

**SANDPOINT PLANNING COMMISSION MEETING
5:30 P.M. CITY HALL COUNCIL CHAMBERS
MINUTES OF JANUARY 3, 2012**

COMMISSION MEMBERS PRESENT: Rob Herrera, Kathleen Hyde-Bordenave, Shelby Rognstad, Aaron Qualls, Cate Huisman, Deb Fragoso

COMMISSION MEMBERS ABSENT: Scott Wohlschlager

STAFF MEMBERS PRESENT: Planning Director Jeremy Grimm, Senior Planner Joan Bramblee, Planning Assistant Melissa Bethel, City Attorney Scot Campbell

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

A. Approval of Minutes:

Commissioner Huisman stated her first sentence under the ACI review is difficult to understand. Staff suggested changing the sentence to read, "Commissioner Huisman inquired if the Daycare is expanding and if the Commission is to assess what the impact will have on City services."

Motion:

Commissioner Rognstad moved and Commissioner Huisman second to approve the November 15, 2011 minutes as amended. **Motion passes unanimously.**

B. PUBLIC HEARING:

S11-02 (Milltown Park)– A request by Whitewater Creek and Renova Partners Group for preliminary Subdivision approval of approximately 26.2 acres into 10 Lots. The site is located at the northeast corner of Larch and Boyer and described as Lots 1-4 of Milltown Park Subdivision Replat, in Section 15, Township 57 North, Range 2 W.B.M. The property is zoned Commercial B.

Staff Report:

Senior Planner Bramblee explained the property was previously short platted and is now before the Commission for a request of subdivision from 4 lots into 9. Bramblee stated this application is a standalone subdivision and does not include a PUD. Bramblee stated the Commission will need to look at Lot configuration and how it conforms to City standards. Bramblee advised the Commission an issue with the proposed Subdivision configuration is the formation of double frontage lots. In addition questions of road right of way dedication and when improvements need to be completed should be considered. Bramblee stated a requirement of the Short Plat was a dedication of a bike/pedestrian path through the property and staff feels with the submission of this Subdivision it is appropriate for the applicant to meet that requirement. She explained the Fire Chief has indicated he would like to see a northern access road connect to Boyer Avenue. She stated it may be possible to allow a bike/pedestrian path which could also serve as an emergency access.

Commissioner Huisman clarified where the Bike/Pedestrian path is proposed on the drawings. Bramblee stated it is unclear if the path is shown on Railroad property or the applicant's property. Commissioner Huisman inquired why the proposed future road is jogged. Bramblee stated the Public Works Director has stated he would prefer the road be dedicated on the plat even if the Commission allows the completion at a later date. Commissioner Huisman verified the current zoning of the property is Commercial B and adjoining property to the west is zoned residential.

Commissioner Rognstad inquired if there are open space requirements for Subdivision Applications or the Commercial B zone. Bramblee stated no, but parking lot landscape requirements may be triggered by development.

Commissioner Qualls clarified the subdivision code requires one street tree every 25 feet. Bramblee stated condition number 19 of the staff report should read one tree every 25 feet not one per lot. She stated the Commission can require the trees as a condition of the proposed Subdivision or allow the condition to be implemented upon development of each lot.

Commissioner Fragoso inquired if the bike/pedestrian path is on RR right of way. Bramblee stated it is not clear by looking at the drawing.

Grimm added the Commission can determine if it wants to require the future road to be dedicated or allow to be shown as future with no dedication. Grimm stated the current drawings show an access to be adjacent to the Super 1 entrance off of Larch. Grimm stated the concern would be two joining egresses. He stated the Public Works Director is available for comment and probably will not like the idea of two adjacent entrances. Grimm stated an alternative would be to have the applicant work with Super 1 or have Maple loop and connect.

Commissioner Rognstad inquired if Maple is a functioning two way right of way that just dead ends. Grimm stated Maple is just a stub with a width of 40 feet. Commissioner Rognstad clarified Maple as built now could not handle two way traffic and sidewalks.

