

**NOTICE OF PUBLIC HEARING**  
**BEFORE THE LATAH COUNTY ZONING COMMISSION**  
**Wednesday, June 2, 2010, 5:30PM**

The Latah County Zoning Commission will hold public hearings on Wednesday, June 2nd, 2010 in Room 2-B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

1. **CUP #812** A request by Oren Schmidt for a conditional use permit to operate a Espresso Stand on a property zoned Industrial. The property is located at 1297 Kennedy Ford Road, in Section 02, Township 41 North, Range 05 West, B.M., in Latah County, Idaho, and referenced as Assessor's parcel number RP41N05W023742.
2. **CUP#811** – A request by George Lisher for a conditional use permit to operate a mineral resource development including excavation, stockpiling, crushing, blasting, and an asphalt plant on approximately three (3) acres of a 280-acre parcel owned by Terry Walser located in the Agriculture/Forest zone. The property is located on the east side of Flannigan Creek Road, in Section 23, Township 41 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP41N05W230023A.
3. **RZ #813** A request by Dustin Weitz to rezone approximately 50-acres from Agriculture/Forest to Rural Residential. The property is located west of Saddle Ridge Road and 1500 feet south of Four-Mile Road, in Sections 06 and 07, Township 40 North, Range 05 West, B.M., in Latah County, and is referenced as Assessor's parcel numbers RP40N05W069016A and RP40N05W070017A.
4. **RZ #814** A request by Potlatch Grain and Seed Inc, to rezone an approximately 2.35 acre parcel from Agriculture/Forest zone to Industrial. The property is located 200 feet south Highway 6, west and adjacent to Hatter Creek Road, Section 09, Township 41 North, Range 04 West, B.M., in Princeton, Idaho, and is referenced as Assessor's parcel numbers RP41N04W091819A, RP41N04W090509A, RP41N04W091009A, and RP41N04W092019A.

This meeting starts at 5:30PM. Hearing #1 will start at 5:35 PM, and the subsequent hearings will be held in the order listed. Start times for the other hearings depends on the length of the hearing(s) that went before it.

All interested parties are encouraged to attend the hearings. Accommodations for individuals who qualify under the Americans with Disabilities Act are available upon request. Notice is required in the Planning Office three working days prior to the hearing in order to acquire accommodations.

These hearings will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. **The Latah County Zoning Commission reserves the right to limit the length of testimony.**

Additional information on this request, including full copies of the proposals, are available from the Planning and Building Department at the Latah County Courthouse, Moscow, Idaho. Phone (208) 883-7220. **Written exhibits will be accepted at the Latah County Planning and Building Department no later than 2:00 p.m. on Friday, May 28th, 2010. Written exhibits will not be accepted after that time.** Written exhibits include, but are not limited to: written comments, submissions, exhibits, videos, recorded audio, DVDs, PowerPoint presentations, slide shows, photographs, e-mails, and regular mail/submittals. All PowerPoint and/or electronic presentations (excluding videos/movies) must also be submitted in printed form. Videos/movies must be submitted in a DVD format.

Mauri Knott  
Associate Planner  
*(This is a public service announcement)*



**OREN SCHMIDT  
CONDITIONAL USE PERMIT APPLICATION #812  
STAFF REPORT**

**SUMMARY OF APPLICATION:**

A request was made by Oren Schmidt, for a conditional use permit to operate an espresso drive-through in the same building as a sign manufacturing shop on a .49-acre parcel located in the Industrial zone. The property is owned by Dale Rose. The site is accessed off of Kennedy Ford Road and is located at the intersection of Kennedy-Ford Road and Highway 95. The property is located in Section 02 of Township 41 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP41N05W023742.

**Site Characteristics:**

**Size of Parcel:** .49 acres  
**Soils:** Larkin Silt Loam, 12-35% Slopes,  
Latah County Thatuna Silt Loam, 0-5% Slopes;  
(Latah County Soil Survey Sheet #10)  
**Floodplain:** Zones "B" (FIRM Panel #160086 0135B)

**Land Use and Regulations:**

**Comprehensive Plan Designation:** Industrial/Commercial/Residential  
**Existing Zoning:** Industrial  
**Existing Uses:** Lot with a 12 X 24 building for sign manufacturing  
**Neighboring Zoning:** Industrial, Commercial, Rural Residential, Agriculture/Forestry  
**Neighboring Uses:** Commercial, Pasture, Public Right of Way, Residential

**Infrastructure/Services:**

**Water:** No well; water hauled in; purchased from Winco or other similar retail store  
**Sewer:** No septic; grey water stored in containers; dumped at residence of applicant into septic system  
**Access:** Kennedy-Ford Road, North Latah County Highway District  
**Schools:** Potlatch School District  
**Fire Protection:** Potlatch Rural Fire District  
**Law Enforcement:** Latah County Sheriff

**EXHIBITS:**

**Exhibit #1.** Staff Report  
**Exhibit #1A.** Criteria Worksheet  
**Exhibit #1B.** Latah County Comprehensive Plan and Vicinity Map  
**Exhibit #1C.** Zoning Map  
**Exhibit #1D.** Adjoining Property Owners and Aerial Photograph Map  
**Exhibit #1E.** Photos of Subject Property  
**Exhibit #2.** Application Form (Submitted by Applicant)  
**Exhibit #2A.** Applicant's Narrative (Submitted by Applicant)  
**Exhibit #2B.** Plat Map (Submitted by Applicant)  
**Exhibit #2C.** Vicinity Maps (Submitted by Applicant)  
**Exhibit #2D.** Site plan (Submitted by Applicant)  
**Exhibit #2E.** Access Approval (Submitted by Applicant)  
**Exhibit #2F.** North Central District Health Food Risk Assessment (Submitted by Applicant)  
**Exhibit #3.** Staff Introduction for Latah County Zoning Commission public hearing for CUP 812 on June 2, 2010  
**Exhibit #4.** Letter from Property Owner

**NOTE: Exhibits not included in the staff packet are available for review in the Planning Office, and will be entered into the record during the public hearing.**

**APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:**

**Local Planning Act:** Idaho Code 67-6512

**Latah County Land Use Ordinance # 269, as amended:**

Section 3.05 Industrial Zone  
Article 7 Conditional Use Permits

**Latah County Comprehensive Plan**

CUP 812

STAFF REPORT FOR OREN SCHMIDT

1 OF 1

LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 1  
Date: 6/2/2010

# CRITERIA WORKSHEET

**Note:** This criteria worksheet does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

## **Type of request:**

Conditional Use Permit to operate an espresso drive-through in the same building as a sign manufacturing shop.

