

**PLANNING COMMISSION AGENDA**  
**COEUR D'ALENE PUBLIC LIBRARY**  
**LOWER LEVEL, COMMUNITY ROOM**  
**702 E. FRONT AVENUE**

**JULY 13, 2021**

*NOTE: The City is utilizing Governor Little's Stage 4 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room, and limiting seating to approximately 15 seats, seating will be first come first serve. 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 at shana@cdaid.org any time prior to 4:00 p.m. the day of the meeting.*

Join by Computer <https://cdaidorg.zoom.us/j/97048690470?pwd=OUI4TmZQRWpVZmY5dXFDMTRIZ1lwQT09>  
Join by Phone (Toll Free): 888-475-4499 or 877-853-5257  
Webinar ID: 970 4869 0470  
Password: 605796

**Public Hearing Sign-Up Sheet:** <https://www.cdaid.org/signinpublic/>

**5:30 P.M. CALL TO ORDER:**

**ROLL CALL:** Messina, Fleming, Ingalls, Luttrupp, Mandel, Rumpler, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

June 8, 2021

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**ENVISION CDA UPDATE:**

**PUBLIC HEARINGS:** \*\*\*ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.

*Reminder: Please use the virtual meeting sign-up sheets for public hearing items.*  
<https://www.cdaid.org/signinpublic/>

1. Applicant: Escalade Properties, LLC  
Location: 3221 N. 4th  
Request: A proposed zone change from R-12 to R-17  
QUASI-JUDICIAL, (ZC-5-21)

**ADJOURNMENT/CONTINUATION:**

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ ,  
to continue meeting to \_\_\_\_\_, \_\_, at \_\_ p.m.; motion carried unanimously.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ , to adjourn meeting; motion carried unanimously.

***Given the COVID-19 guidance and emergency proclamation from Governor Little, the Commission meeting and public hearings will take place virtually using the Zoom online meeting network. They will also be broadcast live on Facebook and will be posted on the City's YouTube channel.***



# MINUTES



**PLANNING COMMISSION  
MINUTES  
JUNE 8, 2021  
Virtual (Zoom.us) and In-Person  
LOWER LEVEL – LIBRARY COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice-Chair  
Lynn Fleming  
Peter Luttropp  
Lewis Rumpler  
Brinnon Mandel

**STAFF MEMBERS PRESENT:**

Sean Holm, Senior Planner  
Mike Behary, Associate Planner  
Shana Stuhlmiller, Public Hearing Assistant  
Randy Adams, Deputy City Attorney

**COMMISSIONERS ABSENT:**

Mike Ward

**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 Mandel, to approve the minutes of the Planning Commission meeting on April 12, 2021, Motion approved.

**COMMISSION COMMENTS:**

Commissioner Luttropp commented that he likes that we are together again and questioned if seating is limited for the public. Mr. Holm stated that we are still practicing social distancing per Governor Little's direction with no mask mandate.

**STAFF COMMENTS:**

Sean Holm, Senior Planner provided the following statements:

- He stated we received one application for the July 13<sup>th</sup> Planning Commission Meeting which is a zone change.
- He stated the Atlas Mill Park is open and ready to enjoy.

## **ENVISION CDA COMMITTEE UPDATES:**

Mr. Holm provided the following updates:

- He explained that we recently sent out an email with a copy of the draft Comprehensive Plan update (Envision CDA) that included the Policy and Action items, which was spurred by a public records request.
- He stated that the last public survey is being crafted per the direction of City Council which will seek additional feedback prior to bringing the results to a joint Planning/City Council workshop in the future and at the same time CDA 2030 is coordinating to provide leading support to the action items city staff will also bring those action items to Department Heads to review and assign city lead action items.
- He commented that staff will bring forward a final draft of the Comprehensive Plan for Planning Commission/City Council for consideration to adopt.

## **PUBLIC HEARINGS**

1. Applicant: City of Coeur d'Alene, Water Department  
Location: 7032 N. Huetter Road  
Request: A proposed Essential Services, (Above Ground) special use permit in the R-8 zoning district.  
QUASI-JUDICIAL, (SP-4-21)

Sean Holm, Senior Planner provided the following statements:

- The Water Department staff has been working diligently to keep on schedule with planned well construction to keep up with ever increasing demand.
- The Huetter Well site was deeded to the city as part of The Trails Development. As (the State of Idaho's) Drinking Water Rule requires that a public water system be able to meet peak daily demands with its largest well out of service, it was necessary to proceed with planned construction.
- Peak summer daily demands have been averaging 38 MGD (million gallons per day) to 40 MGD for the past 3 years. With a current maximum capacity of 44 MGD, we can no longer meet that peak day requirement.
- Should there be a major pump failure during the summer season, the Water Department would likely have to impose watering restrictions.
- The Huetter site was test drilled in 2018, and proved that the water quality and soil profile was suitable for use as a potable supply. The production well was drilled and test pumped in late fall 2019, early spring of 2020. It now stands ready to have a building constructed and a pump installed.
- The Water Department is also providing eleven (11) parking stalls on the subject property to allow for parking for the N. Prairie Trail users; however, it is not part of the special use permit request, and is allowed by right.
- The City Comprehensive Plan Map designates this area as Ramsey- Woodland- Stable Established:
- He stated that all city departments reviewed the request and had no issues with the proposed request.
- He stated if approved there are no conditions.

Mr. Holm concluded his presentation

**Commission Comments:**

There were no questions for staff.

**Public testimony open.**

Terry Pickel applicant provided the following statements:

- He commented that this request is consistent with the Comprehensive Plan which will be updated in the future with the intent to stay ahead of population growth by pumping double and since last year at this same time we had all 10 wells running in the month of May which we don't see until mid-late July.
- He stated that this well won't be done until fall which will be a help since we had residential consumption double in the last five years with overall irrigation consumption increased by a third.
- He commented that we need to get ahead of growth.
- If approved, this new well will feed the future Armstrong Property in the next few years.

Mr. Pickel finished his presentation

**Commission Comments:**

Chairman Messina inquired if the water increase is contributed to the additional residential homes and city parks. Mr. Pickel explained that residential use is the biggest user and suggested in the future doing a workshop with the commission to talk about greenspace requirements for future development which we are currently having issues with because of the water demand and would like to discuss water alternatives to lower water use with landscaping.

