

**SANDPOINT PLANNING COMMISSION MEETING  
5:30 P.M. CITY HALL COUNCIL CHAMBERS  
MINUTES OF November 5, 2019**

**COMMISSION MEMBERS PRESENT:** Slate Kamp, Cate Huisman, Forrest Schuck, Tom Riggs, John Hastings

**COMMISSION MEMBERS ABSENT:** Jason Meyer, Travis Sherman

**STAFF MEMBERS PRESENT:** Planning & Community Development Director Aaron Qualls, Planner Ryan Shea (minutes), City Engineer Dan Tadic, City Attorney Fonda Jovick

Riggs called the meeting to order at 5:30 p.m.

**Matters from the Public:** None.

**Approval of the Consent:**

Commissioner Hastings moved to approve and Commissioner Kamp seconded to approve the minutes of October 1<sup>st</sup>. **Motion passes unanimously.**

**Agenda Item B:**

Qualls gave an explanation of the project: the application is for a small coffee stand drive-through in the Commercial C (CC) zone. CC zoning requires that drive-throughs obtain a CUP and are not allowed within 150' of a residential zone, which there is none nearby. The applicant is proposing to place the coffee stand in the northeastern portion of the site.

#4 and #5 in the staff report are development requirements and there are some additional conditions that the Commission can consider.

Qualls asked if any of the Commissioners have had ex-parte contact or conflicts of interest with this agenda item. The Commissioners stated they had none.

**Applicant Presentation:** Michael Boge said that this parcel has a lot of green space and the area in the northeast area is underutilized. Boge said that he would like to move a coffee stand (8'x18') from Priest Lake to this location. Boge explained that he would be modifying the site layout slightly and taking out the eight spaces on the east side of the property and would make sense in terms of traffic flow. Leaving some green space in this area would be desired to allow room for picnic tables. Boge also said that he would also like to modify the building to better fit in the area.

Riggs asked Qualls if the off street parking would still meet code with the removal of the 8 spaces. Qualls said yes.

Riggs asked if the requirement for a curb along the path would be amenable to the applicant. Boge said yes.

Boge stated that the requirement for restricting the western driveway to right in/right out only is not ideal due to changing the traffic flow but he can make it work.

Riggs asked Qualls if the “development requirements” are items that should be considered conditions. Qualls said that they should be considered conditions for clarity through the process.

Huisman asked if vehicles would be going all the way around the building to get to the drive through. Boge said that is one option and that there is room there to do so even if another car is in the Burger Express drive through, but cars can also come from the front if they would like.

Huisman asked if cars might block the bike path. Boge said that this, for the most part, has not been a problem. The path is striped once a year. Boge has not seen where someone is held up when a car is trying to pull out.

Hastings asked if the window is on the east side of the building. Boge said yes.

**Riggs opened the public hearing. There were no participants.**

**Riggs closed the public hearing.**

**Commission deliberation:**

Huisman said that when the rezoning was happening the Commission felt that this area was the perfect place for drive-throughs. Additionally, there are no residences nearby that would be impacted. Kamp agreed. The Commission discussed the hours open: 5am – 6pm. The coffee stand would be open hours before Burger Express.

Huisman asked about the difference between the Development Requirements and Potential Conditions. Qualls explained that the development requirements are primarily coming from the Idaho Transportation Department so they’re being proposed as actual requirements coming from a state agency. The right in/right out is being required on the west driveway due to the proximity to the taper of the double yellow lines west of Burger Express. The pedestrian pavement markings are also a requirement from ITD.

Hastings asked if any signage would be required. Staff said that none would be required for the no right in/right out requirement.

Hastings moved that the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, **APPROVE** the

request by Michael Boge for a Conditional Use Permit to allow for a drive through coffee stand subject to the following conditions: 4. A, B, C, and 5. D. Riggs asked if 5.E. should be included in the motion. Hastings said that he did not feel that this one was important to include. Seconded by Schuck.

Huisman asked why 5.E. is not being included in the motion.

**The motion is withdrawn for further discussion with the consent of the second, Schuck.**

Tadic said that the reason for including 5.E. Hastings said that he did not feel 5.E. is relevant because it is something that only affects the applicant and not the pedestrian pathway or highway. Tadic said that the reason it is included because it could impact the pedestrian pathway depending on the length of the coffee stand structure. There was not enough information in the site plan to determine if the turn radius for the drive through is adequate to protect vehicles from encroaching into the bike path/highway.

Hastings moved that the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, **APPROVE** the request by Michael Boge for a Conditional Use Permit to allow for a drive through coffee stand subject to the following conditions: 4. A, B, C, 5. D, and E.

