

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: The City is utilizing Governor Little's Stage 3 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room. Therefore, we are still encouraging the public to participate electronically. While participating electronically the public comments 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. Additionally, you may provide written public comments to the City Clerk at renata@cdaid.org any time prior to 4:00 p.m. the day of the meeting.

*The meeting will be aired on Zoom meeting network with the following options:
<https://zoom.us/j/99918005838> 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.

December 15, 2020: 6:00 p.m.

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor Paul Peabody with Grace Bible 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.)

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

F. ANNOUNCEMENTS:

1. **City Council**
2. **Mayor Appointments** – Tom Morgan to the Pedestrian & Bicycle Advisory Committee; Kelly Ostrom and Dixie Reid to the Personnel Appeals Board.

G. 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 December 1, 2020 Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the December 7, 2020 Meeting.
3. Approval of Bills as Submitted.
4. Approval of Financial Report.
5. Setting of General Services/Public Works Committee meeting for Monday, December 21, 2020 at 12:00 noon.
6. Approval of the Annual Road and Street Financial Report for the fiscal year ending September 30, 2020.

As Recommended by the Comptroller

7. **Resolution No. 20-066** -
 - a. Approval of S-1-20 - Coeur d'Alene Place 33rd Addition; Final plat; Acceptance of Improvements; Maintenance/Warranty Agreement and Security Approval; and Landscape Work Agreement and Security
 - b. Approval of SS-20-12- Jay Four Addition; Final plat, Subdivision Improvement Agreement & Security

Recommended by the City Engineer

- c. Approval of Purchase of MIOX Onsite Chlorine Generator from Filtration Technology for the Huetter Well
- d. Approval of Purchase of MIOX Onsite Chlorine Generator from Filtration Technology for the Atlas Well

As Recommended by the General Services/Public Works Committee

H. OTHER BUSINESS:

1. **A-1-20:** A proposed 7.69-acre annexation from County Agricultural to City R-8 requested by Applicant: Harmony Homes, LLC; Location: 7278 Atlas Road

Pursuant to Council Action on November 17, 2020

- a. **Resolution No. 20-067** – Annexation Agreement with Harmony Homes, LLC for the annexation of 7.69-acre parcel located at 1905 E. Nettleton Gulch Road; zoning from County Agricultural to City R-8 zoning district.
- b. **Council Bill No. 20-1023** – Ordinance approving the annexation of 7.69-acre parcel located at 1905 E. Nettleton Gulch Road; zoning from County Agricultural to City R-

8 zoning district 0.84-acre located at 1905 E. Nettleton Gulch Road; zoning from County Agriculture Suburban to R-3 zoning district.

2. Grant Award Recommendation and Requested Approval to Enter into Contract Negotiations with Lake City Center for their Expanded Meals on Wheels Program using CDBG-CV Funds.

Staff Report by Chelsea Nesbit, CDBG Specialist

3. **Resolution 20-068** - Approval of Letter of Intent with ignite cda for the Acceptance of Property Known as Sherman Square Park.

Staff Report by Bill Greenwood, Parks & Recreation Director

I. PUBLIC HEARING:

Please sign up to testify at <https://www.cdaid.org/signinpublic/Signinformlist>

1. Legislative – Adoption of the 2018 International Building Code with amendments, the 2018 International Residential Code with amendments, the 2018 International Energy Conservation Code with amendments, the 2018 International Fuel Gas Code with amendments, the 2018 International Mechanical Code with amendments, and the 2018 International Existing Building Code with amendments.

Staff Report by Ted Lantzy, Building Official

- a. **COUNCIL BILL NO. 20-1024** – Amendments to sections 15.08.005 and 15.12.010 of the municipal code to account for the recent adoption of the 2018 International Building Code with amendments, the 2018 International Residential Code with amendments, the 2018 International Energy Conservation Code with amendments, the 2018 International Fuel Gas Code with amendments, the 2018 International Mechanical Code with amendments, and the 2018 International Existing Building Code with amendments.
2. Quasi-judicial - ZC-6-20 - A proposed zone change from R-12 to R-17; at 654 Haycraft Avenue- Applicant: Glen Lanker, Artios LLC

Staff Report by: Tami Stroud, Associate Planner

- a. **Council Bill No. 20-1025** – Approving ZC-6-20, changing the zoning of property located at 654 Haycraft Avenue from R-12 to R-17.

3. Quasi-judicial - ZC-7-20 - A proposed zone change for property located at 1609 N. College Way from R-12 to LM; - Applicant: Norman Anderson

Staff Report by: Tami Stroud, Associate Planner

- a. **Council Bill No. 20-1026** – Approving ZC-7-20, changing the zoning of property located at 1609 N. College Way from R-12 to LM.

J. ADJOURN:



Coeur d'Alene

CITY COUNCIL MEETING

December 15, 2020

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

ANNOUNCEMENTS

Memo to Council

DATE: December 9, 2020

RE: Appointments to Boards/Commissions/Committees

The following reappointments are presented for your consideration for the December 15th Council Meeting:

TOM MORGAN
DIXIE REID
KELLY OSTROM

Pedestrian & Bicycle Advisory Committee
Personnel Appeals Board
Personnel Appeals Board

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

Sincerely,

Amy Ferguson
Executive Assistant

cc: Renata McLeod, Municipal Services Director
Monte McCully, Ped/Bike Cmte Liaison
Melissa Tosi, HR 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

December 1, 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 December 1, 2020 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

INVOCATION: Pastor Kevin Schultz with the Vine Church provided the invocation.

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

2020-2021 ANNUAL SNOW PLAN PRESENTATION: Streets and Engineering Superintendent Todd Feusier provided a brief update regarding the leaf pick-up program. He noted that over seven days they collected 645 dump truck loads of leaves. They did have help from the Parks and Water Departments, so there were more trucks on the road. He noted that the Snow Plan provides citizens and staff a clear understanding of City snow removal policies and responsibilities. The Council's snow removal policies are recorded in the Snow Plan and distributed in various forms such as pamphlets, newspaper articles and made available on the City website. The Snow Plan is one of the department's means of educating the public on City snow removal policies. As the City continues to grow and more streets are extended, the City-wide plowing completion target will be 40 hours. Priorities continue to be hospital access, major arterials, hills and curves, then onward to secondary arterials, school bus routes, then residential streets. He reminded the citizens to remove garbage cans and cars from the street to allow for a wider plow of the streets. He reiterated that the snow gates reduce the berms but do not remove them completely. He noted that there is a form on the City website in which a customer can provide a snow removal concern. It is located at www.cdavid.org under the Streets and Engineering tab.

DISCUSSION: Councilmember Gookin noted that he gets questions regarding snow removal on the narrow streets with no driveways. He wondered what it would take to require an odd/even parking program for those areas. Mr. Feusier said that type of program has been discussed in the past, but it is hard to determine the benefit, as some of those streets are so narrow that it is hard

to fit the plows through with cars even parked on one side of the street. Councilmember Gookin asked how they deal with abandoned cars and at what point would they take action to remove those vehicles/trailers. Mr. Feusier noted that during a storm they would not have time to deal with it, but after the fact they would contact Code Enforcement to make contact with the owners. Last year they moved 12 or 15 cars from the downtown area. Councilmember Miller asked about what resources are available for people who are physically unable to remove the berms and/or cars, due to disability or age. Mr. Feusier noted that in the past they referred people to the Senior Center to get volunteers, but it is a little complicated with COVID this year.

MOTION: Motion by Gookin, seconded by Miller to approve the 2020-2021 Snow Plan.
Motion carried.

ATLAS WATERFRONT PROJECT UPDATE: Phil Boyd, President, Welch Comer Engineering, and Tony Berns, ignite cda Executive Director, provided an update regarding the Atlas Waterfront Master Plan and the triangle parcel development scenarios. Mr. Berns noted that the City previously transferred the Atlas Mill property to ignite for a more efficient land disposition process. He noted that they would like the City to transfer ownership of the triangle property to ignite for a similar disposition process. Ignite engaged their advising team to come up with land use scenarios that will be reviewed tonight. Mr. Boyd reviewed the master plan vision that includes support for preserving the waterfront as public space, balancing public and private funding, and the creation of unique and desirable community additions. He explained the land disposition process that included the developer agreements that are currently being completed. He reviewed areas 1 and 2, 6, 10, 12, and 13, that were sold as part of Phase 1. He noted that the desire for home type was a mixture; however, the final developer use is planned as 71% single family dwellings, instead of the mix of other types. He reviewed the Request for Proposal (RFP) process, submitted by developers for the purchase of the property. The original plan was to sell land in big blocks and they are looking for alternatives for the next round of RFP's that might provide more profit. He provided an overview of the 4.5-acre triangle parcel, noting that soils from that parcel are planned to be used to fill in the pits in areas 1 and 2. He noted a spot to the south of the property that has the fill needed to build roads, etc. and that would be the minimum needed to be transferred to complete the development of infrastructure. He reviewed several land use options including the expected revenues, including Option 1 which is all single-family dwelling; Option 2 with single family dwellings and townhomes; Option 3 with a few single-family dwelling areas with the majority of the area developed with townhomes; Option 4, 5, and 6 to include multi-family dwellings with a single loaded corridor that allows for views of the river, and hotel or office uses. He reviewed the options along with the estimated revenues based on the options for areas 16, 17, and 18. He reviewed the pros and cons, noting that Option 1 has the highest estimate revenues but the con of development of a lot is that it would net the same housing type.

DISCUSSION: Councilmember Wood noted that while the RFP process is not only based on price, it is a large part of the review. Mr. Boyd confirmed that in the first RFP process the product types were very similar and those awarded ended up being the highest priced proposals. Councilmember McEvers asked if the design presented for Areas 1 townhomes is the new style. Mr. Boyd confirmed the design was the developer's preference; however, in future phases there will be architectural standards included. Councilmember Miller asked if the intention was to

mine the triangle area to fill pits 1 and 2 sooner than previously expected. Mr. Boyd confirmed that he believes that is the case, and clarified that it would be their intention to fill pit 1 first. Councilmember Wood asked about product type mix and the need for that level of mix within the area as there are other housing types available in close proximity. Mr. Boyd felt that the mix of housing types would encourage an ownership product rather than rentals. Councilmember Wood asked the ignite board to be cautious about housing type mix and encouraged them to maximize revenue of the property to ensure pay back of the debt on the land. Mayor Widmyer asked if the projected revenue includes the lots already developed. Mr. Boyd explained that it does not include already developed parcels. He noted that once the material is mined out of the area it creates lot options for the lower triangle piece and provides an area to bring the road through. Councilmember Wood asked if there was a 10-year forecast of tax increment of the future development. Mr. Boyd noted that the financial feasibility study has the data set for each density and that can be determined and provided to the Council. Councilmember McEvers commented that the piece is small compared to Riverstone and he is more worried about getting the revenue back to pay the debt on the land.

Councilmember Miller asked if Council action is needed to remove the small portion of the triangle for fill. Mr. Boyd confirmed that if the City wants to keep the triangle piece, the smaller piece could be sub-divided and transferred separately. Mayor Widmyer asked if the drawing is based on its inclusion in a Planned Unit Development (PUD). Mr. Boyd confirmed it was based on a PUD. Councilmember Wood noted that she likes the single-family density and the inclusion of a PUD based on the debt that needs to be paid back and the desirability of the property. Mayor Widmyer noted that this item will be placed on the next Council Meeting Agenda and within the next few weeks Council may provide any additional questions to Mr. Boyd to be included in that meeting. Councilmember Evans thanked Mr. Boyd for the information. She noted that she believes this is a unique opportunity for meeting the housing needs of the community and likes the diversity of product in Options 2 and 3 and would provide character to the project. Councilmember Miller would like to make sure the southern tip of the triangle is utilized for fill and that the missing middle housing project and the survey results noted that people want mixed-use housing types. Retirees like smaller housing and she would like more input on how to address the missing middle information, and the detailed long-term financials for tax increment. Mayor Widmyer noted that it will be difficult to fit missing middle into the project based on price points. Community Planning Director Hilary Anderson noted that the missing middle is a housing type, not a price point. She explained that by virtue of housing choices, it does help provide affordability into the market. She noted the example of the housing development of Kendall Yards in Spokane. Discussion ensued regarding house choice options versus affordable housing. There were several comparisons between live/work units versus affordable housing provided. Public input noting a desire for a diverse mix of housing types was provided at the beginning of the project.

Mr. Boyd said that he would run the scenarios out regarding revenue and tax increment. Councilmember English said that he is a proponent of affordable housing; however, the Atlas area is a postage stamp size compared to the community-at-large, and this may be a balancing act. Councilmember McEvers concurred that this is a little project compared to Riverstone, which provided high-end housing near the river. This appears the same way in that the missing middle would be developed away from the water front. He believes they should get the most

money out of the land to pay for the debt and reiterated that the riverfront was saved for the community. Mayor Widmyer asked for clarity regarding what is planned for the Mt. Hink area. Mr. Boyd said that they could separate out fill to be used as top soil and remove rocks, etc. by using a process they tested out on the project. By using that system, the City could sell the top soil and get some revenue off of selling soil, which could be as much as \$600,000 (which could be used for remediation) and may take several years, but would create a flat area that could be developed. Mayor Widmyer asked if there would be remaining unsuitable materials. Mr. Boyd confirmed that there may be 60 feet of unsuitable materials underground; therefore, it may be better suited for recreational areas. Mayor Widmyer expressed concern about home owners at Area 7 wanting to know what is going to happen there before they buy, so there needs to be a plan for that area in the near future. Discussion ensued regarding what can be done in the Mt. Hink area, including recreation uses such as an amphitheater or arboretum. Mr. Boyd requested the transfer of the bottom triangle piece to be discussed at the next Council meeting.

COUNCIL COMMENTS:

Councilmember Miller noted that the Historic Preservation Commission has planned a presentation from the Museum about their roll out plan and wondered if Council would like to see the presentation. The Library Foundation has autographed Mudgy and Millie merchandise for sale online at <http://mudgyandmilliecom.square.site/> which will be available by Christmas.

Councilmember Evans said that the City conducted a recent call to artists for the Four Corners area near the Human Rights Education Institute. The art was requested to be themed as equality of all people. The Arts Commission selected five artists to move forward in the process. The maquettes are starting to arrive and, in the past, have been placed on public display throughout the community. However, due to COVID -19, the Arts Commission will try to conduct a virtual vote on the art pieces via online survey. The information provided will include the Artist Statements, pictures of the maquette's, and past project examples. The link will be posted to the City website and Facebook page when it goes live.

Councilmember English noted that he and several Councilmembers have received email on a probation and parole project noted in the news recently. The project, referred to as an intervention station, is a Department of Corrections facility intended to serve people on parole by providing resources at an office, and is not a housing or entry center project. He wanted to make that clarification regarding the project as it is clear by the emails received that the community is confused on the issue. Councilmember Wood noted that she does not believe that it will fall into City business as it is a state program. Councilmember English concurred that the project does not involve a City decision.

Councilmember McEvers said that the Lake City Center will feature their salmon meal this Friday for a \$6.00 donation. Food pick up is available from 11 a.m. to noon and orders can be called in advance at 208-667-4628.

CONSENT CALENDAR:

1. Approval of Council Minutes for the November 17, 2020 Council Meeting.

2. Approval of General Services/Public Works Subcommittee Minutes for the November 23, 2020 meeting.
3. Approval of Bills as Submitted.
4. **Resolution No. 20-064-** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF FINAL PLAT, ACCEPTANCE OF IMPROVEMENTS, AN AGREEMENT FOR MAINTENANCE / WARRANTY WORK AND SECURITY APPROVAL WITH ACTIVE WEST, LLC FOR THE UNION [S-4-19]; APPROVAL OF AN AGREEMENT TO PERFORM LANDSCAPE WORK AND SECURITY APPROVAL WITH ACTIVE WEST, LLC FOR THE UNION [S-4-19]; APPROVAL OF AMENDMENTS TO PERSONNEL RULE 26 – APPOINTED OFFICERS AND DEPARTMENT HEADS; AND APPROVAL OF AMENDMENTS TO THE WASTEWATER POLICIES, DEFINING STANDARDS FOR ALL NEW WASTEWATER SYSTEM IMPROVEMENTS THAT ARE, OR ARE INTENDED TO BE, OWNED, OPERATED, AND MAINTAINED BY THE CITY OF COEUR D'ALENE.

MOTION: Motion by McEvers, seconded by Wood, to approve the Consent Calendar as presented, including **Resolution No. 20-064.**

DISCUSSION: Councilmember Miller asked Mr. Becker to provide a brief overview of the Wastewater Policy program and how it might improve a competitive bid. Mr. Becker noted that the policies have been around since the 1990's and are procedures for establishing uniform criteria for infrastructure that will be turned over to the City with the development. It is difficult to come up with a standard as they follow Idaho State Public Works Construction Standards and there are additional criteria that make the infrastructure more compatible for the City. He noted his intent to reach out to the construction community and post to the City's social media sites, and providing education to the engineering community. He noted that during a bid, they would have mandatory pre-bid meetings to go over the requirements. A developer would want to attend that meeting.

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

UPDATE AND APPROVAL OF REALLOCATION OF COVID MUNICIPAL SMALL BUSINESS GRANT PROGRAM FUNDS.

STAFF REPORT: Accountant Stephanie Padilla said that on August 18, 2020, Council authorized staff to develop and implement a Municipal Small Business Grant totaling \$340,000. The Municipal Small Business Grant funds were used from the \$1,766,300 of CARES Act funds. Local governments were allowed to utilize their allocation of the CARES ACT fund to create a Municipal Small Business Grant Program to aid businesses affected by COVID-19 within the City limits. As of November 25, 2020, with five (5) days left to accept applications, \$190,000 of the \$340,000 has been awarded to various businesses within the City limits of Coeur d'Alene. This leaves \$150,000 of the earmarked \$340,000 unallocated for the Small Business Relief Grant

program. To date the Small Business Relief Grant Committee has reviewed over fifty-five (55) applications and forty-six (46) businesses within the City limits of Coeur d'Alene have been awarded various amounts of funds totaling \$190,000. Six additional grants were provided between last week and today. Several calls were received today, unfortunately most people were outside of the City limits. Ms. Padilla requested the remaining funds, which is now \$100,000, be placed back into the City use option. She noted several public safety needs could be covered by the funds.

DISCUSSION: Councilmember English said that the funds still need to have COVID- related expenses. Councilmember Wood said that she thinks it's a great use of funds. Mayor Widmyer gave kudos to Ms. Padilla and her team for the speed in which they were able to help approximately 46 different businesses.

MOTION: Motion by Evans, seconded by McEvers to authorize staff to reallocate the \$100,000 of the unallocated portion of the \$340,000 of the Municipal Small Business Grant Program back to the City of Coeur d'Alene for general purpose. **Motion carried.**

RESOLUTION NO. 20-065

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING AMENDMENT NO. 2 TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 710 TO ADD A NEW EMS OFFICER POSITION.

STAFF REPORT: Fire Chief Gabriel explained that in the last budget process, an EMS Officer position was approved for the Fire Department. The EMS Officer position falls under the Collective Bargaining Agreement (CBA) between the City and Local 710. Therefore, the amendment formalizes the necessary added language for a new position under the CBA. The amendments capture the necessary wages and benefits for the EMS Officer rank that are equivalent to the other classifications within the bargaining unit and represented by the Union. Additionally, the mutually agreed upon EMS Officer job description is detailed in the amendment. As discussed through the budget process, the position will be vital to the Fire Department and all City staff as it will also serve as the City's Infection Control Officer. Adding it to the CBA is appropriate and follows established procedures between the City, Fire Department and Local 710. The amendments have been approved by Administration, the Fire Department and Local 710. He thanked the Council for funding the position and Mr. Tymesen, Mr. Adams, Ms. Tosi, Mr. Greif, and Fire Union President Judge for their collaboration for the position and process.

MOTION: Motion by Wood, seconded by English, to approve **Resolution No. 20-065**, approving Amendment No. 2 to the Local 710 Collective Bargaining Agreement for a new EMS Officer.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans 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 7:57 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, CMC
City Clerk

Draft

Monday, December 7, 2020
GENERAL SERVICES/PUBLIC WORKS COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Amy Evans, Chairperson (absent)
Council Member Christie Wood
Council Member Dan English

STAFF

Juanita Knight, Senior Legal Assistant
Randy Adams, Chief Civil Deputy City Attorney
Kyle Marine, Assistant Water Director
Hilary Anderson, Community Planning Director
Troy Tymesen, City Administrator
Ryan Webster, Senior Utility Operator

Item 1. Approval of a Policy for Public Comments.
(Information only)

Troy Tymesen, City Administrator, is requesting Council approve a Policy regarding Public Comments. Mr. Tymesen said in looking back in the city records, there is no policy regarding public comments. In consultation with the City Attorney's office, it was recommended that the City should have one that would outline any restrictions and/or limitations within the public comment period. There were no examples throughout north Idaho; however, several examples are available from throughout the United States.

Mr. Adams, Chief Deputy City Attorney, said that public comments is an option and cities do not have to allow public comments other than public hearings or requirements of statute. The City of Coeur d'Alene has decided to allow public comments at City Council meetings as well as other meetings of Commissions and Boards of the City. Mr. Adams explained what is required by statute. He noted that the proposed policy prohibits, in part, complaints about individual employees of the City, vulgar language, those type of things. He noted that the Mayor has limited authority to make rulings or decisions if a policy regarding such matters has not been adopted.

Councilmember Wood said she would like the City's Policy to state that public comments must be focused on items on the current meeting agenda.

Councilmember English voiced his support for the policy and added that he would like to see the 3-minute rule be held more strictly.

Mr. Adams noted that the 3-minute rule has been upheld by the courts as well as an absolute amount of time of public comments at a meeting. Repetitive comments can be restricted as well.

Councilmember Wood suggested staff prepare an additional policy proposal limiting comments to the agenda (with the full intent that the public can send requests for future council discussions through the mayor's office) for Public Works Committee review and then forward this item to the full City Council for approval at their January 5th meeting.

Item 2. Approval of purchase of MIOX Onsite Chlorine Generator from Filtration Technology for the Huetter Well.
(Consent Resolution)

Kyle Marine, Assistant Water Director, is requesting Council approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology for the Huetter Well. Mr. Marine explained in his staff report that prior to 2009, the City of Coeur d'Alene Water Department historically utilized gas chlorination for disinfection of the potable water supply. Chlorine gas is inherently dangerous if improperly handled and is extremely poisonous and highly corrosive. The Water Department began looking for much safer alternatives and opted to try sodium hypochlorite generation onsite. The process uses common table salt and electricity to generate a weak sodium hypochlorite solution for disinfection. In 2009 the first onsite chlorine generator was purchased and installed at the 4th Street Well. This new unit will be furnished to and installed at the new Huetter Well site. The purchase is in our FY 2021 financial plan. Due to excessively long lead times, we are purchasing a new MIOX unit for the Huetter Well construction. The MIOX unit for the Huetter Well will be paid for out of the new well budget which is \$1,200,000.00, funded by Cap Fees. Water Department staff received 2 quotes back for chlorine generators. One from Filtration Technology, Inc., for the amount of \$89,500 (MIOX) and the other from USGI Solutions (MicroClor) for the amount of \$185,000. Besides the clear difference in purchase cost, as the MicroClor units have doubled in price, staff desires to switch suppliers due to the poor customer support and parts availability by USGI Solutions. The new unit is expected to be installed and operational prior to well activation for the 2021 summer season.

MOTION: by Wood, seconded by English, to recommend that Council approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology in the amount of \$89,500.000 for installation in the Huetter Well. Motion Carried.

Item 3. Approval of purchase of MIOX Onsite Chlorine Generator from Filtration Technology for the Atlas Well
(Consent Resolution)

Kyle Marine, Assistant Water Director, is requesting Council approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology for the Atlas Well. Mr. Marine noted that the reason this is a separate purchase from the Generator for the Huetter Well is that they are coming out of two separate line items, two separate budgets, as recommended by the Legal Department. This Generator will replace an existing unit that is over 10 years old and is failing. The Atlas Well is actually due for multiple upgrades. The Well was put on line around 1981. It is due for rehab this year and they are currently out for bid on that.

Councilmember English asked how the new equipment compares with the old equipment. Mr. Marine said the size of the equipment is about the same. The new wells have not increased their production capabilities. They are injecting the same amount of chlorine as they did before. The new equipment is a little more efficient with the salt so they will use a little less salt. Councilmember English asked if they are comfortable using a new company for these products. Mr. Marine said, thus far, they have not had any issues with the company.

MOTION: by Wood, seconded by English, to recommend that Council approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology in the amount of \$89,500.000 for installation in the Atlas Well. Motion Carried.

Item 4. PRESENTATION – Planning Department.

Hilary Anderson, Community Planning Director, provided a presentation regarding the Planning Department and what they do. Ms. Anderson leads the department of 7 team members. The Planning Department consists of Planning & Zoning and CDBG (Community Development Block Grants). The department also oversees the Planning Commission, Design Review Commission, and the Historic Presentation Commission.

Ms. Anderson provided information regarding the following talking points.

Planning Services includes:

- Long Range Planning
- Development Requests
- Zoning & Subdivision Code Administration
- Reviewing Building Permits
- Historic Preservation
- CDBG
- Special Projects & Economic Development

Ms. Anderson also provided an overview of the Planning Department's Current Efforts, Goals, and Accomplishments.

The presentation in its entirety can be found using this link <https://youtu.be/-6H0yC5shB8>.

The meeting adjourned at 12:43 p.m.

Respectfully submitted,

[Juanita Knight](#)

Recording Secretary

RECEIVED


NOV 8 2020

CITY OF COEUR D'ALENE
Treasurer's Report of Cash and Investment Transactions

CITY CLERK

FUND	BALANCE 10/31/2020	RECEIPTS	DISBURSE- MENTS	BALANCE 11/30/2020
<u>General-Designated</u>	\$1,899,605	\$62,851	\$21,750	\$1,940,706
<u>General-Undesignated</u>	8,212,118	4,159,041	7,733,410	4,637,749
<u>Special Revenue:</u>				
Library	135,773	3,763	124,758	14,778
CDBG	12,571		19,391	(6,820)
Cemetery	82,985	46,770	32,414	97,341
Parks Capital Improvements	767,155	569	5,775	761,949
Impact Fees	4,119,342	275,665		4,395,007
Annexation Fees	381			381
Cemetery P/C	1,324,738	12,825	15,177	1,322,386
Jewett House	26,512	1,250	1,028	26,734
Reforestation	29,112	52	188	28,976
Street Trees	176,322	3,674	975	179,021
Community Canopy	3,256	2		3,258
Public Art Fund	54,631	22	175	54,478
Public Art Fund - ignite	632,430	263	5,000	627,693
Public Art Fund - Maintenance	128,228	53	41	128,240
<u>Debt Service:</u>				
2015 G.O. Bonds	96,335	1,163		97,498
<u>Capital Projects:</u>				
Street Projects	985,865	411	254,419	731,857
<u>Enterprise:</u>				
Street Lights	182,614	50,919	55,801	177,732
Water	1,045,490	827,393	382,392	1,490,491
Water Capitalization Fees	8,140,939	45,670		8,186,609
Wastewater	7,024,798	1,055,106	495,862	7,584,042
Wastewater - Equip Reserve	1,392,712	27,500		1,420,212
Wastewater - Capital Reserve	2,500,000			2,500,000
WWTP Capitalization Fees	3,952,999	59,665		4,012,664
WW Property Mgmt	60,668			60,668
Sanitation	1,626,147	641,866	615,570	1,652,443
Public Parking	362,032	28,839	13,908	376,963
Drainage	1,292,492	88,459	40,950	1,340,001
Wastewater Debt Service	2,348,087	978		2,349,065
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	248,265	236,264	248,308	236,221
Police Retirement	781,566	14,605	28,502	767,669
Sales Tax	1,603	1,562	1,603	1,562
BID	239,076	4,957		244,033
Homeless Trust Fund	484	780	484	780
GRAND TOTAL	\$49,887,331	\$7,652,937	\$10,097,881	\$47,442,387

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnice Jensen, Comptroller, City of Coeur d'Alene, Idaho

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
TWO MONTH ENDED
November 30, 2020

RECEIVED
NOV 8 2020
CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 11/30/2020	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$243,342	\$35,428	15%
	Services/Supplies	8,400	(933)	-11%
Administration	Personnel Services	214,699	36,893	17%
	Services/Supplies	3,000	178	6%
Finance	Personnel Services	695,484	109,810	16%
	Services/Supplies	539,300	259,551	48%
Municipal Services	Personnel Services	1,278,345	182,903	14%
	Services/Supplies	516,561	134,727	26%
	Capital Outlay	10,000		
Human Resources	Personnel Services	342,230	57,118	17%
	Services/Supplies	76,595	33,629	44%
Legal	Personnel Services	1,265,260	201,574	16%
	Services/Supplies	48,153	1,251	3%
Planning	Personnel Services	641,592	103,952	16%
	Services/Supplies	85,300	(11,960)	-14%
	Capital Outlay			
Building Maintenance	Personnel Services	336,901	41,410	12%
	Services/Supplies	210,625	23,469	11%
	Capital Outlay			
Police	Personnel Services	14,988,826	2,634,935	18%
	Services/Supplies	1,619,594	129,568	8%
	Capital Outlay	117,738		
Fire	Personnel Services	10,068,973	2,140,371	21%
	Services/Supplies	633,838	34,162	5%
	Capital Outlay	8,000	4,158	52%
General Government	Services/Supplies	153,050	228,592	149%
	Capital Outlay			
Police Grants	Personnel Services		10,074	
	Services/Supplies	6,000	4,200	70%
	Capital Outlay			
CdA Drug Task Force	Services/Supplies		600	
	Capital Outlay			
Streets	Personnel Services	3,073,344	483,198	16%
	Services/Supplies	1,772,853	103,066	6%
	Capital Outlay	135,000	27,924	21%
Parks	Personnel Services	1,751,110	247,060	14%
	Services/Supplies	697,620	27,765	4%
	Capital Outlay			

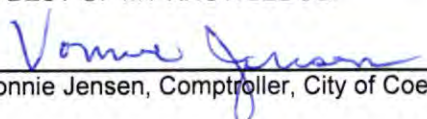
CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 TWO MONTH ENDED
 November 30, 2020

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 11/30/2020	PERCENT EXPENDED
Recreation	Personnel Services	561,328	80,442	14%
	Services/Supplies	183,880	18,374	10%
	Capital Outlay			
Building Inspection	Personnel Services	918,356	145,609	16%
	Services/Supplies	40,129	1,232	3%
	Capital Outlay			
Total General Fund		<u>43,245,426</u>	<u>7,530,330</u>	<u>17%</u>
Library	Personnel Services	1,330,045	221,913	17%
	Services/Supplies	226,000	37,053	16%
	Capital Outlay	180,000	6,902	4%
CDBG	Personnel Services	74,754	10,402	14%
	Services/Supplies	620,278	27,539	4%
Cemetery	Personnel Services	200,837	31,836	16%
	Services/Supplies	105,950	17,053	16%
	Capital Outlay			
Impact Fees	Services/Supplies	450,000		
Annexation Fees	Services/Supplies	195,000	95,000	49%
Parks Capital Improvements	Capital Outlay	323,260	13,808	4%
Cemetery Perpetual Care	Services/Supplies	166,500	27,538	17%
Jewett House	Services/Supplies	26,353	891	3%
Reforestation	Services/Supplies	6,500	188	3%
Street Trees	Services/Supplies	112,000	5,993	5%
Community Canopy	Services/Supplies	1,500		
Public Art Fund	Services/Supplies	271,300	12,416	5%
		<u>4,290,277</u>	<u>508,532</u>	<u>12%</u>
Debt Service Fund		<u>876,281</u>		

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
TWO MONTH ENDED
November 30, 2020

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 11/30/2020	PERCENT EXPENDED
LaCrosse Ave / NW Blvd	Capital Outlay	1,200,000		
Seltice Way Sidewalks	Capital Outlay			
Traffic Calming	Capital Outlay	15,997		
Kathleen Avenue Widening	Capital Outlay	885,635		
US 95 Upgrade	Capital Outlay			
15th Street	Capital Outlay		3,172	
Industrial Park Loop & Atlas	Capital Outlay			
Downtown Signal Imprvmnts	Capital Outlay	100,000		
Atlas Waterfront Project	Capital Outlay			
NW Blvd Traffic Signals	Capital Outlay			
		2,201,632	3,172	0%
Street Lights	Services/Supplies	733,250	55,677	8%
Water	Personnel Services	2,315,352	339,233	15%
	Services/Supplies	4,952,518	95,514	2%
	Capital Outlay	7,298,500	84,347	1%
Water Capitalization Fees	Services/Supplies	5,300,000		
Wastewater	Personnel Services	2,959,700	453,621	15%
	Services/Supplies	7,242,415	227,435	3%
	Capital Outlay	7,205,000	107,933	1%
	Debt Service	2,704,263	2,721,581	101%
WW Capitalization	Services/Supplies	1,484,809		
Sanitation	Services/Supplies	4,215,002	490,382	12%
Public Parking	Services/Supplies	1,600,036	230,935	14%
	Capital Outlay	40,000		
Drainage	Personnel Services	222,668	37,769	17%
	Services/Supplies	944,195	14,265	2%
	Capital Outlay	535,000		
Total Enterprise Funds		49,752,708	4,858,692	10%
Kootenai County Solid Waste		2,800,000	248,265	9%
Police Retirement		188,132	31,208	17%
Business Improvement District		176,000		
Homeless Trust Fund		5,300	484	9%
Total Fiduciary Funds		3,169,432	279,957	9%
TOTALS:		\$103,535,756	\$13,180,683	13%

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnice Jensen, Comptroller, City of Coeur d'Alene, Idaho

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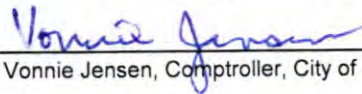
NOV 8 2020

CITY CLERK

City of Coeur d Alene
Cash and Investments
11/30/2020

Description	City's Balance
U.S. Bank	
Checking Account	2,313,460
Checking Account	53,688
Checking Account	73,214
Investment Account - Police Retirement	758,027
Investment Account - Cemetery Perpetual Care Fund	1,291,784
Idaho Central Credit Union	
Certificate of Deposit	269,359
Idaho State Investment Pool	
State Investment Pool Account	41,412,779
Spokane Teacher's Credit Union	
Certificate of Deposit	256,230
Numerica Credit Union	
Certificate of Deposit	1,011,796
Cash on Hand	
Finance Department Petty Cash	500
Treasurer's Change Fund	1,350
Library Change fund	180
Cemetery Change Fund	20
Total	<u><u>47,442,387</u></u>

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE
ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnice Jensen, Comptroller, City of Coeur d'Alene, Idaho



CITY OF COEUR D'ALENE

FINANCE DEPARTMENT

CITY HALL, 710 E. MULLAN
COEUR D'ALENE, IDAHO 83816-3964
208/769-2225 – FAX 208/769-2284

Finance Department Staff Report

Date: December 15, 2020

From: Vonnie Jensen, Comptroller

Subject: Annual Road and Street Financial Report

DECISION POINT:

The Council is being asked to review and to approve the Annual Road and Street Financial Report for the fiscal year ending September 30, 2020.