## **Description of application:**

Oren Schmidt submitted for a conditional use permit to operate an espresso drive-through in the same building as a sign manufacturing shop on a .49-acre parcel located in the Industrial zone. The property is owned by Dale Rose. The site is accessed off of Kennedy Ford Road and is located at the intersection of Kennedy-Ford Road and Highway 95. The property is located in Sections 02 of Township 41 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP41N05W023742.

## **Facts of application and the information submitted**

*1) Section 7.01 requires that specific uses within a particular zone require special consideration prior to being permitted in that zone.*

The Latah County Land Use Ordinance, under section 3.05.02(3), lists "Retail and service uses" as a conditionally permitted use in the Industrial Zone.

*2) Section 7.01.01 requires that an application for a conditional use be made by the owner of the affected property.*

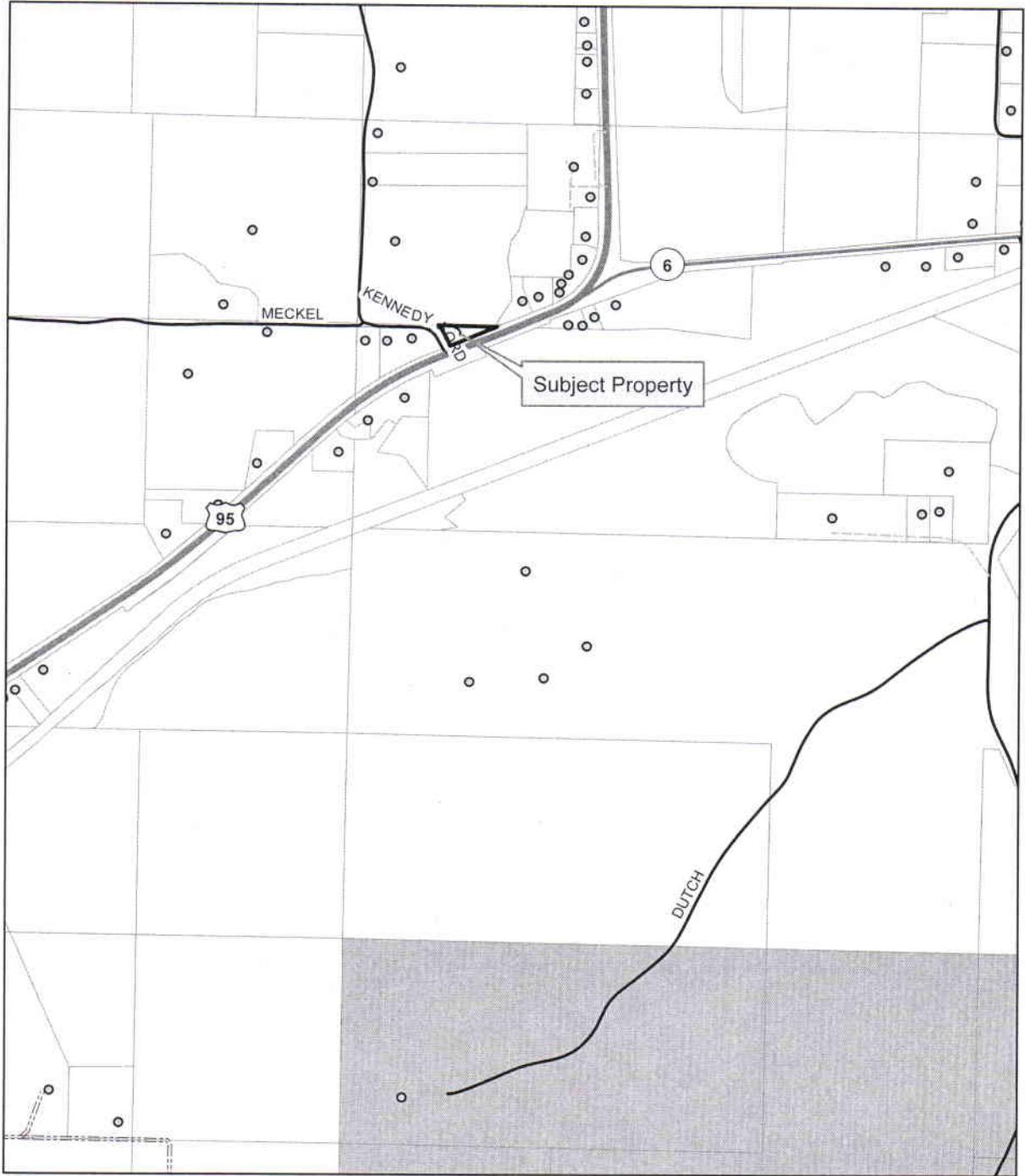
Oren Schmidt submitted a completed application to the Latah County Planning and Building Department on May 3<sup>rd</sup>, 2010. The conditional use permit application was signed by the applicant, Oren Schmidt, and Dale Rose, owner of the subject property.

