

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

February 2, 2016

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 February 2, 2016 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Loren Ron Edinger            ) Members of Council Present  
Dan Gookin                    )  
Kiki Miller                    )  
Woody McEvers                )  
Amy Evans                     )

Dan English                    ) Member of Council Absent

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

**INVOCATION:** Pastor Stuart Bryan with the Trinity Church provided the invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember McEvers led the pledge of allegiance.

**LET'S MOVE! PROGRAM UPDATE:** Erin Whitehead, Panhandle Health District, Health Education Specialist, explained that Let's Move CDA was a program to combat childhood obesity. She announced that the City of Coeur d'Alene has reached gold status in all five-goal categories and presented the Council with a gold medal for meeting those goals. She announced that the campaign would continue to seek the all-star status. There are eight all-star strategies, some of which the City is already working toward such as making the City more walkable and bikeable. Ms. Whitehead explained the benefits to the environment and health of the community. She requested the City support the registration to seek the All-star City designation. The next steps include the creation of a logo, organize partnerships to set goals, and implement actions.

Councilmember Gookin asked if the schools were involved and how the program will measure success. Ms. Whitehead noted that there are many programs with the Schools especially involving the Nutrition Services Department. She explained that it is difficult to quantify the success of this type of program as it is a new program and data will have to be analyzed over time on a large scale. She noted that they have provided education to 67 early childcare educators regarding how to increase physical activity and nutrition in their programs. Additional education opportunities are forth coming.

**CONSENT CALENDAR: Motion** by McEvers, second by Evans, to approve the consent calendar.

1. Approval of Council Minutes for January 14, 2016 and January 19, 2016.
2. Approval of Bills as Submitted.
3. Approval of General Services Meeting Minutes for January 25, 2016.
4. Setting of General Services and Public Works Committees meetings for February 8, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Approval of Cemetery transfer from Argonne J. Dotts to Joseph B. Dotts; Lot 192, Block D, Section RIV of Forest Cemetery Annex
6. **Setting of a Public Hearing for March 1, 2016** for V-16-1 – Vacation of a portion of excess W. Kathleen Avenue right-of-way adjoining the northerly boundary of The Lodge at Fairway Forest.
7. **Resolution No. 16-005 - 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 AUTHORIZING THE PURCHASE OF A PUBLIC SAFETY MOBILE COMMAND TRAILER AND APPROVAL OF AN AGREEMENT WITH LDV, INC.; APPROVING A MEMORANDUM OF AGREEMENT WITH DAVID A. HAGAR FOR POLICE CAPTAIN; AND AUTHORIZING THE PURCHASE OF TWO (2) POLICE VEHICLES.**
8. Approval of Beer and Wine License to Chipotle Mexican Grill of Kansas, LLC. 305 W. Appleway (Grill #2451), (new)

**ROLL CALL:** Gookin Aye; Evans Aye; Edinger Aye; Miller Aye; McEvers Aye. **Motion Carried.**

**PUBLIC COMMENTS:**

**Let's Move!**

Joe Abate stated that his is the Chief Medical Officer for Heritage Health and is in support of the Let's Move! program. He congratulated the Let's Move! partners on the great work done so far. He believes this is a catalyst for other organizations to work together on common problems. He would love to see the community create a Wellness Council that would align its interest with CDA 2030.

Mayor Widmyer noted that physical education has been deemphasized in the schools over the years and it should be more heavily promoted. He thanked Mr. Abate for his efforts.

**MAYOR AND COUNCIL COMMENTS:**

Councilmember Miller announced that the grand opening for the Lake City High School Public Library Branch was held recently. The kids and teachers are excited and already using the branch. She noted that she met with Library Directors from across the state, and they provided very positive feedback. She thanked the Library Foundation, Library Board, and School Board

for their support in bringing this pilot project forward. The Mayor thanked Councilmember Miller for her work in seeing this project through.

Councilmember Gookin requested the following item be placed on the next Council Meeting Agenda: Starting the Budget Process Early.

**APPOINTMENTS:**

**MOTION:** Motion by McEvers, seconded by Gookin to approve the appointment of Kraig Lysek to the Library Board. **Motion carried.**

**RESOLUTION NO. 16-006**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT WITH KOOTENAI COUNTY FOR SOLID WASTE BILLING SERVICES.

**STAFF REPORT:** Finance Director Troy Tymesen explained that this is a request to continue the relationship with Kootenai County for billing services. This has been a partnership since 2006, wherein the City provided streamlined billing processes. In exchange for these services, the County will accept 204 tons of street sweepings, leaves, and other waste debris each calendar year. The new agreement calls for a payment to the City of \$10,000 per year. Kootenai County Solid Waste is a utility and an enterprise fund, which means that there is a fee charged for the service provided.

