



Staff Report

To: Planning & Zoning Commission
 From: Planning Staff
 Report: January 12, 2018
 Meeting: January 16, 2018
 Item: CUP17-01: Seventh Day Adventist Church Expansion

General Information

Applicant:	Seventh Day Adventist Church
Requested Action:	Take public testimony and decide on appropriate conditions of approval
Purpose:	Expansion of facility for religious teachings
Location:	2235 W. Pine Street, legally described as Block L, Less North 10', Ohadi Acres in Section 21, Township 57 North, Range 2 West
Size:	Parcel: Approximately 9.6 acres Building: Approximately 12,000 Sq Feet of Building Footprint
Existing Zoning & Context Area:	Zone: Residential Single Family (RS) Context Area: CA-2
Surrounding Land Use and Zoning:	<u>North:</u> Residential Single Family / Municipal Park <u>South:</u> Residential Single Family / Low Density Single Family Homes <u>East:</u> Residential Single Family / Single Family Homes <u>West:</u> Residential Single Family / Undeveloped Shoreline (Chuck Slough)
Included in Staff Report:	<ol style="list-style-type: none"> 1. Staff Overview 2. Public Hearing Procedure 3. Relevant Portions of the Comprehensive Plan 4. Conditional Use Permit Criteria 5. Staff Recommended Conditions 6. Motion for Proposed Decision
Attached:	<ol style="list-style-type: none"> 1. CUP Application with supporting materials 2. Written comments received at time of this report

1. Staff Overview

This Sandpoint City Code §9-4-1-2 Use Regulations require a Conditional Use Permit for “Churches and accessory buildings used for religious teachings”. Note 1 within the same section requires that “Any use legally established as a permitted use now subject to conditional use approval shall be subject to conditional use approval to expand such use.”

Seventh Day Adventist Church is seeking to expand their facility located at 2235 W. Pine Street on the South end of the parcel by adding a new fellowship hall, classrooms, and several other facility improvements totaling approximately 6,200 square feet of additional building footprint. The adjacent parking lot will also be expanded northward by approximately 4,300 square feet and will be redesigned to add additional planting areas and better traffic flow. The parking lot will end up totaling 70 parking spaces with 4 being ADA compliant.

The addition on the southeast side of the development will be approximately 14’ away from the backyard property lines of the single family homes to the east, about 30’ closer than it was previously. At its closest, the proposed addition is approximately 86’ away from the average high water mark of Chuck Slough.



2. Public Hearing Procedure

Per Sandpoint City Code §9-9-5, notice has been provided to property owners within 300 feet of the parcel boundaries on which the proposal is being considered. Notice has also been posted at the site 7 days in advance of the hearing and a summary has been provided in the official newspaper of general circulation 21 days prior to the hearing date.

Order of Public Hearing:

- 1) Explanation of subject of the hearing by city staff.
- 2) Presentation by applicant. Commission members should address their questions to the applicant at this time.
- 3) Opening of the public hearing in which the public may provide testimony. Questions should be asked of the person testifying before leaving the podium. Those wishing to testify are required to fill a signup sheet, which will be provided by the City. The order for those providing testimony should be as follows:
 - I. In favor
 - II. Neutral
 - III. Opposed
- 4) Rebuttal testimony from applicant. Final questions may be asked of the applicant at this time. If new facts are elicited, however, the public must be given an opportunity to comment on new facts.
- 5) Close the public hearing.
- 6) Commission deliberates (no new information may be provided at this time and questions may be directed only to city staff during deliberations).

3. Relevant Portions of the Comprehensive Plan

The comprehensive plan designates the site as Context Area 2. This CA-2 designation “is the lowest density development pattern located in the city, characterized by Sandpoint’s historic single-family neighborhoods set on a traditional street grid with small accessory dwelling units, an urban forest, active alleys, on-street and alley parking, walkable streets and diverse incomes intermixed on the same street. Individual structures should respect the scale and character of the built environment with the bulk, mass, and architecture of new structures being harmonious with existing residences in their vicinity.” The comprehensive plan notes that “traditional neighborhoods, including some in Sandpoint today, feature small-scale, well-integrated uses like churches, professional offices and cafes.” This helps imply that churches located in residential zones is recognized, acceptable, and in general accordance with the objectives of the plan. Listed below are additional relevant portions of the comprehensive plan:

Goal CD-1: Historic Town - Retain Sandpoint’s position and image as an historic town.

- Policy A: Ensure that all commercial, single and multi-family development respect the town’s unique historic character, in architecture, density and in site planning.

Goal CD-3: Quality Growth - Make higher density areas dynamic, attractive and desirable places to live and operate businesses.

- Policy E: Reduce the amount of land devoted to surface parking, including but not limited to encouraging parking structures in CA-4 and especially CA-5 districts.

Goal R-1: Parks – Provide integrated and comprehensive parks and recreation facilities to serve Sandpoint’s needs.

- Policy D: Link parks and recreation facilities with a network of safe paths, trails and/or sidewalks.

Goal PS-3: Education – Establish an environment where children excel in school.

- Policy B: Provide for safe, attractive, and convenient multimodal routes to schools.

Goal NR/H-1: Resource Protection – Preserve and protect Sandpoint’s natural resources.

- Policy F: Concentrate growth within city limits.
- Policy H: Protect scenic resources – water and mountain views – by identifying and preserving viewsheds.

Goal SA-1: Preservation – Identify, preserve, protect, and enhance areas of special interest, historic value and scenic beauty in Sandpoint.

- Policy C: Protect the residential character of existing neighborhoods by providing for transitional boundaries between residential, commercial and industrial uses.

Goal SA-2: Urban Forest – Work to increase the tree canopy in the residential and downtown public areas.

