

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room

AGENDA

VISION STATEMENT

Our vision of Coeur d'Alene is of a beautiful, safe city that promotes a high quality of life and sound economy through excellence in government.

NOTE: A Proclamation by Governor Little, clarified the open meeting laws during this state of emergency, in which no more than 10 people shall physically gather at a time, includes an option for the community to hear the meeting timely through telecommunication devices. Public comment will be taken during that section of the meeting by indicating a raised hand through the Zoom meeting application. Public comments will not be acknowledged during any other time in the meeting. In regards to the Public Hearing item, please sign up in advance of the meeting to be acknowledged to give testimony here: <https://www.cdaid.org/signinpublic/Signinformlist> and participate through the zoom meeting link. Additionally, you may provide public comments to the City Clerk by 4:00 p.m. the day of the hearing at renata@cdaid.org

*The meeting will be aired on Zoom meeting network with the following options:
<https://zoom.us/j/94769910634> Password: 522103 or Dial: US : +1 346 248 7799 or +1 646 518 9805 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)*

The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when **Item E - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

June 2, 2020: 6:00 p.m.

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor J.O. Owens with Heart of the City Church

C. PLEDGE OF ALLEGIANCE:

D. AMENDMENTS TO THE AGENDA: Any items added less than forty-eight (48) hours prior to the meeting are added by Council motion at this time.

E. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes to address the City Council on matters that relate to City government business. Please be advised that the City Council can only take official action this evening for those items listed on the agenda.)

F. PRESENTATION:

1. Septic Tank Abatement Program

Presented by: Mike Anderson, Wastewater Superintendent

*****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS**

G. ANNOUNCEMENTS:

1. City Council

- 2. **Mayor – Appointments** - Alivia Metts to the ignite cda board and Chris Pfeiffer and Michael Drobnock to the CDATV Committee.

H. CONSENT CALENDAR: Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilmember that one or more items be removed for later discussion.

- 1. Approval of Council Minutes for the May 19, 2020 Council Meeting.
- 2. Approval of Bills as Submitted.
- 3. Setting of a public hearing for July 7, 2020 for V-19-05, Vacation of alley right-of-way located within a portion of Block G of the Coeur d’Alene and Kings Addition in the City of Coeur d’Alene.

As Recommended by the City Engineer

- 4. Approval of ten (10) fireworks stand permits

As Recommended by the City Clerk

- 5. Approval of SS-19-07, Oberholzer Estates: Final Plat

As Recommended by the City Engineer

- 6. **Resolution No. 20-034** -

- a. Declaration of a 2002 Dodge Ram 1500 pickup VIN# 1D7HU16N2J181263 with 126,000 miles surplus

As Recommended by the Streets and Engineering Superintendent

I. OTHER BUSINESS:

- 1. Consideration of the waiver of outdoor seating permit sewer fee for the 2020 season.

Staff Report by: Kelley Setters, Deputy City Clerk

- 2. Discussion regarding the Rebound Downtown Coeur d'Alene proposal that includes the possibility of closing off portions of Sherman Avenue and allowing more parklets to help respond to COVID-19 by allowing the local businesses to expand outdoors onto sidewalks and/or the street in front of their business.

Staff Report by: Hilary Anderson, Community Planning Director

3. Approval to include Lakeside Real Estate Holdings, LLC properties (commonly known as the Roy Armstrong property) in the City's Comprehensive Plan Update, Envision Coeur d'Alene.

Staff Report by: Hilary Anderson, Community Planning Director

4. Fire Boat Garage at the 3rd Street Mooring Dock, known as Fire Station 5, authorization for use of impact fees for the construction, and authority to move forward with bids.

Staff Report by: Lucas Pichette, Deputy Fire Chief

5. Authority for the Drainage Utility to purchase heated storage facility from the Water Utility for \$46,000.

Staff Report by: Tim Martin, Streets and Engineering Director

J. RECESS To recess to June 8, 2020 at noon in the Library Community Room, located at 702 E. Front Avenue for a workshop regarding budget priorities.

*This meeting is aired live on CDA TV Spectrum Cable Channel 1301
and on Facebook live through the City's Facebook page.*



Coeur d'Alene

CITY COUNCIL MEETING

June 2, 2020

MEMBERS OF THE CITY COUNCIL:
Steve Widmyer, Mayor
Council Members McEvers, English, Evans, Gookin, Miller, Wood

PRESENTATIONS

**CITY COUNCIL
STAFF REPORT**

DATE: June 2, 2020
FROM: Mike Anderson, Wastewater Superintendent
SUBJECT: Septic Tank Abatement Program Presentation

DECISION POINT: The presentation is for information purposes only and no decision is required.

HISTORY: In 1906, then *Village of Coeur d'Alene* saw a need for public sewer and created Local Sewer Improvement District No. 1, providing a public sewer system within its boundaries. These improvements were funded by assessments to the property owners contained within the District. As the City grew, so too did its sewer system.

In 1988, Council adopted an ordinance which requires properties within the City limits who have access to public sewer to connect to that sewer within 365 days of notification to connect.

Panhandle Health, in recognition of our sensitive water source, requires connection to a public sewer system when one is available. (IDAPA 28.01.03.005.05)(10-1-90)

FINANCIAL ANALYSIS: Connection costs to public sewer vary. Cost would include construction of the lateral as well as a CAP fee of \$3,305 for a single family home.

PERFORMANCE ANALYSIS: The Wastewater Department has historically sent letters requiring properties to connect to the public sewer system infrequently and often as circumstances present themselves, for example when a property owner wants to repair a failing septic system. Over the last 11 years, 43 letters have been sent to property owners requiring their connection to public sewer. Understanding the questions that might be posed to City staff by these letters, Wastewater will send out a heads-up to City staff and Elected Officials.

The single overriding reason for this requirement is to protect the aquifer which we all share for our drinking water supply.

DECISION POINT/RECOMMENDATION: There is no decision point for Council at this time.

Attachments:
City Code 13.12.035
IDAPA Code 58.01.03
Sample Letter Requiring Connection to Public Sewer
Unsewered Properties, Whitepaper

13.12.035: CONNECTION TO CITY SEWER SYSTEM REQUIRED; WHEN:

The owner of any property within the city of Coeur d'Alene, the use of which property results in the generation or existence of sewage, which property abuts a public street, alley, or easement in which there is an adequate city sewer collector line shall at the owner's expense connect the sewage generating facilities on such property to the city sewer system within three hundred sixty five (365) days after notice to such owner to so connect. The owner will be deemed to have received such notice when the notice has been placed in the United States mail with postage affixed, addressed to the owner at the address of the owner as it appears on the Kootenai County tax rolls. (Ord. 2351 §1, 1991; Ord. 2108 §2, 1988)

**IDAHO ADMINISTRATIVE CODE IDAPA 58.01.03 – Individual/Subsurface Sewage
Department of Environmental Quality Disposal & Cleaning of Septic Tanks Rules**

05. Basis for Permit Application Denial. The Director may deny a permit application if in the Director's judgment: (10-1-90)

- a. The application is incomplete, inaccurate, or misleading; (10-1-90)
- b. The system as proposed is not in compliance with applicable rules and regulations; (10-1-90)
- c. The system as proposed would, when put into use, be considered a failing system; (10-1-90)
- d. The design and description of a public system was not made by a professional engineer; (10-1-90)
- e. Public or central wastewater treatment facilities are reasonably accessible. (10-1-90)



CITY OF COEUR D'ALENE

WASTEWATER UTILITY DEPARTMENT

CITY HALL, 710 E. MULLAN AVE.
COEUR D'ALENE, IDAHO 83814-3958
(208)769-2281 – FAX (208)769-2338

765 W. Hubbard Ave.
Coeur d'Alene, ID 83814

May 27, 2020

NAME

ADDRESS

Coeur d'Alene, Idaho 83814

RE: City of Coeur d'Alene – **Required Connection to City Sewer**

PHYSICAL ADDRESS

Legal Description: Lot XX, Block XX, Howard Addition, in Southwest Quarter of the Northwest of Section XX, T.XXN., R.XXW., City of Coeur d'Alene, Kootenai County, Boise Meridian, Idaho.

Dear Mr.(s) NAME:

You are being contacted because Kootenai County records show that you are the owner of the property described above. As you may know, the owner of property is responsible for compliance with all laws and regulations applicable to that property. It has come to our attention that your property is not currently connected to the City sewer system.

Municipal Code § 13.12.035 requires that the owner of property abutting a public street, alley, or easement in which there is a City sewer collector line has 365 days, after notice has been mailed, to connect to the City sewer system. Your property abuts a public street, alley, or easement in which there is a City sewer collector line. This letter is the required notice to you to connect to the City sewer system within 365 days or by _____. Pursuant to the Municipal Code, the connection cost is at the owner's expense.

Your property may have been allowed an onsite private sewer system consisting of a septic tank and disposal system (drain field) prior to public sewer being available. This type of system is regulated and administered by the Panhandle Health District. In addition to connecting to the City sewer system, you must discontinue use of and abandon any onsite private sewer system by following City Standards and Policies and the Idaho State Plumbing Code. Please consult with the City's Building Department for further details. (208.769.2267)

Please bring a copy of this letter with you when you apply for the appropriate permits at City Hall. At that time, the current Sewer Capitalization Fee (CAP Fee), if required, must also be paid. You may call ahead of time to obtain information about the CAP Fee. Again, you must obtain the appropriate permits and connect to the City sewer system within 365 days of the date of this letter.

Should you have any questions regarding the information contained herein, please feel free to contact me.

Thank you for your consideration.

Sincerely,

Wastewater Utility Department
City of Coeur d'Alene
(208) 769-2268

cc: File

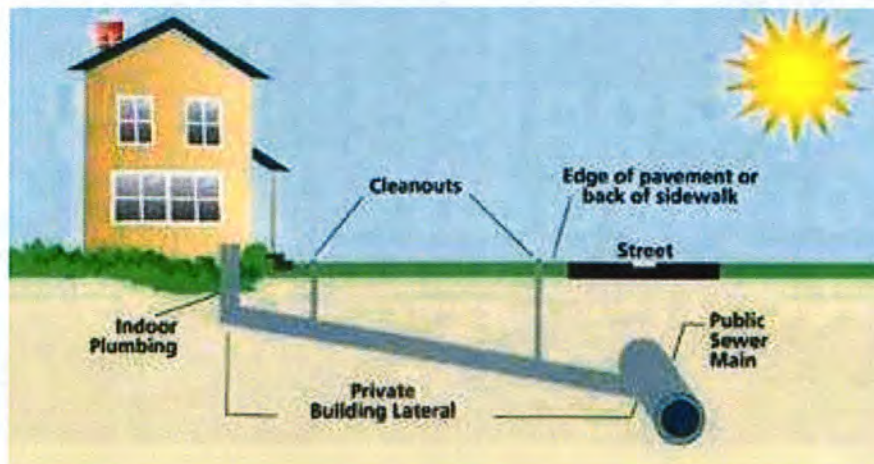
encl: Municipal Code §13.12.035
GIS Sewer Map

Coeur d'Alene Properties Not Connected To Sewer

Mike Anderson
Wastewater Director

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INTRODUCTION

The need to connect to the City's sewer system is driven by environmental stewardship. The City knew long ago that with growth comes the need to treat the waste that growth creates. The City created City Code 13.12.035 which states

The owner of any property within the city of Coeur d'Alene, the use of which property results in the generation or existence of sewage, which property abuts a public street, alley, or easement in which there is an adequate city sewer collector line shall at the owner's expense connect the sewage generating facilities on such property to the city sewer system within three hundred sixty five (365) days after notice to such owner to so connect. The owner will be deemed to have received such notice when the notice has been placed in the United States mail with postage affixed, addressed to the owner at the address of the owner as it appears on the Kootenai County tax rolls. (Ord. 2351 §1, 1991: Ord. 2108 §2, 1988),

There are approximately 960 parcels throughout the City of Coeur d'Alene that are not connected to the City's Sewer Collection System. On the surface, this seems to be a huge problem but a slightly deeper investigation reveals that most of these should not be connected to sewer. These parcels consist of vacant lots, parking areas, cell phone towers, as well as homes or businesses.

The problem is identifying the parcels that do need connect to public sewer (businesses and dwelling units, etc.) from those that do not (a vacant lot).

Geographic Information System

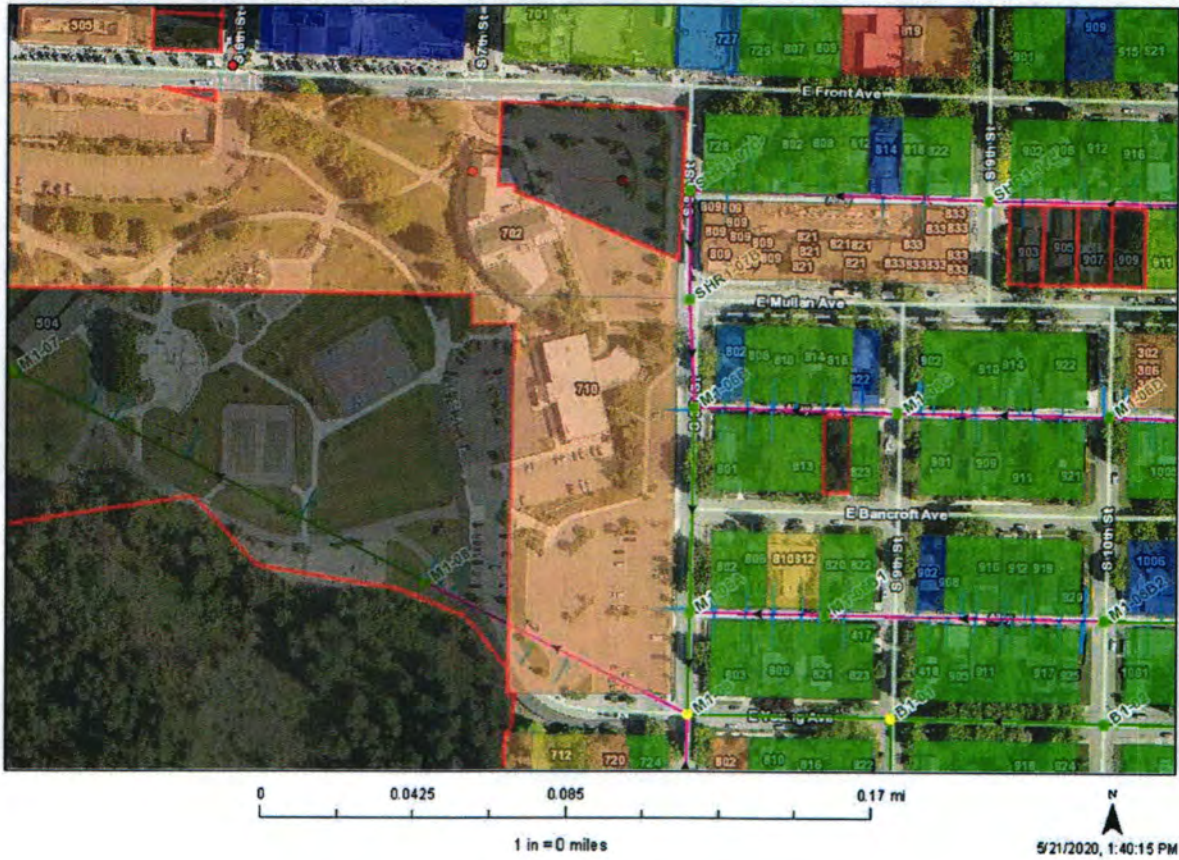


PRODUCT/SERVICE/METHODOLOGY

Working with the GIS Analysts in the City and the Panhandle Health District we're working through this problem but it requires a lot of research of past projects and permits, manipulation and cross referencing of data sets within our billing software and our GIS software. As properties are uncovered that appear to be required to connect, dye tests and video verification if performed to ensure they are indeed not already connected to sewer. Once a case is firmly established, the property owner is sent a letter explaining the following:

- The need to connect
- The timeframe to connect, 365 days
- A copy of the City code
- A map showing their parcel and the City sanitary collection system
- County records indicting them as the owner of the property

Map



Visual Data

In the map above, possible non-sewered parcels are in grey. You can see that it includes the parking lot for the Library, portions of McEuen Park, as well as some parcels nearby. Residential parcels are cross-referenced geo-spatially with our billing software. Although far from perfect, these maps narrow our scope considerably, leaving minimal manual legwork to locate parcels needing to connect to the public sewer.



CONCLUSION

The Wastewater Department working in conjunction with City GIS Analysts and finance staff help protect the community and the environment by utilizing the latest technologies and good old fashioned investigating.

ANNOUNCEMENTS

Memo to Council

DATE: May 27, 2020

RE: Appointments to Boards/Commissions/Committees

The following reappointments are presented for your consideration for the June 2nd Council Meeting:

ALIVIA METTS

MICHAEL DROBNOCK

CHRIS PFEIFFER

ignite cda Board

CDA TV Committee

CDA TV Committee

Copies of the data sheets have been placed by your mailboxes.

Sincerely,

Amy Ferguson

Executive Assistant

cc: Renata McLeod, Municipal Services Director/CDA TV Liaison
Tony Berns, ignite cda Executive Director

CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM

May 19, 2020

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room May 19, 2020 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin)	Members of Council Present
WoodyMcEvers)	
Christie Wood)	
Dan English)	
Amy Evans)	
Kiki Miller)	

CALL TO ORDER: Mayor Widmyer called the meeting to order.

INVOCATION: Pastor Mike Slothower with River of Life Friends provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the Pledge of Allegiance.

AMENDMENTS TO THE AGENDA

Mayor Widmyer noted that Council Bill No. 20-1005- Approving Municipal Code Amendments to Title 17, Chapters 17.02, 17.03 and 17.44 related to Heavy Equipment Parking and Storage on Residential Properties has been removed from the agenda and will be brought forward at a later date.

MOTION: Motion by McEvers, seconded by Evans to amend the agenda to correct Other Business item No. 6. **Resolution No. 20-033** – Approving an amendment to the Community Development Block Grant (CDBG) Policy for the Emergency Minor Home Repair program (EMRAP) grants for up to Twenty-Thousand Dollars (\$20,000) for sewer lateral repair or conversion from a failed septic system with signature authority for the Community Planning Director and/or the Finance Director, as it was not titled correctly on the Amendment previously posted.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye.
Motion carried.

COVID 19 UPDATE – Firefighter Paramedic Scott Dietrich explained that he is currently serving as the infection control officer for the Fire Department. In that role he has been able to research, implement policy, and disseminate information regarding the COVID Virus. Since

May 14, 2020, Health District 1 (including Kootenai, Bonner, Boundary, Benewah, and Shoshone Counties) has had 68 cases and 0 deaths. In contrast Spokane County has had 394 cases with 30 deaths. His forecast is that we will see a decrease in cases this summer; however, there is a 75% chance of a second wave as has been experienced in history with the 1918 and 1957 pandemics. He stated that the COVID pandemic closely compares with the 1957 influenza, based on that comparison there could be 250,000 deaths in the United States. The local response to COVID included the establishment of the Multi-agency Coordination Group (MAC) and all Fire and EMS agencies within Kootenai County following the same guidelines, including the testing and isolating of first responders as needed. Mr. Dietrich noted that his next steps including meeting with Department Heads within the next couple weeks to get a better understanding of the effects that COVID-19 had on their departments and their personnel. Thereafter, he will draft a City-wide infectious disease plan that will include all City departments. This will include a review of areas where the City needs to take measures to better protect the employees, residents, and visitors from an infectious disease and will look at options to utilize funds available through the CARES Act and other reimbursement funds through FEMA to assist with the discovered deficiencies. Councilmember Gookin complimented Mr. Dietrich for the recently awarded EMS Provider of the Year designation. He questioned if there were known incidents of a second wave of the COVID virus. Mr. Dietrich confirmed that there have been cases but he didn't readily have the statistics. Mayor Widmyer asked if the City has received any funds and/or reimbursements from grants related to COVID yet. Mr. Dietrich said he did not believe the City had received any yet, but noted that the Governor will be distributing funds and he will work with Finance to ensure the City gets reimbursed. Mayor Widmyer thanked him for all the work he is doing.

FINANCIAL REVIEW: City Administrator Troy Tymesen noted that he is following up from the last Council meeting financial update with additional information regarding the expected revenue impacts from the COVID pandemic. The City is in the midst of budget planning and will demonstrate where the budget began and adjustments that occurred prior to the June 8, 2020 workshop. He does anticipate less revenue next year as unemployment can reach up to 25%. The total City budget is approximately \$97 Million, with \$44 Million of that coming from enterprise funds, the General Fund takes approximately \$44.5 Million and 9% are other fiduciary funds. Mr. Tymesen felt that property taxes will be solid. The challenge will be General Fund as 83% percent of the expenses are due to personnel costs. The City was frugal on capital purchases last year. He reviewed tax revenues, stating that it normally brings \$6 Million in revenues and the impact of what a 10-20% decline would be. He anticipates the 15% decline amount of \$787,266, with a \$1 Million decline year over year. Economist aren't sure what is going to happen, but the City has been excellent stewards of the funds and does have a fund balance to assist in balancing the financial plan for next year. Councilmember Miller asked if there would be more firm numbers by the June 8th Council workshop. Mr. Tymesen noted that he does not expect to have firm numbers by then. Councilmember Gookin asked if there is any funding coming from the Governor to assist. Mr. Tymesen noted that most of the funds will be to off-set expenses we have already incurred. Councilmember Wood asked if the City had ever delayed adopting the budget to get better numbers. Mr. Tymesen noted that the City has not, based on the Idaho Code timeline for the budget process; however, the City can do an amendment later. He expressed that the City's goal has been to show a balanced budget, so he would prefer not to do half-way adoptions. Mayor Widmyer concurred that the City can always

amend if there is underestimated revenue. Councilmember English noted that the state data is demonstrating that the liquor tax is expected to be up. Mayor Widmyer noted that AIC has tracked the liquor tax, and projections are on track to hit this year's budgeted number.

IDAHO OPEN MEETING LAW: City Attorney Mike Gridley noted that Council has had questions regarding the Idaho Open Meeting Law as regulated by Idaho State Code Title 74, Chapter 2. He explained that the law is intended to provide an open government for the citizens of the state in that deliberations and decisions need to be made in an open forum and not be held in secret. He noted that the public can participate in public meetings via Zoom during a time when the public isn't allowed in the room. He has had discussion regarding the law with various local attorneys and the Attorney General, who concur with his legal opinion of the open meeting law. He highlighted that a meeting could include a gathering of the Council that does not include a deliberation toward a decision, and/or receiving information used to make a decision, which would not include an open meeting requirement. He reviewed the constraints of the purpose of the meeting, no matter if there is a quorum or not, depending on the collection and sharing of data. There are some exceptions such as Executive Session, but the intent is to allow full access and notice to the public.

Councilmember English noted that the definitions provided in the presentation are very helpful and not within the Attorney General's office. Mr. Gridley noted that the definitions are all within IC 74-202 at the back of the A.G's manual. Councilmember Miller questioned the last paragraph that noted "if discussions of a general nature not related to a matter then pending," it would not violate the open meeting; however there are always on-going budget discussions, so an example of a planning public hearing seems more clear. If it's a matter then pending and deliberation can occur, it is not clear if they can meet without a quorum. Mr. Gridley explained that the budget is coming up, so if more than three members meet, then discussion could become a serial meeting. Councilmember Wood asked if three members could meet and listen to information if they don't discuss it amongst ourselves. Mr. Gridley confirmed that could happen if Council does not talk amongst themselves outside of a public meeting. Councilmember Miller said the risk is that a fourth councilmember is brought into the discussion and this causes the violation. Mr. Gridley explained that the concern is that three councilmembers meeting to talk about the upcoming budget runs the risk that if a fourth member is involved, someone could complain. This leads to the question of how far do you go in pushing the line. The foul would be the action would become null and void, there is risk and there is a personal civil penalty. Councilmember Wood noted that the information regarding case law provided to her regarding the open meeting has opened her eyes. Councilmember Gookin stated that he disagrees with the definition of deliberation as to receiving information and believes you need the quorum in order to deliberate. Councilmember Gookin noted that Council attends the annual AIC Conference and receives information. Mr. Gridley said that the AIC Conferences are more an educational process of items that may come for decision, which is different than having a pending decision. Councilmember Gookin asked for clarity on how to set a special call Council meeting. Mr. Gridley explained that was an administrative matter and can be done outside of a meeting. Discussion ensued regarding the grayness to the code. Mr. Gridley noted that a strict interpretation from the AG's office would be that Council cannot talk outside of meetings, but it gets back to the intent, so he would encourage talking to each other but don't collaborate on a lobbying of votes. Mr. Gridley clarified that coming to staff is always appropriate,

independently, as the law is intending to avoid the decision makers stacking up votes outside of the public meeting. The Mayor asked the City Clerk to explain the notice process for meetings. Ms. McLeod explained that there is a timeline issue for posting, which would be a minimum of 5 days if it is not a normally scheduled meeting. Mr. Gridley stated that he has never seen or worked with a Council that has purposely violated the open meeting law and noted that Council can always contact Randy Adams or himself with questions.

COUNCIL COMMENTS:

Councilmember Gookin noted that the outdoor eating waiver will be on the next Council meeting agenda. He noted the Council received a request regarding waiving or dismissing liquor license fees and hopes staff would bring that information forward. He noted that he gets lots of questions as to when the basketball hoops will be back up. Mayor Widmyer noted that they will go up with Stage 3, after May 30, due to social distancing requirements.

CONSENT CALENDAR:

1. Approval of Council Minutes for the May 5, 2020 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of Financial Report.
4. Setting of General Services/Public Works Committee meeting for Monday, May 25, 2020 at 12:00 noon.
5. **Resolution No. 20-030** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: A MASTER JOINT POWERS AGREEMENT WITH KCEMSS FOR THE PROVISION OF EMERGENCY AND NON-EMERGENCY MEDICAL SERVICES IN KOOTENAI COUNTY; UTILITY BOX ARTWORK AND LOCATIONS; FORM AGREEMENT FOR UTILITY BOX ARTWORK; AND AGREEMENT WITH TDS METROCOM, LLC, FOR UTILITY BOX ARTWORK.

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 20-030**.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

COMMUNITY GRANT AWARD TO THE BOYS AND GIRLS CLUB IN THE AMOUNT OF \$10,000 OF CDBG-CV FUNDS.

STAFF REPORT: Hilary Anderson, Community Planning Director and Chelsea Nesbit, Community Development Specialist provided an update from the April 21, 2020 Council Meeting regarding the community grant requests received for the CDBG CV funds. Ms. Anderson noted that based on Council direction at the May 5th meeting, staff will be taking \$30,000 from the Administration category to put toward the Community Opportunity Grants to respond to COVID-19. That will increase the total amount of funds available to assist organizations impacted by COVID-19 that meet HUD eligibility to \$189,740. The CDBG-CV funds can only be used to prevent, prepare for, and respond to coronavirus, and shall prioritize

the unique needs of low- and moderate-income persons. HUD provided some initial guidance for the use of the funds including eligible activities. That list has been provided in the two previous staff reports and is posted on the CDBG webpage. It is also attached to the staff report for reference. In addition to the list of activities, the funds must be used to meet a National Objective: 1) benefit to low- and moderate-income (LMI) persons; 2) aid in the prevention or elimination of slums or blight; or 3) meet a need having a particular urgency (referred to as urgent need)). Funding requests must also fall under one of the eligible activities in the HUD matrix, which is based on federal regulations 570.201-570.207. There are also reporting requirements and proof of LMI benefit that must be achieved. She noted that there were 11 funding requests from community organizations for the CDBG-CV funds with a combined total funding request of \$230,470. Three requests were previously approved by the Council. One request was approved for funding through the CDA COVID -19 Relief funds, so it is no longer needing consideration. One request was for food bank supplies and equipment for a community garden, which needs to provide additional information. One request was for health services lab work and three regarding economic development, all of which the City is seeking additional HUD guidance on. There was one request for rental housing subsidies and they are seeking additional information on that request. In summary, out of 11 eligible requests, three were funded by the City, one by CDA COVID -19 Relief funds, one is being recommended tonight and 6 are awaiting additional information or need additional guidance from HUD before a funding recommendation can be made. With Council's blessing, staff would like to reach out to additional non-profit organizations that provide community-wide housing services to see if they have the ability to manage a community-wide rental housing assistance program for housing vouchers and utility payments. Staff will bring forward any additional funding recommendations for City Council approval prior to proceeding with agreements. All requests that are brought forward will be vetted for eligibility, duplication of benefits, ability to meet reporting requirements, and falling into the category requiring very little oversight and follow up to ensure that the program doesn't become too administratively burdensome, as once the CDBG-CV funds are spent, the City would not be able to afford to continue the 40-hour a week administration position with its normally allotted annual CDBG funds. This means that activities funded during this time should be able to be completed within a one-year period, including all required reporting. The total dollar amount of the four requests, if the Boys & Girls Club request is approved, would be \$49,686. This would include the approved amounts of \$12,000 to Family Promise of North Idaho, \$3,686 to Lake City Center, and \$24,000 to St. Vincent de Paul, and the requested \$10,000 to the Boys & Girls Club for food pantry and staffing. There would be \$140,054 remaining in the grant fund. Staff recommends funding the Boys & Girls Club in the amount of \$10,000 and waiting to fund the other requests until more information and guidance is available. Staff further recommends prioritizing rental housing subsidies (housing vouchers and utility assistance), and food (food banks and Meals on Wheels) in rating remaining requests. Staff also recommends holding back a portion of the funds to provide assistance during the fall and winter when community members may be impacted the most, in the amount of \$80,000. Staff proposes to open up the Community Opportunity Grants again in mid-October. However, funding could be made available sooner if new urgent needs arise in response to COVID-19. Reporting, monitoring and eligibility must meet the low-to-moderate income benefit and no additional funding sources available. Small requests and administratively burdensome are critical to consider in funding projects. All future requests will continue to come forward to Council.