*3) Section 7.01.02 requires:*

- 1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
  - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
  - B. The use will not require facilities or services with excessive costs to the public;
  - C. The use is not in conflict with the goals and policies of the Latah County Comprehensive Plan.
- 2. If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**
- 3. The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.**

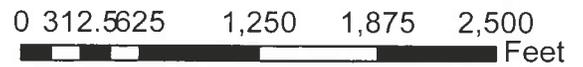
# CUP 812 Comprehensive and Vicinity Map

Planning & Building Department



## Comprehensive Plan

-  AOI
-  ICR
-  PRODUCTIVE
-  RURAL



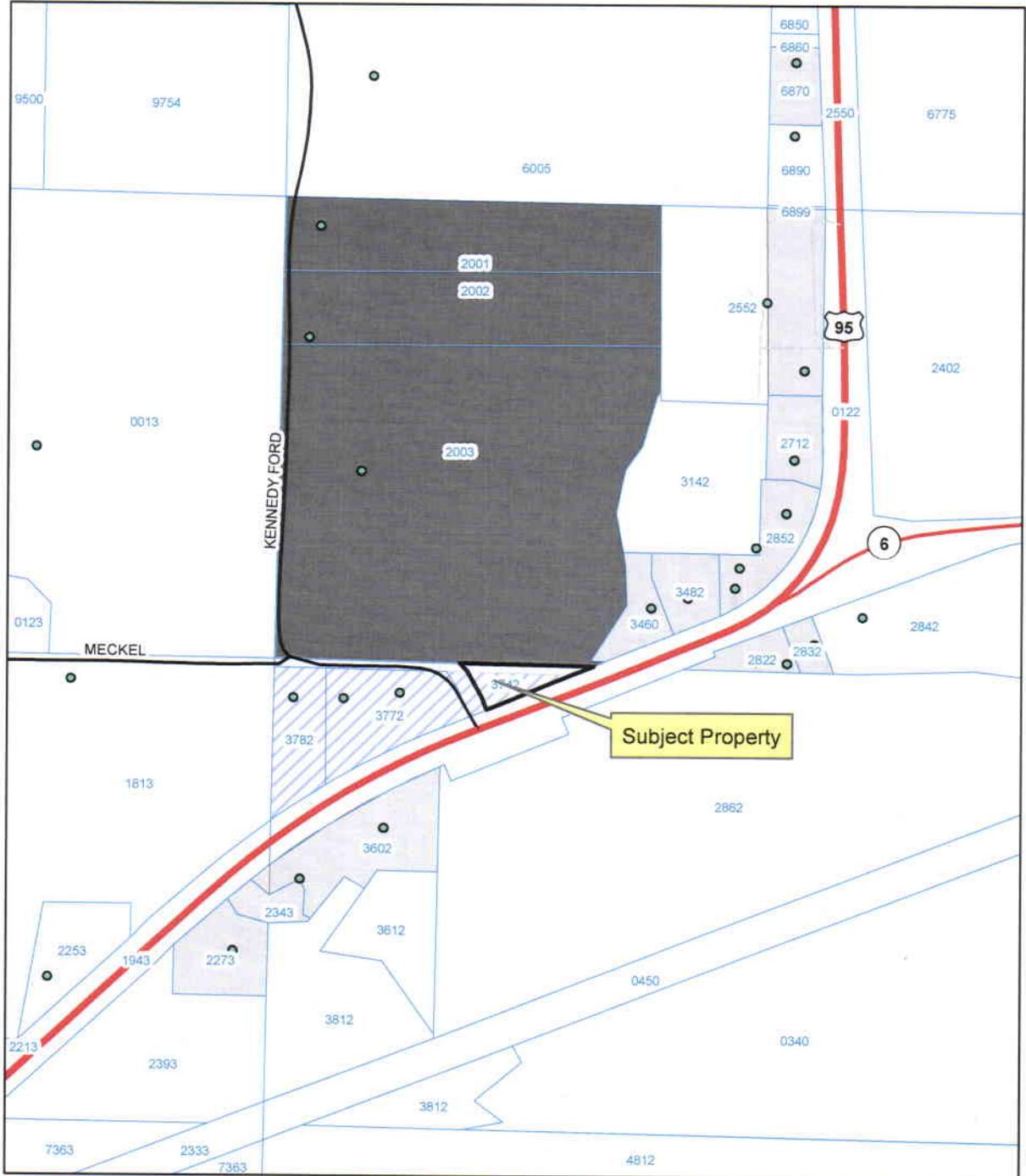
\*Created on 5/14/2010 by MK

NOTE: This Document is a representation only.  
Latah County bears no responsibility for errors or omissions.

LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 1B  
Date: 6/2/2010

# CUP 812 Zoning Map

Planning & Building Department



## Zoning\_Districts\_2009

### ZONE\_TYPE

-  Agriculture / Forestry
-  Commercial
-  Industrial
-  Rural Residential

0 125 250 500 750 1,000 Feet

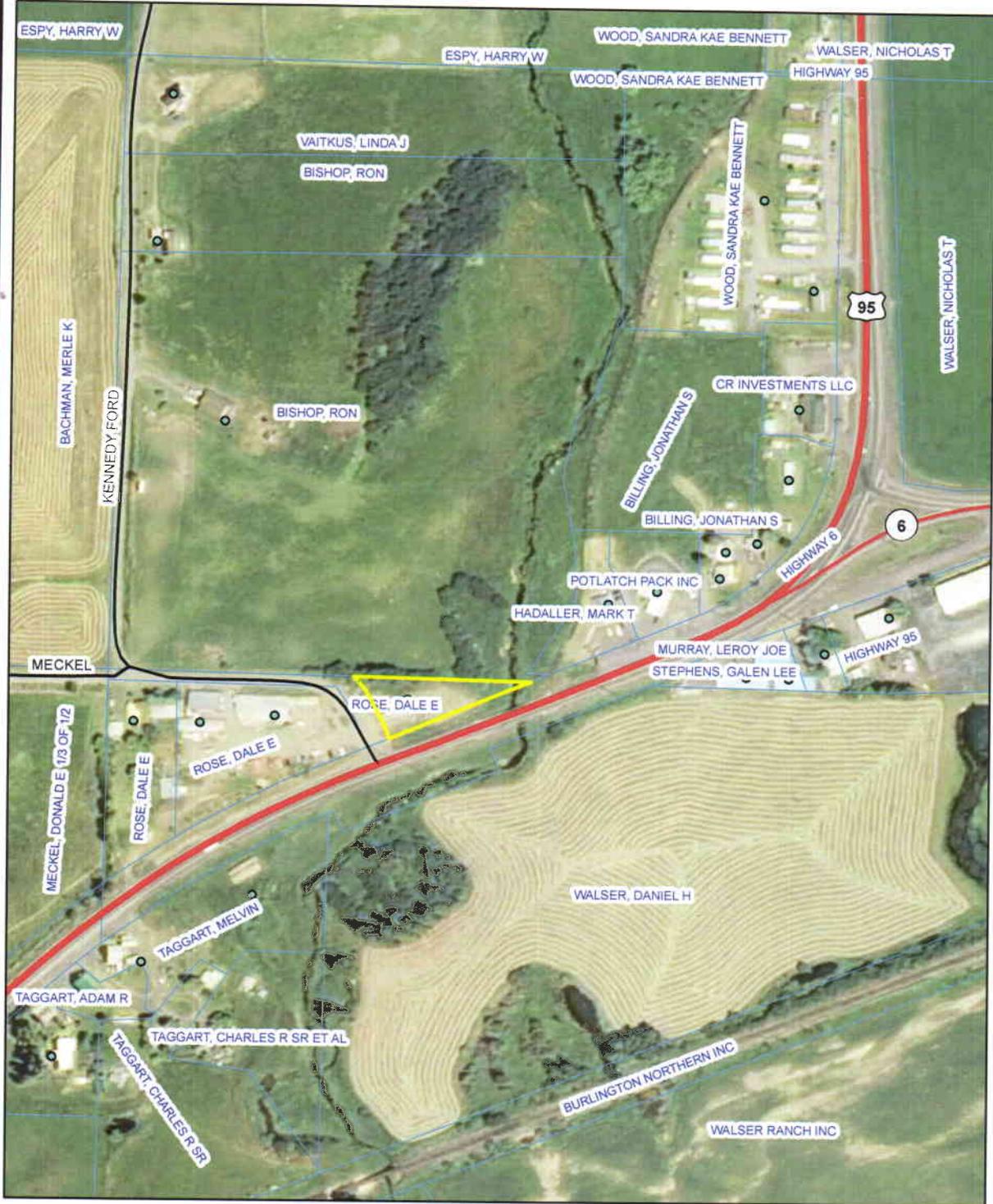
\*Created on 5/14/2010 by MK

NOTE: This Document is a representation only.  
Latah County bears no responsibility for errors or omissions.

LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 1C  
Date: 6/2/2010

# CUP 812 Adjoining Owners and Aerial Map

Planning & Building Department



### Legend

- Addresses

\*Created on 5/5/10 by MK

NOTE: This Document is a representation only. Latah County bears no responsibility for errors.

LCZC Hrg: CUP 812  
 Applicant: Schmidt  
 Exhibit #: 1D  
 Date: 6/2/2010



Location of proposed CUP #812



Access of Kennedy Ford Road

LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 1E  
Date: 6/2/2010



# Application for Conditional Use Permit

## Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete.

Please submit to: **Latah County Department of Planning & Building**  
**Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID 83843 (208) 883-7220**

### 1. Applicant Information

|   |                                      |                                      |                             |
|---|--------------------------------------|--------------------------------------|-----------------------------|
| a. Applicant Name<br><u>Oren Schmidt</u>                            | b. Home Phone<br><u>208-875-8861</u> | c. Work Phone<br><u>208-668-0301</u> |                             |
| d. Mailing Address<br><u>1240 E Cove Rd</u>                         | e. City<br><u>Potlatch</u>           | f. State<br><u>ID</u>                | g. Zip code<br><u>83855</u> |
| h. Property Owner (if different than applicant)<br><u>Dale Rose</u> | i. Home Phone<br><u>875 8929</u>     | j. Work Phone<br><u>301-0355</u>     |                             |
| k. Mailing Address<br><u>1296 Kennedy Ford Rd</u>                   | l. City<br><u>Potlatch</u>           | m. State<br><u>ID</u>                | n. Zip code<br><u>83855</u> |

### 2. General Site Information

|  |                                |   |   |                                       |
|--|--------------------------------|---|---|---------------------------------------|
| a. Assessor's Parcel Number(s)<br><u>RP41N05W023742</u>  |                                |   | b. Parcel Address (if applicable)<br><u>1297 Kennedy-Ford Rd.</u> |                                       |
| c. Acreage of Existing Parcel<br><u>.49 acre</u>   | d. Zoning<br><u>Industrial</u> | e. Comprehensive Plan Designation<br><u>Industrial/Commercial/Res</u> | f. Floodplain designation(s)<br><u>B, A3</u>                      | g. FEMA Panel #<br><u>1600860135B</u> |
| h. Is the parcel within an Area of City Impact?<br><input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No. | i. Impact City                 | j. Road Used to Access Site<br><u>Kennedy-Ford Rd.</u>                |   |                                       |

**Note:** Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

i. Existing Uses  
Sign Manufacturing bldg. & business

### 3. Service Provider Information (please attach additional information if requested)

|  |   |   |
|--|---|---|
| a. Fire District<br><u>Potlatch Rural Fire Dept.</u>   | b. Road District<br><u>North Latah County Hwy. Dist.</u>  | c. School District<br><u>Potlatch School District</u> |
| d. Source of Potable Water (i.e. water district or private well)<br><u>N/A - portable Building</u> | e. Sewage Disposal (i.e. sewer district or private septic system)<br><u>N/A portable Building</u> |   |

### 4. Adjacent Properties Information

|   |  |
|---|--|
| a. Zoning of Adjacent Properties<br><u>Commercial</u> | b. Existing Uses of Adjacent Properties<br><u>Commercial</u> |
|---|--|

### 5. Permit Information

a. Proposed Use  
Sign Shop / Espresso Stand

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located?  
3.05.02 - #03

**Note:** If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.

### 6. Authorization

The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.

|   |                            |
|---|----------------------------|
| a. Signature of Applicant<br><u>[Signature]</u>                                     | b. Date<br><u>04/29/10</u> |
| c. Signature of Property Owner (if different than applicant)<br><u>Oren Schmidt</u> | d. Date<br><u>5-3-10</u>   |

### Office Use Only

|                                  |   |                 |                 |
|----------------------------------|---|-----------------|-----------------|
| Date Received<br><u>5/3/2010</u> | Amount<br><u>200.00</u>                               | Receipt No.     | By<br><u>MK</u> |
| CUP #<br><u>812</u>              | Date Determined Technically Complete<br><u>5/3/10</u> | By<br><u>MK</u> |                 |
| Hearing Date                     |   |                 |                 |

### 7. Attachments

All attachments should be reproducible in black and white at 8 1/2" x 11"

- Fee:** (\$200.00) Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- Site Plan:** The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff / certain proposed uses.

