



**CITY OF PONDERAY PLANNING & ZONING
PONDERAY CITY COUNCIL CHAMBERS
288 4TH STREET
APRIL 12, 2017**

CALL MEETING TO ORDER - THE PLEDGE OF ALLEGIANCE WAS RECITED.

Commission Chair Merrill called the meeting to order at 6:30 p.m.

Planner Miller called the roll: Commission Members Present: Chair Kellee Merrill, Steve Fox, Phil McNearney, Marc Woller

Staff: Planner Erik Brubaker, Assistant Planner KayLeigh Miller, Engineer Dan Larson

ABSENT: Lawson Tate

**CONSENT AGENDA: Approved minutes of March 8, 2017 Regular P&Z Meeting
Commission Member Woller/McNearney, all in favor. Approved**

ACTION ITEMS:

File SP17-033, Panhandle Animal Shelter Site Plan

The Panhandle Animal Shelter is requesting approval to modify an approved site plan in order to construct a \pm 50'x70' accessory building with a 12'x30' lean-to for the storage and sorting of donations associated with the Panhandle Animal Shelter Thrift Store. According to the application, the proposed structure will use the existing access as well as water and sewer services. The site is located on the northwest corner of the intersection of Kootenai Cut-off and McNearney road in Section 11, Township 57 North, Range 2 West, Boise Meridian.

No conflict of interest or disclosure.

Presentation by Assistant Planner Kay Leigh Miller. This application was originally reviewed back in 2007 for the approval of a special use permit and a site plan to allow the animal shelter and the thrift store on site. Those were both approved and building commenced in 2008. When this proposal came forward, staff pulled the old files and looked at the old approvals vs. the new request and determined that this use was really an accessory to the approved use rather than a new use. As a result only the site plan modification was needed to allow the proposed structure. Pictures were shown.

- Standards
 - PCC 9-4C-2(A) Open space
 - 25% required
 - \pm 60.4% provided
 - PCC 9-4C-2 (E) Green space
 - 10%-25% is required
 - \pm 60.4% is provided
 - PCC 9-5 (Article E) Parking
 - 1 space (200 sq f) per 1,000 sq ft of floor area
 - Proposed structure is 3,860 sq ft = 4 parking spaces required
 - 2,748 square feet of new asphalt is proposed to accommodate parking and loading.

- The provided space is sufficient to accommodate the required parking space.
- PCC 9-5C-5 Trash
 - An external trash compactor is shown within the proposed lean-to
 - Proposed Condition 6, required screening consistent with code.
- PCC 9-5A-3 (C) Setbacks
 - Kootenai Cutoff Road
 - 75' from the centerline of the road or 25' from the property line, whichever is greater
 - McNearney Road
 - 45' from the centerline of the road or 25' from the property line, whichever is greater
 - 10' from the north and west lines
- Construction will require the relocation of a portion of the berm onsite
 - Berm was constructed on-site by the City as a buffer
 - Structure will be constructed in areas where the berm is removed, which will provide a visual and sound barriers
 - Proposed Condition 8
 - Material removed from the existing earth berm shall be relocated to the satisfaction of the City of Ponderay.

The Greenbelts and Pathways plan identifies a future greenbelt along the west boundary. The City proposed dedication to the identified greenbelt area as public right-of-way. Prior to building permit issuance the landowner shall dedicate the west 15-feet of the subject parcel to the public, for future development, consistent with the Ponderay Greenbelts and Pathways Plan.

Agency comments were read into the record.

Staff Recommends approval subject to conditions

Staff Analysis & Recommendation

Subject to the recommended conditions of approval, staff finds that this project is consistent with Ponderay City Code. The proposal meets the applicable provisions of Ponderay City Code. Lighting, landscaping, signage and stormwater would be managed through the approved plans meeting the requirements of Ponderay City Code. Therefore, staff recommends approval of the proposed site plan.

Cary Kelly – 211 S. 4th Ave Sandpoint-member of the board of directors for the Shelter. They would like to break ground as soon as the weather permits. Proposed condition number 4 could cause delays. We are requesting that we treat that as a separate issue. Eventually make that happen but right now it is an obstacle for them because the shelter board has approved the submitted site plan without the dedication. Rather than take the site plan back and get approval all over again prior to construction, we would like to move forward. It would be clear for them to get the building permit as is and then work in cooperation with the City to put together the path what it is required at a later date.

Assistant Planner KayLeigh Miller, noted that staff would recommend amending the proposed condition 4 to allow permit issuance prior to dedication, and instead require the dedication prior to issuance of the certificate of occupancy. This would allow construction to begin while they receive shelter board approval for the dedication.

Cary Kelly stated that would be acceptable.

Motion to Approve: Commissioner McNearney/Woller. Roll Call, all in favor.

Motion: Commissioner McNearney moved to approve this project FILE SP17-033 to modify the approved site plan in order to construct a ± 50'x70' accessory building with a 12'x30' lean-to for the storage and sorting of donations associated with the Panhandle Animal Shelter Thrift Store, finding that it is in accord with the applicable provisions of Ponderay City Code. He further moved to adopt

the conditions of approval as listed in the staff report noting the amendment of Condition 4 to reflect that dedication shall occur prior issuance of the final certificate of occupancy. Commissioner Woller seconded the motion.