Chairman Herrera inquired if the Commercial zone has a minimum lot size. Bramblee stated there is no minimum lot size for the Commercial zones. Bramblee explained to Chairman Herrera that Lots 7,8, and 9 currently are proposed as double frontage Lots, with Lots 5,6 and 1 proposed to be in the future. She explained the Commission will need to find there is a reason to allow for since the subdivision code discourages them.

Applicants Presentation:

Mr. Todd Prescott spoke as the applicant. Mr. Prescott stated he has a 50 unit townhome project funded for Lot 10. Prescott stated he has worked with the owners of the property and part of the deal for purchase is to take the least desirable Lot; Lot 10 and bring the subdivision forward. Prescott stated the 50 unit residential complex is the driver for this application. Prescott stated the proposal is to complete the subdivision in phases. He stated for the development of Lot 10, he would put in the proposed Chestnut and what would be the future Sixth Ave from proposed Chestnut to the RR. Prescott stated he would like to have the future widening of Boyer connected to the development of Lots 6, 7, 8 and 9.

Prescott stated the sewer will be brought in from Larch and would like to propose the South end of Sixth Avenue and then develop as the Lots sell. Prescott stated there is no way of knowing how the Lots will develop. Prescott stated once the users are known then the Lot lines can be adjusted and the infrastructure developed. Prescott stated 5 or 6 years ago it would have been simple to come in and post a bond for the improvements, but with the economic situation it is hard to post a completion bond for even \$100,000 of off site infrastructure.

Prescott stated the construction of the 50 unit residential complex is conditioned on this subdivision approval. He stated it would be difficult if the City said tied all the off site improvements to this one development.

Prescott stated storm water and drainage would be as required by the City. Prescott stated he does not have the history regarding the bike path, but believes at one time the owner of Milltown was seeking a 10 foot dedication from the RR for a bike/pedestrian path but does not have all the information. Prescott stated with the Lot he is developing has no problem giving a 10 foot easement if approval cannot be gained from the RR.

Questions for applicant:

Commissioner Rognstad inquired if the applicant has a preference if the path comes through the center of the development rather than the perimeter. Prescott stated one side of the future Sixth Avenue may be able to use one side as a bike path. Commissioner Rognstad clarified there is currently no dedication from the RR.

Commissioner Rognstad inquired if the applicant would be opposed with providing a bike/pedestrian path with emergency access along the north side of Lot 9. Prescott stated he would not be opposed, but would have to consult with the owner.

Commissioner Rognstad inquired what the time frame is for the phasing. Prescott stated the residential units would be completed within 12 months. Commissioner Rognstad inquired if the applicant would be agreeable to a time restriction of 5 years for completing the infrastructure for the subdivision. Prescott stated a time limit on improvements would be difficult and require a bond which with today's market would be difficult. Prescott stated moving through the process and having the subdivision pay for its own improvements is the way to proceed.

Commissioner Rognstad inquired how the applicant would feel about an open space requirement in the development. Prescott stated he would have to consult with the owners but the answer would probably be no without knowing the future buyers.

Commissioner Hyde-Bordenave inquired how the applicant envisions the subdivision developing. Prescott stated he imagines the Boyer Lots will develop with commercial/retail and Whitewater Corporation, based on how the residential complex does is prepared to do a commercial with residential development on the eastern lots.

Commissioner Huisman inquired a bike/pedestrian path on the future Sixth Ave to the back of Super 1 could be developed. Commissioner Huisman stated the path would give the residents of Lot 10 access to the grocery store without using autos. Prescott stated either way the sewer line will be brought to Lot 10, so the result could be a compacted gravel surface.

Commissioner Qualls clarified a time limit on completion of the bike path would not be viewed favorably by the applicant. Prescott stated the applicant will be approaching SURA for funds to complete infrastructure, he stated if the Commission requests, he can ask for funds to complete the bike path.

Commissioner Fragoso stated she would like to see the bike path at the perimeter of the property to add connectivity to the Dover path. She stated she would like to make sure there is at least some compact surface along the proposed future Sixth to allow for a path.

Chairman Herrera clarified the applicant is requesting a replatting of 4 Lots into 10 Lots for the purpose of developing Lot 10. Chairman Herrera inquired if Lot 10 is the least desirable, then what will the development end of looking like and how will it become desirable. Prescott stated he would rather have Lot 6 or 7,8, or 9 but those Lots are higher dollar value. Chairman Herrera inquired if Prescott feels the development will be successful. Prescott stated he does multifamily and stated he knows the market very well and the residential complex will be successful.