- Policy E: Encourage best, new practices of planting trees in urban areas.
- Policy G: Encourage tree plantings to improve stormwater management.

4. Conditional Use Permit Criteria

Pursuant to City Code §9-9-6.A.3.h, a Conditional Use Permit application must meet the following standards:

- 1) Will, in fact, constitute a conditional use as established on the official schedule of regulations for the zoning district involved.
- 2) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the comprehensive plan and/or applicable sections of the Sandpoint Code.
- 3) Will be designed, constructed, operated and maintained to be harmonious and appropriate with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- 4) Will not be hazardous or disturbing to existing neighboring uses.
- 5) Will be served adequately by essential public services and utilities such as highways, streets police and fire protection, drainage systems, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service or utility.
- 6) Will not create excessive additional requirements at public cost for public services and utilities and will not be detrimental to the economic welfare of the community.
- 7) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reasons of traffic, noise, smoke fumes, glare or odors.
- 8) Will have vehicular approaches to the property, which shall be designed so as not to create an interference with traffic on surrounding public roads.
- 9) Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Pursuant to City Code §9-9-6.A.6, upon granting a Conditional Use Permit, conditions may be attached including, but not limited to, the following:

- 1) Minimizing adverse impact on other developments
- 2) Controlling the sequence and timing of development

- 3) Controlling the duration of development
- 4) Assuring that development is maintained properly
- 5) Designating the exact location and nature of development
- 6) Requiring the provision for on-site or off-site public facilities or services
- 7) Requiring more restrictive standards than those generally required in an ordinance.

5. Staff Recommended Conditions

Planning:

- 1) Parking lot landscaping shall consist of, but not be limited to, a mix of deciduous and evergreen trees, shrubs, and ground cover comprised of acceptable cultivars as determined by the city arborist. Tree species shall be of the types listed on the "city of Sandpoint approved street tree list" (as adopted by resolution), or approved by the city arborist. Street trees shall be a minimum 2.0 inch dbh. Interior landscaping shall be provided and shall include trees of at least 1.5 inch dbh every thirty (30) spaces.
- 2) If frontage improvements are required along Pine Street, please make sure that any trees to be removed are reviewed with City Forester and that all new plantings meet the spacing and approved street tree requirements.
- 3) City of Sandpoint Code §9-5-14.A. states that "a minimum of ten percent (10%) of gross paved areas used for parking lots within the city of Sandpoint shall be landscaped." Only the newly added parking lot square footage (4,288 square feet) will be used in calculating this requirement. Applicant shall dedicate at least 428.8 square feet to landscaping within the parking lot.
- 4) City of Sandpoint Code §9-5-14.F. states that parking lots exceeding thirty spaces "[require] shade trees shall be of such species and canopy to provide a predicted twenty five percent (25%) canopy cover of the parking area after a ten (10) year growth period." Only the newly added parking lot square footage (4,288 square feet) will be used in calculating this requirement. Applicant shall plant tree canopy to cover at least 1,072 square feet of the parking lot.
- 5) City of Sandpoint Code §9-5-10 states that "any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property."

Public Works:

- 6) Standard frontage improvements for curb, gutter and sidewalks will be required and the five foot wide sidewalk will need to include connection to the existing pedestrian ramp that is west of the existing driveway approach. Detailed plans of the proposed improvements will need to be submitted for review and approval by the Public Works Department along with the applicable fees. The Applicant shall be required to obtain an encroachment permit from the Public Works Department prior to the commencement of any work in the right-of-way.
- 7) A grading permit is required prior to any land disturbance activities.
- 8) A stormwater management and construction period erosion control plan prepared by an Idaho licensed professional and meeting the City's stormwater ordinance is required prior to issuance of a building permit. The applicant will be required to pay review fees and obtain any permits necessary for construction and/or the piping of stormwater outflow into the nearby surface water.

- 9) The application does not appear to propose any changes to the existing water service. If changes are required, a fire line is requested or a larger meter is determined to be needed, fees will apply.
- 10) Lighting for the parking lot shall meet the requirements of the City's lighting ordinance.
- 11) The following is an estimate of fees that will be required at building permit issuance:
 - a) Water – fees may apply, per ordinance if the domestic water line requires upgrade (3/4" existing) and/or if a fire line is necessary.

When the City receives more information and drawings, the below list of fees will be determined:

- b) Building Permit – based on total construction value (not including land value)
- c) Plan Check – 65% of building permit
- d) Encroachment Permit – \$150 for commercial encroachment permit for work in the right-of-way
- e) Stormwater/Erosion Control - \$100/acre and \$500 maximum + time/materials = \$500
- f) Grading – based on amount of excavation and fill
- g) Impact Fee – to be determined at building permit review

Police:

- 12) Reviewed but no comment.

Fire:

- 13) 2015 International Fire Code applies.

6. Motion for Proposed Decision

If Approving:

"I move the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, APPROVE the request by Seventh Day Adventist Church for a Conditional Use Permit to allow for facility expansion for religious teachings in the Residential Single Family Zone. 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.
- 3) The requested Conditional Use Permit is consistent with the overall planning goals and objectives outlined in the Comprehensive Plan.

Subject to Conditions [X-X] as recommended by staff.

Approval is also subject to the following additional conditions:

[Additional conditions stated here]"

If Denying:

"I move the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, DENY the request by Seventh Day Adventist Church for a Conditional Use Permit to allow for facility expansion for religious teachings Residential Single Family Zone. Based on evidence, records, and testimony, the reasons for denying 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 not in compliance with the nine criteria for Conditional Use Permits as outlined in Sandpoint City Code §9-9-6.A.3.h.
- 3) The requested Conditional Use Permit is not consistent with the overall planning goals and objectives outlined in the Comprehensive Plan."