**MOTION:** Motion by Edinger, seconded by McEvers to approve **Resolution No. 16-006**; approving an Agreement with Kootenai County Sanitation for Billing Services of Commercial Customers.

**ROLL CALL:** Evans Aye; Edinger Aye; Miller Aye; McEvers Aye; Gookin Aye. **Motion Carried.**

**A-4-15- Annexation of 7925 Ramsey Road - Kerr Family Properties, LLC. - Pursuant to Council Action December 15, 2015**

**MOTION:** Motion by McEvers, seconded by Edinger to approve the Findings and Order for A-4-15; 7925 Ramsey Road; zone change from County Agricultural Suburban/Commercial to City C-17. **Motion carried.**

**Resolution No. 16-007**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH KERR FAMILY PROPERTIES, LLC., WHOSE ADDRESS IS 975 N. HONEYSUCKLE AVENUE, HAYDEN, ID. 83835

**MOTION:** Motion by McEvers, seconded by Evans to approve **Resolution No. 16-007**; approving an Annexation Agreement with Kerr Family Properties, LLC. for annexation of 7925 Ramsey Road, A-4-15.

**ROLL CALL:** Edinger Aye; Miller Aye; McEvers Aye; Gookin Aye; Evans Aye. **Motion carried.**

**COUNCIL BILL NO. 16-1001  
ORDINANCE NO. 3528**

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 & 26, 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.

**MOTION:** Motion by McEvers, seconded by Edinger, to pass the first reading of **Council Bill No. 16-1001**.

**ROLL CALL:** Miller Aye; McEvers Aye; Gookin Aye; Evans Aye; Edinger Aye. **Motion carried.**

**MOTION:** Motion by Gookin, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1001** by its having had one reading by title only.

**ROLL CALL:** Miller Aye; McEvers Aye; Gookin Aye; Evans Aye; Edinger Aye. **Motion carried.**

**COUNCIL BILL NO. 16-1002  
ORDINANCE NO. 3529**

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-17 (RESIDENTIAL AT 17/UNITS/ACRE) TO C-17 (COMMERCIAL AT 17 UNITS/ACRE), SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A PORTION OF A PARCEL FRONTING EMMA AVENUE AND DAVIDSON AVENUE, EAST OF NORTHWEST BOULEVARD, MEASURING APPROXIMATELY 1.28 ACRES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

**MOTION:** Motion by McEvers, seconded by Edinger, to pass the first reading of **Council Bill No. 16-1002**.

**ROLL CALL:** McEvers Aye; Gookin Aye; Evans Aye; Edinger Aye; Miller Aye. **Motion carried.**

**MOTION:** Motion by Edinger, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1002** by its having had one reading by title only.

**ROLL CALL:** McEvers Aye; Gookin Aye; Evans Aye; Edinger Aye; Miller Aye. **Motion carried.**

**A-3-15 (QUASI-JUDICIAL HEARING) HARMONY HOMES, LLC: 2810 & 2960 W. PRAIRIE AVENUE; PROPOSED ANNEXATION FROM COUNTY AGRICULTURAL TO CITY R-8**

**STAFF REPORT:** Planner Sean Holm explained that the applicant, Donald Smock, has requested annexation of an approximately 19.43 acre parcel with a zone change from County Agriculture to City R-8; Residential at 8 units per acre. The property is located south of Prairie Avenue, and north of Rocket Street between Atlas Road and Gila Court. He reviewed the area land use and surrounding zoning. He noted that the findings include the following: that this proposal is, or is not, in conformance with the Comprehensive Plan policies; that the public facilities and utilities are, or are not, available and adequate for the proposed use; that the physical characteristics of the site do, or do not, make it suitable for the request at this time; and that the proposal would, or would not, adversely affect the surrounding neighborhood with regard to traffic, neighborhood character and/or existing land use. Mr. Holm reviewed the applicable Comprehensive Plan sections and staff input regarding the finding categories. He noted that staff had no proposed conditions.

Mayor Widmyer called for public comments and the Clerk conducted the oath for each of those testifying.

