

**PLANNING COMMISSION
MINUTES
AUGUST 10, 2021
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Peter Luttropp

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Tami Stroud, Associate Planner
Mike Behary, Associate Planner
Shana Stuhlmiller, Public Hearing Assistant
Randy Adams, Deputy City Attorney

COMMISSIONERS ABSENT:

Brinnon Mandel
Mike Ward
Lewis Rumpler

CALL TO ORDER:

The meeting was called to order by Chairman Messina at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Luttropp, seconded by Fleming, to approve the minutes of the Planning Commission meeting on July 13, 2021. Motion approved.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director, provided the following comments.

- She welcomed Victor Ramos, Planning Tech, who is shadowing Ms. Stuhlmiller on her job this evening.
- She announced that we have an Historic Preservation Virtual Public Meeting scheduled on Tuesday, August 24th at 5:30 p.m. with our consultant Northwest Vernacular who will be sharing information on the plan with opportunity for questions and discussion at the end of the presentation.
- She added that a few of our Historic Preservation Commissioners handed out postcards on this event at the street fair including bottles of water that had labels on the water bottles with a “QR” code directing to the City’s web page where the Draft Historic Plan is posted for review.
- She noted that we have three items scheduled for the next Planning Commission meeting on September 14th that includes a special use permit, Planned Unit Development (PUD) and an Annexation.

ENVISION CDA COMMITTEE UPDATES:

Ms. Anderson provided the following comments.

- She stated we are working with CDA 2030 looking at all the action items, results of the survey including previous surveys to look at priority actions and figure out what changes need to be made like duplications and to ask lead partners to figure out any action items that are completed that need to be removed.
- She explained that it looks like the timeline for the joint meeting with Council and Planning Commission will be a couple months out.
- She announced that CdA 2030 has an interim executive director who will be filling in until the organization finds an Executive Director.

Chairman Messina inquired if future meetings on the Comp Plan will we still be using Zoom. Ms. Anderson explained that we were planning on having Alex Dupey, MIG come in person but now, depending what happens with Covid, those plans might have to change.

Commission Comments:

Commissioner Luttrupp stated that he understands that tonight we have a quorum even though we have half of our commissioner's absent and inquired since we have only three here, if we might want to consider having the Chairman allowed to vote, so we would have 4 out of the 6 voting to better serve the public.

Chairman Messina commented that he was recently downtown and questioned if it was the Street Department responsible for putting in the push button/don't walk signs because they are great and stated that he is finally able to cross the street without having to wait for a long time.

Ms. Anderson stated that Streets/Engineering have been working on to replace those in town which has been needed for a long time.

Mr. Adams answering Commissioner Luttrupp question if the chairman can vote stated that there is nothing that precludes the Chairman from voting with the only restriction would be with City Council where the mayor votes when there is a tie and is a tradition with the Planning Commission apparently that the Chair doesn't vote and there is no legally impediment saying that the chair can't vote on any issue.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

1. Applicant: CDA Enterprises, LLC
Location: 455 W. Cherry Lane
Request: A proposed zone change from R-12 to C-17
QUASI-JUDICIAL, (ZC-6-21)

Tami Stroud, Associate Planner provided the following statements

- The 0.367-acre parcel is located off of Cherry Lane and west of Highway 95. North Fruitland

Lane is west of the subject property. There is an existing single-family dwelling located on the parcel.

- The applicant has stated that they have no specific development plans for the subject property at this time.
- She stated that the City Comprehensive Plan Map designates the area as US-95 Corridor.
- She noted that all city departments review the request and had no concerns.
- She stated if approved, there are no conditions.

Ms. Stroud concluded her presentation.

Commission Comments:

Commissioner Luttrupp stated that the zoning map included in the staff report was very helpful showing what the past zone changes were in the area. He noted that we received a letter from a citizen in our packet who stated that they own a home on the site and that the house was owned by his grandparents who said it was time for them to move on. He added that this request for a zone change is appropriate since the city is growing in that direction for the proposed zoning.

Public testimony open.

Mike Delay, applicant provided the following statements.

- He stated he owns the property and currently has no plans yet for the property but would consider in the future to expand the business onsite to closer to Highway 95 for expansion.
- He stated we are surrounded by commercial and if the zone is successful, we would demo the home.
- He stated that this zone change makes sense because it would be a buffer between Highway 95 and apartments.