Chairman Messina commented that with all the studies we are doing for population questioned if this is the reason for having a workshop. Mr. Pickel explained one of the reasons to look at growth and what is going to happen with density since our current Comprehensive Plan shows we will need one more well to reach build out prior to density increases.

Chairman Messina inquired how is this being incorporated into our Comprehensive Plan updates.

Mr. Holm explained there is language in the Growth/Development area that talks about alternatives to grass etc. to keep water consumption low.

Commissioner Luttrupp inquired if there is a need to increase the access of wells.

Mr. Pickel explained that when we reach build out what is estimated to be 75-80 thousand people and the rest over the aquifer does the same thing that maybe come an issue. We are maintaining but unsure where the breaking point is going to be.

Commissioner Luttrupp inquired how the Water Department sets their boundaries.

Mr. Pickel explained that the water on the east side of Huetter will be provided by the city up to Prairie Avenue and the west side depending on the Huetter bypass will be directed to Ross Point or Post Falls

but a portion of it maybe transferred to the city which is a process with other agencies to redraw the boundaries.

**Public testimony closed.**

**Motion by Ingalls, seconded by Luttrupp, to approve Item SP-4-21 Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 5 to 0 vote.

2. Applicant: Eugene and Nancy Haag Living Trust  
Location: 2248 E. Stanley Hill Road  
Request:
- A. A proposed 3.194-acre annexation from County Agricultural Suburban to City R-3.  
LEGISLATIVE, (A-2-21)
  - B. A proposed 3.19 acre Planned Unit Development known as “Haag Estates PUD”  
QUASI-JUDICIAL, (PUD-2-21)
  - C. A proposed 5-lot preliminary plat known as “Haag Estates”  
QUASI-JUDICIAL, (S-2-21)

Mike Behary, Associate Planner presented the staff report and stated:

- This is the second time that the subject property is requested to be annexed into the city.
- In 2005, the applicant requested annexation into the city in conjunction with zoning to the R-3 zoning district in item A-7-05. The Planning commission held a public hearing on this matter on August 9, 2005 and subsequently made a recommendation to City Council to deny the annexation request. City Council held a public hearing on October 4, 2005 and denied the request for annexation into the city.
- The three findings that the City Council made in denying the A-7-05 annexation request without prejudice in October 2005 were as follows:
  - 1. That the proposal is not in conformance with the Comprehensive Plan policies.
    - a. “Promote orderly development of land use at locations that are compatible with public facilities and adjacent lands” -- Neighborhood development, topography, and the development pattern are not compatible with adjacent land uses;

- b. "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects." – The request is not in compliance with this policy for the previously stated reasons.
    2. That the physical characteristics of the site do not make it suitable for the request at this time because the steep topography, stormwater, drainage, and existing spring on the property make the subject property unsuitable for R-3 zoning.
    3. That the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses because if the property were developed to its full potential, R-3 zoning would be detrimental to the neighborhood character and the surrounding land uses.
- Currently the subject property has a single-family residence on 3.19 acres.
  - The applicant is requesting to split the lot up and create four additional residential buildable lots.
  - The subject site is adjacent to the city limits along its west property line.
  - The property is currently zoned Agricultural-Suburban in the county.
  - The subject site is located within the City's Area of City Impact (ACI).
  - The property has significant slope and will be located in the Hillside Overlay if the annexation of this site is approved. The applicant's Engineer has indicated that the slopes on the south portion of the property range from 20 to 25 percent. The applicant is aware that all development must adhere to the Hillside Overlay requirements. See the attached Narrative/Justification by the applicant at the end of this report for a complete overview of this request (Attachment 1).
  - The applicant is proposing two additional access points to the subject site, both from Lilly Drive, one on the west, and the other on the east side of the subject property.
  - The existing house is served from Stanley Hill Road.
  - The four proposed buildable lots will have access off of the existing streets in addition to access from within the property from a proposed common driveway placed in a common tract.
  - He stated that the City's Comprehensive Plan designates this property within the Cherry Hill area.
  - He stated if approved there are 19 conditions for consideration.

Mr. Behary concluded his presentation

**Commission Comments:**

Chairman Messina inquired if the style of the houses will be tied into the design if this project is approved.



Mr. Behary stated that's correct.

Commissioner Ingalls stated to the east and at the west there is 10' to 20' between the edge of the end of Lily Drive and this property and questioned if the city has reached out or the applicant to the Eastside Highway District for the approval to extend the road 20' including putting in the improvements and also if they approve the driveways coming off the dead end or would they want to see a cul-de-sac.

Mr. Behary stated that Chris Bosley, City Engineer reviewed this and that Mr. Bosley is here who would be able to address those questions.

Commissioner Ingalls noted on page 2 of the staff report states "That the Planning Commission stated that this site back in 2006 "The physical characteristics of the site don't make it suitable for the request at this time because of the steep topography, stormwater, drainage and existing spring on the property make the subject property unsuitable for R-3 zoning" and that is what the Planning Commission and City Council said in 2005 and some of the comments we received talked about water, ground water and spring water and questioned for clarity.

Mr. Behary stated that he is aware of the concerns from the neighbors about the spring and that the engineer for this project stated that this will be addressed through stormwater and any additional questions will be addressed during his presentation.

Commissioner Ingalls inquired that there were numerous architectural styles showed and inquired if one of those styles was chosen.

Mr. Behary believes that it is their way of saying that they aren't sure what the style would be which will be chosen by the buyer who buys the lot.

Commissioner Luttrupp inquired what has changed with this property since 2005 to now.

Mr. Behary stated the Comprehensive Plan and the conditions.

Commissioner Luttrupp commented that many of the policies in the Comprehensive Plan haven't changed and inquired if this area has changed because of the newer Comprehensive Plan and questioned if nothing has changed with the criteria in the previous Comprehensive Plan from 2005 to now, how can this be approved. He questioned on the graphic submitted by the applicant shows where the houses are built and if approved at the time of permit, questioned if the applicant will have to prove that these houses can be built.