**APPLICANT:** Sandy Young, acting as the applicant's representative, explained that the requested zoning is compatible with adjacent properties. She noted that the applicant is requesting a subdivision and PUD concurrent with the annexation request. There were some conditions noted by the Planning Commission for the PUD. The proposal includes 94 lots, 86 single family and 8 townhome lots. Ms. Young reiterated that the infrastructure is available and appropriate for the capacity of this proposal. She also noted that the Comprehensive Plan would support this zone request. Ms. Young also noted that based on the discussion at the Planning Commission Meeting regarding traffic on Prairie, she confirmed with the Post Falls Highway District that they have jurisdiction overseeing Prairie Avenue. Post Falls Highway District requested a gap study be completed regarding the wait times of vehicles waiting to turn onto Prairie from the development. The number of vehicles entering the neighborhood is minimum compared to the traffic already on Prairie Avenue. They found that during the morning peak hour traffic 63 cars per hour would be coming out of the development east bound and 24 cars

west bound with a capacity of 606 to 624 cars. At evening peak traffic, 67 cars per hour would be eastbound, and 16 cars per hour west bound, with a capacity of 445 to 607 on Prairie Avenue.

**PUBLIC COMMENTS:**

John Partridge noted that he lives in Sunshine Meadows, abutting this proposed development, and wanted to be assured that the Planning Commission conditions were included. The townhomes were a concern along the east side of the subdivision, but the developer agreed to move them. He is pleased with the buffer and the green screening along the eastern property line.

Janice Wilson noted that she lives in Sunshine Meadows and was originally concerned about the townhomes but is glad that they have moved away from the eastern side. She expressed appreciation that the developer adjusted those lots. She hoped that Rocket Street would not be used for heavy equipment traffic during development.

**APPLICANT REBUTTAL:** Ms. Young confirmed that the townhomes have been moved to the west side of the subdivision. She noted that no heavy equipment access on Rocket can be noted on the site disturbance permit and they will ask the site superintendent to use Prairie. Mr. Holm stated that the City does not have jurisdiction over Prairie Avenue, but will ask for the construction traffic to flow that way.

Public testimony was closed.

**MOTION:** Motion by Gookin, seconded by Evans to approve the requested annexation and zoning from County Agricultural to City C-8 for 2810 & 2960 W. Prairie Avenue, to direct staff to negotiate an Annexation Agreement, and to develop the necessary Findings and Order.

**DISCUSSION:** Councilmember Gookin asked for clarity regarding the open space. Ms. Young stated that open space meets the city requirement and they have provided 10.5%. Additionally, the Planning Commission included a condition for a six-foot high fence and a 10' buffer to be provided on the east side of the subdivision with 15' tall approved trees. Councilmember Miller asked if the open space becomes the maintenance responsibility of the Homeowner Association. Ms. Young confirmed that it was a condition of the Planning Commission to include open space maintenance as the Homeowner Association responsibility. Councilmember McEvers thanked the developer for working with the neighbors. Mr. Holm explained the process for the PUD and Subdivision development; and that it would only come back to Council if it were appealed. Councilmember Gookin stated that the proposal is in conformance with Comprehensive Plan as it is a transition zone; that facilities are available pursuant to the staff report; that the physical characteristics of the site make it suitable for the request, as it is flat; and that the proposal would not adversely affect the surrounding neighbor as it is a compatible use.

**ROLL CALL:** Gookin Aye; Evans Aye; Edinger Aye; Miller Aye; McEvers Aye. **Motion carried.**

**PUD-1-04.4 (QUASI-JUDICIAL HEARING)) - APPLICANT: RIVERWALK TOWNHOMES, LLC; APPEAL OF PLANNING COMMISSION DENIAL WITHOUT PREJUDICE; BELLERIVE LANE, REQUESTED MODIFICATION TO RIVERWALK PUD AND S-6-15(QUASI-JUDICIAL) - APPLICANT: RIVERWALK TOWNHOMES, LLC; APPEAL OF PLANNING COMMISSION DENIAL WITHOUT PREJUDICE; BELLERIVE LANE, REQUESTED PROPOSED 2-LOT PRELIMINARY PLAT “RIVERWALK TOWNHOMES.”**

**STAFF REPORT:** Planner Tami Stroud explained that the applicant Riverwalk Townhomes, LLC has appealed the decision of the December 8, 2015 Planning Commission regarding PUD 1.04.4 and S-6-15 related to the Riverwalk Townhomes to deny without prejudice. The parcel of land is an approximately 0.945 acre parcel located east of the terminus of Bellerive Lane and on the south side of the existing Centennial Trail. The applicant has request changes to the Bellerive PUD to replace two (2) Boardwalk Homes and two (2) Carriage Homes located over a detached garage with two (2) Courtyard Home structures (a total of 4 residential units), a Boardwalk Home and a Carriage Home. This would result in six residential units versus the four approved. Additionally, the applicant is requesting modification to the open space within Bellerive PUD, resulting in a decrease in the amount of total open space previously approved. Ms. Stroud presented the approved PUD Master Plan and the proposed amendment. She noted that findings needed for the PUD include the following: that this proposal is or is not in conformance with the comprehensive plan policies; that the design and site planning (is) (is not) compatible with existing uses on adjacent properties; that the proposal (is) (is not) compatible with natural features of the site and adjoining properties; that the location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities and services; that the proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes; that off-street parking (does) (does not) provide parking sufficient for users of the development; that the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property. She noted that findings needed for the Subdivision include the following: that all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer; that the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable; that the proposed preliminary plat (does) or (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements; that the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

Ms. Stroud noted that there were several proposed conditions. Ms. Stroud reviewed the comprehensive plan policies, uses within the area, and physical characteristics of the site that are applicable. She reviewed the open space area as required. Additionally, the Planning Commission directed staff to work with the homeowners association (HOA), resolve the deficiencies in open space, and get them into PUD compliance. Staff has had discussions with John Magnuson, the HOA representative, and Cliff Mort, an owner of the property. The

Planning Commission has scheduled a workshop on February 9, 2016 to discuss the interpretation of open space.

**DISCUSSION:** Councilmember Gookin asked Ms. Stroud if it is staff's opinion that the overall PUD did not complete the open space requirement. Ms. Stroud clarified that there are approximately 3 acres that are undeveloped open space with only .5 acres as developed open space. Councilmember Gookin asked if approving the request would decrease open space throughout the PUD. Ms. Stroud explained that Condition #9, modification of the phasing plan stated that in Phase 4 the open space must be platted and constructed. If this was approved it would decrease the open space. Councilmember Gookin asked why this does not meet the Shoreline Ordinance regulations. Ms. Stroud explained that the PUD allowed for a modification to the ordinance to allow for construction within 35 feet of the shoreline. Councilmember McEvers summarized that the developer did not fulfill the requirements as they went along, and now they are trying to fix open space at the end of the PUD. Councilmember Evans asked what the normal enforcement mechanism is for code violations such as this situation. Deputy City Attorney Randy Adams stated that this is a continuing project, so a lot of development of open space deferred to closer to the end of development, to see what other buildings are built. If there is a violation of the PUD requirements, it is a code violation and can generally be dealt with through code enforcement. Ms. Stroud noted that the open space requirement is normally 10%; however, 18% was set forth in this PUD. Councilmember Edinger asked if they allowed this request would it be setting a precedent. Mr. Adams clarified that it would not be a binding precedent. The question would be should the decision the Planning Commission made for 18% open space continue today. However, others may bring up that same argument. Councilmember Miller asked if the PUD were at 10% would this situation be happening. Ms. Stroud noted that they would be closer to meeting the requirement. Councilmember Miller asked for clarification regarding who the responsible party is to get compliance for the entire PUD. Ms. Stroud explained that staff understands there have been several developers over the years that are not involved today, so they have expected Mr. Williams to work with the HOA to get adequate open space.

Mayor Widmyer called for public comments and the Clerk conducted the oath for each of those testifying.

**APPLICANT:** Applicant's representative Shawn Glen explained that the applicant wants to comply with open space requirements for the town homes. There is a difference between the platted open space and the improved open space. The applicant wants to subdivide the one lot to accommodate six units, rather than four. She explained that the land that Mr. Williams purchased would have over 30% dedicated to open space. She reviewed the open space that has been platted since 2005 and the approved phases and amendments that have occurred over time. She reviewed the riparian strip and noted that it is need for the boardwalk, as such should be included in open space. She believes that the platted open space; in addition to Mr. Williams's proposed open space, would equal 4.59 acres of open space that would exceed the PUD requirements. The disconnect lies in the fact that staff has interpreted open space as needing to be improved open space. However, she believes that the three previous phases are responsible for those requirements, not Mr. Williams. She reiterated that the city wants improved open space



and that there is already 4.5 acres platted, including the Centennial Trail. Additionally, Mr. Williams' parcel provides two public access points to the river.

**PUBLIC COMMENTS:**

John Williams noted that there has been a lot of discussion and debate regarding his request; however, he believes the most important point is that for 10 years the Planning Commission has accepted the open space as dedicated. Most recently, in 2014 the Bellerive 5<sup>th</sup> Addition was approved and open space was accepted. Now the issue is usability, with the question of does recreation need to be walkable and useable. He feels the Planning Commission is over reaching by trying to catch up after 10 years of development. The topography of the open space has not changed from the original geography of the site. He believes he should get credit for the Centennial Trail and the boardwalk. He reiterated that a third of his lot would be used for open space and public access, with a path without a lot of landscaping.

