



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

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

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

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

Staff: Assistant Planner KayLeigh Miller

ABSENT: Planner Erik Brubaker, Lawson Tate

**CONSENT AGENDA: Approved minutes of May 10, 2017 Regular P&Z Meeting
Commission Member Fox/McNearney, all in favor. Approved**

Clean up week end was a great success. We got rid of 120 cubic yards of garbage (3 forty yard dumpsters), 50 Tires, two tons of scrap not including the car that is being donated, pile of electronics, appliances, chemicals, paint and a pile of brush as big as a house. We painted one house, repaired the snow roof and porches, rebuilt a fence, repaired five fences, repainted a fence, constructed a wheelchair ramp, repainted fire hydrants, cleared ditches, pressure washed a couple houses, cutting and trimming trees and grass, raking, mowing, weed eating, cleaning gutters and spraying weeds. Thank you all for your help. KayLeigh had a list of all the volunteers and donations.

ACTION ITEMS:

File SP17-037, Garage Village LLC

Tim Rickard is requesting site plan approval to construct a new ±10,800 square industrial building and a ±1,200 square foot office building on a ±1.8 acre site, which currently houses one 30'x250' building with condo storage units. The property is located on McNearney Road, in Section 2, Township 57 North, Range 2 West, Boise Meridian. The applicant originally received approval for the large number of those storage building. Then later the property was divided, part was sold to FedEx. Only one of the buildings that was originally proposed is on the agenda.

No conflict of interest or disclosure.

Site Data

The subject property is Lot 2 of the R and H Subdivision

Received prior approval for a series of "condo storage unit" buildings. However, only one structure was constructed.

The property was later divided and the Federal Express facility was constructed on the westerly portion of the property.

The property is zoned Industrial, as are the properties that immediately surround the subject parcel.

Access: Access will be provided from McNearney Road via the FedEx access road.

Environmental Factors

The site is relatively flat and was previously developed with condo storage units and gravel travel ways.

The Bonner County GIS mapping indicates the presence of wetlands along the south boundary of the parcel.

There are no water bodies identified on site and the parcel does not contain mapped flood plain (Zone X, Panel 0710E).

Services: The subject property is served by Sandpoint City Water and Kootenai-Ponderay Sewer District. The site is located within the Boundaries of the Lake Pend Oreille School District and Northside Fire District.

Stormwater: A stormwater management and erosion control plan modification was completed by R.Z. Macdonald, Site Specific Design, Licensed Landscape Architect on June 18, 2017. The original plan submitted as a part of a larger proposal for multiple storage condo units.

PCC 9-4D-3 allows for construction manufacturing, processing, fabrication or assembly facilities, provided:

- a) Carried on in such a manner as to not create a hazard of fire or explosion.
- b) 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.
- c) 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.
Storage. All storage must be indoors or within a six foot (6') high, sight obscuring fence. All storage structures must comply with the structure setback requirements of this title provided, no commercial sales shall be permitted from such storage facility.
(See Conditions B-5 through B-7)

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 B-8

9-8-3(H) Site Plan Approval

See Condition B-3 regarding lighting

7-6 Signage

Located within the Scenic Byway District

Proposed future sign location is identified on the site plan.

Specific signage details were not provided at this time

See condition B-9

Agency Comments

Pat Park, Building Official

Ryan Luttmann, Public Works Director

Peggy George, Avista Utilities

Dan Larson, P.E., HMM Engineering, LLC.

Jimmy Cornelius, Ponderay Police Department

Colleen Johnson, Kootenai Ponderay Sewer District

Independent Highway District

Northside Fire District

Staff Recommends APPROVAL subject to the conditions outlined in the staff report

MOTION TO APPROVE: I move to **approve** this project FILE #SP17-037 to construct a new ±10,800 square industrial building and a ±1,200 square foot office building on ±1.8 acres in the industrial zone, finding that it is in accord with the applicable provisions of Ponderay City Code. I further move to adopt the conditions of approval as listed in the staff report [noting any amendments].