Mr. Behary stated if they can't get it done, they won't be built.

Commissioner Mandel stated since 2005 we do have more criteria to use with the approval of the Hillside Ordinance in 2006 and is a change since the denial in 2005. She explained at the last hearing the applicant tabled this so he could come back with something different that meets the current criteria.

Gordon Dobler applicant representative provided the following statements:

- He stated that he is concerned that there is a comparison to a decision made in 2005 that was denied for various reasons and explained that he was the City Engineer at that time and that this current proposal doesn't resemble what was denied in 2005 and what is presented tonight should stand on its own merits.

- He stated we are proposing an R-3 that matches the surrounding zoning with an overall density would be is 1.5 dwelling units per acre. He noted on the map showing the surrounding properties who have the similar densities, so the density we are proposing is less than the surrounding neighbors.
- He stated one of the comments from staff at the last meeting that the open space tracts need to be accessible to all the lots so we revised the plat and noted on the map how access will be provided to these lots.
- He stated the open space plan will be a passive use accessible to all lots.
- He explained on the last plat submitted had a street that connected through and this plat we are presenting tonight that was omitted.
- He commented on this revision we have two access points including Stanley Hill that should not be omitted and noted on the map where access will be obtained.
- He stated that Eastside Highway District was aware about this project and had no comments for this project. He added that the pavement doesn't go to the property line with a 10–20-foot piece so we will pave that piece.
- He explained that sewer and water are in W. Lily and will extend the sewer main along the southerly boundary and up to E. Lilly following the city policy to bring it through the property.
- He added that water already exists on both sides and we will extend it from W. Lily through and that the Water Department didn't require a "loop" so we will provide three water services coming off of existing water main in W. Lily.
- He noted where the sewer main is on the lot that will service to the other lots with a sewer lateral.
- He explained that we need a Planned Unit Development (PUD) because the existing lots don't have the required frontage on a public street for an R-3.
- He noted how access will be obtained to the other lots by using a 10' access to come down to the driveway tract to allow the lots to use that to get to the open space tract.
- He commented that we meet the 10% requirement for a PUD with the open space tract being a 1/3<sup>rd</sup> of an acre. He apologized to staff that he didn't get the open space plan submitted in time for this hearing. He noted on this plan will be a gravel path that will have a "rest station" with a bench making this a passive use with minimal land disturbance
- He addressed views/vistas he explained that minimal disturbance will be made to the construction of the lots and utilities and stated that the Hillside Ordinance will govern the development of the lots.
- He stated the Land Disturbing exhibits presented in the staff report are used to show different configurations that would disturb less than 50% of the lot and was submitted to show that this can be done to put in a house minus the grading associated with the placement of foundations with minimal land disturbance.

- He included the sewer easement needed for lot 3 that will be disturbed once we put the sewer in which will be impacted on lot three and this can be done to build these homes and stay within the 50% preservation for the Hillside Ordinance.
- He commented with the R-3 we are proposing feel that we will be compatible with other surrounding properties.
- He stated fire access will be from both sides of Lilly which is better than other subdivisions and by approving this will give 3 points of access to the lots.
- He addressed the physical characteristics of the property and doesn't understand previous issues that they aren't adequate and noted the topo lines on the plat comparing to the existing subdivisions were built on steeper slopes than what we are proposing.

Chairman Messina inquired what is the difference of elevation from the open space down to the southern portion of the property.

Mr. Dobler estimated the elevation to be 30-40 feet.

Commissioner Fleming inquired if there are 50' drops associated with those lots.

Mr. Dobler commented that is correct and not much different slope differences between these lots and the surrounding properties.

Mr. Dobler continued his presentation and made the following statements:

- He referenced the spring on the lot and doesn't know how this came about especially in 2005 when this annexation was first presented. He explained that it's not a spring, but a foundation drain that is contained in a 4-inch PVC and explained that this is a pipe in a gravel bed that collects any water that is around a basement buried into the slope that collects the water and any water accumulated it goes to a drywell. He felt that it was good to mention this since it came up in the past from area residents that had concerns. He explained that to solve the issue will intercept the drain back to the property and put it into a drywell and swale that will need to be constructed when we put in the common drive way.
- He noted that traffic should not be a concern with the addition of three homes that would generate two trips in the peak hour 4-6 p.m.
- He stated they provided various home styles that might be considered for these lots which will be sold separately.
- He stated that they have seen the conditions with no objection.

Mr. Dobler concluded his presentation.

### **Commission Comments**

Chairman Messina stated when you are digging on a piece of property sometimes you will hit some water and deal with it by adding a drywell and questioned if a Geotech report has been done on this property.

Mr. Dobler explained that he has done an informal report, but will be doing the formal Geotech Report that will be required with the submittal plans for a building permit.

Mr. Behary added that a Geotech report will be required before any site development work.

Commissioner Ingalls stated that the City Council hearing in 2005 when this project was denied for the first time was denied commented that this is a request for an annexation and questioned what are the benefits to the city if this property is annexed and in the 2005 request Lily drive was propose to be extended and after reading all the comments submitted with this request people don't want to see Lilly connected. He stated if this was denied and the county doesn't have a Hillside Ordinance and one of the benefits to the city is going to handle this with "kid gloves" and would that be considered a benefit to the city.

Mr. Dobler stated he works in other jurisdictions and the benefit to the city controls how the property is being developed and if it doesn't get annexed a false statement saying it won't be developed which is untrue. He stated that Coeur d'Alene is unique with these requirements to develop which are very strict on how you develop in the Hillside and once you apply for a building permit the first thing that happens is to show staff all the grading meets the 50% preservation criteria and if that isn't met will have to reduce the footprint and make the adjustments to fit the lot. He added there are requirements for tree preservation and in other areas if you remove trees they have to be replaced. He explained that staff will require a tree survey to see what trees will be removed and the trees selected to stay per the Hillside Ordinance requires that those trees saved be fenced off.

Commissioner Ingalls explained the main comment heard for this request that the surrounding neighbors object to the connection of Lily Drive and questioned if this was denied again and the applicant decided to develop in the County, the project would look different.

Mr. Dobler concurred with the elimination of the street the East Side Highway district would make that decision for the connection of Lily Drive and explained if the applicant decided to split the lot in half that would be possible.