Mr. Delay concluded his presentation.

Commission Comments:

Chairman Messina inquired if he owned the business "Gross Doughnuts" to the north. Mr. Delay answered that he does own the property and building where the business is located.

Public testimony closed.

Discussion:

Commissioner Ingalls commented that he sees the land use pattern area is in transition and should be C-17 and supports this request.

Motion by Ingalls, seconded by Fleming, to approve Item ZC-6-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Luttrupp	Voted	No

Commissioner Luttrupp commented that by his no vote is 2-1 because there is only three out of six commissioners present. He explained that makes the vote very slim and would like to change his vote to yes. He said he was simply making a point that the Chair should vote.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

2. Applicant: Kootenai Youth Rec, Vince Hughes
Location: 3525 W. Seltice Way
Request: A proposed 4.183acre annexation from County Commercial to City C-17 LEGISLATIVE, (A-3-21)

Mike Behary, Associate Planner provided the following statements.

- The subject property is currently the home to Frontier Ice Arena and located in the unincorporated area of the county.
- The subject site is adjacent to the city limits on the west and southwest side of the subject site.
- The property is currently zoned County Commercial. The subject site is located within the City's Area of City Impact (ACI).
- The current Frontier Ice Arena has operated at this site since 2001 and replaced an older facility that operated on the site many years prior to the construction of the new rink. The applicant has indicated that the continued growth in Kootenai County and the surrounding area has created a demand for an additional ice rink.
- The Ice Arena would like to expand and add a second sheet of ice to serve the growing needs of the hockey and ice skating in the community.
- In order to expand, the Frontier Ice Arena is required to connect to the City of Coeur d'Alene sewer system as the existing septic drain field does not have the capacity to accommodate the increased building size.
- The applicant is proposing a C-17 zoning district designation. The zoning ordinance classifies an ice arena use as commercial recreation, which is a permitted use in the C-17 zoning district.
- The City's Comprehensive Plan designates this property within the Spokane River area.
- He stated that all city departments reviewed the request and didn't have any concerns.
- He stated if this is approved there are four recommendations for items to include in the Annexation Agreement. Since the staff report has been submitted, the applicant has provided to staff a recorded easement for public trailhead and parking so Condition Number 3 has been addressed. For Condition Number 4, the applicant has a recorded easement of access over the adjacent properties. No parking agreements have been submitted. Parking is contained on this site and any building permits parking will need to be addressed.

Mr. Behary concluded his presentation.

Commission Comments:

Commissioner Luttropp inquired if the property to the west was annexed by the city years ago and was zoned C-17. Mr. Behary stated that is correct.

Public testimony open.

Cory Trapp, applicant representative provided the following statements:

- He stated that the ice rink has been here for 20 years that has provided ice skating for the community for many years.
- He explained the reason for the request is to build a second sheet of ice to expand their ice-skating capabilities.
- He added that they are now on a septic system and need to be connected to city sewer to provide a second sheet of ice.
- He commented that there is a dry sewer line already stubbed out to the site and that this site is already using city water with the second sheet of ice planned 20 years ago.
- He explained that since then we have done some fundraising to be able to cover the costs of adding the second sheet of ice.

The applicant concluded his presentation.

Commissioner Fleming inquired if by adding the second sheet of ice how parking will be addressed. Mr. Trapp explained when this was originally designed additional areas were designated so we can add parking onsite and if we have any parking issues the applicant owns the property to the south that if needed can do a shared parking agreement but we believe that we have enough parking onsite.

Dan Eloë stated he has been associated with the ice arena from the beginning and explained that it has been the goal of the arena to offer ice skating to the community which has been successful and with the addition of a second sheet of ice would be great.

Public testimony closed.

Discussion:

Commissioner Fleming stated this is a great use and I will support this request.

Commissioner Ingalls stated this is a great project and is another way of closing up “doughnut holes” areas to include in the city that is using city services and makes sense this be part of the city now.

Chairman Messina concurs.

Motion by Fleming, seconded by Luttropp, to approve Item. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

ADJOURNMENT:

Motion by Ingalls, seconded by Luttrupp, to adjourn the meeting. Motion approved.

The meeting was adjourned at 6:15 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant