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City of Polson

AGENDA
Polson City–County Planning Board
Tuesday November 10, 2015 @ 6:00 P.M.
Polson City Hall Council Chambers

Call Meeting to Order

Roll call

Pledge of Allegiance

Public Comments Not on the Agenda

Approve October 13, 2015 meeting minutes

New Business: Annexation process and procedure checklist discussion for recommendation

Old Business: 2006 Growth Policy rewrite

Draft Polson Development Code

Public Comments

Meeting Adjourn

The City of Polson encourages public participation in its public meetings and hearings in doing so the City holds its meetings in handicapped facilities and any persons desiring accommodations for a handicapping condition should call City Hall at 883-8200 for more information. “

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CITY COUNTY PLANNING BOARD MEETING
Tuesday October 13, 2015
City Hall Council Chambers—6:00 p.m.

Members Present: Dennis DeVries, Merle Parise, Mike Lies, Tim McGinnis, Joslyn Shackelford, Gil Mangles, Dave Rensvold and Sam Jacobson
Staff Present: City Planner Kyle Roberts, City Contract Planner Erica Wirtala, County Planner LaDana Hintz and City Technician Beth Smith
Public Present: Shauna Johnson, Paul Bishop, Todd Erickson, Lita Fonda and Lee Manicke

Order of Business:	Approve July 14, 2015 meeting minutes, Approve August 11, 2015 meeting minutes Special Use Permit #15-08 Modderman Bldg. II Special Use Permit #15-07 Westshore Espresso

6:01 PM~ Roll call was taken and Kyle Roberts led the Pledge of Allegiance.
No Public comments on items not on the agenda. Erica Wirtala introduced the City's new City Planner Kyle Roberts and stated they would be working together over the next couple of months. Erica said she is still going to follow through and finish out the Growth Policy.
Dennis DeVries motioned to approve the July 14, 2015 meeting minutes as presented, Mike Lies second. All in Favor. Motion carried.
Mike Lies motioned to approve August 11, 2015 meeting minutes as presented. Sam Jacobson second. All in Favor. Motion carried.

City Contract Planner Erica Wirtala presented the staff report for Special Use Permit #15-08, the Modderman Whitewater Building #2. Proposed development on lot 14C phase 4 of the Ridgewater Subdivision zoned Highway Commercial. The project is proposing a 12,674 sq. ft. building with four businesses. A finance office, a coffee shop/drive-thru, 24-hour work out gym and a gymnasium. Paul Bishop was there to represent the applicant. Gil Mangles commented on the handicapped parking access and maybe they should be swapped. Parking spaces may be short about 5 spaces; however, the owner does own the next adjoining parking lot and the time of operations accommodate each other. She also noted the stacking spaces in the coffee shop drive- up window. The Planning staff finds this development meets the requirements and recommends approval. Questions for staff. Gil Mangles stated parking spaces are too small, but that issue will be addressed in the new development code. He also mentioned the number of handicapped parking spaces. Spots 6 & 14 should be changed because of the opening of the doors for those who drive themselves. Merle Parise strongly stated the City of Polson and the Ridgewater developers are not giving a safe egress and ingress to Ridgewater Drive. He gave an example of a near miss of a major accident because there is not a left turn lane into the subdivision off US Highway 93. Merle strongly suggested a study be done to provide a right-hand turn lane going up the hill to turn into the subdivision. Someone is going to be rear-ended there. There is a left-hand turn lane coming down the hill, but again not going up. He wants another study to be done on the traffic up there. He felt there was not enough time taken in the study for the amount of traffic coming and going from the development.

Chair Tim McGinnis made a comment based on discussion from another board he serves. He said kids riding buses to the pool and now the gymnasium are in need of a good spot to be dropped off. School District issues are that the buses do not go onto private property to drop off kids. For the future, it would be really nice to fill the need and have a good spot for school buses to drop kids offs. The Board discussed bus routes and whether there is any transit stops in the development yet. As far as any knew, there is not any bus routes in that development yet.
Applicant's agent Paul Bishop approached the Board. There were no questions for the agent from the Board.
Public comment: Lee Manicke addressed the Board regarding the traffic in the Ridgewater Subdivision and the Polson Development Code. He questioned at what time is it stressed there needs to be a secondary "public" egress and ingress. He stressed the word public. The Red Lion road is private. The Planning Department needs to look at this closely and address the situation. If Merle gets into an accident with a gas truck at the one and only access, how are people going to get out in an emergency situation? Lee stated this needs to be looked at very closely as a public safety problem. Gil Mangles stated you can get out over by the cemetery but you will need an army jeep. No other public comments. Meeting closed for comments on the SUP item. **Sam Jacobson motioned to recommend approval of Special Use Permit #15-08 with Finding of Facts and 19 conditions of approval. Dennis DeVries second. Dennis DeVries, Merle Parise, Mike Lies, Tim McGinnis, Sam Jacobson, and Dave Rensvold voted in favor. Vice Chair Joslyn Shackelford abstained with conflict of interest. Motion Carried.**

