

## Jason Welker

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**From:** Jason Welker  
**Sent:** Wednesday, June 25, 2025 3:06 PM  
**To:** Ben McGrann; Kathryn Keeney  
**Cc:** Mandy Brown; Bill Dean; Dan Averill; Brian Averill  
**Subject:** Re: AH - CUP23-0004 expiration

Ben,

Please plan to present this request to the PZC at the July 15<sup>th</sup> meeting. We will provide a short staff report/update and then hand it over to your team to update the commission and explain why an extension should be granted, highlighting the meaningful progress that has been made on the project in the year since its approval.

Best,  
Jason



### Community Planning and Development Department

**Jason Welker | Director**

- (208) 255-1738
- (208) 290-0137 (cell)

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**From:** Ben McGrann <ben@actusprojects.com>  
**Sent:** Wednesday, June 25, 2025 2:41 PM  
**To:** Kathryn Keeney <kkeeney@sandpointidaho.gov>  
**Cc:** Mandy Brown <mbrown@sandpointidaho.gov>; Jason Welker <jwelker@sandpointidaho.gov>; Bill Dean <bdean@sandpointidaho.gov>; Dan Averill <danlaverill@yahoo.com>; Brian Averill <brian@averillhospitality.com>  
**Subject:** RE: AH - CUP23-0004 expiration

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Hi Katie,

Please accept this email as Averill Hospitality request to extend CUP23-0004.

Best regards,

Ben

[Ben@ActusProjects.com](mailto:Ben@ActusProjects.com)  
206.696.8239

# Actus

## Ideas into Action

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**From:** Kathryn Keeney <kkeeney@sandpointidaho.gov>  
**Sent:** Wednesday, June 25, 2025 9:03 AM  
**To:** Ben McGrann <ben@actusprojects.com>  
**Cc:** Mandy Brown <mbrown@sandpointidaho.gov>; Jason Welker <jwelker@sandpointidaho.gov>; Bill Dean <bdean@sandpointidaho.gov>  
**Subject:** RE: AH - CUP23-0004 expiration

Hi Ben,

Please confirm whether you would like to be placed on the July 15th Planning & Zoning Commission agenda to formally request an extension of Conditional Use Permit No. CUP23-0004.

Your reply to this email will serve as your official request for the extension.

Thank you,

**Katie Keeney**

City of Sandpoint – Assistant Planner

208.946.2086

[kkeeney@sandpointidaho.gov](mailto:kkeeney@sandpointidaho.gov)

1123 Lake St. Sandpoint, ID 83864



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**From:** Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>  
**Sent:** Wednesday, June 25, 2025 8:06 AM  
**To:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>; Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>  
**Cc:** Kathryn Keeney <[kkeeney@sandpointidaho.gov](mailto:kkeeney@sandpointidaho.gov)>; Mandy Brown <[mbrown@sandpointidaho.gov](mailto:mbrown@sandpointidaho.gov)>  
**Subject:** Re: AH - CUP23-0004 expiration

Katie and Mandy will assist you in a request for an extension. The next PZC meeting is on July 15th. Since no public hearing notice is required for an extension request all you need to get on that agenda is to email Mandy and Katie and let them know you'd like to get before the commission to request an extension to your approved PUD.

Katie, Mandy, the Averill Group has until July 3<sup>rd</sup> to request an extension to their 2024 CUP. If a request is submitted by that date we will put them on the agenda for July 15th. Ben, please let Mandy and Katie know how you'd like to proceed.

Best,  
Jason



## Community Planning and Development Department

Jason Welker | Director

- (208) 255-1738
- (208) 290-0137 (cell)

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**From:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>

**Sent:** Tuesday, June 24, 2025 3:55 PM

**To:** Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>; Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>

**Subject:** RE: AH - CUP23-0004 expiration

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Hi Jason,

Yes, we are considering the original plan. Please advise what is needed to request the extension.

Best regards,

Ben

[Ben@ActusProjects.com](mailto:Ben@ActusProjects.com)

206.696.8239

# Actus

*Ideas into Action*

---

**From:** Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>

**Sent:** Tuesday, June 24, 2025 3:41 PM

**To:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>; Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>

**Subject:** Re: AH - CUP23-0004 expiration

Ben,

The PZC discussed the expiry of the permit at length in the CUP hearing and the commission ultimately agreed to the language that appeared in your written notice of decision, language which the Averills proposed to replace what was in the staff report presented on June 18th. *"The CUP and Variance are valid for one year and will be extended so long as the applicant has demonstrated a reasonable effort to complete the project."*

The notice of decision was sent out on June 24th. Therefore, per [SCC 9-9-8](#), the planning commission's decision became effective 10 days after that, on July 4th, 2024. That means **your team has until July 3<sup>rd</sup> (next week) to apply for an extension for your approved CUP and variance**. To be clear, **this extension does not allow for an amendment later on**. If you plan to proceed with the site plan you presented yesterday, a new CUP and variance

application need to be submitted. A request for extension may only be considered for the existing CUP, which was for an entirely different site plan than the one you have stated you intend to build.

Please watch the 5-minutes of discussion on permit expiry. The discussion includes the process for having an extension approved by the PZ Commission: <https://youtu.be/XqBxSWCi2K0?si=K1fyfO-Su4t1g2S4&t=13643>

The CUP was approved on June 18th, written notice was send on June 24th, and the appeal period ended on July 4th. Therefore, the request for extension must be received by July 3rd.