HISTORY:

Idaho Code, Section 40-708, requires the certification of road fund receipts and disbursements be completed and sent to the Idaho State Controller by the 31st of December for the preceding fiscal budget year for cities, counties, and highway districts.

FINANCIAL ANALYSIS:

The certification and timeliness of this report is critical to the City receiving funding from the State's Highway User tax disbursement. The revenue received during fiscal year 2019-20 was \$2,410,601 and \$2,451,828 was received for fiscal year 2018-19.

PERFORMANCE ANALYSIS:

The Annual Road and Street Financial Report is an accounting of the dollars used in maintaining, creating and improving the road network overseen by the City. This report is a collaborative effort with the Street Maintenance Department and the Finance Department.

DECISION POINT:

The Council is being asked to review and to approve the Annual Road and Street Financial Report for the fiscal year ending September 30, 2020.

Annual Road and Street Financial Report

Reporting Entity Name, Mailing Address and Contact Phone Number:		Please return, not later than December 31 , to:
Entity City of Coeur d'Alene	BRANDON D. WOOLF IDAHO STATE CONTROLLER ATTN: HIGHWAY USERS STATEHOUSE MAIL BOISE, ID 83720	
Address 710 Mullan Avenue		
City State Zip Coeur d Alene ID 83814		
Contact/Phone Num (208) 769-2225	Contact/Email: vonniej@cdaid.org	

This certified report of dedicated funds is hereby submitted to the State Controller as required by 40-708, *Idaho code*.

Dated this ___16th___ day of December _____, ___2020___.	Commissioner Signature
ATTEST:	Commissioner Signature
	Mayor or Commissioner Signature
Clerk/Treasurer Signature	
City Clerk/County Clerk/District Secretary (type or print name & sign) AND Commissioners or Mayor (type or print name & sign)	

FOR THE FISCAL YEAR ENDING SEPTEMBER 30, ___2020___

Line 1	BEGINNING BALANCE AS OF OCTOBER 1 PREVIOUS YEAR	0
RECEIPTS		
LOCAL FUNDING SOURCES		
Line 2	Property tax levy (for roads, streets and bridges)	
Line 3	Sale of assets	167,159
Line 4	Interest income	34,768
Line 5	Fund transfers from non-highway accounts.	2,747,626
Line 6	Proceeds from sale of bonds (include LIDs)	
Line 7	Proceeds from issue of notes (include loans)	
Line 8	Local impact fees	548,267
Line 9	Local option registration fee	
Line 10	All other LOCAL receipts or transfers in.	2,473,907
Line 11	Total Local Funding (sum lines 2 through 10).	5,971,727
STATE FUNDING SOURCES		
Line 12	Highway user revenue	2,410,601
Line 13	Sales tax/Inventory replacement tax	
Line 14	Sales tax/Revenue sharing	
Line 15	State Exchanged funds.	
Line 16	All other STATE receipts or transfers.	
Line 17	Total State Funding (sum lines 12 through 16).	2,410,601
FEDERAL FUNDING SOURCES		
Line 18	Secure Rural Schools	
Line 19	Federal-aid Bridge.	
Line 20	Federal-aid Rural.	
Line 21	Federal-aid Urban.	(26,137)
Line 22	Federal Lands Access Funds and All other FEDERAL receipts or transfers	
Line 23	Total Federal Funding (sum lines 18 through 22)	(26,137)
Line 24	TOTAL RECEIPTS (sum lines 11, 17, 23)	8,356,192

DISBURSEMENTS		
	NEW CONSTRUCTION (include salary and benefits on each line)	
Line 25	Roads	15,275
Line 26	Bridges, culverts and storm drainage	
Line 27	RR Crossing	
Line 28	Other (signs, signals or traffic control).	506,902
Line 29	Total New Construction (sum lines 25 through 28).	522,177
	RECONSTRUCTION/REPLACEMENT/REHABILITATION (include salary and benefits on each line)	
Line 30	Roads (rebuilt, realign, or overlay upgrade).	
Line 31	Bridges, culverts and storm drainage	571,066
Line 32	RR Crossing.	
Line 33	Other (signs, signals or traffic control).	905,207
Line 34	Total Reconstruction/Replacement (sum lines 30 through 33).	1,476,272
	ROUTINE MAINTENANCE (include salary and benefits on each line)	
Line 35	Chip sealing or seal coating.	809,046
Line 36	Patching	771,615
Line 37	Winter Maintenance	340,814
Line 38	Grading/blading	267,928
Line 39	Bridge.	
Line 40	Other (signs, signals or traffic control).	1,521,799
Line 41	Total Routine Maintenance (sum lines 35 through 40)	3,711,202
	EQUIPMENT	
Line 42	Equipment purchase - automotive, heavy, other.	611,776
Line 43	Equipment lease/purchase	103,706
Line 44	Equipment maintenance.	707,687
Line 45	Other (specify).	
Line 46	Total Equipment (sum lines 42 through 45)	1,423,170
	ADMINISTRATION	
Line 47	Administrative salaries and expenses.	321,301
	OTHER EXPENDITURES	
Line 48	Right-of-way and property purchases	
Line 49	Property leases	
Line 50	Street lighting	687,975
Line 51	Professional services - audit, clerical, and legal.	
Line 52	Professional services - engineering.	214,095
Line 53	Interest - bond (include LIDs).	
Line 54	Interest - notes (include loans).	
Line 55	Redemption - bond (include LIDs).	
Line 56	Redemption - notes (include loans).	
Line 57	Payments to other local government.	
Line 58	Fund transfers to non-highway accounts.	
Line 59	All other local expenditures	
Line 60	Total Other (sum lines 48 through 59)	902,070
Line 61	TOTAL DISBURSEMENTS (sum lines 29, 34, 41, 46, 47, 60).	8,356,191
Line 62	RECEIPTS OVER DISBURSEMENTS (line 24 - line 61).	0
Line 63	OTHER ADJUSTMENTS (Audit adjustment and etc.).	0
Line 64	CLOSING BALANCE (sum lines 1, 62, 63)	0
Line 65	Funds on Line 64 obligated for specific future projects & reserves.	0
Line 66	Funds on Line 64 retained for general funds and operations.	0
Line 67	ENDING BALANCE (line 64 minus the sum of lines 65, 66)	0

RESOLUTION NO. 20-066

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING THE FOLLOWING: FINAL PLAT, AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK, AND SECURITY, AND AGREEMENT TO PERFORM LANDSCAPE WORK FOR COEUR D'ALENE PLACE 33RD ADDITION; FINAL PLAY, AND AGREEMENT TO PERFORM SUBDIVISION WORK AND SECURITY FOR JAY FOUR ADDITION; THE PURCHASE OF A MIOX ONSITE CHLORINE GENERATOR FROM FILTRATION TECHNOLOGY, INC., FOR THE HUETTER WELL; AND THE PURCHASE OF A MIOX ONSITE CHLORINE GENERATOR FROM FILTRATION TECHNOLOGY, INC., FOR THE ATLAS WELL.

WHEREAS, it has been recommended that the City of Coeur d'Alene enter into the agreements and take the other actions listed below, pursuant to the terms and conditions set forth in the agreements and other action documents attached hereto as Exhibits "A" through "D" and by reference made a part hereof as summarized as follows:

- A) Approve a Final Plat, and an Agreement for Maintenance/Warranty of Subdivision Work, and Security, and an Agreement to perform Landscape work for Coeur d'Alene Place 33rd Addition [S-1-20];
- B) Approve a Final Plat, and an Agreement to Perform Subdivision Work and Security for Jay Four Addition [SS-20-12];
- C) Approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology, Inc., for the Huetter Well; and
- D) Approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology, Inc., for the Atlas Well; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreements and take the other actions;

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City enter into the agreements and take the other actions for the subject matter, as set forth in substantially the form attached hereto as Exhibits "A" through "D" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements and the other actions, so long as the substantive provisions of the agreement and the other actions remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such contracts and agreements, or other documents as may be required on behalf of the City.

DATED this 15th day of December, 2020.

Steve Widmyer, Mayor

ATTEST

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER MCEVERS	Voted
COUNCIL MEMBER MILLER	Voted
COUNCIL MEMBER GOOKIN	Voted
COUNCIL MEMBER EVANS	Voted
COUNCIL MEMBER ENGLISH	Voted
COUNCIL MEMBER WOOD	Voted

_____ was absent. Motion _____.

**CITY COUNCIL
STAFF REPORT**

DATE: December 15, 2020
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **Coeur d’Alene Place 33rd Addition: Final Plat Approval, Acceptance of Improvements, Maintenance/Warranty Agreement and Security Approval, Landscape Work Agreement and Security Approval**

DECISION POINT

Staff is requesting the following:

1. Approval of the final plat document, an eighteen (18) lot residential development.
2. Acceptance of the installed public infrastructure improvements.
3. Approval of the Maintenance/Warranty Agreement and Security.
4. Approval of the Landscape Work Agreement and Security.

HISTORY

- a. Applicant: Kevin Schneidmiller, Vice-President
Greenstone-Kootenai II, Inc.
1421 N. Meadowwood Lane, Suite 200
Liberty Lake, WA 99019
- b. Location: West of Ramsey Road at the Ramsey Road/Wilber Avenue intersection.
- c. Previous Action:
 1. Final plat approval, CDA Place – 16th Addition (1994-2008).
 2. Final plat approval, CDA Place 17th – 23rd Addition (2010 – 2014).
 3. Final plat approval, CDA Place 24th – 32nd Addition (2015 – 2020).

FINANCIAL ANALYSIS

The developer is installing the required warranty bond (10%) to cover any maintenance issues that may arise during the one (1) year warranty period that will commence upon this approval, and terminate, on December 15, 2021. The amount of the security provided is \$46,976.00. Additionally, the developer is furnishing security in the amount of \$403,867.13 which covers the outstanding cost of the uninstalled open space items that are required for this development.

PERFORMANCE ANALYSIS

The developer has installed all required public infrastructure. The responsible City departments have approved the installations and found them ready to accept. Acceptance of the installed improvements will allow the issuance of all available building permits for this phase of the development, and, Certificate of Occupancy issuance upon completion. The City maintenance would be required to start after the one (1) year warranty period expires on December 15, 2021. Additionally, the developer has completed the necessary landscape agreement and is bonding for the outstanding landscape items (Irrigation Pipe System, Landscape Preparation, Hydro seeding, and Landscape Trees). The developer has stated that all open space landscaping installations will be complete by June 15, 2021.

DECISION POINT RECOMMENDATION

1. Approve the final plat document.
2. Accept the installed public infrastructure improvements.
3. Approve the Maintenance/Warranty Agreement and accompanying Security.
4. Approve the Landscape Work Agreement and accompanying Security.

AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK

Coeur d'Alene Place 33rd Addition

THIS AGREEMENT made this 15th day of December, 2020 between Greenstone-Kootenai II, Inc., whose address is 1421 N. Meadowwood Lane, Suite 200, Liberty Lake, WA 99019, with Kevin Schneidmiller, Vice-President, hereinafter referred to as the "**Developer**," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "**City**";

WHEREAS, the City has approved the final subdivision plat of Coeur d'Alene Place 33rd Addition, an eighteen (18) lot, residential development in Coeur d'Alene, situated in the E ½ Section 27, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; and

WHEREAS, the Developer completed the installation of certain public improvements in the noted subdivision as required by Title 16 of the Coeur d'Alene Municipal Code and is required to warrant and maintain the improvements for one year; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to maintain and warrant for a period of one year from the approval date of this agreement, the public improvements listed in the attached spreadsheet, attached as Exhibit "A", and, as shown on the construction plans entitled "Coeur d'Alene Place 33rd Addition", signed and stamped by Doug J. Desmond, PE, # 10886, dated December 8, 2020, incorporated herein by reference, including but not limited to: sanitary sewer system and appurtenances, potable water system and appurtenances, catch basins, stormwater drainage swales, drywells and appurtenances, concrete curb and sidewalk including ramps, asphalt paving, street luminaires, signing and monumentation as required under Title 16 of the Coeur d'Alene Municipal Code.

The Developer herewith delivers to the City, security in a form acceptable to the City, for the amount of Forty-Six Thousand Nine hundred seventy-six and 00/100 Dollars (\$46,976.00) securing the obligation of the Developer to maintain and warrant the public subdivision improvements referred to herein. The security shall not be released until the 15th day of December, 2021. The City Inspector will conduct a final inspection prior to the release of the security to verify that all installed improvements are undamaged and free from defect. In the event that the improvements made by the Developer were not maintained or became defective during the period set forth above, the City may demand the funds represented by the security and use the proceeds to complete maintenance or repair of the improvements thereof. The Developer further agrees to be responsible for all costs of warranting and maintaining said improvements above the amount of the security given.

Owner's Reimbursement to the City: The Parties further agree that the City has utilized substantial staff time to prepare this agreement, which will benefit the Owner. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

City of Coeur d'Alene

Steve Widmyer, Mayor

Greenstone-Kootenai II, Inc.



Kevin Schneidmiller, Vice-President

ATTEST:

Renata McLeod, City Clerk

EXHIBIT 'A'

Project Name:		CDA Place 33rd Addition																					
Project Number:		8-333000																					
Warranty Bond Costs																							
Street Names																							
		length	185	640	516	450	700																
		width	26	26	26	15	32																
50 Radius		7850																					
		culdesac																					
		area - sq ft	4810	16640	13416	6750	22400																
Expenses																							
		average depth	1	1	1	1	1																
		taxable ROW width	53	53	53	23	56																
9-0120 Storm Drainage																							
		0 Single Depth DW			2			\$	2,355.00		4,710		0										
		0 Double Depth DW	2	2				1	\$	3,300.00		16,500		0									
		0 CMP 8"							\$	16.50		0		0									
		0 CMP 12"		307				109	\$	32.00		13,312		0									
		0 CMP 18"							\$	36.00		0		0									
		0 HDPE 24"							\$	32.00		0		0									
		0 storm manhole							\$	3,300.00		0		0									
		0 Type I CB							\$	1,750.00		0		0									
		0 Type II CB			4			2	\$	1,775.00		10,650		0									
		0 Sidewalk Vaults	2						\$	850.00		1,700		0									
		0 208' ponds	240	1078				947	\$	1.20		2,718		0									
		0 Rip Rap							\$	500.00		0		0									
		0 Splash Pads		1	0				\$	950.00		950		0									
		0 Hydroseed	240	1078	2500			947	\$	0.20		953		0								51,493	
9-0130 Sewer																							
		0 6" mainline							\$	26.00		0		0									
		0 8" mainline	290	515	500			665	\$	34.00		66,980		0									
		0 10" mainline							\$	40.00		0		0									
		0 12" mainline							\$	60.00		0		0									
		0 12" forced main							\$	41.00		0		0									
		0 6" forced main							\$	32.00		0		0									
		0 Manholes		4	2			3	\$	4,400.00		39,600		0									
		0 Manholes-Main							\$	300.00		0		0									
		0 services		5	17				\$	770.00		16,940		0									
		0 8" cleanout	1						\$	500.00		500		0									
		0 service extra work							\$	750.00		0		0									
		0 sleeving							\$	150.00		0		0									
		0 Tie in						1	\$	1,400.00		1,400		0									
		0 boring							\$	-		0		0								125,420	
9-0140 Water																							
		0 6" mainline							\$	30.00		0		0									
		0 8" mainline	261	465	500			732	\$	40.00		78,320		0									
		0 10" mainline							\$	51.00		0		0									
		0 12" Mainline							\$	60.00		0		0									
		0 Fire Hydrants	1					1	\$	5,950.00		11,900		0									
		0 blow offs	1		1				\$	1,600.00		3,200		0									
		0 Sample station			1				\$	3,400.00		3,400		0									
		0 Services		5	17				\$	2,200.00		48,400		0									
		0 irrigation service			1			1	\$	15,000.00		30,000		0									
		0 irrigation sleeving	1264						\$	15.00		0		0									
		0 Tie In						1	\$	1,600.00		1,600		0								176,820	
9-0150 Paving																							
		2" on 4"							\$	1.25		0		0									
		2" on 6"							\$	1.90		0		0									
		3" on 6"						22400	\$	2.25		50,400		0									
		4" on 8"							\$	2.80		0		0									
		Base Rock							\$	-		0		0									
		Patching							\$	4.50		0		0								50,400	
9-0151 Curbing																							
		Curb and Gutter						1795	\$	14.00		25,130		0									
		Rolled Curb							\$	11.70		0		0									
		Type 'S' Curb							\$	8.25		0		0								25,130	
9-0152 Sidewalk																							
	width	5 feet						700	\$	3.35		11,725		0									
		6 feet							\$	3.25		0		0									
		ada domes S.F							\$	800.00		0		0									
		Alley approaches							\$	4,000.00		0		0									
		6 ADA Domes						4	\$	1,400.00		5,600		0								17,325	
9-0175 Trail System																							
		0 concrete							\$	3.50		0		0									
		0 asphalt						7990	\$	2.60		0		0								20,774	
9-0180 Mailboxes/Street Signs																							
		1							\$	2,850.00		0		0									
		0 street signs		1	1	1		1	\$	600.00		2,400		0									
		0 monuments							\$	150.00		0		0								2,400	
CONSTRUCTION COSTS																							
																						469,762	
Warranty Amount		10%																				46,976	

AGREEMENT TO PERFORM LANDSCAPE WORK

Coeur d'Alene Place 33rd Addition

THIS AGREEMENT made this 1st day of December, 2020 between Greenstone-Kootenai II, Inc., whose address is 1421 N. Meadowwood Lane, Suite 200, Liberty Lake, WA 99019, with Kevin Schneidmiller, Vice-President, hereinafter referred to as the "**Developer**," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "**City**";

WHEREAS, the City has approved, subject to completion of the required improvements, the subdivision plat of Coeur d'Alene Place 33rd Addition, an eighteen (18) lot, six (6) tract residential development in Coeur d'Alene, located in the East ½ of Section 27, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to complete the following improvements: Open space landscape improvements, as required under Title 17 of the Coeur d'Alene Municipal Code, on or before the 15th day of June, 2021. Said improvements are more particularly described on the submitted estimate dated December 7, 2020 attached as Exhibit 'A', and, shown on the Open Space Plans on file in the City of Coeur d'Alene Planning Department's office and incorporated herein by reference.

The Developer, prior to recording the plat, shall deliver to the City, security in the amount of Four Hundred Three Thousand Eight hundred sixty-seven and 13/100 Dollars (\$403,867.13) securing the obligation of the Developer to complete the landscape open space improvements referred to herein. Should the Developer noted herein fail to complete the improvements within the time herein provided, the City may utilize the funds to complete or have the improvements completed. In the event the City completes the improvements as a result of the Developer's default, the Developer shall be responsible for any costs that exceed the installed security for the public improvements noted herein.

The Parties further agree that the City has utilized substantial staff time to prepare this agreement, which will benefit the Developer. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

City of Coeur d'Alene

Steve Widmyer, Mayor

Developer



Kevin Schneidmiller, Vice-President

ATTEST:

Renata McLeod, City Clerk

EXHIBIT 'A'

Project Name:		CDA Place 33rd Addition										
Project Number:		8-333000										
Total Acres:		7.87										
# of Single Family Lots:		18										
# of Multi Family units:		0										
Street Names		length	width	width	width	width	width	width	per unit	cost	tax	TOTAL COST (Includes Allotations)
			185	640	516	450	700					
			26	26	26	15	32					
50 Radius	7850	culdesac										
		area - sq ft	4810	16640	13416	6750	22400					
Expenses												
Stormwater												
		208' ponds	240	1078			947	\$ 1.20	2,718	0		
		Rip Rap						\$ 500.00	0	0		
		Splash Pads		1	0			\$ 950.00	950	0		
		Hydroseed	240	1078	2500		947	\$ 0.20	953	0	4,621	
9-0160	Landscaping-street scape	0 Tract A	638					\$ 2.75	1,755	0		
		0 Tract B	3456					\$ 2.75	9,504	0		
		0 Tract C	3,458					\$ 3.25	11,239	0		
		0 Tract D					30,658	\$ 2.50	76,645	0		
		0 Tract E			52621			\$ 2.75	144,708	0		
		0 Tract F						\$ 3.25	0	0		
		0 Tract G						\$ 0.65	0	0		
		0 Tract H						\$ 0.65	0	0		
		0 Tract I						\$ 0.65	0	0		
		0 Tract J						\$ 0.65	0	0		
		0 Tract K						\$ 0.65	0	0		
		0 Clock Timer						\$ 2,500.00	0	0		
		1 park Equipment							0	0		
		1 Roundabout	Center landscape					\$ 1.50	0	0	243,850	
9-0175	Trail System	0 concrete						\$ 3.50	0	0		
		asphalt					7990	\$ 2.60	0	0	20,774	
CONSTRUCTION COSTS												269,245
Performance Bond		150%										\$ 403,867.13

CITY COUNCIL STAFF REPORT

DATE: December 15, 2020
FROM: Dennis Grant, Engineering Project Manager
SUBJECT: **SS-20-12, Jay Four Addition: Final Plat, Subdivision Improvement Agreement & Security Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a two (2) lot commercial subdivision.
2. City Council approval of the furnished subdivision improvement agreement and security

HISTORY

- a. Applicant: Nathan P. Nagel, Agent
JP4, LLC
674 N. Pleasant View Road
Post Falls, ID 83835-9361
- b. Location: 7777 N. Heartland Drive (Southwest corner of Heartland Drive and Prairie Avenue)
- c. Previous Action:
 1. Preliminary plat approval, September 28, 2020

FINANCIAL ANALYSIS

The developer is furnishing security in the amount of \$2,250.00 which covers the outstanding cost of the uninstalled infrastructure installations that are required for this development.

PERFORMANCE ANALYSIS

The developer has completed the necessary subdivision agreement and is bonding for the outstanding infrastructure items (water service install) in order to receive final plat approval. The installation of the agreement and security enables the developer to receive final plat approval and sell platted lots, however, occupancies will not be allowed until all infrastructure installation has been completed, and, the improvements accepted by the City. The developer has stated that all infrastructure installations will be complete by July 1, 2021.

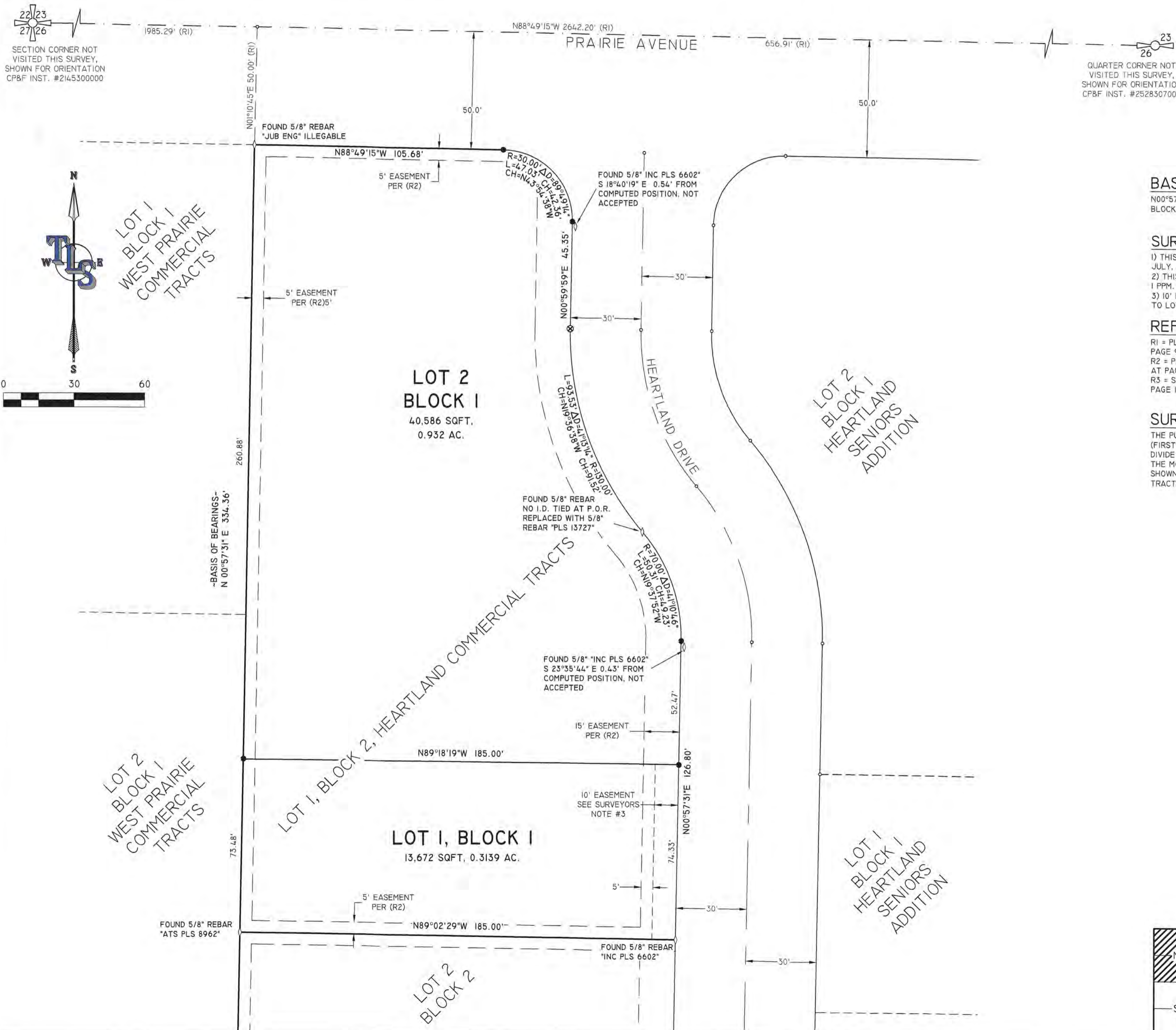
DECISION POINT RECOMMENDATION

1. Approve the subdivision improvement agreement and security.
2. Approve the final plat document.

JAY FOUR ADDITION

A REPLAT OF LOT 1, BLOCK 2, HEARTLAND COMMERCIAL TRACTS,
 LOCATED IN THE NW1/4 OF SECTION 26, T. 51 N., R. 4 W., B.M.,
 CITY OF COEUR D' ALENE, KOOTENAI COUNTY, IDAHO

12/1/2020



BASIS OF BEARINGS

N00°57'31\"/>

SURVEYOR'S NOTES

- 1) THIS SURVEY WAS PERFORMED, AND THE CORNERS SHOWN AS FOUND HEREON WERE LOCATED JULY, 2020
- 2) THIS SURVEY WAS PERFORMED USING GLOBAL POSITIONING SYSTEM (GPS) EQUIPMENT WITH 5MM. + 1 PPM. ACCURACY WHICH MEET OR EXCEEDS STATE OF IDAHO REQUIREMENTS.
- 3) 10' EASEMENT FOR INSTALLATION AND MAINTENANCE OF IRRIGATION PIPE AND APPURTENANCES, TO LOT 2.

REFERENCES

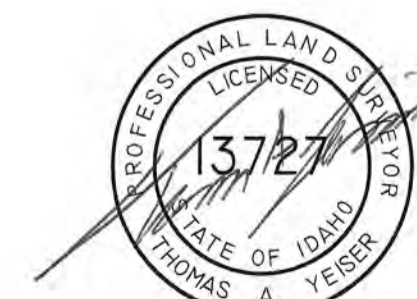
- R1 = PLAT OF HEARTLAND COMMERCIAL TRACTS, BY W. BRANT MORRIS, PLS 6602, PLAT BOOK 1, AT PAGE 99-99A, JANUARY, 1999
- R2 = PLAT OF WEST PRAIRIE COMMERCIAL TRACTS, BY W. BRANT MORRIS, PLS 6602, PLAT BOOK 1, AT PAGE 22-22A, FEBRUARY, 1998
- R3 = SHORT PLAT OF HEARTLAND SENIORS ADDITION, BY JAMES H. FRAME, PLS 7875, PLAT BOOK 1, PAGE 160-160A, JULY, 1999

SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO IDENTIFY THE BOUNDARIES OF THE VESTING DEED SHOWN IN (FIRST AMERICAN TITLE INSURANCE COMPANY, GUARANTEE NUMBER 5010500-911014-C) AND TO DIVIDE SAID BOUNDARIES BY WAY OF A SHORT PLAT. THE MONUMENTS SHOWN AS FOUND HEREON FIT RECORD DIMENSIONS WITH TWO EXCEPTIONS AS SHOWN. I HELD THE RECORD DIMENSIONS OF LOT 1, BLOCK 2, OF HEARTLAND COMMERCIAL TRACTS (R1).

LEGEND

- = COMPUTED POINT
- = NOTHING SET
- ⊗ = SET MAG NAIL WITH 3/4\"/>



12-1-2020

	NAME: SP-2019
	PROJECT NUMBER: 2019
	DRAWN BY: SL
	CHECKED BY: TY
	LAST EDIT: 12/1/2020
SHEET: 1 OF 2	

TRUE LINE SURVEYING
 TIS, LLC
 2623 W. Presley Rd,
 Coeur d'Alene, Idaho, 83814
 208-667-1044 : tom@truelineonline.com

JAY FOUR ADDITION

A REPLAT OF LOT 1, BLOCK 2, HEARTLAND COMMERCIAL TRACTS,
 LOCATED IN THE NW1/4 OF SECTION 26, T. 51 N., R. 4 W., B.M.,
 CITY OF COEUR D' ALENE, KOOTENAI COUNTY, IDAHO

11/23/2020

RECORDER'S CERTIFICATE

BOOK _____, PAGE _____
 INST. # _____

THIS MAP WAS FILED AT THE OFFICE OF THE RECORDER, COUNTY OF KOOTENAI,
 STATE OF IDAHO, AT THE REQUEST OF TRUE LINE SURVEYING, T.L.S., LLC
 ON THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK _____ M.,
 RECORDED IN PLAT BOOK _____, AT PAGES _____
 AS INSTRUMENT NO. _____
 FEE: _____
 COUNTY CLERK: JIM BRANNON
 BY: _____ DEPUTY

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: JP4 L.L.C., AN IDAHO LIMITED LIABILITY COMPANY, HEREBY CERTIFY THEY THEY OWN THE PROPERTY HERINAFTER DESCRIBED AND INCLUDES SAID PROPERTY IN A SHORT PLAT TO BE KNOWN AS "JAY FOUR ADDITION"

LEGAL DESCRIPTION
 (FIRST AMERICAN TITLE INSURANCE COMPANY, GUARANTEE NUMBER 5010500-911014-C)

LOT 1, BLOCK 2, HEARTLAND COMMERCIAL TRACTS, ACCORDING TO THE PLAT RECORDED IN BOOK 1 OF PLATS, PAGE 99, RECORDS OF KOOTENAI COUNTY, IDAHO

THE OWNER HEREBY GRANTS, TO LOT 2, A 10' EASEMENT FOR INSTALLATION AND MAINTENANCE OF IRRIGATION PIPE AND APPURTENANCES ADJACENT TO HEARTLAND DRIVE, AS SHOWN ON THE FACE OF THE PLAT.

SANITARY SEWER SERVICE SHALL BE PROVIDED BY THE CITY OF COEUR D' ALENE

WATER SERVICE SHALL BE PROVIDED BY THE CITY OF COEUR D' ALENE

SIGNATURE: Kym Nagel DATE: 12/2/20

PRINT NAME: KYM NAGEL

TITLE: MEMBER

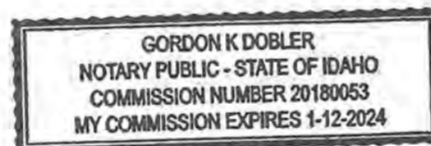
NOTARY PUBLIC

ACKNOWLEDGMENT
 STATE OF IDAHO
 COUNTY OF KOOTENAI

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 2ND DAY OF DECEMBER
 IN THE YEAR 2020, BY KYM NAGEL, AS A MEMBER
 OF JP4, LLC.

NOTARY PUBLIC: Gordon K Dobler

MY COMMISSION EXPIRES: 1-12-2024



PANHANDLE HEALTH

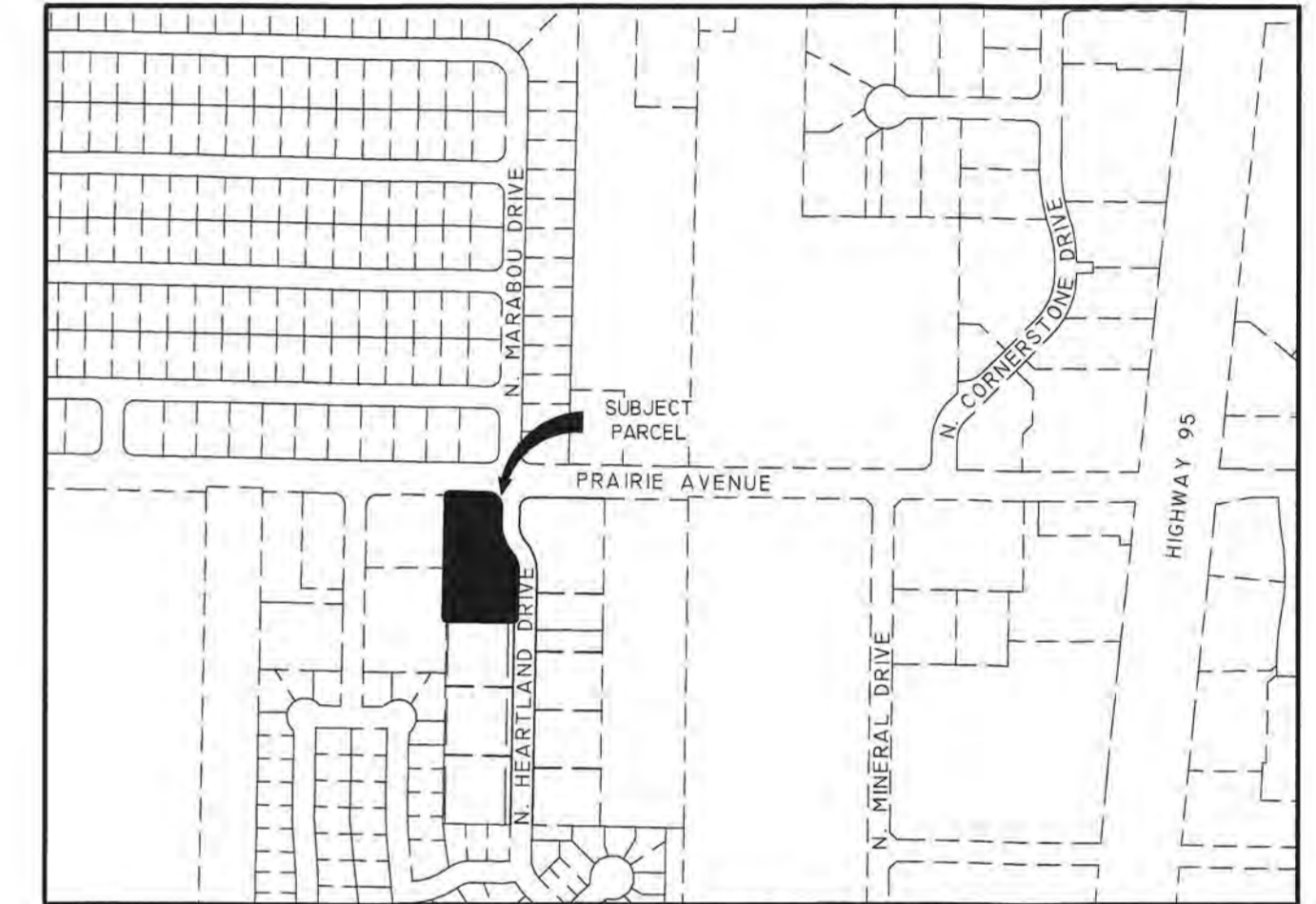
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QIPE) REPRESENTING THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER EXTENSION WAS CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER EXTENSIONS OR SEWER EXTENSION HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NON-CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

HEALTH DISTRICT SIGNATURE: Jay Ireland DATE: 12-3-20

CITY COUNCIL APPROVAL

THIS PLAT IS HAS BEEN EXAMINED BY THE COEUR D' ALENE CITY COUNCIL AND HEREBY APPROVED FOR FILING THIS _____ DAY OF _____, 20____.

CITY OF COEUR D' ALENE, CLERK



VICINITY MAP

1" = 500'

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THIS 7TH DAY OF DECEMBER, 2020, THAT THE REQUIRED TAXES ON THE HEREIN PLATTED LAND HAVE BEEN PAID THROUGH

December 31, 2020
Shawn Matheson
 KOOTENAI COUNTY TREASURER

COUNTY SURVEYOR'S CERTIFICATE

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



SURVEYOR'S CERTIFICATE

I THOMAS A. YEISER, PLS 13727, 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 THE DIRECT SUPERVISION, AND THAT APPLICABLE CORNER RECORDS HAVE BEEN FILED, IN COMPLIANCE WITH THE LAWS OF THE STATE OF IDAHO.

Thomas A. Yeiser 12/1
 THOMAS A. YEISER PLS 13727 9/28/2020
 DATE



12-1-2020

CITY ENGINEER APPROVAL

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

CITY OF COEUR D' ALENE, ENGINEER

NW	NE	NAME: SP-2019
26		PROJECT NUMBER: 2019
SW	SE	DRAWN BY: SL
		CHECKED BY: TY
		LAST EDIT: 11/23/2020
		SHEET: 2 OF 2

TRUE LINE SURVEYING T.L.S., LLC
 2623 W. Presley Rd.
 Coeur d' Alene, Idaho, 83814
 208-667-1044 : tom@trueonline.com

AGREEMENT TO PERFORM SUBDIVISION WORK
JP4 Addition (SS-20-12)

THIS AGREEMENT made this 15th day of December, 2020 between Nathan P. Nagal, JP4, LLC, whose address is 674 N. Pleasant View Road, Post Falls, ID 83854-9361, hereinafter referred to as the "**Developer**," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "**City**";

WHEREAS, the City has approved, subject to completion of the required improvements, the subdivision plat of JP4 Addition, a two (2) lot, commercial development in Coeur d'Alene, situated in the Northwest ¼ of Section 26, Township 51 North, Range 4 West, B.M., Kootenai County, Idaho; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to complete the following public improvements: Installation of one (1) water service connection to lot 2 on or before the 1st day of July 2021. Said improvements are more particularly described on the submitted estimate of probable construction costs dated November 20, 2020 attached as Exhibit "A", compiled by Gordon Dobler, PE, #7432 of Dobler Engineering, whose address is 1857 N. Lakewood Drive, Coeur d'Alene, ID 83814.

The Developer, prior to recording the plat, shall deliver to the City, security in the amount of Two Thousand Two Hundred Fifty and 00/100 Dollars (\$2,250.00) which is the cost required for securing the obligation of the Developer to complete the subdivision improvements referred to herein. Should the Developer noted herein fail to complete the improvements within the time herein provided, the City may utilize the funds to complete or have the improvements completed. In the event the City completes the improvements as a result of the Developer's default, the Developer shall be responsible for any costs that exceed the installed security for the public improvements noted herein.

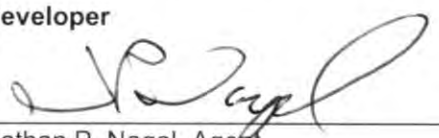
The Parties further agree that the City has utilized substantial staff time to prepare this agreement, which will benefit the Developer. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

City of Coeur d'Alene

Steve Widmyer, Mayor

Developer



Nathan P. Nagal, Agent
JP4, LLC

ATTEST:

Renata McLeod, City Clerk



DOBLER ENGINEERING

EXHIBIT 'A'

November 20, 2020

City of Coeur d'Alene Engineering Department
710 E Mullan Ave
Coeur d'Alene, ID 83814

Attn: Dennis Grant
Re: Jaype Fore Addition – Bond Estimate

Dear Dennis,

The Water Department is requiring a new water service connection to lot 2, as a condition of approval of the plat. Because it is too late in the year to cut the street and make that connection, the owner will post a bond for this work so that the plat can be recorded. The work will be completed in the spring as soon as the weather permits. The estimate for this work is as follows.

Install new 1" water service to lot 2 and abandon existing water service	1	LS	\$1,500
Bond Amount (150%)			\$2,250

Please contact me if you have any questions.

Sincerely,

Gordon Dobler, P.E.
Dobler Engineering

**GENERAL SERVICES/PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: December 7, 2020
FROM: Kyle Marine, Assistant Water Director
SUBJECT: **Request to purchase a MIOX Onsite Chlorine Generator**

DECISION POINT:

Water Department Staff requests that Mayor and Council approve the purchase of MIOX Onsite Chlorine Generator from Filtration Technology for the Huetter Well.

HISTORY:

Prior to 2009, the City of Coeur d'Alene Water Department historically utilized gas chlorination for disinfection of the potable water supply. Chlorine gas is inherently dangerous if improperly handled and is extremely poisonous and highly corrosive. The Water Department began looking for much safer alternatives and opted to try sodium hypochlorite generation onsite. The process uses common table salt and electricity to generate a weak sodium hypochlorite solution for disinfection. In 2009 the first onsite chlorine generator was purchased and installed at the 4th Street Well. This unit will be furnished to and installed at the new Huetter Well site.

FINANCIAL ANALYSIS:

The purchase is in our FY 2021 financial plan. Due to excessively long lead times, we are purchasing a new MIOX unit for the Huetter Well construction. The MIOX unit for the Huetter Well will be paid for out of the new well budget which is \$1,200,000.00, funded by Cap Fees.

PERFORMANCE ANALYSIS:

Water Department staff received 2 quotes back for chlorine generators. One from Filtration Technology, Inc for the amount of \$89,500 (MIOX) and the other from UGSI Solutions (MicroClor) for the amount of \$185,000. Besides the clear difference in purchase cost, as the MicroClor units have doubled in price, staff is switching suppliers due to the poor customer support and parts availability by USGI Solutions. The new unit is expected to be installed and operational prior to well activation for the 2021 summer season.

DECISION POINT/RECOMMENDATION:

Mayor and Council should approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology in the amount of \$89,500.00 for installation in the Huetter Well.



**PERSONAL PROPERTY & SERVICES PRICE
REASONABLENESS FORM**

To: Finance Department

From: Kyle Marine

Date: 11-24-2020

Required Action: Complete for procurements of:

- Any titled or rolling stock for not more than \$50,000;
- Property with a useful life of one year and more that cost between \$20,000 - 50,000
- All property between \$50,000 and \$100,000;

Personal property or Service Description: On site chlorine Generation System for Huetter Well

Purchase in financial plan? Yes No If yes, budget amount in financial plan - \$ 1,200,000 Acco# 7938

If non-budgeted – Date Council approved: _____

Competitive Quotes Obtained:

1st vendor name and price: MIOX \$89,500

2nd vendor name and price: UGSI \$185,000

3rd vendor name and price: No other comparable unit

If Competitive Quotes not obtained, provide Price Reasonableness Analysis: _____

Vendor Awarded: _____ Date: _____

New vendor to the City? Yes No *If yes, attach a completed W-9*

Department Head Signature: _____

Department: Water Dep Date: 11-24-2020

Comptroller Approval Signature: _____



December 15, 2020

Filtration Technology, Inc.
2218 S. Crosscreek Ln.
Boise, ID 83706-6707

To Whom It May Concern:

The purpose of this letter is to confirm our agreement regarding the purchase and installation of a MIOX Generator and associated equipment at the Huetter Well for the City of Coeur d'Alene. We have agreed that starting on or about 6-1-2020, work will commence and be completed by 7-30-2020. The scope of work includes the installation of the generator as described in Attachment "A." It is further agreed that Filtration Technology, Inc., (hereinafter referred to as the "Contractor") will indemnify, defend and hold the City harmless for any and all causes of action arising from any tortuous act or omission by Contractor, its employees, subcontractors, agents, and officers in performing this job. Payment will be made only after completion of the work and approval by the City, and after the City has received satisfactory evidence that all due or delinquent taxes have been paid. Invoices should be mailed to this office's address.

The total amount to be paid for the work shall be Eighty-nine thousand five-hundred and no/100 Dollars (\$89,500.00). Unless otherwise agreed in writing, the City shall not pay any cost or expense in excess of that amount.

Before commencing work, Contractor must provide the following to the City Clerk: (1) this completed and signed Letter of Agreement; (2) a completed W9; (3) a certificate of liability insurance policy which names the City as an additional insured with minimum policy amount of \$500,000 for bodily or personal injury, death, or property damage or loss as a result of any one accident or occurrence; (4) proof of worker's compensation insurance, if required; and (5) proof of a public works contractor license.

The City and the Contractor recognize that time is of the essence and failure of the Contractor to complete the work within the time allowed shall result in damages being sustained by the City. Such damages are and will continue to be impractical and extremely difficult to determine. Therefore, in the event the Contractor shall fail to complete the work within the above time limit, or any extension granted by City in writing, the Contractor shall pay to the City or have withheld from moneys due, liquidated damages at the rate of Five hundred and no/100 Dollars (\$500.00) per calendar day, which sums shall not be construed as a penalty.

Additionally, Idaho law (I.C. § 44-1001) requires that, for all construction, repair or maintenance work performed for the City, the Contractor shall employ 95% bona fide Idaho residents on the job unless the Contractor employs fewer than 50 people. In that case, up to 10% nonresidents may be employed on the job.



The Contractor affirmatively acknowledges that no person shall be discriminated against on the grounds of race, color, sex, sexual orientation, gender identity, or national origin in employment on this project.

Please acknowledge this agreement and return to this office.

Sincerely, _____ Title _____

CONTRACTOR ACCEPTANCE OF TERMS

Name (individual or company): _____

Authorized Signature: _____ Date: _____

Printed Name and Title: _____



ATTACHMENT "A"

- Wall mount filter with gauges and isolation valves.
 - Kinetico Softener and all accessories.
 - 300 gal open top brine tank 48" diameter X 39" OAH, split hinged lid, BrineGuard, simple float assembly and all accessories (salt supplied by City).
 - MIOX #ABM30SC self-cleaning mixed oxidant generator cabinet, wall mount, 1PH/230V, PLC/HMI, 60 amp, designed to produce a minimum of 30 ppd, spare parts kit.
 - 625 gal vertical storage tank 48" diameter X 93" high, 18" float assembly, all bulkheads, hydrogen vent piping, 1" true-union isolation PVC/viton ball valve.
 - Mazzei injector package which includes:
 - Grundfos CR series pump, mount to floor
 - Mazzei PVDF injector:
 - Pressure gauges before and after
 - .1 to 1 GPM King flow meter, non-metallic
 - Flow control valve
 - Flex tubing from outlet of the oxidant tank isolation valve to flow control valve
- All Sch 80 PVC pipe to and from City supplied isolation valves in main pipe
- Installation: Idaho public works contractor certified, all piping as required.
 - Start-up and training.
 - All equipment shall meet NSF requirements-certified for public drinking water.

**GENERAL SERVICES/PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: December 7, 2020
FROM: Kyle Marine, Assistant Water Director
SUBJECT: Request to purchase MIOX Onsite Chlorine Generator

DECISION POINT:

Water Department Staff requests that Mayor and Council approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology for the Atlas Well.

HISTORY:

Prior to 2009, the City of Coeur d'Alene Water Department historically utilized gas chlorination for disinfection of the potable water supply. Chlorine gas is inherently dangerous if improperly handled and is extremely poisonous and highly corrosive. The Water Department began looking for much safer alternatives and opted to try sodium hypochlorite generation onsite. The process uses common table salt and electricity to generate a weak sodium hypochlorite solution for disinfection. In 2009, the first onsite chlorine generator was purchased and installed at the 4th Street Well. The cells have a limited operational life, averaging about ten years. The new unit will be replacing a failing unit at our Atlas Well site. Spare parts will be scavenged from the unit replaced and the remainder will be scrapped.

FINANCIAL ANALYSIS:

The purchase is in our FY 2021 financial plan to replace the failing MicroClor onsite chlorine generator at the Atlas Well with a new MIOX onsite chlorine generator. The current budget for the replacement of the existing Atlas Well MicroClor chlorine generator is \$150,000, funded by rates, which includes necessary electrical and plumbing modifications.

PERFORMANCE ANALYSIS:

Water Department staff received 2 quotes back for chlorine generators. One from Filtration Technology, Inc., for the amount of \$89,500 (MIOX) and the other from USGI Solutions (MicroClor) for the amount of \$185,000. The MIOX onsite chlorine generators have an anticipated life expectancy of about ten years depending on annual hours used. Besides the clear difference in purchase cost, as the MicroClor units have doubled in price, staff is switching suppliers due to the poor customer support and parts availability by USGI Solutions. The new unit is expected to be installed and operational prior to well activation for the 2021 summer season.

DECISION POINT/RECOMMENDATION:

Mayor and Council should approve the purchase of a MIOX Onsite Chlorine Generator from Filtration Technology in the amount of \$89,500.00 for installation in the Atlas Well.



**PERSONAL PROPERTY & SERVICES PRICE
REASONABLENESS FORM**

To: Finance Department

From: Kyle Marine

Date: 11-24-2020

Required Action: Complete for procurements of:

- Any titled or rolling stock for not more than \$50,000;
- Property with a useful life of one year and more that cost between \$20,000 - 50,000
- All property between \$50,000 and \$100,000;

Personal property or Service Description: On site chlorine Generation System for Atlas Well

Purchase in financial plan? Yes No If yes, budget amount in financial plan - \$ 150,000 Acco# 7937

If non-budgeted – Date Council approved: _____

Competitive Quotes Obtained:

1st vendor name and price: MIOX \$89,500

2nd vendor name and price: UGSI \$185,000

3rd vendor name and price: No other comparable unit

If Competitive Quotes not obtained, provide Price Reasonableness Analysis: _____

Vendor Awarded: _____ Date: _____

New vendor to the City? Yes No *If yes, attach a completed W-9*

Department Head Signature: _____

Department: Water Dep Date: 11-14-19

Comptroller Approval Signature: _____



December 15, 2020

Filtration Technology, Inc.
2218 S. Crosscreek Ln.
Boise, ID 83706-6707

To Whom It May Concern:

The purpose of this letter is to confirm our agreement regarding the purchase and installation of a MIOX Generator and associated equipment at the Atlas Well for the City of Coeur d'Alene. We have agreed that starting on or about 4-1-2020, work will commence and be completed by 5-1-2020. The scope of work includes the installation of the generator as described in Attachment "A." It is further agreed that Filtration Technology, Inc., (hereinafter referred to as the "Contractor") will indemnify, defend and hold the City harmless for any and all causes of action arising from any tortuous act or omission by Contractor, its employees, subcontractors, agents, and officers in performing this job. Payment will be made only after completion of the work and approval by the City, and after the City has received satisfactory evidence that all due or delinquent taxes have been paid. Invoices should be mailed to this office's address.

The total amount to be paid for the work shall be Eighty-nine thousand five-hundred and no/100 Dollars (\$89,500.00). Unless otherwise agreed in writing, the City shall not pay any cost or expense in excess of that amount.

Before commencing work, Contractor must provide the following to the City Clerk: (1) this completed and signed Letter of Agreement; (2) a completed W9; (3) a certificate of liability insurance policy which names the City as an additional insured with minimum policy amount of \$500,000 for bodily or personal injury, death, or property damage or loss as a result of any one accident or occurrence; (4) proof of worker's compensation insurance, if required; and (5) proof of a public works contractor license.

The City and the Contractor recognize that time is of the essence and failure of the Contractor to complete the work within the time allowed shall result in damages being sustained by the City. Such damages are and will continue to be impractical and extremely difficult to determine. Therefore, in the event the Contractor shall fail to complete the work within the above time limit, or any extension granted by City in writing, the Contractor shall pay to the City or have withheld from moneys due, liquidated damages at the rate of Five hundred and no/100 Dollars (\$500.00) per calendar day, which sums shall not be construed as a penalty.

Additionally, Idaho law (I.C. § 44-1001) requires that, for all construction, repair or maintenance work performed for the City, the Contractor shall employ 95% bona fide Idaho residents on the job unless the Contractor employs fewer than 50 people. In that case, up to 10% nonresidents may be employed on the job.



The Contractor affirmatively acknowledges that no person shall be discriminated against on the grounds of race, color, sex, sexual orientation, gender identity, or national origin in employment on this project.

Please acknowledge this agreement and return to this office.

Sincerely, _____ Title _____

CONTRACTOR ACCEPTANCE OF TERMS

Name (individual or company): _____

Authorized Signature: _____ Date: _____

Printed Name and Title: _____

ATTACHMENT "A"

- Wall mount filter with gauges and isolation valves.
- Kinetico Softener and all accessories.
- Re-use and modify as required existing brine tank, BrineGuard, simple float assembly and all accessories (salt supplied by City).
- MIOX #ABM30SC self-cleaning mixed oxidant generator cabinet, wall mount, 1PH/230V, PLC/HMI, 60 amp, designed to produce a minimum of 30 ppd, spare parts kit.
- Re-use and modify as required existing oxidant tank, 18" float assembly, true-union isolation PVC/viton ball valve, flex connector, tie piping to existing chem. feed pump supply piping.
- Installation: Idaho public works contractor certified, all piping as required.
- Start-up and training.
- All equipment shall meet NSF requirements-certified for public drinking water.

OTHER BUSINESS

RESOLUTION NO. 20-067

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN ANNEXATION AGREEMENT WITH HARMONY HOMES, LLC, FOR PROPERTY LOCATED AT 7278 ATLAS ROAD, COEUR D'ALENE, IDAHO 83814.

WHEREAS, an annexation agreement has been negotiated between the City of Coeur d'Alene and Harmony Homes, LLC, whose terms and conditions are set forth in said agreement, a copy of which is attached hereto as Exhibit "1" and by this reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreement;

NOW, THEREFORE,

BE IT RESOLVED that the City enter into an annexation agreement with Harmony Homes, LLC, in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreement to the extent the substantive provisions of the agreement remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such agreement on behalf of the City of Coeur d'Alene.

DATED this 15th day of December, 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER WOOD Voted

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER MILLER Voted

_____ was absent. Motion _____.

ANNEXATION AGREEMENT

A-1-20

THIS AGREEMENT, made and dated this 15th day of December, 2020, by and between the City of Coeur d'Alene, a municipal corporation organized pursuant to the laws of the state of Idaho, hereinafter termed the "City," and *Harmony Homes LLC*, an Idaho Limited Liability Company, organized pursuant to the laws of the State of Idaho, with its address at *7278 Atlas Road, Coeur d' Alene, ID 83814*, hereinafter referred to as the "Owner,"

WITNESSETH:

WHEREAS, the Owner owns a parcel of land adjacent to the City limits of the City, which the Owners wish to develop, and the Owners have applied for annexation to the City, and said property to be annexed is more particularly described in Exhibit "A" attached hereto (hereinafter referred to as "the Property") and incorporated by reference into the substantive portion of this Agreement; and

WHEREAS, the Coeur d'Alene Planning and Zoning Commission has approved, subject to the successful completion of the annexation process, zoning for the Property. A copy of the approved Findings and Order are attached hereto as Exhibit "B" and are incorporated by reference into the substantive portion of this Agreement; and

WHEREAS, the Mayor and City Council of the City have determined that it would be in the best interests of the City and the citizens thereof to annex the Property subject to the Owners performing the conditions hereinafter set forth.

NOW, THEREFORE,

IN CONSIDERATION of the covenants and conditions set forth herein, the parties agree as follows:

ARTICLE I: LEGAL DESCRIPTION

1.1. The property is legally described as: Parcel 1: The South 3/5 (three-fifths) of Tract 335, Hayden Lake Irrigated Tracts, Kootenai County, State of Idaho, according to the plat recorded in Book "C" of Plats, Page 67 and Parcel 2: The East half of the North 2/5 (two fifths) of Tract 335, Hayden Lake Irrigated Tracts, according to the amended plat recorded in the office of the county recorder in Book "C" of Plats at Page 67, records of Kootenai County, Idaho and legally known as 7278 Atlas Road.

ARTICLE II: STANDARDS

2.1. Applicable standards: The Owners agree that all laws, standards, policies and procedures regarding public improvement construction that the Owners are required to comply

with or otherwise meet pursuant to this Agreement or City Code shall be those in effect at the time of plan approval. The Owners further waive any right the Owners may have regarding the date used to determine what public improvements; construction laws, standards, policies and procedures shall apply.

ARTICLE III. UTILITIES

3.1. Water and sewer: The Owners agree to use the City's water and sanitary sewer systems for this development. The Owners will extend, at its own cost, the water and sanitary sewer systems and further agrees to fully comply will all City policies for its water and wastewater systems.

3.2. Water rights: Prior to the recordation of any plat on the Property or any other transfer of an ownership interest in the Property, the Owners will grant to the City, by warranty deed in a format acceptable to the City, all water rights associated with the Property. The parties expressly agree that the Owners are conveying the water rights to the City so that the City will have adequate water rights to ensure that the City can provide domestic water service to the Property.

3.3. Garbage collection: The Owners agree that upon the expiration of the existing term of any contract to provide garbage collection services to the Property, that the Owners will begin using the garbage collection service in effect within the City of Coeur d'Alene, which garbage collection service shall be identified by the City.

3.4. Street lights: The Owners agree to adhere to City policies and standards for street light design and construction.

3.5. Street Trees: The Owners agree to adhere to City policies and standards for street trees.

ARTICLE IV: PUBLIC IMPROVEMENTS

4.1. Installation of public improvements: The Owners further agree prior to occupancy of the Property, and prior to issuance of any building permits for the Property, the Owners shall submit plans for approval and construct and install, or otherwise secure the required construction and installation in a manner acceptable to the City, of all improvements required by this Agreement or by City Code including but not limited to sanitary sewer improvements, storm water disposal, water lines, hydrants, monumentation, grading, subbase, paving, curbs, dry utility conduit, street lights, pedestrian/bicycle paths, and sidewalks. The City shall have no obligation, if any exists, for maintenance of improvements until such time as the City formally accepts the improvements.

ARTICLE V: FEES

5.1. Consideration: The Owners agree to provide specific consideration in the amount of Forty-six thousand one hundred and forty dollars (\$46,140.00) to the City at the times specified in Section 5.3 below. This amount is based on the policy adopted by the City Council by Resolution 98-112 and represents a fee of Seven Hundred Fifty Dollars (\$750.00) per residential lot in the approved R-1 zone on the approved plat. The sum provided for by this Agreement is deemed by the parties to be a reasonable fee for City benefits and services to the Owners' Property, including but not limited to public safety and other services. The Owners will remain responsible for all other costs and fees required by City Code.

5.2. No extension of credit: The parties, after careful consideration of the actual burdens on the City, have agreed to a specific dateline in which those burdens will occur. This section anticipates specific payment at a specific date and is in no manner a loan of services or an extension of credit by the City.

5.3. Payment of annexation fees: On or before the date of the publication of the ordinance annexing the Property into the City, , the Owners will pay the required fee for each lot contained in the final plat. The Owners expressly agree that the City may withhold final plat approval or building permit issuance until such time as the required fees are paid.

5.4. Other fees: Additionally, the Owners shall be responsible for all required fees and charges including but not necessarily limited to water hook-up fee(s), water connection (capitalization) fee(s), sanitary sewer connection (capitalization) fee(s), building permit fees, and any applicable impact fees that may be imposed. Fees referred to in this paragraph, are set forth by Municipal Ordinance and/or resolution and arise independent of this Agreement.

5.5. The Owner's reimbursement to the City: The Parties further agree that the City has utilized substantial staff time to prepare the Annexation Agreement that will benefit the Owners. The Parties further agree the City shall be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee shall be in the amount of Eight Hundred Dollars (\$800.00).

ARTICLE VI. MISCELLANEOUS

6.1. Deannexation: The Owners agree that in the event the Owners fail to comply with the terms of this Agreement, defaults, is otherwise in breach of this Agreement, the City may deannex and terminate utility services without objection from the Owners, or their assigns or successors-in-interest of such portions of the Owners' Property as the City in its sole discretion decides.

6.2. The Owners to hold the City harmless: The Owners further agree it will indemnify, defend and hold the City harmless from any and all causes of action, claims and damages that arise, may arise, or are alleged, as a result of the Owner's development, operation, maintenance, and use of the Property described in Exhibit "A." The Owners further agree to pay the City's legal costs, including reasonable attorney fees, in the event this annexation is challenged in a court of law. Payment for the City's legal costs will be remitted within thirty (30) days after receipt of invoice from the City for legal expenses.

6.3. Time is of the essence: Time is of the essence in this Agreement.

6.4. Merger: The representations, warranties, covenants, conditions and agreements of the parties contained in the Agreement shall survive the acceptance of any deeds and/or easements.

6.5. Recordation; Merger; Amendment: The Owners further agree this Agreement shall be recorded by the City at the Owners' expense. All promises and negotiations of the parties merge into this Agreement. The parties agree that this Agreement shall only be amended by a writing signed by both parties. The parties agree that this Agreement shall not be amended by a change in any law. The parties agree this Agreement is not intended to replace any other requirement of City Code.

6.6. Section headings: The section headings of this Agreement are for clarity in reading and not intended to limit or expand the contents of the respective sections to which they pertain.

6.7. Compliance with applicable laws: The Owners agree to comply with all applicable laws.

6.8. Covenants run with land: The covenants herein contained to be performed by the Owners shall be binding upon the Owners and the Owners' heirs, assigns and successors-in-interest, and shall be deemed to be covenants running with the land.

6.9. Publication of ordinance: The parties agree that until the date of publication of the annexation ordinance, no final annexation of Owners' Property shall occur. Upon proper execution and recordation of this Agreement, the City will, to the extent lawfully permitted, adopt and thereafter publish an ordinance annexing the Owners' Property.

6.10. Promise of cooperation: Should circumstances change, operational difficulties arise, or misunderstandings develop, the parties agree to meet and confer at the request of either party to discuss the issue and proposed solutions. Further, each party agrees not to bring a claim, initiate other legal action, or suspend performance without meeting directly with the other party regarding the subject matter of the disagreement.

IN WITNESS WHEREOF, the City of Coeur d'Alene has caused this Agreement to be executed by its Mayor and City Clerk and its corporate seal affixed hereto, and Dave and Yvonne Palmer have caused the same to be executed the day and year first above written.

CITY OF COEUR D'ALENE

HARMONY HOMES, LLC

By: _____
Steve Widmyer, Mayor

By: _____
Donald Smock, Owner

ATTEST:

Renata McLeod, City Clerk

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 15th day of December, 2020, before me, a Notary Public, personally appeared **Steve Widmyer** and **Renata McLeod**, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene that executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at _____
My Commission expires: _____

STATE OF IDAHO)
) ss.
County of Kootenai)

On this _____ day of December, 2020, before me, a Notary Public, personally appeared **Donald Smock, Harmony Homes LLC**, as owner acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at _____
My Commission expires: _____

LEGAL DESCRIPTION OF
CITY OF COEUR D'ALENE ANNEXATION BOUNDARY
PORTION OF SW 1/4 NW 1/4 SEC. 27, TSHP. 51 N., RNG. 4 W., B.M., KOOTENAI COUNTY, IDAHO

November 4, 2020

Being that portion of the Southwest Quarter of the Northwest Quarter of Section 27, Township 51 North, Range 4 West, B.M., Kootenai County, Idaho more particularly described as follows:

Commencing at the southwest corner of said northwest quarter, from which the northwest corner of said northwest quarter bears N1°11'41"E a distance of 2643.29 feet;

Thence S88°17'47"E along the south line of said northwest quarter a distance of 25.00 feet to a point on a line parallel with and 25.00 feet easterly of (as measured perpendicularly to) the west line of said northwest quarter, said point being also on the westerly prolongation of the north line of Block 1 of "Coeur d' Alene Place 25th Addition" according to the plat thereof recorded in Book 'L' of Plats, Page 36, and said point being the TRUE POINT OF BEGINNING of this legal description;

Thence N1°11'41"E along said parallel line, being also along the current City Limits Boundary of Coeur d'Alene, a distance of 404.68 feet to the westerly prolongation of the south line of the parcel of land described in the Warranty Deed recorded under Instrument Number 2384123;

Thence along said westerly prolongation and along the boundary of said warranty deed parcel the following two courses:

- 1) S88°17'42"E a distance of 319.07 feet;
- 2) N1°09'10"E a distance of 256.44 feet to the south line of Block 2 of "Sunshine Meadow 5th Addition" according to the plat thereof recorded in Book 'J' of Plats, Page 154;

Thence S88°17'37"E along said south line, being also along said current city limits boundary, a distance of 313.89 feet to the west line of Block 2 of "Sunshine Meadow 7th Addition" according to the plat thereof recorded in Book 'J' of Plats, Page 192;

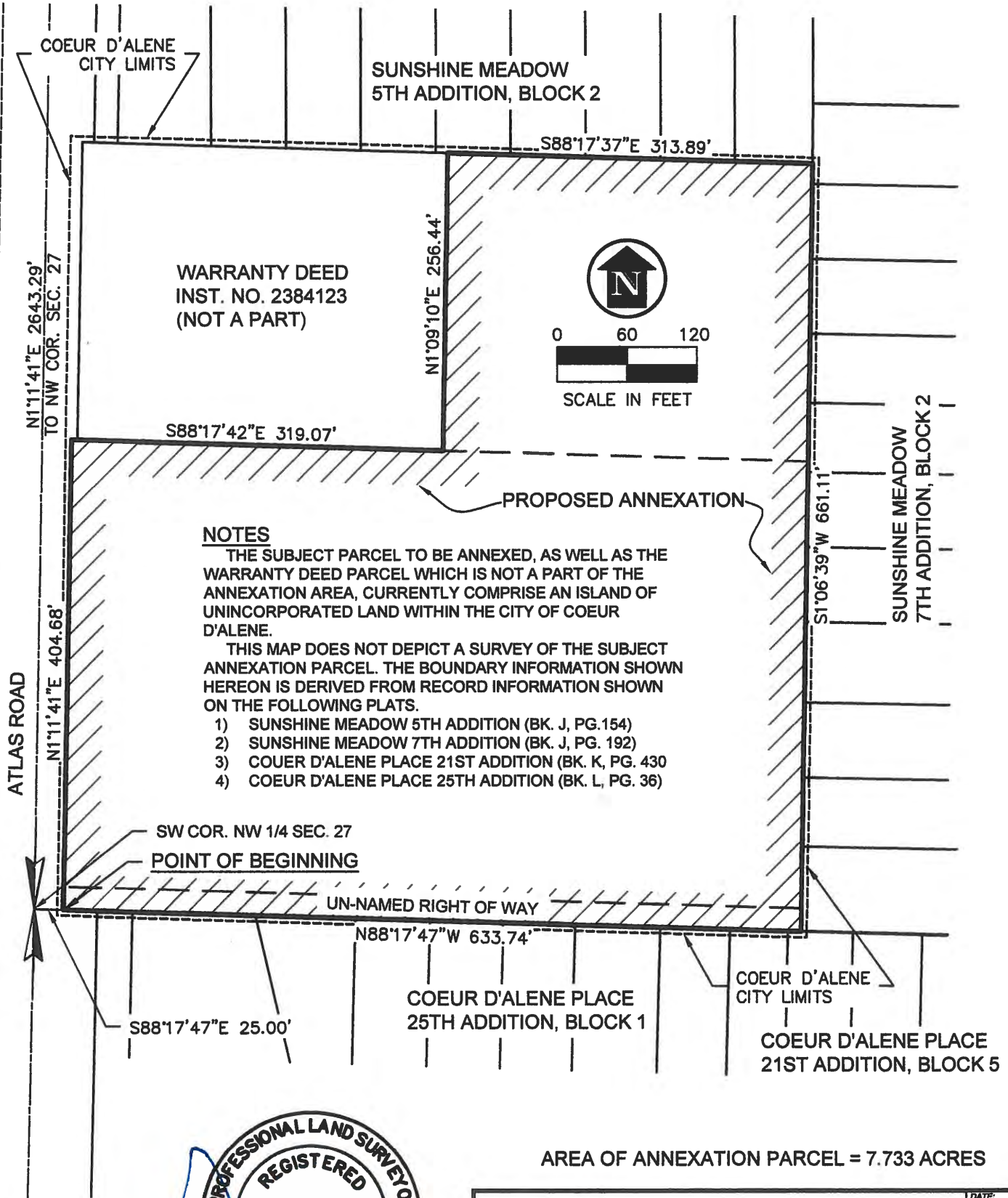
Thence S1°06'39"W along said west line, being also along said current city limits boundary, a distance of 661.11 feet to the north line of Block 5 of "Coeur d'Alene Place 21st Addition" according to the plat thereof recorded in Book 'K' of Plats, Page 430;

Thence N88°17'47"W along said north line of Block 5 of "Coeur d'Alene Place 21st Addition" and along said north line of Block 1 of "Coeur d' Alene Place 25th Addition" and along said westerly prolongation thereof, all being also along said current city limits boundary, a distance of 633.74 feet to the True Point of Beginning.



CITY OF COEUR D'ALENE ANNEXATION BOUNDARY

PTN. OF SW 1/4 NW 1/4 SEC. 27, TSHP. 51 N., RNG. 4 W., B.M., KOOTENAI COUNTY, IDAHO
CITY OF COEUR D'ALENE ORDINANCE NO. _____



NOTES

THE SUBJECT PARCEL TO BE ANNEXED, AS WELL AS THE WARRANTY DEED PARCEL WHICH IS NOT A PART OF THE ANNEXATION AREA, CURRENTLY COMPRISE AN ISLAND OF UNINCORPORATED LAND WITHIN THE CITY OF COEUR D'ALENE.

THIS MAP DOES NOT DEPICT A SURVEY OF THE SUBJECT ANNEXATION PARCEL. THE BOUNDARY INFORMATION SHOWN HEREON IS DERIVED FROM RECORD INFORMATION SHOWN ON THE FOLLOWING PLATS.

- 1) SUNSHINE MEADOW 5TH ADDITION (BK. J, PG. 154)
- 2) SUNSHINE MEADOW 7TH ADDITION (BK. J, PG. 192)
- 3) COEUR D'ALENE PLACE 21ST ADDITION (BK. K, PG. 430)
- 4) COEUR D'ALENE PLACE 25TH ADDITION (BK. L, PG. 36)

SW COR. NW 1/4 SEC. 27

POINT OF BEGINNING

UN-NAMED RIGHT OF WAY

AREA OF ANNEXATION PARCEL = 7.733 ACRES



Resolution No. 20-067

11/4/20

<p>SAWTOOTH Land Surveying, LLC</p>	<p>560 W. CANFIELD AVE., STE. 200 COEUR D'ALENE, IDAHO 83815 (208) 714 - 4544</p>	<p>DATE: 11/04/2020 SCALE: AS SHOWN DRAWN: MWD CHECKED: MWD PROJ. NO.: 220085 CAD FILE: 220085-ATLAS RD-ANNEX</p>
	<p>WWW.SAWTOOTHLS.COM</p>	<p>SHT 1 OF 1</p>

Exhibit "A"

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A-1-20

A. INTRODUCTION

This matter having come before the Planning Commission on October 13, 2020, and there being present a person requesting approval of ITEM A-1-20, a request for zoning prior to annexation from County Agricultural to City R-8.

APPLICANT: HARMONY HOMES, LLC

LOCATION: +/- 7.69 ACRE PARCEL LOCATED BETWEEN SUNSHINE MEADOWS, AND
CDA PLACE TO THE SOUTH

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS
RELIED UPON**

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are single family
- B2. That the Comprehensive Plan Map designation is Ramsey Woodland.
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on September 26, 2020, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on October 13, 2020.

B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:

Objective 1.02 - Water Quality:

Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage

Objective 1.14 Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 1.16 Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trails systems.

Objective 3.01 Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the input from Hayden Lake Water District and other staff.

B10. That the physical characteristics of the site do make it suitable for the request at this time it is flat topography with no major obstacles ease of construction.

B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses based on the comments from the city engineer that traffic would not have an impact to this site.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of HARMONY HOMES, LLC for zoning prior to annexation, as described in the application should be approved.

Suggested provisions for inclusion in an Annexation Agreement are as follows:


Motion by Fleming, seconded by Ward, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Mandel	Voted Yes
Commissioner Ward	Voted Yes

Commissioners Luttrupp and Rumpler were absent.

Motion to approve carried by a 4 to 0 vote.



CHAIRMAN TOM MESSINA

ORDINANCE NO. _____
COUNCIL BILL NO. 20-1023

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing, the City Council finds it to be in the best interests of the City of Coeur d'Alene and the citizens thereof that the described property be annexed;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene, Kootenai County, Idaho:

SECTION 1. That the property as set forth in Exhibit "A," attached hereto and incorporated herein, contiguous and adjacent to the City of Coeur d'Alene, Kootenai County, Idaho, be and the same is hereby annexed to and declared to be a part of the City of Coeur d'Alene, Kootenai County, Idaho, and the same is hereby zoned as R-8 (Residential at 8 units/acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, be and the same is hereby amended as set forth in the preceding section hereof.

SECTION 3. That the Planning Director be and she is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on December 15, 2020.

APPROVED by the Mayor this 15th day of December, 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

A-1-20

7278 ATLAS RD

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, A-1-20 – 7278 Atlas Rd, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 15th day of December, 2020.

Randall R. Adams, Chief Deputy City Attorney

LEGAL DESCRIPTION OF
CITY OF COEUR D'ALENE ANNEXATION BOUNDARY
PORTION OF SW 1/4 NW 1/4 SEC. 27, TSHP. 51 N., RNG. 4 W., B.M., KOOTENAI COUNTY, IDAHO

November 4, 2020

Being that portion of the Southwest Quarter of the Northwest Quarter of Section 27, Township 51 North, Range 4 West, B.M., Kootenai County, Idaho more particularly described as follows:

Commencing at the southwest corner of said northwest quarter, from which the northwest corner of said northwest quarter bears N1°11'41"E a distance of 2643.29 feet;

Thence S88°17'47"E along the south line of said northwest quarter a distance of 25.00 feet to a point on a line parallel with and 25.00 feet easterly of (as measured perpendicularly to) the west line of said northwest quarter, said point being also on the westerly prolongation of the north line of Block 1 of "Coeur d' Alene Place 25th Addition" according to the plat thereof recorded in Book 'L' of Plats, Page 36, and said point being the TRUE POINT OF BEGINNING of this legal description;

Thence N1°11'41"E along said parallel line, being also along the current City Limits Boundary of Coeur d'Alene, a distance of 404.68 feet to the westerly prolongation of the south line of the parcel of land described in the Warranty Deed recorded under Instrument Number 2384123;

Thence along said westerly prolongation and along the boundary of said warranty deed parcel the following two courses:

- 1) S88°17'42"E a distance of 319.07 feet;
- 2) N1°09'10"E a distance of 256.44 feet to the south line of Block 2 of "Sunshine Meadow 5th Addition" according to the plat thereof recorded in Book 'J' of Plats, Page 154;

Thence S88°17'37"E along said south line, being also along said current city limits boundary, a distance of 313.89 feet to the west line of Block 2 of "Sunshine Meadow 7th Addition" according to the plat thereof recorded in Book 'J' of Plats, Page 192;

Thence S1°06'39"W along said west line, being also along said current city limits boundary, a distance of 661.11 feet to the north line of Block 5 of "Coeur d'Alene Place 21st Addition" according to the plat thereof recorded in Book 'K' of Plats, Page 430;

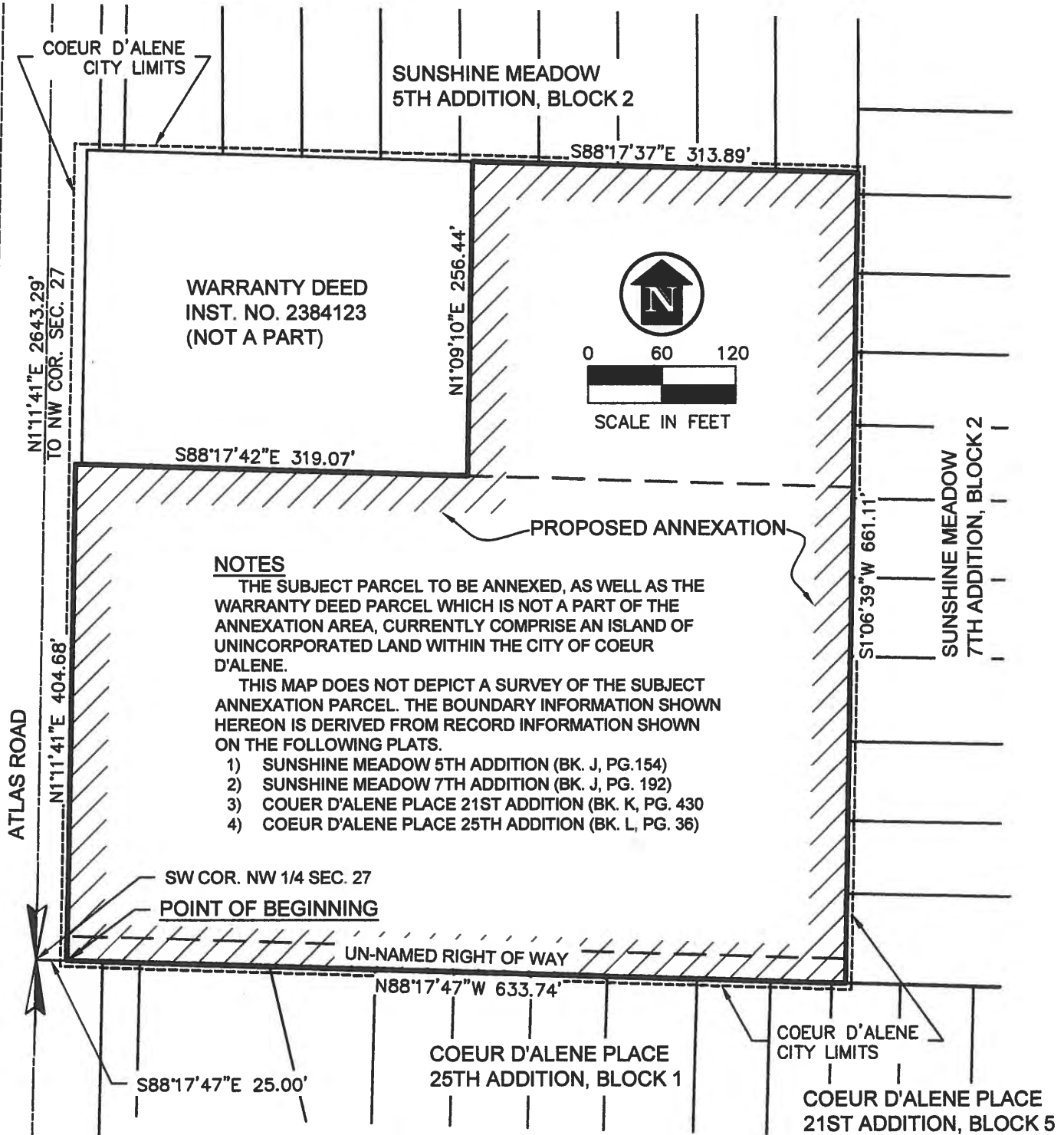
Thence N88°17'47"W along said north line of Block 5 of "Coeur d'Alene Place 21st Addition" and along said north line of Block 1 of "Coeur d' Alene Place 25th Addition" and along said westerly prolongation thereof, all being also along said current city limits boundary, a distance of 633.74 feet to the True Point of Beginning.



CITY OF COEUR D'ALENE ANNEXATION BOUNDARY

PTN. OF SW 1/4 NW 1/4 SEC. 27, TSHP. 51 N., RNG. 4 W., B.M., KOOTENAI COUNTY, IDAHO

CITY OF COEUR D'ALENE ORDINANCE NO. _____



NOTES

THE SUBJECT PARCEL TO BE ANNEXED, AS WELL AS THE WARRANTY DEED PARCEL WHICH IS NOT A PART OF THE ANNEXATION AREA, CURRENTLY COMPRISE AN ISLAND OF UNINCORPORATED LAND WITHIN THE CITY OF COEUR D'ALENE.

THIS MAP DOES NOT DEPICT A SURVEY OF THE SUBJECT ANNEXATION PARCEL. THE BOUNDARY INFORMATION SHOWN HEREON IS DERIVED FROM RECORD INFORMATION SHOWN ON THE FOLLOWING PLATS.

- 1) SUNSHINE MEADOW 5TH ADDITION (BK. J, PG. 154)
- 2) SUNSHINE MEADOW 7TH ADDITION (BK. J, PG. 192)
- 3) COEUR D'ALENE PLACE 21ST ADDITION (BK. K, PG. 430)
- 4) COEUR D'ALENE PLACE 25TH ADDITION (BK. L, PG. 36)

SW COR. NW 1/4 SEC. 27

POINT OF BEGINNING

UN-NAMED RIGHT OF WAY

AREA OF ANNEXATION PARCEL = 7.733 ACRES



<p>SAWTOOTH Land Surveying, LLC</p>	<p>560 W. CANFIELD AVE., STE. 200 COEUR D'ALENE, IDAHO 83815 (208) 714 - 4544</p>	<p>DATE: 11/04/2020 SCALE: AS SHOWN DRAWN: MWD CHECKED: MWD PROJ. NO.: 220085 CAD FILE: 220085-ATLAS RD-ANNEX</p>
	<p>WWW.SAWTOOTHLS.COM</p>	<p>SHT 1 OF 1</p>

**CITY COUNCIL
STAFF REPORT**

DATE: December 15,2020

FROM: Chelsea Nesbit, CDBG Specialist and Hilary Anderson, Community Planning Director

RE: Grant Award Recommendation and Requested Approval to Enter into Contract Negotiations with Lake City Center for their Expanded Meals on Wheels Program using CDBG-CV Funds

DECISION POINT:

Should City Council authorize staff to proceed with an agreement to fund LAKE CITY CENTER in the amount of \$18,292 to expand their Meals on Wheels program for LMI individuals in Coeur d’Alene with CDBG-CV funds in response to COVID-19?

HISTORY:

On March 19, 2020, the U.S. Senate introduced the Coronavirus Aid, Relief and Economic Security (CARES) Act Bill to provide emergency assistance and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic. The City of Coeur d’Alene was notified on April 2, 2020 that we will be receiving \$199,675 in FY20 CDBG-CV funding, which was accepted by the City Council at its May 5, 2020 meeting. September 11, 2020, the City was notified that an additional \$247,124 would be allocated as part of the third round of CARES Act funds. HUD is allowing the CDBG-CV funds to be spent for up to six years, with 80% spent within 3 years, to respond to COVID-19.

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. The City Council directed staff to prioritize housing and food for the use of the CDBG-CV funds. So far, funds have been allocated to St. Vincent de Paul for homeless sheltering and support services, Family Promise to shelter homeless families, Lake City Center for their first expanded Meals on Wheels program, Boys & Girls Club of North Idaho for their food pantry and academic support, Safe Passage for domestic violence victim support, including sheltering and counseling, United Way of North Idaho for child care scholarships, CDAIDE for their subsistence payment program for hospitality workers, the City’s utility assistance program, and CDBG staff administration

PERFORMANCE ANALYSIS:

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 previous staff reports and is posted on the CDBG webpage. It is also attached to this 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.

LAKE CITY CENTER EXPANDED MEALS ON WHEELS PROGRAM

Meals through the Meals on Wheels programs are provided to homebound seniors in Coeur d'Alene through Lake City Center. Seniors are qualified for the program through Area Agency on Aging. In order to qualify for this service, seniors need to be 60 years of age or older, be homebound, and unable to travel to Lake City Center for daily meals served at the site.

The program would address the 2018-2022 Consolidated Plan Goal Number 6: expanding public services for low- to moderate-income residents in Coeur d'Alene. Specifically, this program would provide expanded Meals on Wheels services for LMI individuals directly affected by COVID-19. It falls under the CDBG National Objective Benefit to low- and moderate- income (LMI) persons and Activity Code 05A, Senior Services.

With the CDBG grant, LAKE CITY CENTER would be able to purchase food trays, food for the program, a shipping container for additional storage, and two freezers in order to meet the increased needs due to the COVID-19 pandemic.

Since the COVID-19 pandemic began, the demand for home delivered meals for homebound and disabled seniors has significantly increased. Lake City Center implemented an innovative "DRIVE-THRU" MEAL SERVICE which enables the most vulnerable members of our community to continue receiving a hot and nutritious meal, four days per week, by simply entering the DRIVE-THRU; while adhering to social distancing mandates.

As a 501 (C)(3) community non-profit agency, delivering essential services to residents of Coeur d'Alene, during these very challenging times; we are only asking for reimbursement of our current order of meal trays.

FINANCIAL ANALYSIS:

The City received \$199,675 in CDBG-CV funds. The City is now receiving an additional \$247,124 in CDBG-CV3 funds, bringing the total CV funds allocation to \$446,799. A total of \$59,60 has been set aside for admin expenses, leaving a total of \$387,439 for Community Opportunity Grants. The total dollar amount of approved grants so far is \$201,431.

Staff is recommending funding LAKE CITY CENTER in the amount of \$18,292 for the **Expanded Meals on Wheels Program**.

There is currently \$186,208 in CARES Act funds to spend on COVID-19-related needs that meet the HUD requirements for funding, and if this grant is awarded, \$167,916 will remain.

CARES Act Funds (CV-1)	\$	199,675.00
CARES Act Funds (CV-3)	\$	247,124.00
Total CARES Act funds	\$	446,799.00
General Admin CV-1	\$	9,935.00
General Admin CV-2	\$	49,424.80
Total Admin	\$	59,359.80
TOTAL Community Opportunity Funds	\$	387,439.20
St. Vincent Homeless Sheltering/Services	\$	24,000.00
Family Promise Homeless Housing	\$	12,600.00
Boys and Girls Club Food Pantry	\$	10,000.00
Lake City Center Expanded Meals on Wheels	\$	3,685.92
Safe Passage (Shelter & Services)	\$	26,145.00
United Way of North Idaho	\$	15,000.00
CDAIDE Subsistence Program	\$	50,000.00
City Utility Subsistence Funding	\$	10,000.00
Boys & Girls Club Academic Support	\$	50,000.00
Total Funds Allocated	\$	201,431.00
Remaining Funds Available	\$	186,208.00
Lake City Center Expanded Meals on Wheels	\$	18,292.00
TOTAL REMAINING CV FUNDS	\$	167,916

DECISION POINT/RECOMMENDATION:

The City Council should authorize staff to proceed with an agreement to fund LAKE CITY CENTER in the amount of \$18,292 to provide **Expanded Meals on Wheels Program** for LMI individuals in Coeur d’Alene with CDBG-CV funds in response to COVID-19.

Attachments:

- Eligible Projects to Receive CDBG-CV Funds in Response To COVID-19
- LAKE CITY CENTER Funding Request Budget

ATTACHMENT 1 – ELIGIBLE PROJECTS TO RECEIVE CDBG-CV FUNDS IN RESPONSE TO COVID-19

- Buildings and Improvements, including public facilities
 - Construct a facility for testing, diagnosis, or treatment
 - Rehabilitate a community facility to establish an infectious disease treatment clinic
 - Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment
 - Rehabilitate a commercial building or closed school building to establish an infectious disease treatment clinic
 - Acquire, or quickly rehabilitate (if necessary), a motel or hotel building to expand capacity of hospitals to accommodate isolation of patients during recovery
 - Make interim improvements to private properties to enable an individual patient to remain quarantined on a temporary basis
- Assistance to Businesses, including Special Economic Development Assistance
 - Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease
 - Avoid job loss caused by business closures related to social distancing by providing short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons
 - Provide technical assistance, grants, loans, and other financial assistance to establish, stabilize, and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine
- Public Services
 - Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community
 - Provide testing, diagnosis or other services at a fixed or mobile location
 - Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities
 - Provide equipment, supplies, and materials necessary to carry-out a public service
 - Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities
- Grants or revolving loan funds for small and medium enterprises
- Supporting community non-profits performing essential services
- Workforce development and training services for displaced workers
- Retrofitting community facilities for medical or quarantine uses
- Supporting food and other essential supply deliveries to elderly or other vulnerable populations
- Supporting various interrupted or at-risk core governmental functions (see note below)
- All other CDBG eligible activities that are exacerbated by COVID-19 (e.g., homeless shelters)
- Reimbursement costs to prevent, prepare for, and respond to coronavirus incurred by a State or locality, regardless of the date on which such costs were incurred, when those costs comply with CDBG requirements.

* Funded activities and projects shall prioritize the unique needs of low- and moderate-income persons.

ATTACHMENT 2 – LAKE CITY CENTER MEALS ON WHEELS FUNDING REQUEST

Food Trays	\$7,879
Food	\$1,370
Shipping Container for Storage	\$3,043
Freezers & Installation	\$6,000
TOTAL REQUEST	\$18,292

CDBG-CV Funding Recommendations

Lake City Center Expanded Meals on Wheels Program

City Council Meeting – December 15, 2020
Chelsea Nesbit, CDBG Specialist



DECISION POINT

Should City Council authorize staff to proceed with an agreement to fund LAKE CITY CENTER in the amount of \$18,292 for their Expanded Meals on Wheels Program with CDBG-CV funds in response to COVID-19?

Lake City Center CDBG-CV FUNDING REQUEST

- LAKE CITY CENTER is requesting \$18,292 for their Expanded Meals on Wheels Program due to the increased need due to the COVID-19 pandemic.

CDBG-CV FUNDING OVERVIEW

On March 19, 2020, the U.S. Senate introduced the Coronavirus Aid, Relief and Economic Security (CARES) Act Bill to provide emergency assistance and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic.

The City of Coeur d'Alene has received **\$199,675** in the first round of CDBG-CV funding and **\$247,124** in the third round of CDBG-CV3 funding. HUD is allowing the CDBG-CV funds to be spent for up to six years to respond to COVID-19.

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.

CDBG-CV FUNDING ALLOCATIONS

- The City will receive **\$446,799** in CDBG-CV Funds from HUD.
- **\$201,431** has been allocated for homeless sheltering and support, the first expanded Meals on Wheels, a food pantry, domestic violence victim support (sheltering and counseling), child care assistance, academic support, subsistence programs and CDBG staff administration.
- Staff recommends funding the Lake City Center **\$18,292** for their Expanded Meals on Wheels Program.

CDBG-CV PROJECTS

St. Vincent De Paul North Idaho	\$24,000.00
Family Promise	\$12,600.00
Boys and Girls Club	\$10,000.00
Lake City Center	\$ 3,686.00
Safe Passage	\$26,145.00
United Way	\$15,000.00
CDAIDE	\$50,000.00
City Utility Assistance Program	\$10,000.00
Boys and Girls Club Academic Support	\$50,000.00
Total CV Projects Funded to Date	\$201,431.00

CDBG-CV FUNDING ALLOCATIONS

TOTAL CDBG-CV FUNDS \$446,799

CDBG-CV1 Admin	\$ 9,935	Total CDBG-CV1 Community Opportunity Funds Remaining	\$0
CDBG-CV3 Admin	\$ 49,224	CDBG-CV3 Community Opportunity Grants	\$186,208
Total Admin	\$ 59,160	TOTAL Remaining CV Funds	\$186,208
Projects Funded To Date*	\$201,431		

**TOTAL AVAILABLE CV FUNDS REMAINING IF Lake City Center IS FUNDED
\$167,916**

COVID-19 IMPACTS

- The need for expanded Meals on Wheels has increased since the onset of the pandemic.
- Social distancing guidelines, exposure to the virus, and illness have forced the dining room to reduce seating and is now closed.
- The dining room closure has increased the need for meals to go by 38%.

PERFORMANCE ANALYSIS

Lake City Center's Expanded Meals on Wheels Program

- Purchase additional food trays to accommodate the increased need.
- Purchase a shipping container for storage of extra supplies
- Purchase extra food to meet the additional demand
- Purchase two freezers to store food due to increased needs.

PERFORMANCE ANALYSIS CONTINUED...

This project falls under the CDBG National Objective **Benefit to low- and moderate- income (LMI) persons** and Activity Code **05A Senior Services**.

Funding Request: Expanded Meals on Wheels

TOTAL REQUEST	\$18,292
Food Trays	\$7,879
Food	\$1,370
Shipping Container for Storage	\$3,043
Freezers & Installation	\$6,000

DECISION POINT / RECOMMENDATION

The City Council should authorize staff to proceed with an agreement to fund LAKE CITY CENTER in the amount of \$18,292 for their Expanded Meals on Wheels Program with CDBG-CV funds in response to COVID-19.



QUESTIONS??

FY 2020 Income Limits Summary

Selecting any of the buttons labeled "Explanation" will display detailed calculation steps for each of the various parameters.

FY 2020 Income Limit Area	Median Family Income Explanation	FY 2020 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Coeur d'Alene, ID MSA	\$70,400	Very Low (50%) Income Limits (\$) Explanation	24,400	27,900	31,400	34,850	37,650	40,450	43,250	46,050
		Extremely Low Income Limits (\$)* Explanation	14,650	17,240	21,720	26,200	30,680	35,160	39,640	44,120
		Low (80%) Income Limits (\$) Explanation	39,050	44,600	50,200	55,750	60,250	64,700	69,150	73,600

The Coeur d'Alene, ID MSA contains the following areas: Kootenai County, ID;

STAFF REPORT

Date:

From: Bill Greenwood, Parks & Recreation Director

SUBJECT: Letter of Understanding (Council Action Required)

DECISION POINT:

Should Council approve the letter of intent with Ignite for the acceptance of property known as Sherman Square Park?

HISTORY:

This location was home to F. W. Woolworth which burned down in 1980. The building was razed and the lot sat vacant until 1986. That's when Don & Bob Johnson, along with Tom Robb, approached the current owners, the Sheetz family, and asked them if they would be interested in allowing these local philanthropists to build a park at the site. The family liked the idea of a park and Don Johnson was off and running to develop what is now known as Sherman Square Park.

FINANCIAL ANALYSIS:

There is no cost to the City at this time. We may incur some irrigation and minor maintenance costs in the near future. There may be opportunities for partnerships to share in the management and maintenance responsibilities of this public park. The current park does generate some revenue with advertising space on kiosks at the entrance to the park that helps pay for existing costs of water and taxes. This revenue generator could continue. The purchase price of the parcel is \$525,000. The ignite Board has committed \$500,000 toward the purchase of the property and the Coeur d'Alene Rotary Club has committed \$300,000 for the project, which leaves \$275,000 for improvements to and enhancement of the park. The intent is to have the park upgrades completed and then it will be transferred to the City of Coeur d'Alene by the spring of 2022.

PERFORMANCE ANALYSIS:

The park has been heavily used and enjoyed by the public for 34 years as a place to sit and relax or to enjoy the Tuesday summer concerts along with other events hosted downtown throughout the year. This also provides patrons of downtown businesses a place to eat outside if those businesses are too crowded. The future use of the site will also certainly drive the design and layout of the improvements. These park improvements and development will be overseen by Rotary and the City of Coeur d'Alene. One of those improvements is to re-name the park "Coeur d'Alene Rotary Centennial Park."

DECISION POINT / RECOMMENDATION:

Council should approve the letter of intent with ignite for the acceptance of property known as Sherman Square Park.



CITY OF COEUR D'ALENE

PARKS & RECREATION DEPARTMENT

CITY HALL, 710 E Mullan Avenue
Coeur d'Alene, Idaho 83814
208-769-2252 FAX: 208-769-2383

December 8, 2020

Tony Berns
Executive Director
ignite cda
105 N. First Street, Ste 100
Coeur d'Alene, ID 83814

Dear Mr. Berns and the Ignite Board:

I must applaud your decision to partner with the Coeur d'Alene Rotary Club to purchase the downtown parcel currently known as Sherman Square Park. These opportunities don't happen often and it speaks to your desire to continue to create a quality of life that so many of the community appreciate. The City of Coeur d'Alene would be grateful to be a partner in this endeavor and ultimately the recipient of this park for the enjoyment of our community to keep it as a park in to perpetuity.

Sincerely,

William C Greenwood Jr.
City of Coeur d Alene Parks & Recreation Director

RESOLUTION NO. 20-068

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A LETTER OF INTENT WITH IGNITE CDA FOR THE ACCEPTANCE AND IMPROVEMENT OF PROPERTY KNOWN AS SHERMAN SQUARE PARK.

WHEREAS, the Parks and Recreation Director of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene approve a letter of intent with ignite CDA, pursuant to terms and conditions set forth in the letter, a copy of which is attached hereto as Exhibit "1" and by reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreement;

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City approve a letter of intent with ignite CDA in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said letter of intent to the extent the substantive provisions of the letter of intent remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such letter of intent and other documents, as may be required, on behalf of the City.

DATED this 15th day of December, 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.



CITY OF COEUR D'ALENE

PARKS & RECREATION DEPARTMENT

CITY HALL, 710 E Mullan Avenue
Coeur d'Alene, Idaho 83814
208-769-2252 FAX: 208-769-2383

December 8, 2020

Tony Berns
Executive Director
ignite cda
105 N. First Street, Ste 100
Coeur d'Alene, ID 83814

Dear Mr. Berns and the Ignite Board:

I must applaud your decision to partner with the Coeur d'Alene Rotary Club to purchase the downtown parcel currently known as Sherman Square Park. These opportunities don't happen often and it speaks to your desire to continue to create a quality of life that so many of the community appreciate. The City of Coeur d'Alene would be grateful to be a partner in this endeavor and ultimately the recipient of this park for the enjoyment of our community to keep it as a park in to perpetuity.

Sincerely,

William C Greenwood Jr.
City of Coeur d Alene Parks & Recreation Director

PUBLIC HEARINGS

CITY COUNCIL STAFF REPORT

DATE: December 15, 2020
FROM: Ted Lantzy, Building Official
SUBJECT: **Proposal for adoption of the 2018 International Building Code (IBC), 2018 International Residential Code (IRC), 2018 International Existing Building Code (IEBC), 2018 International Energy Conservation Code (IECC), 2018 International Mechanical Code (IMC), 2018 International Fuel Gas Code (IFGC), and 2017 Idaho State Plumbing Code (ISPC).**

DECISION POINT – Should Council approve the adoption of the 2018 International Building Codes, Mechanical Codes, and 2017 Idaho State Plumbing Code with the designated Municipal Code amendments.

HISTORY – The State legislature has mandated that jurisdictions currently issuing building permits and performing building code enforcement, adopt the 2018 International Codes by January 1, 2021, per Idaho Code 39-4116. This legislation is a continuation of the States' attempt to establish uniformity and consistency of building codes and promote health, safety and welfare for the occupants of homes, businesses, institutions, and entertainment establishments.

FINANCIAL ANALYSIS – The proposed codes adoptions have no financial impact to the City of Coeur d'Alene. To the best of our knowledge, the financial impact to builders, building owners, and developers is minimal.

PERFORMANCE ANALYSIS – Good cause exists to propose local amendments to the code adopted by the State Building Code Board. Other building departments within our area are consistent with the adoption of the amendments within the proposal. Adoption of these Codes will provide consistency and establishes a basis for regulatory authority. In addition, through our local code enforcers' organization, local building officials continue to meet and discuss Code adoption, application, and interpretations. These meetings work toward uniform jurisdictional interpretations and applications of some of the requirements that are reflected in the proposed code amendments.

QUALITY OF LIFE ANALYSIS – Adoption of these Codes will establish minimum construction standards to insure the protection of public health, safety, and welfare.

SUMMARY / RECOMMENDATION – Council should find that the local amendments are reasonably necessary and approve the adoption of the 2018 International Building, Mechanical, and the 2017 Idaho State Plumbing codes with the attached proposed Municipal Code amendments.



2018 Building Code Adoption

Overview

Staff is proposing adoption of the 2018 suite of codes:

- International Building Code (IBC)
- International Existing Building Code (IEBC)
- International Residential Code (IRC)
- International Energy Conservation Code (IECC)
- International Mechanical Code (IMC)
- International Fuel Gas Code (IFGC)



Overview

- City must adopt the building Code as adopted by the state of Idaho if it issues building permits (Idaho Code sec. 39-4116(2)).
- The draft ordinance also adopts amendments made by the Idaho Building Code and Mechanical Code Boards.
- State law allows local amendments of certain sections to provide clarity and address local conditions.
- Codes and amendments must be adopted and effective by January 1st, 2021



IBC Changes

- 107.1 Allows for other forms of electronic submittals.
- Remove amendment from table 1020.1 and adopt code as written.
(corridor fire-ratings may be reduce with the installation of fire-sprinklers systems)
- Other amendments stay the same with formatting changes.



IRC Changes

- R106.1 Allows for other forms of electronic submittals
- Remove code amendments that are now addressed in the code. (such as fire rating for townhouse and two family dwellings)
- Relocate local amendment R302.6 to table R302.6.
- Added Appendix J, Existing Buildings and Structures. (relaxes some building code requirements for existing homes)
- Added Appendix Q, Tiny Homes (provides options for homes under 400 sq ft.)



Other ICC Codes

Existing Building:

- Change to 2018 with formatting changes only

Energy Conservation:

- Change to 2018 for both commercial and residential provisions

Mechanical:

- Change to 2018 with formatting changes only

Fuel Gas:

- Change to 2018. Removed previous amendments to sections 303.3 and 321.4 Prohibited locations



Plumbing Code

- The 2017 Idaho State Plumbing Code is currently adopted.
- This code remains in effect as approved by the Idaho State Plumbing Code Board.
- Local amendments remain the same.
- Formatting changes are made to corresponded with the new IDAPA reference numbers.



Questions?

ORDINANCE NO. _____
COUNCIL BILL NO. 20-_____

AN ORDINANCE AMENDING SECTIONS 15.08.005 AND 15.12.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO ACCOUNT FOR THE RECENT ADOPTION, WITH AMENDMENTS AND REVISIONS, OF UPDATED VERSIONS OF UNIFORM CODES BY THE STATE OF IDAHO; 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.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That Coeur d'Alene Municipal Code section 15.08.005 is amended to read as follows:*

15.08.005: INTERNATIONAL BUILDING CODES; ADOPTION; AMENDMENTS AND DELETIONS:

A. In order to protect the health, safety and welfare of the public and to prescribe regulations governing building and other construction, the city council hereby adopts the following codes promulgated by the International Code Council except such chapters, portions or sections as are deleted, modified, amended or added as set forth herein:

1. The ~~2015~~2018 international building code (IBC), prepared by the International Code Council, Inc., as adopted by the state of Idaho through the Idaho building code board, together with any amendments or revisions to the IBC made by the Idaho building code board through the negotiated rulemaking process, is adopted with the following exceptions or amendments:

- a. Section 103.2 is not adopted.
- b. Section 103.3 is not adopted.
- c. Section 107.1 is amended to read as follows:

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report, structural observation programs and other data shall be submitted in one (1) paper set and one (1) PDF of the plan set on an [approved CElectronic media](#) for each application for a permit. The architectural construction documents shall be prepared by

an architect licensed to practice by the state of Idaho. The building official shall have the option to stipulate that an Idaho licensed architect may submit construction documents that are proven to strictly adhere to the IBC provisions of section 2308; Conventional Light-Frame Construction. The building official shall have the option to stipulate that an Idaho licensed engineer in the appropriate engineering discipline (structural, mechanical, electrical, civil, geotectonic, acoustical, etc.) of his or her expertise may submit supplemental construction documents supportive and complementary to the architect's construction documents.

Where special conditions exist, the building official may authorize a registered professional engineer acting within the discipline of his or her expertise and at the stipulation of the building official acting jointly or in association with a licensed architect to prepare construction documents and require site construction observation for buildings or shelters not intended, designed or constructed for human habitation or occupancy.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional of any architectural or engineering service in the erection, enlargement, alteration or repair of any building where such building to be or is used as a single family residence not exceeding three (3) stories in height and multiple height and multiple family residence of three adjoining dwelling units not exceeding three (3) stories in height. Or as a farm building or for the purpose of out buildings or auxiliary building in connection with such residence or farm premises or if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Those individuals who furnish only interior design or decoration or space planning or space design services within existing structures which do not involve the construction or adherence to requirements of the international building code (IBC) including the Americans with disabilities act (ADA), American national standard accessible and usable building and facilities ICC/ANSI-A117 will not be required to be a registered design professional. This exemption only allows the use of moveable partitions, rails, counters, cabinets, space dividers, furniture and similar types of equipment which do not exceed a height of five feet, nine inches above floor in the execution of the plans or design of a particular space or the creation of exits corridors, stairways and disturbances of existing structural components as defined by the IBC.

- d. Section 107.3.4 is amended to read as follows:

107.3.4.1 General. When it is required that documents be prepared by a registered architect, the building official shall be authorized to require that the owner engage and designate on the building permit application a registered architect who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered architect or professional engineer in responsible charge who shall perform the duties required by the building official. The building official shall be notified in writing by the owner or the architect of record if the person who is in responsible charge is changed or is unable to continue to perform the required duties.

- e. Section ~~406.3.4~~406.3.2.1 Separation. Replace section 1 with the following:

The private garage shall be separated from the dwelling unit and its attic area, including supporting members with materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 13/8 inches in thickness, or a self-closing, tight-fitting 20-minute fire-rated door, or solid or honeycomb steel doors not less than 13/8 inches (34.9 mm) thick, or doors in compliance with section 716.5.1 and 716.5.3.1. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

~~f. Table 1020.1 Corridor Fire Resistance Rating. For an R occupancy, replace "0.5" hour required fire resistance rating with a sprinkler system with "1" hour.~~

- g. Section 1809.5 Frost Protection. Delete method 1 and replace with the following:

1. Extending below the frost line of the locality, with a minimum twenty-four (24) inches from ground surface to the bottom of a footing.

- h. Add a new section 1905.1.9 Minimum Reinforcement as follows:

All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Footings supporting columns and piers shall contain no less than two (2) #4 rebar installed each way, not to exceed twelve (12) inches maximum spacing.

Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. One (1) continuous

row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall.

Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specification) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40). One continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall. No less than two (2) #4 rebar shall be installed around door, window, and similar sized openings.

i. Section 2308.2.3. Delete exceptions 2 and 3.

2. The ~~2012~~2018 international residential code (IRC), prepared by the International Code Council, Inc., as adopted by the state of Idaho through the Idaho building code board, together with any amendments or revisions to the IRC made by the Idaho building code board through the negotiated rulemaking process, is adopted with the following exceptions or amendments:

Section R101.2. Delete the exception and add the following sentence to the end of the section:

Detached one-and-two-family dwellings and townhouses will be classified as an R-3 occupancy. All garages, shops, and accessory structures will be classified as a U occupancy.

Section R103.2 is not adopted.

Section R103.3 is not adopted.

Section R104.10.1. Delete entire section.

Section R106.1 is amended to read as follows:

R106.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report, structural observation programs and other data shall be submitted in one (1) paper set and one (1) PDF of the plan set on an approved ~~C~~electronic media for each application for a permit. The architectural construction documents shall be prepared by an architect licensed to practice by the state of Idaho. The building official shall have the option to stipulate that an Idaho licensed engineer in the appropriate engineering discipline (structural, mechanical, electrical, civil, geotectonic, acoustical, etc.) of his or her expertise may submit supplemental construction documents supportive and complementary to the architect's construction documents.

Where special conditions exist, the building official may authorize a registered professional engineer acting within the discipline of his or her expertise and at the stipulation of the building official acting jointly or in association with a licensed architect to prepare construction documents and require site construction observation for buildings or shelters not intended, designed or constructed for human habitation or occupancy.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional of any architectural or engineering service in the erection, enlargement, alteration or repair of any building where such building to be or is used as a single family residence not exceeding three (3) stories in height and multiple height and multiple family residence of three adjoining dwelling units not exceeding three (3) stories in height. Or as a farm building or for the purpose of out buildings or auxiliary building in connection with such residence or farm premises or if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Those individuals who furnish only interior design or decoration or space planning or space design services within existing structures which do not involve the construction or adherence to requirements of the international residential code (IRC) including the Americans with disabilities act (ADA) American national standard accessible and usable building and facilities ICC/ANSI-A117 will not be required to be a registered design professional. This exemption only allows the use of moveable partitions, rails, counters, cabinets, space dividers, furniture and similar types of equipment which do not exceed a height of five feet, nine inches above floor in the execution of the plans or design of a particular space or the creation of exits corridors, stairways and disturbances of existing structural components as defined by the IRC.

Section R106.1.34. Delete entire section.

Section R109.1.3. Delete entire section.

Section R301.2.3 Snow Loads. Delete section and replace with the following:

Wood framed construction, cold-formed steel framed construction and masonry and concrete construction in regions with ground snow loads 70 psf (3.35 kN/m²) or less, shall be in accordance with chapters 5, 6 and 8. Buildings in regions with ground snow loads greater than 70 psf (3.35 kN/m²) shall be designed in accordance with accepted engineering practice.

The minimum roof design snow load shall be forty (40) pounds per square foot. A ground snow load of sixty (60) pounds per square foot shall be used for roof drifting snow load design. No manufactured home, commercial coach or modular building shall be placed that has not been constructed to withstand a minimum forty (40) pound per square foot roof load, or the owner has provided for a separate roof cover that is constructed to provide the required roof load, except that manufactured homes that are already installed in a location within the city limits at the time of the passage of this section may remain without having to meet the minimum roof load set forth herein. Any manufactured home allowed to remain under this section may be moved to a different location within the city limits without having to meet the forty (40) pound roof load providing that it meets all zoning requirements contained in title 17 of the city code.

~~Section R302.2 Townhouses. Delete the exception and replace with the following:~~

~~**Exception:** A two (2) 1-hour fire-resistance-rated wall assembly or a common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses. If two (2) 1-hour walls are used, plumbing and electrical installations within the wall cavity shall conform with fire-resistance penetration requirements in accordance with section R302.4 through R302.4.2 for each of the two (2) 1-hour rated walls. The 2-hour fire-resistance-rated common wall shall not contain plumbing or mechanical equipment, ducts or vents within its wall cavity. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.~~

~~Section R302.3 Two-Family Dwellings. Delete exception 1.~~

~~Section R302.6 Separation Required. Delete section and replace with the following:~~

~~The private garage shall be separated from the dwelling unit or any conditioned space, including attic areas and supporting members with no less than one (1) layer of 5/8" type 'X' gypsum wallboard or equivalent on the garage side. The garage side of a roof/ceiling assembly, floor/ceiling assembly, and steel supporting members shall be protected with not less than two (2) layers of 5/8" type 'X' gypsum wallboard or equivalent. If a common door is provided, it shall be a self-closing, tight-fitting solid wood door 1 3/8 inches in thickness, or a self-closing, tight-fitting 20-minute fire-rated door, or solid or honeycomb steel doors not less than 1 3/8 inches (34.9 mm) thick.~~

~~Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.~~

~~Garages, including the attic space, located less than 3 feet from a dwelling unit on the same lot shall be protected with not less than one (1) layer of 5/8" type 'X' gypsum wallboard or equivalent on the garage side.~~

TABLE R302.6
DWELLING-GARAGE SEPARATION

<u>SEPARATION</u>	<u>MATERIAL</u>
<u>From the residence and attics</u>	<u>Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side</u>
<u>From habitable rooms above the garage and roof/ceiling assemblies</u>	<u>Not less than 2 layers of 5/8-inch Type X gypsum board or equivalent</u>
<u>Structure(s) supporting floor/ceiling assemblies used for separation required by this section</u>	<u>Not less than 5/8-inch Type X gypsum board or equivalent</u>
<u>Garages located less than 3 feet from a dwelling unit on the same lot</u>	<u>Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of the exterior walls that are within this area</u>

Section R302.5.3. Delete section and replace with the following:

Penetrations through the separation required in section R302.6 shall be protected with approved materials to resist the passage of flame and products of combustion. The materials filling the penetration annular space shall meet the requirements of ASTM E 814 or UL 1479.

Section R302.7 Under Stair Protection. Delete section and replace with the following:

Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch type X gypsum board.

~~Section R313.1 Townhouse Automatic Fire Sprinkler Systems. Delete the exception and replace with the following:~~

~~**Exception:** Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) 1-hour fire resistance rated walls or a common 2-hour fire resistance rated wall is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.~~

Section R322 Flood-Resistant Construction is deleted.

Section R403.1.4.1 Frost Protection. Delete method 1 and replace with the following:

1. Extending below the frost line specified in table R301.2(1); with a minimum twenty-four (24) inches from ground surface to the bottom of a footing.

Delete tables R404.1.1(1), R404.1.1(2), and R404.1.1(3).

Section R404.1.2 Concrete Foundation Walls. Delete section and replace with the following:

All continuous footings will require a minimum two (2) continuous horizontal reinforcing bars. Footings supporting columns and piers shall contain no less than two (2) #4 rebar installed each way, not to exceed twelve (12) inches maximum spacing.

Minimum reinforcement for foundation walls (unless closer spacing is specified by design or engineering specifications) which do not exceed four (4) feet in height shall be four (4) feet on center for vertical reinforcement and two (2) feet on center for horizontal reinforcement. One continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall.

Foundation walls over four (4) feet in height (unless closer spacing is specified by design or engineering specification) shall be eighteen (18) inches minimum on center for horizontal and vertical reinforcement. Reinforcing bars shall be a minimum size of #4 and may be a minimum grade forty (40). One (1) continuous row of horizontal #4 rebar shall be located between three (3) inches and six (6) inches of top and bottom of wall. No less than two (2) #4 rebar shall be installed around door, window, and similar sized openings.

~~Section G2406.2. Delete items 3 and 4.~~

~~Section G2445 is not adopted.~~

~~Adopt parts V. Mechanical and VI. Fuel Gas~~

Part VII. Plumbing and part VIII. Electrical are not adopted.

Appendices are not adopted except for:

~~Appendix G as it applies to swimming pools only; and~~

Appendix J Existing Buildings and Structures. Sections AJ102.5, AJ301.1.2, AJ301.2, AJ301.3, AJ501.1 exception 2, and AJ501.5 are not adopted; and

~~Appendix K Sound Transmission with the STC rating of 45 in sections AK102.1 and AK103 amended to: 50 (45 if field tested).~~

Appendix Q Tiny Houses

3. The ~~2015–2018~~ international energy conservation code (IECC), ~~commercial provisions,~~ prepared by the International Code Council, Inc., together with any amendments or revisions to the IECC made by the Idaho building code board through the negotiated rulemaking process, is adopted and shall be the energy conservation code of the municipality ~~for commercial purposes.~~

~~The 2012 edition of the international energy conservation code (IECC), residential provisions, prepared by the International Code Council, Inc., together with any amendments or revisions to the IECC made by the Idaho building code board through the negotiated rulemaking process, is adopted and shall be the energy conservation code of the municipality for residential purposes.~~

4. The ~~2012~~2018 international fuel gas code (IFGC), prepared by the International Code Council, Inc., is adopted and shall be the fuel gas code of the municipality with the following amendments or exemptions:

Section 103.2 is not adopted.

Section 103.3 is not adopted.

~~Section 303.3 Prohibited Locations. Delete items 3 and 4.~~

~~Section 621.4 Prohibited Locations. Add group R to the prohibited locations that includes groups A, E, I.~~

5. The ~~2012~~2018 international mechanical code (IMC), prepared by the International Code Council, Inc., is adopted and shall be the mechanical code of the municipality with the following amendments or exemptions:

Section 103.2 is not adopted.

Section 103.3 is not adopted.

6. The ~~2015~~2018 international existing building code (IEBC), prepared by the International Code Council, Inc., is adopted and shall be the existing building code of the municipality with the following amendments or exemptions:

- a. Section 103.2 is not adopted.
- b. Section 103.3 is not adopted.

B. The city council is hereby authorized to promulgate and prescribe building and other permit fees established by the codes adopted in this chapter by resolution.

SECTION 2. *That Coeur d'Alene Municipal Code section 15.12.010 is amended to read as follows:*

A. There is adopted by the City, for the purpose of prescribing regulations governing plumbing and construction to protect the health, safety, and welfare of the public, the 2017 Idaho State Plumbing Code, including appendices A, B, D, E, G, H, I, J, K, and L (herein ISPC), as adopted by the State of Idaho at IDAPA 07, title 02, chapter 06 with amendments except such chapters, or portions as are herein deleted, modified, amended or added as follows:

- 1. Delete ISPC section 104.5.
- 2. Delete ISPC section 1002.3 and replace with the following:

For trap arms two (2) inches in diameter and larger, the change in direction shall not exceed one hundred eighty (180) degrees without the use of a cleanout.
- 3. IDAPA ~~07.02.06.011.08~~24.39.20.08 is not adopted (Reinstate shower pan test per ISPC 408.7.5.)
- 4. IDAPA ~~07.02.06.011.13(a)~~24.39.20.14.a is not adopted. (Reinstate freeze resistant yard hydrant backflow.)
- 5. IDAPA ~~07.02.06.011.23~~24.39.20.26 is not adopted (~~amendment to section 610.2~~). ISPC 610.2 is adopted.
- 6. Delete ISPC Combined Systems section 1101.12.2.2.2.

B. The administrative authority appointed to enforce the Plumbing Code shall be the building official.

C. The fee shall be set by resolution of the City Council.

D. Any provision contained in this Code more restrictive than the provisions of the Idaho State Plumbing Code shall take precedence over such Idaho State Plumbing Code.

SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 5. After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on December 15, 2020.

APPROVED, ADOPTED and SIGNED this 15th day of December, 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Municipal Code Section 15.08.005

AN ORDINANCE AMENDING SECTIONS 15.08.005 AND 15.39.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO ACCOUNT FOR THE RECENT ADOPTION, WITH AMENDMENTS AND REVISIONS, OF UPDATED VERSIONS OF UNIFORM CODES BY THE STATE OF IDAHO; 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. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. ____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending Municipal Code Sections 15.08.005 and 15.12.010, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 15th day of December, 2020.

Randall R. Adams, Chief Civil Deputy City Attorney

CITY COUNCIL STAFF REPORT

FROM: TAMI STROUD, ASSOCIATE PLANNER
DATE: DECEMBER 15, 2020
SUBJECT: ZC-6-20 ZONE CHANGE FROM R-12 TO R-17
LOCATION: HAYCRAFT ESTATES, A PORTION OF LT 1 BLK 1, COMMONLY KNOWN AS 654 E. HAYCRAFT

OWNER:
Apartment Broker Inc. 401K Plan
c/o Glenn Sather, Trustee
813 N. Gary Drive
Coeur d'Alene, ID 83814

ARCHITECT:
Glen Lanker, Artios, Inc.
1029 E. Shadowood Lane
Coeur d'Alene, ID 83815

DECISION POINT:

The applicant is requesting approval of a zone change from R-12 (Residential at 12 units/acre) to R-17 (Residential at 17 units/acre) zoning district.

BACKGROUND INFORMATION:

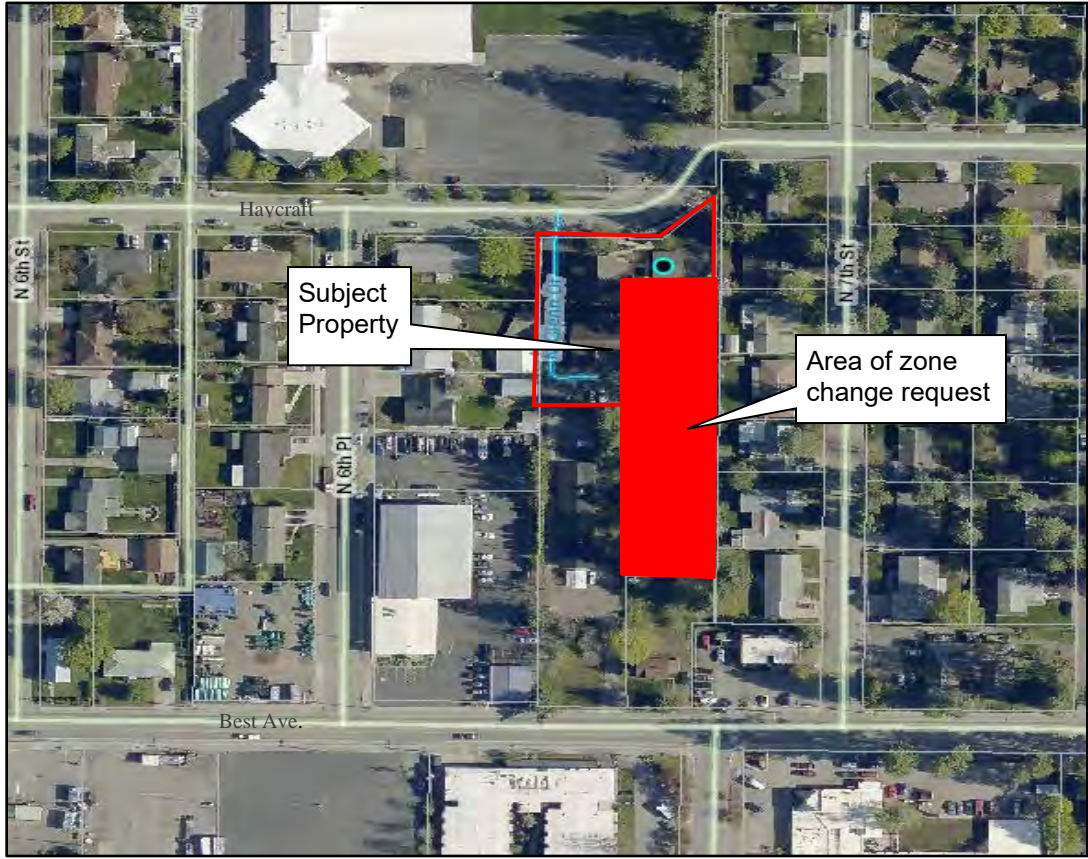
The subject property is located between 6th Place and 7th Street, along E Haycraft Avenue, with Best Avenue to the south. The above-noted parcel is a split zoned piece of land, located within two (2) different zoning districts. The western portion of subject property is currently zoned R-17 (Residential at 17 units/acre) with two (2) 4-unit multi-family structures on it. The eastern portion of the subject property is currently zoned R-12 (Residential at 12 units/acre) and is vacant. With the approval of the zone change, the property owner would like to construct additional multi-family structures adding a total of ten (10) units to the site. According to the County Assessor's office, the existing multi-family structures were constructed in 2011.

The zoning ordinance requires a multi-family use be located in the R-17 Zoning District (also allowed in C-17/C-17L), as it is not allowed in the R-12 Zoning District (See R-17 Zoning District Information on pages 13-15).

The applicant has indicated that they would like to construct additional multi-family structures on the site. The applicant team has attended a project review pre-development meeting with city staff in order to familiarize themselves with the requirements prior to the project coming forward for a building permit. The applicant is aware that site improvements will be triggered should a multi-family project come forward, including landscaping and parking improvements. Site performance standards per the R-17 Zoning District will need to be met as well.

It should be noted that the applicant's proposed multi-family use of the property is not tied to the requested zone change. If the subject site is approved to be changed to the R-17 Residential District, then all permitted uses in the R-17 Residential District would be allowed on this site.

AERIAL PHOTO:



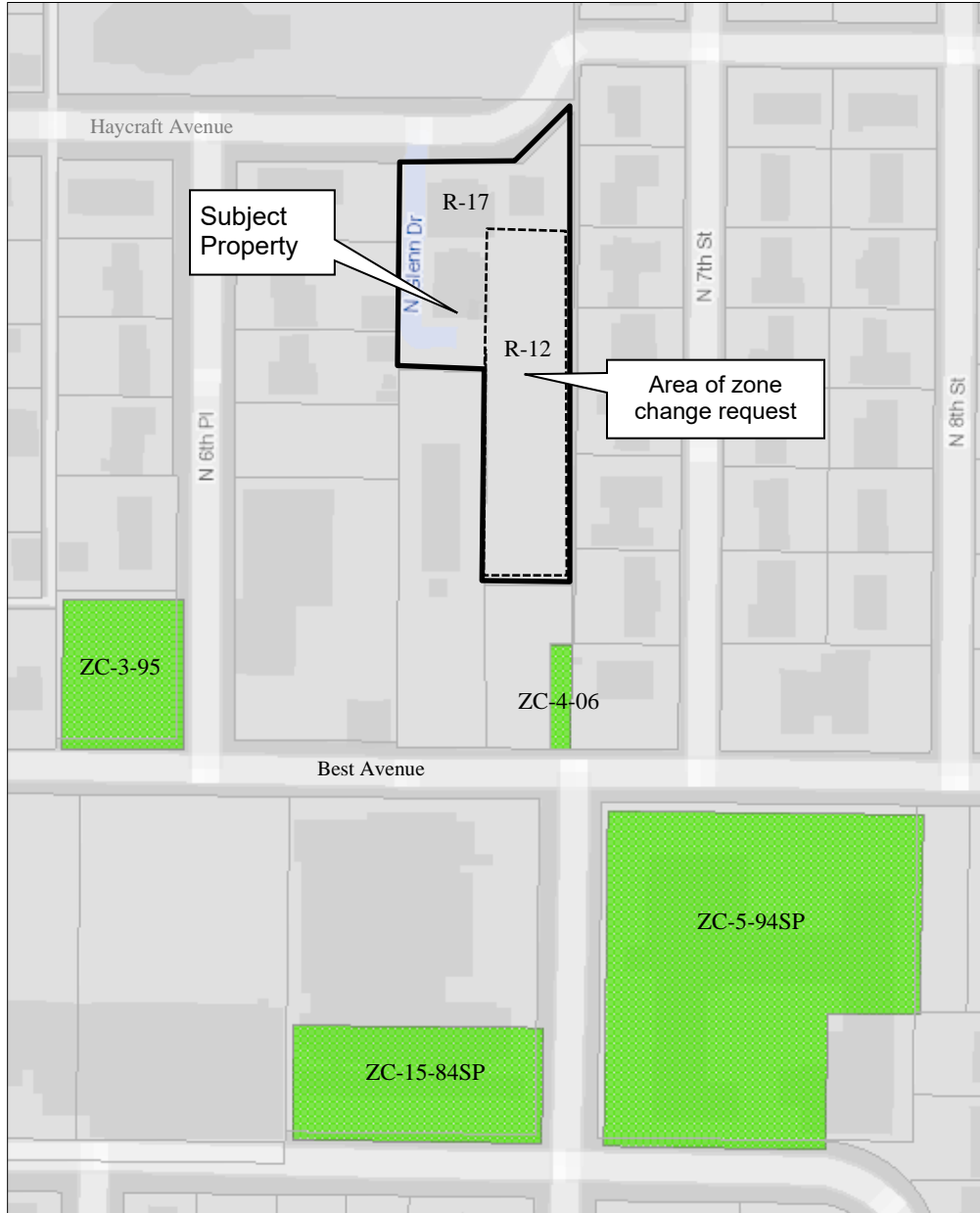
BIRDS EYE AERIAL (for reference only):



PLANNING COMMISSION RECOMMENDATION:

At their regular monthly meeting on November 10, 2020, the Planning Commission held a public hearing on this item and made a recommendation to approve this zone change request.

PRIOR LAND USE ACTIONS MAP:



PRIOR LAND USE ACTIONS:

City Council and City Council approved zone change requests from R-12 to R-17 in items ZC-4-06 (R-12 to R-17) and ZC-5-94SP (R-12 to R-17), which are south and southeast of the subject property. Also, two zone change requests from R-12 to C-17 were approved in items ZC-3-95 (R-12 to C-17) as seen in the map provided above.

Zone Changes:

ZC-4-06	R-12 to C-17	Approved
ZC-3-95	R-12 to C-17	Approved
ZC-5-94SP	R-12 to R-17	Approved
ZC-15-84SP	R-12 to R-17	Approved

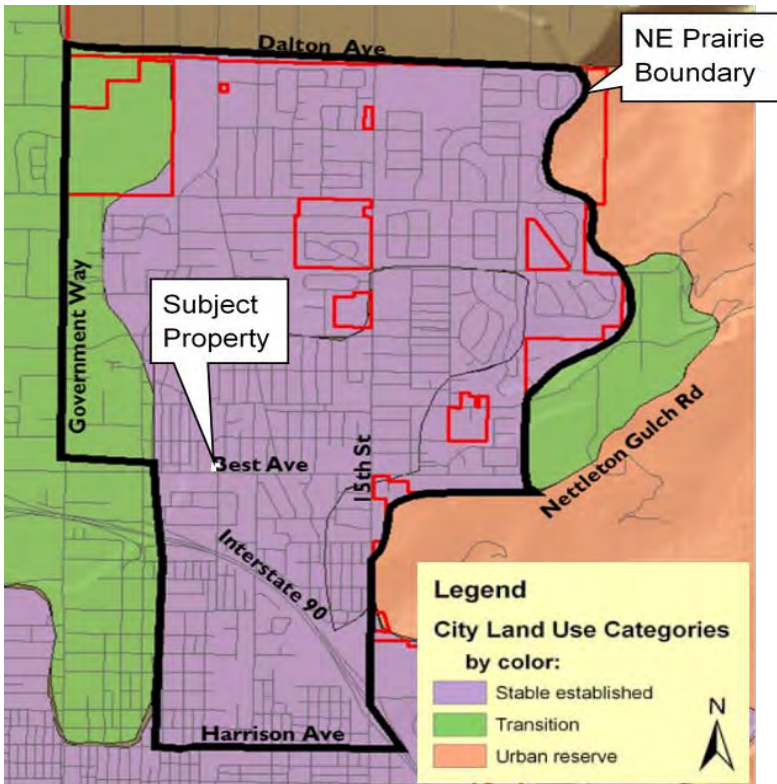
REQUIRED FINDINGS:

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY: NE Prairie

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates this area in the 2007 Comprehensive Plan as NE Prairie
-

Comprehensive Plan Map: NE Prairie



Stable Established:

These areas are where the character of neighborhoods have largely been established and, in general, should be maintained. The street network, the number of building lots, and general land use are not expected to change greatly within the planning period.

NE Prairie Today:

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre (3-8:1). Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

NE Prairie Tomorrow:

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

GOAL #1 - Natural Environment:

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene through:

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14 - Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Goal #2 - Economic Environment:

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes economic growth.

Objective 2.01 – Business Image & Diversity:

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.02 – Economic & workforce Development:

Plan suitable zones and mixed-use areas, and support local workforce development and housing to meet the needs of business and industry.

Goal #3 - Home Environment:

Our Comprehensive Plan preserves the city's qualities that make Coeur d'Alene a great place to live.

Objective 3.05 - Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.16 – Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

Goal #4 - Administrative Environment:

Our Comprehensive Plan preserves and enables efficiency and good management.

Objective 4.01 - City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.06 - Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision-making process.

Evaluation: *The City Council must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

- B. **Finding #B9:** **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by Haycraft Ave. to the north. Haycraft Ave. currently meets City design standards. The subject property is bordered by College Way to the east. A sidewalk would be required along the College Way frontage at the time of construction.

Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed Zone Change.

Any required water main extensions, additional fire hydrants, and new services required for construction will be installed by the developer at their expense. All new mains and fire hydrants require dedication of a 20' public utility easement where not constructed in right of way.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

This property has sewer onsite and will need to connect to the sewer service for the existing buildings. In accordance with the 2013 Sewer Master Plan, the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this Zone Change as proposed.

City Wastewater Policy #716; Only one appropriately sized sewer lateral is allowed to serve each legally recognized parcel. 'One parcel, One service. (One Lot, One Lateral). Wastewater has no issues with this zone change as proposed at this time.

- Submitted by Larry Parsons, Wastewater Utility Project Manager

FIRE:

The Fire Department works with the Engineering, Water and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents:

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI

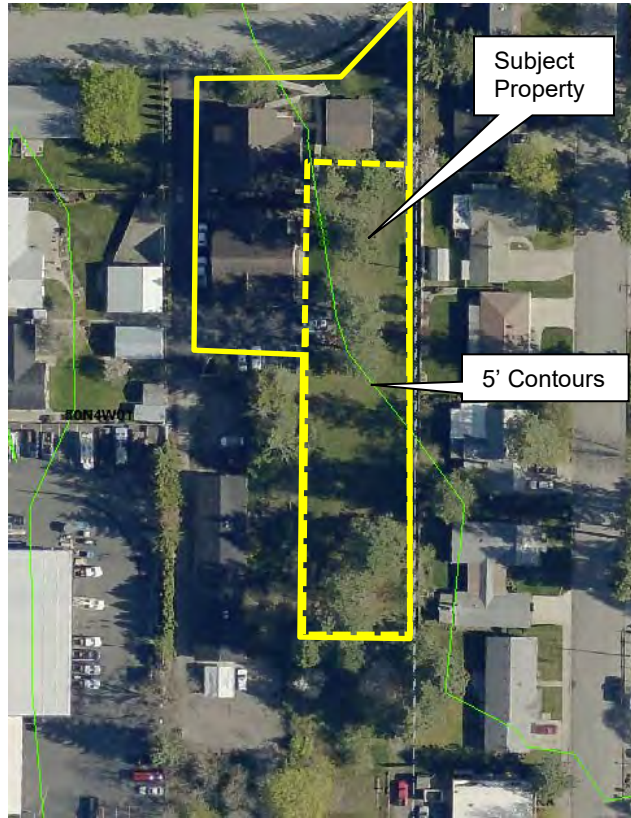
Evaluation: *The City Council must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

- C. **Finding #B10:** **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site is generally flat. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17. See topographic map on the following page.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Looking south at a portion of the subject property along Haycraft Avenue.



SITE PHOTO 2: View of a portion of the subject property looking southwest toward the existing multi-family structure.



SITE PHOTO 3: Looking at the interior portion of the subject property which abuts an existing multi-family project on the same parcel.



SITE PHOTO 4: Interior portion of the subject property looking south toward Best Ave.



SITE PHOTO 5: View of subject property on the interior side looking north toward Haycraft Ave.



Evaluation: *The City Council must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that 10 additional multi-family units are planned for this property. The ITE Trip Generation Manual estimates that an additional 5 AM and 6 PM peak hour trips could be expected from the proposed development, which is a negligible increase. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

NE Prairie Today:

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre (3-8:1). Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

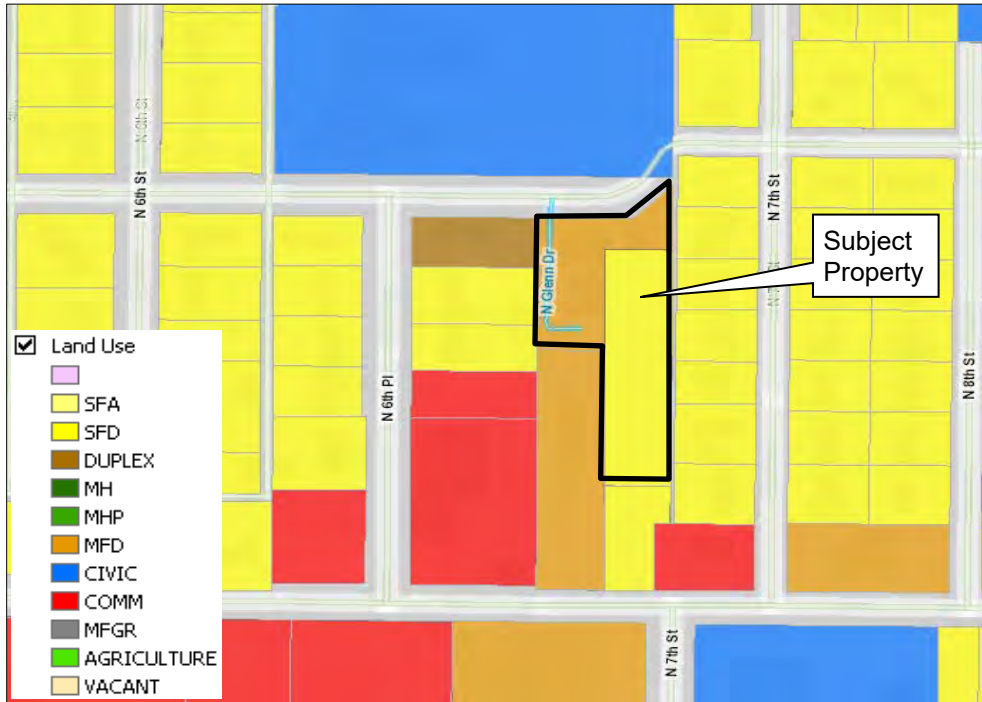
Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

SURROUNDING LAND USES AND ZONING:

The properties surrounding the subject site are primarily residential land uses. There is a religious assembly use directly north of the subject property and across Haycraft, which falls under a civic land use, and to the west is an existing multi-family use/land use. There are single-family dwellings to the east and south. Further south, along Best Avenue, there is a senior independent living facility and a health and rehabilitation center, which fall under a multi-family land use and a civic land use. (See Land Use Map)

The subject parcel is a split zoned piece of land, located within two (2) different zoning districts. The western portion of subject property is currently zoned R-17 (Residential at 17 units/acre) with an existing multi-family use on it. The eastern portion of the subject property is currently zoned R-12 (Residential at 12 units/acre) and is vacant. Properties to the north, and east are zoned R-12. There are both R-17 Residential and C-17 Commercial zoned properties to the south and closer to Best Avenue. (See Zoning Map)

GENERALIZED LAND USE PATTERN



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-12 uses to R-17 uses (as listed below).

Existing R-12 Zoning District:

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

17.05.180: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-12 district shall be as follows:

- Administrative Office
- Duplex housing
- Essential service
- Home occupation
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.190: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling unit.
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for residential activities in an R-12 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space.

Proposed R-17 Zoning District:

The R-17 District is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre. This district permits single-family detached housing as specified by the R-8 District and duplex housing as specified by the R-12 District. This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use. This district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low-density residential districts.

17.05.260 PERMITTED USES; PRINCIPAL:

Principal permitted uses in a R-17 district shall be as follows:

- Single Family Housing.
- Duplex Housing.
- Child Care Facility.
- Community Education.
- Home Occupations As Defined In Sec. 17.06.705.
- Essential Services.
- Civic Administrative Offices.
- Multi-Family Housing.
- Neighborhood Recreation.
- Public Recreation.

17.05.270 PERMITTED USES; ACCESSORY:

Accessory permitted uses in a R-17 district shall be as follows:

- Carport, Garage and Storage Structures (Attached or Detached).
- Private Recreation Facility (Enclosed or Unenclosed).
- Mail Room and/or Common Use Room for Cluster or Multiple Family Developments.
- Outside Storage When Incidental to the Principal Use.
- Open Areas and Swimming Pools.
- Temporary Construction Yard.
- Temporary Real Estate Office.
- Accessory Dwelling Unit.

17.05.280 PERMITTED USES; SPECIAL USE PERMIT

Permitted uses by special use permit in a R-17 district shall be as follows:

- Automobile Parking for Adjacent Commercial Use.
- Boarding House
- Commercial Recreation
- Community Assembly
- Community Organization
- Convalescent Home/Nursing Home
- Convenience Sales
- Group Dwelling
- Handicapped or Minimal Care Facility
- Juvenile Offenders Facility
- Mobile Home
- Noncommercial Kennel
- Religious Assembly

- Rehabilitative Facility
- Residential Density of R-34
- 3 Unit Per Gross Acre Density Increase. (Only for Pocket Housing)
- Bed & Breakfast Facility
- Mini-Storage Facility
- Commercial Film Production

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-17 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Single-family and duplex structure	32 feet ¹	n/a
Multiple-family structure	45 feet ¹	n/a
For public recreation, community education or religious assembly activities	45 feet ¹	n/a
Detached accessory building including garages and carports	32 feet ¹	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

A. Minimum yard requirements for single family and duplex residential activities in an R-17 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half ($\frac{1}{2}$) when adjacent to public open space (see section [17.06.480](#) of this title).

C. Multiple-family housing at seventeen (17) units per acre:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the required rear yard will be reduced by one-half ($\frac{1}{2}$) when adjacent to public open space (see section [17.06.480](#) of this title).

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

D.	Multiple-family housing:		
	1. Studio units		1 space per unit
	2. 1 bedroom units		1.5 spaces per unit
	3. 2 bedroom units		2 spaces per unit
	4. 3 bedroom units		2 spaces per unit
	5. More than 3 bedrooms		2 spaces per unit

Evaluation: *The City Council must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

APPLICABLE CODES AND POLICIES:

UTILITIES:

- All proposed utilities within the project shall be installed underground.
- All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d’Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

STREETS:

- Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
- An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

- A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

PLANNING:

- All site improvements must meet the site performance standards of the R-17 Zoning District.

PROPOSED CONDITIONS:

NONE.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

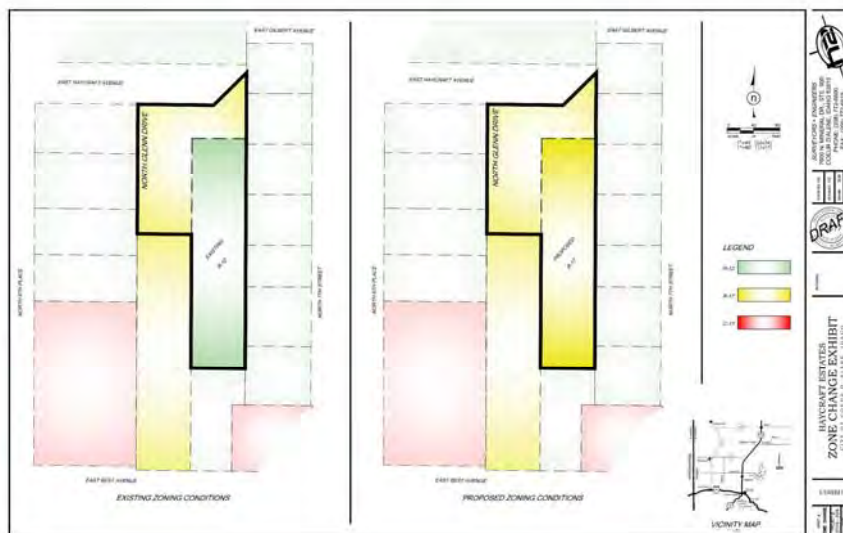
The City Council must consider this request and make separate findings to approve, deny or deny without prejudice.

CITY OF COEUR D' ALENE CITY COUNCIL PUBLIC HEARING

December 15, 2020

654 East Haycraft Avenue
Proposed Zone Change from R-12 to R-17

654 East Haycraft Proposed Zone Change



654 East Haycraft Proposed Zone Change



654 East Haycraft Proposed Zone Change



City Council Meeting



December 15, 2020

ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

OWNER:

Apartment Broker Inc. 401K Plan
c/o Glenn Sather, Trustee
813 N. Gary Drive
Coeur d'Alene, ID 83814

ARCHITECT:

Glen Lanker, Artios, Inc.
1029 E. Shadowood Lane
Coeur d'Alene, ID 83815

REQUEST:

Zone change from R-12 (Residential at 12 units/acre) to R-17
(Residential at 17 units/acre) zoning district.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

LOCATION:

Located between 6th Place and 7th Street, along E. Haycraft Avenue, with Best Avenue to the south. Commonly known as 654 E. Haycraft Avenue.

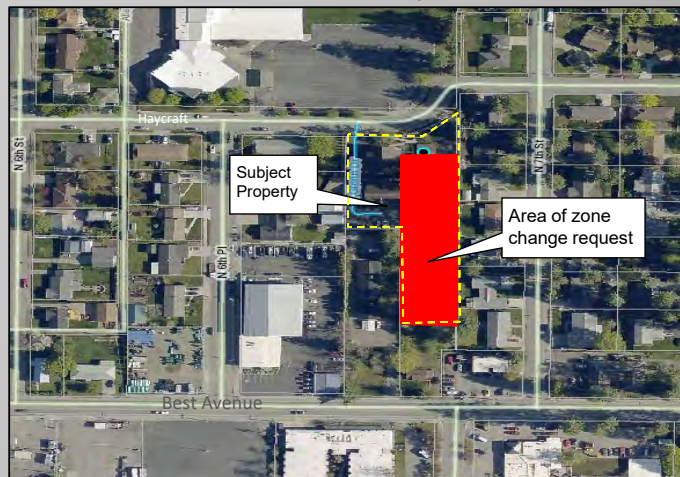
LEGAL NOTICE:

Notice was published in the CDA Press on November 28, 2020



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Location Map



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Aerial Photo



N. Howard St.

ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

Finding #B11:

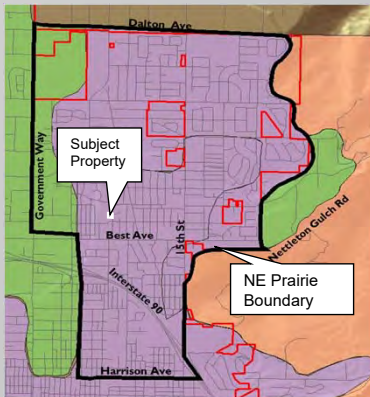
That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.



ZC-6-20 Zone change from to R-12 to R-17
 654 E. Haycraft +/- 1.59 acre parcel

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.



2007 Comprehensive Plan:
NE PRAIRIE

Stable Established :

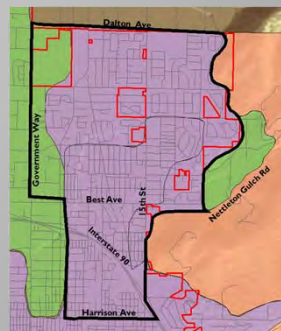
These areas are where the character of neighborhoods have largely been established and, in general, should be maintained. The street network, the number of building lots, and general land use are not expected to change greatly within the planning period.



ZC-6-20 Zone change from to R-12 to R-17
 654 E. Haycraft +/- 1.59 acre parcel

COMPREHENSIVE PLAN OBJECTIVES:

- Goal #1 Natural Environment**
 - 1.12 Community Design
 - 1.14 Efficiency
- Goal #2 Economic Environment**
 - 2.01 Business Image and Diversity
 - 2.02 Economic and Workforce Development
- Goal #3 Home Environment**
 - 3.05 Neighborhoods
 - 3.16 Capital Improvements
- Goal #4 Administrative Environment**
 - 4.01 City Services
 - 4.06 Public Participation



See pages 6 and 7 of the staff report for the full list of Comp Plan Goals and Objectives



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

- City staff from Engineering, Streets, Water, Fire, Parks, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed zone change request.
- No objection to this zone change request as proposed—but certain requirements will be triggered with new construction on the property (handled at time of permit).



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Finding #B9: Continued

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STREETS:

The subject property is bordered by Haycraft Avenue to the north. Haycraft Avenue currently meets City design standards.

- Submitted by Chris Bosley, City Engineering

See pages 7 and 8 of the staff report for full staff comments



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

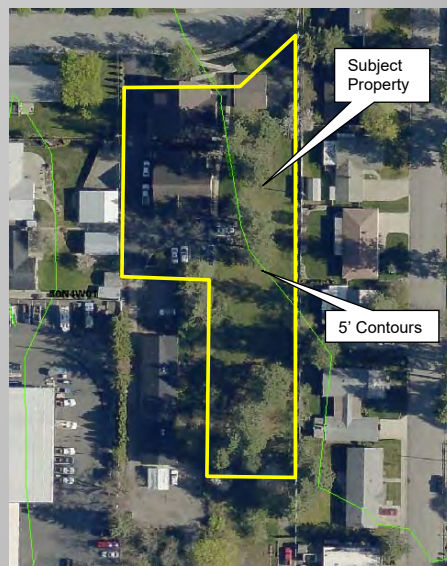
PHYSICAL CHARACTERISTICS:

The site is generally flat. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

TOPOGRAPHIC MAP:



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Looking south at a portion of the subject property along Haycraft Avenue.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

View of a portion of the subject property looking southwest toward the existing multi-family structure.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Looking southeast at the interior portion of the subject property.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Interior portion of the subject property looking south toward Best Avenue.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

View of subject property on the interior side looking north toward Haycraft Avenue.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Finding #B11:

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that 10 additional multi-family units are planned for this property. The ITE Trip Generation Manual estimates that an additional 5 AM and 6 PM peak hour trips could be expected from the proposed development, which is a negligible increase.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Finding #B11: (continued)

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

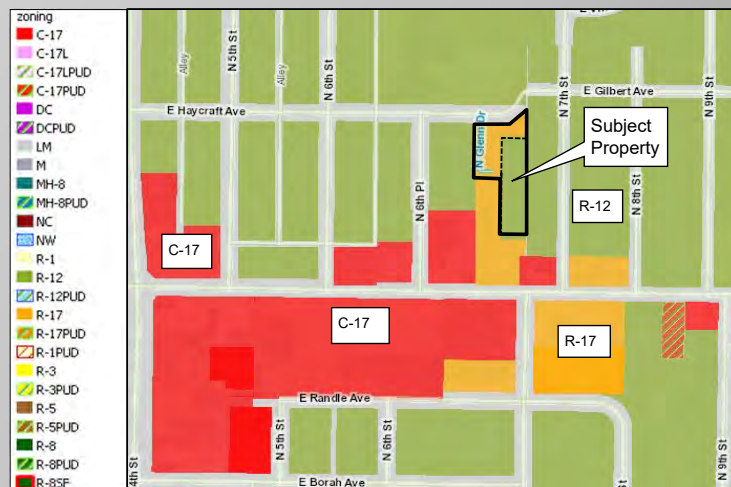
The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineer



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Zoning Map



ZC-6-20 Zone change from to R-12 to R-17
 654 E. Haycraft +/- 1.59 acre parcel

Proposed R-17 Zoning District:

- Intended as a medium/high density residential district that permits a mix of housing types.
- Permits single-family, duplex, and multi-family housing.
- This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use.
- Appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low-density residential districts.



ZC-6-20 Zone change from to R-12 to R-17
 654 E. Haycraft +/- 1.59 acre parcel

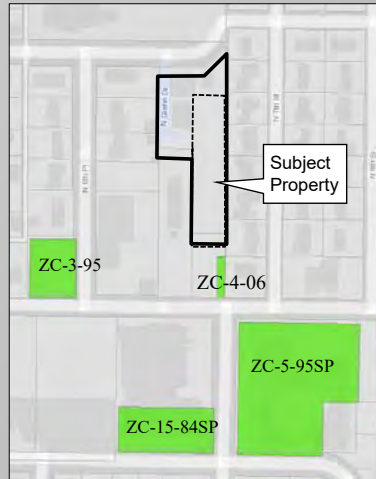
The following is a list of the Principal uses that are permitted in the R-17 district:

- | | |
|---|---------------------------------|
| • Single Family Housing. | • Essential Services. |
| • Duplex Housing. | • Civic Administrative Offices. |
| • Child Care Facility. | • <u>Multi-Family Housing.</u> |
| • Community Education. | • Neighborhood Recreation. |
| • Home Occupations As Defined
In Sec. 17.06.705. | • Public Recreation. |



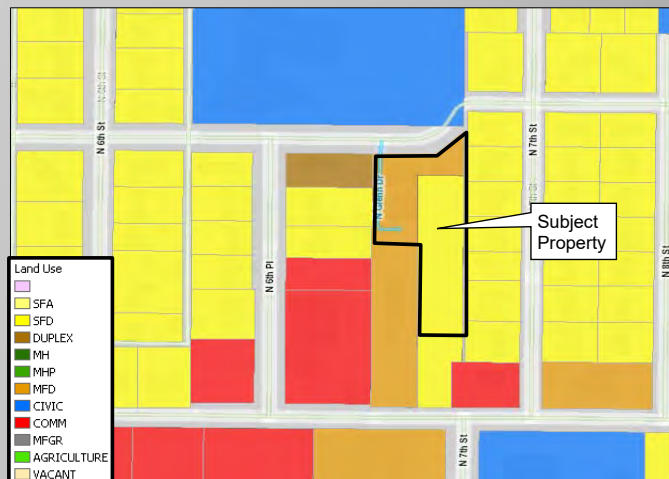
ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Zone Changes - Map



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Land Use Map



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

DECISION POINT & ACTION ALTERNATIVES:

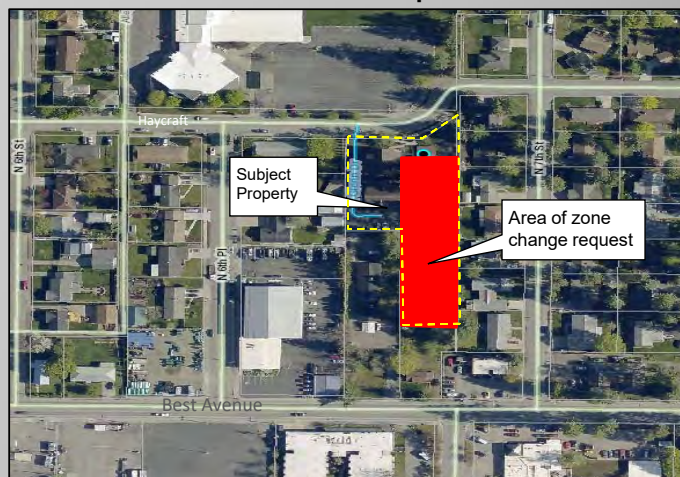
The City Council will need to consider this request and make appropriate findings to:

- Approve
- Deny
- Deny without prejudice.



ZC-6-20 Zone change from to R-12 to R-17
654 E. Haycraft +/- 1.59 acre parcel

Location Map



Applicant: Glen Lanker, Artios LLC on behalf of Apartment Broker, Inc.
Location: 654 E. Haycraft
Request: A proposed zone change from R-12 to R-17
QUASI-JUDICIAL (ZC-6-20)

Tami Stroud, Associate Planner, provided the following statements:

- The subject property is located between 6th Place and 7th Street, along E Haycraft Avenue, with Best Avenue to the south.
- The parcel is a split-zoned piece of land, located within two (2) different zoning districts. The western portion of the subject property is currently zoned R-17 (Residential at 17 units/acre) with two (2), 4-unit multi-family structures on it.
- The eastern portion of the subject property is currently zoned R-12 (Residential at 12 units/acre) and is vacant. With the approval of the zone change, the property owner would like to construct additional multi-family structures, adding a total of ten (10) units to the site.
- According to the County Assessor's office, the existing multi-family structures were constructed in 2011. The applicant has indicated that they would like to construct additional multi-family structures on the site. The applicant team has attended a project review pre-development meeting with City staff in order to familiarize themselves with the requirements prior to the project coming forward for a building permit.
- The applicant is aware that site improvements will be triggered should a multi-family project come forward, including landscaping and parking improvements. Site performance standards per the R-17 Zoning District will need to be met as well.
- Ms. Stroud noted that the applicant's proposed multi-family use of the property is not tied to the requested zone change. If the subject site is approved to be changed to the R-17 Residential District, then all permitted uses in the R-17 Residential District would be allowed on the site.
- The City's Comprehensive Plan designates the area in the 2007 Comprehensive Plan as NE Prairie.
- Ms. Stroud noted that all City departments are in agreement that there are no issues with the application.
- There are no conditions.

Ms. Stroud concluded her presentation.

Commission Comments:

There were no questions for staff.

Public testimony open.

Glen Lanker, applicant, provided the following statements.

- He highlighted a few of the Comprehensive Plan objectives where the project fits within those guidelines.
- He explained the reason for the request is to have the parcel zoned the same as the other parcel.
- He noted on a rendering of the project a landscape courtyard area that will be pedestrian-friendly to all units and commented that they will be preserving as many existing trees as possible. He also stated that each unit will have their own enclosed parking area which will be located in the rear of the units, which will free up space in the front of the units to place an exterior porch facing the landscape courtyards.

- The property is a great site for infill housing that discourages sprawl by utilizing existing infrastructure that is adequate and available.
- He noted that their proposal is consistent with the Missing Middle Housing and commended the City for its work on the Zoning Code to allow more infill housing that is compatible with residential areas. He explained that there has been a lot of work done by the commission, staff, citizens committee to grab this Infill Housing Ordinance which is exciting. He added that he attended this forum a year ago in August and great to see it embraced here and how it is a critical need for this type of housing going forward.
- He showed a rendering of the buildings which, when done, will have less residences than what is allowed per the zone.
- He commented that when the three buildings are done, they will look like large existing family homes, existing multi family, commercial to the south adjacent to Best Avenue and noted when done the units are being scaled down with lower building heights on the ends where adjacent to single-family uses.

Mr. Lanker concluded his presentation.

Commission Comments:

There were no questions for the applicant.

Glen Sather said he is the owner of the property and a long-term resident of the area and has been in the apartment business for a long time. He explained that they tried to incorporate some of the features and amenities he had appreciated in the real estate business. He stated that he will manage the properties himself with the goal to have the tenants maintain the buildings, which will increase the value of the properties.

Public testimony closed.

Discussion:

Commissioner Ward commented that he appreciates the design of the buildings to not appear so large that they don't blend with the existing homes. He stated that when done, the project will be a nice compliment to the area.

Commissioner Fleming commented that she likes to hear that they will be saving the trees and by consolidating a land locked parcel, they will utilize it by filling in a hole.

Commissioner Fleming	Voted	Yes
Commissioner Luttrupp	Voted	Yes
Commissioner Rumpler	Voted	Yes
Commissioner Mandel	Voted	Yes
Commissioner Ward	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

Coeur d'Alene Planning Department
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814

208-765-4098

Comments

FROM LESLIE + DEBORAH FRANK 2703 N 6th Place COA
83815

IF YOU PUT LARGE APARTMENT HOUSE IN THIS BLOCK OUR STREET
WILL HAVE SO MUCH TRAFFIC ON IT. THE STREETS IN THIS AREA
CAN NOT HANDLE ALL THIS TRAFFIC. THIS NEED TO BE
STUDIED BEFORE SUCH A CHANGE IS MADE. BEST STREET ALSO
HAS A SCHOOL CROSSING FOR KIDS RIGHT WHERE YOU WANT TO
DO THIS. YOU ALSO HAVE RE WORST AND FOOD COURTS JUST UP
THE STREET. BEST WILL BE A REAL BAD STREET TO DRIVE ON.
BEST STREET CAN NOT HANDLE THE TRAFFIC AS IS NOW!

Please Read at Meeting!

Leslie M Frank

Comment For ZC-6-20

A R T I O S
ARCHITECTURE
COMMUNITY DESIGN
DEVELOPMENT

CITY OF COEUR D' ALENE ZONE CHANGE APPLICATION NARRATIVE

September 28, 2020

Owner / Applicant: Apartment Broker, Inc. 401K Plan c/o Glenn Sather, Trustee

Subject Property: 654 E. Haycraft Avenue
Coeur d' Alene, Idaho 83814

Gross Acreage: Approx. 1.15 acres total

Existing Zoning: 0.49 acres is R-17 and 0.66 acres is R-12

Proposed Zoning: R-17 for the 0.66 acre portion currently zoned R-12

Existing Use: 8 units of multi-family residential on the 0.49 acre portion and the 0.66 acre portion is vacant land

Proposed Use: 10 additional units of multi-family residential on the 0.66 acre portion

The attached Zone Change Exhibit shows the southeastern portion of the site currently zoned R-12 and the northwest portion currently zoned R-17 with the 8 units of existing multi-family residential. The neighboring property to the south is zoned R-17 also. The zone change request is for the balance of the site to also be R-17 so it is consistent and allow the development of 10 additional multi-family residential units. With all of the site zoned R-17, the maximum allowable no. of units would be $1.15 \times 17 = 19$. As shown on the attached design drawings, 10 additional units are being proposed for a total of 18, which is one less than the allowable.

The proposed 10 additional multi-family units consist of six one bedroom and four two bedroom units in 3 buildings. Each unit has a covered porch overlooking a common landscaped court and also has an attached single car garage. The total no. of parking spaces provided is 34, which is 3 more than the required minimum of 31 spaces. The parking has been separated to the rear of the buildings to foster a better and more inviting pedestrian environment with the landscaped common courts at the front of each building.

The design and scale are similar to a large single family detached home. Although there is a common architectural detailing, each of the three buildings is unique and a different color with its own identity. The massing is a combination of two stories in the middle with one story wings on each side for a more human scale that will fit well as a transition between the existing single family neighborhood to the east and the existing multi-family to the southwest.

2007 Comprehensive Plan Objectives

- 1.06: The buildings have been sited and the landscaped courts designed to preserve many of the site's existing mature trees along with planting of new ones.
- 1.11: Urban design principles followed in emphasizing pedestrian access and usability by having the units front the common landscaped courts with vehicle parking at the rear.
- 1.12 & 1.14: Infill development of vacant portion of site enhances urbanized area and efficiently utilizes existing infrastructure and discourages sprawl.
- 2.02 & 2.05: Provides needed workforce housing within convenient walking and biking distance of existing businesses, schools, parks and other services.
- 3.0 & 3.05: Housing options provided which are compatible with existing neighborhoods.
- 3.07: Emphasis on pedestrian orientation separated from parking.
- 3.08 & 3.10: Helps meet the need for quality affordable housing as part of a diverse range of housing options compatible with existing neighborhoods.

What is proposed is also consistent with what is envisioned for the NE Prairie Neighborhood:

“The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Incentives will be provided to encourage clustering.

In addition to being consistent with Comprehensive Plan objectives, the proposal is an example of the City's recent “Missing Middle Housing” initiative. This calls for a wider variety of housing types other than single family detached and large apartment buildings, with an emphasis on infill development compatible with existing neighborhoods.

Please let us know any comments or questions, we appreciate your consideration of our request.



Glen Lanker

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

ZC-6-20

A. INTRODUCTION

This matter having come before the Planning Commission on, November 10,2020 , and there being present a person requesting approval of ZC-6-20, a request for a zone change from R-12 to R-17 zoning district

APPLICANT: APARTMENT BROKERS INC., 401K PLAN

LOCATION: HAYCRAFT ESTATES, A PORTION OF LT 1 BLK 1, COMMONLY KNOWN AS 654 E. HAYCRAFT

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON
(The Planning Commission may adopt Items B1-through7.)**

- B1. That the existing land uses are residential and commercial
- B2. That the Comprehensive Plan Map designation is NE Prairie Today.
- B3. That the zoning is R-12.
- B4. That the notice of public hearing was published on, October 24, 2020, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, November 1, 2020, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on November 10, 2020.

B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Goal #2: Economic Environment

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

Objective 2.01 Business Image & Diversity:

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.02 Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Goal #3: Home Environment

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

Objective 3.05 Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.06 – Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the staff report and that parking will be used in the rear as a hammerhead turnaround.
- B10. That the physical characteristics of the site do make it suitable for the request at this time because this property is flat.
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because very limited traffic generated for 18 units.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request APARTMENT BROKERS INC., 401K PLAN for a zone change, as described in the application should be approved.

Special conditions applied are as follows:

Motion by Fleming, seconded by Ward, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Mandel	Voted Yes
Commissioner Rumpler	Voted Yes
Commissioner Ward	Voted Yes

Chairman Messina was absent.

Motion to approve carried by a 5 to 0 vote.


VICE CHAIR JON INGALLS

ORDINANCE NO. _____
COUNCIL BILL NO. 20-1025

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 ZONING DESIGNATION OF THE FOLLOWING DESCRIBED PROPERTY FROM R-12 TO R-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: HAYCRAFT ESTATES, A PORTION OF LOT 1 BLOCK 1, COMMONLY KNOWN AS 654 E. HAYCRAFT AVE; 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.

WHEREAS, after public hearing on the hereinafter provided amendment, and after recommendation by the Planning Commission, it is deemed by the Mayor and City Council to be for the best interests of the City of Coeur d'Alene, Idaho, that said amendment be adopted;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. That the following described property, to wit:

Location: The property is legally described as: A portion of Lot 1, Block 1, HAYCRAFT ESTATES, as recorded in Book "K" of Plats, Page 174, records of Kootenai County, Idaho, located in the Southeast Quarter of Southwest Quarter of Section 1, Township 50 North, Range 4 west, Boise Meridian, Kootenai County, Idaho and legally known as 654 E. Haycraft Ave.

is hereby changed and rezoned from R-12 (Residential at 12 units/acre) to R-17 (Residential at 17 units/acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, is hereby amended as set forth in Section 1 hereof.

SECTION 3. That the Community Planning Director is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene, and shall make an electronic copy available on the City's website.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on December 15, 2020.

APPROVED this 15th day of December 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

**Zone Change – ZC-6-20
654 E. HAYCRAFT AVE**

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 ZONING DESIGNATION OF THE FOLLOWING DESCRIBED PROPERTY FROM R-12 TO R-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: HAYCRAFT ESTATES, A PORTION OF LOT 1 BLOCK 1, COMMONLY KNOWN AS 654 E. HAYCRAFT AVE.; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, ZC-6-20 – 654 E. Haycraft Ave., and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 15th day of December, 2020.

Randall R. Adams, Chief Civil Deputy City Attorney

CITY COUNCIL STAFF REPORT

FROM: TAMI STROUD, ASSOCIATE PLANNER
DATE: DECEMBER 15, 2020
SUBJECT: ZC-7-20 ZONE CHANGE FROM R-12 TO LM
LOCATION: COLLEGE HEIGHTS, LOT 4, BLOCK 1, KNOWN AS 1609 COLLEGE WAY

OWNER:
Norman Anderson
Tapley Cabinet Works
509 W Vista Drive
Coeur d'Alene, ID 83814

ENGINEER/CONSULTANT:
Lake City Engineering, Inc.
Drew Dittman
126 E. Poplar Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

The applicant is requesting approval of a zone change from R-12 (Residential at 12 units/acre) to LM (Light Manufacturing) zoning district.

PLANNING COMMISSION RECOMMENDATION:

At their regular monthly meeting on November 10, 2020, the Planning Commission held a public hearing on this item and made a recommendation to approve this zone change request.

BACKGROUND INFORMATION:

The subject property is located between Lacrosse Avenue and Mill Avenue on the west side of College Way. The subject property, which is immediately adjacent to the Tapley Cabinet Works workshop, is a vacant parcel. With the approval of the proposed zone change, Tapley Cabinet Works intends to expand and incorporate this property into their existing production facilities. The original cabinet business on the south side of the subject property has been located at the present location since 1946.

The zoning ordinance requires a light manufacturing use be located in the LM Zoning District, as it is not allowed in the R-12 Zoning District (See LM Zoning District Information on pages 13-15). The current business operation has LM zoning.

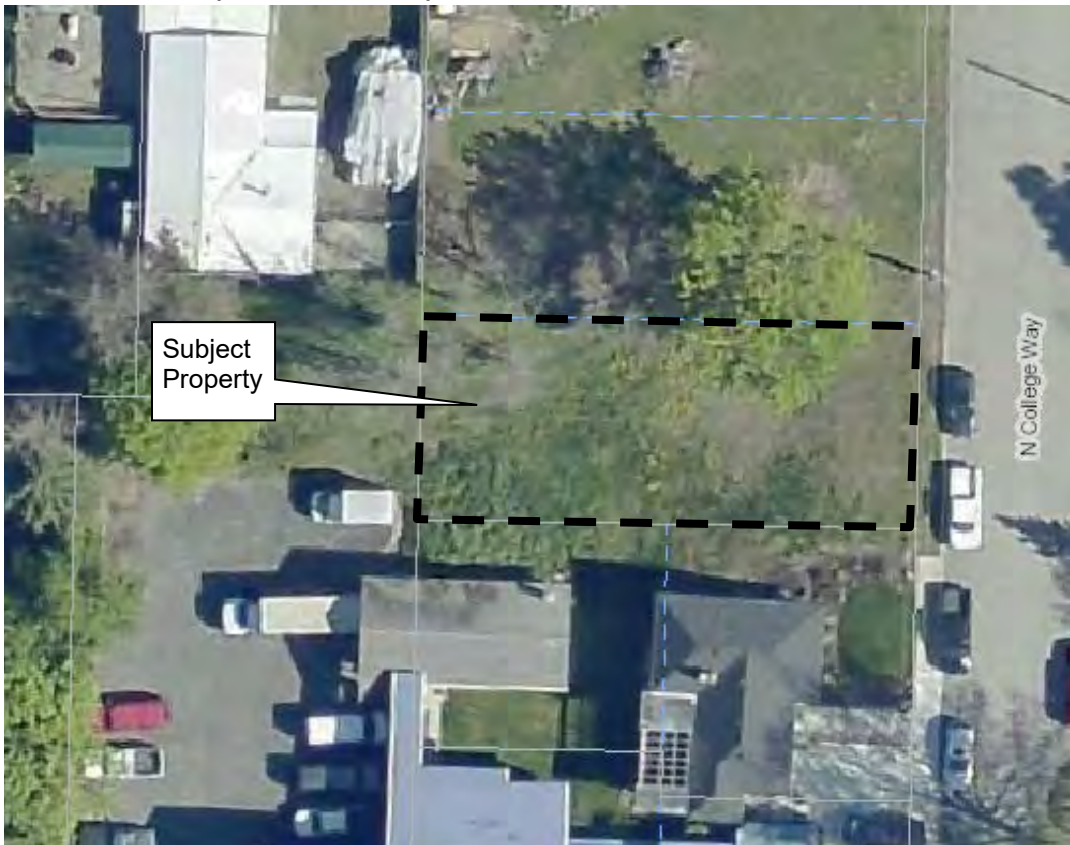
By rezoning the subject property, it will allow for additional storage and assembly areas with the construction of a new building that has the appearance of a residential structure on the outside, but will provide additional storage and space needed for the current business. If approved, this zone change and construction of the new storage building will help reduce the number of trips to the site to deliver materials. The applicant is aware that site improvements will be triggered should a proposed project for the expansion of the Tapley Cabinet Works project come forward, including landscaping and parking improvements. Site performance standards per the LM Zoning District will need to be met as well.

If the subject site is approved to be changed to the LM (Light Manufacturing) Zoning District, then all permitted uses in the LM, Light Manufacturing Zoning District would be allowed on this site.

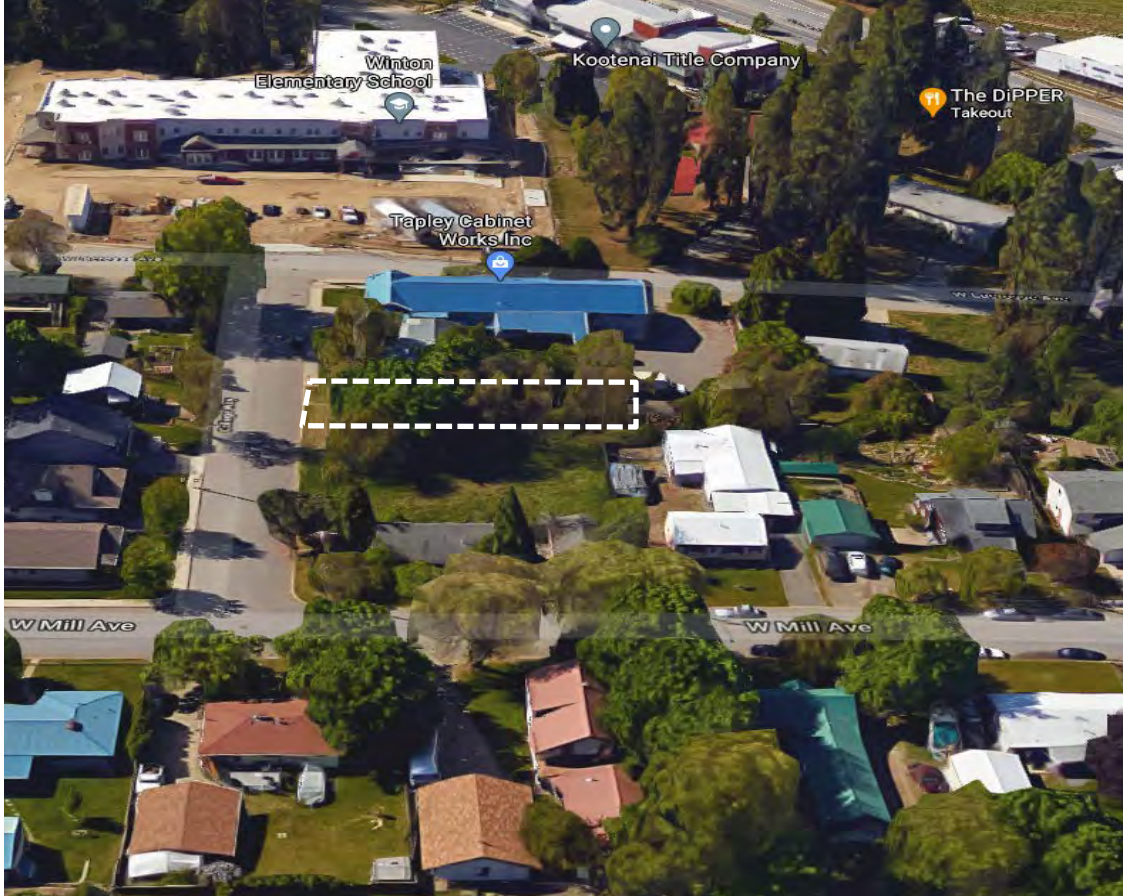
AERIAL PHOTO:



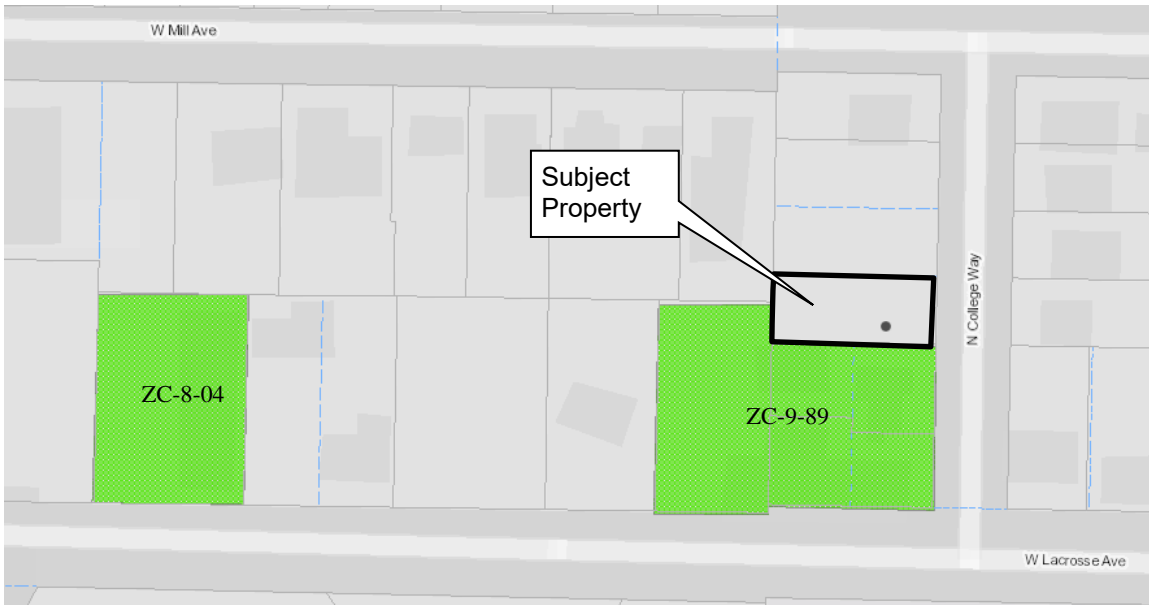
AERIAL PHOTO (Zoomed-in View):



BIRDS EYE AERIAL (for reference only):



PRIOR LAND USE ACTIONS MAP:



PRIOR LAND USE ACTIONS:

City Council and City Council approved zone change requests from R-12 to LM in items ZC-9-89 and R-12 to C-17L in item ZC-8-04, which are south and southeast of the subject property as seen in the map provided on the above page.

Zone Changes:

ZC-9-89	R-12 to LM	Approved
ZC-8-04	R-12 to C-17L	Approved

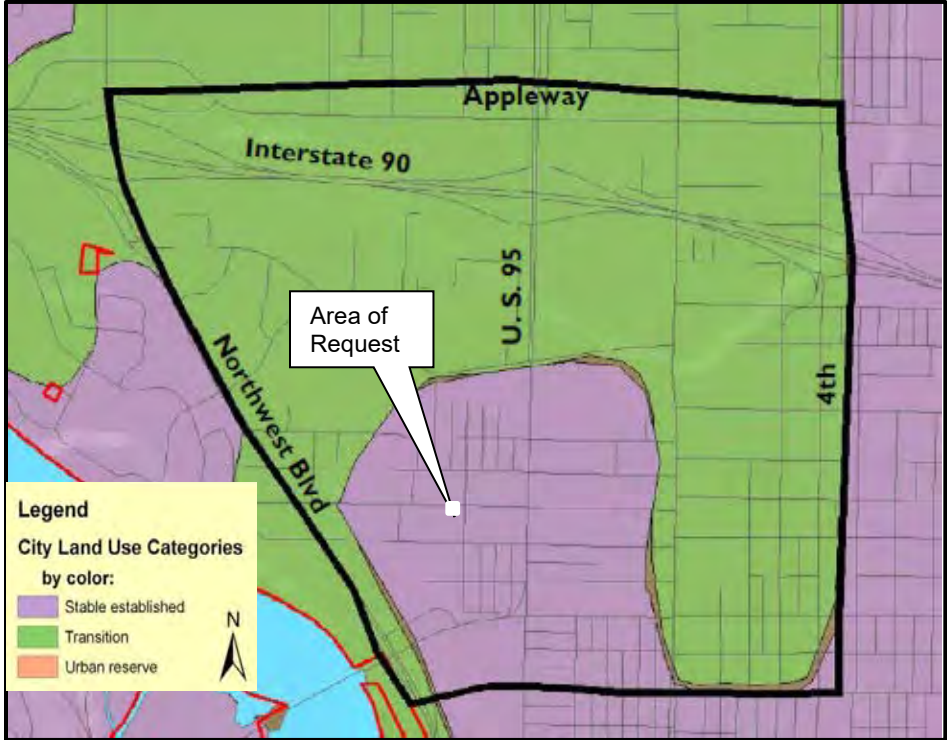
REQUIRED FINDINGS:

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY: Appleway- North 4th Street

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates this area in the 2007 Comprehensive Plan as NE Prairie
-

Comprehensive Plan Map: Appleway- North 4th Street



Transition Areas:
These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots and general land use are expected to change greatly within the planning period.

Appleway – North 4th Street Tomorrow:

The Appleway – 4th Street area is expected to be a mixed-use area. The stable/established residential will remain. The west Ironwood corridor will require careful evaluation of traffic flow. Ironwood will be connected to 4th Street, enabling higher intensity commercial and residential uses.

The characteristics of the Appleway – North 4th Street neighborhoods will be:

- That overall density will approach six units per acre, with infill and multi-family housing located next to arterial and collector streets.
- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

The characteristics of the Appleway – North 4th Street commercial will be:

- Those commercial buildings will remain lower in scale than in the downtown core.
- Streetscapes should be dominated by pedestrian facilities, landscaping, and buildings.
- Shared-use parking behind buildings is preferred.

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

Goal #1 - Natural Environment: Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d’Alene through:

Objective 1.12

Community Design:

- Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Goal #2 - Economic Environment: Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes economic growth.

Objective 2.01

Business Image & Diversity:

- Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.02

Economic & workforce Development:

- Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Goal #3 - Home Environment: Our Comprehensive Plan preserves the city's qualities that make Coeur d'Alene a great place to live.

Objective 3.05

Neighborhoods:

- Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.16

Capital Improvements:

- Ensure infrastructure and essential services are available for properties in development.

Goal #4 - Administrative Environment: *Our Comprehensive Plan preserves and enables efficiency and good management.*

Objective 4.01

City Services:

- Make decisions based on the needs and desires of the citizenry.

Objective 4.06

Public Participation:

- Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

Evaluation: *The City Council must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

B. **Finding #B9:** **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to construction activity on the site.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by College Way to the east. A sidewalk would be required along the College Way frontage at the time of construction.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed Zone Change.

Any required water main extensions, additional fire hydrants, and new services required for construction will be installed by the developer at their expense. All new mains and fire hydrants require dedication of a 20' public utility easement where not constructed in right of way.

-Submitted by Terry Pickel, Water Superintendent

WASTEWATER:

There is public sewer available in College Way. In accordance with the 2013 Sewer Master Plan, the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this Zone Change as proposed.

City Wastewater Policy #716; Only one appropriately sized sewer lateral is allowed to serve each legally recognized parcel. 'One parcel, One service. (One Lot, One Lateral)

- Submitted by Larry Parsons, Wastewater Utility Project Manager

FIRE:

The Fire Department works with the Engineering, Water and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents:

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI

Evaluation: *The City Council must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

- C. **Finding #B10:** **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site has a gentle slope downward and to the west. There are no other topographical or other physical constraints that would make the subject property unsuitable to change the zoning from R-12 to LM. See topographic map on next page.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Looking west from College Way at the subject property.



SITE PHOTO 2: View looking northwest on College Way looking north.



SITE PHOTO 3: Looking north along College Way toward the subject property on the west.



SITE PHOTO 4: Looking west along College Way at the existing office supporting Tapley Cabinet Workshop.



SITE PHOTO 5: View looking east along College Way at the existing single-family dwellings.



SITE PHOTO 6: View looking north along College Way of the neighboring homes.



SITE PHOTO 7: View along College Way looking south toward Winton Elementary.



Evaluation: *The City Council must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant shows that an approximately 1600 square foot storage building is planned for the property. The ITE Trip Generation Manual estimates that fewer than one peak hour trip per day, either AM or PM, could be expected as a result of this. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

This area is a diverse mix of residential, medical, commercial, and warehousing land uses. The area is very gently sloped with some drop-in elevation within a block of Northwest Boulevard. This elevation change has also defined the break from commercial to residential uses for much of the area's history.

The south-west and south-central portions of the area consist primarily of stable, single-family housing at approximately five units per acre. The Winton Elementary School and park is located in this neighborhood. Various multi-family apartments, mostly constructed in the late 1970s and early 1980s, are located within the district. The most active area for construction within this district is the Ironwood corridor which consists of many health-care and professional offices west of US 95, with office and retail uses east of US 95.

SURROUNDING LAND USES AND ZONING:

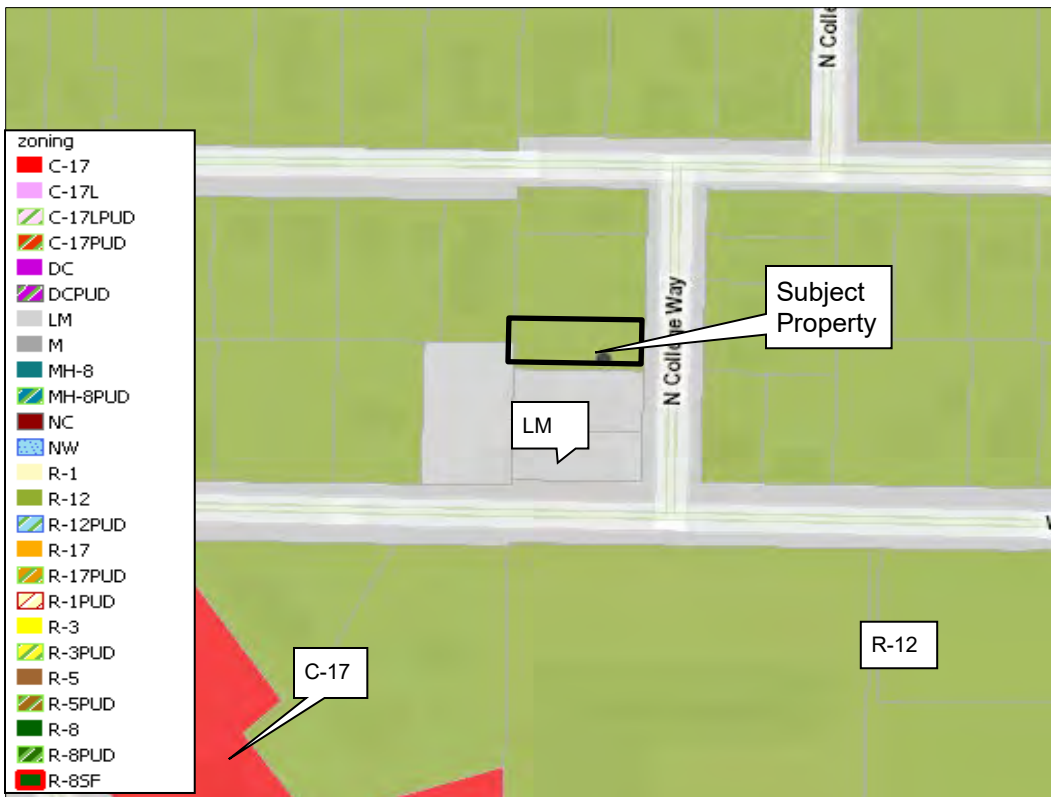
The properties north of the subject site are currently vacant. The surrounding properties to the east and north are primarily single-family uses. The property directly to the south of the subject property is Tapley Cabinet Works workshop which is a Light Manufacturing use. The use has been in business in the Coeur d'Alene area since 1946, and in the current location since 1976. Winton Elementary School is further south of the subject site along Lacrosse Avenue. (See Land Use Map)

The subject property is zoned R-12 along with the two vacant parcels to the north. The surrounding area to the east and west are also zoned R-12 (Residential at 12 units/acre). The properties directly to the south are zoned Light Manufacturing (LM). The applicant is requesting the LM zoning district to allow for the expansion of the current Tapley Cabinets Works operation located immediately south and adjacent to the subject property. (See Zoning Map on page 13)

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-12 uses to LM uses (as listed below).

Existing R-12 Zoning District:

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

17.05.180: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-12 district shall be as follows:

- Administrative Office
- Duplex housing
- Essential service
- Home occupation
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.190: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling unit.
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for residential activities in an R-12 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space.

Proposed LM Zoning District:

The LM district is intended to include manufacturing, warehousing, and industry that is conducted indoors with minimal impact on the environment. This district should be located close to major or principal arterials and is suitable as a buffer zone for heavy industry. In this district, development of manufacturing land uses in an industrial park and away from residential or sensitive areas is encouraged.

Principal permitted uses in an LM district shall be as follows:

- Agricultural supplies and commodity sales.
- Auto and accessory sales.
- Automobile parking.
- Automobile parking when serving an adjacent business.
- Automobile renting.
- Automotive fleet storage.
- Automotive repair and cleaning.
- Building maintenance service.
- Commercial film production.
- Commercial kennel.
- Construction and retail sales.
- Custom manufacture.
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- General construction service.
- Laundry service.
- Light manufacture.
- Ministorage facilities.
- Unfinished goods wholesale.
- Veterinary hospital.
- Warehouse/storage.
- Wholesale bulk liquid fuel storage

Permitted uses by special use permit in an LM district shall be as follows

- Administrative offices.
- Adult entertainment.
- Banks and financial establishments.
- Business supply retail sales.
- Business support service.
- Commercial recreation.
- Communication service.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Criminal transitional facility.
- Department stores.
- Extensive impact.
- Extractive industry.
- Finished goods retail.
- Food and beverage stores
- Funeral service.
- Group assembly.
- Home furnishing retail sales.
- Hotel/motel.
- Personal service establishments.
- Professional offices.
- Retail gasoline sales.
- Specialty retail sales.
- Veterinary office or clinic.
- Wireless communication facility.

Evaluation: *The City Council must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

APPLICABLE CODES AND POLICIES:

UTILITIES:

- All proposed utilities within the project shall be installed underground.
- All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

STREETS:

- Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
- An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

- A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

PLANNING:

- All site improvements must meet the site performance standards of the R-17 Zoning District.

PROPOSED CONDITIONS:

NONE.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

The City Council must consider this request and make separate findings to approve, deny or deny without prejudice.

City Council Meeting



City of
Coeur d'Alene
IDAHO

December 15, 2020

ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

OWNER:

Norman Anderson
Tapley Cabinet Works
509 W Vista Drive
Coeur d'Alene, ID 83814

ENGINEER/CONSULTANT:

Drew Dittman
Lake City Engineering, Inc.
126 E. Poplar Avenue
Coeur d'Alene, ID 83814

REQUEST:

Zone change from R-12 (Residential at 12 units/acre) to LM (Light Manufacturing)



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

LOCATION:

Located between Lacrosse Avenue and Mill Avenue on the West side of College Way. Commonly known as 1609 College Way.

LEGAL NOTICE:

Notice was published in the CDA Press on November 28, 2020



ZC-7-20 Zone change from to R-12 to LM
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Location Map



ZC-7-20 Zone change from to R-12 to LM
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Location Map



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Aerial Photo



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.

Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

Finding #B11:

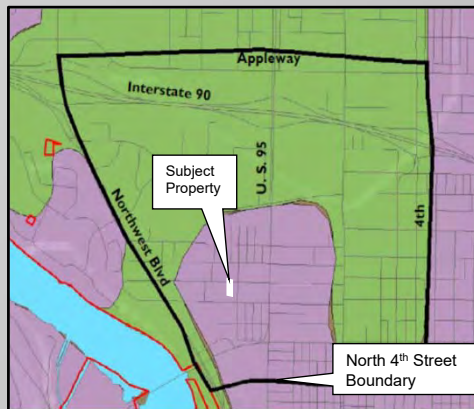
That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Finding #B8:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.



**2007 Comprehensive Plan:
North 4th Street**

Transition Areas:

These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots and general land use are expected to change greatly within the planning period.



ZC-7-20 Zone change from to R-12 to LM
 1609 College Way +/- .11 acre parcel

COMPREHENSIVE PLAN OBJECTIVES:

- Goal #1 Natural Environment
 - 1.12 Community Design
 - 1.14 Efficiency
- Goal #2 Economic Environment
 - 2.01 Business Image and Diversity
 - 2.02 Economic and Workforce Development
- Goal #3 Home Environment
 - 3.05 Neighborhoods
 - 3.16 Capital Improvements
- Goal #4 Administrative Environment
 - 4.01 City Services
 - 4.06 Public Participation



See pages 6 and 7 of the staff report for the full list of Comp Plan Goals and Objectives



ZC-7-20 Zone change from to R-12 to LM
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Finding #B9:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

- City staff from Engineering, Streets, Water, Fire, Parks, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed zone change request.

See pages 7 and 8 of the staff report for full staff comments



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Finding #B10:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

PHYSICAL CHARACTERISTICS:

The site has a gentle slope downward and to the west. There are no other topographical or other physical constraints that would make the subject property unsuitable to change the zoning from R-12 to LM. See topographic map on next slide.



ZC-7-20 Zone change from to R-12 to LM
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TOPOGRAPHIC MAP:



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Looking west from College Way at the subject property.



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

View looking northwest on College Way looking north.



ZC-7-20 Zone change from to R-12 to LM
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Looking north along College Way toward the subject property on the west.



ZC-7-20 Zone change from to R-12 to LM
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*Looking west along College Way at the existing office supporting
Tapley Cabinet Works Workshop.*



ZC-7-20 Zone change from to R-12 to LM
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View looking east along College Way at the existing single-family dwellings.



ZC-7-20 Zone change from to R-12 to LM
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View looking north along College Way at the neighboring homes.



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

View along College Way looking south toward Winton Elementary.



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Finding #B11:

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant shows that an approximately 1600 square foot storage building is planned for the property. The ITE Trip Generation Manual estimates that fewer than one peak hour trip per day, either AM or PM, could be expected as a result of this. The Streets & Engineering Department has no objection to the zone change as proposed.



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Finding #B11: (continued)

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

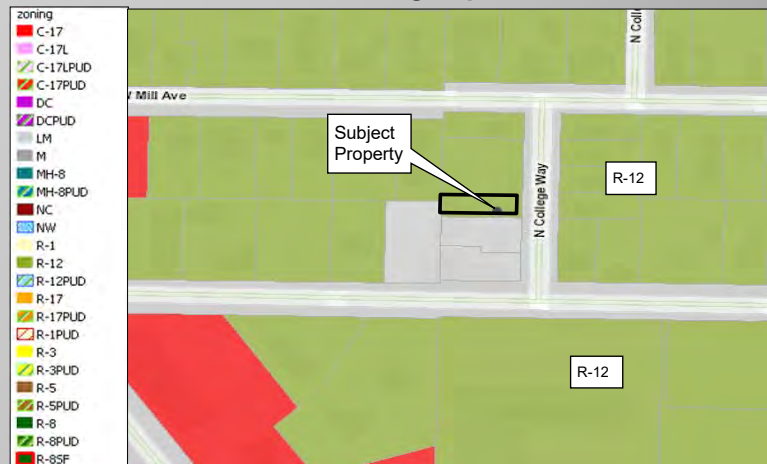
The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineer



ZC-7-20 Zone change from to R-12 to LM
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Zoning Map



ZC-7-20 Zone change from to R-12 to LM
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Proposed LM Zoning District:

- The LM district is intended to include manufacturing, warehousing, and industry that is conducted indoors with minimal impact on the environment.
- This district should be located close to major or principal arterials and is suitable as a buffer zone for heavy industry.
- In this district, development of manufacturing land uses in an industrial park and away from residential or sensitive areas is encouraged.



ZC-7-20 Zone change from to R-12 to LM
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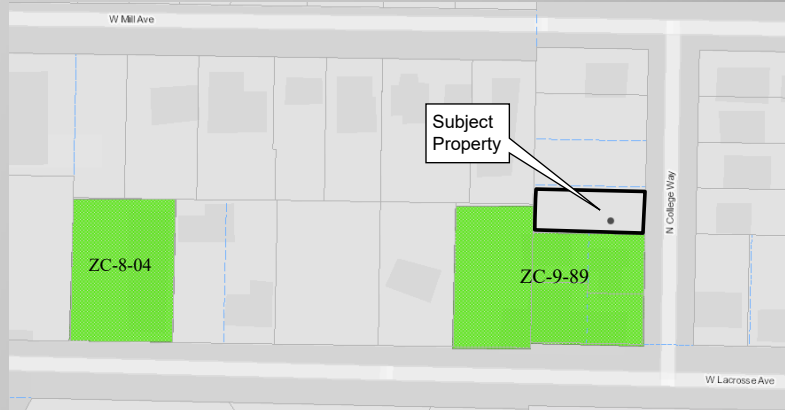
The following is a list of a few of the Principal uses that are permitted in the LM district:

- | | |
|--|------------------------------------|
| Agricultural supplies and commodity sales | Farm equipment sales |
| Auto and accessory sales | Finished goods wholesale |
| Automobile parking | General construction |
| Automobile parking when serving an adjacent business | Laundry service |
| Automobile renting | <u>Light manufacture</u> |
| Automotive fleet storage | Ministorage facilities |
| Automotive repair and cleaning | Unfinished goods wholesale |
| Building maintenance service | Veterinary hospital |
| Commercial film production | Warehouse/storage |
| Custom manufacture | Wholesale bulk liquid fuel storage |
| Essential service | |



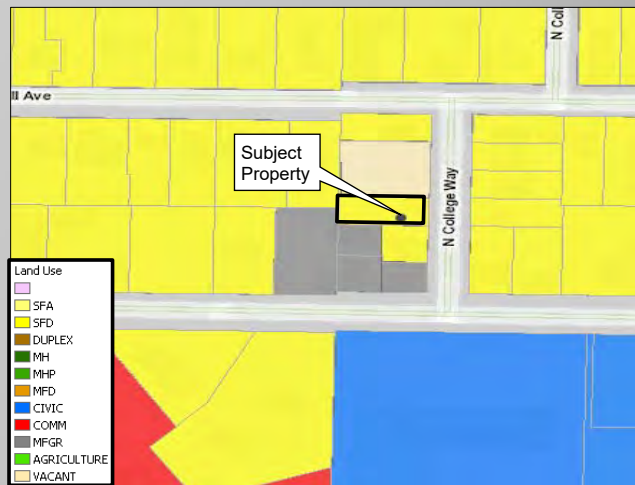
ZC-7-20 Zone change from to R-12 to LM
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Zone Changes - Map



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Land Use Map



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

DECISION POINT & ACTION ALTERNATIVES:

The City Council will need to consider this request and make appropriate findings to:

- Approve
- Deny
- Deny without prejudice.



ZC-7-20 Zone change from to R-12 to LM
1609 College Way +/- .11 acre parcel

Aerial Photo



2. Applicant: Norman Anderson on behalf of Lake City Engineering, Inc.
 Location: 1609 N. College Way
 Request: A proposed zone change from R-12 to LM
 QUASI-JUDICIAL, (ZC-7-20)

Tami Stroud, Associate Planner, provided the following statements

- The subject property is located between Lacrosse Avenue and Mill Avenue on the west side of College Way, is immediately adjacent to the Tapley Cabinet Works workshop, and is a vacant parcel. With the approval of the proposed zone change, Tapley Cabinet Works intends to expand and incorporate the property into their existing production facilities.
- The original cabinet business on the south side of the subject property has been located at the present location since 1976.
- The zoning ordinance requires a light manufacturing use be located in the LM Zoning District, as it is not allowed in the R-12 Zoning District (See LM Zoning District Information on pages 13-15). The current business operation has LM zoning.
- By rezoning the subject property, it will allow for additional storage and assembly areas with the construction of a new building that has the appearance of a residential structure on the outside, but will provide additional storage and space needed for the current business.
- If approved, the zone change and construction of the new storage building will help reduce the number of trips to the site to deliver materials.
- The applicant is aware that site improvements will be triggered should a proposed project for the expansion of the Tapley Cabinet Works project come forward, including landscaping and parking improvements.
- Site performance standards per the LM Zoning District will need to be met as well. If the subject site is approved to be changed to the LM (Light Manufacturing) Zoning District, then all permitted uses in the LM, Light Manufacturing Zoning District would be allowed on the site.
- The City Comprehensive Plan designates the area as Appleyway – North 4th Street
- She noted where staff comments were located and commented that all departments did not have any issues with the zone change as requested.
- There are no conditions.

Ms. Stroud concluded her presentation.

Commission Comments:

Commissioner Fleming asked if there was a requirement for a start/stop time when adjacent to residential in the Light Manufacturing zone. Ms. Stroud said that they have something in the code that talks about noise and ground disturbance activities that are limited. Commissioner Fleming said that she was concerned since the business uses high frequency blades and the noise might be intrusive to the neighbors.

Commissioner Luttrupp asked if the property has been established since 1940. Ms. Stroud stated that was correct.

Commissioner Luttrupp asked if the applicant will be required to put in a sidewalk. Ms. Stroud

stated that was correct and it is a requirement from the Engineering Department to require sidewalks. Commissioner Luttrupp asked how far the business is from Winton School. Ms. Stroud said that she doesn't have the exact distance and that the applicant representative would be able to answer that question. Commissioner Luttrupp asked if staff had any complaints from the neighborhood in the past regarding noise. Ms. Stroud said that she has not received any complaints in the past regarding noise from the neighborhood.

Commissioner Ingalls said that they received some written comments in advance with people saying in those comments that parking would be "pinched" on College Way with people wanting access from the back. Ms. Stroud said that if there was a house, they would have to provide two parking stalls.

Public testimony open.

Drew Dittman, applicant representative, provided the following statements:

- He presented a brief history of how Tapley cabinets was started.
- He noted that the school is across the street from Tapley's
- He explained that their existing building is already zoned Light Manufacturing and the request is to rezone the southern portion of the property to Light Manufacturing.
- He explained that it was a cabinet building shop at that location since the late 30's, but their website says 1940, started by Bill Boys in the late 30's with Art Tapley buying the cabinet company from him in 1946 with a gentleman by the name of Mel Anderson, who went to work for Art Tapley as an apprentice.
- In 1957, Mr. Anderson bought the company from Art Tapley and kept the name. In 1957, Mel's son, Norm, came to work for him and took over the company in 1985 with Norm's son, Matt, who retired in 2017, with Matt taking over the company in 1985.
- Mr. Dittman said that Tapley Cabinets is a 3rd generation local Idaho business. He added that the original business was a cabinet shop prior to being to be incorporated into the City and, at one point, had a Gibb's Idaho address.
- Tapley's is a full production cabinet shop where they make custom cabinets with everything produced onsite.
- A problem they have is they don't have any storage onsite for finished product or raw storage. They have two storage units in Midtown and that is why they are requesting a zone change.
- Mr. Dittman showed a rendering of the new building, with the front looking similar to a residential home and the whole backside being used for storage with access from behind the house.
- Impact to the neighbors would be minimal and help with traffic, and if you there was a house on that site, they would have to provide parking. He also noted that they are not hiring any new employees.

Mr. Dittman concluded his presentation.

Commission Comments

Commissioner Luttrupp asked about additional noise, and safety for kids walking. Mr. Dittman said that he talked to the applicant and they will try and keep their hours of operation between 7:00 a.m. - 4:30 p.m., and that there will be minimal noise because of saw blades being used, but it won't be excessive. He added if the request is approved, they will be required to extend the sidewalk along the applicant's frontage. Commissioner Luttrupp complimented the applicant for being able to address concerns from the public.

Commissioner Ingalls said that he likes what he sees in regard to the scale, style, residential nature of the garage in the front which looks like a house, and asked if, since it is a request for a zone change, they anticipate any changes with the project in the future. Mr. Dittman explained

that the owner of Tapley's came to him asking the question of how do they expand their business, and what is presented at this meeting is the way to achieve this expansion.

Commissioner Ward asked if the sidewalk needs to be a condition. Ms. Anderson stated that it will be a requirement for development.

Public testimony closed.

Discussion:

Motion by Ward, seconded by Fleming, to approve Item ZC-7-20. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted
Commissioner Luttrupp	Voted
Commissioner Rumpier	Voted
Commissioner Mandel	Voted
Commissioner Ward	Voted

Motion to approve carried by a 5 to 0 vote.

TAPLEY CABINET WORKS

ZONE CHANGE

PROJECT NARRATIVE

Coeur d'Alene, Idaho

October 2020



*126 E. Poplar Avenue
Coeur d'Alene, Idaho 83814
Phone: 208-676-0230*

INTRODUCTION

Lake City Engineering, as the Applicant, is hereby requesting the zoning designation of approximately 0.11 acres of property be amended from R-12 to LM (Light Manufacturing). The subject property is located between Lacrosse Avenue and Mill Avenue on the West side of College Way. It is immediately adjacent to the Tapley Cabinet Works workshop, and the site is currently vacant. Tapley Cabinet Works desires to expand and incorporate this property into their production facilities.

SUBJECT PARCEL

The property being requested for annexation is as follows:

- Parcel #: C-1890-001-002-A (ptn)
- Address: 1609 College Way
Coeur d’Alene, ID 83815
- Area: 0.11 acres
- Current Zoning: R-12 Residential
- Proposed Zoning: LM (Light Manufacturing)
- Legal Description: Lot 4, Block 1 of College Heights



Figure 1: Vicinity Map

ZONING CLASSIFICATION AND REQUESTED CHANGE

The parcel is currently zoned R-12 Residential and is located in the mid-town area of the City of Coeur d'Alene. The surrounding property consists of residentially zoned parcels to the North and West (R-12) and Light Manufacturing to the South (LM). The project proponent is requesting a zoning classification of LM for the subject property to allow for the expansion of the current Tapley Cabinets Works operation located immediately south and adjacent to the subject site.

Tapley Cabinet Works is a family owned custom cabinet and finish carpentry provider that has been in business in Coeur d'Alene since 1946. They have a reputation as the region's premier custom cabinet maker because of their unparalleled craftsmanship, exceptional customer service and commitment to excellence. Their facility has been located at the intersection of College Way and Lacrosse Avenue since 1976. They recently acquired the property to the North and are looking to expand their production facility to include additional storage and staging area for raw lumber. The subject property presents a perfect opportunity to accomplish this.

Tapley Cabinet Works has teamed up with Lake City Engineering, Inc. and d'Zign Group Architecture, LLP in an effort to expand their operations while maintaining the existing residential feel and atmosphere within the community. They are looking to re-zone a portion of the recently acquired property to allow for growth, including additional storage and assembly, which would be constructed to match the residential character of the neighborhood. Having operated in the predominately residential neighborhood for more than 40 years, they understand they need to fit in and maintain the harmony, balance and sense of community that is prevalent within this neighborhood. Therefore, they have designed a new building that has the appearance of a residential structure on the outside, but will give them the additional storage and space that they desperately need. This new building will be used for the delivery, storage and handling of raw wood as it is received from outside vendors. Below is a Site Plan and an architectural rendering of the proposed building.

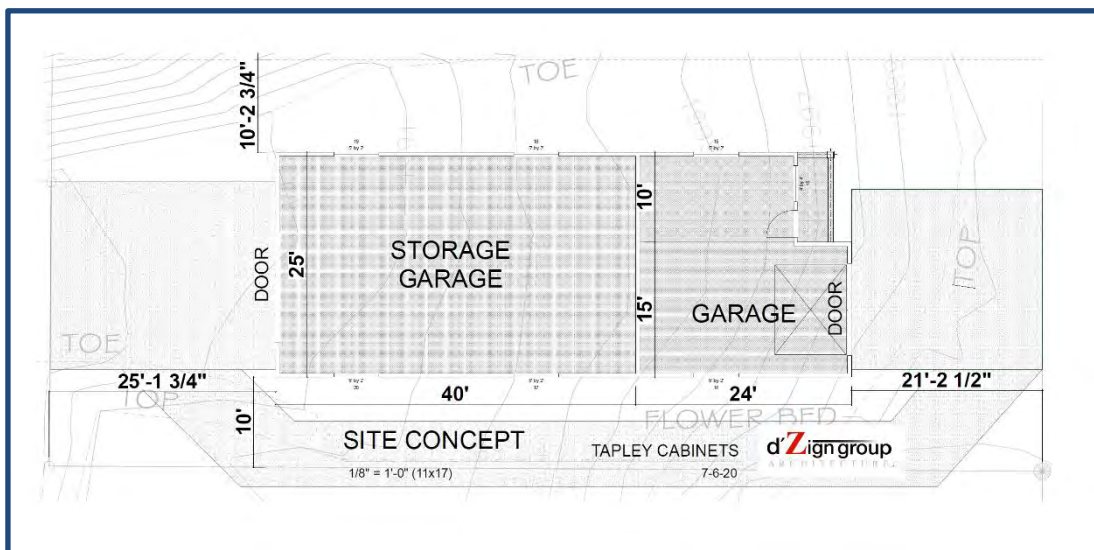


Figure 2: Site Plan



Figure 3: Architectural Rendering

COMPREHENSIVE PLAN ANALYSIS

The property lies in the *Stable Established* category and is in the *Appleway – North 4th Street* Land Use designation per the 2007 City of Coeur d’Alene Comprehensive Plan. Neighborhood characteristics for this land use tend to be established and maintained, and consist of residential, medical, commercial and warehousing land uses. The general land use is not expected to change. Commercial buildings should remain lower in scale than is seen in the downtown core. Although the proposed Zone Change would classify as a different land use, it would be consistent with the Comprehensive Plan, as this is located adjacent to existing Light Manufacturing zoning, and the use has been established and documented for numerous years.

The City of Coeur d’Alene Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet, or exceed, the goals, policies and objectives as outlined in the Comprehensive Plan. The project proponent believes that the following Goals and Objectives (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

Goal #1 – Natural Environment

Objective 1.12 – Community Design: Support the enhancement of existing urbanized areas and discourage sprawl.

The subject property is currently an undeveloped parcel located within the boundary of the City of Coeur d’Alene. This zone change will allow for the development of this property to match that of the surrounding light manufacturing land uses while maintaining the residential feel.

Objective 1.14 – Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Existing utilities including sanitary sewer and domestic water are extended to this property in College Way, are readily available, and have the capacity to serve future expansion. This property is already included in the Sewer, Water and Transportation Master Plans for the City, and will be developed in accordance with the same.

Goal #2 – Economic Environment

Objective 2.01 – Business Image & Diversity: Welcome and support a diverse mix of quality professional, trade, business, and service industries while protecting existing uses of these types from encroachment by incompatible uses.

This zone change will allow for the expansion and growth of an existing, thriving, successful and local business. They already operate with minimal impact to the neighborhood community, and are looking to expand to fulfill the increasing local demand for their services.

Goal # 3 – Home Environment

Objective 3.05 – Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.

The proposed zoning will allow for the future development of the subject property in a similar character and style of the surrounding land uses and neighborhoods, as has been historically done on the adjacent properties.

Objective 3.06 – Neighborhoods – Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.

From: pn.kriz <pn.kriz@gmail.com>

Sent: Wednesday, November 25, 2020 10:50 AM

To: GOOKIN, DAN <DGOOKIN@cdaid.org>; MCEVERS, WOODY <WMCEVERS@cdaid.org>; MILLER, KIKI <KMILLER@cdaid.org>; STUHMILLER, SHANA <SHANA@cdaid.org>; WIDMYER, STEVE <SWIDMYER@cdaid.org>

Subject: Zoning Change at 1609 N College Way

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Re: Proposed zone change from R-12 to LM on North College Way

Dear Mayor and





Council Members,

My wife and I are homeowners of 1612 N College Way. We are the first and only owners of this house.

Our Request to the City of Coeur d'Alene

1. Deny the proposed zone change from R-12 to Light Manufacturing now and forever at 1609 College Way in order to prevent the *de facto* conversion of our N College Block into a light manufacturing zone
2. Commit to the conversion of the existing LM zoning at 935 W Lacrosse and 1607 College Way back to R-12 should Tapley Cabinet Works ever move to a location more appropriate to their growth and operations.
3. Confine current light manufacturing to work done at 935 W Lacrosse Ave. by limiting access to the 1609 N College Way lot to and from 935 W Lacrosse.
4. Consider a compromise that can mitigate risks and allow the coexistence of Tapley Cabinet Works with residents on North College Way and Winton Elementary.

Background Facts

My wife, Rita, and I purchased the house at 1612 N College Way in 2006. Along with 1620 and 1616, it was one of three new houses on the East side of the block. The only other house on the East side of the N College Way is 1608, which is a single family residence.

On the West side of N College Way, there have only been three houses: 1607, 1609, and 1621. Until recently, each were single family residences. See Attached Photo.

A few years back the owners of 1607 sold their lovingly maintained house to Tapley Cabinet Works who converted it the home into a front office/showroom. Right around this time, the house at 1609 N College Way and its 0.34 acre lot was acquired by the owners of Tapley and the house torn down. Since then the lot has been used for overflow storage for Tapley.

As of this letter, the planning commission may not realize that Tapley Cabinet Works is one of only two LM-zoned lots in the City of Coeur d'Alene south of I-90 and the only one on a residential street. This finding, begs the question: why us? Why would the City dare convert our little residential street into a light manufacturing zone?

Neighborhood Thoughts

We are the first and only owners of this house. Each of our neighbors bought on this block for its tranquility and close proximity to Winton Elementary School. We also bought there for its easy access to Northwest Blvd, Ironwood Drive, and I-90. We play our part in the CDA growth story by accommodating parents who park on our street to drop off their kiddos and maintaining a safe street.

Until recently, N College Way had been a completely residential street. The Tapley Cabinet Works is located at 935 W

Lacrosse, though it had a modest residential style garage on College Way (see attached photo). With Tapley's acquisition of 1607 and 1609 College Way, we residents are very worried College Way will be converted into a zone of industrial activity.

We fear four consequences:

- (1) compromise of the spirit of the the City of Coeur d Alene's land use guidelines and 2007 Comprehensive Plan (pp 58-59);
- (2) risks imposed by light manufacturing both to residents and to elementary school aged children;
- (3) Reduction in the quality of life of residents;
- (4) the reduction of our property values.

Reasoning

1. City of Coeur d Alene's land use guidelines and 2007 Comprehensive Plan

Attached are the PDF on LM zoning in Coeur d'Alene and pages 58-59 of the 2007 Comprehensive Plan. LM zoning gives incredible latitude under principal uses for 1609 N College Way which are not consistent with a residential neighborhood street that abuts an elementary school. While these uses are perfectly normal to expect in an LM zoned property, they are anomalous with a residential neighborhood and the mixed usage envisioned by land use guidelines within the 2007 Comprehensive Plan. Pages 58-59 of the 2007 Comprehensive Plan, envision our area of "Appleway - North 4th Street" with transitional land use along North West Blvd. However, its vision for a transition area does not expand not so far up Lacrosse or into College Way. LM would be allowed to expand into other residential neighborhoods south of I-90. Although our area is modest and less visible, we have just as much right to defend the residential character of our neighborhood as other more affluent neighborhoods.

2. Risks of Living on a Street Zoned for Light Manufacturing

Currently trucks entering and leaving Tapley Cabinet Works do so via 935 W Lacrosse, a location directly opposite from Winton Elementary. However, due to the steep grade of Lacrosse coming from Northwest Boulevard and the mixed use commercial-residential character of that block of Lacrosse, students do not tend to walk in front of Tapley Cabinet Works. Combined with the fact that the Tapley presence on North College Way has been limited to visitors to their showroom, the risks from Tapley Cabinet Works both to residents and school children has thus far been minimal. I fear this would change. If the lot formerly known as 1609 N College Way is converted to LM zoning, trucks, delivery vans, industrial equipment, and manufacturing processes would all pose risks to small kids and retirees who heretofore have enjoyed North College Way as a residential street and access to the school

3. Quality of Life of Residents

Our block of N. College Way is a modest, but idyllic street in a quiet corner of CDA. It is an area that is finally on the upswing, improved greatly by the fabulous rebuild of Winton Elementary. We had hoped that 1609 N College Way would be converted into a couple of more single family homes as we have seen elsewhere. It is an entirely different lifestyle to live on a block that is mixed use with light manufacturing. We would face increased noise, manufacturing operations on weekends, industrial trucks, commercial parking and deliveries. Moreover, once the lot is converted to light manufacturing, we lose control of the street should Tapley grow beyond expectations. Finally, if Tapley moves after zoning change to LM is granted, we risk another light manufacturing business moving onto College Way and expose residents and schoolchildren to greater risks.

4. Property Values

We feel that unless the City Council steps in to support our residential neighborhood that our home values will fall. At least two of the residents on the street are retirees in their forever home. One of the tradeoffs of living next to an elementary school is the burden of having high traffic and tight parking during the hours in which schools open and close. However, those burdens are worthwhile for the sense of peace elementary schools bring to a community. Our housing prices then rise in conjunction with the success of the school. Converting zoning of the largest lot on our block to light manufacturing would undermine the residential draw of North College Way. I fear we will suffer from a steady depreciation in property values as a result of this. Zoning change, opening up a new wounds so soon after the plunge in values experienced from 2007 to 2015. And yes, as an owners, we feel that homeowners on our block would be unfairly burdened by this anomalous zoning change. We deserve equal treatment as other CDA residential areas South of I-90.

Compromise Idea

We have long coexisted with Tapley without issue. How can we maintain this relationship? Three considerations. One, prevent commercial access to 1609 N College Way by integrating 1609 N College Way into the 935 W LaCrosse Avenue site. If the lot at 1609 N College Way is simply the side of a building with a sidewalk in front of it, then the physical risks of light

manufacturing to residents and school children would be greatly mitigated. Two, ensure that noise ordinances consistent with a residential neighborhood are maintained. Here, I worry about both 24/7 manufacturing, as well as the site being converted to more egregious manufacturing uses associated with LM zoning . Three, make the zoning change specific to Tapley. if the zone moves from R-12 to LM, and Tapley ceases operations at the site, they will be selling the site as LM. What will move in next? LM zoning allows for all sorts of businesses, many of which are inappropriate for a residential street across from an elementary school. If the City of Coeur d'Alene can attach conditions on each of these three considerations, I think we would be more amenable to this zoning change and would not seek any legal redress.

Final Thoughts

We wish no ill will on Tapley. Quite the contrary, we wish them only great success with their business. We recognize their contributions to Coeur d'Alene. We know that they are recovering from a recent embezzlement scandal. However, my support for Tapley should not detract from the issue at hand: converting a peaceful residential neighborhood into a light manufacturing zone in which the movement of trucks and equipment will mingle with small children and residents. We think a zoning change of 1609 N College way from R-12 to LM would not enhance our neighborhood, Winton Elementary, Coeur d'Alene planning, nor us personally.

We openly wonder if Tapley's earlier conversion of the coming of 1607 N College Way into a LM zone was missed (I received no notification) and hope that City Planning agrees with us that light manufacturing within a residential neighborhood of CDA south of I-90 is a planning nonconformity and as such should not be allowed to expand, at least without the contingencies along the lines of the compromise outlined above.

Finally, I wish Tapley approached us homeowners directly. We do not bite. There are only a few houses on North College Way. Perhaps with this letter and those of other residents, the City of Coeur d'Alene can assist in a meaningful dialogue and help all parties reach a favorable outcome, perhaps through the compromise suggested.

Thanks for your attention and consideration,

Peter Kriz

STUHMILLER, SHANA

From: linda buck <lbuck52@hotmail.com>
Sent: Monday, November 09, 2020 3:02 PM
To: STUHMILLER, SHANA
Cc: PlanningDiv; lbuck52@hotmail.com
Subject: Item CZ-7-20

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello-My name is Linda Buck and last April 2020, I purchased the house at 1621 College Way CdA. I purchased the house to upgrade and eventually re-sale. I believed it to be a desirable location with a nice quiet neighborhood.

I had no clue that the cabinet company owned the land next to my house. I have observed "moving trucks" in and out of the neighborhood, apparently loading and hauling cabinets. I have no history how the cabinet business was able to acquire a permit in the first place and this is definitely not an ideal location for this type of business.

During the weekdays there are children walking to and from school as well as parents driving and parking on College Way. It can get quite congested.

College Way is a narrow street with parking on both sides and typically would have very little through traffic. I am also concerned with the noise, the smell of the products they use and the negative affects it could have on my property value. My quality of outdoor life on my property would be affected with this business within feet of my yard and home.

I have not had the time to thoroughly investigate all potential adverse issues but these are the ones that immediately come to my mind.

For these concerns, I am opposed to the business expanding up to my house.

I appreciate you taking my concerns into account when making a decision.

I am traveling Tuesday but will try to make the Zoom conference.

If you have any questions regarding my response, you can reach me at 208-582-0401.

Regards,
Linda Buck

STUHMILLER, SHANA

From: Mary Jo Tompkins <tompkinsmj@gmail.com>
Sent: Friday, November 06, 2020 8:01 AM
To: STUHMILLER, SHANA
Subject: 919 2525 3014 zoning

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I would like to say YES to the R12-LM. On 1609 N College Way.

Tapley Cabinet Works is a great business. Their new office- refurbished old house has upgraded the neighborhood already, very well. The traffic with the middle school, and soon the new road expansion of Lacrosse Ave at Northwest Blvd all goes hand in hand. Please allow for the change.

Mary Jo Tompkins- citizen CDA.

Sent from my iPhone

STUHMILLER, SHANA

From: Ryan Edwards <mrryanedwards@yahoo.com>
Sent: Monday, November 9, 2020 2:13 PM
To: PlanningDiv; STUHMILLER, SHANA
Subject: Comments to Zone change on Norman Anderson Property

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Below are my comments to zone change of Lot 4 Block 1 Plat of College Heights

I understand the change is to LM - Light Manufacturing.

I have concerns about this zone change as it relates to parking and specifically street curb parking.

This is already a congested area with Winton school. We have teachers and parents that clog up the streets with parked cars. There is a multifamily apartment complex on Mill Ave that congests with additional renters vehicles beyond their onsite parking spots.

I'm sure this facility will have employees and related vehicles to park.

Adding a light manufacturing to the mix will continue to clog our streets with too many vehicles.

Ample parking onsite, not street parking, would be the only way I would support this change in zoning.

I do not plan to attend the meeting via zoom.

Sincerely,

Ryan Edwards
208-755-9513

-

From: shelly myers
To: [STUHMILLER, SHANA](#)
Subject: Nov 10 Public Hearing
Date: Monday, November 09, 2020 4:42:16 PM

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RE Proposed Zone Change for 1609 College Way, CDA

As a resident in this neighborhood, I am pleased to have the opportunity to comment on this proposal. While it is concerning to me to see a change away from residential only, I appreciate the attention Tapley Cabinet Works has given to preserve the character of the neighborhood, planning a structure resembling a residential home. Supporting a thriving business is a good thing for a neighborhood but I do have strong reservations about access via College Way. The noise of large trucks coming and going at an early hour are not in keeping with a residential street. (Currently the cabinet shop has very early work related noise occurring, well before 6 a.m.) More concerning to me, however, is the safety of the children walking to and from Winton Elementary. This block is short and crowded with nearly no sidewalks and very busy when families are coming and going. Trucks entering the new structure via College Way seems unsafe to me.

I can support this zone change but would urge restricting access to the rear of the building.

Respectfully,
Shelly Myers
College Way Resident

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

ZC-7-20

A. INTRODUCTION

This matter having come before the Planning Commission on, November 10,2020 , and there being present a person requesting approval of ZC-7-20, a request for a zone change from R-12 to LM zoning district

APPLICANT: NORMAN ANDERSON, TAPLEY CABINET WORKS

LOCATION: COLLEGE HEIGHTS, LOT 4, BLOCK 1, KNOWN AS 1609 COLLEGE WAY

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential and commercial
- B2. That the Comprehensive Plan Map designation is Appleway-North Street.
- B3. That the zoning is R-12.
- B4. That the notice of public hearing was published on, October 24, 2020, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, November 1, 2020, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on November 10, 2020.

B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Goal #2: Economic Environment

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

Objective 2.01 Business Image & Diversity:

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.02 Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Goal #3: Home Environment

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

Objective 3.05 Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.06 – Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the comment from Chris Bosley, City Engineer that sidewalks will be required.
- B10. That the physical characteristics of the site do make it suitable for the request at this time because the units will blend with the design elements of the existing structure providing access from the rear of the property to reduce traffic off of College Way.
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses based on staff comments that they don't anticipate to have more than one trip per day during the peak hours and by not having to make additional trips to the storage units offsite will offset any traffic concerns.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request NORMAN ANDERSON, TAPLEY CABINET WORKS for a zone change, as described in the application should be approved.

Special conditions applied are as follows:

None.

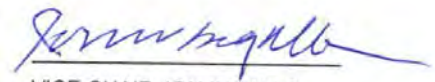
Motion by Ward, seconded by Fleming , to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Mandel	Voted Yes
Commissioner Rumpler	Voted Yes
Commissioner Ward	Voted Yes

Chairman Messina was absent.

Motion to approve carried by a 5 to 0 vote.



VICE CHAIR JON INGALLS

ORDINANCE NO. _____
COUNCIL BILL NO. 1026

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 ZONING DESIGNATION OF THE FOLLOWING DESCRIBED PROPERTY FROM R-17 TO LM, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: COLLEGE HEIGHTS, LOT 4, BLOCK 1, KNOWN AS 1609 COLLEGE WAY; 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.

WHEREAS, after public hearing on the hereinafter provided amendments, and after recommendation by the Planning Commission, it is deemed by the Mayor and City Council to be for the best interests of the City of Coeur d'Alene, Idaho, that said amendments be adopted;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. That the following described property, to wit:

Location: The property is legally described as: Lot 4, Block 1 of the Plat of College Heights, recorded in Book B of Plats, at Page 111, Records of Kootenai County, Idaho, lying in Section 11, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and legally known as 1609 N. College Way.

is hereby changed and rezoned from R-12 (Residential at 12 units/acre) to LM (Light Manufacturing.

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, is hereby amended as set forth in Section 1 hereof.

SECTION 3. That the Community Planning Director is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene, and shall make an electronic copy available on the City's website.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on December 15, 2020.

APPROVED this 15th day of December 2020.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

Zone Change – ZC-7-20

1609 College Way

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 ZONING DESIGNATION OF THE FOLLOWING DESCRIBED PROPERTY FROM R-17 TO LM, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: COLLEGE HEIGHTS, LOT 4, BLOCK 1, KNOWN AS 1609 COLLEGE WAY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, ZC-7-20 – 1609 College Way, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 15th day of December, 2020.

Randall R. Adams, Chief Civil Deputy City Attorney