



Planning Commission Staff Report-Addendum

APPLICATION(S):	23-013 CU: Conditional Use
MEETING DATE:	April 4, 2023
PUBLIC HEARING:	Yes
Report Date:	April 4, 2023
Applicant:	Seaside School District
Owner:	Sunset Empire Parks and Recreation District (SEPRD), City of Seaside
Location:	1120 Broadway St. (6-10-22BB-TL 4700 & TL 4800)
Major Street Access:	Broadway St.
Parcel Number(s) & Size:	6-10-22BB-TL 4700 & TL 4800 / Approximately 14 acres
Parcel Zoning:	General Commercial (C-3), Medium Density Residential (R-2)
Adjacent Zoning:	General Commercial (C-3), Medium Density Residential (R-2)
Current Use of Parcel:	Park, Former Middle School
Adjacent Uses:	Park, Residential
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	Planning Commission
Future Routing:	None
Planner:	Jeff Flory, Community Development Director

A. Summary:

The applicant is requesting a Conditional Use to develop a softball field that will include an additional parking area north of the SEPRD building, additional seating for spectators, fencing and backstop, as well as adding an announcer booth.

B. Public Comment:

One written comment was received regarding this project. Neighboring property owner, Chris Niebergall expressed the following concerns:

- The addition of a softball field can create situations with foul balls that could potentially cause damage to private property or injury to the property owners or guests. Mr. Niebergall expects the entities involved to carry the appropriate insurance for these situations. *Staff Finding: The insurance necessary for the proposed project is not within the scope of the Planning Commission. The responsibilities of SEPRD, City of Seaside, and Seaside School District will be detailed in the Inter-Governmental Agreement that will be completed before construction begins.*

The applicant has presented a tensioned netting system created by Sportsfield Specialties that they will install near the northern property boundary that will help prevent foul balls from entering neighboring properties. Further research into this product has revealed the standard height of the netting system for baseball and softball fields is 40ft.

- The old concession stand building is rotting and rat infested and has become a dumping ground for equipment and garbage causing an unsightly mess that is visible to the neighboring properties. *Staff Finding: Chapter 96 of the Seaside Code of Ordinances provides remedies for nuisances such as this. Section 96.15 provides requirements for persons who keep junk outdoors on any street, lot or premises. Complaints of this nature should be directed to the Seaside Police Department's Code Enforcement Officer.*
- The turf and football equipment has been repeatedly thrown against the fence over time. The fence is leaning and falling apart and has become an eyesore. *Staff Finding: Per the applicant's site plan the fence along the northern property boundary appears to be entirely on the applicant properties and not the dividing property line. Per the photographs submitted by Mr. Niebergall, the fence is in need of repair as it is unsightly and promotes users of the facility to climb over the fence to trespass on neighboring property owners yards to retrieve equipment. The Planning Commission could consider the proposed Condition 4 that requires the fence to be repaired and maintained.*

In addition to the written comment, a comment was brought to staff's attention during the City Council meeting on March 27, 2023 by another neighboring property owner, Janice Magness. Janice raised concerns regarding foul balls landing in her yard. While this comment was not directly received in conjunction with this request, it is important to note that neighboring property owners share this concern.

C. Clarification to Condition 1:

After a meeting with the Seaside School District, Seaside Fire Department, and SEPRD on April 3, 2023 a request was made to modify the proposed Condition 1 so that it clarifies the access for the striped fire lanes. The proposed condition is modified to read:

Condition 1:

The fire access that leads to the north parking lot will need additional signage and striping in the SEPRD parking lot to prevent the access gate from being blocked. The signage and striping must be approved by the Fire Marshal.

The fire access on the south side of the BMS building accessed off of Broadway St. is to remain clear of vehicles and storage items. A Knox lock with an SEPRD lock daisy chained together will be used to lock the access gate.

The fire access lane is required to be striped, similar to what is shown on the approved site plan, and must extend to the gate in the outfield fencing of the softball field. All striping and signage must be approved by the Fire Marshal. Vehicles may use the fire lane for access to the Herche Training Facility, building maintenance, access to empty the trash receptacles, and access to make deliveries so long as they do not stop or park in the striped fire lane. The access gate is to remain locked outside of the times it is being used for the limited, above-mentioned activities.