City Planner Kyle Roberts presented the staff report for Special Use Permit #15-07, the Westshore Espresso. The property is in the Highway Commercial Zone. The property is located north of the bridge on the south side of Highway 93. There is currently some storage sheds there as well as U-Haul business. The applicant Shauna Johnson will be leasing a small portion the property from owner Gerald and Beverly Kaye. Services are not immediately available so the mobile until will be self-contained until the service lines are brought to the property by the owner. There will be traffic flow on both sides of the building. Because the lease agreement is for only a small portion of the property it was found appropriate to only enforce 100 ft. of landscape buffer to the application. The project meets the requirements of the PDC and the Planning Department recommends the approval for the Special Use Permit #15-07 Westshore Espresso.
Gil Mangles questioned the requirement to connect to services within two years for a mobile structure. Sam Jacobson stated it does produce wastewater. It is an expensive place to bring water and sewer to that property so if it does not work out in two years she can then move the mobile structure. Chair Tim McGinnis felt the mobile unit is not real property because it is not on a permanent foundation. It is also on a leasehold. Tim questioned who the actual applicant is. Tim commented on a concern of putting landscaping conditions such as trees and shrubbery on a lease/rental agreement. Erica Wirtala stated she understood Tim's comments regarding property improvements, however the applicant has brought forward the proposal and she is the one who wants to run the business, so she has the responsibility to meet those requirements. LaDana questioned if a requirement to contact the airport on the tree height had been addressed. Erica stated there is a generic condition to contact the Airport Board.
Applicant Shauna Johnson said she had talked to Montana Department of Transportation and they are good with the approaches. Vice Chair questioned her about entrance signs. Shauna said she would get directional signs because of the two-sided windows and keeping the confusion down on which way to go was a good suggestion. No further discussion from Board.

Dennis DeVries motioned to recommend approval of Special Use Permit #15-07 with Findings of Facts and 19 conditions of approval. Sam Jacobson seconded. All in Favor. Motion Carried.

City Planner Kyle Roberts gave the Board an update on the draft Polson Development Code. Last month he and the City Manager met with the County Commissioners regarding the best way to move forward. The County is still reviewing the draft and not sure how long the review is going to take. Meanwhile the City wishes to move forward. The agreement is that the City-County Planning Board will stay intact. If there is any development outside the city the County's Development Code will be used and if the development is in the city limits, the City's Development Code will be used. He noted the handout from Land Solutions dated October and that lays out the timeline for the tasks to get the draft ready by February 2016.

Joslyn spoke about a meeting she had with LaDana and the County Commissioners sometime back in September 2015. They discussed several items already addressed in the memorandum from the Land Solutions dated October 4, 2015 that Kyle handed out at this meeting. Joslyn felt the one main concern still hanging out there is the mapping files. What property is City and what is County. She said back in November or December there had been discussion regarding the need to have a liaison person who can be the go-between the City and County keeping that relationship active. Kyle stated he was aware of the cleanup in process with annexations over the last several years. He said Dave is helping with some of the mapping as well as Beth working with the County GIS getting the properties straight. LaDana commented on the need for some coordination with the County on the mapping. Their GIS Department is also working on correcting the maps. It seems this is part of the problem when to many people are working on maps. We all need to have the same data. LaDana stated if the County is not getting the annexations then how is the mapping in the GIS department going to stay up to date. When a City employee brings over a Resolution of Annexation to be recorded, whose responsibility is it to make sure it goes where it needs to go after the document is left at the Clerk and Recorders office? Mike Lies stated there were some problems that surfaced with the 2000 Census. He found about 20 some properties that had been annexed into the city, but the paperwork had not been taken over to the Courthouse to be recorded. Joslyn wanted to move forward by getting the map updated and make a plan on how the map can then stay up to date. Dennis DeVries noted it is not just the GIS Department, but also the Department of Revenue. Sam Jacobson requested an agenda item for the next meeting to make a recommendation to establish an annexation checklist. City Planning Technician Beth Smith stated she has found properties that had been paying City taxes for years and years and then change to County property. Properties being County and then in 2011-2012 changed to City. It is not known how or who has the power to make these changes, but that is where there is a bigger problem not just getting an annexation to the Clerk and Recorder, GIS or the Department of Revenue. You can follow through with checklist all you want, but then years later they can change back one way or the other. LaDana felt the County Planning Department should be somewhat involved with properties requesting annexation. She thought there should be at least a sign off for comments circulated to the County Planning Department.
Erica suggested maybe there should be something very specific in the Polson Development Code on annexations. Joslyn noted there was only a sentence or two on annexations in the Draft PDC. The consensus was to present a process for annexations and checklist / sign off sheet to the City and County Commissioners.

Public comment from Lee Manicke. He gave an example of the problem stating someone who lives on 11th Street East. It involves the Tax Increment District. Lee said the owner(s) are afraid to discuss it because they feel they will be forced to annex, they are paying City taxes but a Resolution of Annexation has not been found. He is getting involved and trying to help because of the Rural Fire Board and he believes the solution to the problem is to wholly surround these properties and he agrees the Council needs to get a back bone and it needs to be done and will clear up a big problem. He noted the City County Planning Board should put some pressure on the Commission. Gil Mangles thinks the people who do not want to annex that there is a reason. It is the City Government. Not justly treated maybe look at their complaints. How to fix things maybe they should help rather than hassle. Serve rather than snub. Serve rather than rule. Facilitate rather than block. Define rather than cloud the issues. Both the City and County need to look at this.

2006 Growth Policy rewrite update. Erica said she had hit some roadblocks. The very first chapter, *History* she thought she had nailed down, but when she sent it off to the Tribes, their spokesperson felt the history for The Confederated Salish and Kootenai Tribes was not very accurate and wanted to make some corrections. The City department heads needed to get her their information. Chair and County Planner LaDana felt it important to keep the jurisdictional area in the Growth Policy even if there will be separate Development Codes at this time.

Meeting Adjourned 7: 15 p.m.

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Tim McGinnis, Chairman

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ATTEST: Beth Smith, Planning Technician