Commission Member Woller/Fox, all in favor. Approved

File SP17-038,

Steven Powell and Scott Dempsey are requesting site plan approval to construct two commercial buildings. The buildings will be built in two phases. The property is located at the intersection of Highway 200 and Birch Avenue, in Section 11, Township 57 North, Range 2 West, Boise Meridian.

No conflict of Interest or disclosure.

Site Data: The project site consists of Ponderay, Block 14, Lots 19-24 and a portion of vacated right-of-way, totaling ±.554 acres. The property is zoned commercial.

Access: The site will be accessed from Birch Avenue in Ponderay, but also has frontage on Highway 200.

Environmental Factors:

The site is currently undeveloped.

It is relatively flat and contains native grasses and bushes.

The site does not contain mapped wetlands or water bodies according to the Bonner County GIS mapping tool.

The site does not contain any mapped floodplain (Zone X, Panel 0716E).

One of Ponderay's critical drainages flows through this property in an existing 36" stormwater pipe. At this time the City does not possess an easement or public right-of-way to maintain the stormwater drain. A 15-foot easement is requested. (See HMH Comments and conditions below)

Services: The subject property is served by Sandpoint City Water and Kootenai-Ponderay Sewer District. The site is located within the Boundaries of the Lake Pend Oreille School District and Northside Fire District.

Stormwater: A stormwater management and erosion control plan was completed by Tim Blankenship, P.E. of James A. Sewell and Associates on June 20, 2017. Revisions were submitted on June 28, 2017.

Ponderay City Code (PCC) 9-4C-3 and 9-4C-4 allow for commercial uses that are permitted outright as well as uses that are permitted by special use permit.

The proposed buildings will be available for "lease". As a result, the tenants will vary over time. Each use will need to be reviewed on its own merit prior to occupancy (See Condition B-2). Therefore, only site plan approval is required at this time.

PCC 9-4C-2 (A) Open space

- 25% required
- 78.9% shown

PCC 9-4C-2 (C) Parking Space Requirements

- Original Scenario
- Retail and office space (1 space per 200 sq ft)
- 5,080 sq ft proposed = 26 spaces
- 31 provided

“Alternate 1”

- 26 spaces are required
- 21 are provided
- Parking reduction request is required

Dan Larson P.E. commented that he saw no issue with the parking reduction request.

Review Standards

• 9-4C-2 (D) Green space

- 10-25% of the total lot is required
- $\pm 28.3\%$ is provided in the original plan
- There is no indication that the amount of green space provided changed with the alternate plan
- Condition A-1, requires a final site plan and stormwater management plan be submitted prior to building permit issuance. This will confirm the alternate plan complies.
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9-4C-2 (F) Access

Parcel has direct frontage on Highway 200 and Birch Ave
Original plan provided 2 one-way approaches onto Birch Ave
Northside Fire preferred layout
Independent Highway district and Idaho Transportation Department raised safety concerns
Alternate plan provides one access placed on the south portion of the parcel away from the intersection with Highway 200

Resolution 2002-2 states that one access shall be given to a public road for any one parcel unless exceptional circumstances exist.

Alternate design addresses the concerns of IHD and ITD

PCC 9-4C-2 (G) Site plan

Site plan shall depict sidewalks and/or bike paths if required by the commission or city council
Location is in an area lacking an existing sidewalk network
Frontage will likely be part of a future Highway project
Requesting contribution towards offsite improvements in the amount of \$4,191.46

Condition A-4 requires payment prior to building permit issuance

PCC 9-5A-3 (C) Setbacks, Commercial and Industrial Zones

Highway 200
75-feet from center of R-O-W
25-feet from edge of R-O-W
Birch Ave
45-feet from center of R-O-W
25-feet from edge of R-O-W
Residential parcels to south and east
25 feet from parcel boundary
Commercial parcel to the North
10-feet from parcel boundary

Original design complies with the setbacks as required by this title

“Alternate 1”

Moves the structure forward towards Highway 200 and Birch Ave
Requests a 10-foot setback to Birch Ave
Requests a ± 20 -foot setback to the Highway 200 R-O-W
Allows for a wider travel lane along east edge of the south building

Dan Larson, P.E. stated that he saw no issue with the setback reduction as it did not cause any site distance issues due to the angle of the intersection.