D. Additional Condition:

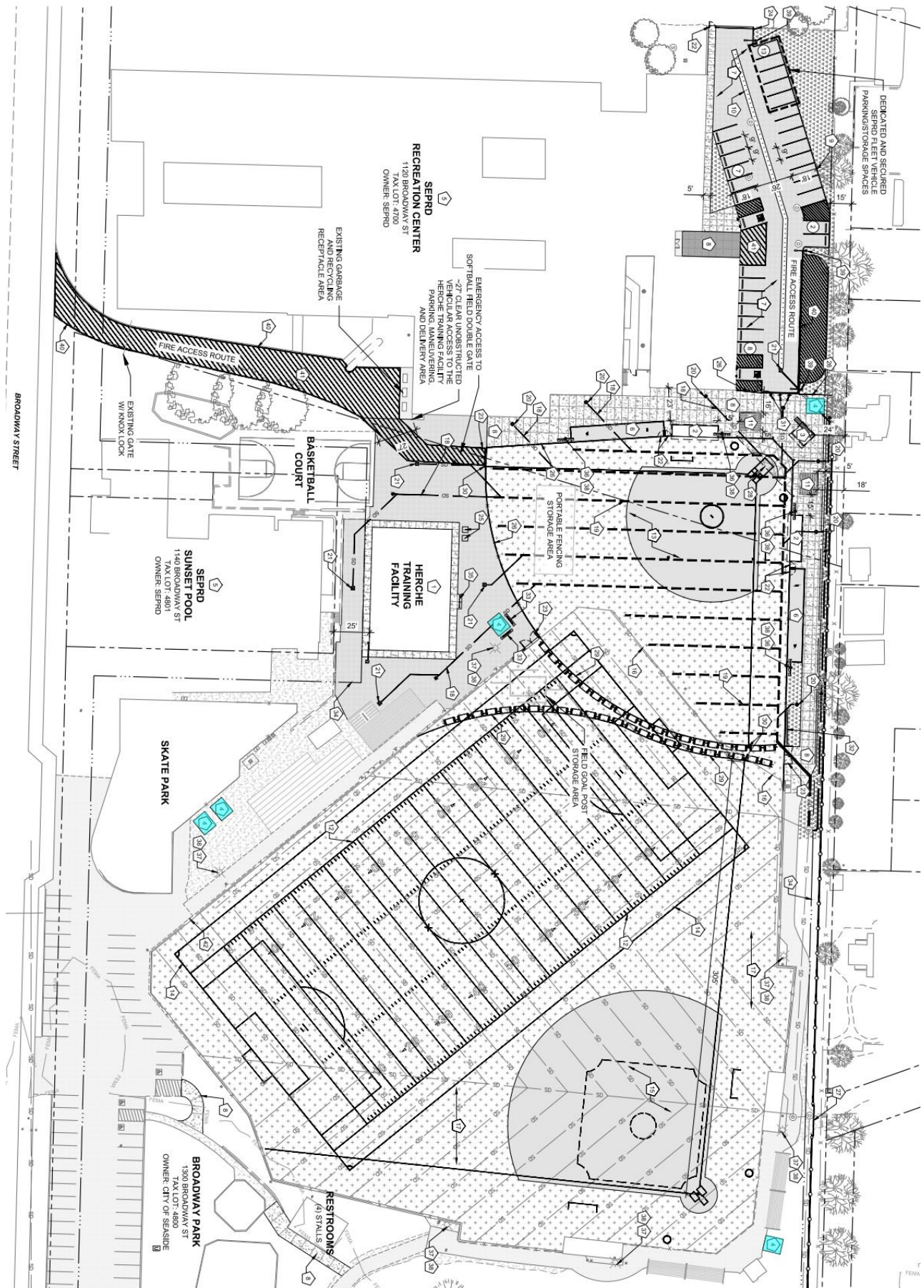
In light of the written public comment received and the photographs submitted by a neighboring property owner, staff has drafted a condition for consideration of the Planning Commission to address the owner's concerns.

Condition 4:

The chain link fence near the northern property line separating the athletic fields from the backyards of private property owners has fallen into disrepair, is leaning, and appears to be broken in at least one section. The applicant is required to repair and maintain the chain link fence to discourage users of the facility from climbing over the fence and trespassing onto private property.

E. Attachments:

1. Revised site plan showing fire access from Broadway St.
2. E-mail from Chris Niebergall
3. Photos taken by Chris Niebergall



Jeff Flory

From: chris niebergall <npc422001@yahoo.com>
Sent: Tuesday, April 4, 2023 12:27 PM
To: cityadmin@cityofseaside.us; Jeff Flory
Subject: Re: New development of fields and concerns

It was nice talking with you earlier today Jeff. As I mentioned , I met with Skyler Archibald previously and also followed up with an email that he said he would share with those involved.

Several concerns exist for us, some of which I mentioned to you on the phone.

While we advocate for kids participating in activities and staying involved we also have to look after our property and the potential for damages that could occur with the new field that is being considered.

We fully expect, the city of Seaside, Sunset Parks and Rec and seaside school district to be insured to cover any damage to our home, our cars and to cover any injuries that could occur from balls flying into our yard. While the netting might seem like a good idea, it won't stop everything.

Another concern is the old concession stand, it is rat infested (Skyler told me he went out there once and wouldn't go near it again) it is rotting, was recently broken into and has become a dumping ground for equipment and garbage (please see the provided photos taken April 3,2023). This is what we have to look at from our backyard...in no way is this right for Seaside to allow this to happen.

When the old concession stand is torn down, those rats are headed right for our place, we would like something done to mitigate the infestation that will occur, due to the lack of and continued lack of maintenance of the area on behalf of the parties involved.

The turf and football equipment has been repeatedly just thrown up against the fence over time. The fence is leaning, falling apart at the seems and is an eyesore as well.

We have tried and asked and no one would ever come out and view our concerns.

We have been wonderful neighbors for the past 35+ years, returning hundreds of baseballs, soccer balls, softballs and footballs....etc. and look forward to being continued good neighbors.

We definitely feel that things need to be addressed and taken care.

Any questions or concerns, please call me at.....

Chris Niebergall
503-341-0299

Sent from my iPad





