



PLANNING AND ZONING COMMISSION MEETING MINUTES

May 20, 2025 at 5:30 PM

Council Chambers at City Hall - 1123 W. Lake St. Sandpoint, Idaho

Call to Order, Roll Call and Pledge of Allegiance

Chairman Mose Dunkel called the meeting of the Sandpoint Planning and Zoning Commission to order at 5:30 p.m. on Tuesday, May 20, 2025, in Council chambers at City Hall, 1123 W. Lake St., Sandpoint, Idaho.

PRESENT

Commissioner Mose Dunkel, Chair
Commissioner Wayne Benner, Vice Chair
Commissioner Grant Simmons
Commissioner Ivan Rimar
Commissioner Scott Torpie*
Commissioner Reid Weber
Commissioner William Mitchell

*Commissioner Torpie attended remotely via Zoom.

Under the City's adopted Code of Ethics and Civility, as the presiding officer, Chairman Dunkel identified law enforcement personnel serving as sergeant-at-arms for the meeting: Police Chief Corey Coon.

Chairman Dunkel led all present in the Pledge of Allegiance.

Announcements

Chairman Dunkel announced that, when those attending remotely registered to attend by Zoom, they were notified, as part of the registration process, that, except by prior arrangement and approval, testimony during a land use or other quasi-judicial public hearing is not taken remotely and that those who wish to testify on these types of matters need to attend the meeting in person. He further noted that the public hearing under Agenda Item #2 regarding City-initiated proposed amendments to Sandpoint City Code sections 10-2-3-D and 7-3-10-H, related to the timing of infrastructure requirements for short plats, had been canceled.

Consent Calendar

The Consent Calendar was **approved** by unanimous vote as noted below.

Motion made by Commissioner Benner, Seconded by Commissioner Simmons

Voting Yea: Commissioner Rimar, Commissioner Simmons, Commissioner Mitchell,
Commissioner Dunkel, Commissioner Weber, Commissioner Benner, Commissioner Torpie

1. The minutes from the Commission's May 6, 2025, meeting were approved as presented.

Matters from the Public - General Comments

Chairman Dunkel recited the rules and procedure for public comment during the meeting, followed by an opportunity for general comments from the public regarding topics not on the agenda relevant to the business of the City of Sandpoint. Information only; no Commission action.

Public Hearings

2. The public hearing regarding City-initiated proposed amendments to Sandpoint City Code sections 10-2-3-D and 7-3-10-H, related to the timing of infrastructure requirements for short plats, was canceled, as noted under Announcements.
3. Public Hearing/Decision: Site Plan Review Permit for Mixed Use Development at 413 and 417 Church Street

Chairman Dunkel announced that the next item on the agenda was a public hearing and a decision on site plan review permits for two mixed-use multi-family and commercial developments located at 413 and 417 Church Street and recited the order and procedure for the public hearing. He then stated for the record that any written comments received had been included in the meeting packet or such comments had otherwise been forwarded to the Commission if received in time to do so.

All Commissioners confirmed no ex parte contact and no conflict of interest as pertained to this matter.

Sandpoint City Planner Bill Dean provided a staff presentation and fielded questions from the Commissioners.

Jared Forsyth from RAD Architectural Design, representing OZ Development, provided a presentation in support of his client's application and fielded questions from the Commissioners.

Following the applicant's presentation and Commissioner questions, Chairman Dunkel recited instructions for the public hearing, reminding all in attendance of the City's rules of civility and meeting decorum and providing up to three (3) minutes of testimony from each speaker, with the option for those in the room to donate their time to another speaker, for a total of up to six (6) minutes for a speaker who received gifted time.

The Chairman then **opened the public hearing.**

City residents Molly O'Reilly and Dave Vermeer testified in support of the application.

City residents Meg Skibitsky and Christine Moon testified as neutral to the application.

City residents Elise Boyce, Ann Giantvalley, Steve Navarre, Clay Hutchison, Christine Kester, Karrie Lee Knoke, Frank Gruden, Joshua Torrez, and Jaymes Hansen testified in opposition to the application. Matt Lome and Zen Cryor DeBrook, who were not residents of the City of Sandpoint, also spoke in opposition to the application.

In relation to any possible rebuttal testimony from the Applicant, City Attorney Fonda Jovick reminded that the public would need to be offered the opportunity to comment on any new information that may come to light during Applicant rebuttal and/or ensuing Commission questions. There was no rebuttal testimony from the Applicant. While the public hearing was still open, Ms. Jovick, Community Planning and Development Director Jason Welker, City Engineer Brandon Staglund, and Police Chief Corey Coon fielded questions from Commissioners related to the public testimony.