Chairman Herrera inquired how the access of the future Sixth Avenue off of Larch will be addressed. Prescott stated as the other Lots develop, Super 1 will need to be in discussions and how those lots develop will drive how the access is developed.

Chairman Herrera inquired if the future Sixth Avenue connection to Chestnut seems necessary. Prescott stated the sewer lines have to be brought in through the property off Larch.

Mr. Raphael Barta spoke as representative of the Milltown property. He stated the owners are supportive of the project and the development. Barta stated the residential development will provide many short and long term benefits for the community including jobs, tax base and most importantly affordable housing close to downtown.

Barta stated providing infrastructure for all lots would be cost prohibited and the street configuration needs to be flexible for future development of the Lots. Barta stated Lots 2,3 and 4 could become a conference center, theater, bowling alley or ice skating rink.

He stated those uses could perhaps effect the lot lines as proposed. He stated the owner does not want to build the physical road until the actual users are known. Barta stated Whitewater is paying a high price for residential development and could not pay a for prime commercial property which are Lots 6,7,8 and 9.

Barta stated he has spoke with Union Pacific and the RR has finally deemed the tracks as surplus. However, the RR has not agreed to give any land so the bike path can be completed which is the ultimate goal.

Commissioner Qualls inquired if the owner will commit to a time frame for completion of the bike path. Barta stated if they had the property from the RR they would start the bike path tomorrow. However the owners would not like to see a required completion date on a recorded document. Barta stated the owner is willing to cooperate and do a temporary bike/pedestrian path through the property, but do not want to have a commitment on title for roads and paths.

Commissioner Huisman inquired if an emergency access through Lot 9 could be a bike/pedestrian path. Barta stated ultimately the bike path is not just on this site, the vision has always been to connect to the Fifth Avenue corridor and along Boyer Avenue. Commissioner Huisman stated she would like to see a safe alternative until that future land is acquired, which would get bikes and pedestrians from Larch to the RR tracks without going along Boyer Avenue. Barta stated he would put a hard path in and work with the fire chief and make sure the access conforms.

Commissioner Hyde-Bordenave inquired why the owner is so agreeable to accommodate Commissioner Huisman when she does not live near there and just does not want to ride along Boyer Avenue. Mr. Barta stated the owner agreed a bike path would go through the property somewhere as development occurred. Commissioner Hyde-Bordenave expressed an issue with producing a bike path and then just blocking it when construction occurs.

Staff Comments:

Grimm advised the Commission this is an issue of letting of the horse out of the barn. He stated the cold hard reality is that once this subdivision is approved it is very difficult for the City to get roads and easements recorded. Grimm explained if this application is approved the rest of the Lots can all develop even if Lot 10 does not. Grimm stated the pathway is not discretionary but a requirement. Grimm stated if development occurs and the path or roads are not platted, then it is difficult for the City to get those dedications later from several different owners. Grimm stated there is more flexibility for the developer to come in with a request to Vacate or Lot line adjustment.

Commissioner Huisman stated it is difficult to see what the traffic needs will be without knowing how the Lots will be developed. Bramblee stated the Commission can condition final rights of way be determined before final plat approval.

Commissioner Rognstad clarified Chestnut and the future Sixth Avenue will be developed as full streets.

Grimm stated the Commission cannot condition additional open space unless there is findings of fact this subdivision will have an extraordinary impact on parks that impact fees do not cover.

Grimm stated the Commission must look at the plat as it is proposed and not consider specific future development as there is no guarantee any discussed development may occur.

Bramblee advised the Commission it has the option to require a 25 foot landscape area along the proposed double frontage Lots to mitigate the design of double frontages. The Commission discussed double frontage Lots and possible development options and traffic flows.

Commissioner Hyde-Bordenave inquired if Maple Street can be a possible access for the development and if any traffic studies have been completed. Public Works Director Kody Van Dyk stated the only traffic studies completed where done as part of the Urban Area of Transportation in 2006 and the Milltown site was assumed to be fully developed. Van Dyk stated he would like Boyer Avenue to be widened. Van Dyk stated Maple is an unapproved road way which a part was vacated. He stated his preference would be to combine the driveway of Super1 with Sixth Ave and have Sixth Avenue continue through the project. Van Dyk stated he would not allow the driveway for Super1 and another access road to be adjacent to each other. He stated it would be a 120 feet wide access onto Larch and would not allow work.

Van Dyk stated Maple could be an improved access for traffic, but not pedestrian improvements because it is not wide enough. Van Dyk stated his preference would be to have the Milltown developers work with Super1 to combine the access with the new Sixth Avenue road. He stated another thought would be to close the Super 1 access and have one entrance into the complex further north. Van Dyk stated Maple Street would not be a viable option.

Van Dyk advised the Commission he would prefer the future Sixth Avenue be platted from Larch to Chestnut at this time. He stated the City cannot go backwards and get the right of way again, in addition it would allow a bike path on one side of the street through the site now. In the event the RR land is acquired the path can be moved. Van Dyk stated the access through Lot 9 can be an easement. Van Dyk stated he can work with the developer to defer improvements, but it is important the Development Agreement be vetted with the City Attorney to ensure infrastructure improvements are completed in the future. Van Dyk stated he would prefer the widening of Boyer Avenue happen at the same time for Lots 7,8 and 9. He stated development of Lot 6 will trigger the remaining widening.

Chairman Herrera stated it is clear the Commission can require platted right of way but how does the bike path correspond. Van Dyk stated requiring the developer to plat Sixth Avenue will guarantee the bike path because the sewer has to go in for development of Lot 10. Van Dyk stated it would be only temporary until a full street is developed, but the Commission can require a hard surface.

Van Dyk stated water, sewer, storm water, pathway and street drawings will have to be submitted and approved by his department.

Commissioner Fragoso inquired if Van Dyk would prefer the double frontage lots be accessed through Boyer or Sixth Avenue. Van Dyk stated for traffic purposes access would be better off of Sixth. He stated with the widening, it may not be much of a problem but would be better off of Sixth.

Chief Tyler stated his reason for bringing up access on the North through Lot 9 is because of lack of access getting into a development in an emergency. It is important to have more than one point of access into the development. Tyler stated not counting any other development there is at least 100 cars coming out of the development automatically, with the development of Lot 10 as residential, and there needs to be another access. Tyler stated he does not necessarily want to create a hardship for the developer of Lot 10, but when Lots 6,7 or 8 are developed, having access through Lot 9 will help with traffic circulation.

Chief Tyler stated the City needs to be negotiating with the RR to get the bike path through the RR property.

Commissioner Qualls inquired if the Chief would like to see a fire access easement or a full road through Lot 9. Tyler stated the amount of traffic should warrant a full road. He stated he could not require it because the plat as proposed meets fire code. Chief Tyler stated in the case of emergency the trucks would not use an emergency access through Lot 9 but just use Chestnut Street.

Chairman Herrera opened the public hearing
Public Comment: None

Applicant's Rebuttal:

Commissioner Rognstad inquired if the applicant would oppose a requirement for a 25 foot landscape buffer to the rear or east of lot 6 or the east of Lots 7 and 8.

Commissioner Rognstad inquired if the applicant would oppose a condition to plat the extended Sixth Avenue from Larch to the RR tracks and down to Boyer Avenue through Lot 9 with a multi model path on one side and sidewalk on the other. Commissioner Qualls inquired if the path would be temporary. Commissioner Rognstad stated he does not see why it would need to be temporary, if the bike/pedestrian path along the RR happened this path would another connecting path.

Commissioner Rognstad inquired if the applicant would oppose a condition requiring the widening of Boyer Avenue frontage to be completed upon the start of development in either Lot 7,8,9. Barta stated it seems reasonable. He stated it would depend on how access occurs and would not like to see three separate accesses, but would like to see all the Lots developed as a whole.

Barta inquired what City Code would require regarding the 25 foot buffer.

Commissioner Rognstad stated the buffer is a tool offered in City Code to mitigate the

design of double frontage. Barta stated it is a reasonable request but would need to discuss it with the owners. Commissioner Rognstad stated he would only condition the 25 foot buffer on Lot 6 or 7 and 8. Grimm stated if the commission finds the arrangement is not beneficial it is a finding and the applicant can bring back another proposal.

Commissioner Fragoso expressed concern regarding having only one access point out Chestnut. She inquired if the developer would dedicate and complete Sixth Avenue to the North end of the project. Prescott stated the subdivision meets the fire code per the fire chief. Prescott stated currently the City uses Lots 2,3 and 4 for snow removal and it is always open in the winter and emergency vehicles will not have an issue getting into the development. Commissioner Fragoso stated just the numbers in vehicles leaving the future development will be great and is concerned regarding all traffic accessing one road. Van Dyk stated the one access will handle the traffic.

Chairman Herrera inquired if the Commission can require the road be developed up front. Grimm stated the Commission can require platting and infrastructure.

Commissioner Qualls inquired the need to widen Boyer Avenue. Van Dyk stated it was called in the transportation plan to widen Boyer to a two lane road with center turn lane. He stated it will continue the improvements Super1 completed.

Commissioner Qualls inquired if the applicant will negotiate access off Larch with Super1 and the Public Works department upon development of Lots 2-6 and to develop the right of way between Larch and Chestnut. Barta stated he can not commit for a third party. Barta stated Super1 in good faith bought a Lot and built out the entire infrastructure as if there will be no cooperation in the future. Barta stated the owner will not pave or pre build infrastructure from Chestnut to Larch without knowing what is going in on Lots 2,3,4 and 6. Barta stated they will plat it, and do not oppose the bike path.

Commissioner Qualls inquired if the owner would be willing to commit to the plat as proposed and working with Super1 to connect Sixth Avenue. Barta stated a Development Agreement is a promise and is an agreement the work will be done. Barta stated the City will have always gotten the bike path because it was agreed. Commissioner Qualls stated the confusion is over the word future as designated for the future right of way. Grimm stated what is depicted is a bike path on land the owner does not control, and the development agreement states there will be a bike path dedicated through the property. Grimm stated since the property is now going to be subdivided it is the best time to get the bike path dedicated. Grimm stated he believes the owners are not objecting to the platting of the Sixth Street right of way with an easement for a bike path.

The Commission discussed issues of platting verses developing infrastructure and how and where the bike path will be developed.

Prescott reiterated the applicant is prepared to dedicate the right of way as shown. In addition when Lots 2, 3,4 or 6 are developed they will build the infrastructure for the extension of Sixth Avenue. He stated the applicant will also provide an all weather

surface for a bike path over the sewer easement which will follow the future Sixth Avenue to Chestnut to be used until a complete Sixth Avenue is built.

Commissioner Qualls clarified development of Lot 6 would trigger improvements along Boyer Avenue. Barta stated he would be agreeable to a condition which stipulates once a majority of Lots along Boyer Avenue are developed the widening and improvements along Boyer Avenue would be required.

Commissioner Qualls inquired who bears the burden of supplying the infrastructure for the subdivision. Barta stated the developer of the Lots will bear the burden. Grimm argued the applicant is responsible for providing infrastructure improvements required by City Code. Grimm stated there are mechanisms to defer, although it is an administrative burden for City staff.

Commissioner Qualls inquired if the applicant is willing to dedicate an access through Lot 9 for emergency access. Barta stated there are a lot of discussion points which would need to be engineered and he would rather discuss these points with the Public Works Director and see where a road may or may not be needed.

Barta stated it is inconceivable a building permit would be allowed on any of the Lots without the frontage improvements being required.

Chairman Herrera closed the public hearing

Discussion:

Chairman Herrera stated he would like to take each issue as noted and discuss to try and reach consensus.

Require an additional access to Boyer through Lot 9:

Commissioner Hyde-Bordenave stated she would like an emergency access easement to be a requirement.

Commissioner Rognstad stated he would like a dedicated right of way.

Commissioner Huisman stated she is concerned about how wide the access road would have to be. Grimm stated 26 feet wide would be fire code for emergency vehicles, but the question is whether a wider multi use path with ballads would suffice.

The Commission agreed Chief Tyler stated he would not use that access for emergency purposes, but thought a full road would be needed for additional vehicle traffic. Van Dyk answered a full road for only traffic with no pedestrian or bike amenities would need to be 26 feet. The Commission discussed the amount of land which would be required for an access onto Boyer.

Grimm clarified the Commission can recommend a pathway or access road and not design the road.

Commissioner Hyde-Bordenave stated her comments are not valid if the Commission is now discussing two- way traffic. Chairman Herrera stated it is a valid point for discussion.

Commissioner Qualls stated he thinks it would be advantageous to have an access point into the development.

Commissioner Frago stated she is not concerned about the width but knowing the RR tracks are never going away, the benefit to having a path is great.

Grimm stated the applicant is willing to provide a ten foot bike path in this location.

Chairman Herrera inquired if the applicant should provide emergency access onto Boyer from extended Sixth Avenue:

Commissioner Fragoso: No

Commissioner Qualls: No

Commissioner Huisman: No

Commissioner Rognstad No

Commissioner Hyde-Bordenave: No

The Commission agreed unanimously the applicant *does not need to provide* emergency access from Lot 9 onto Boyer.

Chairman Herrera inquired if the applicant should dedicate a road for two-way traffic onto Boyer Avenue from Lot 9:

The Commission unanimously agreed the applicant *not* be required to dedicate a road through Lot 9 for two way traffic.

Chairman Herrera inquired if the applicant should provide a 10 foot bike path to be platted along the north and east side property line?

Commissioner Huisman inquired if this would be in addition to the bike path expected with the development of Sixth Avenue. Chairman Herrera stated potentially because the applicant can ask for Vacations based on development. Chairman Herrera reminded the Commission the applicant has already assented to providing a temporary path over the sewer and future road dedication.

Commissioner Hyde-Bordenave: Yes

Commissioner Huisman: Yes

Commissioner Rognstad: Yes

Commissioner Qualls: Yes

Commissioner Fragoso: Yes

Chairman Herrera: Yes

Grimm suggested the Commission allow for some flexibility and allow the dedication of the bike path to be determined by final plat.

Commissioner Fragoso stated from a pedestrian traffic flow standpoint, if the Dover Path gets to connect to the back side of the property through the north and east, a person is out of traffic flow and it is more of a recreational path. She stated the temporary path and future bike path along the future Sixth Street is more for getting to whatever businesses may develop. They are two different uses and both are valid for continuity.

Commissioner Rognstad stated the applicant has already agreed to dedicate a 10 foot bike path along the perimeter and will already have to provide a full dedicate street within the development with sidewalks and the Commission is just saying that one side will be multi-model. Commissioner Rognstad stated there is nothing being added the Commission is just simply agreeing with the applicant.

The Commission unanimously agreed to require a platted dedicated 10 foot wide bike path along the property perimeter to the north and east.

Chairman Herrera inquired if the Commission should require the widening of Boyer Avenue on the development of 3 of the 4 Lots fronting Boyer Avenue. The Commission unanimously agreed.

Van Dyk stated he is fine with the concept but not sure how in reality that would happen. He stated thinking it through there would probably have to be Development Agreements with each developer of those lots until the 3 one triggers the Boyer Avenue improvements.

Commissioner Hyde suggested leaving Lot 6 as stand alone and require when two of Lots 7,8 and 9 are developed to trigger those improvements.

The Commission unanimously agreed to have the improvements of Boyer Avenue triggered for Lot 6 upon development of Lot 6 and trigger improvements for Boyer Avenue along Lots 7,8 and 9 when two of those Lots are developed.

Chairman Herrera inquired if the Commission should require a 25 foot buffer along the East side of Lots 7, 8, and 9.

Commissioner Qualls stated he is comfortable with the Zoning Code which allows civic spaces upon development. Commissioner Qualls stated he is comfortable with the way condition 18 is written.

Grimm stated the Zoning also requires parking not be between primary building and street. He stated if Lot 7 wants to call Sixth Avenue the primary façade, there is nothing to stop Lot 8 from making Boyer the primary façade and getting a mismatch of streetscape.

Commissioner Huisman agreed it would be desirable and pedestrian friendly to have all the storefronts facing the same street.

Chairman Herrera inquired if the Commission can stipulate that Boyer Avenue is the primary frontage for Lots 7, 8 and 9. Grimm stated the Commission can condition the primary frontage.

The Commission discussed design and aesthetic issues dealing with residential on both sides of the Lots 7, 8, and 9.

Grimm stated if the Commission stipulates Boyer Avenue as the primary frontage for those three lots, both sides should be protected by virtue of the parking lot landscaping buffer and the uniform streetscape along Boyer Avenue.

Commissioner Fragoso stated her concern is that Sixth Avenue will become the more populated area if the commercial lots develop as hoped.

Commissioner Qualls stated he is concerned with how the double frontage lots will meet the design standards for the commercial code. Grimm stated the code does not contemplate double frontage lots.

Chairman Herrera inquired if the Commission should require a condition which designates North Boyer Avenue as the primary frontage for Lots 7,8 and 9.

The Commission unanimously agreed to condition North Boyer as primary frontage for Lots 7, 8, and 9.

Chairman Herrera inquired if the Commission should require platting and dedication of Sixth Avenue from Larch to Chestnut.

Commissioner Fragoso inquired if Super1 allows the road to proceed on its property, then how does that impact the dedication. Grimm stated the cooperation will not impact a large portion of the street and the street will probably never be straight.

The Commission unanimously agreed Sixth Avenue should be platted and dedicated from Larch to Chestnut as a complete street.

Grimm suggested the Commission make a condition the applicant work with adjacent property owners and the Public Works Department prior to final plat to work on an alternative arrangement for entrance onto Larch.

The Commission unanimously agreed to condition the applicant work with the adjacent property owners and the Public Works Department prior to final plat to work on an alternative arrangement for entrance onto Larch.

Chairman Herrera inquired if the Commission should condition Boyer Avenue as primary frontage for Lot 6.

The Commission unanimously agreed the primary frontage for Lot 6 will be Boyer Avenue.

Commissioner Fragoso inquired if Spruce Street will be constructed as a full street with street trees required. Grimm stated when the street is constructed, trees will be required as part of the streetscape.

Grimm stated the Commission could strike condition 19 as the issue has been discussed and the streetscape code will require one tree for every 25 feet.

The Commission agreed to unanimously strike condition #19.

Commissioner Hyde-Bordenave stated the Commission has done a good job making sure requirements are met and the project adheres to the Comprehensive Plan and City code. She commended Whitewater for starting the ball rolling. Commissioner Hyde-Bordenave stated she feels the Commission has been fair to the developers and the City.

Commissioner Rognstad agreed stating the subdivision is a great plan and efficient use of land. Commissioner Rognstad stated the dedication towards multi model and alternative plans of transportation are evident.

Commissioner Huisman also commended Whitewater for bringing housing to the CA-5 zone. Commissioner Huisman stated the Comprehensive Plan discourages the development of non through streets and thinks the Commission has done this by getting the dedication of Sixth Avenue on the plat.

Commissioner Qualls thanked the applicants. He stated he is excited to see the development on Lot 10. Commissioner Qualls stated subdividing the lots is definitely in line with the Comprehensive Plan and helps perpetuate the traditional style development including the planning for bike and pedestrian paths.

Commissioner Fragoso and Chairman Herrera both thanked the applicants and stated they fully support the proposal.

Motion:

Commissioner Rognstad moved and Commissioner Huisman second the Planning Commission, after consideration of the criteria and relevant standards of *Idaho Code* and *Sandpoint City Code*, make a recommendation to City Council to **APPROVE** the request by **Whitewater Creek and Renova Partners Group** for preliminary Subdivision approval of approximately 26.2 acres into 10 Lots subject to the following conditions as agreed upon and listed below. The site is located at the northeast corner of Larch and Boyer and described as Lots 1-4 of Milltown Park Subdivision Replat, in Section 15, Township 57 North, Range 2 W.B.M. The property is zoned Commercial B.

The reasons for this recommendation are:

1. Staff has followed the notice procedures applicable to subdivisions in *Sandpoint City Code* Title 9, Chapter 9.
2. The application meets the subdivision and zoning requirements of City Code.
3. The proposed development is in keeping with the goals and policies of the City's Comprehensive Plan.

Subject to the following conditions:

1. Four copies of infrastructure drawings (water, sewer, streets, storm) shall be submitted for review along with applicable fees. When approved, one copy will be forwarded to Department of Environmental Quality, one copy will be returned to the owner and two copies will remain with the City. Digital drawings of the subdivision and infrastructure, in AutoCad dwg format, and geo-referenced, shall be provided to the city prior to acceptance of any infrastructure.
2. New mains to serve the newly-created lots shall be designed and installed when the lots are developed and before road improvements are completed. Payment of

applicable fees for tapping, main extensions, and meter sets will be required at the time these services are needed. Stamped engineered drawings for the water system will be required. A looped system will be required.

3. The City has installed a manhole on the north side of Larch St, just east of Lot 1 which is deep enough to accommodate flows from the Milltown subdivision. Upon payment of applicable fees and approval of engineered main extension drawings, service will be provided to the property.
4. A stormwater management plan is required. Stamped drawings from an Idaho licensed professional engineer will be required. Calculations shall be included. A construction stormwater management plan shall be included and followed during construction activities. Special attention should be given to the City of Sandpoint Stormwater Ordinance, as the requirements have changed.
5. Standard frontage improvements will be required. Boyer Avenue is slated to be widened and the future right of way width of Boyer will be 70 feet. No further right-of-way will be required if the existing right-of-way width is currently 65 feet. The entire frontage of Boyer Avenue shall be widened to match the cross-section in place adjacent to Lot 1 (Super 1 Foods). Six foot wide sidewalks shall be placed along the edge of this new right of way. New curb and gutter shall be installed. The road shall be re-stripped to match the new cross section.
6. All new rights-of-way within the subdivision shall be constructed in accordance with City of Sandpoint standards, including curb and gutter and sidewalk.
7. Street signage and striping shall be provided and installed by the developer.
8. A survey street monument, in a monument case shall be provided at a intersection within the development. The monument shall meet the requirements of the City and be geo-referenced.
9. a 10-foot wide bikepath between Larch Street and Boyer Avenue (north of Chestnut) is to be dedicated and constructed through the subdivision.
10. A traffic impact analysis is not required for this subdivision, but may be required for individual developments within the plat
11. All street cuts shall be backfilled and patched according to city standards.
12. Any parking lot lighting installed within the subdivision shall meet the requirements of the City's lighting ordinance. All lighting shall be directed downward and is required to be high pressure sodium instead of metal halide. LED lighting will be considered.
13. Most fees will be assessed during individual site plan review. Any fees for utility main extensions will be assessed during the subdivision stage.

14. A looped water/hydrant system shall be installed, with hydrants spacing to be no greater than 500 feet apart.
15. Additional *International Fire Code* requirements will be addressed during the permit process.
16. Addressing for each dwelling constructed within the development shall comply with City Code and shall be posted to be visible from the street by Public Safety agencies.
17. All units must meet minimum off-street parking requirements.
18. Lot 1 and Lots 6 through 9 are allowed as double frontage lots to provide a more integrated street plan. Boyer Avenue will be considered the primary frontage for Lots 6, 7, 8 and 9.
19. A dedicated 10 foot wide bike path will be platted along the property perimeter starting at the north end of Lot 9 at Boyer Avenue and following the RR tracks continuing to the south end of the property at Larch Street.
20. The street and widening improvements for Boyer Avenue will be triggered for Lot 6 upon development of Lot 6 and along Lots 7,8 and 9 when two of Lots 7,8 or 9 are developed.
21. "Sixth Avenue" shall be platted and dedicated from Larch Street to Chestnut Street as a complete street along with all other right of ways as shown on the preliminary plat.
22. The applicant will work with the adjacent property owners and the Public Works Department prior to final plat to work on an alternative arrangement for entrance onto Larch.

Motion passes unanimously.

MATTERS FROM THE COMMISSION/STAFF:

ADJOURNMENT:

The meeting adjourned at 9:15 p.m.

_____/s/
Chairman Herrera