DISCUSSION: Councilmember Miller said that she has been involved with Safe Passage and they normally have their breakfast fundraiser during this time; however, they will be doing virtual breakfast on May 26. The Director of that organization connected with Hilary and discussed use of the funds in the Fall. Councilmember McEvers noted that CDBG funds were used to fix a roof to the shelter a few years ago. Councilmember Gookin noted that the process began a while ago, with the first discussions in April and seems like there are a lot of federal strings and puzzling criteria and wondered about the prioritization. Ms. Anderson noted that some of the other requests are waiting for HUD direction. It is tricky as HUD is building the regulations after they released the funds. Councilmember Gookin asked if holding back \$80,000 will impact others in the queue. Ms. Anderson said she did not think so as there is \$145,000 remaining, which should be plenty of funding. Councilmember Wood asked if there was a certain timeframe between now and when you would want to spend the rest of the funds. Ms. Anderson noted that there is no specific timeframe, only waiting for guidance from HUD and if additional needs arise before mid-October that are urgent, they can recommend opening up additional grant requests earlier. Mayor Widmyer asked if HUD prioritized any of the items. Ms. Anderson confirmed they did prioritize housing, homeless services and food, which all tend to be the easiest reporting requirements.

MOTION: Motion by English, seconded by Miller to approve a approve a Community Grant Award to The Boys and Girls Club in the amount of \$10,000 of CDBG- CV funds. **Motion Carried.**

RESOLUTION NO. 20-033

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) EMERGENCY MINOR HOME REPAIR AND ACCESSIBILITY PROGRAM (EMRAP) GRANTS FOR UP TO TWENTY-THOUSAND DOLLARS (\$20,000) FOR SEWER LATERAL REPAIR OR CONVERSION FROM A FAILED SEPTIC SYSTEM, WITH SIGNATURE AUTHORITY FOR THE COMMUNITY PLANNING DIRECTOR AND FINANCE DIRECTOR.

STAFF REPORT: Hilary Anderson, Community Planning Director and Chelsea Nesbit, Community Development Specialist noted that the City became a HUD CDBG entitlement community beginning in 2008. Funding has fluctuated between \$280,000 and \$340,000. Throughout each funding cycle, different types of projects have been assisted through the use of CDBG funding. Some projects are quickly funded, spent, and accomplishment data is collected, while other projects will be spread over several years. On July 1, 2008, authority was provided to Troy Tymesen to sign Emergency Minor Home Repair (EMRAP) Agreements in an amount up to \$3,000. At the City Council meeting held on April 7, 2009, the emergency minor home repair program was amended to provide grants up to \$6,000. While the \$6,000 grants are normally sufficient for most of the Emergency Minor Home Repair applications received, when a home requires a private sewer lateral repair or conversion from a failed septic system to a City sewer hookup, including clean up and sealing the septic system, the estimated costs are significantly higher. They can range between \$13,000 and \$20,000, depending on the scope of work required. The City Code requires home owners to replace private sewer laterals (see

Section 13.12.037 below). This can be a big financial burden for our low-and moderate-income (LMI) community members. The City's Wastewater Department also notified property owners that are not yet connected to sewer that they are required to connect to City sewer within one year of being informed. By providing this additional grant amount for sewer connections, the EMRAP program could benefit more LMI community members. The same requirements for income verification would apply to the sewer lateral program under EMRAP. Approving this authority to grant up to \$20,000 for sewer hookups under the CDBG EMRAP program will allow staff to effectively and efficiently manage the CDBG funds allocated to the City. Currently there is a \$96,000 balance in the EMRAP program.

DISCUSSION: Mayor Widmyer clarified this action is to expand the signature authority up to \$20,000, but questioned if they intend to bring the items back to Council. Ms. Anderson clarified that they are seeking authority to sign the agreements without coming back to Council. Councilmember McEvers questioned why the letters were sent to comment within 365 days. Ms. Anderson noted that was a Wastewater program and she is not sure of their process. Councilmember McEvers asked if the program would cover the CAP fees, and clarified it is just for low income homeowners. Ms. Anderson noted that it is not intended to cover the CAP fee, and would be for those that would qualify as low income under the program guidelines. Mr. Tymesen noted that the City entered into an agreement with Panhandle Health that states the citizens within the City have to convert to sewer, if available. He noted that some homeowners have paid the fees but never connected. Councilmember Gookin noted that this was news to him, and requested wastewater provide a presentation on this at the next Council meeting. Ms. Anderson noted that if the septic system failed and they were low income they could qualify under the program. Councilmember Miller clarified that the EMRAP program is an on-going program, and this action would give authority to raise the amount to invest in these projects. Ms. Anderson confirmed that was correct, this has been on-going and there is a finite number of these types of projects and are a first come, first served basis annually.

MOTION: Motion by Gookin, seconded by Wood to approve **Resolution No. 20-033** - Approving an amendment to the Community Development Block Grant (CDBG) Policy for the Emergency Minor Home Repair program (EMRAP) grants for up to Twenty-Thousand Dollars (\$20,000) for sewer lateral repair or conversion from a failed septic system with signature authority for the Community Planning Director and/or the Finance Director, with Council follow up that it was awarded.

DISCUSSION: Councilmember English noted that this is an ongoing program and felt it should not have to come back to Council. Councilmember Gookin felt it was an unusual request and increases the budget substantially, so he believes it should be more transparent. Councilmember Wood asked if he was looking for an after-the-fact notice from staff so Council is aware or to have Council approve it. Councilmember Gookin noted that he wants to get the information afterward, not approve the contract. Ms. Anderson clarified that this does not increase the EMRAP budget. it just allows more to be spent on these types of projects.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye.
Motion carried.

COUNCIL BILL NO. 20-1006

AN ORDINANCE AMENDING SECTIONS 2.98.020 AND 2.98.050 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO CLARIFY THE PROCESS FOR APPOINTING AND REMOVING MEMBERS OF THE DESIGN REVIEW COMMISSION, ELIMINATING ALTERNATE MEMBERS, AMENDING THE COMPOSITION OF THE COMMISSION, AND DELETING CERTAIN PROCEDURES; REPEALING CHAPTER 17.09, ARTICLE IV, MUNICIPAL CODE, ENTITLED "DESIGN REVIEW PROCEDURES;" ADDING A NEW CHAPTER 17.09, ARTICLE IV, MUNICIPAL CODE, ENTITLED "DESIGN REVIEW PROCEDURES," ESTABLISHING PROCEDURES FOR THE DESIGN REVIEW COMMISSION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

STAFF REPORT: Associate Planner Tami Stroud noted that staff is requesting approval from the City Council for the proposed code amendments to Chapter 17.09 Article IV Design Review Procedures and Chapter 2.98 Design Review Commission. At their regular monthly meeting on March 10, 2020, the Planning Commission unanimously recommended approval for the proposed code amendments to the Design Review Procedures and Design Review Commission. The Design Review Commission (DRC) Procedures have been in need of an update for several years. The Planning Department, Administration, and the Design Review Commission discussed the required DRC requirements as it relates to projects within the City and how the process could be improved and streamlined. On June 6, 2017 the City Council adopted a Work Plan for the Planning Department that included modifying the Design Review Commission Procedures. Following the direction from City Council to better streamline the process, staff asked the Design Review Commission to participate in a survey providing feedback to staff with suggestions to help streamline the process and better serve the development community. Staff also held several workshops with the DRC and discussed the proposed amendments. The DRC provided comments and feedback through the survey which assisted staff in developing an informal process to test out the procedural streamlining for several DRC requests with support from Administration and Legal. The streamlining has had positive results for staff, the development community, and commission members. Based on successful feedback from developers and the commission, staff is bringing forward the proposed amendments, which they believe will formally expedite and simplify the process for all parties. The purpose of the proposed DRC procedure amendments will do several things: Remove the 1st meeting with the DRC and replace it with a meeting with staff and the applicant, identify projects that should be reviewed administratively, and provide clarification for the developer for timelines and required submittal items. By eliminating the preliminary meeting with the DRC, it saves time and money for the applicant, reduces staff time spent on additional commission meetings and staff reports, and makes better use of the commission's time. There are also some minor "housekeeping" items included in the proposed amendment. Addressing the code amendments will streamline the process for staff and developers, and also saves valuable time of the volunteer commissioners. The proposed amendments to Chapter 2.98 Design Review Commission remove the standing alternates, clarify quorum, specify the DRC meeting date, and clarify public notices and comments on proposed projects.

DISCUSSION: Councilmember McEvers felt that the design review code was created within his term and he has not really understood what the purpose of the group is, and asked for clarity regarding the identifying of projects that should be reviewed administratively. Ms. Stroud explained that the code amendment would allow for staff review, rather than requiring two meetings and a third one for the final decision. She noted that the DRC survey was completed and that there was another project that only had one meeting, as it met the design standards set in the code. Councilmember McEvers asked about the amendments removing standing alternates. Ms. Stroud noted the standing alternate was a member of the Commission that was an alternate that did not vote, yet attended meetings, so they eliminated that as it was not needed.

Councilmember McEvers asked if the DRC was originally created for downtown. Ms. Stroud confirmed it was created in 2008, then they added the infill areas and midtown areas. Councilmember McEvers asked if they have to review all of the Atlas development. Ms. Stroud noted that the design was approved, so they would move forward without additional review. Ms. Anderson noted that there will be an architectural control committee to review the designs within Atlas. Councilmember Gookin asked if the Commission is still needed. Mayor Widmyer noted that it gives the City a bit of a say in what the buildings look like. Ms. Anderson explained that the Commission development was very intentional and beneficial to have a neutral ground that reviews a project and mass and scale and how it relates to surrounding uses and provides feedback. The Commission has developers and architects and provides a perspective. Councilmember Wood noticed there are not any women on the commission and questioned if the City would pay attention to that when filling positions. Ms. Anderson noted that George Ives has stepped down and they do have one applicant who is a female. Councilmember Miller asked who Planning reached out to to seek developer input. Ms. Stroud noted that they conducted pilot project reviews with the apartments on Ramsey Road, and worked with Drew Ditman to test the streamlined process and only required one meeting. For the Sherman Five East and West project they looked at the first five townhomes, and worked with Chad Oakland and held one meeting. Both were happy with the outcome as it kept things moving. Ms. Stroud clarified that there were no items for the commission for nine months, but things have begun revving up so they brought the item forward. Councilmember Evans thanked Ms. Stroud for the at-a-glance summary.

Councilmember McEvers says he struggles at it keeps growing, the skyscrapers and the vision corridors and break up the walls. Ms. Stroud concurred that the public was concerned with shadows of large structures and that is how this started. Councilmember McEvers said that now it has stretched out throughout the City rather than just focusing on the downtown, but he understands that it simplifies things and limits developers from jumping through hoops. Councilmember Gookin noted he does like the way things looks around here and this has been in place for 20 years so maybe it is working. Councilmember Miller noted that this is making it easier on the developers and it appears the process is making it streamlined.

MOTION: Motion by Miller, seconded by English, to dispense with the rule and read **Council Bill No. 20-1006** once by title only.

ROLL CALL: Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye.
Motion carried.

MOTION: Motion by Miller, seconded by Wood, to adopt **Council Bill No. 20-1006.**

ROLL CALL: Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye.
Motion carried.

RESOLUTION NO. 20-031

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING LEASE REFINANCE AGREEMENT WITH DEERE CREDIT, INC., FOR A JOHN DEERE GRADER FOR THE STREETS AND ENGINEERING DEPARTMENT, AND WASTEWATER DEPARTMENT.

STAFF REPORT: Streets and Engineering Director Tim Martin explained that for the 2014-15 budget year, Council gave the Streets Department authority to obtain a new grader. Based on that authority, the Streets Department carefully weighed its needs and sought competitive quotes from two local dealers, either of which would have satisfied the Department's needs. The Department decided to enter into a five-year lease agreement, with an option to purchase, for a John Deere grader, "piggy-backing" on a bid obtained by the Idaho Transportation Department. At this time, the original five-year lease agreement has expired and the Department would either have to exercise the option at a cost of \$156,700.00 or let the grader go back to the vendor. Papé Machinery recently approached the City with a proposal to cover the option by entering five (5) one-year leases for the same grader, at the end of which the City would own the grader free and clear without any additional payment. This proposal was reviewed by the City Administrator and Mayor, who felt that it was a fair offer and a better alternative than paying the lump sum due under the original lease. The \$33,132.52 annual lease payment will not result in an increase in General Fund expenditures. First, the Department rents three graders each winter to plow snow. The rental cost of each of those graders is \$5,050.00 per month, or \$15,150.00 per year, based on a projected rental of three months. With the lease of this grader, together with the addition of another piece of equipment in the Department, the Department would only be required to rent two graders for snow plowing in future seasons, resulting in a cost saving of \$15,150.00 per year. Thus, the net impact on the budget after realizing these savings would be \$17,132.52. Second, among other rights-of-way, the Department maintains 28.5 miles of alleys. This grader would be used to grade those alleys during the summer which is a benefit to the City's sanitation program. Thus, the \$17,132.52 of the annual lease payment which is not covered by cost savings would be paid from the Sanitation Fund. The result is no net increase in General Fund expenditures for the purposes of the lease agreement. Mr. Martin noted that the Department currently has \$39,000 in the lease line item this fiscal year and the grader will be used year around.

DISCUSSION: Councilmember McEvers noted that this started Fiscal Year 2014-15 and asked if they wanted to extend it another five years. Mr. Martin explained that the life span of the equipment is expected to be 20 years. Council McEvers asked if they will be asking for one year at a time. Mr. Martin noted the lease will need to be approved yearly in order to avoid binding future Councils. Councilmember Miller asked if there was an opportunity to negotiate the interest rate at the end of the lease. Mr. Martin and Mr. Tymesen concurred that they negotiated the best deal they could come up with and worked them hard. Mr. Tymesen noted the purchase price negotiated was good. Mr. Martin noted that they will see 12,000 to 15,000 hours before

they would have to get rid of the equipment. Councilmember Gookin asked Mr. Gridley if they could stop the lease in any year. Mr. Gridley confirmed Council can stop the lease in any year going forward.

MOTION: Motion by McEvers, seconded by Evans to approve **Resolution No. 20-031** - approving a one-year lease agreement for one (1) John Deere grader with Papé Machinery, which will be the first of a series of five lease agreements for the equipment and which will result in the City owning the grader.

ROLL CALL: English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye.
Motion carried.

RESOLUTION NO. 20-032

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A CONTRACT WITH MARS COMPANY FOR THE PURCHASE AND INSTALLATION OF A WATER METER TEST BENCH SYSTEM FOR THE WATER DEPARTMENT.

STAFF REPORT: Assistant Water Superintendent Kyle Marine noted that the Water Department started the meter change out program (MCOP) in 2005 due to significant undocumented water loss. The Water Department annual meter change out program will replace all 19,000 meters in the City over a 10-year cycle due to the estimated lifespan of an average meter. As a meter reaches 10 years of routine service, it can lose significant accuracy and reliability as well as battery life for the transmitter. The City changes on average 2,000 meters a year depending on the location. It is recommended that water meters be replaced or rebuilt once they reach above a 3% loss of accuracy, which is on average 10 years. The cost of rebuilding a meter is significantly less than purchasing a new meter, but requires testing by a certified test bench before it can be reinstalled. The City currently has an agreement to send a few large meters to the Spokane Water Department to have them tested for accuracy once they are rebuilt. Initially they were not charging for the service. They have recently informed the City that they will start charging \$500 a test. Mr. Marine said they have included in their design of the new facility a room to house a meter test bench to start testing and rebuilding water meters. With the new facility getting close to completion, they are moving forward with the purchase of a test bench. As previously mentioned, the Water Department replaces about 2,000 meters that have reached their life expectancy each year. They estimate that about ¼ to ½ of the meters that are due for replacement can be rebuilt and reused at a reduced cost. Once a meter has been removed, it will be set aside to be rebuilt and tested and re-installed the following year, if financially feasible to rebuild, depending on the size and condition of the meter. It is estimated that a savings of at least \$77,000.00 per year should be realized, indicating that the return on the initial investment will be approximately 5 years. The lowest, and only responsive bid was received from MARS Company for \$399,403.00. The American Water Works Association (AWWA) establishes industry standards that the majority of the state Drinking Water Rules have adopted by reference. AWWA has established through a great deal of testing and research that the average lifespan of a ¾" meter is typically eight to ten years, between normal wear and average transmitter battery life. The larger the meter, as they flow considerably more water, the shorter

the service life. Meters should have an accuracy of at least 98%. Less than that can mean significant revenue loss. The public water system currently contains just over 15,000 of the ¾” meters, plus another 3,000 plus meters 1” and larger. The bench will test up to 6” compound meters, providing an accurate record that has held up to legal challenges.

DISCUSSION: Councilmember McEvers asked what the life expectancy of the equipment was. Mr. Marine noted that their prior piece of equipment was from the 1950’s and it was just decommissioned, so they expect well over 20 years. He noted the equipment will be recalibrated occasionally. Councilmember McEvers asked what the yearly maintenance fee is going to be and if it is included in the budget. Mr. Marine noted that it was in the budget and is based on the number of meters tested, which maybe \$18.00 per meter.

MOTION: Motion by Gookin, seconded by Wood to approve **Resolution No. 20-032** - approving a Contract with Mars Company for the purchase of a new water meter test bench system for \$399,403.

ROLL CALL: English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye.
Motion carried.

LEGISLATIVE PUBLIC HEARING FOR ZC-1-20- REQUESTED ZONE CHANGE FROM C-17L TO C-17 AT 4301 N. CROWN AVENUE.

STAFF REPORT: Associate Planner Mike Behary presented the staff report, including a review of surrounding land use and zoning, Comprehensive Plan policies for consideration, physical characteristics, and neighborhood character. He noted that the subject property is located between US Highway 95 and Crown Avenue. There is an existing auto dealership sales facility on the southern portion of the subject site and the property has been used for retail sales of vehicles and RV’s for many years. The northern portion of the property is vacant and currently undeveloped. The prior use on the vacant portion of the lot was RV sales. In 1982, the City of Coeur d’Alene applied for a large area of land to be annexed into the City in conjunction with zoning in Item ZC-7-82A. In 1984 a request to change the zoning classification from R-12 to C-17L on the southern portion of the subject property was made in item ZC-12-84SP and was subsequently approved. In 1998 a request to change the zoning classification from R-12 to C-17L on the northern portion of the subject property was made in item ZC-9-98SP that was also subsequently approved. The applicant has indicated that they would like to expand the existing auto dealership into the vacant northern portion of the subject property. The applicant is aware that site improvements, commercial design standards, and paving of display lots and maneuvering areas are required in order to expand into the vacant portion of the property. The zoning ordinance requires auto dealerships that want to locate in the C-17L Zoning District to be approved by a special use permit. Mr. Behary noted that the following findings will need to be determined: that this proposal (is) (is not) in conformance with the Comprehensive Plan; that public facilities and utilities (are) (are not) available and adequate for the proposed use; that the physical characteristics of the site (do) (do not) make it suitable for the request at this time; that the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses. Staff reviewed these findings and find they are adequate to meet this request.

DISCUSSION: Councilmember Gookin asked if they will have to pay for roadway improvement. Mr. Behary noted that the whole frontage is unimproved, so it will have to be developed at the developer's expense. Councilmember McEvers asked if it was normal to not require a buffer between C-17L to C-17 zones with single family homes nearby. Mr. Behary explained that buffering would be required if property was directly abutting; however, in this development the adjacent properties are across the street so no additional buffer is required.

PUBLIC COMMENTS: Mayor Widmyer opened public comments.

Drew Dittman, 126 E. Poplar Avenue, noted that he is requesting the 6 acres of zoning be changed. The property is formerly the site of Blue Dog RV and several auto dealerships throughout. The dealership is planning to expand north of Super One Foods. The R-12 is to the east, but it is part of the Highway 95 Corridor. Mr. Dittman noted that the special use permit would be limiting. He noted that they understand they will need to upgrade Crown Avenue and are accepting of all of staff's feedback.

MOTION: Motion by McEvers, seconded by Evans to approve ZC-1-20- Requested zone change from C-17L to C-17, at 4301 N. Crown Avenue and to make the necessary Findings and Order.

ROLL CALL: Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye. Motion carried.

COUNCIL BILL NO. 20-1007

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM C-17L TO C-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: +/- 6.2 ACRE PORTION OF A PARCEL LOCATED AT 4301 N. CROWN AVENUE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by McEvers, seconded by English, to dispense with the rule and read **Council Bill No. 20-1007** once by title only.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye. Motion carried.

MOTION: Motion by McEvers, seconded by Wood, to adopt **Council Bill No. 20-1007**.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye. Motion carried.

LEGISLATIVE PUBLIC HEARING FOR V-20-02 – VACATION OF LILAC LANE RIGHT-OF-WAY LOCATED IN THE FINAL PLAT OF FOSS ADDITION.

COUNCIL BILL NO. 20-1008

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING LILAC LANE RIGHT-OF-WAY, GENERALLY DESCRIBED AS A PARCEL OF LAND LOCATED IN THE FINAL PLAT OF FOSS ADDITION IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

STAFF REPORT: Engineering Project Manager Dennis Grant explained that the applicant, Lilac Glen, LLC., is requesting the vacation of right-of-way located in the final plat of Foss Addition. The general location is east of I-90 and approximately 800' feet north of Sherman Avenue. The requested right-of-way was originally dedicated to the City of Coeur d'Alene in the Foss Addition plat in 1957. The vacation of the requested right-of-way would not have any financial impact on the City. The purpose of this request is to vacate Lilac Lane as recorded on the plat of Foss Addition. This will allow the developer of the Lilac Glen Subdivision to proceed with the recordation of their final plat. The reason for the requested right-of-way vacation is to reconfigure Lilac Lane thru the Lilac Glen Subdivision plat. The Development Review Team was informed about this vacation. Notices were sent to 6 households and Mr. Grant said that he received 1 neutral and Lake Villa northern entrance will not be affected.

DISCUSSION: Councilmember McEvers thought the street would be a private development. Mr. Grant noted it was not a private development and that it is going to be subdivided and come back at another location, going all the way through to Pennsylvania Avenue. Councilmember Miller asked if there was intent for it to become gated. Mr. Grant said that they did not plan a gated community and the other end of the road is owned by the City. The road is already in and will be the City's at the approval of plat phase.

PUBLIC COMMENTS: Mayor Widmyer opened public comments.

Susan Metzger, 2483 Sunset Avenue, noted she is one of the managers of Lilac Glen LLC. It is their intent to create a PUD created as duplex lots. The layout they are looking at has a small grassy area at the end by 23rd and Pennsylvania and up above it as potentially large area for an assisted living facility. They are close to being done with the subdivision and hopefully in the next month it will be before Council.

The Mayor asked Mr. Grant if it was now planned for a gated community. Ms. Metzger clarified it is not a gated community.

MOTION: Motion by English, seconded by Evans, to dispense with the rule and read **Council Bill No. 20-1008** once by title only.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye.
Motion carried.

MOTION: Motion by Evans, seconded by Miller, to adopt **Council Bill No. 20-1008.**

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye.
Motion carried.

ADJOURNMENT: Motion by Gookin, seconded by McEvers, that there being no other business this meeting be adjourned. **Motion carried.**

The meeting adjourned at 8:48 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, CMC
City Clerk

CITY COUNCIL MEETING

STAFF REPORT

DATE: June 2, 2020
FROM: Dennis J. Grant, Streets & Engineering Project Manager
SUBJECT: **V-19-05, Vacation of alley right-of-way located within a portion of Block G of the Coeur d'Alene and Kings Addition in the City of Coeur d'Alene.**

DECISION POINT

The applicant, John Swallow, is requesting the vacation of alley right-of-way located within a portion of Block G of the Coeur d'Alene and Kings Addition. The general location is north of Lakeside Avenue, south of Coeur d'Alene Avenue and west of 3rd Street.

HISTORY

The requested right of way was originally dedicated to the City of Coeur d'Alene in the Corrected Plat of the Town of Coeur d'Alene and Kings Addition on July 5, 1886.

FINANCIAL ANALYSIS

The vacation of the requested right-of-way would not have any financial impact on the City and would add approximately 1,000 square feet to the County tax roll. Although a minor amount, it would be a benefit to the municipality as tax revenue and to the land owners whose lots adjoin the alley.

PERFORMANCE ANALYSIS

The purpose of this request is to vacate a 20' x 50' portion of alley right-of-way that is not being used by the public since it is located at the very end of the alley. This area would be used as gathering, green space for employees. The property on each side of the alley is owned by the applicant. The subject alley contains City sewer and other franchise utilities which would be contained in an easement as part of the vacation ordinance. This easement would allow unrestricted access to the City utilities in that area. The Development Review Team was informed about this vacation.

RECOMMENDATION

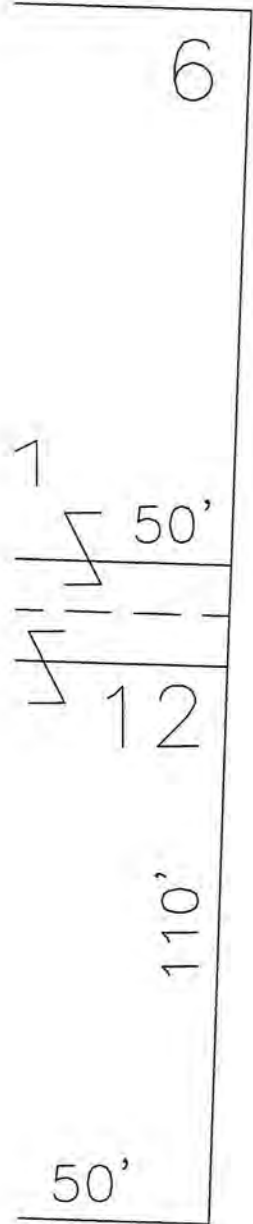
Staff recommends to the Council to proceed with the vacation process as outlined in Idaho Code Section 50-1306 and recommends the setting of a public hearing for the item on July 7, 2020.

