



**CITY OF PONDERAY PLANNING & ZONING
PONDERAY CITY COUNCIL CHAMBERS
288 4TH STREET
MARCH 13TH, 2019**

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

Commission member Woller called the meeting to order at 5:30 p.m.

Planner Brubaker called the roll: Commission Members Present: Marc Woller, Steve Fox, Karen Engel

Staff: Planner Erik Brubaker

ABSENT: Lawson Tate, Josh Devita,

CONSENT AGENDA: Minutes P&Z Regular meeting

Commission Member Fox/Engel, Roll call vote, all in favor. Motion approved

1. **ACTION ITEMS:** File SP19-049, GVD Commercial Properties, Site plan modification to stormwater and parking area.

Project Summary

GVD Commercial Properties, Inc. is requesting site plan modification approval in order to revise the Hotel Ruby onsite stormwater facilities to accommodate construction of an additional 25 parking spaces. The project is located east of U.S. Highway 95, behind the Farmhouse Restaurant in Section 2, Township 57 North, Range 2 West, Boise meridian.

Site Information

- A. **Site Data:** The subject ±2.687-acre property (per the Bonner County GIS mapping) is made up of a portion of Starr's Acreage Block 5 and vacated right-of-way. The site is currently developed with Hotel Ruby (±69 guest rooms), associated indoor swimming pool and parking lot.

The property is zoned commercial, as are the properties that immediately surround the subject parcel. Surrounding uses include a residentially developed lot to the North, Home Depot to the East, North 40 to the South and the Farmhouse Restaurant as well as a vacant lot to the West. The parcels to the North, South and West (with the exception of the vacant lot) are owned by GVD Commercial Properties, Inc.

- B. **Access:** Access to the site is provided by U.S. Highway 95 (±200-foot public right-of-way) via the existing encroachment. No changes to access are proposed as a part of this application.
- C. **Environmental Factors:** The site is relatively flat and was previously developed. The U.S. Fish and Wildlife National Wetlands Inventory online mapping tool does not indicate the presence of wetlands on site.

There are no water bodies identified on site and the parcel does not contain mapped flood plain, according to the Bonner County online mapping tool.

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

- E. **Stormwater:** A Stormwater management plan, dated February 6, 2019 was submitted for review by Debra Van Dyk, P.E., Clearwater Engineering, along with a civil site plan. A revised drawing was received February 27, 2019.

Project Review

Staff finds that the proposal complies with all of the applicable requirements of Ponderay City Code. Items warranting discussion or conditions are discussed below. Staff reserves the right to develop a full record in the event of an appeal.

Ponderay Code Section	Requirement	Provided by the Applicant
PCC 9-4C-2 (A) Open space	A minimum of 25% of the total lot or parcel must remain as open space	No additional construction is proposed. The percentage of open space remains unchanged.
PCC 9-4C-2 (B) Compliance	Construction, alteration or relocations of structures must be in compliance with the provisions of this title and the requirements of the zone	The proposed site plan modification 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. (Condition A-2)
PCC 9-4C-2 (C) Parking Space Requirements	All uses in the commercial zone shall meet the minimum parking space requirements as provided in PCC 9-5 Article E	The proposal includes modification of the onsite storm water facilities in order to create additional parking spaces. PCC 9-5E-3(E) requires one onsite parking space per guest room. The Hotel contains 69 guest rooms. 69 spaces are required. 98 spaces are shown on site post modification. (Condition B-3)

Ponderay Code Section	Requirement	Provided by the Applicant
PCC 9-4C-2 (D) Signs and advertising	Signs and advertising must comply with ITD regulations and the standards of this title.	No modification to signage is propose
PCC 9-4C-2 (E) Green space	Not less than 10% nor more than 25% of the total lot area shall be required as green space.	According to the stormwater management plan provided by Debra Van Dyk, P.E., Clearwater Engineering, ±.84 acres or 34.7% greenspace is proposed post modification.
PCC 9-4C-2 (F) Access	All lots in the commercial zone shall have at least one existing access	The parcel has direct frontage onto U.S. Highway 95. Existing and proposed access is provided via the existing approaches.
PCC 9-4C-2 (G) Site plan	Site plan shall depict sidewalks and/or bike paths if required by the commission or city council	<p>The parcel is a flag lot containing only enough frontage for the Highway approach.</p> <p>No sidewalk construction is proposed as a part of this modification application.</p>
PCC 9-5C-5 Trash	All 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.	Relocation of the trash collection facility is not proposed.
PCC 9-8-3 (H) Site Plan Approval	Shall be considered to be a concurrent signage plan, landscape plan, lighting plan, stormwater and erosion control plan or other required plan if submission is adequate to satisfy the above requirement.	The site plan modification does not propose any changes to signage. However, the proposal does include relocation of several existing light posts. (See Condition B-5)

Ponderay Code Section	Requirement	Provided by the Applicant
PCC 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-4
9-5B-6 Outdoor Storage of Commercial and Industrial Materials or Equipment	<p>A) Commercial or Industrial materials that are stored outdoors must be screened from view of any existing residence or residentially zoned property.</p> <p>B) Storage of commercial or industrial materials or equipment is prohibited within the front yard setback.</p>	<p>A) See Condition B-8</p> <p>B) See Condition B-7</p>

Additionally, PCC 9-8-3(G) allows the Planning and Zoning Commission to place supplementary conditions and safeguards during site plan approval. 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.
8. Requiring buffers, lighting restrictions, and building materials as necessary to protect the nature and character of any scenic byways within the city.
9. Requiring professional design review, by criteria and process established by the planning director and adopted from time to time by resolution of the council.

Staff Note: Staff has listed recommended conditions of approval on page 9 of this report. The commission has the ability to modify the recommended conditions of approval or place

Ponderay Code Section	Requirement	Provided by the Applicant
additional conditions consistent with PCC9-8-3(G) at the time the motion is made.		

Agency Comment

The application was sent to the following agencies for comment on February 8, 2019:

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|-------------------------------------|--|-------------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> | Kootenai-Ponderay Sewer District | <input checked="" type="checkbox"/> | Northside Fire District |
| <input checked="" type="checkbox"/> | Ponderay Police Department | <input checked="" type="checkbox"/> | Pat Park, Building Official |
| <input checked="" type="checkbox"/> | City of Sandpoint | <input checked="" type="checkbox"/> | Avista |
| <input checked="" type="checkbox"/> | Frontier Communications | <input checked="" type="checkbox"/> | Northland Cable |
| <input checked="" type="checkbox"/> | Jesse Herndon, P.E., HMH Engineering, Ponderay City Engineer | | |

At the time this report was prepared, the following comments were received:

City of Sandpoint Water, Dan Tadic, P.E., City Engineer, email dated February 8, 2019: Mr. Tadic stated that the City of Sandpoint had no issue with the proposed site modification. However, he asked that the applicant ensure that locates are preformed and the water main is protected during earthwork activities.

Ponderay Police Department, Jimmy Cornelius, email dated February 10, 2019: Chief Cornelius stated that he had no comment.

Kootenai-Ponderay Sewer District (KPSD), Colleen Johnson, letter dated February 25, 2019: Ms. Johnson stated that the site is within the District's boundaries and is currently connected. She stated that the proposed modification does not contain change or increase the usage. Therefore, the district has no concerns with the plan as presented. However, she noted the property owner will be required to complete a locate call prior to construction.

Jesse Herndon, PE, HMH Engineering, Ponderay City Engineer, email dated February 26, 2019: Mr. Herndon stated that he had reviewed the stormwater management plan and associated documents and found them to be in compliance with City standards. He did note there were two minor corrections to be made on the Civil plans. Revisions civil drawings were submitted on February 27, 2019 and reviewed by Mr. Herndon. He noted that all concerns had been addressed.

Staff Analysis & Recommendation

Subject to the recommended conditions of approval, staff finds that this project is consistent with Ponderay City Code. Therefore, staff recommends approval of the proposed site plan.

CONDITIONS OF APPROVAL

Prior to issuance conditions (Must be met before a building permit can be issued)

- A-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.
- A-2.** The proposed site plan modification 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.

Operational Conditions (Must be met on an ongoing basis)

- B-1.** Construction must begin within one (1) year after the site plan is approved. A time extension for commencement of 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.
- B-2.** 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 garbage 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.
- B-3.** Parking spaces shall be retained in accord with PCC 9-4C-2 (C) and PCC 9-5, Article E.
- B-4.** The commercial use shall operate in compliance with the performance standards of PCC 9-5-4.
- B-5.** 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.
- B-6.** Stormwater and erosion control features shall be modified or installed and maintained in accord with the approved plan.
- B-7.** The storage of commercial or industrial materials or equipment within the front yard setback shall be prohibited.
- B-8.** Commercial or Industrial materials that are stored outdoors must be screened from view of any existing residence or residentially zoned property.

MOTION TO APPROVE: I move to approve this project FILE #SP19-049 requesting site plan modification approval in order reconfigure the existing stormwater facilities to accommodate additional parking, 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 (or amended) in the staff report.

Commission Member Fox/Engel, Roll call vote, all in favor. Motion approved

The Meeting was adjourned at 5:46 p.m.

Planning and Zoning Chairperson

Su Warren, City Clerk-Treasurer