

CITY OF NEW MEADOWS
PLANNING & ZONING PUBLIC HEARING
TUESDAY, SEPTEMBER 3, 2013
CITY COUNCIL CHAMBERS, 401 VIRGINIA STREET, NEW MEADOWS

Agenda Item 1) Welcome & Roll Call

Chair Person Marsha Shriver opened the Planning & Zoning Meeting at 7:00pm. Chair Person Marsha Shriver, Commissioner Jack Hellbusch, Commissioner Brandy Padgett, and Commissioner Debbie Stuart were present. City Clerk/Treasurer Mac Qualls and Office Assistant Jessi Martin were also present. Public in attendance were: Bill Brown, Sandy Schiffman, Jeff Parnett, Marlene Twiford, Tony Koberstein, Don Moreaux, Wes Jeffs, Dixie Jeffs, Tim Farrell, Jeff Lund, Curt Barnett, Brad Dreyer, and Reporter Fred Erland with the Adams County Record. See sign in sheet. (Attachment A)

Agenda Item 2) Public Hearing: The Planning & Zoning Commission of the City of New Meadows will hold a public hearing concerning the Design of a new building at the corner of North Norris Avenue (Highway 95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map):

a) Public Hearing Opened

Chair Person Shriver opened the Public Hearing at 7:01pm.

b) Applicant Presentation

Applicant Bill Brown presented his design review application to construct an 80ftx50ft steel building with 13ft tall side walls and a peak of 24ft. The property that the building is to be constructed is at the south end of airport.

Brown explained that the building does not currently meet Adams County snow load requirements but that he has been working with an engineer to reconstruct the building to meet the City's snow load requirements. Mr. Brown added that a building permit will not be issued unless plans are approved by the building inspector.

The property being discussed includes nine commercially zoned lots and Brown stated that his proposal follows zoning codes and ordinances.

Brown proposed that in order to obstruct the view of the business from the residential zone a fence be built along the alley on the west edge of the lot and that along the north end of the alley fourteen small walk in storage units be constructed. Brown stated that he would rather not put a tall fence along the North Norris edge of the property but is proposing a split two rail fence. Brown proposed business access off of Taylor on the south side of the property.

A carwash is listed on the application as well; Brown stated that he had not done a lot of investigation on the details of adding a car wash but depending on cost of having a system installed that would pass DEQ and EPA requirements it is something that he would like to do. If Brown is able to sometime add a carwash he would like to add it to the outside of the north-west corner of the building.

Mr. Brown offered to answer questions of the Commission and public in attendance.

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Wes Jeffs asked where water and sewer lines were located on the property. Mr. Brown showed on provided drawings where lines were located and explained that they were in the south west corner of the property. Brown explained that the proposed location of the building is out of the normal flight pattern of the New Meadows airport and near existing water and sewer lines.

Sandy Schiffman asked whether or not the parking area at the proposed business location would be paved. Brown stated that he had made the request that he not be encumbered to pave the lot. Brown explained that the base on the property was a hard basalt rock.

Tony Koberstein asked if the interior of the proposed building would have a concrete floor. Brown replied that it would.

Brown requested that written comments that include personal opinions of Brown and do not pertain to the business proposal not be read aloud.

c) Public Testimony

i. Written comments received read aloud

Clerk/Treasurer Qualls read written comment that had been submitted.

ii. Verbal Testimony

The Commission heard public testimony.

Marlene Twiford, 301 ½ North Cunningham, New Meadows, ID 83654

Ms. Twiford stated that her home is two properties down from the proposed business location and that she has been retired for one year. Ms. Twiford expressed concerns regarding traffic creating more dust while traveling to the business on the cities unpaved roads. Other issues Ms. Twiford voiced were concerning the noise level on the property and the environmental impact due to toxic chemicals spilling and leaking. Twiford also testified that she is concerned that her property value may decline due to the business.

Sandy Schiffman, 416 North Heigho, New Meadows, ID 83654

Sandy Schiffman explained that she is a business owner in New Meadows and therefor appreciates the effort it takes to operate a business. She stated that she welcomes new businesses and jobs to the community. Mrs. Schiffman urged the Commission to follow City ordinances and the Comprehensive Plan when reviewing applications. Schiffman suggested that the Commission consider setting dates that tasks shall be completed to comply with the aesthetic section of zoning code and the comprehensive plan. She added that due to the residential zone being so near the subject property compromise may be necessary.

Don Moreaux, 3435 South End Road, New Meadows, ID 83654

Mr. Moreaux stated that with the type of business that Brown is proposing toxic spills as well as gas and oil leaks are a possibility. Moreaux asked that Brown be required to identify how the issues would be handled.

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Tony Koberstein, 418 N Cunningham, New Meadows, ID 83654

Mr. Koberstein stated that he had reviewed the picture of the building that had been submitted and that he felt that it was aesthetically bad.