Kootenai County GeoViewer

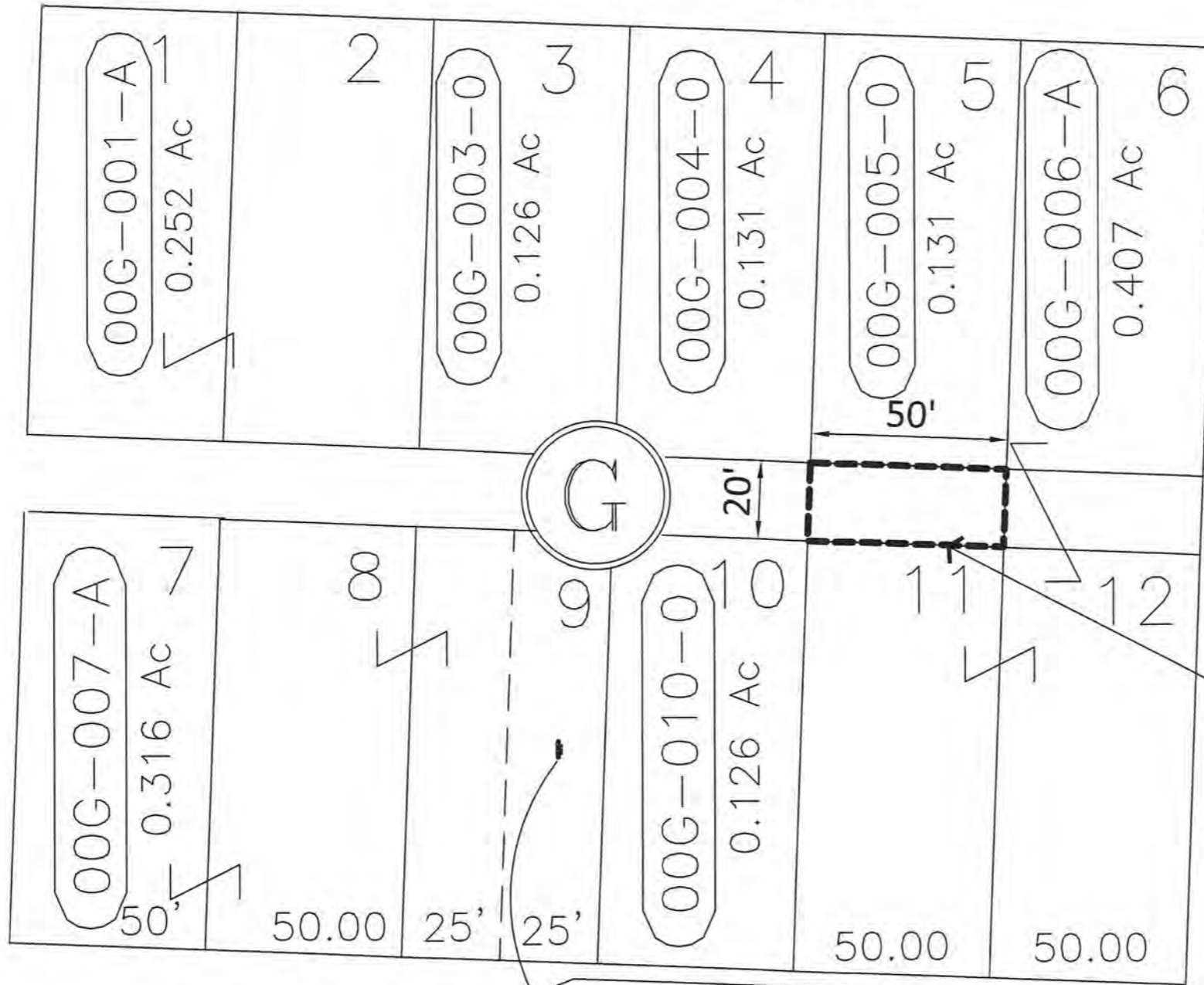


EXHIBIT "A"

COEUR D' ALENE AVENUE

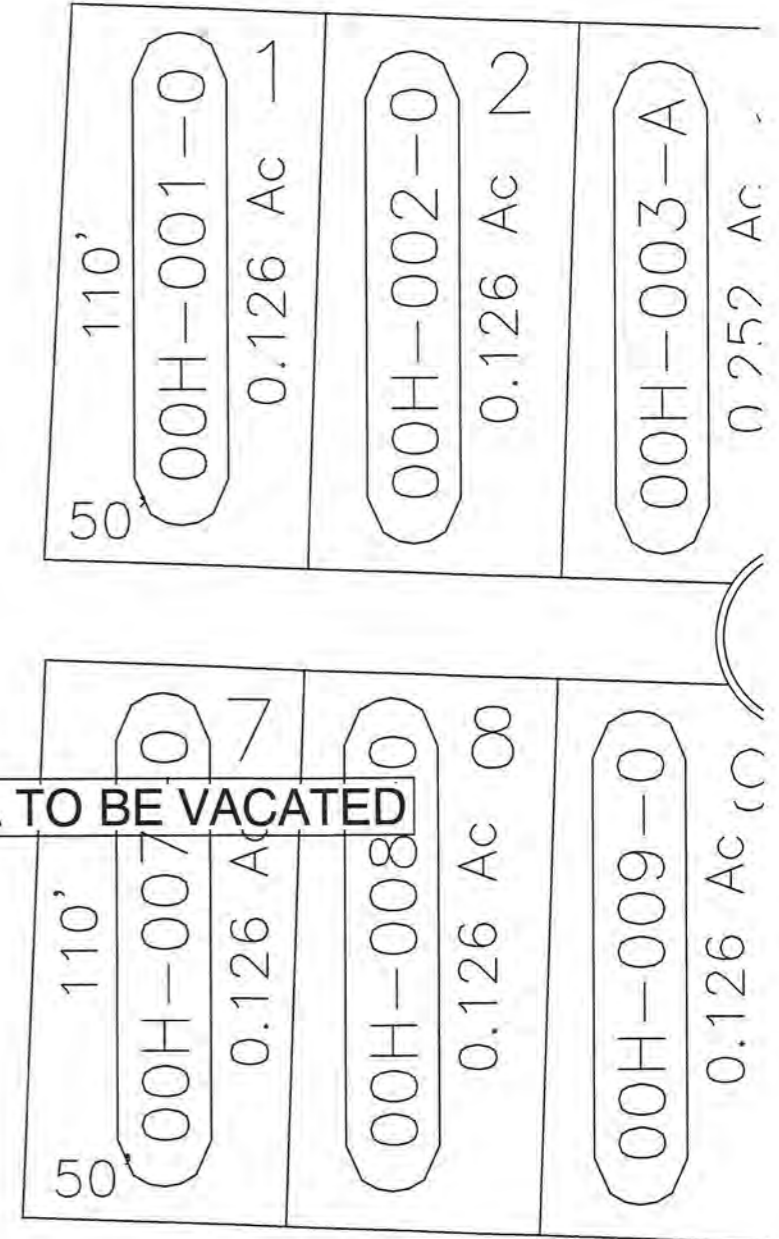


2ND STREET



AREA TO BE VACATED

3RD STREET



LAKESIDE AVENUE

00G-009-A
0.063 Ac



NORTH

DRAWING NOT TO SCALE

ALLEY VACATION APPLICANT PARCEL OWNERSHIP

00G-005-0: CDE HOLDINGS LLC

00G-006-A: NP DEPOT LLC

Re: Fireworks Stands 2020
 From: Kelley Setters, Deputy City Clerk



	Location	Operated by	Distributor	
1	Albertsons 220 Ironwood Dr	Loren Andy Flournoy 23310 E Inlet Dr #9 Liberty Lake WA 99019	TNT Fireworks S 104 Freya White Bldg #120B Spokane WA 99202	X
2	Fred Meyer 560 W Kathleen	Melissa Bonanno 104 S Freya White Bldg Suite 120B Spokane WA 99202	TNT Fireworks S 104 Freya White Bldg #120B Spokane WA 99202	x
3	Safeway 101 W Neider	Victoria Petersen 104 S Freya White Bldg Suite 120B Spokane WA 99202	TNT Fireworks S 104 Freya White Bldg #120B Spokane WA 99202	X
4	Super 1 Foods 305 W Kathleen	Ryan True 14904 North Gleneden Spokane WA 99208	TNT Fireworks S 104 Freya White Bldg #120B Spokane WA 99202	x
5	Walgreens 225 W Appleway	Journey – CDA Troy Carpenter 1604 West Lee Ct CDA ID 83814	TNT Fireworks 104 S Freya White Bldg #120B Spokane WA 99202	x
6	Ramsey & Appleway	Eric Campbell 4316 Saw Blade Lane #105 Coeur d Alene ID 83814	TNT Fireworks 104 S Freya White Bldg #120B Spokane WA 99202	x
7	Runges Furniture 303 E Spokane St	Eda Darwood 8505 Peach Lane Missoula MT 59801	Big Boom Fireworks 8505 Peach Lane Missoula MT 59801	x
8	Ramsey and Prairie 7925 Ramsey Rd	Eda Darwood 8505 Peach Lane Missoula MT 59801	Big Boom Fireworks 8505 Peach Lane Missoula MT 59801	X
9	Costco 355 E Neider Ave	Costco Todd Parson 355 E Neider Ave	Jake's Fireworks 114 Helton Ct Florence, AL 35630	X
10	Lakeside Harvest Foods 1211 E Sherman Ave	Deborah Wright 1211 E Sherman Ave	TNT Fireworks S 104 Freya White Bldg.#120B Spokane, WA 98446	X

CITY COUNCIL STAFF REPORT

DATE: June 2, 2020
FROM: Dennis Grant, Engineering Project Manager
SUBJECT: **SS-19-07, Oberholzer Estates: Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a two (2) lot residential subdivision.

HISTORY

- a. Applicant: Brian W. Oberholzer, Property Owner
611 E. Locust Avenue
Coeur d'Alene, ID 83815
- b. Location: 1623 E. Boyd Avenue (North side of Boyd Avenue, between 16th & 17th Street)
- c. Previous Action:
 1. Preliminary plat approval, April 7, 2020

FINANCIAL ANALYSIS

There are no financial issues with this development.

PERFORMANCE ANALYSIS

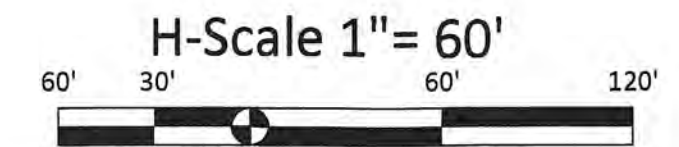
This residential development is a re-subdivision of Lot 19 of Springwater Addition to the Town of Coeur d'Alene a Subdivision located in Coeur d'Alene. This subdivision created two (2) lots. The infrastructure has been previously installed and accepted by the appropriate departments; therefore, the document is ready for approval and recordation.

DECISION POINT RECOMMENDATION

City Council approval of the final plat document

OBERHOLZER ESTATES

A REPLAT OF LOT 19 OF SPRINGWATER ADDITION TO THE TOWN OF COEUR D'ALENE
LYING WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 50 N., RANGE 3 W., BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



LEGEND

- FOUND 1" IRON PIPE, OR AS NOTED
- FOUND 1/2" IRON PIPE, OR AS NOTED
- ◆ SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP, P.L.S. 9367
- ◆ SET 1/2" x 24" REBAR WITH YELLOW PLASTIC CAP, P.L.S. 9367
- CALCULATED POSITION, NOTHING FOUND OR SET
- ⊕ FOUND W.P.A. CITY MON
- ⊙ CENTER SECTION CORNER AS NOTED
- ⊖ E-W 1/4 SECTION CORNER AS NOTED
- CP&F CORNER PERPETUATION & FILING RECORD (WITH INSTRUMENT NO.)
- R.O.W. RIGHT-OF-WAY

REFERENCES

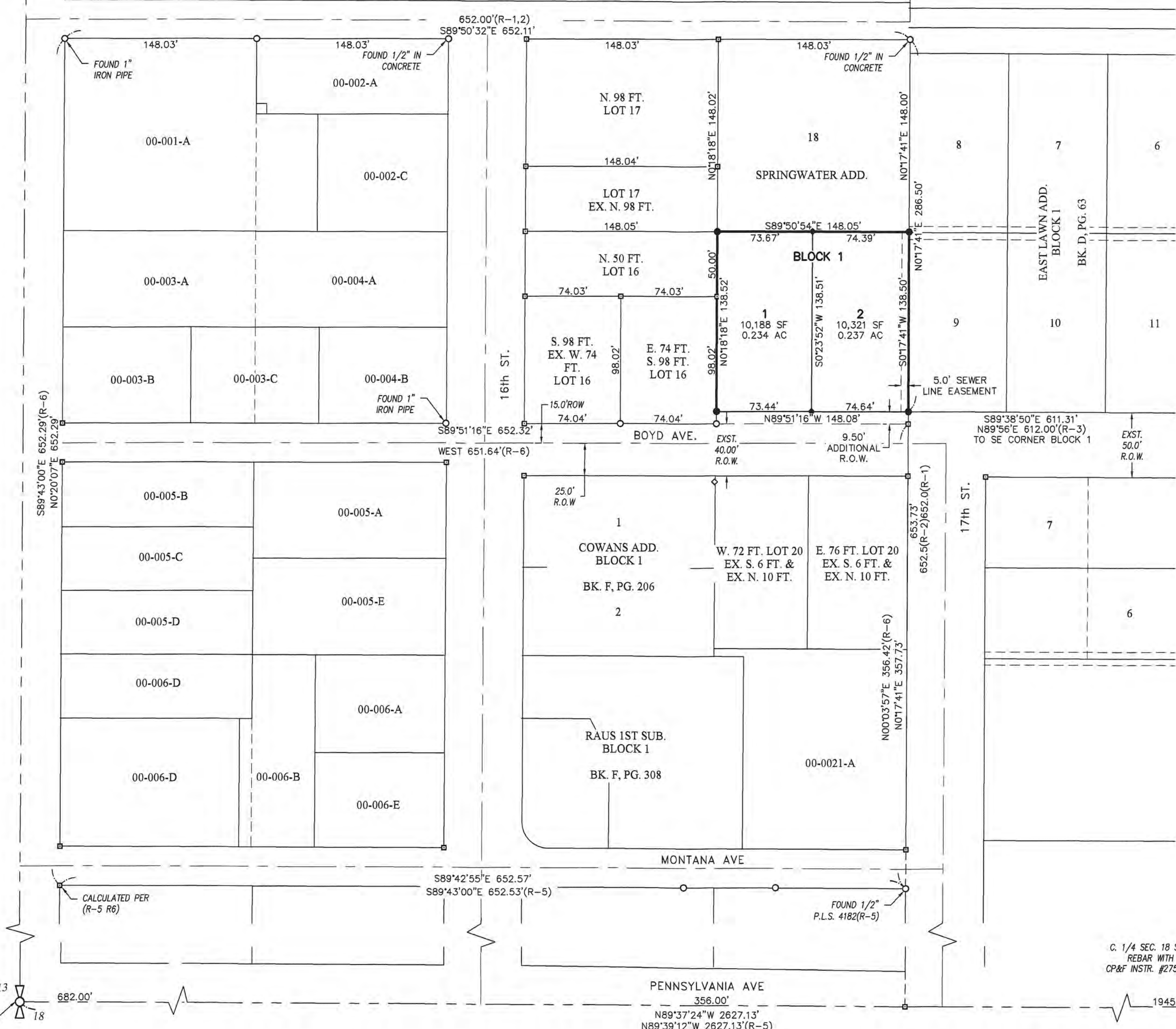
- IN RECORDS OF KOOTENAI COUNTY, IDAHO:
- R-1 PLAT OF SPRINGWATER ADDITION TO THE TOWN OF COEUR D'ALENE, RECORDED IN BOOK 'A' OF PLATS AT PAGE 123.
 - R-2 W.P.A. CITY PLANNING SURVEY PLAT NO. 5.
 - R-3 PLAT OF EAST LAWN ADDITION BY ELMER E. SONVILLE, LS #733, RECORDED IN BOOK 'D' OF PLATS AT PAGE 63, AS INSTRUMENT NO. 290927.
 - R-4 PLAT OF COWAN'S ADDITION BY ROBERT S. NOBIS, PLS 687, RECORDED IN BOOK 'F' OF PLATS AT PAGE 206, AS INSTRUMENT NO. 1103557.
 - R-5 RECORD OF SURVEY BY DAVID SCHUMANN, PLS 4182, RECORDED IN BOOK 28 OF SURVEYS AT PAGE 263, AS INSTRUMENT NO. 2478717000.
 - R-6 RECORD OF SURVEY BY JAMES W. STILLINGER, PLS 5078, RECORDED IN BOOK 15 OF SURVEYS AT PAGE 173, AS INSTRUMENT NO. 13675498.

SURVEYORS NARRATIVE

THE PURPOSE OF THE SURVEY IS TO CREATE 2 LOTS OUT OF SPRINGWATER ADDITION LOT 19 TO BE KNOWN AS OBERHOLZER ESTATES. THE FIELD SURVEY WAS PERFORMED AND FOUND MONUMENTS PER THE W.P.A. SURVEY PLAT # 5 (R-2) WAS LARGELY THE BASIS OF THE BREAK DOWN OF SPRINGWATER ADDITION. THESE MONUMENTS WERE REFERENCED IN OTHER SURVEYS FROM JAMES STILLINGER (R-6) AND DAVID SCHUMANN (R-5) AS SHOWN HEREON. I HAD FOUND ONE ADDITIONAL MONUMENT THAT WAS NOT PREVIOUSLY REFERENCED ON SURVEYS FROM MY RESEARCH AT THE NORTHEAST CORNER OF LOT 18 AND THE MEASUREMENTS FROM THAT MONUMENT WAS USED TO ESTABLISH THE EAST LINE OF LOTS 18 AND 19 TOGETHER WITH A FOUND CITY MONUMENT AT THE SOUTHEAST CORNER OF LOT 16 BLOCK 1 OF EAST LAWN ADDITION.

NOTES

1. THERE WAS NO ATTEMPT MADE TO SHOW PHYSICAL FEATURES OF THE PROPERTY, OR TO SHOW ANY NON-RECORDED EASEMENTS, EXCEPT FOR THOSE SHOWN HEREON.



W. 1/4 SEC. 18
FOUND 2" ALUMINUM CAP,
ILLEGIBLE MARKINGS PER
CP&F INSTR. #2594308000

C. 1/4 SEC. 18 SET 5/8"
REBAR WITH JS 9367
CP&F INSTR. #2750246000

BASIS OF BEARING

AS SHOWN HEREON, BASIS OF BEARING FOR THIS SURVEY IS IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE, (1103) - US SURVEY FEET. THE PROJECT COORDINATES WERE DERIVED FROM NGS OPUS SOLUTION USING A REFERENCE FRAME OF NAD83 (2011) (EPOCH: 2010.0000). BEARINGS SHOWN ARE GRID AND DISTANCES SHOWN ARE GROUND USING A COMBINED ADJUSTMENT FACTOR (CAF) OF 1.00009706. A CONVERGENCE ANGLE OF -00°44'54" SHOULD BE USED TO CONVERT GRID BEARINGS TO GEODETIC.



OBERHOLZER ESTATES			
REPLAT OF LOT 19 OF SPRINGWATER ADDITION NW 1/4 SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO			
DATE SURVEYED: APR. 2019	DRAFTED BY: BAG	PLOT DATE: 05/16/2020	SHEET
FILE NAME: 19-034 SURVEY	CHECKED BY: CJJ	PROJECT No.: 19-034	1 / 2

Johnson
Surveying

P.O. Box 2544 Post Falls, ID 83877
208-660-2351
johnsonsurveyingnw.com

OBERHOLZER ESTATES

A REPLAT OF LOT 19 OF SPRINGWATER ADDITION TO THE TOWN OF COEUR D'ALENE
 LYING WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 50 N., RANGE 3 W., BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK PAGE
 INST.#

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT BRIAN W. OBERHOLZER, A MARRIED MAN AND MARY M. OBERHOLZER, UNMARRIED WOMEN, HEREBY CERTIFIES THAT THEY OWN THE PROPERTY HEREINAFTER DESCRIBED AND INCLUDES SAID PROPERTY IN A PLAT TO BE KNOWN AS "OBERHOLZER ESTATES":

SAID PARCEL OF LAND BEING LOT 19 OF SPRINGWATER ADDITION TO THE TOWN OF COEUR D'ALENE, RECORDED IN BOOK "A" OF PLATS AT PAGE 123, RECORDS OF KOOTENAI COUNTY, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

COMPRISING 0.503 ACRES, MORE OR LESS, AND SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, COVENANTS, CONDITIONS, RESTRICTIONS AND AGREEMENTS OF RECORD OR APPEARING ON SAID PLAT.

THE OWNER HEREBY DEDICATES AN ADDITIONAL 9.50 FEET OF RIGHT-OF-WAY ADJACENT TO THE EXISTING NORTHERLY RIGHT-OF-WAY OF BOYD AVENUE TO THE CITY OF COEUR D'ALENE IN THE NAME OF THE PUBLIC.

THE OWNER HEREBY GRANTS A 5.00 FOOT WIDE SANITARY SEWER EASEMENT TO THE CITY OF COEUR D'ALENE ALONG THE EAST LINE OF LOT 2, BLOCK 1 FOR THE PURPOSE OF INSTALLATION, OPERATION AND MAINTENANCE OF SANITARY SEWER FACILITIES.

SANITARY SEWER TO BE PROVIDED BY THE CITY OF COEUR D'ALENE.

DOMESTIC WATER TO BE PROVIDED BY THE CITY OF COEUR D'ALENE.

SIGNATURE: [Signature] DATE: 5/26/20

PRINT NAME: BRIAN W. OBERHOLZER

SIGNATURE: [Signature] DATE: 5/26/20

PRINT NAME: MARY M. OBERHOLZER

NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF IDAHO S.S.
 COUNTY OF KOOTENAI

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 26 DAY OF MAY, IN THE YEAR OF 2020, BY BRIAN W. OBERHOLZER.

NOTARY PUBLIC: [Signature]

MY COMMISSION EXPIRES: 01/09/2024



NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF IDAHO S.S.
 COUNTY OF KOOTENAI

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 26 DAY OF MAY, IN THE YEAR OF 2020, BY MARY M. OBERHOLZER.

NOTARY PUBLIC: [Signature]

MY COMMISSION EXPIRES: 01/09/2024



PANHANDLE HEALTH DISTRICT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY THE QUALIFIED LICENSED PROFESSIONAL ENGINEER (QLE) REPRESENTING (CITY OF COEUR D'ALENE) AND THE QLE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. WATER AND SEWER LINE HAVE BEEN COMPLETED AND SERVICES CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

HEALTH DISTRICT SIGNATURE: [Signature] DATE: 5-20-20

CITY COUNCIL APPROVAL

THIS PLAT IS HEREBY APPROVED AND ACCEPTED BY THE CITY COUNCIL OF COEUR D'ALENE, IDAHO, THIS _____ DAY OF _____, 20____.

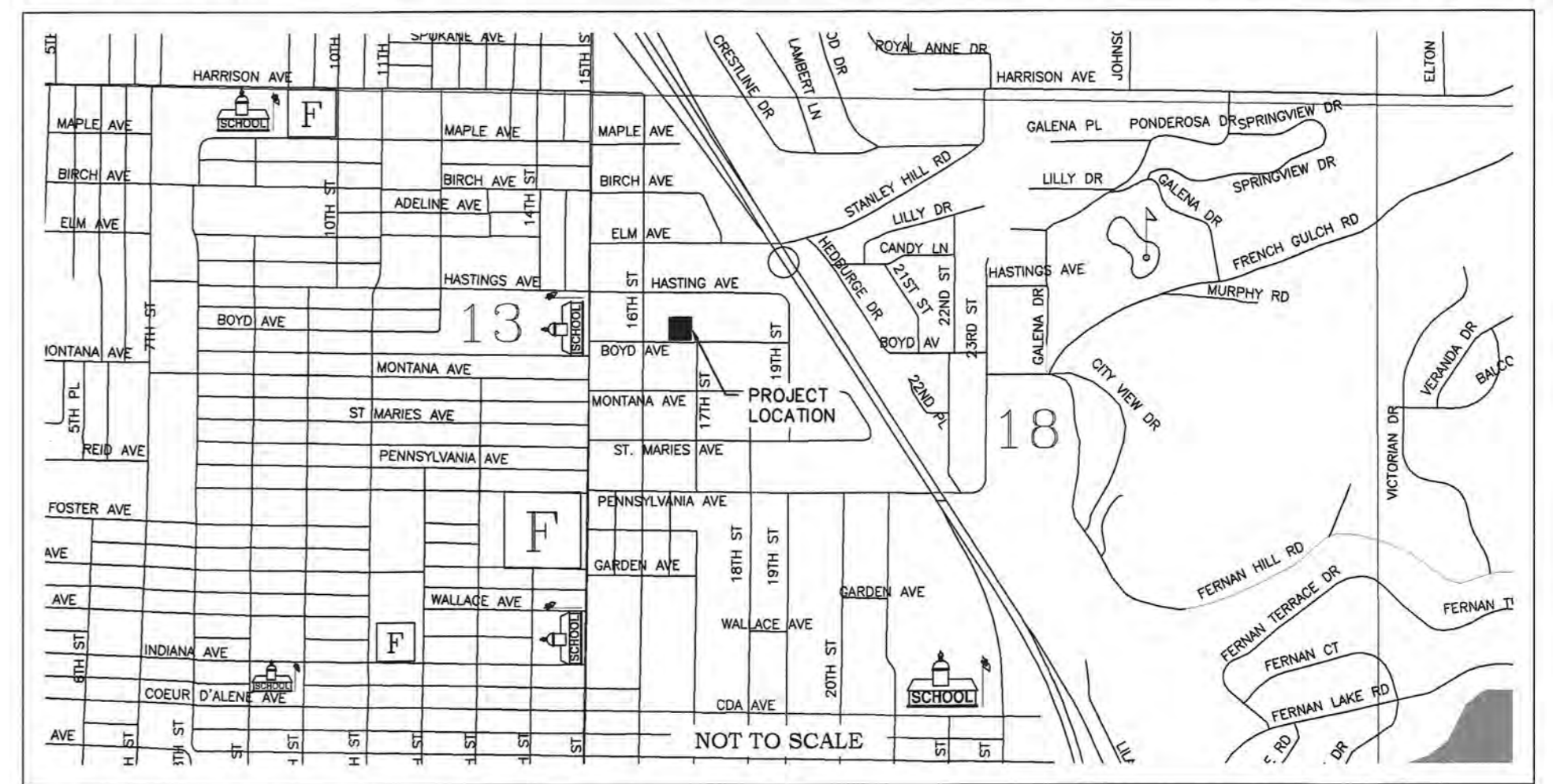
CITY OF COEUR D'ALENE, CLERK

CITY ENGINEER APPROVAL

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT, THIS _____ DAY OF _____, 20____.

CHRISTOPHER W. BOSLEY PE #10804
 CITY OF COEUR D'ALENE, ENGINEER

VICINITY MAP



TREASURER'S CERTIFICATE

I HEREBY CERTIFY THIS 22nd DAY OF May, 2020, THAT THE REQUIRED TAXES ON THE HEREIN PLATTED LAND HAVE BEEN PAID THROUGH

December 31, 2019

[Signature]
 KOOTENAI COUNTY TREASURER

RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO THIS _____ DAY OF _____, 20____.

AT _____ M. AND DULY RECORDED IN BOOK _____ OF PLATS AT PAGE(S) _____ AND UNDER INSTRUMENT NO. _____ AT THE REQUEST OF _____.

JIM BRANNON, KOOTENAI COUNTY RECORDER

FEE PAID

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE SAME FOR RECORDING THIS _____ DAY OF _____, 20____.

RODNEY E. JONES PLS 12463
 KOOTENAI COUNTY SURVEYOR



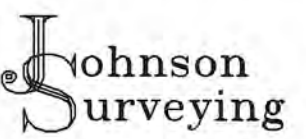
SURVEYOR'S CERTIFICATE

I, CHAD J. JOHNSON, PLS 9367, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS IS A TRUE SURVEY OF THE PLATTED LAND MADE BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT APPLICABLE CORNER RECORDS HAVE BEEN FILED, IN COMPLIANCE WITH THE LAWS OF THE STATE OF IDAHO.

[Signature] 5-18-20
 CHAD J. JOHNSON PLS 9367 DATE



OBERHOLZER ESTATES			
REPLAT OF LOT 19 OF SPRINGWATER ADDITION NW 1/4 SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO			
DATE SURVEYED: APR. 2019	DRAFTED BY: BAG	PLOT DATE: 05/17/2020	SHEET 2
FILE NAME: 19-034 SURVEY	CHECKED BY: CJJ	PROJECT No.: 19-034	2
			P.O. Box 2544 Post Falls, ID 83877 208-660-2351 johnsonsurveyingnw.com



RESOLUTION NO. 20-034

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, DECLARING PROPERTY AS SURPLUS AND AUTHORIZING THE SALE OF THE SURPLUS PROPERTY AT AUCTION.

WHEREAS, the City Streets & Engineering Department recommends that the Mayor and City Council of the City of Coeur d'Alene declare the below described property to be surplus and that the property be sold at auction; and

WHEREAS, the item of property of the City has become worn out, obsolete, and is no longer needed by the City; and

WHEREAS, the City Council desires to dispose of the following described property:

2002 Dodge Ram 1500 pickup VIN# 1D7HU16N2J181263 with 126,000 miles. Burns one quart of oil a day; door is broken and in poor shape due to age/miles/use; heater/AC is broken.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the property listed above should be declared "surplus" and be offered for sale at auction; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such documents as are necessary to complete the action on behalf of the City.

DATED this 2nd day of June, 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.

CITY COUNCIL STAFF REPORT

DATE: June 2, 2020
FROM: Jack Reichert Streets & Engineering Field Supervisor
SUBJECT: **DECLARE SURPLUS USED EQUIPMENT AND VEHICLES**

DECISION POINT:

The purpose of this report is for consent to declare one used asset to be deemed surplus and authorization to auction.

HISTORY:

The description of the auction item has historically gone through the Public Works committee prior to Council for consent.

PERFORMANCE ANALYSIS

This equipment/ vehicle has been deemed of little value to the department. We looked to provide or offer in-house before we send to surplus.

FINANCIAL ANALYSIS

There is no cost to the taxpayers. The Auction house takes a percentage of the bid auction item. Very minimal cost to the department for us to shuttle items to Post Falls.

DECISION POINT:

The purpose of this report is to ask for Council Consent to declare this equipment surplus. Here is a brief description.

- 2002 Dodge Ram 1500 pickup VIN# 1D7HU16N2J181263 with 126,000 miles Burns one quart a day. Door is broken and in poor shape due to age /miles/use. Heater/AC is broken.



OTHER BUSINESS

**CITY COUNCIL
Staff Report**

To: City Council
From: Kelley Setters Deputy City Clerk
Date: June 2, 2020
Re: Outdoor Eating Facility Encroachment Permit

DECISION POINT:

Should the City Council waive sewer fees for outdoor seating due to the Covid 19 pandemic.

HISTORY:

Outdoor Eating Facility Encroachment permits are required from March 17th to November 1st of each year. This permit allows outdoor seating on private property and city sidewalks for restaurant dining and drinks. Sewer fees for restaurants and bars are charged based on the number of seats. Most restaurants only paid for the interior seats at the time they opened. Once the City allowed outdoor seating, the business owners were allowed to pay for the additional seats on the temporary basis, unless they wanted to pay the additional fees for a permanent count. The more recently opened restaurants, such as Cosmic Cowboy, have chosen to do that, so they are not bound by the annual temporary fee. Some facilities have the seats on their private property, so they do not pay the encroachment permit fee, but still pay the temporary seat fee. The sewer fees are reduced to \$22.13 per seat because they are temporary and not used year-round. Last year thirty-nine (39) outdoor seating permits were issued with a total revenue of \$16,119.00, including \$2,875.00 in encroachment permit fees for a total of \$18,994.00.

REQUEST:

It was determined by the Governor's Idaho Rebounds protocols that restaurants could open on May 16th, provided they comply with the physical distancing requirements. This change could reduce the number of seats within the restaurant by approximately 50%, which results in a reduction in sewer. So, at this time staff has not charged the additional outdoor seating fees, as the fees will average out to their original payment. At Stage 4 or when the time comes that restaurants can move to full seating staff is recommending waiving the fee the rest of the year and reimbursing those that have already paid the seasonal fee. Wastewater Superintendent Mike Anderson is in support of waving the fees for this year. Staff recommends that the \$125.00 encroachment permit still be required, as well as the filing of an outdoor seating permit application so staff can ensure ADA placement of table and chairs and provide the regulations related to the encroachment on city property, pursuant to our policy as attached. Currently, sixteen (16) permits have been issued and paid in full. If the fees are waived for this year the City would need to reimburse a total of \$6635.14.

Financial Impact:

Revenue from last year was \$18,994.00. If the fee were waived total reimbursement is \$6635.14.

Decision Point: Should the City Council grant a waiver of sewer fees for temporary outdoor seating for the year 2020 and reimburse a total of \$6635.14.

POLICY

POLICY: FOOD AND/OR ALCOHOLIC BEVERAGE SERVICE AREAS ON PUBLIC SIDEWALKS.