**APPLICANT REBUTTAL:** Ms. Glen noted that the Centennial Trail portion of the PUD is part of the open space and was platted as open space. She believes that if the public trail cannot be deemed a part of the open space it would deny dual usage. She felt it was inappropriate for the Council or staff to redefine open space later in February and retroactively apply it to Riverwalk Townhomes. Additionally, she said that the riparian strip is useable open space and not something that Riverwalk Townhome can be responsible for. Past open space issues should be dealt with by the HOA. Previous phases of the development had the opportunity with the City to decide what would be open space and what would not. Riverwalk Townhomes now has the burden of the only remaining space for open space.

Public testimony was closed.

**DISCUSSION CONT.:** Councilmember Evans asked the applicant for clarification regarding their references to the riparian strip. Ms. Glen explained that she would refer to that as the riparian strip, not Tract A. Ms. Stroud noted that the consistency in PUD's throughout the community is improved space, not weed patches. She clarified that it has been fully landscape and interpreted by legal staff that they could not include both the boardwalk and riparian area, as it is not useable space to the community. Councilmember McEvers asked why the Centennial Trail is not included in the open space. Ms. Stroud explained that the trail is a public trail not a part of the PUD open space. Councilmember McEvers asked what are the PUD changes that were requested and approved over the years. Ms. Stroud said that there were many changes such as different home types; however, most did not change the open space area such as this request does. Councilmember McEvers asked for clarification as to what it meant when the Planning Commission denied without prejudice. Mr. Adams clarified that the Planning Commission denied without prejudice so that they could seek an interpretation of open space, work with the HOA, and discuss how to resolve some issues to allow the development to go forward. He noted that there is a letter from the HOA indicating that they are not planning to take any further action to develop the open space and the Planning Commission will be working on interpretation at their meeting next week. Ms. Stroud explained that Mr. Williams contacted staff in 2014, at which time staff provided information regarding the open space needs and they have had a number of meetings with him to clarify the conditions and what the requirements were.

Councilmember Gookin questioned what the applicant could currently build by right. Ms. Stroud explained that the land would need to be re-platted before it can be developed, then the applicant could build two boardwalk homes and two carriage homes as depicted on the PUD. Councilmember Edinger clarified that the Planning Commission's motion to deny without prejudice indicates they are willing to look at this request again. Ms. Stroud clarified that the Planning Commission wanted staff to work with the HOA and to have the open space interpretation done. Councilmember Miller questioned if the open space had been improved rather than weeds, would there be any current issues. Ms. Stroud noted that it would depend if they had met the 18% requirement, and that the HOA could have come back at any time to request a decrease to 10%.

Councilmember Evans asked Ms. Glen if Mr. Williams was aware of what would be counted as open space, specifically that the riparian strip could not be included, before he purchased the property. Ms. Glen stated that it was new information that the riparian area could not be counted, as it was platted as open space.

The Mayor summarized that this comes down to an open space discrepancy and believes that the issue needs to be studied, which will include the Planning Commission meeting on February 9, 2016. He does not believe that there is enough information to make a determination on the open space at this time. Councilmember McEvers wants the development to be successful, but agrees that the City has to clarify open space. Additionally, he does not agree that there should be credit for the public trails. Councilmember Miller noted that it seems that the previous developers and homeowners did not do what they said they were going to do. She wondered what would be gained from making this an example of fixing a problem that previously existed. Councilmember Gookin noted that the community is interested in riverfront access and wants more access. He believes the City dropped the ball and feels like this is delaying the development.

**MOTION for PUD 1-04.4:** Motion by Edinger, seconded by Evans to deny without prejudice the Appeal of the Planning Commission Denial without prejudice of PUD 1-04.4 and refer the interpretation of open space to Planning Commission.

**ROLL CALL:** Evans Aye; Edinger Aye; Miller No; McEvers Aye; Gookin No. **Motion carried.**

**MOTION for S-6-15:** Motion by McEvers, seconded by Evan to deny without prejudice the Appeal of the Planning Commission Denial without prejudice of S-6-15.

**ROLL CALL:** Edinger Aye; Miller No; McEvers Aye; Gookin No; Evans Aye. **Motion carried.**

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

The meeting adjourned at 8:11 p.m.

ATTEST:

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Steve Widmyer, Mayor

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Renata McLeod, CMC,  
City Clerk