Tim Farrell, 3667 Farrell Rd, New Meadows, ID 83654:

Mr. Farrell stated that he had attended the meeting to be sure that the proposal met FAA standards. Farrell expressed that he had no problem with the project proposal as long as it will not be a safety hazard for airport users. Mr. Farrell expressed concern regarding the steep embankment at the end of the runway suggesting that the embankment be sloped so that if an accident were to take place and a plane were to go off the end of runway it would be a survivable event. Farrell asked if Brown had considered airport access from McLain Street or the alley.

Wes Jeffs, 409 N Cunningham, New Meadows, ID 83654

Mr. Jeffs stated that the submitted drawings of the proposed building are not sufficient; Jeffs would like to see conceptual drawings of the proposal, including landscaping plans. Jeffs stated that other gateways in the community have been discussed during the process of Brown's proposal. Mr. Jeffs suggested that the Commission begin improvement of New Meadows gateways starting with Brown's proposal.

Curt Barnett, 413 n Cunningham, New Meadows, ID 83654

Mr. Barnett stated that Brown has an active rock pit on the North Norris property and that the reclamation plan is open. Barnett explained that often times when a reclamation plan is closed out an environmental study is done on the land before development takes place. Mr. Barnett suggested that after Brown is finished removing rock and the reclamation plan is closed, Mr. Brown have a study done. Mr. Barnett also suggested that the noise level on the North Norris property be kept to a minimum and that storage units be secured so that customers are not able to access residential properties.

Jeff Lund, 302 N Norris Avenue, New Meadows, ID 83654:

Mr. Lund asked how far away the proposed building site is from the nearest strip of Meadows Valley Motel rooms and residential areas.

iii. Rebuttal by applicant

Bill Brown, 3454 South End Rd, New Meadows, ID 83654:

Brown addressed Tony Koberstein's comment regarding the photo of the proposed building and stated that the plans reflect that the building will have an added on office area. Brown also stated that he would like to add facade and paint the outside of the building an appropriate color to be determined according to the city's opinion.

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Mr. Brown explained that the rock reclamation is on hold until a survey is completed on the property so that the city's rock is not mistakenly excavated. Brown stated that Ms. Green with the Idaho Department of Lands is eager for the Reclamation Plan to be complete. Brown expressed understanding and appreciation for concerns of residents of adjacent properties and stated that he is not a big time developer that knows all requirements, but wants to follow all rules including being sure that appropriate drainage is used.

Brown stated that he understood concerns of security mentioned by Mr. Barnett and expressed that he would be sure that storage units are secured so that residential properties are safe from trespassers on their property.

In regards to paving the property, Brown stated that he would love to pave the property but unfortunately is currently unable to incur that cost. Brown requested that his property not be considered the rule or exception for a variance issuance for paving or installing sidewalks. Brown mentioned he does not feel it would be fair to single his business proposal out and encumber him to pave and add a sidewalk leading to nowhere. He stated that other commercial property owners in town that have had sidewalks installed have been funded by grants. Brown assured the Commission that his lot would be one of, if not the nicest unpaved lot in city limits. He also stated that if the business is successful he would like to have the lot paved at some point.

Mr. Brown explained that the building would be insulated with spray foam to keep the noise level down. He also described the sales area inside the building that will display tires for sale. All junk tires will be stored out of sight in a secure area before being appropriately disposed of. Oils and other fluids will be contained correctly inside the building on the concrete floor. Brown stated that inside the building he will install a drain/catch system for possible leaks and spills.

Brown stated that he had conversations with residential property owners and city employees and that the alleyway would be left as it is which allows access to the airport by foot traffic.

Brown explained that the building site proposed is following all set back requirements according to zoning codes for the commercial district.

Mr. Brown added that the McLain Street rock directly south of the airport belongs to the city and is on the agenda to be discussed at the next City Council Meeting.

Brown ended by stating that he will be a good neighbor to residents in the area and that he has an understanding of their concerns.

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iv. Close Public Hearing

Chair Person Shriver closed the Public Hearing at 8:31pm.

Agenda Item 3) Recommendation & Discussion: The Planning & Zoning Commission is to make a recommendation for approval of the application or denial of the application to the New Meadows City Council on the Design of a new building at the corner of North Norris Avenue (Highway 95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map).

Commissioner Hellbusch asked if the structural changes that are to be made to bring the building up to Adams County snow load requirements would raise the height of the building. Brown stated that the changes would not make the building taller.

Commissioner Hellbusch also expressed concern about environmental impacts of the business and asked if Brown planned to pour concrete approaches in front of the bay doors that included grates for drainage of leaking fluids. Mr. Brown stated that concrete approaches were included in the plans and that he had not thought of adding grates but would use the suggestion. Brown added that he will meet all requirements of South West District Health, the Environmental Protection Agency, and the Department of Environmental Quality pertaining to the possibility of leaking or spilled fluids, the installation of a filtration system and drainage. Chairperson Shriver suggested that Brown consider a pump under grates where fluids drain and then are pumped into a barrel to be appropriately disposed of.