PURPOSE: TO ESTABLISH CRITERIA FOR ISSUING ENCROACHMENT PERMITS FOR THE PURPOSE OF ALLOWING THE SERVICE OF FOOD AND/OR ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PUBLIC SIDEWALKS.

Purpose Statement:

The purpose of this policy is to establish the process for issuing annual encroachment permits allowing the service of food and alcoholic beverages for consumption on public sidewalks adjacent to restaurants within city limits. This policy also establishes the guidelines that must be followed by the licensed facility in order to retain the permit. No alcoholic beverages may be sold, served, or consumed at the outdoor eating facility except as may be authorized pursuant to this policy.

Application:

In order to be complete, the application must contain the following information or be accompanied by the following attachments:

1. An indication that that the applicant is seeking a food only or a food and alcohol permit. To qualify for a food and alcohol permit the eating establishment must meet the definition of eating establishment contained at M.C. 5.08.015.
2. If a food and alcohol permit is sought, a copy of the subject eating establishment's liquor licenses (including beer and/or wine) must be provided. Provided however that the applicant may apply for a City liquor license at the same time.
3. A drawing or other visual depiction of the type, layout and number of tables, chairs and the stanchion and barrier system and signage to be used in the encroachment area, if applicable, as well as the width of the sidewalk along the frontage of the eating establishment and all pathway obstructions in the sidewalk across the frontage. For the purpose of this policy, obstructions include but are not be limited to light poles, building facades, trees, tree grates, umbrellas, chairs/benches, tables, partitions, or other street furniture.
4. The appropriate fee as set by resolution of the City Council.
5. The appropriate per seat sewer fee.

6. A liability insurance policy, acceptable to the City Attorney, naming the City as an additional insured in the amount of \$500,000 for property damage or bodily or personal injury or death or loss as a result of any one occurrence or accident regardless of the number of person injured or the number of claimants. The policy must remain in effect for the term of the permit and provide for specific notification to the City in the event that the policy is cancelled.
7. The intent of this policy is to allow a restaurant to serve alcohol secondary to their primary business of serving food as a restaurant. Public sidewalk seating areas may not be allowed to function as “beer gardens” or drinking areas whereby they appear to function primarily for the purpose of drinking. *For example, if the permittee curtails food service to the encroachment area at 8 p.m. the alcohol may not be served or consumed after 8 p.m. inside the permitted encroachment area.*

All applications shall be submitted to the City Clerk who will, upon compliance with this policy and other applicable laws and standards, issue the appropriate permit, which shall expire on December 31st of each year.

Design and Layout Standards:

1. The encroachment area must be designed to ensure a continuous 42” wide clear passage for pedestrians at a minimum and to ensure that the sidewalk meets ADA standards for accessible routes. In addition, the layout of the encroachment area must ensure that the tables, chairs, and any other furniture or structure placed in the encroachment area does not interfere with other sidewalk furnishing or with the ability of a person to exit a vehicle parked on the curb.
2. The design will allow for a small/modest seating area thereby reserving the majority of the sidewalk width for pedestrian travel. A minimum passage of 42” will only be approved in situations where sidewalk is narrow.
3. Outdoor eating facilities located at intersections may not place tables or other vision obstructions within the vision triangle as defined by M.C. 12.36.425.
4. The encroachment area may not extend beyond the side walls of the principal eating facility perpendicular to the street and must be contiguous to the front of the building.
5. Tables place on side streets may not be larger than 24” in diameter.

Food and Alcohol Permit Additional Design Requirements:

6. Approved semi-permanent partitions of the type depicted in this policy must be utilized to enclose the encroachment area. The stanchions must be affixed to the

sidewalk by drilling and placing a socket and cap fixture into the sidewalk with the top of the socket installed flush with the sidewalk. The stanchions must be a minimum of 36” tall and no higher than 42” and 1.5 to 2” in diameter and the socket depth must be at least 4”. The stanchions may be spaced no more than 10’ apart. An approved all weather material rope or light weight chain barrier must be securely attached to each stanchion and the building façade so as to enclose the encroachment area. The barrier must be attached in taut manner so as to maintain a rigid perimeter. If the top barrier is higher than 36”, a second barrier must be installed midpoint between the top barrier and the sidewalk. The stanchion and barriers must be locked or secured in such a manner that will prevent them from being detached or removed without the assistance of the establishment’s staff. When the stanchions are removed from the socket, a socket fixture cap must be installed and maintained in a level, secure manner.

7. A sign no smaller than 9” by 12” must be posted at a height of 5’ at each exit from the encroachment area. **The sign must read:** “It is unlawful to consume on these premises any alcoholic beverage not purchased here or to remove any open container of alcohol from the sidewalk eating area.”

Conditions of Approval:

All permit holders:

The permit, if granted by the City, is conditioned on the permittee maintaining the encroachment area in the manner depicted in the application.

In addition, the permittee must:

1. Take all necessary steps to prevent patrons, and/or employees from encroaching into the required clear passage area.
2. Maintain the encroachment area and surrounding areas in a clean and sanitary manner, including, but not limited to, maintaining appropriate trash receptacles on restaurant property as well as sweeping the full right-of-way on a daily basis. The permittee must also immediately clean any spills, food debris, broken glass and other trash which may accumulate on the sidewalk. Strict compliance with cleanliness standards is required for the public’s benefit and the encroachment area and entire business frontage must be cleaned at 7 a.m. each morning. Failure to comply with this requirement will result in loss of permit.
3. Stack all chairs at 11:00 p.m. and secure in a manner to prevent any use after 11:00 p.m.
4. Not permit any obscene or profane language. Violators must be asked to leave.

5. Ensure that all persons consuming alcohol must remain inside the barrier. No standing outside the contained area and leaning over barrier to consume or serve.
6. Enforce a “no shirt, no shoes, no service” policy for outdoor eating areas. Maintain the encroachment area and surrounding areas in a clean and sanitary manner, including, but not limited to, maintaining appropriate trash receptacles on restaurant property as well as sweeping the full right-of-way on a daily basis. The permittee must also immediately clean any spills, food debris, broken glass and other trash which may accumulate on the sidewalk.
7. Promptly comply with all requests of a duly authorized representative of the City regarding removal of stanchions, street furniture or glassware in the event the City determines that the use of stanchions, street furniture or glassware creates a public safety hazard.
8. Comply with all other local, state, or federal laws, ordinances, and regulations, including but not limited to health rules, laws pertaining to the sale and consumption of alcoholic beverages, and fire code regulations.
9. Adhere to the dates of the permit which is March 17th through October 31st annually.

Additional Conditions for Food and Alcohol Permit Holders:

The permittee must:

10. Prohibit the sale or consumption of alcoholic beverages in the encroachment area between the hours of 11:00 p.m. and 10:00 a.m.
11. Take all necessary steps to prevent patrons from leaving the encroachment area with an alcoholic beverage.
12. Must pour beverages from bottle into glass or plastic ware by employees of the restaurant provided that empty bottles are promptly removed. Wine, when purchased by the bottle, may be placed at the table or the wine may be transferred to a carafe. However, any unused portion to be removed from the premises must be packaged in a manner to prevent public consumption or an open container violation.
13. Ensure that all persons consuming alcohol remain inside the barrier which includes no standing outside the contained area and leaning over barrier to consume or serve.
14. Prohibit the use of glassware during the following events or other public events that the City determines creates a public safety hazard due to overcrowding, congestion or other public safety concerns. In the event the City determines that

glassware may not be used the City endeavor to provide as much notice as is reasonably possible given the then existing circumstances.

a. Car d' Lane

b. 4th of July

15. Employ a designated person or security person to staff the outdoor sidewalk area during Car d' Lane, Fourth of July celebration dates, as well as any other major event that the City may determine to create a safety hazard due to overcrowding, congestion of other public safety concerns to ensure compliance with permit provisions, with the City providing as much notice as reasonably possible.
16. Endure that all rollup doors and windows abutting the permitted outdoor eating area are closed at 11:00 p.m.
17. Confirm that servers must remain within the contained area and may not wait on or serve customers form the exterior of the barriers.
18. Safeguard that all approved exits remain free and clear form any obstruction including congestion.

Guarantee that portable gas appliances are not utilized on or under combustible items, including awnings, balconies etc. or utilized indoors. There may be no indoor storage of the approved gas containers. Any appliance must be a listed device with the approval agency tag attached at all times, have a tilt/tip over switch, and located a minimum of five feet from any building, combustible material, and exits with a guard to prevent a burn. The container may not exceed twenty pounds, and may not be replaced while public is present, with vales and lines tested for leaks with soap/water mixture before use. Open flame devices may not be utilized.

Denial and Revocation of Permits:

The City may enforce violations of encroachment permits authorizing sidewalk tables and chairs to be placed within a public street, sidewalk, or public right-of-way by in the following manner:

Emergency Temporary Suspension: Any encroachment permit issued pursuant to this article may be temporarily suspended by the Mayor at any time when, by reasons of an emergency, disaster, calamity, disorder, riot, traffic conditions, violation of this article or of any permit conditions, or undue burden on public services, the Mayor determines that the health safety, tranquility morals, or welfare of the public or property requires such temporary suspension. No person shall continue such activity after such notice has been delivered. The temporary suspension shall last no longer than necessary after the emergency has ended.

Written Warning: The City may issue a written notice of violation(s) to a permit holder for any violation(s) of the encroachment permit conditions or any violation of federal,

state or local law. The written warning will identify the violation(s) and require the permit holder to respond in writing within five (5) calendar days. The written response is required within five (5) calendar days of receipt of the written warning and must include an action plan and time line to address the violation(s) and address the steps taken to prevent further violations. Failure to respond as required or failure to cure any violation will result in a temporary revocation of the encroachment permit. Acceptable compliance will be determined by the City and/or any designated panel/committee.

Revocation or termination of encroachment permits:

The length of a revocation or the termination of an encroachment permit will be determined by the type of violation, the frequency of violations, the severity of a violation(s), the history of violations, the history of prior sanctions, and the continuing nature of violations as set out below.

Temporary Revocation:

Temporary revocation of an encroachment permit can be for a period not to exceed fifteen (15) calendar days for any of the following:

- Repeat violations of the encroachment permit conditions and regulations from which a written warning has previously been issued; or
- Any violation or violations listed in the criteria for encroachment permit revocations or termination section;

Short Term Revocation:

Short term revocation of an encroachment permit can be for a period not to exceed thirty (30) calendar days for any of the following:

- Circumstances which would warrant a second “Temporary Revocation” within a three (3) month time frame; or
- Any violation or violations listed in the criteria for encroachment permit revocations or termination section;

Long Term Revocation:

Long term revocation of an encroachment permit can be for a period not to exceed one-hundred twenty (120) calendar days, for any of the following:

- Circumstances which would warrant a third or successive “temporary”, or “short term” revocation within a six (6) month time frame; or
- Any violation or violations listed in the criteria for encroachment permit revocations or termination section;

Termination of Encroachment permits:

The City may revoke an encroachment permit indefinitely for:

- Circumstances which would warrant a second or subsequent “long term” or Short term” revocation within a six (6) month time frame; or
- Any single incident of sufficient magnitude to warrant such termination.

Criteria for encroachment permit revocations and termination:

The following list includes, but is not limited to, incidents and acts that may be used to support findings to justify a warning, revocation or termination of an encroachment permit:

- An encroachment permit may be revoked for any violation of the specific encroachment permit conditions as listed on the permit and permit regulations; or
- Over service of alcoholic beverages to any one person, regardless of how many beverages served;
- Service of alcoholic beverage to a person under the 21 years of age;
- Any incident wherein the permit holder or his employees allow an atmosphere of civil disturbance to occur on the public right-of-way;
- Any intentional act occurring on or being initiated on the permit holder's premises which results in serious physical injury to or death of a person;
- Any criminal or civil violation of the statutes and rules regulated by the Alcohol Beverage Control division of the Idaho State Police, whether or not criminal charges are initiated.
- Any violation of the life safety or fire code, whether or not criminal charges are initiated.
- Any incident where a person or persons identified as having consumed alcoholic beverage(s) on the permit holder's premises, which involves:
 - an act of aggression in which any object is thrown or used as a weapon in any manner; or
 - an act of aggression towards Law Enforcement and/or any other Emergency Responder; or
 - any act of civil disturbance, or inciting a civil disturbance or riot.
- Any incident occurring on the permit holder's premises, or in the immediate vicinity of the permit holder's premises, having been initiated on the permit holder's premises, or by persons at, or exiting from the permit holder's premises,
 - resulting in criminal charges amounting to a misdemeanor and/or a felony; or
 - Any verbal and/or physical altercation involving any person or persons who have been served alcohol at that premises immediately prior to the altercation, and/or whom have clearly been over served alcohol, whether at that establishment or another, whether or not criminal charges are initiated in any form, or
 - Any incident by persons identified as having consumed any alcoholic beverage on the permit holder's premises resulting in the issuance of a citation for a violation of federal, state or local law constituting a misdemeanor crime.

- Repeated complaints or reports of incidents where the permit holder has allowed an environment wherein patrons, seated in the outdoor seating area, or inside the actual premises but with any door/garage door open affording verbal access to pedestrians, make crude, sexually oriented, sexually suggestive or provocative,

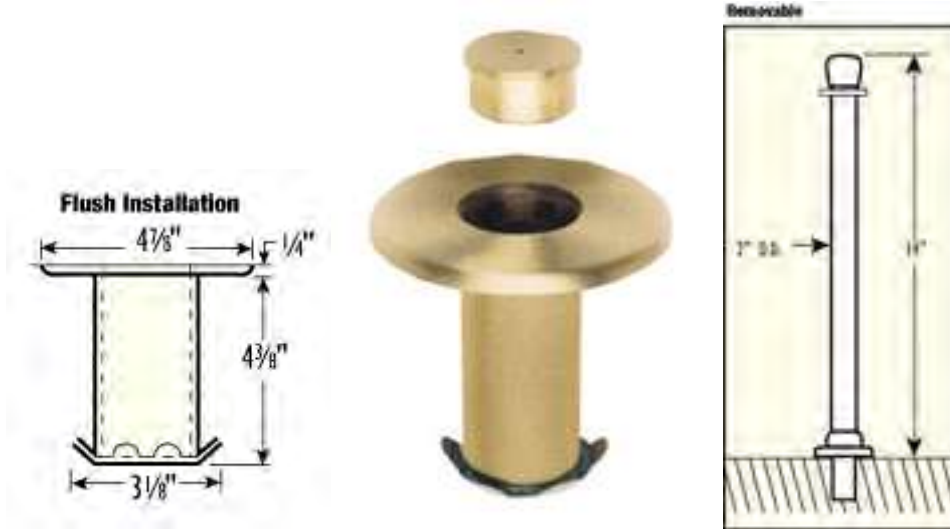
personally derogatory comments or any lewd behavior and/or gestures to pedestrians.

Appeal, notice, hearing and decision:

Upon the revocation of the encroachment permit the permit holder may appeal by filing notice of appeal within 72 hours or two (2) business days, whichever is greater, with the city clerk,. Upon the filing of such notice of appeal, the city clerk shall set a time and place for hearing and shall notify the appellant thereof. The appeal hearing shall be set within thirty (30) calendar days after the request for hearing is filed. At the hearing any person may present evidence in opposition to or in support of the appellant case. At the conclusion of the hearing, the city council shall either grant or deny the appeal, the decision of the city council shall be final.

Suggested Installation:

Typical Stanchion and Socket:



CRITERIA CHECKLIST

1	Is site swept clean and all debris and grease removed , leaving sidewalk clean before 7 a.m. daily	
2	Is the site monitored to ensure all building exit/entrances remain clear	
3	Is all alcohol removed from tables by 11:00 p.m.	
4	Is the site monitored to ensure no patrons leaving enclosed area with alcohol	
5	Is sidewalk monitored to ensure no encroachment past the designated permit area for free pedestrian passageway meeting federal ADA compliance	
6	Are all tables and chairs stacked and secured at 11:00 p.m.	
7	Are patrons using profanity or or obscene language asked to leave	
8	Are all chains, barriers etc. in good condition and attached to building	
9	Is the sign at the exit point in place stating alcohol must be purchased here & consumed here and may not be removed from the permit area	
10	Are trash receptacles in place	
11	Is the no glass rule adhered to during Car d' Lane, Fourth of July and other City designated events	
12	If open doors, is music volume turned down at 10 p.m.to adhere to City Code noise ordinance	
13	Are all patrons wearing shirt and shoes	
14	Are persons appearing intoxicated promptly removed from premises	
15	Are servers trained to recognize over-serving and stop serving that patron	
16	Are belligerent and rowdy customers removed from premise	
17	Are known trouble makers refused entrance	
18	Is Staff familiar with reasons for permit revocation or renewal denial	
19	Are garage doors, large windows closed at 11 p.m.	
20	Is congestion removed from exits and passageways clear in the event of an emergency, even during disbursement at closing time?	
21	Is an effective monitor assigned to outdoor seating area during Car d 'Lane , Fourth of July and any other major events to be determined by City with notification supplied to business	

**CITY COUNCIL
MEMORANDUM**

DATE: June 2, 2020

FROM: Hilary Anderson, Community Planning Director

RE: Discussion of Rebound Downtown Coeur d'Alene Proposal that includes the possibility of closing off portions of Sherman Avenue and allowing more parklets to help respond to COVID-19 by allowing the local businesses to expand outdoors onto sidewalks and/or the street in front of their business.

DECISION POINT:

Should the City Council allow the expansion of downtown businesses onto sidewalks and portions of the street right-of-way this summer to help respond to COVID-19? Staff is recommending Option B, which would keep Sherman Avenue open to traffic.

Proposed options include:

- **Option A:** To close Sherman Avenue from 2nd to 6th Avenues to vehicular traffic but keep the center lane open for emergency vehicles, allow businesses to expand out onto the sidewalks and street in front of their businesses with temporary ADA ramps to accommodate disabled community members, and allow parklets (constructed platforms, like the one in front of Moon Time, that are typically the size of one or two vehicles next to the sidewalk that create a place for expanded outdoor restaurant seating, and public space in some communities) and temporary sidewalk extensions/raised pedestrian detours on north-south streets, Lakeside, Coeur d'Alene and Front Avenues for businesses who would like to participate. The north-south streets would remain open for vehicular traffic. This program could start as early as June, with Council approval, and go through Labor Day.
- **Option B:** To keep Sherman Avenue open to vehicular traffic and allow businesses to have parklets and expanded sidewalk usage with sidewalk extensions on Sherman, Lakeside, Coeur d'Alene and Front Avenues, and north-south streets for businesses who would like to participate) in the Downtown. This program would require the construction of parklets and temporary sidewalk extensions/raised pedestrian detours for all participating businesses, which would delay the start date until July, with Council approval, and go through Labor Day.

HISTORY:

The City and Downtown Association were approached by several community members in early May asking us to consider closing off portions of Sherman Avenue and/or to allow parklets so that restaurants could have additional outdoor seating. The City Council and staff then received the written proposal from downtown property owner Jack Riggs, M.D. on 5/13/20. A few days later, Gynii Gilliam, President & CEO of the Coeur d'Alene Area Economic Development Corporation (CDA-EDC), emailed the Cities of Coeur d'Alene, Post Falls, Hayden and Rathdrum encouraging them to allow businesses to expand outside and possibly close off portions of Sherman Avenue in the Downtown to assist businesses to recover and respond to COVID-19.

In initial discussions between City staff and the Downtown Association in early May, the thought was to wait until spring 2021 to allow more time to come up with design standards for parklets in the downtown and other

business districts. That would also allow time for staff to draft a code amendment to the Zoning Code to formalize parklets in the City's business districts. (It should be noted, that there is already an action item in the DRAFT East Sherman Revitalization Plan and an action item in the draft policy document of the Envision Coeur d'Alene project – Comprehensive Plan Update – to amend the Zoning Code to formally allow parklets in the City's business districts and to come up with design standards.) But once the proposal was received from Jack Riggs, the groups agreed to meet with the group to discuss the idea for this year.

The proposal by the Coeur d'Alene Main Street Coalition (Proposal A) was brought forward by Jack Riggs, M.D., who is a building owner in the downtown. The proposal was sent to the Mayor and City Council on 5/13/20. The coalition's proposal and request are as follows,

“While business owners and operators attempt to safely revive the economy of Coeur d'Alene, the City should allow ALL businesses, retail and food/beverage alike, to **use and control the entire sidewalk and parking lane in front of their establishments** to provide much greater space to conduct their business in accordance with government mandated social distancing provisions, allowing much greater opportunity for outdoor business activities.

The City should **temporarily close Sherman Avenue from 2nd street to 7th street to all vehicle traffic**, as they do for the annual street fairs and other events. Also for consideration could be closing Main Street in Riverstone and select side streets adjacent to 4th Street in Midtown.

Further, the center two lanes of the **closed streets should be dedicated to foot traffic**, with suggested directional flow, to promote social distancing among pedestrians which cannot be accomplished right now on most city sidewalks under current conditions. This will **engender confidence in customers** that they can come to the downtown area without risking unsafe congestion.

Businesses would **abide by all ordinary City ordinances** which currently apply to the business use of sidewalks. Food establishments would be allowed and encouraged to include use of this space in their plans submitted for approval to Panhandle Health District to facilitate safer business opportunities and better protections for customers.

We know this vision can be accomplished, as it is the same approach as is taken with our annual street fairs – minus the street vendors – but instead **significantly supporting our critical hometown businesses** in this difficult time. This is indeed **an emergency** as we struggle to get back on our feet. Your **quick action is requested** as we all struggle to maintain our businesses and prepare to begin **safely reopening our city** in May and June.”

Jack Riggs' email with the proposal stated, *“As a downtown building owner, a proposal was introduced to me last week (see attached), and medically I feel it has great merit. I have discussed this briefly with Panhandle Health who agrees that, in addition to basic social distancing, coronavirus transmission risk is greatly reduced in the outdoors.”* The full proposal is attached to this staff report.

City staff met with Jack Riggs, Jennifer Drake, Ben Drake, Bill Reagan, and Terry Cooper and Emily Boyd from the Downtown Association on 5/19/20 to discuss the proposal and discuss possible logistics for the concept. The group decided that before bringing this item to the City Council, it was important to survey the downtown businesses to gauge their level of support so that the Council could make an informed decision.

Several concepts were also discussed, including closing off portions of Sherman Avenue from 2nd to 6th Streets (versus 7th Street as included in the proposal), the need for a fire lane, ADA access, and the possibility of

constructing parklets and sidewalk extensions on the side streets and even for some of the businesses on Sherman Avenue, as well as what it would look like for businesses to use a portion of the street right-of-way if the roadway was closed off to vehicular traffic and the possibility of one-way vehicle traffic on Sherman Avenue. The survey that the Downtown Association sent out to all Downtown businesses included various concepts and requested feedback from the businesses.

Email sent out to Downtown businesses on 5/21/20:

From: Emily Boyd <Emily@cdadowntown.com>
Sent: Thursday, May 21, 2020 2:29 PM
Cc: Terry Cooper <Terry@cdadowntown.com>; WIDMYER, STEVE <SWIDMYER@cdaid.org>; ANDERSON, HILARY <HANDERSON@cdaid.org>
Subject: INPUT NEEDED: Rebound Downtown Coeur d'Alene Proposal

Downtown Businesses:

In response to COVID-19, many communities are opening their sidewalks and streets to help the businesses spread out and comply with social distancing. The Downtown Association has been working with the City of Coeur d'Alene and a few downtown businesses and building owners to explore opportunities in the short-term and possibly the long-term to allow businesses to have additional dining and shopping space. The dates we are exploring for a possible Rebound Downtown Coeur d'Alene program would be June through Labor Day.

There are multiple concepts being explored and different ways they may be implemented. Some of which can be done independently or can be combined with another concept. Some options include: removing all vehicle traffic from Sherman, diverting to one-way vehicle traffic, removing parking spaces, re-routing pedestrian foot traffic etc.

CONCEPTS:

SHERMAN AVE. PEDESTRIAN ONLY ZONE: close Sherman Avenue from 2nd to 6th Streets to vehicles from June to Labor Day. The north-south streets would remain open. Traffic would be detoured onto Lakeside Avenue. Additional wayfinding signage to the public parking lots would be installed in and around downtown and additional signage regarding social distancing would be added to the entrances to the blockaded areas. The closing of Sherman Avenue could provide a safe environment to allow businesses to expand outdoors, and for pedestrians to use the street (similar to the street fair). The center of the roadway would remain open for pedestrian use, and to accommodate emergency and service vehicles, and the occasional oversize vehicles (after business hours).

PARKLETS: A parklet is an extension of the sidewalk that replaces parking with a space that can provide amenities for people. A local example of a parklet is in front of Moontime. The complexity and usage of a parklet may vary. This concept could stand alone or be combined with closing Sherman.

Parklet



SIDEWALK USAGE EXPANSION: Businesses would be permitted to expand the entire width of the sidewalk the length of their business and pedestrian traffic would be redirected into a parking space or through the street if it is closed to traffic. This option, with the temporary wraparound sidewalk, would be available to businesses on the north-south streets and Lakeside Avenue. This concept could stand alone or work with closing Sherman.



We would like your input to help evaluate the best options. If the sidewalks and/or portions of the street are available for business use, there will be limitations on the space available to each business (based on your business street frontage), standards for how the outdoor display/eating space is used and maintained, including cleaning, responsibility for set up and takedown, hours of operation, etc. Temporary ramps for ADA accessibility would also be a requirement to ensure that businesses are accessible. Businesses would be expected to assist with the cost of the temporary improvements and bear the full cost and responsibility of their outdoor space improvements, including the construction of any parklet. Additionally, businesses may be required to move parklets or any obstructing materials for special events.

Please give us your input and click the link to take a quick survey. We welcome any conversation on the concepts. Based on the survey responses, the Downtown Association and City of Coeur d'Alene will put together a proposal that would go to the City Council on June 2nd. **The survey will be available until Friday, May 29 at Noon.**

Thank you,

Emily Boyd | Events Coordinator
Coeur d'Alene Downtown Association
105 N. First Street Coeur d'Alene, ID 83814

Other communities across the country are opening up their sidewalks and streets, and allowing parklets to allow businesses more room to provide social distancing to help them rebound and respond to COVID-19. Examples include:

- Boise
- Spokane
- New York
- Tampa
- Cincinnati
- West Chester
- St. Petersburg
- Sacramento

There are other examples of communities globally who convert streets to pedestrian zones during various seasons, and some have done so year-round. The proposal at this time is to provide relief to businesses this summer. But the idea was left open that it may be beneficial in future years on a seasonal basis – which would require additional discussions and approval by the City Council.

PERFORMANCE ANALYSIS:

The concept of a parklet is not new to Coeur d’Alene. In 2018, the City Council supported the East Sherman pilot project that included a parklet in front of Moon Time. The parklet has been very popular and continues to be used on a seasonal basis by Moon Time patrons.



Parklets are a popular concept nationally and internationally. Examples can be seen in Spokane, Boise, and Nelson, BC. Spokane and Idaho Falls both have design specifications for parklets that are attached to this staff report.

The Moon Time parklet was designed to fit within two diagonal parking stalls. The concept that is proposed for Downtown would be parklets that are designed to fit within one or more parallel parking stalls as shown below. A parking stall is typically 9'x20'. One parking stall could fit 2 tables while still meeting the 6' spacing requirement for social distancing. A parklet that is the length of two or more parking stalls could fit up to 5 tables depending on the size of the tables, while meeting the 6' spacing.



Some communities also allow businesses to take up the full width of the sidewalk if they provide a sidewalk detour that extends into the street right-of-way. In Penticton, BC, it is referred to as a “treadway.” Communities that have allowed for this application include:

- Penticton, BC
- Nelson, BC,
- The Dalles, OR

Temporary Sidewalk Extension/Pedestrian Detour example:



Sherman Avenue and other downtown streets are regularly closed down for events. On an annual basis, The Downtown Association supports five events in the downtown each summer that close off all or portions of Sherman, Lakeside, and 6th Street, and additional closures for parades and races as noted below.

- Farmers Market
- Car D’Lane
- Street Fair
- Lighting Ceremony Parade
- St. Patrick’s Day Parade
- 4th of July Parade
- Kiddies Parade
- Ironman 70.3
- Coeur d’Fondo
- CDA Marathon

There have been recommendations in the past to convert Sherman Avenue and Lakeside Avenue into one-way streets, and proposals to close Sherman Avenue off to vehicle traffic year-round.

What is being proposed at this time is a temporary change to allow businesses to rebound by expanding out onto the sidewalk and street in front of their storefront, at their sole cost, to provide fresh air and space to respond to COVID-19. The request is just for the summer of 2020. Although businesses were also asked in the survey if they would support this program seasonally in future years as well. That would be a discussion and decision at a future date.

Feedback on the proposals:

The Downtown Association's Survey on the Rebound Downtown Coeur d'Alene proposal is open for one week from 5/22-5/29/20. As of 5/27, 34 businesses had responded. A brief summary is provided below, and results of the survey data is included as an attachment. The complete survey results will be shared after the survey closes on Friday.

Of the participating businesses, 26 are located on Sherman Avenue, three are on Lakeside Avenue, three are on Coeur d'Alene Avenue, and two are on 4th Street. Fifty-two percent (52%) of respondents said Sherman Avenue should be closed to traffic and become a pedestrian only zone this June through September, 42 percent said no, and 5% had a response of "other." Forty-two percent (42%) of respondents were in favor of the parklets and expanded sidewalks, 34% didn't like either concept, almost 11% liked the parklets, and almost 8% liked the expanded sidewalks. Fifty-five percent (55%) of respondents thought restaurants and retail should be able to use parklets and expanded sidewalks. Of those on Sherman, 15 support the closure of Sherman Avenue and 11 oppose the closure. The businesses located on Lakeside Avenue, Coeur d'Alene Avenue, and 4th Street had mixed results. The restaurants strongly favor closing Sherman Avenue and the retail businesses have the majority of respondents opposed to closing Sherman Avenue. The restaurants strongly favor the parklet and expanded sidewalk options. The retail businesses had more of a mixed response with three in favor of parklets, one in favor of expanded sidewalks, three in favor of both options, and six not in favor of either option. The professional office businesses had mixed results, the one salon was not in favor of either concept, and the one business identifying as "other" liked both concepts.