PCC 9-5A-4 (A) Maximum Height

Structure shall not exceed two stories

Application states the structures will not exceed 24-feet in height

See condition B-5

PCC 9-5C-5 Trash

Trash enclosures are not shown

See Condition B-3

PCC 7-6-8 Sign Size and 7-6-12 Scenic Byway Standards

Property is located within the Scenic Byway district

Approximate location is depicted on the original plan

It is assumed the sign will be located in the same location on "Alternate 1"

Condition B-10 requires the sign to comply with the standards of Ponderay City codes as well as ITD standards.

9-8-3(H) Site Plan Approval

See Condition B-4 regarding lighting

See Condition B-10 regarding signage

See Condition B-13 regarding landscaping

9-5-4 Performance Standards

See Condition B-9

9-5B-6 Outdoor storage of Commercial or Industrial Materials or Equipment

Screening required: When Commercial or industrial materials or equipment are stored outdoors, said materials and equipment shall be screened from view of any existing residence or any residentially zoned area, whether or not such property is separated by an alley or street.

See Condition B-11

Storage Prohibited: Commercial and industrial materials or equipment shall not be stored outdoors in the front yard setback.

See Condition B-12

Agency Comments

Pat Park, Building Official

Ryan Luttmann, Public Works Director

Peggy George, Avista Utilities

Dan Larson, P.E., HMH Engineering, LLC. (See Condition A-5)

Jimmy Cornelius, Ponderay Police Department

Colleen Johnson, Kootenai Ponderay Sewer District

Independent Highway District (See Condition A-5)

Northside Fire District

Idaho Transportation Department

Conditions of Approval

Condition B-6 should be amended to read "The commercial use shall be carried on in such a manner as to not create a hazard of fire or explosion."

Staff Recommends APPROVAL of the "Alternate 1" site plan subject to the conditions outlined in the staff report

Commission Member Fox commented that if there is a fire there, hopefully they will not be going in there with a fire truck. Assistant Planner Miller said that in her discussion with the fire chief were that if the building closest to Birch Ave was on fire they would be fighting that from Birch. However, even though highway 200 is classified as a fire access road it doesn't have an approved route from it

because there is no access directly off highway 200. In order to fight fire at the northerly building they could back into the site assuming that both buildings are not burning at the same time.

Scott Dempsey-for the applicant - said that he would like the City to trade the easement of the storm water culvert for the sidewalk. There was discussion on the highway widening and putting the sidewalk in on Birch that goes nowhere.

Motion to Approve alternate design: I move to **approve the design labeled “Alternate 1”** for project FILE SP17-038 to construction of two commercial structures. I further move to approve the setback reductions as submitted, to adopt the conditions of approval as listed in the staff report and to recommend approval of the requested parking reduction to the Ponderay City Council. Note the Amendment for 8-4 which says prior to building permit issuance a fee in the amount of forty one ninety one forty six (\$4,191.46) shall be paid to the City of Ponderay toward offsite improvements in accordance with PCC9-4-C-2-G or sidewalk is to be constructed along Birch Ave. prior to issuance of certificate of occupancy. And B-6 should be changed from Industrial to Commercial and should be carried out in such a manner as not to create a hazard or fire or explosives.

Commission Member Woller/Fox, all in favor. Approved

The Meeting was adjourned at 7:45 p.m.

Planning and Zoning Chairperson

Su Warren, City Clerk-Treasurer