Commissioner Padgett suggested that hours of operation be changed from the proposed 8am-9pm to an earlier closing time possibly closer to 6pm. Brown agreed to consider closing the business earlier than 9pm.

Chairperson Shriver made the following points:

- No other business has been denied a variance when asking that the sidewalk requirement be waived
- The noise of traffic on Highway 95 is louder at a higher rate of speed than it would be if traffic was moving slower due to vehicles turning in to the business.
- If the proposed business were required to be added to the Industrial Park it would create more traffic on the cities unpaved streets creating more dust
- If in the Industrial Park it would be near the school, creating more traffic on South Commercial a main route to and from the school putting children in danger
- Most other businesses in the community do not have paved parking lots.
- The proposal and applications do not go against any codes or ordinances

Commissioner Padgett stated that she was unable to find any reason in the cities codes or ordinances to deny Mr. Brown's Design Review Proposal, Conditional Use Permit Application, or Variance Application.

Commissioner Hellbusch agreed that he was also unable to locate a reason within city codes and ordinances to deny Mr. Brown's requests. Hellbusch asked if Brown would address storm water issues, install appropriate lighting, install the proposed split rail fence, and add landscaping before the building is open for business. Brown answered that since winter is around the corner it is very unlikely that the business will open until the spring or summer of 2014. Mr. Brown stated that his goal is to pour concrete and possibly reassemble the structure on the property before winter, but will not be able to

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begin that until the city's process is completed and the proposal is approved. After the building is assembled it would be insulated with spray foam. Brown added that in order to maintain some income, he would use the property to park and sell appropriate, affordable vehicles that run, drive, and look fairly decent until the Design Review Proposal, Conditional Use Application, and Variance Application are through the city's process and approved.

- Chairperson Shriver moved to accept the proposed design with the conditions that it follows all appropriate regulations and that fencing along the alleyway is complete before June 1, 2014; Commissioner Padgett seconded the motion. Voice vote indicated no opposition to the motion with all members voting aye. Motion carried.

Agenda Item 4) Recommendation & Discussion: The Planning & Zoning Commission is to make a recommendation for approval of the application or denial of the application to the New Meadows City Council on the Conditional Use Application at the corner of North Norris Avenue (Highway95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map).

- Commissioner Hellbusch moved to forward approval of the Conditional Use Permit Application to construct 12'X10' storage units as drawn in submitted plans according to section 8.8-G in the New Meadows Zoning Code to the New Meadows City Council; Commissioner Stuart seconded the motion. Voice vote indicated no opposition to the motion with all members voting aye. Motion carried.

Agenda Item 5) Recommendation & Discussion: The Planning & Zoning Commission is to make a recommendation for approval of the application or denial of the application to the New Meadows City Council on the Variance Application at the corner of North Norris Avenue (Highway95) and Taylor Street, also known as 400 North Norris Avenue. (Block 84, Lots 10-18 of the City of New Meadows Plat Map).

- Chairperson Shriver moved to forward approval of the submitted Variance application to waive the requirement to build a sidewalk bordering the property, based on the fact that it would not be sensible to have a sidewalk at the location leading to nowhere and no other businesses in the vicinity have been required to do so to the New Meadows City Council; Commissioner Stuart seconded the motion. Voice vote indicated no opposition to the motion with all members voting aye. Motion carried.

Agenda Item 4) Adjourn

- Commissioner Hellbusch moved to adjourn the Planning & Zoning Meeting at 9:08pm; Commissioner Padgett seconded the motion. Voice vote indicated no opposition to the motion with all members voting aye. Motion carried. Meeting adjourned at 9:16pm.

OFFICIAL: /s/ Marsha Shriver
Marsha Shriver, Chair Person

ATTEST: /s/ Jacob Qualls
Jacob Qualls, City Clerk

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Sign in Sheet

September 3, 2013 - 7pm - New Meadows City Hall
 PUBLIC HEARING : Browns Business Development (Corner of North Norris Avenue & Taylor Street)

Name	Address	For	Neutral	Against
✓ Bill BROWN	3454 SE Rd			
✓ Sandy Schuffman	416 N. Hecpho		X	
✓ Jeff Lund	302 N. Norris St.			X
✓ Tim Farrell	3667 Farrell Rd		X	
✓ Marlene Twiford	301.5 Cunningham St.			X
✓ Don MOREAUX	3435 S FEND Road		X	X
✓ Jeff Parnett	300 COLT, NM		X	
✓ FRASERLAND	3324 HWY 55 - RE PARTING			
✓ Tony Koberslein	418 Cunningham		X	
✓ Wes Seftis	409 N. Cunningham			X
✓ Curt Bennett	413 N. Cunningham			X
✓ Brad Deay	310 Katherine St. NM		X	

Sheet 1 of 1

ATTACHMENT A