LCZC Hrg: CUP 812  
 Applicant: Schmidt  
 Exhibit #: 2  
 Date: 6/2/2010

Date is Property owner Oren is Applicant



C. The use is not in conflict with the goals and policies of the Comprehensive Plan.

*In addition to your response above, please explain your proposal's consistency with the proceeding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.*

**a. Community Design Element**

**b. Population Element**

**c. Housing Element**

**d. Economic Development Element**

**e. Public Services, Facilities, and Utilities Element**

**f. School Facilities and Student Transportation Element**



## Description of Proposal

I propose to use this parcel for a small retail business (Sign Shop/Espresso Stand) with one drive up window, and limited parking for sign shop.

## Existing Uses of Property

Storage and a sign. There is a 12'x 24' portable building for the proposed use.

## Consistency Requirements

A. The use will be less detrimental to health and safety issues than most industrial and permitted uses to the surrounding community and will not adversely affect the permitted uses or enjoyment of such uses to any greater extent than a permitted use in this zone.

B. There will be no excessive costs to the public.

C. I believe as I have read the Latah County Comprehensive Plan that this use for the most part is not in conflict with the goals and policies set forth. I also believe it is good for the economy and welfare of this community and surrounding area. It is also neighboring an existing retail lumber yard that is the same property owner and same zoning.

### a. Community Design Element

This would insure clustering of commercial development so access points would be limited off of Hwy 95. Also it is relatively close to the city of Potlatch so would be in compliance with commercial developments near existing cities.

### b. Population Element

N/A

### c. Housing Element

N/A

### d. Economic Development Element

This will provide appropriate local and regional economic needs. And will also be a commercial sector that will be compatible with the natural environment and existing land uses.

### e. Public services, Facilities, and Utilities Element

The area is developed with all needed public services, facilities, and utilities in place.

### f. School Facilities and Student Transportation Element

N/A

### g. Transportation Element

The access point was okayed by North Latah County Highway District and is attached.

### h. Natural Resource Element

There should be no significant pollution of any natural resources.

### i. Special Areas Element

N/A

### j. Hazardous Areas Element

The building to be used is built appropriately out of the flood plain in the area. No other hazards in area.k.

### Recreation Element

Will not impair any recreational activities in the area.