Best,  
Jason



**Community Planning and  
Development Department**

**Jason Welker | Director**

- (208) 255-1738
- (208) 290-0137 (cell)

---

**From:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>

**Sent:** Tuesday, June 24, 2025 3:14 PM

**To:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>

**Subject:** RE: AH - CUP23-0004 expiration

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We would like an acknowledgement that the existing CUP is still active.

Best regards,

Ben

[Ben@ActusProjects.com](mailto:Ben@ActusProjects.com)

206.696.8239

**Actus**

***Ideas into Action***

---

**From:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>

**Sent:** Tuesday, June 24, 2025 2:55 PM

**To:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>

**Subject:** RE: AH - CUP23-0004 expiration

Hi Ben, the process we've outlined achieves what you are looking for: a land use permit to build a revised version of the hotel. Everything we state in the mtg yesterday still applies. We need a signed application form, dimensioned site plan, and the other documents we discussed yesterday. Also, please remember to apply for a variance that accommodates the relief from Commercial A zoning standards (setbacks, for example) that you are seeking.

Thanks, Bill



**City of Sandpoint Planning**  
**Bill Dean** | City Planner  
Office | (208)265-1480

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**From:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>  
**Sent:** Tuesday, June 24, 2025 2:49 PM  
**To:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>  
**Subject:** RE: AH - CUP23-0004 expiration

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Hi Bill,

We have continued to show reasonable effort over the course of the year. The Staff report acknowledged "work" is defined as detailed design and construction plans. Please advise on the process to formally extend.

Best regards,

Ben

[Ben@ActusProjects.com](mailto:Ben@ActusProjects.com)  
206.696.8239

**Actus**

*Ideas into Action*

---

**From:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>  
**Sent:** Tuesday, June 24, 2025 8:57 AM  
**To:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>  
**Subject:** RE: AH - CUP23-0004 expiration

Ben, we're reviewing the file and the video from the hearing.... it appears that the Conditions #2 and 3 in the staff report were replaced with a single condition #2 at the hearing, which actually was the applicant's language:

New COA#2: Pursuant to §9-9-6-7 of Sandpoint City Code, detailed design work shall commence after the date of the commission's approval. The CUP and Variance are valid for one year and will be extended so long as the applicant has demonstrated a reasonable effort to complete the project.



[sandpointidaho.gov](http://sandpointidaho.gov)

1123 Lake St. Sandpoint,  
ID 83864

**City of Sandpoint Planning**

**Bill Dean** | City Planner

Office | (208)265-1480

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**From:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>

**Sent:** Tuesday, June 24, 2025 8:46 AM

**To:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>

**Subject:** RE: AH - CUP23-0004 expiration

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Hi Bill,

Just so I am clear, the two (9.9.6.A.7 & 9.9.6.B.5) below references are strictly based on general City code and are not outlined on the staff report or the action report.

Best regards,

Ben

[Ben@ActusProjects.com](mailto:Ben@ActusProjects.com)

206.696.8239

**Actus**

***Ideas into Action***

---

**From:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>

**Sent:** Tuesday, June 24, 2025 8:25 AM

**To:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>

**Subject:** RE: AH - CUP23-0004 expiration

Hi Ben, I'm unaware of any City Council action on this project. Two permits were issued: a CUP and a Variance, both acted on by the PZC on June 18, 2024. Below are code references for your permit lifespan and the condition of approval related to required work.

CUP Code reference:

9.9.6.A.7 Commencement of Work: The proposed work shall commence within one year following the date of planning commission or city council approval of the conditional use permit and shall be diligently pursued or said approval and permit shall be rendered automatically null, void and of no right or recourse.

Variance Code Reference:

9.9.6.B.5 Commencement of Work: The proposed work shall commence within one year following the date of planning commission or city council approval of the variance or said approval and permit shall be rendered automatically null, void and of no right or recourse.

Conditions of Approval placed on the permit dated June 18, 2024:

#2. Pursuant to §9-9-6-7 of Sandpoint City Code, detailed design work shall commence after the date of the commission's approval and the applicant shall make application for a demolition permit for the existing facility on or before September 2, 2025, or the approval and permit shall be rendered null, void and of no right or recourse.

I'm happy to further discuss, and FYI I mentioned to Brandon that your civil engineer may be reaching out to him. I think the main issue is to make sure the revised civils matches the updated site and landscaping plans. Looking forward to next steps.

Thanks, Bill



**City of Sandpoint Planning**  
**Bill Dean** | City Planner  
Office | (208)265-1480

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**From:** Ben McGrann <[ben@actusprojects.com](mailto:ben@actusprojects.com)>  
**Sent:** Tuesday, June 24, 2025 7:56 AM  
**To:** Bill Dean <[bdean@sandpointidaho.gov](mailto:bdean@sandpointidaho.gov)>; Jason Welker <[jwelker@sandpointidaho.gov](mailto:jwelker@sandpointidaho.gov)>  
**Subject:** AH - CUP23-0004 expiration

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Hi Bill,

I wanted to follow up on your statement the current CUP has expired. I don't see anything in the staff report or action notification suggesting the CUP is only valid for 1 year. There is the note that a demo permit needs to be pulled within 2 years of the decision.

Additionally, I wanted to confirm this is a P&Z only as we are asking for a variance for the set back. From what I understand, the last CUP submittal went to the City Council for approval because of the variance.

Please advise.

Best regards,

Ben

[Ben@ActusProjects.com](mailto:Ben@ActusProjects.com)

206.696.8239

**Actus**

**Ideas into Action**