in the soil leaching, contamination levels and fencing.

Conclusion: the chemicals in question do not leach down into the soil. If contaminated, the soil will be tested and dealt with accordingly.

Commission Torkelson asked about maintenance.

Discussion ensued: Park maintenance and Human behavior.

Conclusion: The City will be maintaining the Park and children will continue to be children.

Commissioner Miller asked what the service area would be.

Mr. Henne stated that it was not advertised as a regional Park.

Charlie Brown, Selah Parks and Recreation. He stated that during the application process they asked who would use this park and because there is nothing like this in the area it will be recommended to special needs children from Ellensburg to the lower valley. He stated that one could not pick and choose the service area.

Linda Stokes stated that she had empathy and she understood what people wanted for their children. She stated that the neighbors did not want this park. She explained that until the first meeting the neighbor did not know that the park had changed for a neighborhood park to this. She stated that until the neighbors had answers to their questions it should be denied.

Joyce Jackson stated her address as 770 Dixie Drive, Selah, WA. She stated that she used to live across from Wixson Park before it was a park and her father used to call daily about the vandalism and behavior there. She stated that her parents were given a key and they opened and closed the bathrooms and cleaned then at no cost to the city. She stated that she ran a boot camp in Yakima that clean up at park. She stated that parks were hard to maintain. She stated her other concern of liability for injuries on the exercise equipment. She also stated that the field was at one time an orchard and asparagus field.

Vice Chairman Smith asked Charlie brown to address maintenance of the park.

Mr. Henne stated that instances do happen at the parks.

Discussion ensued: Maintenance, vandalism, police patrols and City liability insurance.

Conclusion: the City will maintain the Park. Instances of vandalism do happen. The Police will be patrolling the park. The city will carry liability insurance for the Park.

Commissioner Miller asked if there would be a budget item line for the park.

Mr. Wayman, City Administrator answered yes there would be.

Vice Chairman Smith asked if there was any other public comment at this time.

Shirley Johnson-Hoy stated that ADA was dear to her heart. She stated her concerns as fencing, children eating grass and security.

Mr. Durant stated that they would be putting in an access way and increase patrols and lighting.

Vice Chairman Smith asked if anyone else would like to speak. She asked Mr. Durant if he wanted to address any issues.

Mr. Durant stated that they had talk about security. He discussed the process of SEPA. He stated he had talked to Ecology and the playground would be covered accordingly. Example: gravel, rubber matting etc. He read the comments from Ecology. (Exhibit 9 attached). He stated that the comment from Ecology did not reflect a significant health hazard and that the playground would be protected. He stated that he handled SEPA accordingly. He pointed out the plan designation parts 2014-2019 Comprehensive Plan, Article 3 listing this as a Community Passive Park. (Exhibit 15 Attached) He stated he had the form of finding when the Commission was ready.

Vice Chairman Smith asked if the soil was being tested.

Mr. Durant answered yes.

Discussion: height of fence, length of the fencing and passive vs active park.

Conclusions addressed in the finding for the Park.

Mr. Durant stated he would walk through the findings. He stated that this was when the Commissioners could add more conditions. (Attached)

Vice Chairman Smith asked for a motion on the floor with the conditions discussed to increase fence height and length.

Commissioner Miller motioned to approve with conditions.

Commissioner Torkelson seconded the motion.

Vice Chairman Smith called for a voice vote and the motion with conditions was approved with a vote of 3-0.

Mr. Jackson asked if once this was finalized could they get a copy.

Discussion ensued about the conditions of the park.

Vice Chairman Smith thanked the audience. She then motioned for a break.

Vice Chairman Smith reconvened the meeting.

2. Amendment to SMC 11.19 Flood Damage Prevention Ordinance, 971.00.15-12  
Environmental Review

Mr. Durant discussed Amendment to SMC 11.19 Flood Damage Prevention Ordinance, 971.00.15-12 Environmental Review. He went over the staff report with all the amendments. (Attached)

Vice Chairman Smith asked for comments.

Ms. Johnson-Hoy asked if the mayor was in agreement with that.

Mr. Durant stated the recommendation would go to the City Council.

Mr. Henne stated that Ecology looked at everything and were 98% okay with how the City handled the program. He explained that these were stated requirements and if the City was not consistent with the Stated then people could not get flood insurance.

Mr. Durant stated that there was very little flood way in Selah.

Mr. Henne explained the flood way.

Discussion: Existing structure and the flood way.

Commissioner Miller moved to adopt the amendments by staff.

Commissioner Torkelson seconded the motion.

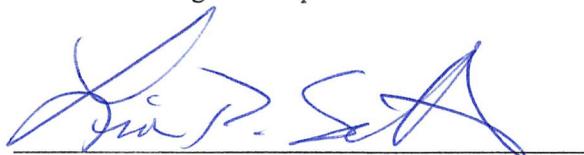
Vice Chairman Smith called for a voice vote to approve the amendments by staff and it was approved with a vote of 3-0.

H. Reports/Announcements

1. Chairman-None
2. Commissioners- None
3. Staff-None

Adjournment

Vice Chairman Smith motioned to adjourn the meeting, Commissioner Torkelson seconded the motion. Vice Chairman Smith adjourned the meeting at 7.36 pm with a voice vote of 3-0.

  
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Vice Chairman

2.2.16