### l. Land Use Element

This area is suitable for residential/commercial/industrial

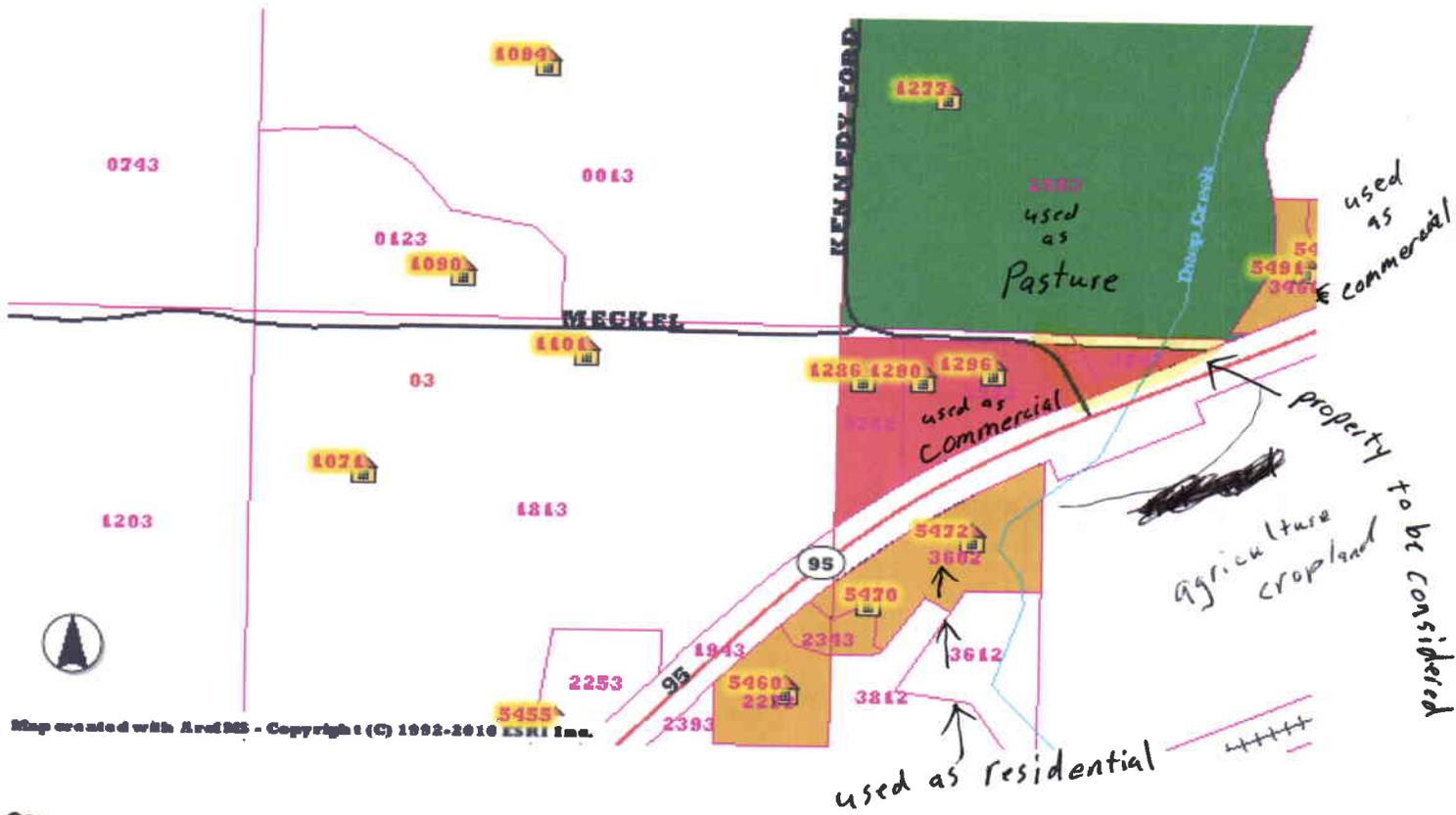
### m. Property Rights Element

This permit would not result in any unconstitutional taking of property and would eliminate some regulations that would deprive the land owner of some economically viable property.



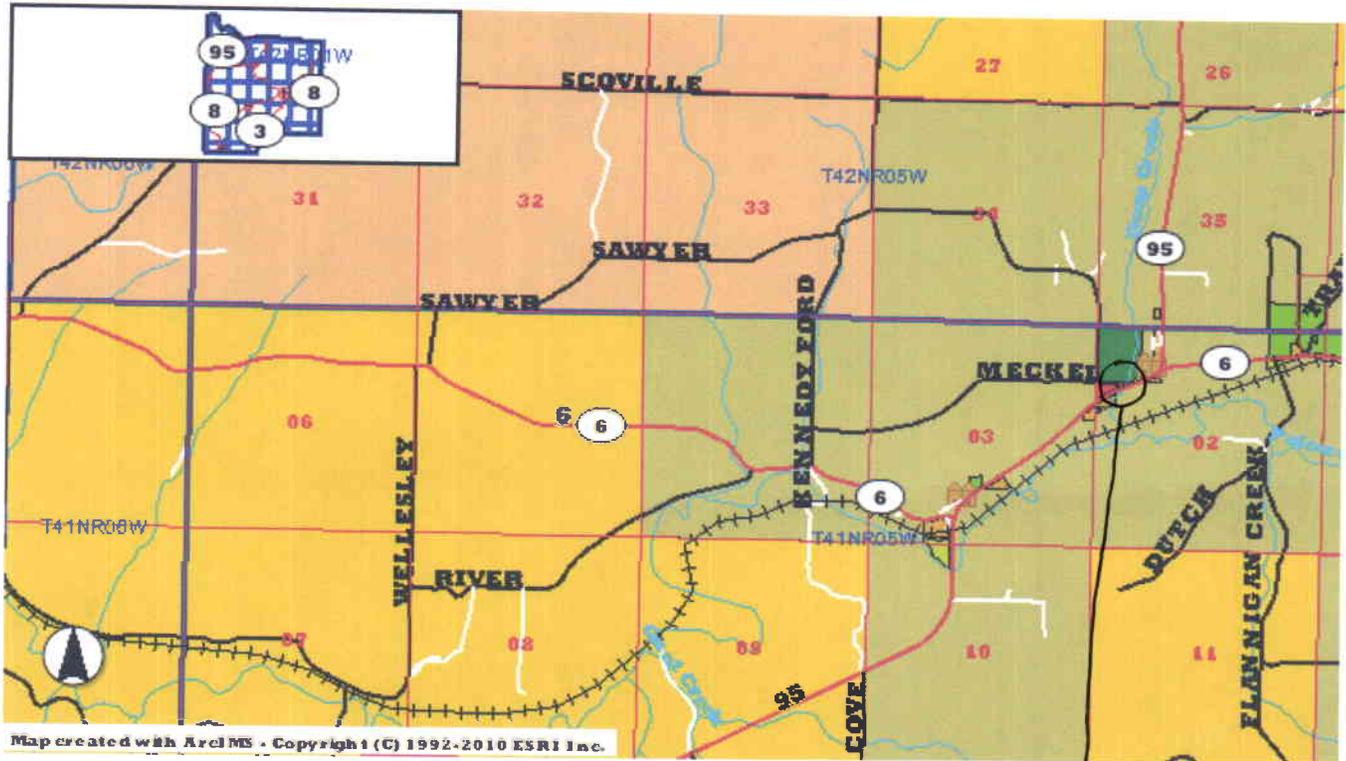


LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 2C  
Date: 6/2/2010



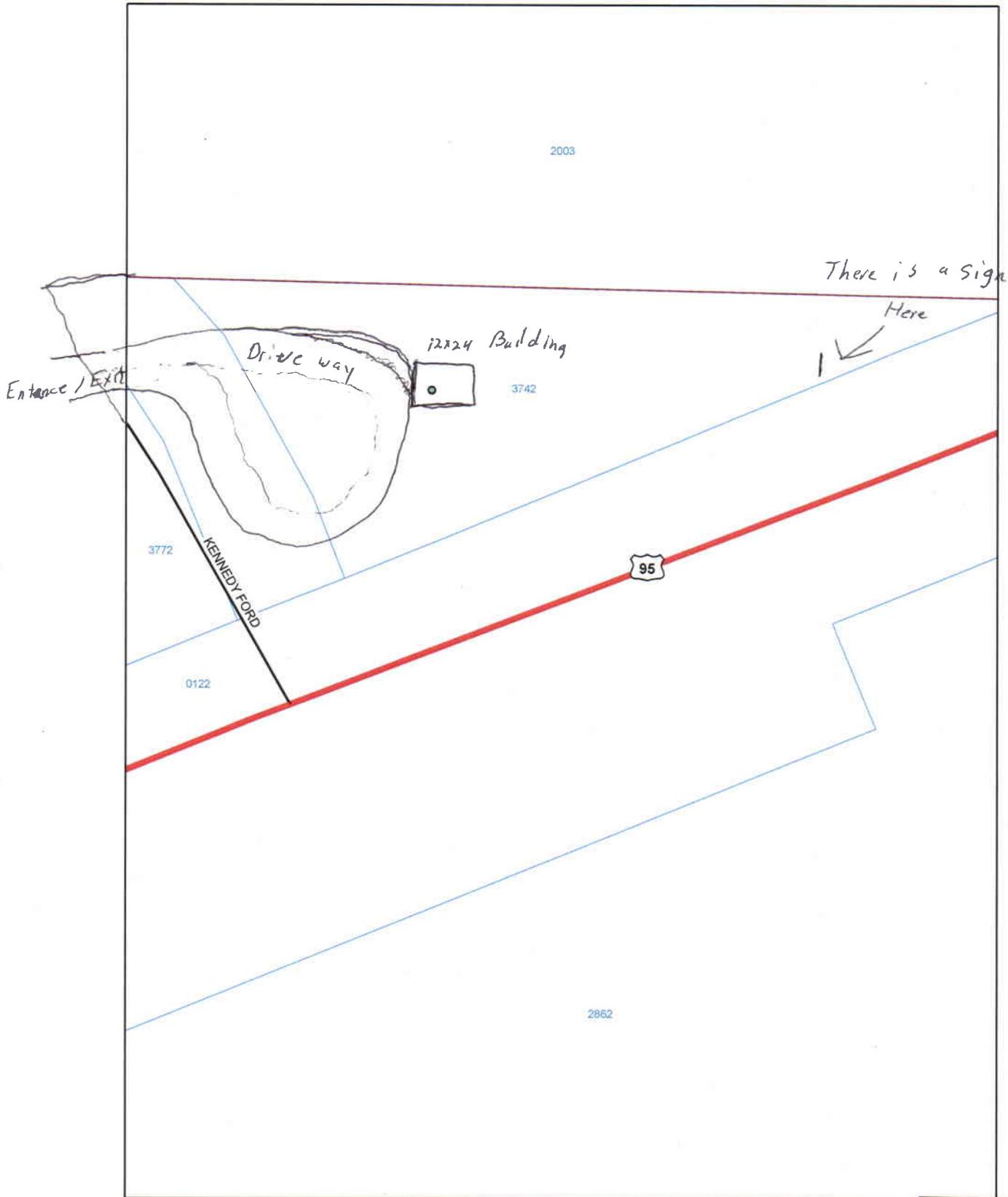
3772 used as commercial  
 2003 used as pasture





Comprehensive Plan  
Land use map  
Industrial/Commercial/Residential

# Schmidt Site Plan



LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 2D  
Date: 6/2/2010

# NORTH LATAH COUNTY HIGHWAY DISTRICT

## APPLICATION AND PERMIT TO USE PUBLIC RIGHT-OF-WAY -- APPROACHES

**COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION**

PUBLIC ROAD SURFACE TYPE: (DIRT) (GRAVEL) (PAVEMENT)

Start Date: \_\_\_\_\_

Est. Completion Date: \_\_\_\_\_

Road Name: Kennedy - Ford Rd

Location: \_\_\_\_\_

Sight Distance: \_\_\_\_\_

Posted Speed: \_\_\_\_\_

**NOTICE**

This permit shall not be valid for excavation until, or unless, the provision of Idaho code, Title 55, Chapter 22 have been complied with.  
**PRIOR TO EXCAVATION, CALL ONE NUMBER LOCATION SERVICE**

Telephone No. 1-800-342-1585

**APPROACH**

\_\_\_\_\_ Single Residence

\_\_\_\_\_ Multiple Residence \_\_\_\_\_ No. Served

Business type Sign Shop / Espresso

\_\_\_\_\_ Agriculture

WIDTH \_\_\_\_\_ SURFACE TYPE \_\_\_\_\_

ESTIMATED ADT \_\_\_\_\_ (VEHICLE COUNT)

Must meet the requirements of Local Highway Technical Assistance Council, (LHTAC) Standard Approach Policy and §49-221, Idaho Code.

Other \_\_\_\_\_ Explain: No CULVERT UNLESS DRAINAGE BECOMES AN ISSUE

**ATTACH SKETCH OF PROPOSED WORK AND TRAFFIC CONTROL PLANS:**

**SPECIAL PROVISIONS:**

See attached Approach Design, Special Provisions and Information Sheet.  
 Approach **MUST** comply with Ditch-line or Fill-slope Section on Approach Design.

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL REQUIREMENTS PRINTED ON THE REVERSE SIDE, THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

|   |   |
|---|---|
| NAME OF PERMITTEE                           | APPLICANT-PLEASE TYPE OR PRINT<br><u>Oren Schmidt</u>             |
| ADDRESS<br><u>1297 Kennedy-Ford Rd</u>      | SIGNATURE OWNER/ AUTHORIZED REPRESENTATIVE<br><u>Oren Schmidt</u> |
| CITY STATE ZIP<br><u>Potlatch, ID 83855</u> | DATE<br><u>5-7-09</u>   |

SUBJECT TO ALL TERMS, CONDITIONS, AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE-NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE.

NORTH LATAH COUNTY HIGHWAY DISTRICT USE

|  |   |
|--|---|
| <p style="text-align: center;"><b>TEMPORARY PERMIT</b></p> <p>Tentative approval subject to inspection of installation.</p> <p>Date: <u>5/7/09</u></p> <p>By: <u>Pat Attk</u><br/>                 NLCHD Authorized Representative</p> | <p style="text-align: center;"><b>FINAL PERMIT</b></p> <p>Approved <input type="checkbox"/> Date: _____ Rejected <input type="checkbox"/> Date: _____</p> <p>Corrections Required: _____</p> <p>Approved by: _____<br/>                 NLCHD Authorized Representative</p> |
|--|---|

This form may be reproduced for use in making multiple applications.