Commissioner Ingalls stated other comments were that the neighbors would love to see the site stay in its natural state.

Mr. Dobler stated he is not surprised people like it but unfortunately that won't happen.

Commissioner Rumpler noted that there are 19 conditions and are you willing to comply with those conditions. Mr. Dobler stated that the applicant doesn't have any objection to the conditions and confident we can build quality homes meeting all the city requirements.

Commissioner Luttrupp inquired when was the Hillside Ordinance approved by City Council.

Mr. Dobler stated was approved in 2006.

Commissioner Luttrupp commented so the Hillside Ordinance was approved after the original annexation was denied.

Mr. Dobler stated that is correct.

Commissioner Luttrupp inquired if this is approved will the future owners be aware of the conditions on these lots.

Mr. Adams explained that the conditions of approval are of record and will not be binding on any future owners.

Mr. Dobler added that the conditions will be on the face of the plat that says “the development has to conform to the Hillside Development Code”.

Lauren Hayden stated that she has been a resident in this area for 17 years and is opposed. She stated the findings in 2005 have not changed and denied in 2005 because of the impact it will have on the surrounding neighbors. She stated the majority of homes in this area are modest and don't represent the examples of the homes provided by the applicant. She referenced City Engineer, Chris Bosley's comments that traffic will not be impacted and doesn't agree with that comment since traffic is already bad in this area. She added that the only benefits for annexation is for the applicants and the elimination of wildlife in this area. She noted in the applicant's narrative referencing the 2'inch PVC pipe and that earlier Mr. Dobler referenced this pipe as a “foundation drain” and has never seen a copy of a report stating that and most people living in this area of the amount of water on the property.

Dorothy McNeel stated that she is opposed to the request for the reason of lack of notification for this hearing and explained after receiving her notice by mail she called her adjoining neighbor on Gunnison Place and she didn't receive the notice and didn't know anything about it. She added that 15 years ago she attended the meeting in 2005 where she spoke and prior to that meeting we knew about the hearing and got together to support our community. She stated that she has lived on Gunnison Drive for many years and that there is a lot of natural springs in the area that has done damage to many of the homes in the area.

Armand Gagne stated he agrees with all comments and has lived in the area for 10 years and is aware of the problem with underground water and recommends a Geotech report available for the public to review. He stated that he is opposed to the project.

Janis Houghton stated that she lives on East Lily drive and bought the house because it's on a dead-end road and happy to hear the road isn't going through which was a big concern at the hearing in 2005. She stated you have a right to do with the property and knows the applicant wants to make money and sees the impact it has on the neighbors but to deny wouldn't be right. She is concerned about access to the three homes. She added water is a concern and that there is a spring on the property and surprised to hear the applicant say it was a drain because it looks like a spring. She stated that they had a dog that fell into the spring and was rescued by an adjoining neighbor who heard the dog barking. She added when she went to the spot the next day that the water depth could have been over her head and that a dead deer was in the water and was how the dog survived. She approached Mr. Haag and was told to mind my own business and stay off the property.

Judy Hughes stated she lives on East Lilly and is concerned about traffic and is concerned traffic from those three properties will be going onto the county road which is dangerous.

**Rebuttal:**

Mr. Dobler provided the following statements.

- He stated traffic generated will be minimal and the reason traffic will be directed to the east is because the grades on the property in order to provide access from any upper lot would have been a lot of land disturbing to get a driveway down to the Lily West because of the grade difference and would have exceeded the 8% grade and wouldn't have met the Fire Code.
- He commented that we have standard construction techniques that are proven to address ground water when/if it is found and foundation drains is one of them which is very effective in collecting water for basements and houses built in cuts to intercept/dispose of ground water. He added that there won't be any impact of ground water if found on site to the surrounding neighborhood it will be dealt with onsite. He added that you look at the surrounding development that have similar cuts in the hillside that are stable homes and if there is groundwater it has been dealt with and that this property can be built on with these issues.

Commissioner Luttrupp inquired if a Geotech is required and what is the purpose of that report.

Mr. Behary explained that the purpose is to show if the lots are buildable and that the report is available to the public upon request.

Commissioner Luttrupp inquired about notices and that last time there were a couple people on Zoom who wanted to attend the hearing but was told lack of space. He inquired if this hearing was noticed.

Mr. Behary explained that the notice was in the Coeur d'Alene Press and mailed to property owners within 300' of the site.

**Public testimony closed.**

**Discussion:**

Commissioner Rumpler stated we have heard complex cases and this is one of those where there is a challenge between neighborhood needs and wants and property owners right to develop. He stated that we have an important consideration in developing additional homes. He added a challenge is when a proposal comes before us that is defensible and conforming and hard to deny and that the developer has made a strong case to address many of the comments as they could with 19 conditions to comply with and is in support of this project.

Commissioner Mandel concurred and added the way she evaluates these projects is what could be done now and is there a way for us and the city to manage that by controlling how development happens and how we protect are environment and this is an opportunity under the current idea could be worse and see an opportunity to how we want our area developed and approves this request.

Commissioner Ingalls stated traffic is not a concern and that this property will be developed if not in the city in the county and since 2007 the city has adopted a Comprehensive Plan and the Hillside Ordinance that is very demanding and will have four houses well "seated" into the hill and tastefully done and developed in the county would be a big question mark and recommends this project for approval.

Commissioner Luttrupp stated things have changed since this was originally heard regarding the adoption of the Hillside Ordinance and will support this request.

**Motion by Fleming, seconded by Rumpler, to approve Item A-2-21. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 5 to 0 vote.

**Motion by Fleming, seconded by Mandel, to approve Item PUD-2-21. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 5 to 0 vote.

**Motion by Fleming, seconded by Rumpler, to approve Item S-2-21. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye


Motion to approve carried by a 5 to 0 vote.