The Mayor and City Council have received emails stating both opposition and support for closing down portions of Sherman Avenue. Comments have been received from the following individuals to date:

- Garth Merrill, Fleet Feet owner – opposes closing down Sherman Avenue
- Gary & Tina Johnson, downtown resident – opposes closing down Sherman Avenue
- Andy Isaacson – opposes closing down Sherman Avenue
- Iain Smith – supports closing down Sherman Avenue
- Carl and Peggy Johnson – oppose closing down Sherman Avenue

The Coeur d'Alene Press did a story on 5/24/20 about the proposal. The article was shared online on 5/26 and as of 5/27, there were close to 400 comments on the Coeur d'Alene Press Facebook page. Business owners quoted in the 5/24 article in the CDA Press were split in their opinions:

- Danelle Reagan, owner of the Vault Coffee Shop – supports closing down Sherman Avenue
- Mark Rogers, owner of The Leather Works – opposes closing down Sherman Avenue

There was an Editorial in the Coeur d'Alene Press on 5/27/20 supporting the idea of closing off Sherman Avenue this summer to vehicular traffic to help businesses respond to COVID-19.

Performance standards:

In discussions with the Downtown Association, City staff, and business/property owners, all parties agreed that there would need to be performance standards outlined if this proposal is to move forward.

Items that were discussed included:

- Mandatory compliance and the ability to revoke privileges. There would be a provision that the City has the sole discretion to terminate the ability of a business to continue operating in the space if they violate the rules. They would be given one warning.
- Participating businesses would be made aware that the Police would patrol the area to ensure compliance.
- Hours of operation: 10pm was the proposed cutoff for serving alcohol in parklets and expanded sidewalk seating (not already permitted) – if there was support for allowing alcohol in the parklets.
- Owners would be responsible for securing their outside seating and bringing in any merchandise.
- The cost incurred for parklets and any additional seating, displays, lighting, umbrellas, etc. would be at the expense of the business owners.
- Participants would be required to remove their parklet for events, such as Car D' Lane and 4th of July.

City staff from the Planning, Streets & Engineering, and Building Departments discussed the design specifications that would be required for parklets and sidewalk extensions. A summary of the proposed specifications is outlined below. It was also discussed that inspections by the City's Building Department should be required prior to occupancy. The Fire Department may also want to inspect the parklets to ensure that they are not a fire hazard. The temporary ADA ramps would be built according to the Temporary Traffic Control Guide by the City of Portland (see attached).

Parklet Design Specifications:

- Size (8x20 minimum size) – will be dependent upon business frontage. 4' buffer on either end with curb stops and reflective bollard at outside corners for nighttime visibility.
- Construction – see attached guidelines from Spokane and Idaho Falls
- Railings, fencing, planters, or a combination
- Seating capacity dependent on length of parklet – generally 4-6' per occupied table and 6' spacing in between tables would allow 2 tables in a small single-car parklet and as many as 5 tables in a 35' parklet.

Temporary Sidewalk Extension/Raised Pedestrian Detour Design Specifications:

- 42-48" with corners at least 48" wide for ADA compliance
- Railings
- Rails for cane sweep installed at 4' above the walkway for ADA compliance
- Walking surfaces that are slip resistant

Theoretically, a business could have a combination of a parklet and expanded sidewalk space if accessibility is maintained and a 42-48" sidewalk extension can be constructed in the right-of-way without extending into the street more than 8' from the curb (as measured from the outside decking and railing).

If the City Council supports either option, City staff would work with the Downtown Association to process either an encroachment permit and/or a special event permit and work on an agreement that includes a map of all the parklets, outdoor business areas, sidewalk extensions, and language that gives the City full authority to revoke privileges of businesses that are not in compliance. Many of the restaurants already have

encroachment permits for sidewalk seating. Their liability insurance and indemnity for the expanded seating areas onto the sidewalk and/or in parklets would be covered by their existing permits.

FINANCIAL ANALYSIS:

The cost of the two proposals would vary, as described below. Both scenarios would involve some additional signage and temporary ADA ramps.

Option A would be handled similar to a regular event in the Downtown that requires barricades and detours. The Downtown Association maintenance staff would be able to handle most of the setup and takedown, with some assistance from the Streets & Engineering Staff for the larger jersey barriers. The Fire Department would do an inspection to ensure that the center lane is accessible to emergency vehicles. The estimated cost would be the cost of a high impact event, which is \$750 plus a \$1,000 security deposit. Any parklets or sidewalk extensions under this option would be paid for by the participating businesses.

Option B would largely be paid for by each business owner. The participating businesses would be responsible for their parklet/sidewalk extension, including costs, construction, and installation, and removal/storage during events and the offseason. Staff does not propose the event fee under this scenario since roadway closures and coordination would not be required beyond the inspection of the parklets and temporary sidewalk extensions.

Some midblock ADA ramps would be needed under both scenarios. The cost of the temporary ADA ramps would be incurred by the participating businesses on that block. The Building Department is calculating the approximate cost of the temporary ramps. That information will be shared at the Council meeting.

The City would pay for additional Public Parking signage and installation. The Downtown Association would work with the businesses to do Social Distancing signage at intersection corners and on parklets. It is anticipated that the social distancing signage would be produced on corrugated plastic, which is weather proof, durable, and reasonably priced. The social distancing signs would be installed at intersection corners on light/sign posts and smaller signs could be posted on parklets.

RECOMMENDATION:

Staff recommends Option B because it has the least impact on the non-participating businesses, and allows two options for businesses to participate without the need to close Sherman Avenue. This option is also in support of other efforts by staff to allow parklets in business districts throughout the City, which would be beneficial even beyond COVID-19.

DECISION POINT:

The City Council should allow the expansion of downtown businesses onto sidewalks and portions of street right-of-way this summer (through Labor Day), to help respond to COVID-19. The Council will need to decide if they support Option A, Option B, or some other variation, or neither, and provide appropriate direction to staff to work with the Downtown Association to bring back more details in the form of an agreement that will accompany the special event/encroachment permit to allow the expanded business usage of City right-of-way.

Attachments:

- Proposal by the Main Street Coeur d’Alene Coalition
- Preliminary Survey Results (reported on 5/27/20)
- City of Spokane Parklet specifications
- City of Idaho Falls Parklet specifications
- Temporary ADA Ramp designs

To: **Mayor Widmyer & Cd'A City Council**
From: **Coeur d'Alene Main Street Coalition**
Re: **Coeur d'Alene Rebounds Proposal**

May 13, 2020

All of Coeur d'Alene's businesses are looking forward eagerly, but with some concern, to the prospective Stage 2 phased re-opening to begin on May 16 under Governor Little's "**Idaho Rebounds**" plan.

Under the Governor's plan, **all businesses must have an operating plan** in place prior to opening. Food and beverage establishments must submit operating plans for approval by Panhandle Health District. The plan must include protocols addressing each of the following areas: employee health and hygiene, physical distancing, waiting areas, dining areas, cleaning and disinfection.

Meeting these requirements will be extremely difficult, and perhaps impossible, for many Coeur d'Alene businesses because **they simply do NOT have the physical space to meet these requirements and still operate viably**. This is particularly true in the Coeur d'Alene downtown where physical space is very limited, but this could also apply to Midtown and Riverstone.

For restaurants, maintaining six (6) feet of physical distance among employees and patrons will result in reduced capacity (50% or less) with table service farther apart and other provisions. Similar reduced capacity will also be required of retail businesses. Fortunately, **OUTDOOR VENUES are actively promoted** as much better to protect against coronavirus infections. **Fortunately, our City government can and should help!**

Coalition Proposal & Request:

While business owners and operators attempt to safely revive the economy of Coeur d'Alene, the City should allow ALL businesses, retail and food/beverage alike, to **use and control the entire sidewalk and parking lane in front of their establishments** to provide much greater space to conduct their business in accordance with government mandated social distancing provisions, allowing much greater opportunity for outdoor business activities.

The City should **temporarily close Sherman Avenue from 2nd street to 7th street to all vehicle traffic**, as they do for the annual street fairs and other events. Also for consideration could be closing Main Street in Riverstone and select side streets adjacent to 4th Street in Midtown.

Further, the center two lanes of the **closed streets should be dedicated to foot traffic**, with suggested directional flow, to promote social distancing among pedestrians which cannot be accomplished right now on most city sidewalks under current conditions. This will **engender confidence in customers** that they can come to the downtown area without risking unsafe congestion.

Businesses would **abide by all ordinary City ordinances** which currently apply to the business use of sidewalks. Food establishments would be allowed and encouraged to include use of this space in their plans submitted for approval to Panhandle Health District to facilitate safer business opportunities and better protections for customers.

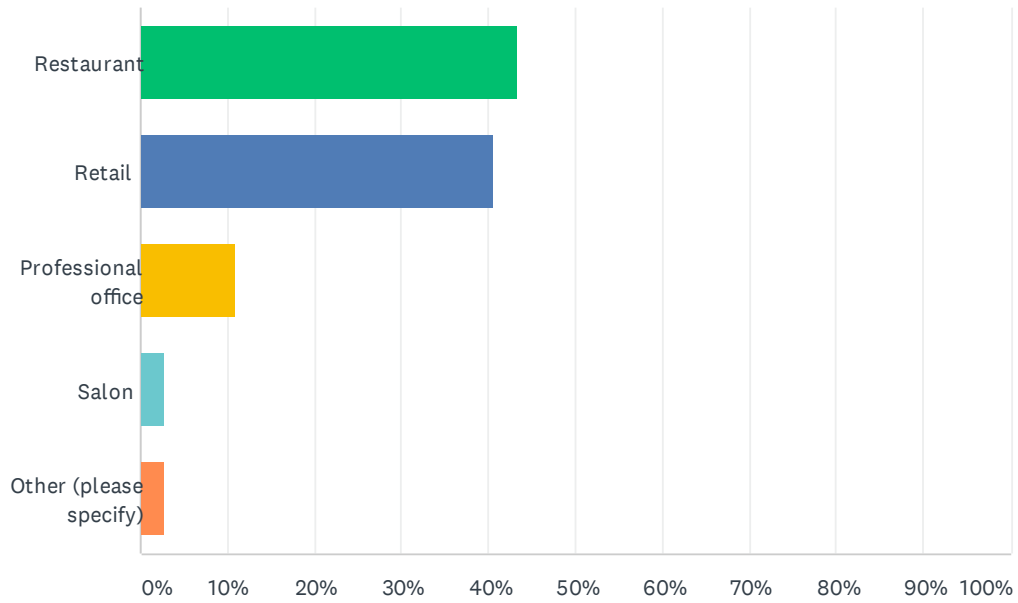
We know this vision can be accomplished, as it is the same approach as is taken with our annual street fairs – minus the street vendors – but instead **significantly supporting our critical hometown businesses** in this difficult time. This is indeed **an emergency** as we struggle to get back on our feet. Your **quick action is requested** as we all struggle to maintain our businesses and prepare to begin **safely reopening our city** in May and June.

Respectfully,

Coeur d'Alene Main Street Coalition

Q4 Please select the type of business you are:

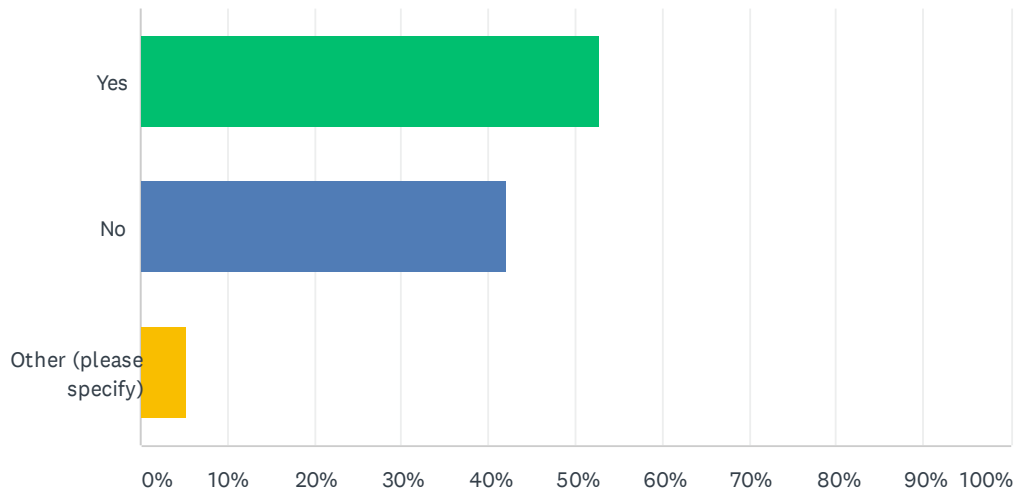
Answered: 37 Skipped: 1



ANSWER CHOICES	RESPONSES	
Restaurant	43.24%	16
Retail	40.54%	15
Professional office	10.81%	4
Salon	2.70%	1
Other (please specify)	2.70%	1
TOTAL		37

Q5 Should Sherman Avenue from 2nd Street to 6th Street be closed to traffic and become a pedestrian only zone this June – September?

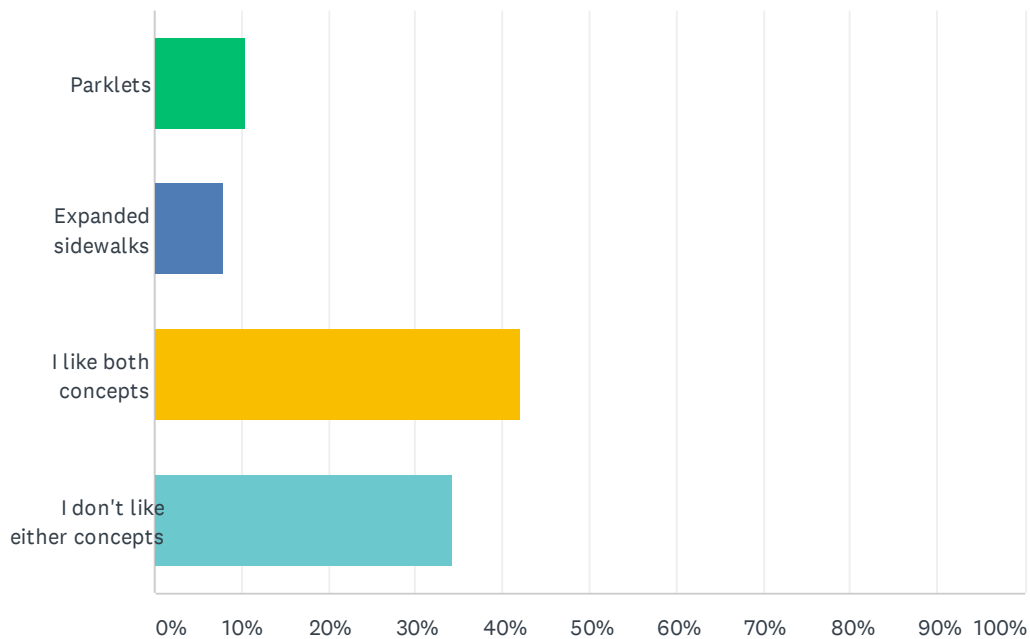
Answered: 38 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	52.63%	20
No	42.11%	16
Other (please specify)	5.26%	2
TOTAL		38

Q6 Do you prefer the concept of parklets and/or expanding the sidewalk area you can utilize?

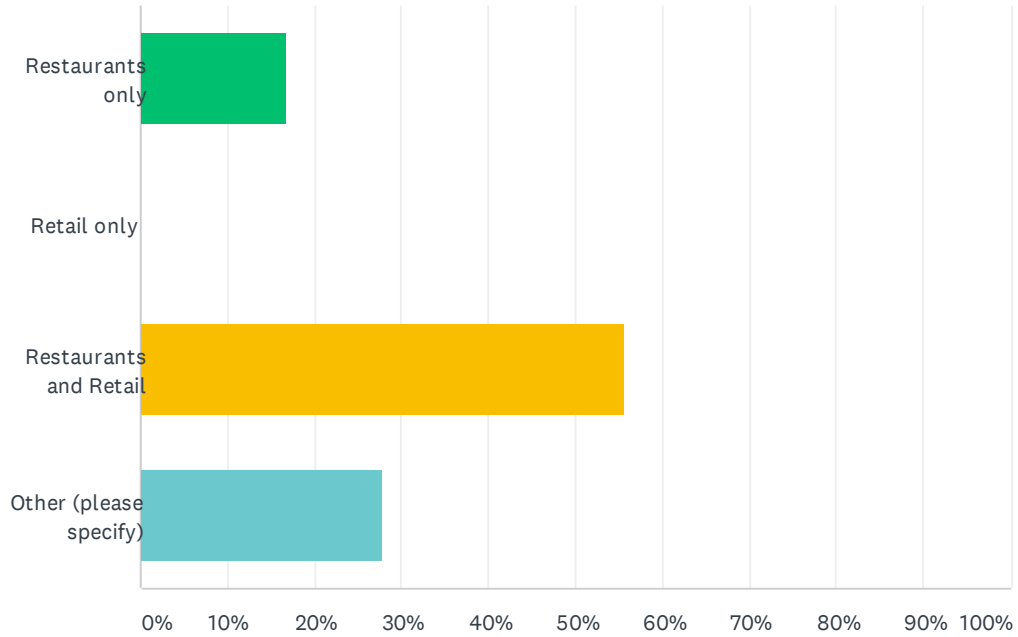
Answered: 38 Skipped: 0



ANSWER CHOICES	RESPONSES	
Parklets	10.53%	4
Expanded sidewalks	7.89%	3
I like both concepts	42.11%	16
I don't like either concepts	34.21%	13
TOTAL		38

Q7 Who should be able to expand into the sidewalk/parklet areas?

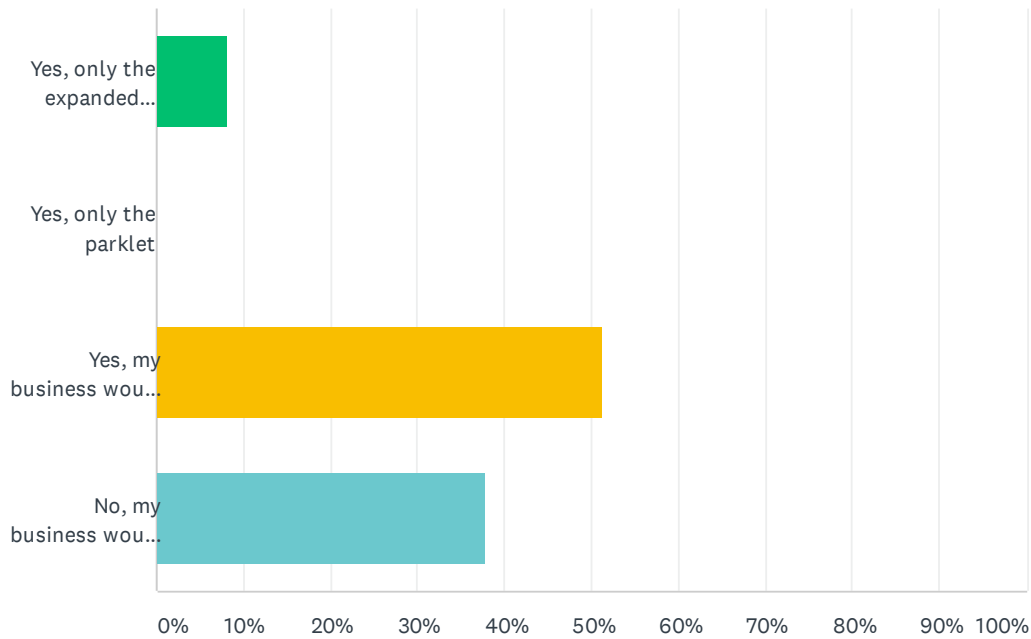
Answered: 36 Skipped: 2



ANSWER CHOICES	RESPONSES	
Restaurants only	16.67%	6
Retail only	0.00%	0
Restaurants and Retail	55.56%	20
Other (please specify)	27.78%	10
TOTAL		36

Q8 If given the opportunity, would your business utilize the expanded sidewalk usage/parklet?

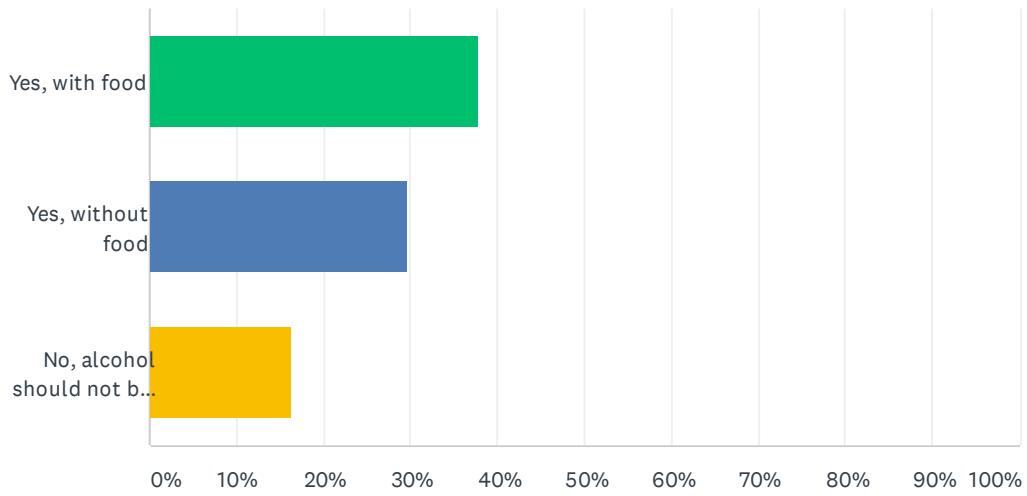
Answered: 37 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes, only the expanded sidewalk	8.11%	3
Yes, only the parklet	0.00%	0
Yes, my business would utilize either options if provided	51.35%	19
No, my business would not utilize any of the options	37.84%	14
TOTAL		37

Q9 Do you think alcohol should be permitted inside the parklets (until 10pm)?

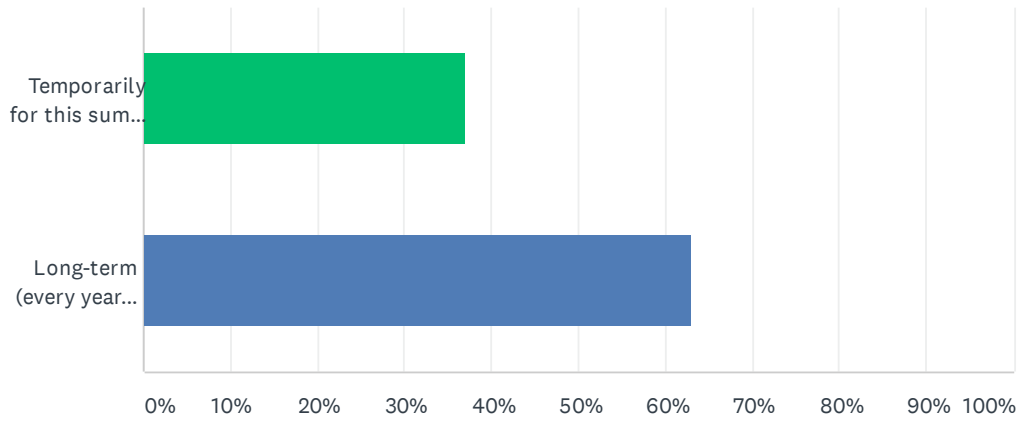
Answered: 37 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes, with food	37.84%	14
Yes, without food	29.73%	11
No, alcohol should not be permitted within parklets	16.22%	6
TOTAL		37

Q10 Would you like to see the concept of closing Sherman Avenue occur:

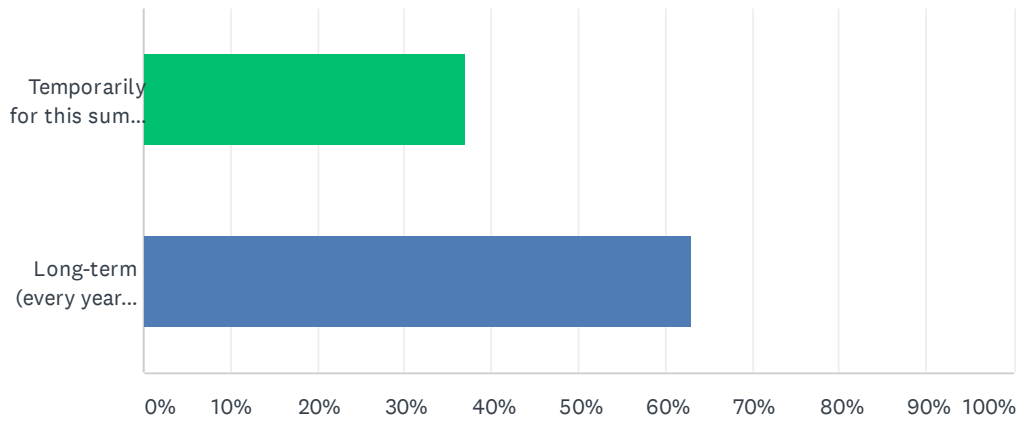
Answered: 27 Skipped: 11



ANSWER CHOICES	RESPONSES	
Temporarily for this summer only, as we rebound from COVID-19	37.04%	10
Long-term (every year from Memorial Day to Labor Day)	62.96%	17
TOTAL		27

Q11 Would you like to see the concept of parklets/expanded sidewalk usage:

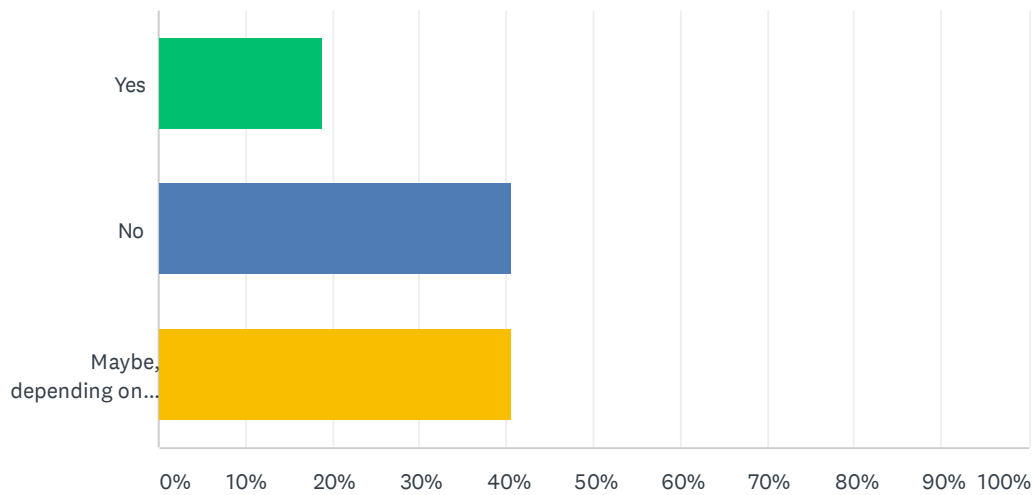
Answered: 27 Skipped: 11



ANSWER CHOICES	RESPONSES	
Temporarily for this summer only, as we rebound from COVID-19	37.04%	10
Long-term (every year from Memorial Day to Labor Day)	62.96%	17
TOTAL		27

Q12 Are you willing to pay (in part or full) for a temporary ramp to service your business?

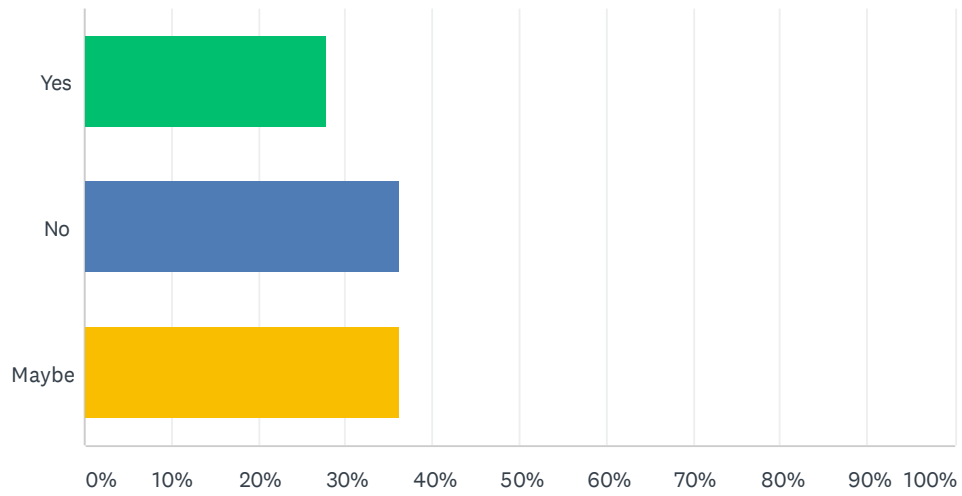
Answered: 37 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	18.92%	7
No	40.54%	15
Maybe, depending on the cost	40.54%	15
TOTAL		37

Q13 Are you willing to assist in the construction of temporary ramps to serve the businesses?