VOTED upon and the motion carried, unanimously.

Conditions of Approval

1. Prior to submitting a building permit application, the applicant shall submit a final site plan to the Ponderay Planning Department. The site plan shall incorporate any required revisions or conditions of approval.
2. The site shall be developed in accord with the approved site plan and stormwater management plan.
3. Building permits shall be obtained prior to construction. All construction shall be in accord with the approved site plan, applicable Ponderay City Codes and the adopted building and fire codes at the time of construction.
4. Prior to issuance of the final occupancy certificate for the proposed structure, the landowner shall dedicate the west 15-feet of the subject parcel to the public, for future development, consistent with Ponderay Greenbelts and Pathways plan.
5. Construction must begin within one (1) year after the site plan is approved. An extension of time for beginning construction may be requested, in writing, from the planning and zoning commission, which shall grant such an extension for a specified reasonable time upon a showing of good cause.
6. All proposed or future trash and/or garbage collection areas shall be enclosed on at least three (3) sides by a solid wall or sight obscuring fence of at least four (4) feet in height, or within an enclosed building or trash and/or garage collection dumpster. Adequate vehicle access to and from such area or areas for collection of trash and/or garbage shall be provided. Trash and/or garbage collection areas must also be animal proof.
7. External lighting shall be installed in accord with the approved lighting plan. Exterior lighting shall not be placed in any manner as to permit beams and illumination onto a public right of way. All lighting shall be downwardly directed.
8. Material removed from the existing earth berm shall be relocated to the satisfaction of the City of Ponderay.

File SP17-34, Ponderay Place Lot 1 Industrial Site Plan

Project Summary

Douglas L. Visser and Lewis Patrick are requesting site plan approval to remove three existing structures and construct a new ±16,000 square foot light industrial building on Lot 1 of Ponderay Place Subdivision. The property is located on the south side of Highway 200, ±.11 miles west of McGhee Road, in Section 11, Township 57 North, Range 2 West, Boise Meridian.

No conflict of interest or disclosure.

Staff Presentation:

The subject property is Lot 1 of the plat Ponderay Place. The property contains direct frontage on, and access to Highway 200. The site has historically been used as a wrecked car yard for auto parts salvage. Currently, the property contains five buildings. The proposal includes removal of three existing buildings in order to construct a new ±16,000 square foot industrial facility. The property currently contains paved approaches and gravel driveways from the highway. The proposal includes relocation of one of the existing approaches to a new proposed location further to the east in order to better align with the 60-foot access easement and provide separation between approaches.

The property is zoned Industrial, and surrounding properties to the east, west and south are zoned Industrial. Property to the north is zoned Commercial and includes property located in the City of Kootenai. Surrounding uses include Litehouse to the north, Anderson Auto Body to the west, industrial/office and Lignetics to the east, and an auto wrecking yard to the south.

- File SP16-030 was approved with conditions at the September 14, 2016 Planning and Zoning Commission hearing.
- The original approval included adding onto the existing 5,760 sq ft building (now proposed for removal) to create a ±16,560 sq ft building. Additionally, a 30,000 sq ft future addition was proposed.
- Parking to the east rather than the west.
- Staff determined request warranted new application rather than modification.
- Same fee and process for new application and modification

Review Standards

- 9-4D-2(C) Parking Space Requirements
 - 16 Spaces are required
 - 25 Spaces have been provided
- 9-4D-2 (D) Green space
 - 10-25% of the total lot is required
 - ±75% is provided
- 9-5C-5 Trash Collection
 - 9-5-4 Performance Standards
 - Any commercial or industrial use or occupation of land or buildings in any zone which creates dangerous, injurious, noxious or otherwise objectionable conditions adversely affecting any other lot must comply with performance requirements relating to fire hazards, radioactive particles or electrical disturbance, noise, vibration, air pollution, glare and water pollution.
 - See Condition 16
 - 9-8-3(H) Site Plan Approval
 - See Condition 11 regarding lighting
 - 9-5-4 Performance Standards
 - Any commercial or industrial use or occupation of land or buildings in any zone which creates dangerous, injurious, noxious or otherwise objectionable conditions adversely affecting any other lot must comply with performance requirements relating to fire hazards, radioactive particles or electrical disturbance, noise, vibration, air pollution, glare and water pollution.
 - See Condition 16
 - 9-8-3(H) Site Plan Approval
 - See Condition 11 regarding lighting
- Staff report proposed 60 foot dedication along the east property boundary for drainage and road construction.
- Discussions with Mr. Patrick lead to the revisions of Conditions 6 and 12

- April 12, 2017, Mr. Patrick agreed to dedicate 30-feet along the east property boundary to the public for the greenbelt and pathway
- Mr. Patrick further agreed to dedicate 60-feet over the easement shown located centrally on the parcel running north south.

The City is in agreement with the proposed revision

- Revised Conditions 6 & 12
 - Condition 6 - Prior to building permit issuance the applicant shall provide a revised stormwater management and erosion control to the satisfaction of the Ponderay City Engineer. The revised plan shall relocate the stormwater facility outside of the 30-foot proposed Greenbelt and drainage dedication along the east boundary of the parcel and address the outstanding engineering comments.
 - Condition 12 - Prior to building permit approval the landowner shall dedicate to the public a 30-foot strip of land, over the east 30-feet of the subject parcel, consistent with the adopted greenbelt and pathways plan. Additionally, the land owner shall dedicated to the public, a 60-foot strip of land over the westerly 60-foot north south easement depicted on the site plan.
- Staff recommends approval subject to the conditions in the staff report noting the revised conditions 6 and 12

Ivan Rimar-Our intentions are to make a premier industrial park with quality buildings and I think it will be a benefit to the City of Ponderay.

Commission Member Woller/ Fox. Roll Call Vote. All in favor. Approved

Motion: Commissioner Woller moved to approve this project FILE #SP17-034 to remove three existing structures and construct a new ±16,000 square foot light industrial building on Lot 1 of Ponderay Place Subdivision, finding that it is in accord with the applicable provisions of Ponderay City Code. He further moved to approve the requested 5 foot setback to the east, as shown on the approved site plan, and adopted the conditions of approval as listed in the staff report, noting the amendments to Conditions 6 and 12 as presented. Commissioner Fox seconded the motion.

VOTED upon and the motion carried, unanimously.

Conditions of Approval

1. Prior to submitting a building permit application, the applicant shall submit a final site plan to the Ponderay Planning Department. The site plan shall incorporate any required revisions or conditions of approval.
2. Construction must begin within one (1) year after the site plan is approved. An extension of time for beginning construction may be requested, in writing, from the planning and zoning commission, which shall grant such an extension for a specified reasonable time upon a showing of good cause.
3. The proposed site plan has been reviewed for compliance with the provision of this title. Construction shall be in accord with the approved site plan and shall comply with the adopted building and fire codes.
4. Prior to building permit issuance the applicant shall provide proof of compliance with the comments provided by the City of Sandpoint and documentation that adequate water service will be provided to the proposed development.

5. Prior to building permit issuance the applicant shall provide proof of compliance with the requirements of the Kootenai-Ponderay Sewer District and documentation from the district that adequate sewer service will be provided to the proposed development.
6. Prior to building permit issuance the applicant shall provide a revised stormwater management and erosion control to the satisfaction of the Ponderay City Engineer. The revised plan shall relocate the stormwater facility outside of the 30-foot proposed Greenbelt and drainage dedication along the east boundary of the parcel and address the outstanding engineering comments.
7. Prior to building permit issuance the applicant shall provide documentation that concerns relating to the potential need for a turn lane have been addressed to the satisfaction of the Idaho Transportation Department.
8. Prior to building permit issuance the applicant shall provide an approved ITD encroachment permit to relocate the encroachment onto US Highway 200.
9. The 10-foot north/south utility easement shall be re-labeled to state "10-foot dry utility easement" and the proposed fire hydrant shall be relocated outside of said easement to the satisfaction of Avista Utilities.
10. All proposed or future trash and/or garbage collection areas shall be enclosed on at least three (3) sides by a solid wall or sight obscuring fence of at least four (4) feet in height, or within an enclosed building or trash and/or garage collection dumpster. Adequate vehicle access to and from such area or areas for collection of trash and/or garbage shall be provided. Trash and/or garbage collection areas must also be animal proof.
11. External lighting shall be installed in accord with the approved lighting plan. Exterior lighting shall not be placed in any manner as to permit beams and illumination onto a public right of way. All lighting shall be downwardly directed.
12. Prior to building permit approval the landowner shall dedicate to the public a 30-foot strip of land, over the east 30-feet of the subject parcel, consistent with the adopted greenbelt and pathways plan. Additionally, the land owner shall dedicate to the public, a 60-foot strip of land over the westerly 60-foot north south easement depicted on the site plan.
13. The industrial use shall be carried on in such a manner as to not create a hazard of fire or explosion.
14. All byproducts, emissions, waste and other discharges must meet the minimum standards of all local, state and federal agencies with jurisdiction, including, but not limited to, EPA, health district, sewer district and sanitary landfill district. In addition, said use shall not negatively impact adjoining and/or adjacent properties.
15. All storage of materials, equipment, inventory, supplies, etc., must either be indoors or contained within a six foot (6') high, sight obscuring fence. Storage of hazardous, flammable or explosive materials must be in accordance with Northside fire department requirements. All storage structures must comply with the structure setback requirements of this title.
16. The industrial use shall operate in compliance with the performance standards of PCC 9-5-4.
17. Future signs shall comply with the standards of Ponderay City Code in effect at the time of construction.

Workshop discussions - Sub Area Plan-continued discussion

The Meeting was adjourned at 9:35 p.m.

Planning and Zoning Chairperson

Su Warren, City Clerk-Treasurer