**ADJOURNMENT:**


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

The meeting was adjourned at 7:35 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



# **PUBLIC HEARING**





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# PLANNING COMMISSION STAFF REPORT

**FROM:** TAMI STROUD, ASSOCIATE PLANNER

**DATE:** JULY 13, 2021

**SUBJECT:** ZC-5-21 ZONE CHANGE FROM R-12 TO R-17

**LOCATION:** +/- 0.47 ACRE PARCEL OFF OF 4<sup>TH</sup> STREET SOUTH OF NEIDER AVENUE LOCATED AT 3221 N. 4<sup>TH</sup> STREET

**APPLICANT/OWNER:**  
Escalade Properties, LLC  
701 E. Front Street  
Coeur d'Alene, ID 83814

**CONSULTANT:**  
Paul Malen  
Escalade Properties, LLC  
701 E. Front Street  
Coeur d'Alene, ID 83814

**DECISION POINT:**

The applicant is requesting approval of a zone change from the R-12 to the R-17 zoning district.

**BACKGROUND INFORMATION:**

The 0.47-acre parcel is located off of 4<sup>th</sup> Street south of Neider Avenue. There is an existing single-family dwelling located on the parcel which will be removed. Escalade Properties, LLC, purchased the parcel in July of 2019, with the intent to build a multifamily project.

The requested zone change is necessary to build the multifamily project. R-12 zoning does not permit multifamily residential.

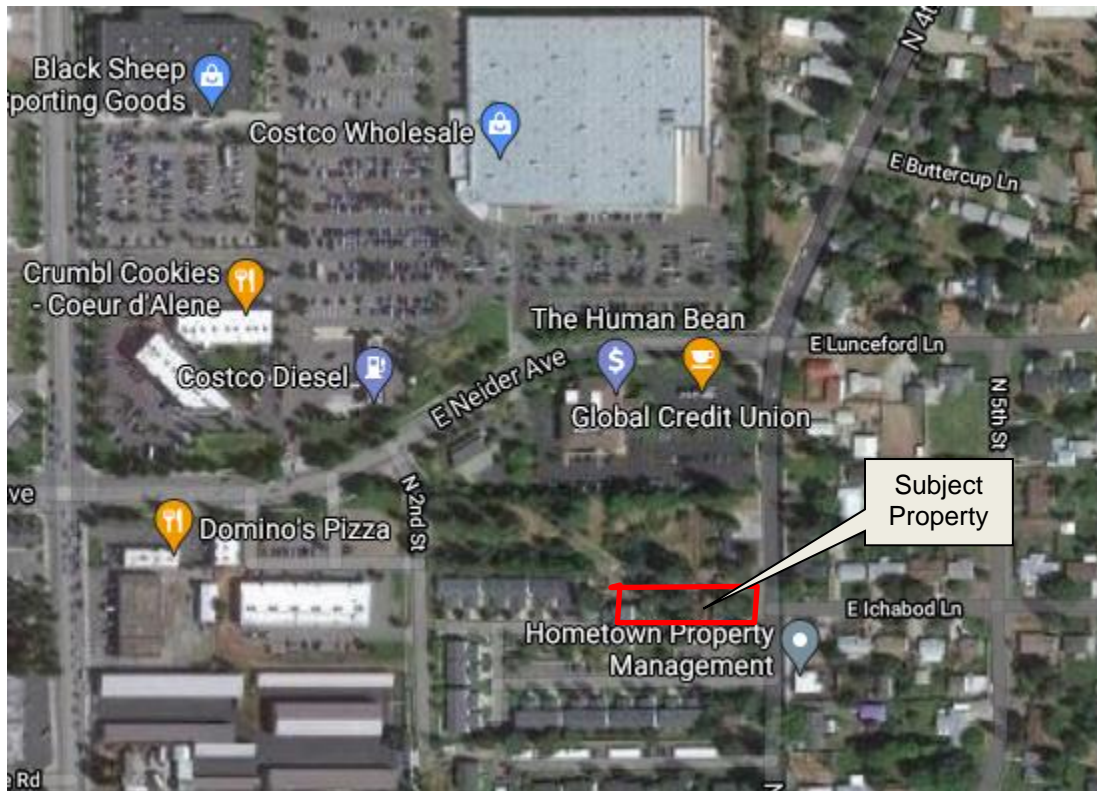
**LOCATION MAP:**



**AERIAL PHOTO:**



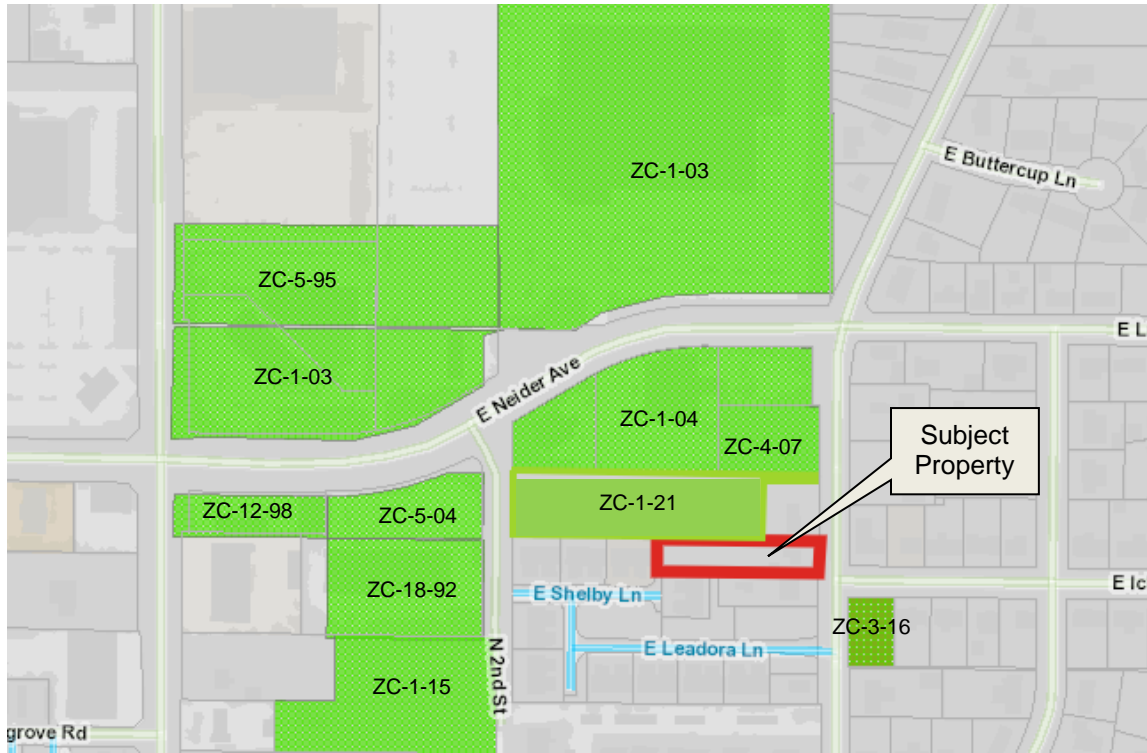
**AERIAL PHOTO SHOWING NEARBY SERVICES:**





**PRIOR LAND USE ACTIONS:**

The subject property is surrounded by previous zone change requests that were all approved. As noted below on the map and the list of zone changes, the changes took place between 1992 and 2016. The majority of the zone changes were from R-12 to C-17. There were a few to C-17 L and R-17. The most recent zone change was from R-12 to R-17 in 2021.



**Zone Changes:**

ZC-18-92	R-12 to C-17	Approved
ZC-5-95	R-12 to C-17	Approved
ZC-12-98	R-17 to C-17	Approved
ZC-1-03	R-12 to C-17	Approved
ZC-1-04	R-12 to C-17L	Approved
ZC-5-04	R-12 to C-17	Approved
ZC-4-07	R-12 to R-17	Approved
ZC-1-15	R-12 to C-17	Approved
ZC-3-16	R-12- to NC	Approved
ZC-1-21	R-12 to R-17	Approved

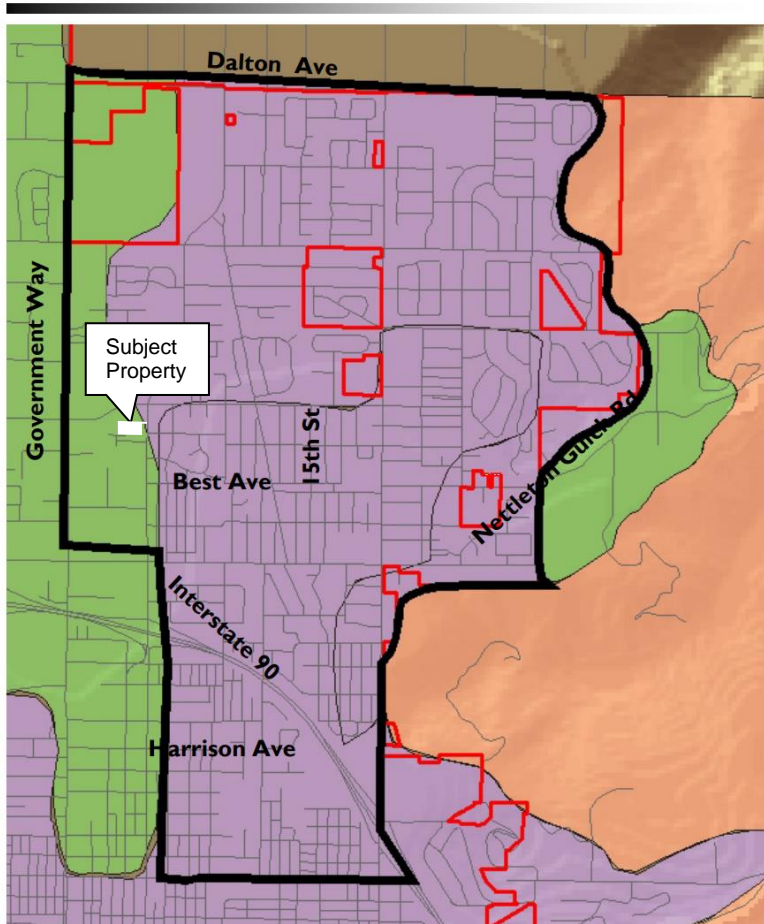
**REQUIRED FINDINGS:**

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

**2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:**

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Northeast Prairie Transitional:

**Land Use: NE Prairie**



**Transition:**

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.

**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:**

**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.

**Objective 1.16**

**Connectivity:**

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

**Goal #2: Economic Environment**

Our Comprehensive Plan preserves the city's quality workplaces and encourages economic growth.

**Objective 2.05**

**Pedestrian & Bicycle Environment:**

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

**Goal #3: Home Environment**

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

**Objective 3.01**

**Managed Growth:**

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

**Objective 3.05**

**Neighborhoods:**

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

**Objective 3.07**

**Neighborhoods:**

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

**Objective 3.10**

**Affordable & Workforce Housing:**

Support efforts to preserve and provide affordable and workforce housing.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management in city government.

**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 Planning Commission 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 4<sup>th</sup> Street to the east. Any deficient sidewalk and the existing driveway approach will need to be replaced on the 4<sup>th</sup> Street frontage with construction to meet ADA requirements.

*- Submitted by Chris Bosley, City Engineering*

**WATER:**

There is an existing ¾" water service to the lot attached to a 12" main in N. 4<sup>th</sup> Street.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**SEWER:**

Public sewer is available to the subject property located on N. 4<sup>th</sup> Street. There is a sewer lateral servicing this property.

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

*-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 with the corrections to the below conditions.

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

**POLICE:**

Because this will be a small development, there is no real impact.