Based on evidence, records, and testimony, the reasons for approving this request are:

- 1) Staff has followed the notice procedures applicable to Conditional Use Permits contained in Idaho Code 67-6512 and Sandpoint City Code Title 9, Chapter 9.
- 2) Based on information presented at the hearing and the placement of limitations through conditions, the application is in compliance with the nine criteria for Conditional Use Permits as outlined in Sandpoint City Code §9-9-6 A.3.H per the following justification(s):
- 3) The requested Conditional Use Permit is not inconsistent with the overall planning goals and objectives outlined in the Comprehensive Plan.

**Seconded by Schuck. Motion passes unanimously, 5-0.**

### **Agenda Item C: Comprehensive Plan**

Comprehensive Plan consultants, Bruce Meighen and Miriam McGilvray, joined the meeting by phone.

Qualls said that tonight we are going to talk about overall process. Qualls gave a recap: currently the City is working deeply in airport issues. Qualls shared a timeline of the overall process and airport specific processes. The airport component is expected to be completed by the end of the year or at the beginning of 2020. The rest of the comp plan should be finalized by the end of 2020.

McGilvray said that they kicked off the process with a public meeting of about 65-70 folks. At this meeting they got the community to start thinking about their community and who and what they are planning for and overall it was a positive event and got a lot of people excited about the process.

While they were here they also met with a number of other stakeholders including Airport stakeholders and will be following up with more over the phone over the next week. A quick update was given to the airport board. They have also rolled out an online questionnaire which will inform the visioning phase of the process. This survey will be up for another 2 weeks and will inform the visioning phase.

Planning for growth proactively, looking at housing options, looking at jobs, supporting local businesses, community character and design was paired with education were some of the larger issues that popped up at the first meeting. Some of the lowest importance items were Fire/EMS/Police services, planning for wildfire and other hazards, and transportation planning.

Another exercise was: In one word, what do you love about Sandpoint? "Community", "Recreation", "Friendly", "Beauty", were some of the more common words submitted.

What is one thing you would improve in Sandpoint? Many things were input here: rental/market housing, affordable housing, density were all things that popped up a lot.

In 20 years, Sandpoint will be a city that... McGilvray said that some of the common themes was envisioning a future that kept Sandpoint special, diverse, livability, retaining charm/character/sense of community. McGilvray said that she's really hoping to pull some key visioning responses out of this meeting.

A Steering Committee is being formed to help guide the process who they will meet with next week to go over basics and go over what was heard at the public meeting.

There will be a drop in meeting at the Airport FBO office (Granite Aviation) on 11/14 from 10am – 4pm to go over existing constraints/regs, long-term airport vision, and choices and strategies. There will also about a public meeting that night from 5:30 – 7:30pm to go over community vision, big issues and opportunities, what's changed since the last comprehensive plan, and breakout stations.

A second online questionnaire will be launched the following week.

Qualls went over the next steps for the Planning Commission:

- 11/19 – P&Z Meeting
- 12/3 – P&Z Meeting
- 12/18 – PZ/CC Joint Workshop
- 1/2 – PZ/CC Joint Public Hearing Workshop

Wilson said that the details about the timing of the public hearing process may change slightly depending on the results of earlier meetings.

Riggs said he would not be present December 18<sup>th</sup>. Hastings pointed out that the beginning of the year there will likely be a number of absences for the 1/2 meeting. Wilson agreed that due to issues like this the meeting dates may change.

Riggs asked if the responses to the online questionnaire will improve. Miriam said yes, once press releases start going out.

Qualls next spoke about the Airport component. Idaho Code now requires the airport component of a Comprehensive Plan to have a more robust element than before. Qualls went over the current Comprehensive Plan goals and objectives for the Airport.

Qualls went over the history of the airport and the current conditions of the airport.

Meighen went over the different zones regulating airports:

- Runway protection zones (RPZ)
- Lateral Safety Zone
- Critical Zones
- Airport Traffic Pattern Area
- Airport Influence Area
- Impact Coordination Zone

Meighen next went over tools and strategies for airport planning.

Huisman asked if there is any threat of the airport losing funding. Qualls said that the airport sponsor (the County) needs to ensure that compatible land uses are nearby the airport to the degree possible. Qualls stated that the County does not control the land use around the airport so they will comment and weigh in on any changes the City makes in regards to land use decisions surrounding the airport to help ensure they meet funding requirements by the FAA.

Huisman asked if applicants could continue to change zones on land around the airport. Qualls said that the first step is to update the comp plan so it is in conformance with state code that has changed since 2009. This would then lead to a comprehensive plan chapter with more robust data/guidelines to help the Commission make better decisions.

**MATTERS FROM STAFF:** None.

**ADJOURNMENT:** The meeting adjourned at 6:49 p.m.