



CITY OF PONDERAY PLANNING & ZONING
PONDERAY CITY COUNCIL CHAMBERS
288 4TH STREET
MAY 9TH, 2018

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

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

Planner Brubaker called the roll: Commission Members Present: Kellee Merril, Steve Fox, Marc Woller, Josh Devita

Staff: Planner Erik Brubaker

ABSENT: Lawson Tate

CONSENT AGENDA: Minutes of April 11th 2018 regular meeting

Commission Member Woller/Devita, all in favor. Approved

PLANNING UPDATES:

COMPLIANCE: S&W is making considerable progress with their clean up.

We have date scheduled for City Clean-up is Jun 9th & 10th. City picnic to follow at 4:00 p.m. Then city yard sale is the weekend of June 16th & 17th.

File ZC18-015 – Zone Change from Rural to Industrial – Lippert Excavation and Pipeline

is requesting Zone Change approval to change a 3.92-acre parcel from Rural to Industrial zoning district designation for the purpose of an excavation and construction contracting business and equipment yard. The property is currently in agricultural land use. The property is located at the north end of McNearney Road, in Section 2, Township 57 North, Range 2 West, Boise Meridian.

PUBLIC HEARING: open 6:35p.m.

Planner Presentation: Lippert Excavation and Pipeline currently employs between 15-20 full and part time employees some of which are seasonal. Large delivery trucks will occasionally deliver construction materials to the site. A primary use of the site will be heavy equipment and truck storage, as well as an office and mechanical shop. A general site plan concept was provided in the application PCC 9-5-4 Performance Standards

- Any commercial or industrial use must comply with performance requirements relating to fire hazards, radioactive particles or electrical disturbances, noise, vibration, air pollution, glare and water pollution.

PCC 9-5B-6 Outdoor Storage of Commercial and Industrial Materials or Equipment

- When commercial or industrial materials are stored outdoors they must be screened from view by any existing residence or residentially zoned property.
- Storage of Commercial materials or equipment is prohibited within the front yard setback
- 9-5B-4: CONTRACTOR'S YARD:
- A. Distance From Residential Structure: Any contractor's yard shall be located a minimum distance of three hundred feet (300') from any established residential structure, except for the residence of the owner or operator of said yard. (Ord. 6-2e, 2000; Ord. 6-2f, 2002)

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- B. Fence: All contractor's yards shall have minimum six foot (6') high sight obscuring fence around the areas utilized for the storage of equipment or supplies. (Ord. 6-2e, 2000; Ord. 6-2f, 2002; 2008 Code)
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- C. Use Restricted: A contractor's yard shall be limited to storage, maintenance, repair and processing incidental to contracting work. There shall be no general industrial or commercial uses. (Ord. 6-2e, 2000; Ord. 6-2f, 2002)
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PCC 9-8-3 (G) Supplementary Conditions and Safeguards

- Minimizing Impacts
- Controlling Sequence and Timing of Development
- Controlling the Duration of Development
- Assuring that the development is Maintained Properly
- Designating the exact location and nature of development
- Requiring a provision for onsite or offsite public facilities or services
- More restrictive standards than those generally required by this title
- Requiring Buffers, lighting restrictions, and building materials as necessary to protect the nature and character of any scenic byways within the city
- Consider conditions pursuant to PCC 9-6-2(H)
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- *H. Supplementary Conditions And Safeguards: In recommending approval of any zone change, the planning and zoning commission may also recommend appropriate conditions, bonds and safeguards. Violations of such conditions, bonds and safeguards, when made a part of the terms under which the zone change is granted, shall be deemed a violation of this chapter. Conditions may involve, but are not limited to:*
 - 1. *Minimizing adverse impact on adjacent property.*
 - 2. *Controlling the sequence and timing of development.*
 - 3. *Controlling the duration of development.*
 - 4. *Assuring that the development is maintained properly.*
 - 5. *Designating the exact location and nature of development.*
 - 6. *Requiring a provision for on site or off site public facilities or services.*
 - **7. Requiring more restrictive standards than those generally required by this title.**
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Agency Comments; Ponderay Police Chief Cornelious: noted that there are several companies with heavy equipment looking at relocating to this area, We need to cover that the applicants will take care of getting the road up to specs if that is not already the case. This also includes the intersection of Kootenai Cut-Off Road and McNearney Road. If the roadway will handle the added heavy traffic I think the business will be an asset to the community.

Kootenai-Ponderay Sewer Dist.: The above reference property is not within the district boundaries.

City of Sandpoint: Does not currently serve this parcel. City service ends approximately 150' south of this parcel. A water main extension may be required.

The approach to Kootenai-cut-Off from McNearney Road is not wide enough for big truck traffic. The approached needs to be wider is the concern of Independent Highway Dist.

Staff recommends approval with condition relating to dedication of right-of-way along the East 80' and the south 30'.

Presentation by Applicant: David Harley Lippert. They are basically just wanting to move their shop there. The truck traffic would not be that much, the trucks leave in the morning and return at night. Primary hours are 7a.m. to 5p.m. Monday thru Friday. We would work with getting McNearney road issues fixed. We would be extending McNearney Road to this property.

Commission member Woller asked at what time does the Field of Dreams road come into play? They do not plan on using that access road for some time. We would come back to the City, at a later time, with a subdivision process.

Public comment: Phil McNearney-Birch Street-Ponderay-I own property adjacent to the South & East and my sister on the piece that is directly to the South from the proposed site. I have mixed feelings about changing this from rural to Industrial. I think that it would be ideal if we could keep commercial/Industrial to the South. I can understand why they would feel the need to get started on some development. I think ideally use for this property would be high density residential. It is contiguous to Industrial at this time.

Rebuttal by applicant: If there was sewer there it would be ideal for residential but we are looking at ten to twenty years and multimillions of dollars to get sewer out there. I look at this as being the best short term use for that property at this time.

End Public Hearing at 7:09p.m.

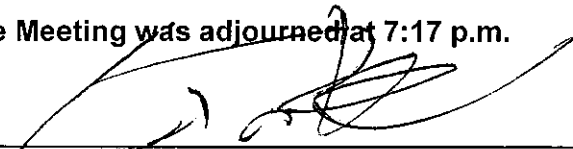
Initial Deliberation, discuss finding of fact and develop a reasoned decision

Dust control on McNearney Road was discussed.


MOTION TO APPROVE: *I move to recommend approval of this project FILE ZC18-015 to change the zoning map from rural to industrial on the subject property finding that it is in accord with the general and specific objectives of the Ponderay City Code, the Comprehensive Plan, and based upon the evidence submitted and testimony received at this hearing. Including the conditions of approval.*

Commission Member Fox/Woller, Roll call vote, all in favor. Approved

The Meeting was adjourned at 7:17 p.m.



Planning and Zoning Chairperson



Su Warren, City Clerk-Treasurer