*-Submitted by Lee White, Police Chief*

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

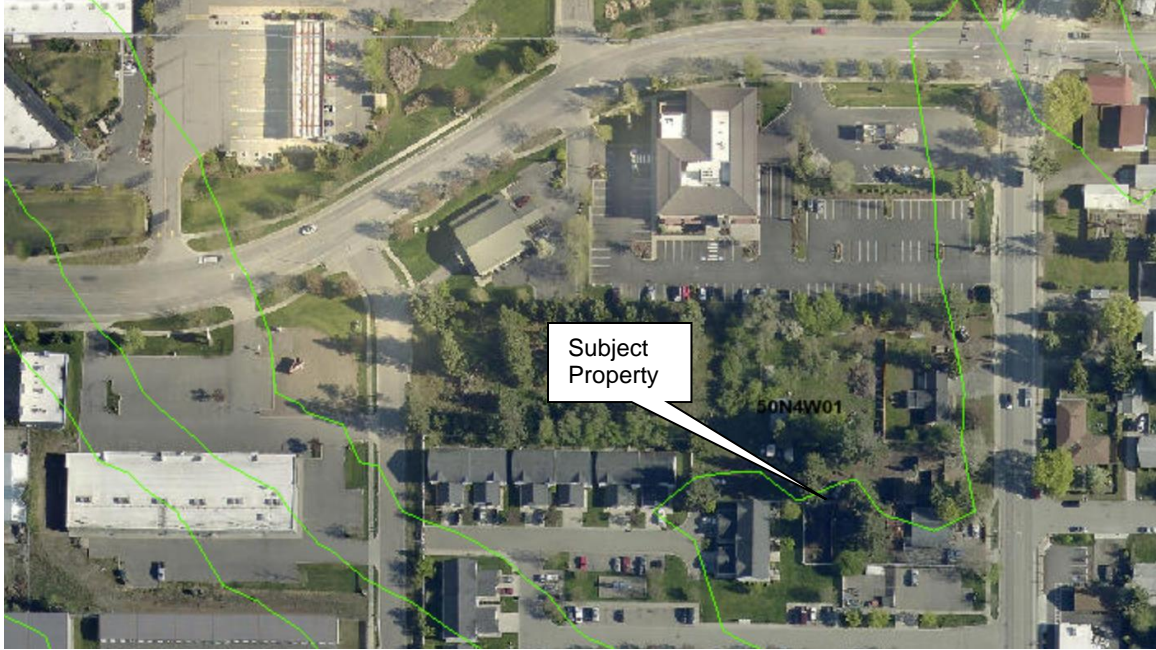
- C. **Finding #B10: That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

**PHYSICAL CHARACTERISTICS:**

The site is generally flat. There is an existing single-family structure on the subject property which will be removed. There are also small trees and other vegetation that will also need to be removed for the project. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to R-17.



**TOPOGRAPHIC MAP:**



**PHOTO 1:** Looking west toward the subject property from the edge of the property along 4<sup>th</sup> Street





**SITE PHOTO 2:** Looking west from the eastern most edge of the property on 4<sup>th</sup> Street



**SITE PHOTO 3:** Looking south on 4<sup>th</sup> Street with the subject property on the right





**SITE PHOTO 4:** Looking south along 4<sup>th</sup> Street at the Neighborhood Commercial business on the east side of 4<sup>th</sup>



**SITE PHOTO 5:** Looking north on 4<sup>th</sup> Street from the eastern edge of the subject property toward the commercial uses along Neider Avenue



**Evaluation:** *The Planning Commission 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 the zone change is needed to allow multifamily housing to replace the single family residence. If the property is developed to the maximum allowable density, traffic on 4<sup>th</sup> Street would increase by up to 5 trips per peak hour. The existing left turn lane will aid with ingress/egress. The Streets & Engineering Department has no objection to the zone change as proposed.

*-Submitted by Chris Bosley, City Engineering*

**NEIGHBORHOOD CHARACTER:**

*From 2007 Comprehensive Plan: Northeast 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.

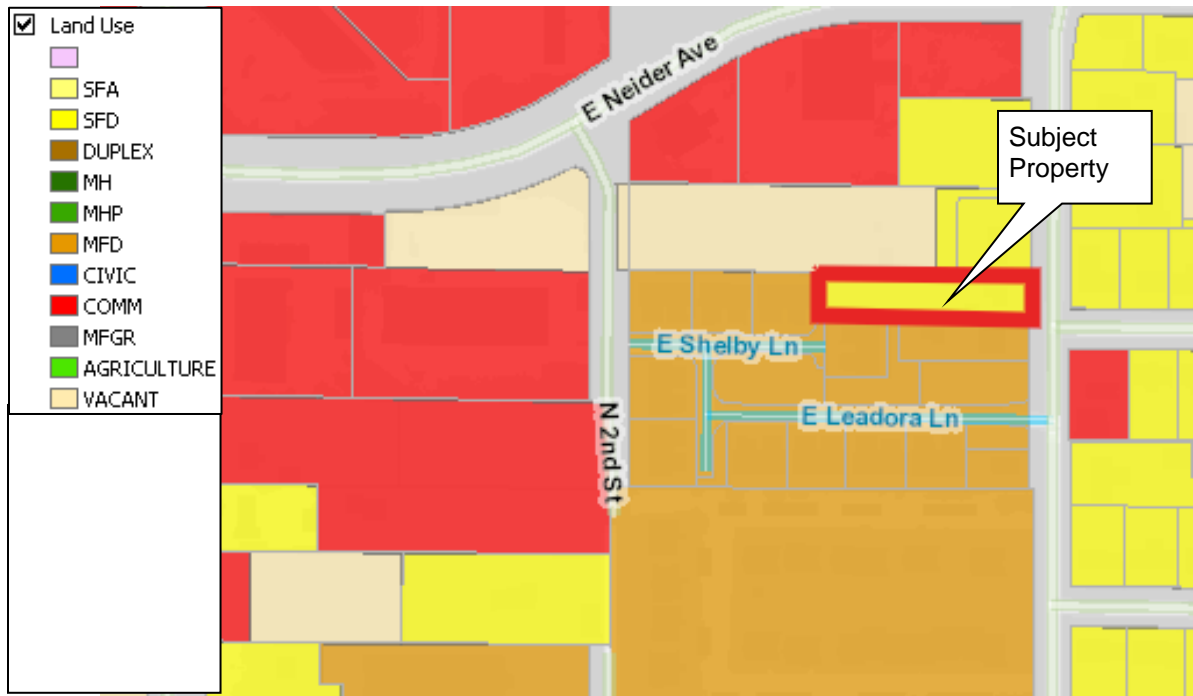
Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