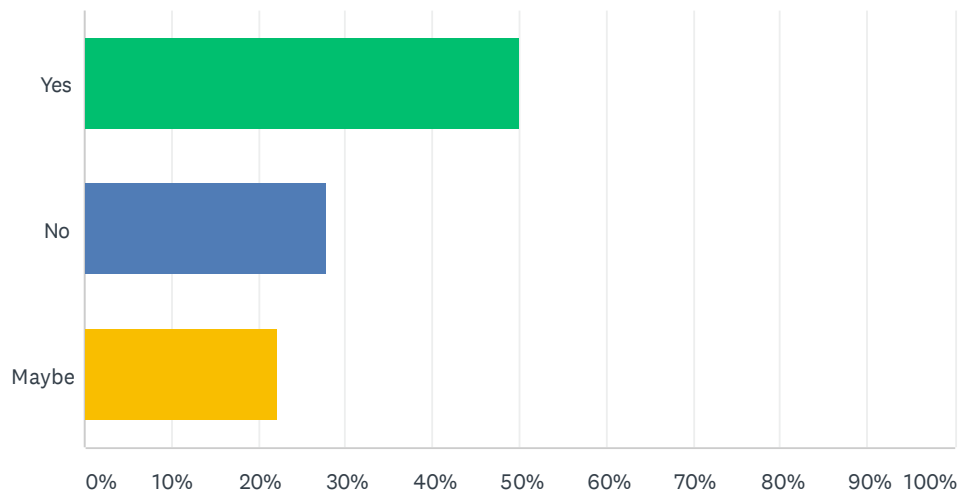
Answered: 36 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	27.78%	10
No	36.11%	13
Maybe	36.11%	13
TOTAL		36

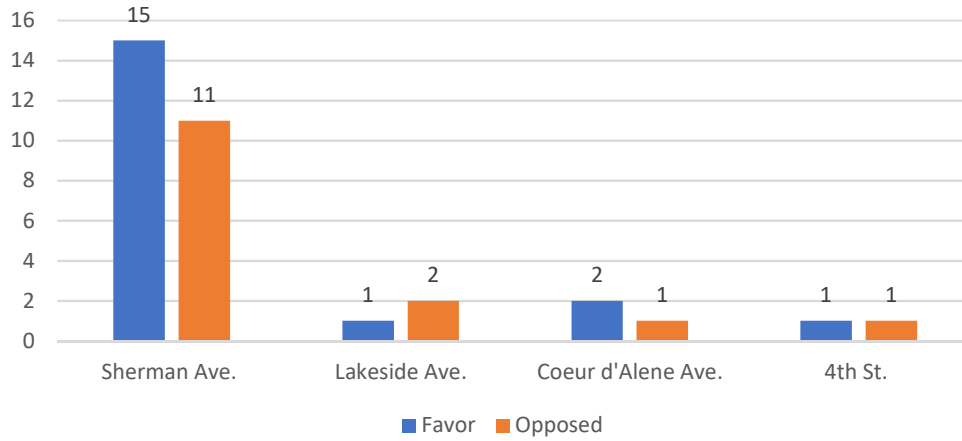
Q14 Are you willing to move parklet and/or any obstructing items for special events?

Answered: 36 Skipped: 2

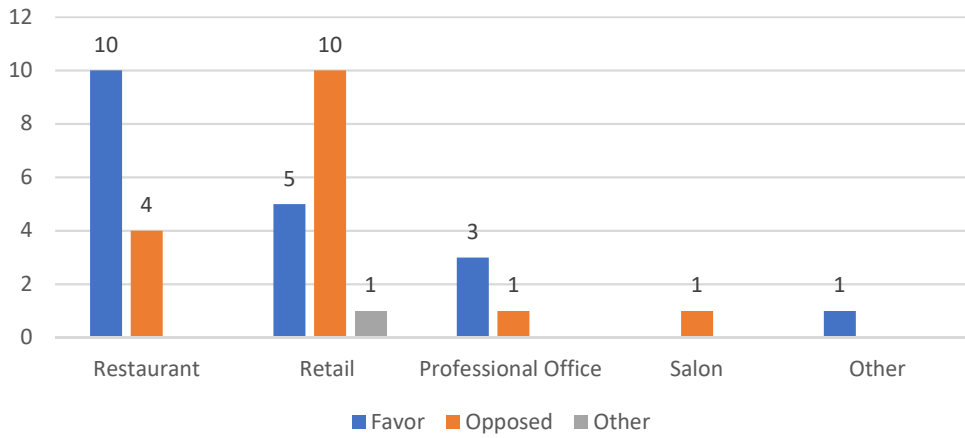


ANSWER CHOICES	RESPONSES	
Yes	50.00%	18
No	27.78%	10
Maybe	22.22%	8
TOTAL		36

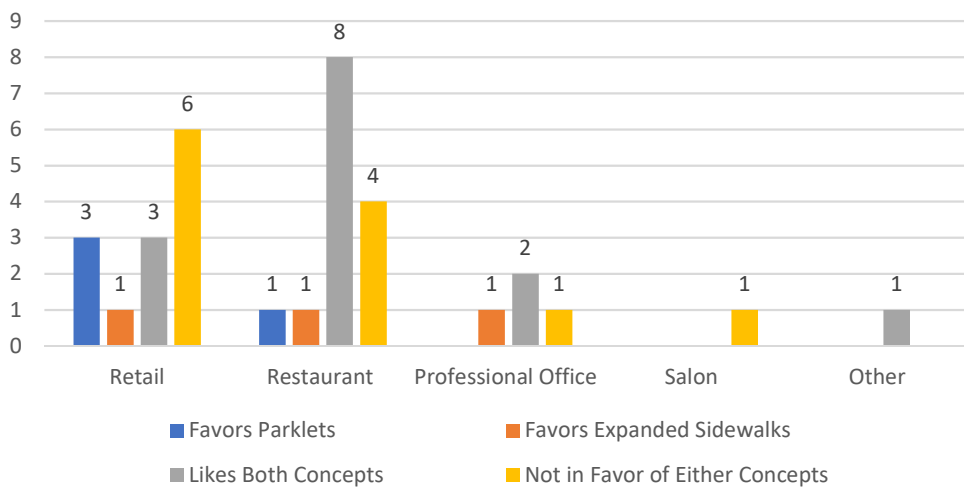
Closing Sherman:
Categorized by Business Location



Closing Sherman:
Categorized by Business Type



Parklets and Expanded Sidewalks



General Requirements

1. Wheel stops shall be installed one foot from the curbline at the edge of the parking spaces in front of and behind the parklet/streatery.
2. Safety elements (Safet-Hit® Durapost) are required at the outside corners of the parklet/streatery.
3. Maintain curbline drainage. Parklet/streateries shall not block storm water drainage, fire hydrants, transit stops, driveways, manholes, or public utility valves/covers.
4. The parklet/streatery shall be flush with the curb (no more than 1/2" gap), level with the adjacent sidewalk, and must be accessible at several locations by pedestrians.
5. Buffer zone - the parklet/streatery shall be located at least four feet from the wheel stops.
6. The outside edge and railings must not create a visual buffer.
7. There must be one foot setback from the edge of an adjacent bike lane or vehicle travel lane and shall have an edge to buffer the street. This edge can take the form of planters, railing, cabling, or some other appropriate buffer. The height and scale of the buffer required will vary depending on the context of the site.
8. The parklet/streatery frame should be a freestanding structural foundation that rests on the street surface or curb. No features or structural components may be permanently attached to the street, curb, or adjacent planting strip.
9. Parklets/streateries must be designed for ADA compliance and shall be easily removable if/when necessary.
10. Parklets/streateries shall only be installed on streets with a grade no greater than 5 percent.
11. In general, parklets/streateries should be placed at least one parking space from corners. The presence of a bulb-out, an on-street bicycle corral, or some other physical barrier may allow the City to allow placement closer than that.
12. Parklets/streateries shall be placed no closer than 15 feet from catch basins or fire hydrants.
13. In no case shall any portion of the parklet/streatery, or any furniture placed upon it, obstruct the view of a traffic control device.

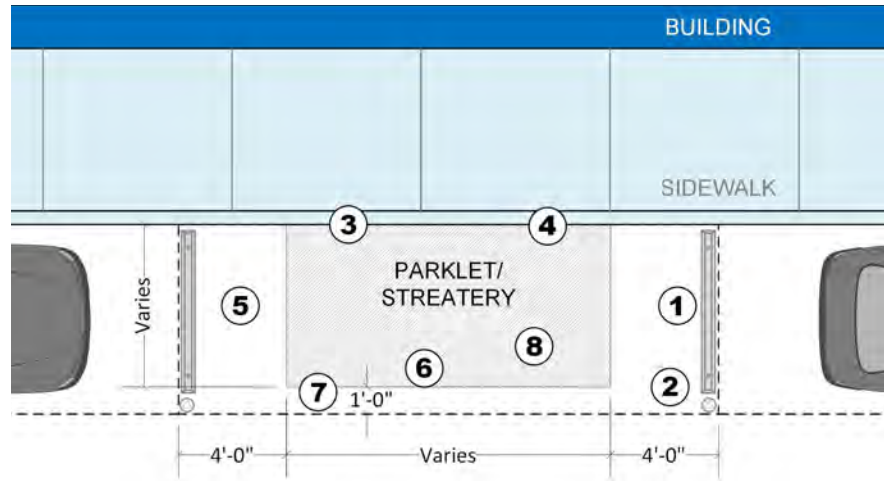
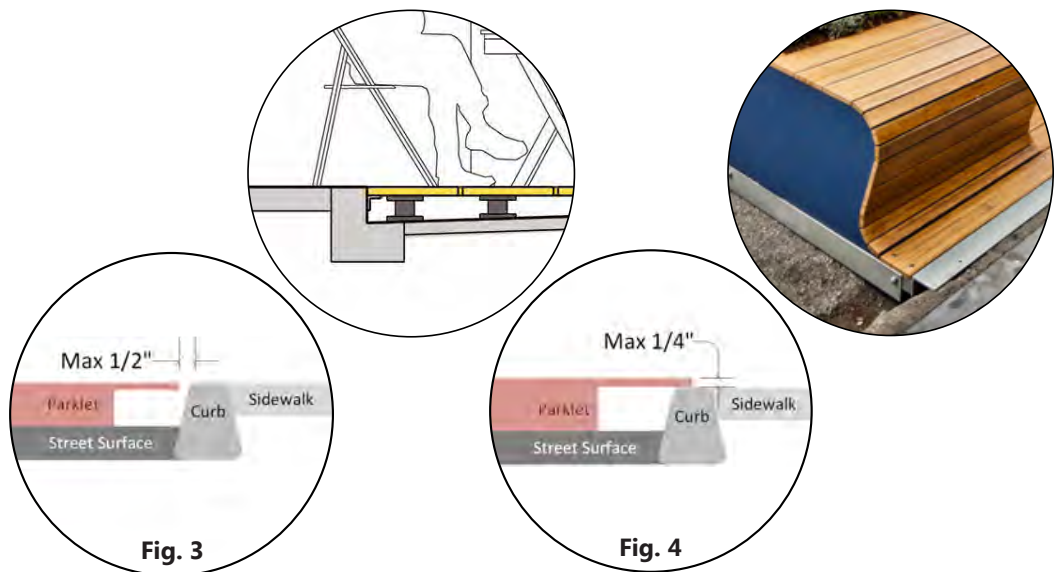


Fig. 1 - SINGLE SPACE PARKLET/STREATERY FEATURES AND DIMENSIONS

Curb Interface

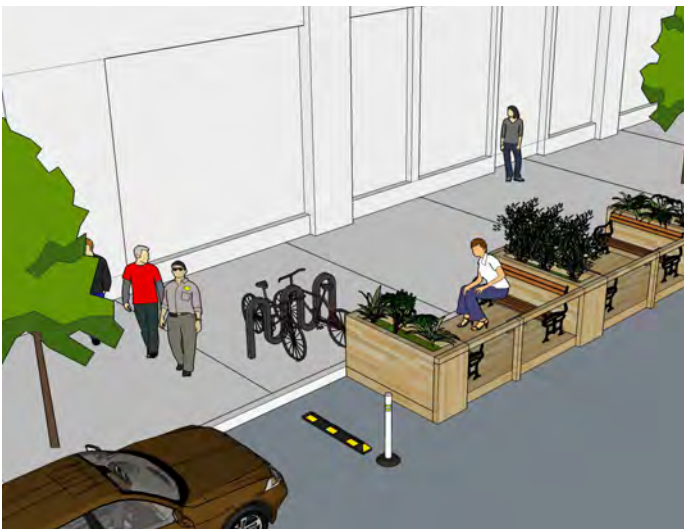
- Parklet/streatery design shall allow for stormwater flow and drainage along the curb.
- The maximum horizontal gap between the curb and the parklet surface shall be 1/2 inch.
- The maximum vertical gap shall be 1/4 inch.
- The parklet/streatery must have a seamless connection to the existing curb to meet ADA requirements.





Required Safety Elements

- Safety is foremost in the City's consideration. As such, all parklets and streateries must be designed so as to maintain clear sight lines both on the street and on sidewalks.
- Wheel stops must be installed at both ends of the parklet/streatery four feet from the parklet/streatery structure and one foot from the curb.
- Wheel stops shall be no less than four feet long and no greater than six feet long, mounted with three butyl pads, preferably made of recycled rubber.
- Reflective delineator posts must be placed at the outer corners of the parking space/loading zone six inches from the wheel stops.
- Delineator posts must be 36 inches tall, cylindrical, white Safe-Hit® Duraposts and must include reflective striping. Posts should follow the City of Spokane standard and be attached to the street with a butyl adhesive pad.



Sight Line Elements and Requirements

- The parklet/streatery design must ensure visibility to passing traffic and pedestrians and not create a visual barrier.
- The parklet/streatery shall maintain a visual connection to the street. Continuous opaque walls above 42" that block views into the parklet from the surrounding streetscape are prohibited. You are allowed to include columns and other vertical elements.
- A minimum overhead clearance of 96" must be provided for any parklet/streatery that includes a canopy (or similar element) in order to avoid creating a visual barrier and to provide adequate clearance for people.
- The parklet should have a notable, defined edge along the side of the parklet facing the roadway and adjacent parking stalls to protect parklet users from moving traffic. This can be accomplished via a continuous railing, planter, fence, or similar structure.
- The height of the outside wall is dependent on the context, but should be between 30 inches minimum on the street side to a maximum of 42 inches.
- A minimum 1-foot buffer should be maintained between the parklet features and the travel lane to increase safety adjacent to moving traffic.

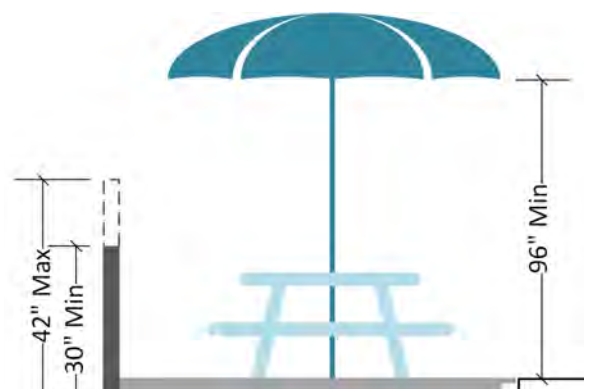


Fig. 5 - SIGHT LINE HEIGHT STANDARDS

Parklet and Streatery Design Standards

DRAFT Edition

Parklets and Streateries in Loading Zones

If you are considering putting a parklet or streatery in a loading zone or other specialty designated space, the City recommends you first look for a nearby location to move that zone and then notify other businesses on the block of your desire to do so. Consideration will be given to removing the special zone with written acknowledgment from your block's other property managers, owners, street-level businesses, and/or residential property associations.



PARKLET/STREATERY AMENITIES

Seating

All parklets/streateries must incorporate built-in seating, which can be integrated in a variety of creative ways. These seats can be a part of the structure, planters, or creative features within the parklet/streatery. Comfortable places to sit are important to creating welcoming and inviting public spaces.

Additional movable seating is recommended as well. This seating can be removed and stored at the end of the day or locked with cables to the parklet structure.

Furnishings should be distinct from any furnishings used by the hosting business or organization. If the parklet host is a business with a sidewalk café, the tables and chairs must be a different style from the ones used in the café. It is important to remember that the parklet is a public amenity, and as such, should be easily distinguishable from nearby private property. Streateries are exempt from this requirement.

Landscaping

Your parklet/streatery must have some type of landscaping. Landscape plantings help soften the space and can serve as a pleasant buffer along the street-facing edge. Landscape elements may be incorporated as planter boxes, hanging planters, green walls, raised beds, or similar features. Drought-tolerant and native plants are good choices for ease of maintenance. Edible plants and plants with fragrance, texture, and seasonal interest are also recommended.

Signs

All parklets/streateries must feature City of Spokane provided signs indicating the space is public. In the case of Streateries, the sign must explain the hours when the Streatery is for the use of the adjacent business and when its available to the general public. These signs should be mounted to both ends of the parklet and should be visible from the adjacent sidewalk. Signs acknowledging sponsorship, logos, or designs that "brand" the parklet must comply with the City of Spokane sign code (SMC 17C.240).

Heating and Gas Power

Outdoor heaters and elements that use gas or propane fuel can help to make your parklet more comfortable throughout the year. Heating and gas-powered features are allowed in parklets/streateries but will require an additional permit.

Lighting

Lighting is allowed but may require a permit, depending on what you propose. Self-contained low-voltage systems, such as solar or battery-powered lights, are a good choice. Decorative or seasonal lighting may be allowed in street trees near the parklet, but requires an Urban Forestry Permit.

Plan Submittal - Required Elements

Plans should include sufficient detail as to allow for adequate review. The following items must be shown on the plans you submit with your permit application:

- Location on the street;
- Street and sidewalk utilities (i.e. manholes, water valves, etc.);
- Street poles and signs;
- Parking meters (including any required to be removed);
- Fire hydrants and Fire Department connections on adjacent buildings;
- Street furniture (litter cans, benches, etc.);
- Street trees, including tree surrounds;
- Sidewalk and street grade elevations;
- Bike lanes (if any);
- Parklet/streatery dimensions;
- Parklet/streatery materials and details as necessary;
- Parklet/streatery planting plan;
- Flexible delineator posts and wheel stops; and,
- Materials, design elements, or other proposed features.

Signage

All parklets must feature signs indicating the space is public. All streateries must feature signs that indicate hours of service and that the streatery is open to the public at all other times. These signs should be mounted to both ends of the parklet or streatery and should be visible from the adjacent sidewalk. Signs acknowledging sponsorship, logos, or designs that “brand” the parklet or streatery must comply with the City of Spokane sign code (SMC 17C.240).



For more information, contact City of Spokane Planning and Development Services at:

3rd Floor City Hall
808 W Spokane Falls Blvd
Spokane, WA 99201

bdsinfo@spokanecity.org

Planning & Development

509.625.6300

City of Idaho Falls Downtown Parklet Design Guidelines





PURPOSE

In 2017, the City adopted the Downtown Master Plan to create a coordinated vision and implementation strategy for downtown Idaho Falls. These design guidelines will provide a bases for the implementation for the Downtown Master Plan's vision, goals, and initiatives in the use of public space such as roadways, sidewalks, and alleys. The guidelines will help to establish a standardized and organized approach to help create efficient uses of urban space, provide attractive additions to local streetscapes, invite people to sit and stay in public spaces, enhance walkability, and encourage business participation in a vibrant streetscape. Downtown will develop a stronger sense of "place", with attractive and walkable streets, and become a unique and exciting city center for residents and visitors.

These guidelines are subject to change at the discretion of the City of Idaho Falls Community Development Services Department. Individual sponsors are responsible for conducting outreach, designing, funding, and constructing their projects. They also assume liability for the structures and impacts of their projects and ensure the space is well-maintained and kept in good repair.



1.0 PARKLETS

Parklets are public seating platforms that convert curb side parking spaces into vibrant community spaces. They are the product of a partnership between the city and local businesses, residents, or associations. Most parklets have a distinctive design that incorporates amenities such as seating, greenery, and/or bike racks and accommodate unmet demand for public space on thriving downtown streets or commercial areas. While they are funded and maintained by neighboring businesses, residents, and community organizations, they are publicly accessible and open to be used by all.



1.1 PARKLET GOALS

The Idaho Falls Comprehensive Plan identified the desire of the City residents to have “an active, vital downtown - an attraction for residents and tourists” and be “an exciting collection of interesting shops, busy offices, public spaces and walks.” In an effort to respond to the desire of City residents in 2017 the City of Idaho Falls Downtown Plan was adopted. This plan focused on how to achieve the City’s goals for downtown and provides vision and potential projects identified by City residents that may help create the desired downtown environment.

One strategy identified is the use of tactical urbanism, a single and/or collection of lower-cost temporary urban planning strategies. Parklets were identified as a potential short term project to activate the downtown streets and sidewalks. There are four main goals of parklets:

- Encourage the use of non-motorized transportation. Parklets encourage walking and cycling with amenities such as seating, shade and landscaping, and bicycle parking. They also provide a buffer between traffic lanes and the sidewalk.
- Increase street activation. Parklets provide for gathering spaces and increase the activity of people on the streets. This activation increases the actual and perceived vitality of downtown.
- Fostering neighborhood interaction. Parklets offer public space for individuals to gather with friends, neighbors, and others encouraging a sense of community .
- Supporting local businesses. Parklets enhance the pedestrian environment and may make the downtown streets feel more safe, comfortable, and inviting. They can help make downtown feel more like a destination attraction and pull more people into the area to shop, eat, and use other services.

1.2 PARKLET RESPONSIBILITIES

Design, Capital Costs, Liability, and Maintenance

Parklet sponsors (i.e. the person, business, organization, or other entity seeking to install and steward a parklet) are responsible for designing, funding, and constructing the parklet. The parklet sponsors also assume liability for the parklet and ensure that it is well-maintain and in good repair. The parklet sponsor is also responsible for its removal required for any reason.

Application Intake and Design Review

The **Idaho Falls Community Development Services Department** is responsible for ensuring that parklets are well design according to the specified designed standards. Idaho Falls CDS will act as the primary point of contact for the parklet sponsor throughout the application process, public outreach questions, and design review phases. Idaho Falls CDS will also help resolve concerns raised by other City departments and ensure that the parklet reflects the goals and intent of the Parklet Program.

Permitting and Inspection

The **Idaho Falls Building Division** will be responsible for processing permits and inspections will be performed by the **Building Division, Planning Division, and Public Works**. Permits will only be issued with an approved site plan and approved structure plan. **Idaho Falls CDS** will be responsible for ensuring that built parklets meet maintenance requirements, remain open to the public, and comply with permit regulations.

1.3 PARKLET APPROVAL PROCESS

STEPS FOR APPROVAL

1. Schedule a Developer meeting with a City Planner at (208) 612-8276 or in person at the City's Community Development Services Department.
 2. Submit a new project electronically through the City's eTRAKiT online project portal.
 3. The Submittal shall include:
 - **Written letter.** A brief description that includes the name of the business and a detailed description of proposed the use.
 - **Site Plan.** A scaled plan showing the proposed outdoor dining space, including the sidewalk clearance requirement, elevations, furniture.
 - **Drawings.** Technical drawings of any structures to be installed. These structures will need to meet design specifications required by local code.
 - **Photos.** Submit color photos, renderings or graphics showing the set up, type of furniture and materials of barriers.
 - Proof of consent from the property or building owner that is contiguous with the proposed parklet location.
 - Payment of the application fee.
 4. Contact the _____ Department to obtain lease agreement.
 5. Site Plan review by City departments.
 6. Structural review by the Building Division.
 7. Permit issued with payment of the permit fee.
-

1.4 PARKLET DESIGN CRITERIA

LOCATION

- Parklets should avoid corners and be located at least one parking space away from the intersection.
- Parklets must not obstruct any fire hydrant, utility service or emergency service access.
- Parklets may not block any public alley access or any private alley access without sign consent of all interested parties.
- Parklets may not obstruct the required sight distance triangle, 30' for roadway intersections and 15' for drive approaches and alley accesses.
- Parklets must be located directly in front of the business requesting the use. The area may not extend beyond the limits of the business storefront.
- Parklets are not permitted in bus stops but may be adjacent to them.
- No more than 10% of any block face may be used.

SAFETY

- All parklets located within parking areas must be setback at least four feet from immediately adjacent parking stalls. Parklets immediately adjacent with parallel parking stalls must also provide a curb stop to buffer the parking from the parklet.
- They shall have vertical elements that make them visible to traffic, such as bollards or posts.
- Parklets should utilise slip resistant surfaces.
- An open guardrail or barrier must be installed to define the space and may not exceed three feet in height. The guardrail must be about withstand 200 lbs of horizontal force.
- No fabric, chain link fencing, chicken wire, or snow fencing may be used as guardrails or barriers.
- Planters are allowed but the planter may not exceed three feet in height.
- Parklets are not allowed to be placed in a location where the speed limit exceeds 30 mph.
- If intended to be used at night lighting is required.

SIZE

- Parklets have a desired minimum width of 6 feet (or the width of the parking lane).
- Parklets generally entail the conversion of 1-2 parallel parking spaces or 3-4 angled parking spaces, but may vary according to the site, context, and desired character of the installation.
-

SIDEWALKS

CLEARANCE AND ACCESS

- A minimum of six feet of clearance is required from the edge of the parklet to any building or obstacle.
- Parklets should have a flush transition at the sidewalk and curb to permit easy access and avoid tripping hazard

USES

The Parklets may be used for the following uses:

- Dining areas (The service of alcoholic beverages are subject to the requirements of Title 4, Chapter 2 of City Code.)
- Bicycle corals or bike share facilities
- Public seating
- Recreational space
- Landscape islands
- No signage is allowed on any parklet

Attachment B

Included in the attached files are photos of Catherine's projects such as improvements to the Broadway streetscape, ADA and beautification projects at downtown intersections, murals in alleys, and art-wrapped traffic cabinets.



AFTER



BEFORE











B St 500 N

ONE WAY







DOWNTOWN
PARK IF
PARKING GUIDE



MEMORIAL

CAPITAL PARK

BROADWAY

A STREET

B STREET

CONSTITUTION

D STREET

CARLETON PARK

SHOUP

YELLOWSTONE

N. EASTERN

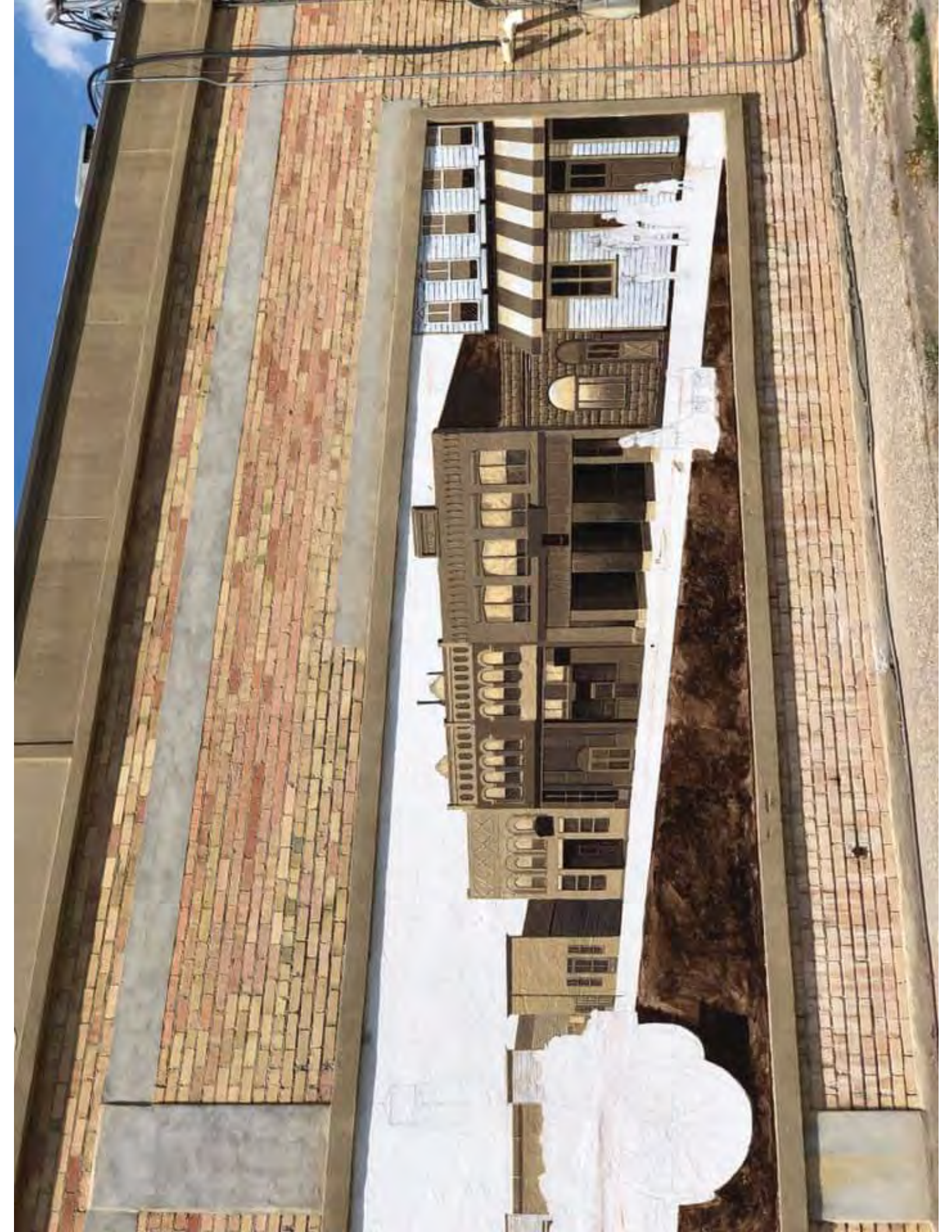
ELM ST.

MAPLE ST.

CLIFF ST.









I love Idaho!











Attachment C

A possible video for Catherine's nomination would be an interview with Catherine, some of her board members, merchants, and an elected official. There are plenty of views of downtown that could be used as well. There are still some construction projects in the works too.

Traffic Design Manual

Volume 2: Temporary Traffic Control

CITY OF PORTLAND, OREGON

2019

The logo for the Portland Bureau of Transportation (PBOT) features the letters 'PBOT' in a large, bold, white, sans-serif font. The letters are set against a solid orange background. The 'P' and 'B' are connected, and the 'O' is a simple circle. The 'T' is a simple vertical bar with a horizontal top bar.

PORTLAND BUREAU OF TRANSPORTATION

Commissioner: CHLOE EUDALY | Interim Director: CHRIS WARNER

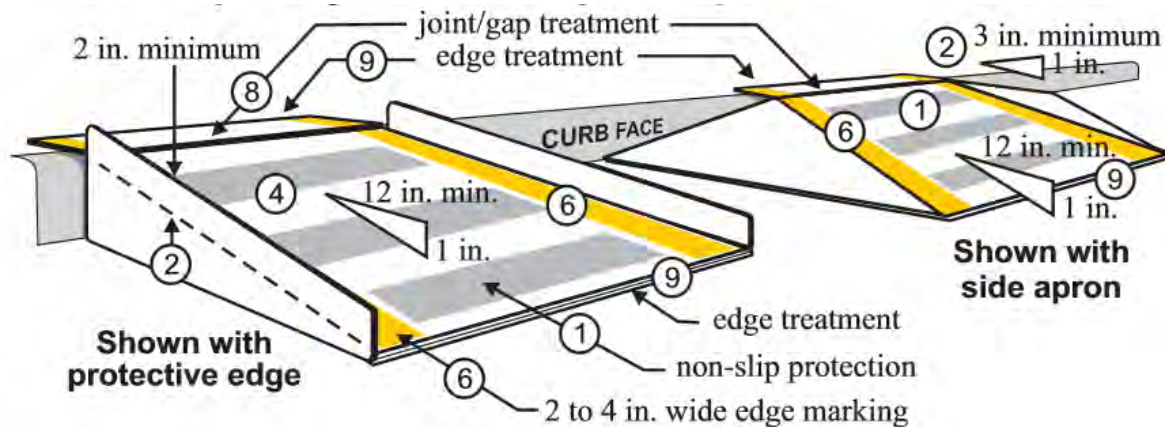


Figure 4.6 Temporary Curb Ramp Perpendicular to Curb

1. Curb ramps are required to be at least 36 inches wide with a firm, stable, and non-slip surface.
2. Edge protection with a two-inch minimum height is required for ramps with a rise greater than six inches or a side apron slope greater than 33 percent.
3. Edge protection is required on ramps with a vertical elevation over six inches and show a contrasting color where the walkway changes direction (turns).
4. Curb ramps and landings are required to have a two-percent maximum cross slope.
5. Provide a clear space of at least 48 inches by 48 inches above and below the curb ramp.
6. Mark the curb ramp walkway edge with a contrasting color two to four inches wide unless color-contrasting edging is used, as required by item 3 above.
7. Water flow in the gutter should have minimum restriction.
8. Limit lateral joints or gaps between surfaces to be less than half an inch wide.
9. Changes between surface heights should not exceed half an inch. Lateral edges should be vertical up to 0.25 inches high and beveled at 1:2 when between 0.25 and 0.5 inches high.

4.6 DETECTABLE WARNING DEVICES

Detectable warnings are required to alert people with vision impairments of their approach to a street crossing or hazard. They are used where pedestrian and vehicle routes cross.

Install temporary truncated domes across the entire width of a temporary pedestrian route at locations where pedestrians are entering an environment shared with motorized traffic, such as at crosswalks and construction entrances. See section 00759.12 of the CPL for a list of acceptable devices.

Temporary guide strips or directional surfaces may be used where vertical detectable devices, such as PCDs, cannot be otherwise used. For example, traffic lane separators may be used to separate a multi-use path from an auto lane.

REBOUND DOWNTOWN CDA PROPOSAL

June 2, 2020



Hilary Anderson
Community Planning Director

1

DECISION POINT

Should the City Council allow the expansion of downtown businesses onto sidewalks and portions of the street right-of-way this summer to help respond to COVID-19?

Staff is recommending Option B, which would keep Sherman Avenue open to traffic.

2

OPTION A: CLOSE SHERMAN AVE. 2ND-6TH

- Close Sherman Avenue from 2nd to 6th Avenues to vehicular traffic.
- Keep the center lane open for emergency vehicles.
- Allow businesses to expand onto the sidewalk and street.
- Allow parklets and temporary sidewalk extensions/raised pedestrian detours on north-south streets, Lakeside, Coeur d'Alene and Front Avenues.
- The north-south streets would remain open for vehicular traffic.
- June through Labor Day

3

OPTION B: KEEP SHERMAN AVE. OPEN

- Keep Sherman Avenue open to vehicular traffic.
- Allow businesses to have parklets and expanded sidewalk usage with sidewalk extensions on Sherman, Lakeside, Coeur d'Alene and Front Avenues, and north-south streets for Downtown businesses.
- This program would require the construction of parklets and temporary sidewalk extensions/raised pedestrian detours for all participating businesses.
- July to Labor Day.

4

HISTORY

- **Early May:** Community members, including building and restaurant owners in Downtown proposed various alternatives to allow businesses to expand outdoors to respond to COVID-19.
- Initial discussions between City staff and the Downtown Association were to wait until Spring 2021 to allow more time to explore seasonal parklets.
- **May 19:** Once the proposal was received from the CDA Main Street Coalition with the Rebound Downtown Coeur d'Alene Proposal, the group met to discuss options.

5

REBOUND DOWNTOWN CDA PROPOSAL

“While business owners and operators attempt to safely revive the economy of Coeur d’Alene, the City should allow ALL businesses, retail and food/beverage alike, to **use and control the entire sidewalk and parking lane in front of their establishments** to provide much greater space to conduct their business in accordance with government mandated social distancing provisions, allowing much greater opportunity for outdoor business activities.

The City should **temporarily close Sherman Avenue from 2nd street to 7th street to all vehicle traffic**, as they do for the annual street fairs and other events. Also for consideration could be closing Main Street in Riverstone and select side streets adjacent to 4th Street in Midtown.

Further, the center two lanes of the **closed streets should be dedicated to foot traffic**, with suggested directional flow, to promote social distancing among pedestrians which cannot be accomplished right now on most city sidewalks under current conditions. This will **engender confidence in customers** that they can come to the downtown area without risking unsafe congestion.

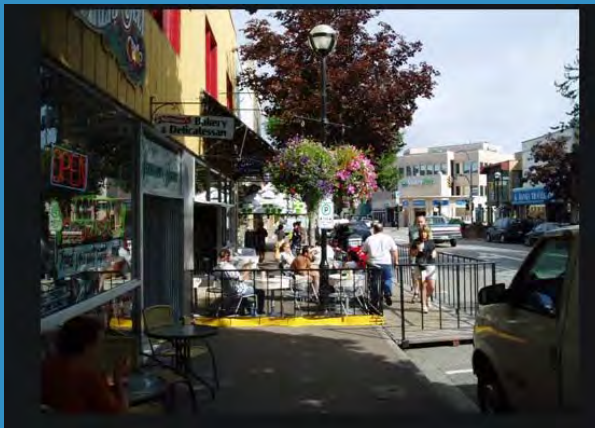
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PARKLET EXAMPLES



7

TEMPORARY SIDEWALK EXTENSION / PEDESTRIAN DETOUR EXAMPLES



Examples:

- Penticton, BC
- Nelson, BC
- The Dalles, OR

8

PERFORMANCE ANALYSIS



Allowing Parklets in Business Districts seasonally –

- Moon Time parklet works well
- Action item in DRAFT East Sherman Revitalization Plan
- Proposed action item in the Envision CdA Policy Document

9

PERFORMANCE ANALYSIS

Communities are opening up their sidewalks and streets, and allowing parklets to allow businesses more room to provide social distancing to help them rebound and respond to COVID-19.

- Boise
- Spokane
- New York
- Tampa
- Cincinnati
- West Chester
- St. Petersburg
- Sacramento

10

PERFORMANCE ANALYSIS

Events in Downtown Coeur d'Alene with street closures:

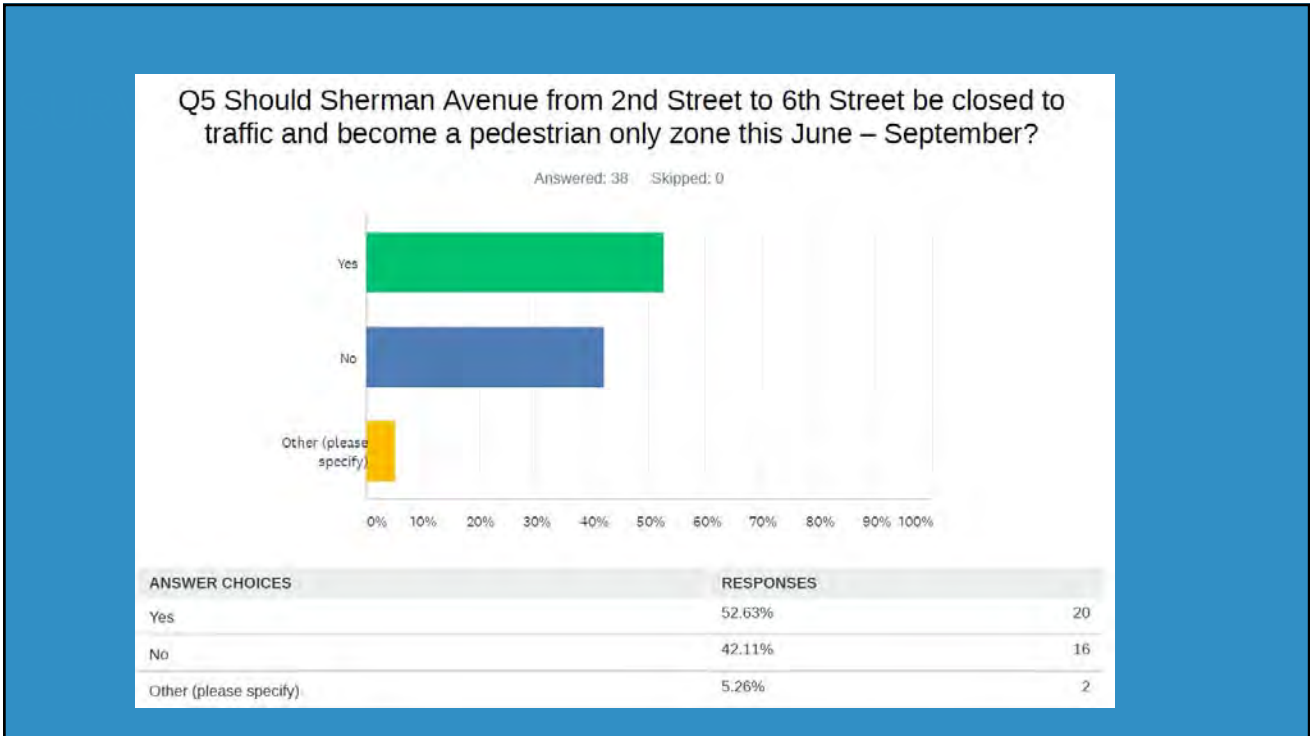
- Farmers Market
- Car D'Lane
- Street Fair
- Lighting Ceremony Parade
- St. Patrick's Day Parade
- 4th of July Parade
- Kiddies Parade
- Ironman 70.3
- Coeur d'Fondo
- CDA Marathon

11

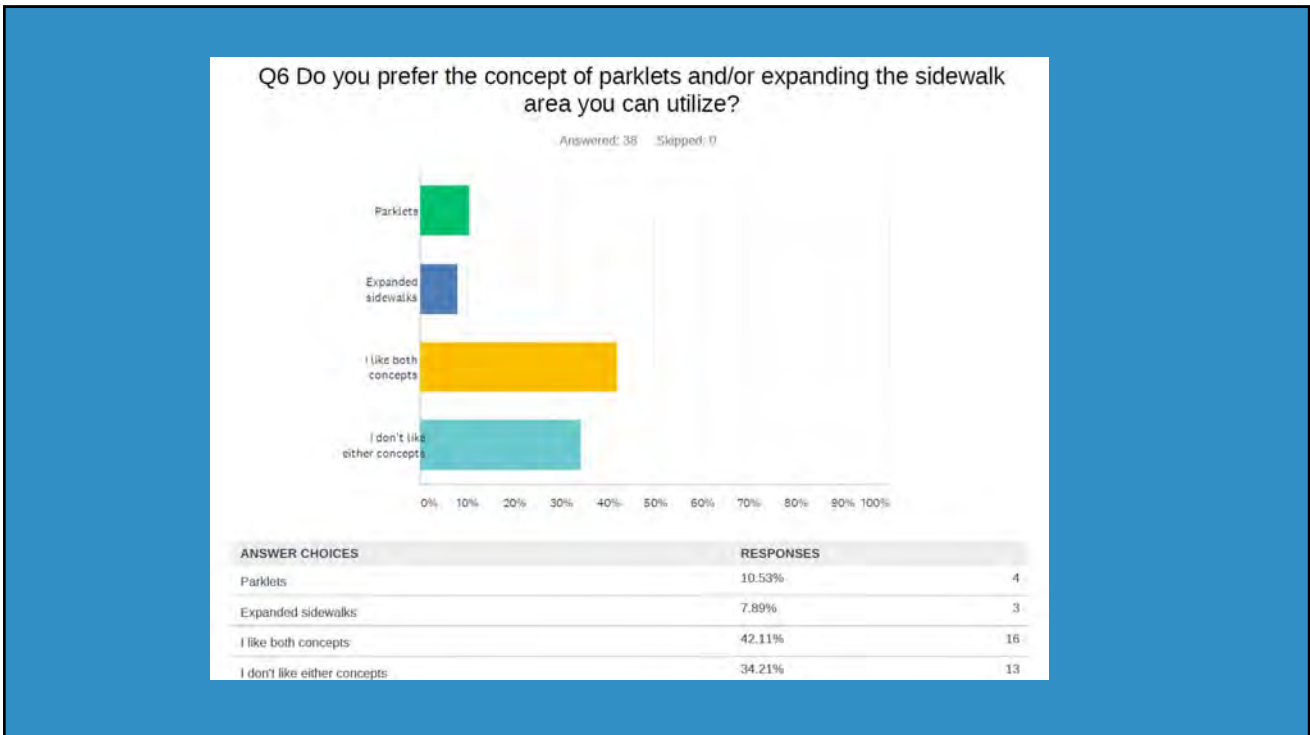
WRITTEN FEEDBACK

- Mixed responses in email format
- Article in the Coeur d'Alene Press on 5/24 with over 400 comments
- Editorial in the Coeur d'Alene Press on 5/27

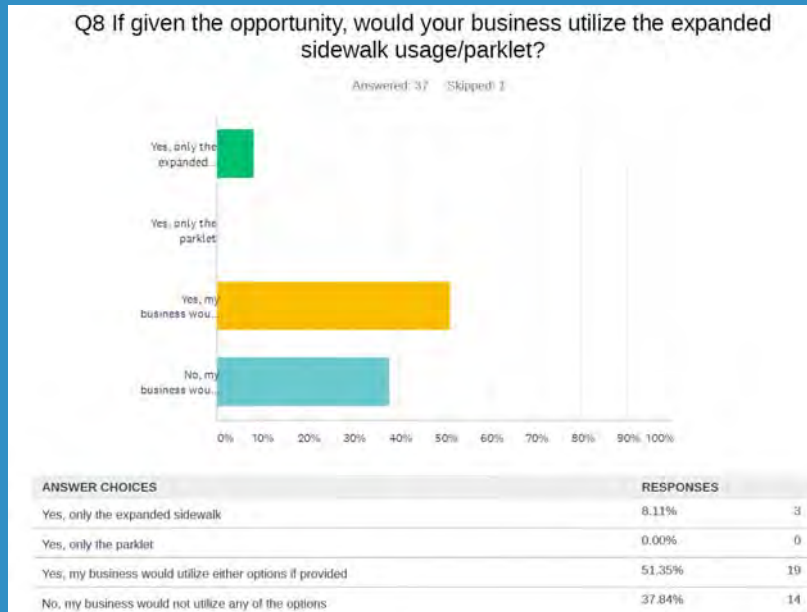
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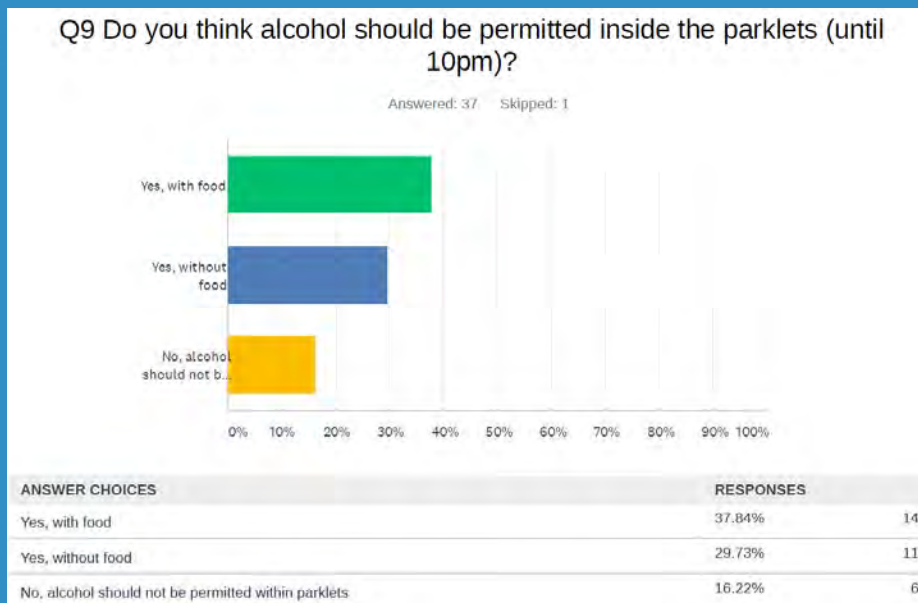
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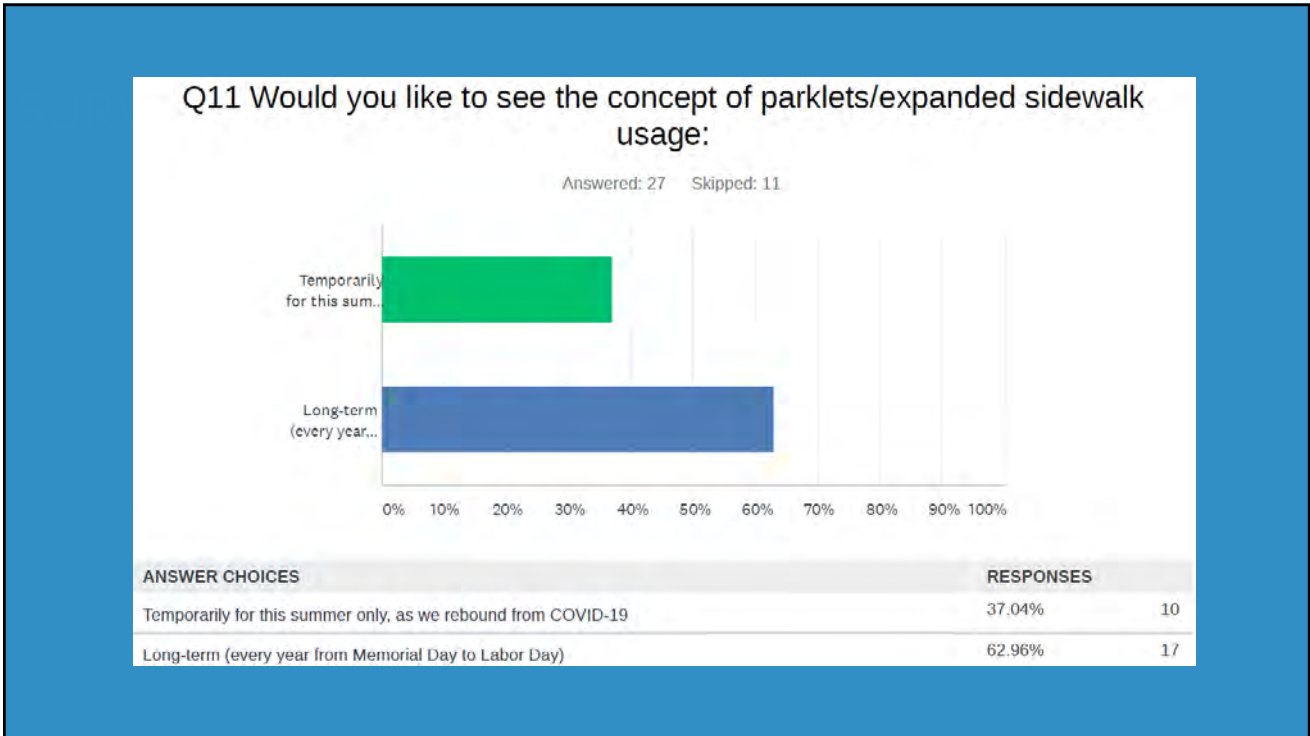
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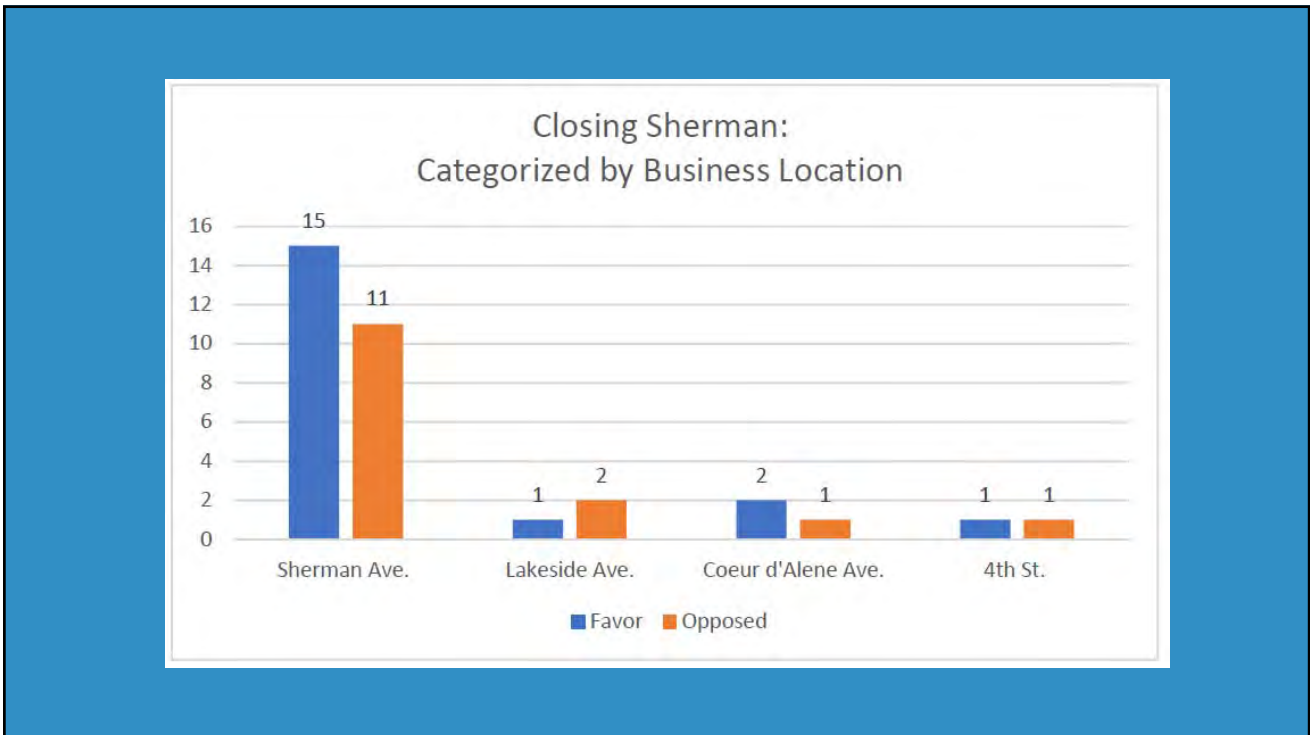
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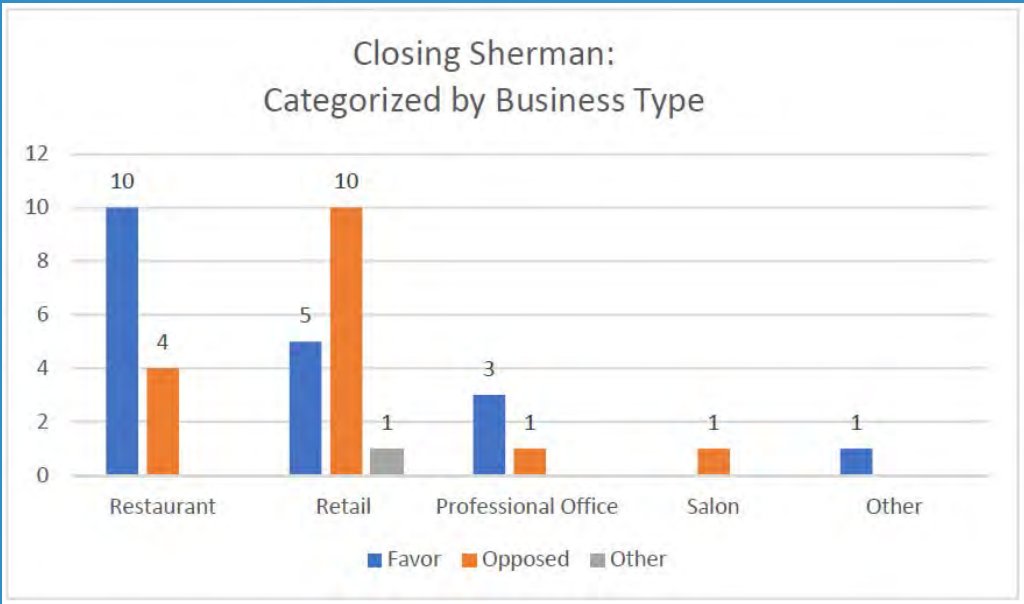
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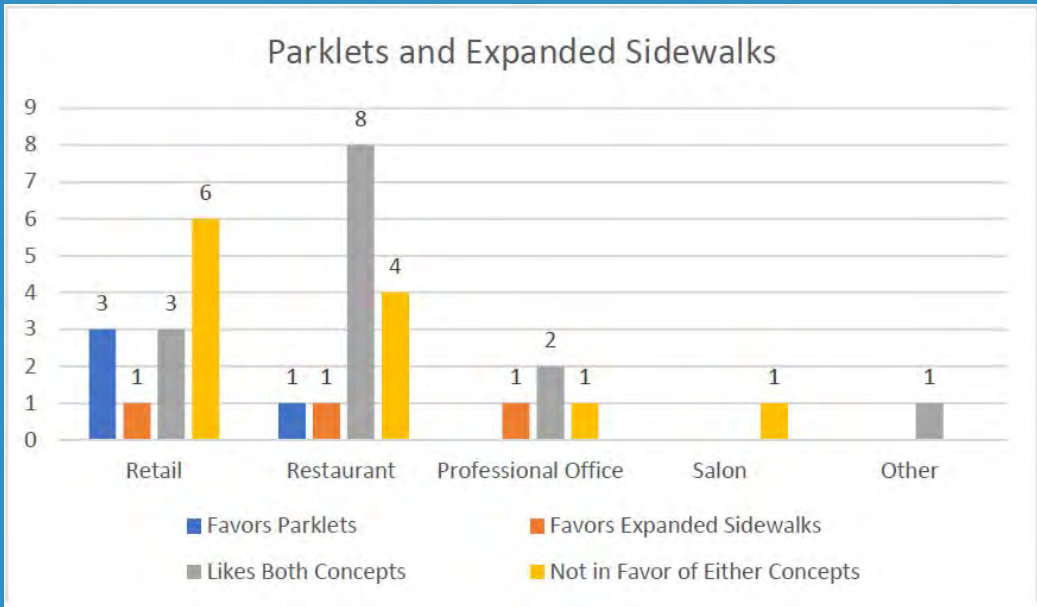
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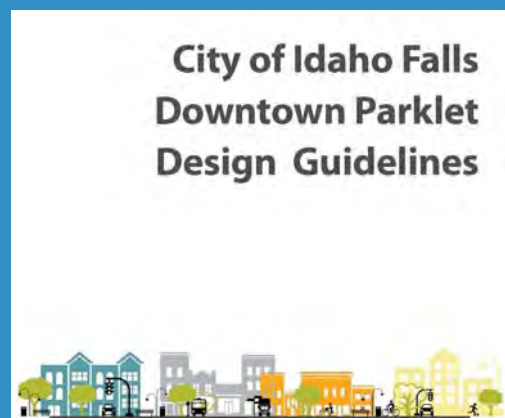
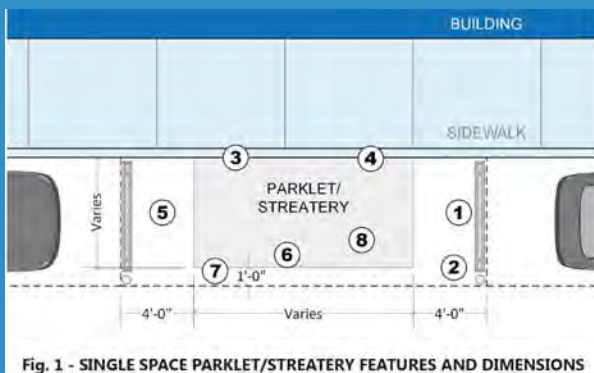
PERFORMANCE STANDARDS

- Mandatory compliance and the ability to revoke privileges.
- Police patrol to ensure compliance.
- Hours of operation: **10pm** as proposed cutoff for serving alcohol.
- Owners would be responsible for securing their outside seating and bringing in any merchandise.
- The cost incurred for parklets and any additional seating, displays, lighting, umbrellas, etc. would be at the expense of business owners.
- Participants would be required to remove parklets, ramps, sidewalk extensions for special events.