LCZC Hrg: CUP 812  
 Applicant: Schmidt  
 Exhibit #: 2E  
 Date: 6/2/2010



# Public Health

North Central District Health Department

215 10<sup>th</sup> Street  
Lewiston, ID 83501  
(208) 798-3100  
Fax (208) 798-0349

333 E Palouse River Drive  
Moscow, ID 83843  
(208) 882-7506  
Fax (208) 882-3494

105 115<sup>th</sup> Street  
Orofino, ID 83544  
(208) 476-7850  
Fax (208) 476-7494

Rt. 1, Box 1A  
Grangeville, ID 83530  
(208) 983-2842  
Fax (208) 983-2845

132 N Hill Street  
P O Box 277  
Kamiah, ID 83536  
(208) 935-2124  
Fax (208) 935-0223

## FOOD RISK ASSESSMENT

Business Name: Coffee Cabin Business Phone #: 208-669-0301  
 Mailing Address: 1240 E Cove Rd Potlatch ID 83855  
 (P. O. Box/Street) (City) (State) (Zip)  
 Location (if different from mailing address): 1297 Kennedy Ford Rd  
 Name of Owner: Oren Schmidt Home Phone #: 208-875-8861  
 Owner's Mailing Address: 1240 E Cove Rd Potlatch ID 83855  
 (P. O. Box/Street) (City) (State) (Zip)  
 Name of Operator/Manager: Oren Schmidt Home Phone # Same  
 Type of Business: Espresso

### PLEASE PROVIDE A COMPLETE LIST OF MENU ITEMS (Either below or on a separate page)

|                              |                           |                     |
|------------------------------|---------------------------|---------------------|
| <u>Coffee (Flavored)</u>     | <u>Lemonade</u>           | <u>Fruit pies</u>   |
| <u>Mocha (Flavored)</u>      | <u>Italian Sodas</u>      | <u>Sweet breads</u> |
| <u>Latte (Flavored)</u>      | <u>Packaged Smoothies</u> |                     |
| <u>Cappuccino (Flavored)</u> | <u>Cinnamon Rolls</u>     |                     |
| <u>Hot Chocolate</u>         | <u>Cookies and bars</u>   |                     |
| <u>Tea</u>                   | <u>Brownies</u>           |                     |

Owner/Agent's Signature: Oren Schmidt Date: 4-23-10

**NOTE TO OPERATOR:** If you intend to serve potentially hazardous food(s) (PHF), you are a regulated food establishment and must meet all the requirements of IDAHO FOOD CODE regulations. Basically, a PHF is any food capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms. Refer to the Idaho food Code for a complete definition.

### -- FOR OFFICE USE ONLY --

#### Risk Assessment

1. Low Risk
2. Medium Risk
3. High Risk

#### Action

1. Regulated under IDAHO FOOD CODE
2. Non-Regulated under IDAHO FOOD CODE

Environmental Health Specialist: Nancy M. Beck Date: 4-23-2010

Comments: All items are non-phf and not required to be regulated by IFC. We still recommend that just because you are not regulated that you follow good food handling practices.

LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #: 2F  
Date: 6/2/2010

## CUP #812 – Staff Introduction

A request was made by Oren Schmidt, for a conditional use permit to operate an espresso drive-through in the same building as a sign manufacturing shop on a .49-acre parcel located in the Industrial zone. The site is owned by Dale Rose. The site is accessed off of Kennedy Ford Road and is located at the intersection of Kennedy-Ford Road and Highway 95. The property is located in Section 02 of Township 41 North, Range 05 West, B.M. in Latah County and is referenced as Latah County Assessor's parcel number RP41N05W023742.

The Latah County Land Use Ordinance, under section 3.05.02(3), lists "Retail and service uses" as a conditionally permitted use in the Industrial Zone.

### **Section 7.01.02 requires:**

- 1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
  - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent that a permitted use in that zone;
  - B. The use will not require facilities or services with excessive costs to the public;
  - C. The use is not in conflict with the goals and policies of the Latah County Comprehensive Plan.
- 2. If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**
- 3. The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.**

### **Exhibits will now be entered into the record.**

The following exhibits were submitted with the staff packet:

#### **EXHIBITS:**

- |                     |  |
|---------------------|--|
| <b>Exhibit #1.</b>  | Staff Report   |
| <b>Exhibit #1A.</b> | Criteria Worksheet   |
| <b>Exhibit #1B.</b> | Latah County Comprehensive Plan and Vicinity Map   |
| <b>Exhibit #1C.</b> | Zoning Map   |
| <b>Exhibit #1D.</b> | Adjoining Property Owners and Aerial Photograph Map  |
| <b>Exhibit #1E.</b> | Photos of Subject Property   |
| <b>Exhibit #2.</b>  | Application Form (Submitted by Applicant)  |
| <b>Exhibit #2A.</b> | Applicant's Narrative (Submitted by Applicant)   |
| <b>Exhibit #2B.</b> | Plat Map (Submitted by Applicant)  |
| <b>Exhibit #2C.</b> | Vicinity Maps (Submitted by Applicant)   |
| <b>Exhibit #2D.</b> | Site plan (Submitted by Applicant)   |
| <b>Exhibit #2E.</b> | Access Approval (Submitted by Applicant)   |
| <b>Exhibit #2F.</b> | North Central District Health Food Risk Assessment (Submitted by Applicant)                      |
| <b>Exhibit #3.</b>  | Staff Introduction for Latah County Zoning Commission public hearing for CUP 812 on June 2, 2010 |
| <b>Exhibit #4.</b>  | Letter from Property Owner   |

Junction Lumber Hardware & Supply  
1296 Kennedy Ford Road  
Potlatch, ID 83855

April 30, 2010

208-875-0201

To Whom It May Concern:

Oren Schmidt and his wife, Janolla, are in the process of setting up a sign making shop, his wife wants to do an espresso stand from the same portable building. As the property owner, we realize that this land is zoned for industrial but as long as we've owned it and to our knowledge, it has been used as commercial.

Oren and Janolla are a young couple with children that will be an asset to Potlatch and Latah County as well as to our business. I see no reason that this permit can not go through. Being on Hwy 95 it will generate more revenue for our area and Latah County.

In today's economy we want to do all we can to help and to encourage small businesses to succeed.

  
Dale and Carolyn Rose

LCZC Hrg: CUP 812  
Applicant: Schmidt  
Exhibit #:  
Date: 6/2/2010