**SURROUNDING LAND USES:**

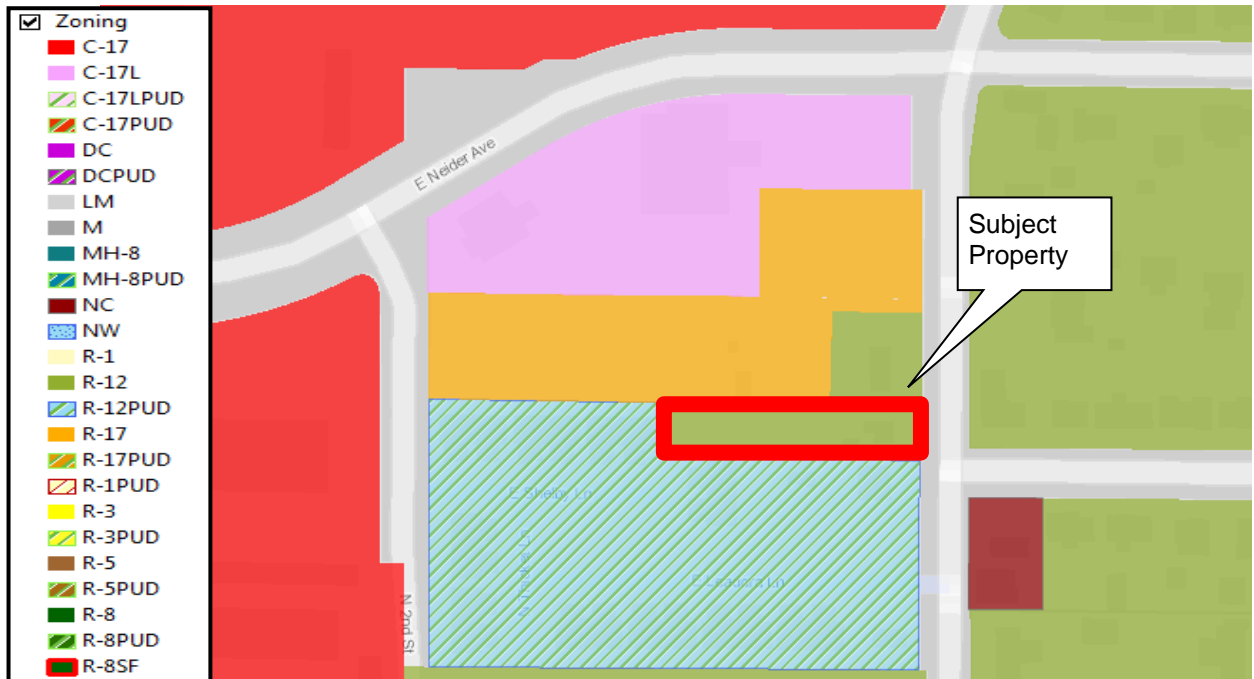
The subject property is located near the commercial corridors of Neider Avenue and 4<sup>th</sup> Street. It is located on 4<sup>th</sup> Street and south of Neider Avenue. There is commercial, office, multi-family residential uses, and a few single-family residences nearby. The properties directly to the north and south are existing single family dwellings. A portion of abutting property to the north is vacant and has been approved for a zone change to R-17 by the City Council. Further to the north uses include a drive-through beverage retailer, an office complex, and a coffee stand. Beyond those commercial uses on Neider Avenue is Costco. To the west and abutting the subject property on the most western boundary is the Briarwood Town Homes multi-family development. To the east across 4<sup>th</sup> Street are single-family residential uses. Southeast of the property on 4<sup>th</sup> Street and Ichabod Lane is the property with a Neighborhood Commercial (NC) zoning designation. The subject property is in an ideal location for a multi-family residential project due to its proximity to services, employment, public transportation, walkability and bike ability. It is also within ½ mile of North Pines Park.

*See Land Use Map on the following page.*

**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 is appropriate for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard, and landside hazard areas.

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

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

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

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders' facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office



**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	n/a
Multiple-family structure	45 feet	n/a
For public recreation, community education or religious assembly activities	45 feet	n/a
Detached accessory building including garages and carports	32 feet	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

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

**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 Planning Commission 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:**

1. All proposed utilities within the project shall be installed underground.
2. 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.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

**STREETS:**

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

**STORMWATER:**

7. 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.

**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 Planning Commission must consider this request and make findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Attachment: Applicant's Narrative



**APPLICANT'S  
NARRATIVE**

Zone Change: 3221 N 4<sup>th</sup>, CDA ID

Escalade Properties. LLC., is requesting a rezone of 3221 N 4<sup>th</sup> in CDA. Current zoning of the property is R-12 which limits our mission to provide additional affordable housing in the Coeur d'Alene area.

Rezoning to ~~R-12~~ <sup>R-17</sup> would allow us to build multifamily units and maximize the number of units on the subject property. This will increase the availability of housing and offset the escalating costs of housing in the area. The plan is to build units similar to the attached four-plex units.

PBM  
R17

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

**ZC-5-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on, July 13, 2021, and there being present a person requesting approval of ZC-5-21, a request for a zone change from R-12 to R-17 zoning district

APPLICANT: ESCALADE PROPERTIES, LLC

LOCATION: +/- .47 ACRE PARCEL OFF OF 4TH STREET SOUTH OF NEIDER AVENUE  
LOCATED AT 3221 N. 4<sup>TH</sup> STREET

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B7.**

- B1. That the existing land uses are Commercial and Residential.
- B2. That the Comprehensive Plan Map designation is
- B3. That the zoning is Northeast Prairie Transitional:
- B4. That the notice of public hearing was published on, June 26, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, July 2, 2021 , 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 July 13, 2021.

- B8. That this proposal **(is) (is not)** 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.

Objective 1.16 Connectivity:

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

**Goal #2: Economic Environment**

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

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

**Goal #3: Home Environment**

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

Objective 3.01 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.07 Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

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) (are not)** available and adequate for the proposed use. This is based on

**Criteria to consider for B9:**

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available and adequate to the property?

B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

**Criteria to consider for B10:**

1. Topography
2. Streams
3. Wetlands
4. Rock outcroppings, etc.
5. vegetative cover

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

**Criteria to consider for B11:**

1. Traffic congestion
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of ESCALADE PROPERTIES, LLC for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Findings and Order.

**ROLL CALL:**

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Mandel	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____

Chairman Messina Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

\_\_\_\_\_  
CHAIRMAN MESSINA