

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

**AGENDA**

**VISION STATEMENT**

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

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

**April 16, 2019**

**A. CALL TO ORDER/ROLL CALL**

**B. INVOCATION:** Pastor Kurt Wandrey with Peace Lutheran Church

**C. PLEDGE OF ALLEGIANCE**

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

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

**F. PRESENTATIONS:**

1. Fiscal Year 2017-2018 Audit Presentation

**Presented by: Toni Hackwith, Anderson Bro. CPA**

2. LTAC Certifications Presentation of Road Master and Road Scholar

**Presented by: Laila Kral, Deputy Administrator LHTAC**

## G. ANNOUNCEMENTS

1. City Council
2. Mayor

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

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

1. Approval of Council Minutes for the March 28, 2019 and April 2, 2019 Council Meetings.
2. Approval of Bills as Submitted.
3. Approval of Financial Report.
4. Setting of General Services and Public Works Committees meetings for Monday, April 22, 2019 at 12:00 noon and 4:00 p.m. respectively.
5. Approval of an Outdoor eating facility encroachment permit for 505 Sherman Avenue; Liveforblu Gallery Wine Bar, Cameron Howard-

**As Recommended by the City Clerk**

6. **Resolution No. 19-011** –
  - a. Approval of a Local Professional Services Agreement with the Idaho Department of Transportation and Precision Engineering, LLC.

**Pursuant to Council Action January 15, 2019**

- b. Declaration as surplus a MIOX Chlorine Generator from the Water Department  
**As Recommended by the Water Superintendent**

## I. OTHER BUSINESS:

1. **Resolution No. 19-012** - Agreement with School District 271 for School Resource Officers for the district's fiscal years 2019-2021.

**Staff Report by: Captain Dave Hagar**

## J. PUBLIC HEARINGS:

1. (Legislative) A-1-19: A proposed 4.6-acre annexation from County Commercial to R-17 zoning district; Location: 7725 N. Ramsey Road; Applicant: Ted Burnside

**Staff Report by: Tami Stroud, Associate Planner**

2. (Quasi-Judicial) ZC-1-19: A proposed zone change from R-3 to R-17; Location: 1781 W. Alps Street; Applicant: Tammi Kerr

**Staff Report by: Tami Stroud, Associate Planner**

3. (Quasi-Judicial) ZC-2-19: A proposed zone change from MH-8 to R-17; Location: 601 W. Neider Avenue; Applicant: Habitat for Humanity of North Idaho, Inc.

**Staff Report by: Sean Holm, Senior Planner**

**K. EXECUTIVE SESSION:** Pursuant to Idaho Code 74-206 (c) To acquire an interest in real property which is not owned by a public agency, and (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

**L. ADJOURN**

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



# Coeur d'Alene

## CITY COUNCIL MEETING

*April 16, 2019*

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**MEMBERS OF THE CITY COUNCIL:**

**Steve Widmyer, Mayor**

**Council Members Edinger, English, Evans, Gookin, McEvers, Miller**



# PRESENTATIONS

# Anderson

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## BROS. CPA's, P.A.

1810 E Schneidmiller Ave. Ste. 310  
Post Falls, Idaho 83854  
208-777-1099 (phone) 208-773-5108 (fax)

March 25, 2019

The Honorable Mayor of Coeur d'Alene  
and Members of the Coeur d'Alene City Council  
The City of Coeur d'Alene  
310 East Mullan Ave  
Coeur d'Alene, Idaho 83814

To the Honorable Mayor and City Council,

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Coeur d'Alene for the year ended September 30, 2018. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated August 20, 2018. Professional standards also require that we communicate to you the following information related to our audit.

### Significant Audit Findings

#### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Coeur d'Alene are described in Note 1 to the financial statements.

As described in Note 13 to the financial statements, the City of Coeur d'Alene adopted GASB No. 73, which had amendments to certain provisions of GASB 68. The main provisions were to clarify applications of No. GASB 68, Accounting and Financial Reporting for Pensions. This had no effect on the financial statements of the City and minimal effect on the footnotes of the City.

No other new accounting policies were adopted and the application of existing policies was not changed during the year ended September 30, 2018. We noted no transactions entered into by the City of Coeur d'Alene during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the Government-wide financial statements was:

Management's estimate of depreciation expense is based on estimated useful lives of the assets. We evaluated the key factors and assumptions used to develop the depreciation expense in determining that it is reasonable in relation to the financial statements taken as a whole.

Management's estimate of the collectability of receivables was evaluated for the key factors and assumptions used to develop this and we feel this estimate is reasonable in relation to the financial statements taken as a whole.

The estimate of the net pension liability is based on actuarial assumptions and other estimates. We reviewed the key factors and assumptions used by the actuaries and PERSI related to the calculation of the liability and believe they are reasonable in relation to the financial statements taken as a whole.

The estimate of the OPEB liability is based on actuarial assumptions and other estimates. We reviewed the key factors and assumptions used by the actuaries related to the calculation of the liability and believe they appear reasonable in relation to the financial statements taken as a whole.

The estimate of the Police Retirement liability is based on actuarial assumptions and other estimates. We reviewed the key factors and assumptions used by the actuaries related to the calculation of the liability and believe they appear reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

The disclosure of long-term debt in Note(s) 6 and 7 to the financial statements, as the City has over 52.2 million dollars in outstanding long-term liabilities.

The disclosures of pension plans in note 13 to the financial statements; this discloses the City's pension plans and any assets, deferred outflows, liabilities or deferred inflows related to these plans.

The disclosure of post-employment health plans in note 14; this discloses the City's liabilities related to other post-employment benefits.

The disclosure of the component unit of the City of Coeur d'Alene, ignite cda, in note 16.

The financial statement disclosures are neutral, consistent, and clear.

#### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Material adjustments were identified and made by management. Additionally, we proposed (3) material adjustments, relating to GASB 68, which management approved and posted.

#### *Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

#### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 25, 2019.

### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City of Coeur d'Alene's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City of Coeur d'Alene's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### Other Matters

We applied certain limited procedures to the management discussion and analysis; the schedules of revenues, expenditures, and changes in fund balances, budget and actual – general fund; the schedule of the City of Coeur d'Alene's share of net pension liability and pension contributions; the schedule of employer's contributions, schedule of funding progress, five year trend information and annual development of pension costs for the police retirement trust fund, and the schedule of funding progress for postemployment benefit plans be presented to supplement the basic financial statements, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on combining financial statements of the non-major funds, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

### Restriction on Use

This information is intended solely for the information and use of the Mayor and Council and management of the City of Coeur d'Alene and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,



Anderson Bros. CPA's, P.A.

# City of Coeur d'Alene

Financial Statement Audit  
September 30, 2018

Photo courtesy of:  
@kylevandeveer (Instagram)

## Basics of a Financial Statement Audit

- ▶ A financial statement audit is required by Idaho State statutes
- ▶ Primary purpose:
  - ▶ Assures that the financial statements, in all material respects, fairly state the financial position as of a certain date.
  - ▶ Statements conform with GAAP (generally accepted accounting principles) and Governmental GAAP

## City of Coeur d'Alene

Audit for the year ended September 30, 2018

- ▶ Independent Auditor's Report on Financial Statements - **Unmodified Opinion** (pages 1-3)
- ▶ Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards - **Unmodified Opinion** (pages 99-100)
- ▶ Independent Auditor's Report on Compliance for Each Major Program and on Internal Control Over Compliance in Required by the Uniform Guidance - **Unmodified Opinion** (pages 101-102)

## City of CDA Internal Controls

- ▶ Internal Control Testing in a Financial Statement Audit
  - ▶ Internal controls over financial reporting – Policies and procedures within the City that are designed to reasonably ensure compliance with the City's policies and procedures over financial reporting
  - ▶ Objective of testing internal controls in a Financial Statement Audit - Internal Control testing is performed in order to plan and perform our audit of the financial statements, in order to express our opinion on the financial statements
  - ▶ Testing of internal controls is not performed for the purpose of expressing an opinion on the effectiveness of the City's internal controls
  - ▶ No findings were noted as a result of our testing of the internal controls

**City of Coeur d'Alene, Idaho**

**SCHEDULE OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
GENERAL FUND**

For the Year Ended September 30, 2018

	<u>Final</u>	<u>Actual Amounts</u>	<u>Variance With Final Budget</u>
<b>REVENUES</b>			
Taxes	\$ 19,770,180	\$ 20,006,440	\$ 236,260
Licenses and permits	5,854,326	5,932,309	77,983
Intergovernmental	10,501,227	11,466,062	964,835
Charges for services	345,800	356,268	10,468
Fines and forfeits	409,400	310,254	(99,146)
Investment (loss) earnings	65,000	189,450	124,450
Miscellaneous	68,000	113,456	45,456
Total revenues	<u>37,013,933</u>	<u>38,374,239</u>	<u>1,360,306</u>

Overall revenues for the General Fund before transfers were \$1,360,306 over the final amended budget of \$37 million

**City of Coeur d'Alene, Idaho**

**SCHEDULE OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
GENERAL FUND**

For the Year Ended September 30, 2018

	<u>Final</u>	<u>Actual Amounts</u>	<u>Variance With Final Budget</u>
<b>EXPENDITURES</b>			
Current:			
General government	6,735,955	6,193,704	542,251
Public safety	23,666,830	23,537,051	129,779
Public works	5,422,879	5,383,904	38,975
Culture and recreation	2,797,080	2,744,340	52,740
Capital outlay	1,521,370	1,515,549	5,821
Debt service:			
Principal payments	-	40,850	(40,850)
Interest and fiscal agent fees	33,000	11,946	21,054
Total expenditures	<u>40,177,114</u>	<u>39,427,344</u>	<u>749,770</u>
(Deficiency) excess of revenues			
(under) over expenditures	<u>3,163,181</u>	<u>1,053,105</u>	<u>2,110,076</u>

Overall expenditures for the General Fund before transfers were \$749,770 under the final amended budget



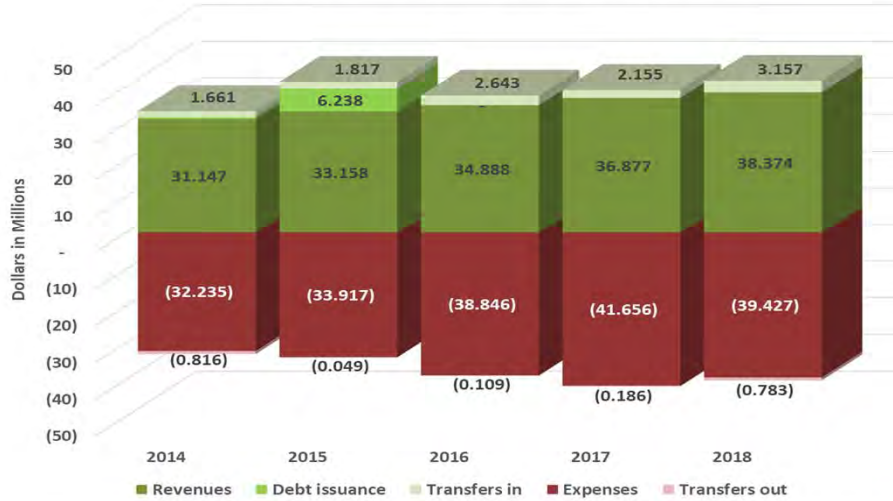
**City of Coeur d'Alene, Idaho**

**SCHEDULE OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
GENERAL FUND**

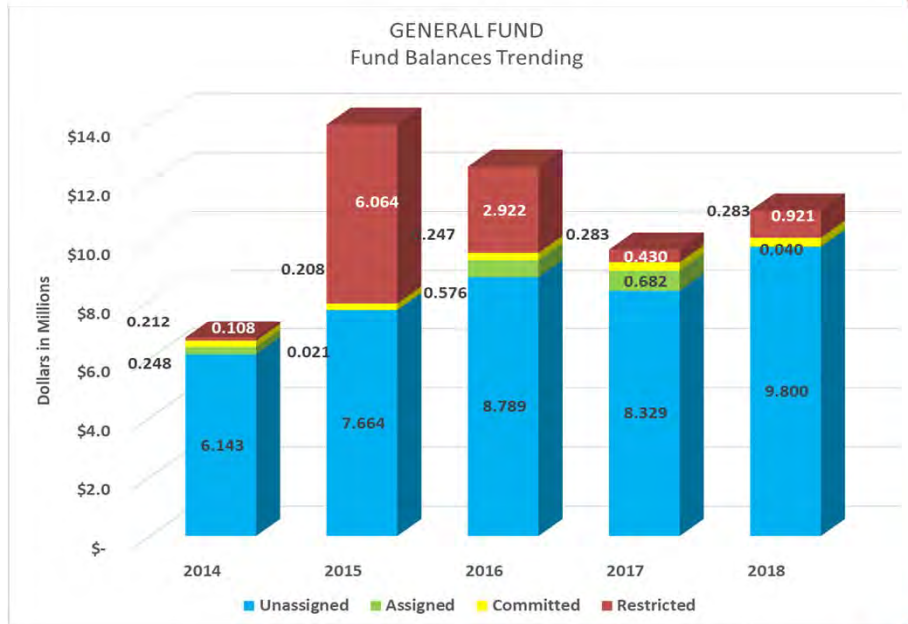
**For the Year Ended September 30, 2017**

	<u>Final Budget</u>	<u>Actual Amounts</u>	<u>Variance With Final Budget</u>
<b>OTHER FINANCING SOURCES (USES)</b>			
Operating transfers in	2,268,854	2,154,576	(114,278)
Operating transfers out	(93,925)	(185,748)	(91,823)
Total other financing sources (uses)	<u>2,174,929</u>	<u>1,968,828</u>	<u>(206,101)</u>
Net change in fund balances	(4,090,956)	(2,810,543)	1,280,413
Fund balances - beginning of year	4,090,956	12,533,639	8,442,683
Fund balances - end of year	<u>\$ -</u>	<u>\$ 9,723,096</u>	<u>\$ 9,723,096</u>

**GENERAL FUND**  
Revenues, Expenditures, Transfers, and Debt Proceeds



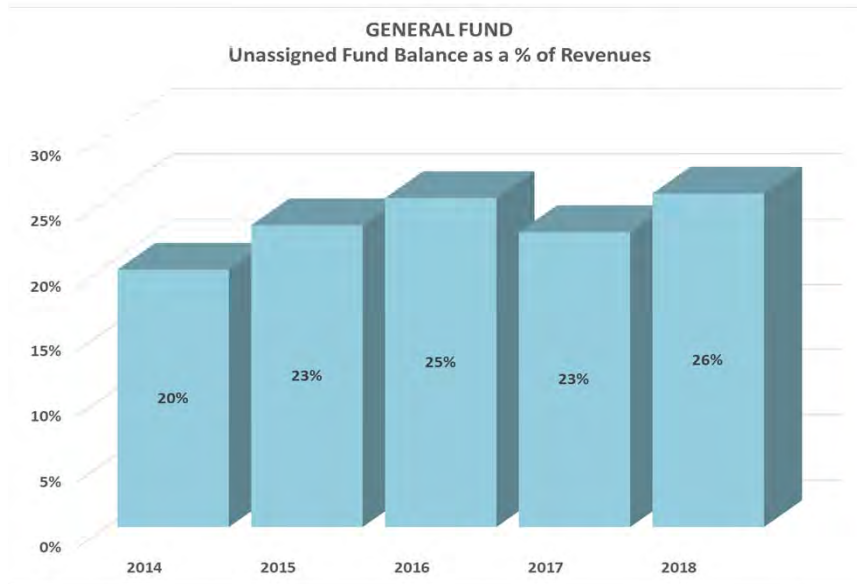


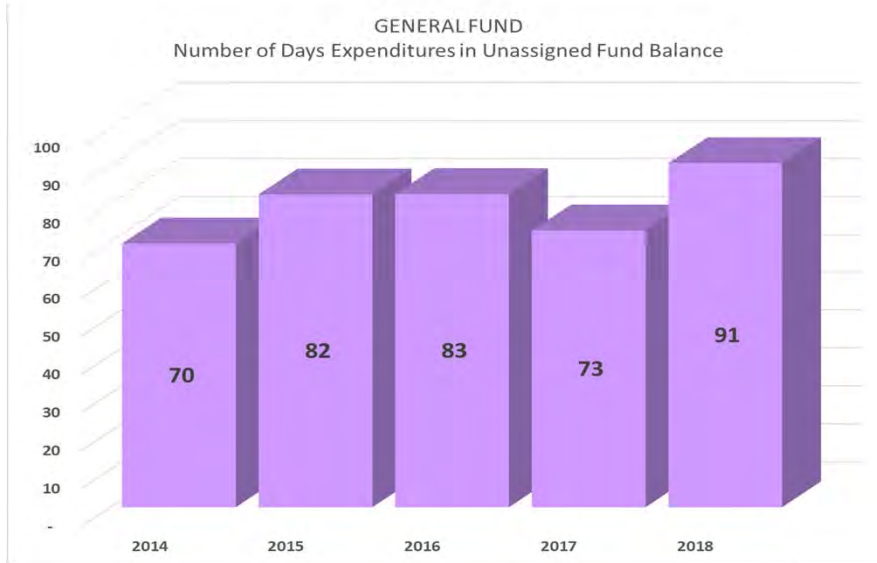


## City of Coeur d'Alene

- ▶ Why is a Fund Balance Important?
  - ▶ Revenue stream is not consistent month to month (property taxes received in July and January)
  - ▶ Provide prudent resources to meet unexpected emergencies (recessions) and protect against catastrophic events
  - ▶ Meet uncertainties of State and Federal funding
  - ▶ Protect the City from unnecessary borrowing
  - ▶ Help ensure a credit rating that would qualify the City for lower interest costs (in case of needed borrowing)

The Government Finance Officers Association recommends *at a minimum*, that governments, maintain an *unassigned fund balance* in their general fund of no less than *five to fifteen percent* of regular general fund operating revenues, or no less than *one to two months* of regular general fund operating expenditures.





## City of Coeur d'Alene

Audit for the year ended September 30, 2018

### ► Proprietary Funds - Financial Highlights:

- Every major proprietary fund increased its revenues from charges for services; Wastewater's increase was the most significant at \$776,801. The total change in service revenue across all proprietary funds was \$1,333,701, reflecting a 6.1% increase.
- Operating income across all Proprietary Funds was a net \$3.71 million; Wastewater had the highest operating income of \$2.16 million.



# Questions?

Photo courtesy of:  
@kylevandeveer (Instagram)

# ANNOUNCEMENTS

# CONSENT CALENDAR

MINUTES OF A CONTINUED MEETING OF THE  
COEUR D'ALENE CITY COUNCIL  
HELD IN THE LIBRARY COMMUNITY ROOM  
ON MARCH 28, 2019 AT 12:00 NOON

The City Council of the City of Coeur d'Alene met in continued session with ignite cda in the Library Community Room, at 12:00 NOON on March 28, 2019, there being present upon roll call a quorum.

Steve Widmyer, Mayor

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

James Chapkis ) Members of ignite cda Present  
Sarah Garcia )  
Mic Armon )  
Brad Jordan )  
Dan English )  
Steve Widmyer )  
Scott Hoskins ) Members of ignite cda Absent  
Alivia Metts )  
Brinnon Mandel )

**STAFF PRESENT:** Troy Tymesen, City Administrator; Mike Gridley, City Attorney; Amy Ferguson, Deputy City Clerk; Bill Greenwood, Parks & Recreation Director; Hilary Anderson, Community Planning Director; Terry Pickel, Water Superintendent; Tim Martin, Streets & Engineering Director; and Ted Lantzy, Building Official, Mike Willis, Asst. Water Superintendent; Vonnie Jensen, Comptroller; Tim Martin, Streets & Engineering Director; Craig Etherton, Fire Department.

**GUESTS PRESENT:** Tony Berns, Executor Director ignite cda; Danielle Quade, Legal Counsel ignite cda; Phil Boyd, Welch Comer Engineers

**CALL TO ORDER:** Mayor Widmyer called the meeting to order for the City Council. Mic Armon called the meeting to order for ignite cda.

**WORKSHOP: IGNITE CDA LAKE DISTRICT PROJECT FUNDING PRIORITIES**

Tony Berns, ignite cda Executive Director, and Phil Boyd, Welch Comer Engineers, presented a review of potential projects in the Lake District. Mr. Berns noted that there are only about three years left in the district. He said that he would be talking about projects that have been identified



throughout the district that are opportunities for potential funding. Funding estimates are low-end cost estimates and some of the items discussed do not have funding estimates. Potential projects include: a Midtown IRA for additional Midtown Ventures project elements, additional Midtown Parking, a Union Pacific IRA for potential development, a Performing Arts Center, LaCrosse Phase 1 road extension, LaCrosse Phase 2, CDA Avenue street improvements from 2<sup>nd</sup> to 5<sup>th</sup>, Sherman Avenue Pocket Park, Atlas Park Priority 1, Atlas Park Priority 2, Atlas Priority 3, BNSF Right of Way West of Beebe, University of Idaho Technology Center, Lacrosse Four Corner Master Plan elements including Park Parking Lot, Picnic Shelter, Site Rehabilitation, Gravel Walking Paths, and Spokane River Picnic Shelter.

Mr. Berns reviewed ignite cda's potential project evaluation criteria, including economic value (whether the project generates tax increment and stimulates private investment), community value, whether the project is part of an existing plan, cost, time to completion, and if there are other criteria to consider.

Mr. Berns reviewed the projects that have been prioritized by the Parks & Recreation Commission in their Four Corners Master Plan, which include the Lacrosse Park Parking Lot, Lacrosse Park Restroom and Picnic Shelter, Lacrosse Site Remediation, Gravel Walking Path (BLM Parcel), and Spokane River Picnic Shelter (BLM Parcel). He commented that if they do all the projects, the low estimate is \$8.7 million dollars and the high is \$10 million dollars. The Lake District's funding capacity is about \$7.4 million dollars, which excludes the Young Avenue property. If funds from the sale of the Young Avenue property were to be included, the district would have about \$8.15 million in funding capacity.

Mr. Berns explained the Young Avenue property and said that the property was originally earmarked for McEuen Park or City Hall campus expansion, but since that did not happen, the board wanted to divest of the property and use the funds in other areas of the district, and to put the property back on the tax roll. Mr. Berns said that the Tubbs Hill Foundation wants the property to remain a permanent public space and wants the district to give the property to the city for the long-time use of the citizens.

Councilmember Gookin asked why the Young Avenue property was an issue as he thought the council had already decided that it was going to go back to the city. Mayor Widmyer clarified that it has been talked about but no final decision has been made. The city council has indicated that it is their preference, but the property is still an ignite asset.

In regard to the University of Idaho Technology Center, Mr. Berns explained that the University of Idaho is planning on investing \$12 million into the community and are looking at properties within the Coeur d'Alene area – mainly in the Lake District. The question is whether the ignite board should consider it as a placeholder for funding to help jump start the project.

In regard to the Performing Arts Center, Mr. Berns said that where it will land, or whether it should land, is up for debate. The ignite board needs to know if it is a priority for the Lake District.

Mayor Widmyer said that legislation passed yesterday that affects urban renewal's ability to invest in public buildings in the future. Ms. Quade said that the idea is there would need to be a public vote if more than 50% of the total project cost came from public funds. The good thing in the revised version is that the definition of public building has been narrowed. It is questionable whether or not a performing arts building would be included in that definition. She cautioned that they have to be careful about using workarounds for the legislation, which will drive it back to the legislature for a subsequent bill. She noted that she thinks there is still some potential for funding of a public arts-type of building.

Councilmember Gookin commented that all they are talking about is a public vote, so that when you reach the threshold the public gets to vote. He noted that he is always in favor of the public voting.

Councilmember McEvers asked if the new legislation applies to the NIC building. Ms. Quade said that the effective date of the bill is July 1<sup>st</sup>, and the contract has already been signed for the NIC building. She commented that the building would probably fall into the category of being funded more than 50% by public entities, but then the question is, is it a public building?

Councilmember English said that he read that there is a special exception for parking structures. Ms. Quade said that infrastructure is also safe without a vote.

Mayor Widmyer asked how the million dollar exclusion works. Ms. Quade said that there was some discussion about that on the senate floor, thinking that it modified only the remodel provision. She didn't hear the discussion, but when she read the bill "cold," she assumed it modified both. That is something that will have to be sorted through and a call made at some point. She noted that she thinks that the change in the definition of public building saves them on things like public restrooms, and that ancillary buildings will probably fall outside of the change.

Mr. Berns noted that one of the items that still needs clarification in the legislation is the treatment of outdoor amphitheaters. Mayor Widmyer said that there is going to have to be a lot of study done on the new legislation for the exact meaning as there is still some gray area.

Mr. Armon asked about the Memorial Park Grandstand issue. Ms. Quade said that the legislation's effective date is July. If it is under contract before July 1, she thinks that the City will be okay on that project.

Mr. Jordan asked about the \$12 million University of Idaho project and if that was public money. Ms. Quade said that yes, it would be considered public money. The University of Idaho could build on their own, but a public vote would be required if there is a partnership with urban renewal. There could be no urban renewal participation without a public vote if the total public funds are over 50%.

In regard to the Beebe Avenue property, Mr. Berns said the plan would be to make improvements from Riverstone to the west going to Atlas. The question is whether they should divest all or a portion of the railroad right-of-way to interested buyers to help fund some of the

projects. Another thought is that, based on the information to date, it looks like the Centennial Trail may be realigned across Beebe and will pop back up to the Prairie Trail. Should the agency retain some of the railroad property and combine it with some of the city's property to make a developable parcel for potential funding for projects.

In regard to the BLM Four Corners corridor, Mr. Boyd said that they reviewed the projects that were defined during the community outreach, and asked if those carry more weight when ignite cda and the council are considering which projects to move forward with. They were asked by the Mayor and the Parks & Recreation Commission to prioritize projects in the Lake District. The Parks & Recreation Commission had a good discussion and created a priority list. Lacrosse is broken into two phases. The first phase is the intersection and putting in signal bases and conduit. The poles and the signal itself would not be installed. They could also extend the road out to the parking lot and dead end at the gate, for emergency use by the fire department. The 2<sup>nd</sup> phase would probably be triggered by some sort of development to the west. In regard to the parking lot, they would put the "bones" in of the parking lot and the base to make it usable and maintainable. They would put in half of a parking lot, and go in and remediate the site, removing the rocks, putting in topsoil, and dryland grass. It would be able to be maintained and sprayed for weeds, etc. The improvements would make it a more enjoyable place to be, with a picnic shelter and restroom in there. The Spokane River picnic shelter, with no restrooms, and the gravel walking path, also makes the space more usable. Those projects were presented to the Parks & Recreation commission.

Mr. Boyd reviewed the Parks and Recreation Commission priority list and noted that the commission had a really thoughtful discussion about prioritizing and utilized three criteria: (1) if it can be done now and is cost effective, it would be priority #1, (2) if it is something that can be funded now or built for the same price, it would be priority #2, and (3) if they liked it but thought there was still more information needed, it was priority #3.

The dollars required for Priority #1 items is \$4.58 million. Dollars require to include Priority #2 items is \$5.25 million.

Councilmember McEvers asked for clarification on the Lacrosse projects. Mr. Boyd said that the \$890,000 estimate is to put the bases in for the intersection, and then reconstructing Lacrosse so that it is a brand new road from Northwest Boulevard. Lacrosse connects to Bellerive, but there is a fire gate there that wouldn't allow routine access for the general public. Mr. Boyd noted that the city doesn't have right-of-way that extends all the way to Lakewood. You couldn't actually construct Lacrosse all the way to Riverstone until private development occurs.

Mr. Jordan asked why Lacrosse is so important to do right now when they are trying to prioritize, and asked if funding couldn't come out of some other street funds in the future. Mr. Boyd said that if you don't build the road, you can't get to that part of the property. They probably wouldn't build a parking lot, and it might not make sense to put in a restroom.

Mr. Berns said that the project is catalytic in nature, in that if they can put some money in to set the stage and put some "bones" in the ground, then private investment in that area might really

kick in. The question is, does the agency want to partner with the city to spread the wealth around in regard to geography. Mr. Boyd commented that it isn't a space issue – it's an ownership issue. The city has a dedicated right-of-way but none of those ownerships touch another public street, so they have nowhere to connect it to.

Mr. Etherton commented that another consideration in regard to Lacrosse is the construction along Bellerive Avenue. He noted that the way the fire code reads, once there are 30 homes built in any subdivision, they have to have a secondary access. For reasons that happened long ago, somehow the city has allowed building of more than 30 units along that road without secondary egress out, so the Lacrosse connection falls into play with them getting back on track again in regard to the requirements of the fire code. It is important to the fire department to get themselves back up to the standard.

Councilmember McEvers said that the big push has been getting people out of Riverstone – two ways in and two ways out. This would be a third way in and a third way out.

Councilmember Gookin asked if there have been any overtures to the people who own that private street about opening it up. Ms. Anderson said that they have indicated that they don't want it to be a through connection, even though the original PUD requires that it be. Councilmember Gookin asked why the city wasn't enforcing an egress if the original PUD requires it, and suggested that the city enforce its own code.

Mayor Widmyer said that according to the PUD there needs to be a second egress and there shouldn't be a gate there. Councilmember Gookin commented that people are using the road already. Councilmember Miller questioned how the neighborhood can just say that they don't want it, when the PUD says that it should be there. