

PLANNING & ZONING COMMISSION (PZC)
Regular Minutes for January 13, 2021 at 6:30 p.m.
City Council Chambers
911 North Seventh Avenue, Pocatello, ID 83201

The meeting began at 6:30 PM.

AGENDA ITEM #1: ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST, EX-PARTE COMMUNICATION AND SITE VISIT.

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

Jill Kirkham made a site visit for agenda item 3 and had nothing else to report. **Jack Moore** made a site visit for agenda item 3 and had nothing else to report. **Shin Kue Ryu** made a site visit for agenda item 3 and had nothing else to report. **Samantha Stoddard** made a site visit for agenda item 3 and had nothing else to report. **Kailey White** made a site visit for agenda item 3 and had nothing else to report.

Present: Jill Kirkham, Jack Moore, Shin Kue Ryu, Samantha Stoddard, and Kailey White.

Unexcused: Richard Phillips.

Staff: Carl Anderson, Matthew Lewis, and Merrill Quayle.

AGENDA ITEM #2: APPROVAL OF MINUTES

The Commission may wish to approve the minutes as written for the clarification and regular meetings of December 9, 2020.

It was moved by **J. Moore** and seconded by **S. Ryu** to approve the minutes as written for the clarification and regular meetings from December 9, 2020. Those voting in favor were Chanda, Kirkham, Moore, Ryu, Stoddard, and White. Those voting against were none. Motion passed unanimously.

Chair White opened the public hearing for Agenda Item 3 at 6:34 PM.

AGENDA ITEM #3: PUBLIC HEARING – ANNEXATION

This time has been set aside for the Commission to hear comments from the public regarding a request by Peterbilt, represented by Willie Biron and Connect Engineering, to annex and zone approximately 5.97 acres of land at 6715 S. 5th Avenue. The requested zoning is Light Industrial (LI).

Matthew Lewis, Senior Planner with the City of Pocatello summarized the staff report.

In consideration of the application and proposed development, assuming adoption of staff's recommended conditions, staff concludes that the annexation request and concurrent Zoning Map and Comprehensive Plan Land Use Map designation are compliant with Pocatello Municipal Code Section 17.02.110 Annexations. Should the Commission recommend approval of the subject application, staff recommends the following conditions attached: **1)** The subject property shall be annexed into the corporate boundaries of the City of Pocatello excluding therefrom the land area located west of the draw which bisects the proposed annexation area; **2)** An updated legal description of the parcels of land to be annexed, prepared by a licensed surveyor, shall be submitted by the applicant prior to the adoption of the annexation ordinance; **3)** That, upon annexation, the subject property shall be zoned Light Industrial (LI); **4)** Annexation application in to the City are subjected to a "Water Right Value" per Resolution 2006-02. This annexation will be subject to provide a documented source of water, deliverable to the city sufficient for the water needs or payment as necessary to obtain the water needs. From the utilization formula for the proposed zoning the payment would be

\$12,834.00 if no documented source is agreed to and transferred to the city; **5)** Any standards/ regulations not herein noted but applicable to the proposed development shall be strictly adhered to; and **6)** Any activity requiring a separate development or building permit shall comply with applicable regulations.

Barry Bame of Connect Engineering, representing Peterbilt, 6715 S. 5th Avenue, Pocatello stated that staff clarified everything and he had nothing else to add, except to ask the Commission to approve the annexation.

With no public comments, **Chair White** closed the public hearing at 6:42 PM.

It was moved by **S. Ryu** and seconded by **J. Moore** to recommend approval of the application from Willie Biorn, representing Peterbilt to annex the 5.97 acres (+/-) addressed as 6715 S. 5th Avenue to Light Industrial (LI) as requested, finding the application does meet the standards for approval under Chapter 17.02.110 of Pocatello Municipal Code and is conformance with the Comprehensive Plan Map designation of Industrial/Office, with the conditions listed in the staff report, and to authorize Chair White to sign the Findings of Fact. Those voting in favor were Kirkham, Moore, Ryu, Stoddard, and White. Those voting against were none. Motion passed unanimously.

Chair White opened the public hearing for Agenda Item 4 at 6:44 PM.

AGENDA ITEM 4: PUBLIC HEARING – CONDITIONAL USE PERMIT

This time has been set aside for the Commission to hear comments from the public regarding a request by Brent & Pamela Carlson, represented by Skyler Hartman, for a conditional use permit to allow for self-storage use in a Commercial General zoning district at 746 McKinley Avenue.

Carl Anderson, Sr. Planner with the City of Pocatello summarized the staff report and noted an additional condition to be added in the motion.

One phone call from a resident within the 300' noticing area notified staff that the site had been utilized as a construction staging area and included a gas pump location. Staff contacted representatives of the Fire Department who were unable to locate any record of a tank on-site, dating back to 1992. Staff recommends that the condition be added that the application coordinate with the Idaho Department of Environmental quality and Pocatello Fire Department, prior to the submittal of a building permit to determine the existence of a fuel tank and conduct any abatement required.

Staff finds that the proposal is compliant with all applicable standards of City Code 17.02.130, assuming the following conditions are met: **1)** All applicable standards of the City of Pocatello Municipal Code Title 17 Zoning Regulations not herein listed and applicable shall apply; **2)** Any activity requiring a separate development or building permit shall comply with applicable regulations; **3)** The applicant shall coordinate with the applicable City Departments prior to the submittal of a building permit to address improvements that may be required; **4)** A landscaping plan showing the full build out, shall be submitted detailing the minimum 7% required parking lot landscaping; **5)** A fence meeting the standards of Municipal Code 17.05.560.F shall be constructed at the time of building permit between all proposed parking areas and any adjacent residential uses; **6)** The proposed permeable gravel drives shall receive approval from the Public Works and Fire Departments prior to the approval of a building permit. If no approval is granted, all parking, loading, and vehicular access areas shall be paved in accordance with Municipal Code 17.05.560. A; **7)** All signage for the proposed use shall be approved through a separate permit; and **8)** the applicant coordinate with the Idaho Department of Environmental quality and Pocatello Fire Department, prior to the submittal of a building permit to determine the existence of a fuel tank and conduct any abatement required.

Skyler Hartman, representing Brent & Pamela Carlson stated he understood all the conditions and he did express a concern with the additional condition and potential cost for the abatement.

Anderson and Quayle clarified questions related to the condition.

Chair White opened the floor for public comments at 6:50 PM

In Favor:

Brent Carlson, was in support of the application and to his knowledge there has not been an underground fuel tank on the premise.

Neutral and Against: none.

With no more public comments, **Chair White** closed the public hearing at 6:54 PM.

It was moved by **S. Ryu** and seconded by **S. Stoddard** to approve the Conditional Use Permit application from Brent & Pamela Carlson for the use of self-service storage in the Commercial General zoning district, finding the application does meet the standards for approval under Chapter 17.02.130 of Pocatello Municipal Code with the staff conditions listed in the staff report and to add the condition the applicant coordinate with the Idaho Department of Environmental quality and Pocatello Fire Department, prior to the submittal of a building permit to determine the existence of a fuel tank and conduct any abatement required, and to authorize **Chair White** to sign the Finds of Fact. Those voting in favor were Kirkham, Moore, Ryu, Stoddard, and White. Those voting against were none. Motion passed unanimously.

With no other business, **Vice Chair White** closed the meeting at 6:57 P.M.

Submitted by *Aceline McCulla*
Aceline McCulla, Secretary

Approved on *February 24, 2021*