21

DESIGN SPECS: PARKLETS

Parklets



22

DESIGN SPECS: SIDEWALK EXTENSIONS

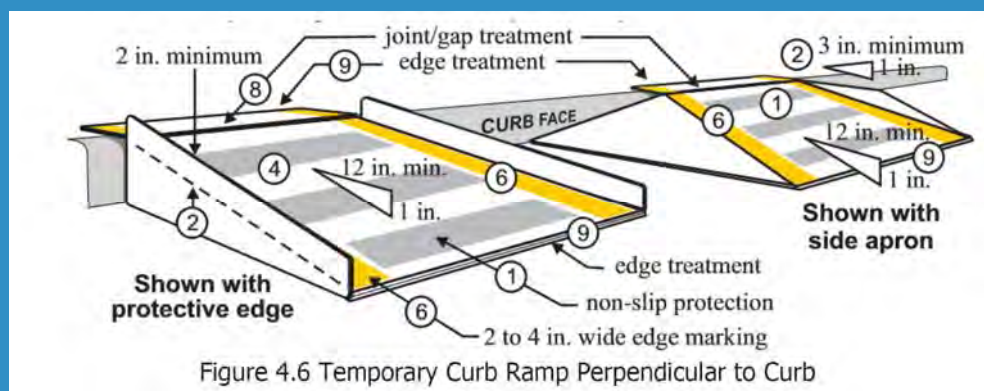
Temporary Sidewalk Extensions/Pedestrian Detours

- 42-48" with corners at least 48" wide for ADA compliance
- Railings
- Rails for cane sweep installed at 4' above the walkway for ADA compliance
- Walking surfaces that are slip resistant
- Follow Parklet standards for construction

23

DESIGN SPECS: TEMPORARY ADA RAMPS

ADA Ramps



24

FINANCIAL ANALYSIS

- **Option A:**
 - Similar to Special Event (\$750 plus \$1,000 security deposit)
 - Parklets and sidewalk extensions would be paid for by participating businesses
- **Option B:**
 - Parklets and sidewalk extensions would be paid for by participating businesses
- **Temporary ADA Ramps:**
 - Cost would be shared by participating businesses on that block
- **Signage:**
 - Additional Public Parking signage would be covered by the City
 - Social Distancing signage would be handled by the Downtown Association and participating businesses

25

RECOMMENDATION

Staff recommends Option B because it has the least impact on the non-participating businesses, and allows two options for businesses to participate without the need to close Sherman Avenue. This option is also in support of other efforts by staff to allow parklets in business districts throughout the City, which would be beneficial even beyond COVID-19.

26

DECISION POINT

The City Council should allow the expansion of downtown businesses onto sidewalks and portions of street right-of-way this summer (through Labor Day), to help respond to COVID-19.

The Council will need to decide if they support Option A, Option B, or some other variation, or neither, and provide appropriate direction to staff to work with the Downtown Association to bring back more details in the form of an agreement that will accompany the special event/encroachment permit to allow the expanded business usage of City right-of-way.

27

QUESTIONS??

28

**CITY COUNCIL
MEMORANDUM**

DATE: June 2, 2020

FROM: Hilary Anderson, Community Planning Director

RE: Approval to include Lakeside Real Estate Holdings, LLC property (commonly known as the Roy Armstrong property) in the City's Comprehensive Plan Update, Envision Coeur d'Alene.

DECISION POINT:

Should Council approve the inclusion of the full 1,100 acres of property owned by Lakeside Real Estate Holdings, LLC, in the City's Comprehensive Plan Update process (Envision Coeur d'Alene)?

HISTORY:

The City of Coeur d'Alene was approached in the fall of 2019 by consultants for the Lakeside Capital Group, Connie Krueger and Gabe Gallinger, to meet to discuss their recent acquisition of the Roy Armstrong property and their vision for its development. The property encompasses 1,100 acres and lies between the cities of Coeur d'Alene and Post Falls. It is north of I-90 and it is bisected by Huetter Road. The initial meeting included the City of Post Falls and KMPO, and subsequent meetings were with City of Coeur d'Alene staff only. The group also had separate meetings with the Coeur d'Alene and Post Falls School Districts. The meetings extended from the fall 2019 into the spring of 2020. Subsequent to the last meeting with Coeur d'Alene staff, the consultant inquired about the possibility of annexing the full property into the City. In looking further into the Idaho State Statutes related to annexations, it was determined that it could be possible if the property was analyzed in the Comprehensive Plan (see Performance Analysis below).

On May 22, 2020, the City received a letter of intent from the Lakeside Capital Group, LLC, Chairman, Founder and Manager, John Hemmingson, requesting that the City of Coeur d'Alene include the full 1,100 acres formerly owned by Roy Armstrong in the City of Coeur d'Alene's Comprehensive Planning process (see attached).

The letter cites the following reasons for the request:

- It is most logical to be served by the City of Coeur d'Alene's sewer infrastructure.
- As one master planned development, it is desirable in terms of sense of place for the future residents to live in one city and not various jurisdictions.
- Working with one jurisdiction is desirable both for the development and the agencies, to be developed under the standards and regulations of one agency.
- It may be desirable for the development to be fully located in one city such that the city providing the services would be the full beneficiary of the full range of tax revenues from the commercial offerings in the development.

PERFORMANCE ANALYSIS:

Approximately 500 acres of the properties owned by Lakeside Real Estate Holdings, LLC. are included in the City of Coeur d'Alene's current 2007-2027 Comprehensive Plan. They fall within the Atlas-Prairie Land Use Designation. The Atlas-Prairie designation anticipates the area to generally be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices with an overall density of 4-5 units per acre with pockets of higher density and multi-family residential in compatible areas. The area would need to evaluate infrastructure needs with annexation, and have open space, parks, pedestrian, and bicycle connections provided. Neighborhood service nodes are anticipated, with an

interconnected street network, and consideration of a future Huetter Corridor Bypass. It also notes that development adjacent to the ACI boundary will provide for a distinctive entrance into the city.

The request is for the additional 500+ acres west of Huetter Road to be included in the Comprehensive Plan Update, which is currently underway. The City is currently working with CDA 2030 and MIG to update the Comprehensive Plan, and CDA 2030's Vision and Implementation Plan through the Envision Coeur d'Alene project. The consultant team is currently working on land use scenarios and will be modeling traffic based on the various land use scenarios. As such, the timing is ideal to analyze any property that might be annexed into the City in the future. The consultant team is aware of the request by Lakeside Real Estate Holdings, LLC, and is awaiting the decision of the City Council before modifying their analysis.

Idaho State Statutes provide the authority for cities to annex land (see Title 50, Chapter 2, Section 50-222).

ANNEXATION BY CITIES. (1) Legislative intent. The legislature hereby declares and determines that it is the policy of the state of Idaho that cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

While only half of the property is currently within the City of Coeur d'Alene's Area of City Impact (ACI), the Category A annexation type allows for a property owner to request annexation into a jurisdiction even if the property is not fully in the ACI if the property has been included in the Comprehensive Plan. The language is provided below.

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

Including the land in the Comprehensive Plan Update (Envision Coeur d'Alene) does not force the City Council to annex the property in the future. It is simply a requirement by the State to ensure that all land has been included in the Comprehensive Plan prior to an annexation request. Any future request for annexation would follow the normal process for annexation, which requires notification, public comment, analyses by City departments, public hearings with the Planning Commission and City Council, and an annexation agreement and ordinance.

The Wastewater Department has indicated that the potential future annexation could result in the need for upgrades to the gravity pipe, a new pipe from the area outside of the ACI to the plant, and possible upgrades to the plant. The items would need to be analyzed in partnership with JUB, which is the City's engineer and also working for the property owner, to have a better understanding of possible impacts and needs if a future annexation request comes forward. As noted in the letter from the property owner, they will be working with JUB to do wastewater modeling.

It is also possible that the alignment of the future Huetter Corridor Bypass alignment and possible annexation of land west of Huetter Road could result in the need to analyze water service by the City of Coeur d'Alene and possible redistricting of the Ross Point Water District's service area. As such, modeling may be required.

FINANCIAL ANALYSIS:

Analyzing the additional ~500 acres of land that is outside of the City's ACI through the land use scenarios and traffic modeling will increase the cost of the consultants' work. MIG would charge an additional \$2,000 to update the model. The traffic subconsultant has indicated that it would charge \$3,000-5,000 per scenario to do the modeling. They are scoped to run up to three scenarios, which could be an additional \$9,000-15,000 for traffic modeling. It would be reasonable for Lakeside Real Estate Holdings, LLC, to incur these additional costs, since it was not included in the original scope of work or budget for the Envision Coeur d'Alene project and would be done solely for its benefit.

Similarly, if sewer modeling is done by the City, it would be reasonable to require the property owner to pay for the modeling costs. If water modeling is required to evaluate a change in service areas and possible redistricting, that cost should also be paid for by the property owner.

Conversely, the property owner could pay the consultants directly for the increased costs of modeling required by the City. This might be preferable to having to modify existing agreements, but might be less efficient and the City would lose some control.

DECISION POINT/RECOMMENDATION:

The City Council should approve the inclusion of the full 1,100 acres of property owned by Lakeside Real Estate Holdings, LLC, in the City's Comprehensive Plan Update process, Envision Coeur d'Alene, and have the property owner pay the cost of analyses and modeling required to analyze the additional 500+ acres west of Huetter Road.

Expected costs include the changes to the land use modeling scenarios and traffic scenarios as part of the Envision Coeur d'Alene (Comprehensive Plan Update) to include the additional acreage, wastewater modeling, and possible water modeling to evaluate redistricting related to a possible future annexation of the full 1,100 acres.

Attachment:

Letter requesting inclusion of Lakeside Real Estate Holdings, LLC properties in the City's Comprehensive Planning Process (dated May 22, 2020)

City of Coeur d'Alene
Attn: Hilary Anderson
Community Planning Director
710 E Mullan Avenue
Coeur d'Alene, ID 83814

Re: Request to Include Lakeside Real Estate Holdings, LLC properties in the City's Comprehensive Planning Process

Dear Mayor and City Council Members:

This letter is a formal request for the City of Coeur d'Alene to include a property landholding owned by Lakeside Real Estate Holdings into the City's ongoing Comprehensive Plan Update process. The landholding is formerly known as the Armstrong property and lies between the City of Post Falls and the City of Coeur d'Alene. A portion of the property lying between Huetter Road eastward to the existing City limits is currently within the City's Comprehensive Plan and has the Atlas-Prairie Land Use Designation (Figure 1, orange overlay). This request is to include the property shown on the west side of Huetter Road (Figure 1, blue overlay) into the Comprehensive Plan and to create a land use designation similar to that of the Atlas Prairie Land Use Designation for the entire landholding (blue and orange) of approximately 1100 acres.

History:

The property owner owns several businesses related to land development. These businesses include Architerra Homes, Lakeside Real Estates Holdings, Coeur Development and the newly formed Kootenai County Land Company. These companies are all subsidiaries of Lakeside Capital Group, LLC

As a long-time area property owner and farmer himself, he is very familiar with the unique agrarian beauty of this land and does not desire to see it subdivided into cookie-cutter developments. To this end, he has spent nearly a decade assembling and purchasing the entire landholding. This allows the unique nature of this area to carry forward in a manner that creates a sense of place and meaning for the region, as well as for the residents who will live here. He believes this development should be placemaking, so much so that he engaged SWA, an urban planning firm that works globally on award winning large-scale master planned developments, to plan the project. He requested that

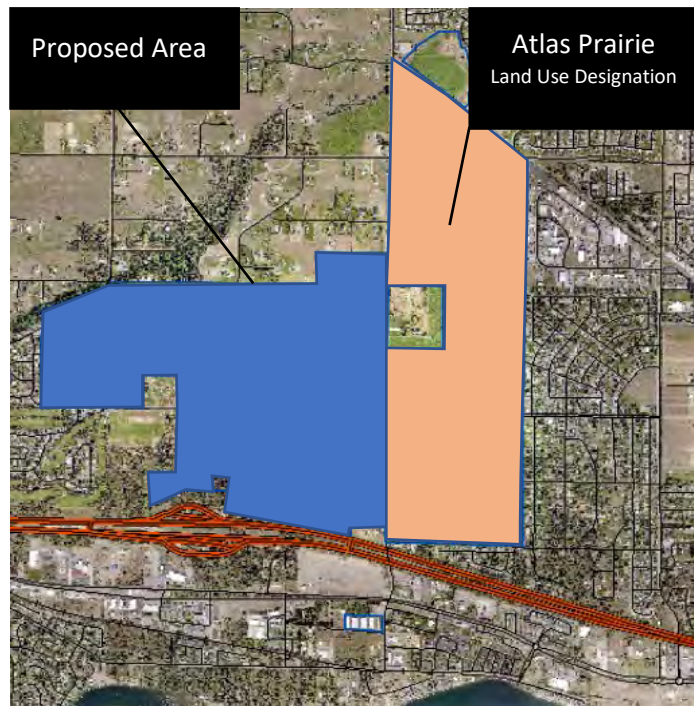


Figure 1 Subject Properties

SWA create an inspired vision for this area with a master planned development containing a full mixture of land uses. This includes features such as artful public spaces, numerous water and earthen trail connections, a number of school sites, residential subdivisions with multi-family pockets, and mixed use commercial/multifamily development nodes. He also requested that the design integrate with significant infrastructure such as the planned Huetter Bypass (and related interchanges); the existing trails systems (Prairie, Centennial, and the waterfront trail systems); and also with nearby neighborhoods.

From the Fall of 2019 through Spring of 2020, the property owner's development team met several times with the full administrative staff of the City of Coeur d'Alene (and also with the

City of Post Falls) to discuss future annexation and development of the property. These meetings involved a sharing of information related to the respective city's development standards and the owner's vision for the property. The staff has been engaging and the information provided to date has been of much value moving forward in the project design.

The owner has proactively planned for the needs of local school districts by designing the initial development plan with new school sites. The owner's development team has had meetings with the Coeur d'Alene and Post Falls School District administrative teams and in the course of these ongoing discussions, the location and design of these sites is being refined.

Cognizant of the significant infrastructure planned for the Huetter Bypass and future interchanges related to this, as well as the need for quality traffic analysis, the owner's development team has



Figures 2 and 3 Landscape Framework Concepts

meet with the Kootenai Metropolitan Planning Organization (KMPO) several times and has also reached out to Idaho Transportation Department (ITD) to ensure that the needs of these agencies are addressed in the preliminary planning process. Spurred by the timing of this project, KMPO and ITD have contracted for an aerial mapping project that is now underway. Photogrammetric data will be produced that will be used by ITD engineers to refine the design for the Huetter Bypass. Additionally, the owner's development team is now procuring proposals for traffic studies that will meet with KMPO and ITD modeling standards. This allows for the results of the development's traffic analysis to integrate easily into City and Regional planning and funding models.

After meeting with the staff members of each agency and moving forward on plan development, it has become apparent to the owner and development team that it may be beneficial for the entire property to be annexed into the City of Coeur d'Alene for a variety of reasons as follows:

The first is that it is most logical for the project to be served by City of Coeur d'Alene's sewer infrastructure. The owner has contracted with JUB Engineers and has begun the process of planning and modeling of this area to determine the most efficient and financially viable options for sewer infrastructure.

The second is that as one master planned development, it is desirable in terms of sense of place for the future residents living within the development to belong to one City and not to be divided into various jurisdictions.

The third is that working with one jurisdiction is desirable for both the developer and the agencies as the project will be developed under the standards and regulations of one agency, thereby facilitating the ease of initial development as well as ongoing administration.

The fourth it that it may be desirable for the development to be fully located in one city-- in that the city that is providing services will be the beneficiary of the full range of tax revenues, especially that from the commercial offerings within the development.



Figure 4 Neighborhood park and greenbelt concept

Based on the design and market analysis, the owner is requesting a comprehensive plan designation for the entire landholding that will reflect closely on the current comprehensive plan designation for the Atlas Prairie as shown in Figure 6. The owner’s development team would like to work with the City’s comprehensive planning consultant to tailor the future designation a bit more to this project, but importantly wants the City Council to know that the owner’s proposed overall gross density and land uses are planned to align closely with what is already planned for this area in the City’s existing Comprehensive Plan.

Atlas-Prairie Tomorrow

Generally, this area is envisioned to be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices.

The characteristics of Atlas-Prairie neighborhoods will be:

- That overall density may approach four to five residential units per acre (4-5:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Annexing requires careful evaluation of infrastructure needs.
- Open space, parks, and pedestrian and bicycle connections will be provided.
- Developments adjacent to the Area of City Impact (ACI) boundary will provide for a distinctive entrance to the city.
- Neighborhood service nodes where appropriate.
- The street network will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- A bypass study is underway to determine how traffic will be distributed to ease pressure from US 95.

Figure 6 City of Coeur d'Alene Comprehensive Plan 2007-2027

We appreciate your consideration of our request and look forward to the opportunity for further discussion.

Thank you,

Lakeside Capital Group, LLC

John Hemmingson

Chairman, Founder and Manager

The above mentioned companies are all subsidiaries of Lakeside Capital Group, LLC

Representing Lakeside Real Estate Holdings:

Melissa Wells, President

Gabe Gallinger, PE Engineer

Connie Krueger, AICP Planner

Request to include Lakeside Real Estate Holdings, LLC properties in the City's Comprehensive Plan Update



Hilary Anderson, Community Planning Director

Coeur d'Alene City Council | June 2, 2020



1

Decision Point

- Should Council approve the inclusion of the full 1,100 acres of property owned by Lakeside Real Estate Holdings, LLC, in the City's Comprehensive Plan Update process (Envision Coeur d'Alene)?

2

About Envision Coeur d'Alene

- Project of the City of Coeur d'Alene
- Collaboration with CDA 2030
- Update and align the Comprehensive Plan and CDA 2030 Vision and Implementation Plan
- Expected to be completed by the end of December 2020 / early 2021
- Consultant Team:
 - *MIG, lead consultant*
 - *Kittelson, traffic*
 - *Bridge Economics, economic development*

3

History

- The Lakeside Capital Group acquired 1,100 acres, formerly owned by Roy Armstrong, that is located on the western edge of the City.
- Approximately 500 acres are in the City of Coeur d'Alene's Area of City Impact (ACI) and included in the Atlas-Prairie Land Use Designation of the current 2007-2027 Comprehensive Plan.
- The additional 500 acres are outside of the City's ACI boundary.

4



5

Comprehensive Plan (2007-2027)	Page 67
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Land Use: Atlas-Prairie</p> </div> <div style="width: 50%;"> <p>Atlas-Prairie Tomorrow</p> <p>Generally, this area is envisioned to be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices.</p> <p>The characteristics of Atlas-Prairie neighborhoods will be:</p> <ul style="list-style-type: none"> • That overall density may approach four to five residential units per acre (4-5:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas. • Annexing requires careful evaluation of infrastructure needs. • Open space, parks, and pedestrian and bicycle connections will be provided. • Developments adjacent to the Area of City Impact (ACI) boundary will provide for a distinctive entrance to the city. • Neighborhood service nodes where appropriate. • The street network will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs. • A bypass study is underway to determine how traffic will be distributed to ease pressure from US 95. </div> </div>	

6

History

- The group organized meetings with City staff, Post Falls, KMPO and the school districts in 2019-2020.
- Subsequent to the last meeting with staff, the consultant inquired about annexing the full property into Coeur d'Alene.
- A letter of intent was submitted to the City on May 22, 2020 requesting inclusion of the properties in the Comprehensive Plan update.

7

History

Reasons cited by the property owner for possible annexation into CDA:

- City of Coeur d'Alene's sewer infrastructure.
- As one master planned development, it is desirable in terms of sense of place for the future residents to live in one city and not various jurisdictions.
- Working with one jurisdiction is desirable both for the development and the agencies, to be developed under the standards and regulations of one agency.
- It may be desirable for the development to be fully located in one city such that the city providing the services would be the full beneficiary of the full range of tax revenues from the commercial offerings in the development.

8

Performance Analysis

- Envision Coeur d'Alene status:
 - Land use modeling scenarios: *in process*
 - Traffic analysis: *next step*
 - The timing is ideal to include this property in the Comprehensive Plan update
- Idaho Code allows a property owner to request annexation of properties outside of an ACI, if it is contiguous to the city and included in the Comprehensive Plan.
- Including the properties in the Comprehensive Plan Update does not force the City Council to annex the property in the future.

9

Performance Analysis

- The Wastewater Department has indicated that a future annexation of the properties may result in upgrades and a new pipe, which will need to be modeled.
- It is also possible that the alignment of the future Huetter Corridor Bypass alignment and possible annexation of land west of Huetter Road could result in the need to analyze water service by the City of Coeur d'Alene and possible redistricting of the Ross Point Water District's service area. As such, water modeling may be required.

10

Financial Analysis

- **Envision Coeur d'Alene:** additional costs ranging from \$11,000-\$17,000
- **Sewer Modeling:** costs to be determined by City/JUB
- **Water Modeling:** costs to be determined by City/Consultant

Staff proposes that the property owner should pay for the increased costs of modeling and analysis, either by paying the City or the consultants directly, if this request is approved.

11

Decision Point: Recommendation

The City Council should approve the inclusion of the full 1,100 acres of property owned by Lakeside Real Estate Holdings, LLC, in the City's Comprehensive Plan Update process, Envision Coeur d'Alene, and have the property owner pay the cost of analyses and modeling required to analyze the additional 500+ acres west of Huetter Road.

Expected costs include the changes to the land use modeling scenarios and traffic scenarios as part of the Envision Coeur d'Alene (Comprehensive Plan Update) to include the additional acreage, wastewater modeling, and possible water modeling to evaluate redistricting related to a possible future annexation of the full 1,100 acres.

12

City of Coeur d'Alene
FIRE DEPARTMENT
“City of Excellence”

Staff Report

Date: June 2, 2020

From: Lucas Pichette Deputy Chief

Re: Boat Garage for Department Fire Boat

DECISION POINT: Should City Council allow Fire and Parks Departments to build a Garage to house the City's Fire Boat at the 3rd St. Docks.

HISTORY: In 2015 the Fire Department purchased a State-of-the-Art Marine Firefighting Vessel to provide Fire, Rescue and EMS services to the North end of the lake. We entered into an agreement with Kootenai County Fire & Rescue (KCFR) to provide the service they had provided in the past. They were eliminating that service as they were selling their boat. We placed our boat into service and took over their spot in the Counties boat garage at the Blackwell Marina. We have had an annual lease there since 2016. We were informed last fall that we would not be able to continue using that boat house as the County will be using it going forward. In conversation with City Parks Director Bill Greenwood and City Administrator Tymesen it became clear that the only viable location for our own garage would be at the Third St. Marina.

FINANCIAL ANALYSIS: It is estimated that the boat garage would cost approximately Two Hundred thousand dollars (\$220,000) and we are looking for Two Hundred Fifty Thousand (\$250,000) for unforeseeable expenses. Current direction is to use impact fees which are currently at \$283,000

PERFORMANCE ANALYSIS: The Third Street dock area is the best possible solution for this project. A majority of calls for service are on or around Tubbs Hill and the channel leading boats to the South end of the lake. It allows for a quicker response time as it is closer to Fire Station #1 and we are already in the vicinity of the majority of our calls for service.

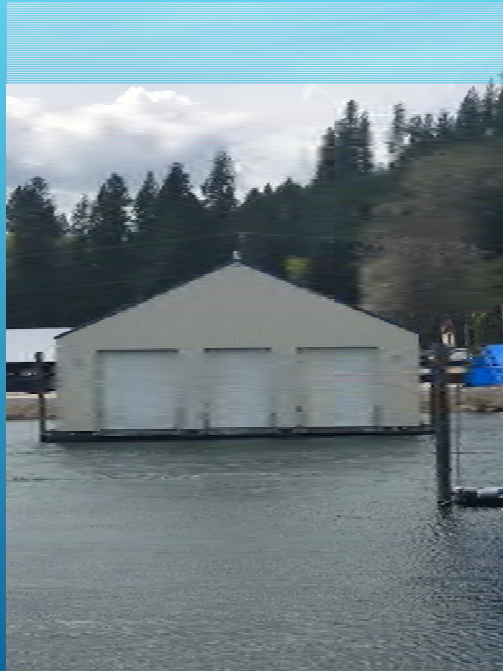
DECISION POINT/RECOMMENDATION: Approve budget authority and authorize staff to advertise for competitive bids for a boat garage at the 3rd street Mooring Dock.

COEUR D'ALENE FIRE BOAT



1

CURRENT BOAT GARAGE



2

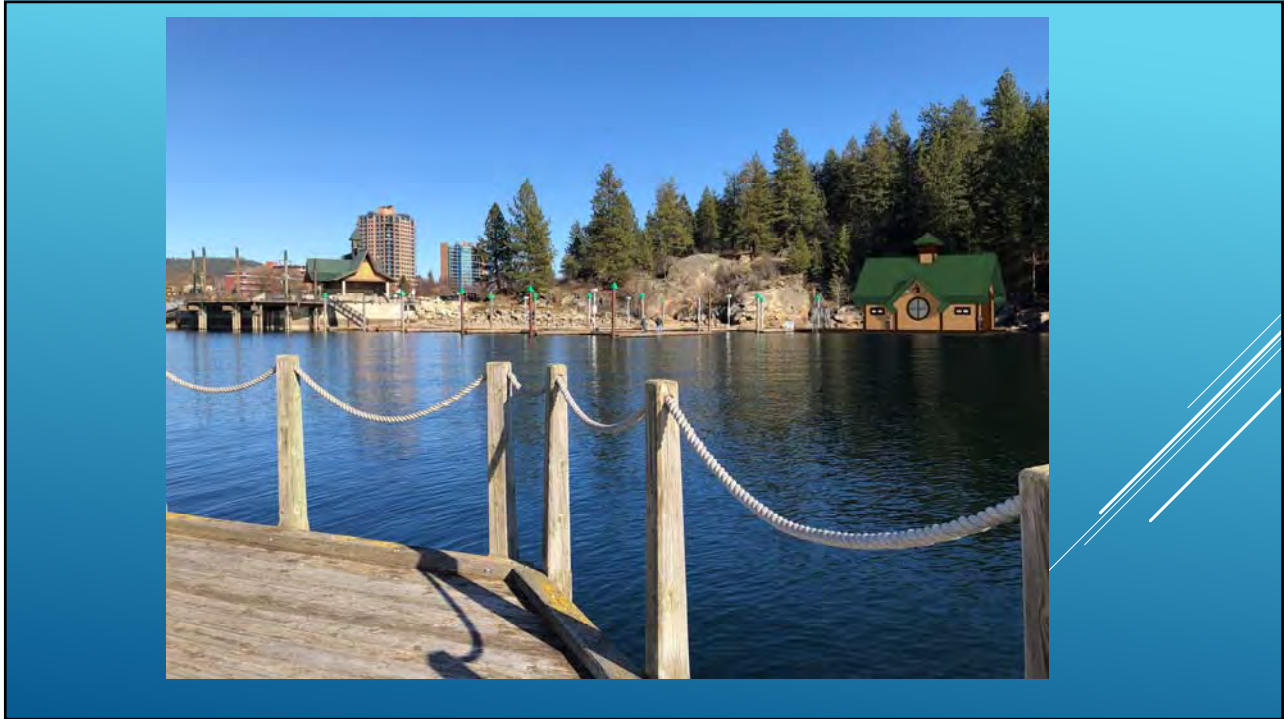


PROPOSED FIRE BOAT GARAGE

3



4



5

PROPOSED AND CURRENT

Current fire boat location has a cost of \$3,287 per year for moorage.

Cost of proposed boat garage at the 3rd Street dock: \$220,000. We are looking for funding up to 250,00 for any unforeseen additions.

It is proposed that we use funds from our impact fees to pay for the garage. Currently the impact fees for Fire is \$283,000.

6

CITY COUNCIL STAFF REPORT

DATE: May 19, 2020
FROM: Tim Martin, Streets & Engineering Director
SUBJECT: **AUTHORITY FOR THE DRAINAGE UTILITY TO PURCHASE
HEATED STORAGE FACILITY FROM THE WATER UTILITY**

DECISION POINT:

Should Council authorize the purchase of a 40-foot by 50-foot climate-controlled heated steel building for the drainage utility?

HISTORY:

The Water Department is preparing to move off the general fund-owned campus at Ramsey Road. As part of these preparations, the Water Department asked the Drainage Utility if it would be interested in purchasing a heated storage facility located on the Ramsey Road campus from the Water Department at its depreciated value.

PERFORMANCE ANALYSIS

By purchasing this building, the Drainage Utility would no longer need to rent as much storage space for specific emergency units such as sweepers and TV trucks during the winter. Currently, the Drainage Utility rents storage units for much of this equipment during the winter for \$350 - \$500.00 per month to avoid leaving it outside covered by snow. The storage facility will allow the Utility to anticipate spring-like rains, chinook winds and thaws in order to rapidly respond as flooding occurs.

FINANCIAL ANALYSIS

The depreciated value of the building is \$42,297.00. With considerable additions such as controlled access doors and a mezzanine for above-ground storage, the Utility and Water Department have agreed to a price of \$46,000.00.

DECISION POINT/ RECOMMENDATION:

Council should authorize the Drainage Utility to purchase the climate-controlled 40' x 50' building from the Water Department for the agreed upon price of \$46,000.00.