At approximately 7:20 p.m., the public hearing was paused and the meeting recessed at the request of the Chair for the purpose of seeking advice from the City's legal counsel. At approximately 7:22 p.m., the meeting was reconvened, and the public hearing proceeded.

Ms. Jovick clarified that the Commissioners could still ask questions of staff during deliberation if those questions are related to evidence that has already been provided during the public hearing. Commissioners were advised that what they would not be able

to do is ask questions that would elicit new information that wasn't already discussed and/or identified during the public hearing process.

With a final question fielded by Ms. Jovick and with confirmation that all who wished to speak had an opportunity to do so, Chairman Dunkel **closed the public hearing**.

Following closure of the public hearing, the Commissioners deliberated toward a decision, with Mr. Staglund, Fire Chief Gavin Gilcrease, Mr. Dean, Ms. Jovick, and Mr. Welker fielding questions.

Commissioner Rimar made a motion to postpone a decision on this matter until the next Commission meeting, seconded by Commissioner Weber. The motion failed, as reflected below.

Voting Yea: Commissioner Weber, Commissioner Simmons, Commissioner Rimar

Voting No: Commissioner Dunkel, Commissioner Torpie, Commissioner Benner, Commissioner Mitchell

Following further deliberation and questions, Commissioner Benner made a motion to approve the application with the conditions listed in the staff report, but with an amendment to Condition #9 and the addition of Condition #10, as listed below.

Conditions of Approval:

1. Before issuance of building permit, a final stormwater plan shall be reviewed and approved by the City Engineer.
2. Before certificate of occupancy, applicant shall record easements for the shared stormwater system, describing access and maintenance responsibilities between the two parcels. The draft easement documents shall be reviewed and approved by city staff before recording. Before issuance of building permit, the stormwater plan shall be updated to show proposed easements.
3. Stormwater management plan for both buildings shall be revised to describe in detail the agreement and funding mechanism by which the owners of the two separate parcels will share the cost of operation and maintenance of the shared stormwater system.
4. Before issuance of building permit, the plans shall be updated to show future access easements for the shared sidewalk between buildings.
5. Before issuance of building permit, applicant shall provide evidence, to the satisfaction of the City Engineer, that the proposed roof materials and appurtenances will not have potential sources of contaminants as defined in City Code 11-3-1: harmful materials, including organic wastes, sediments, minerals, nutrients, thermal pollutants, toxic chemicals, and other hazardous substances.
6. Before issuance of building permit, a traffic analysis as required by City Code 10-1-6-A-18 shall be reviewed and approved by the City Engineer. Applicant shall be responsible for proportionate share contributions to any affected city project identified in a city-council-adopted master plan. Proportionate share shall be determined by the approved traffic analysis. Applicant shall be responsible for any extraordinary impacts, identified in the approved traffic study, which result in portions of the city street network falling below acceptable level of service, as described in city code 12-1-12.
7. Before issuance of building permit, applicant shall submit a utility service plan, prepared by a professional engineer, to be reviewed and approved.
8. Prior to issuance of a building permit, the building permit shall demonstrate that the plans are substantially compliant with the site plan, landscape plan and architectural elevations reviewed as part of the Site Plan Review permit (PSPR25-0003 and 0005).

9. Prior to any certificate of occupancy, and after construction of the development, the developer shall re-surface the existing alley in accordance with the recommendation from the City Engineer as to required surfacing.
10. A loading zone shall be added to either Church Street or the rear of the development for year-round use.

The motion was seconded by Commissioner Simmons, with the resulting vote as follows:

Voting Yea: Commissioner Dunkel, Commissioner Benner, Commissioner Simmons, Commissioner Torpie, Commissioner Mitchell

Voting No: Commissioner Rimar, Commissioner Weber

The Commissioners present and voting voted to **approve** the application for two Site Plan Review Permits for two mixed-use multi-family and commercial developments consisting of forty-seven (47) apartment units and approximately 847 square feet of commercial space on .16-acres located at 413 Church Street and forty-one (41) apartment units and approximately 1,900 square feet of commercial space on a .16-acre site located at 417 Church Street, with the conditions as stated above.

Old/Unfinished Business - none

New Business - none

Matters from City Staff

There were no general matters from staff for the Commission.

Commissioner Roundtable

Reminder of the June 17, 2025, public hearings, including the proposed amendments to City Code pertaining to off-street parking requirements, and a request for additional training/information for the Commission on when residential can be built in a commercial zone and related rules.

Adjourn

With no further business before the Commission, the meeting was adjourned at 8:30 p.m.

I presided over this meeting and can confirm that these minutes, prepared by the Deputy City Clerk, were approved by the Sandpoint Planning and Zoning Commission during their meeting on _____, 2025.

Mose Dunkel, Chair

Attest: Hayley Keys, Deputy City Clerk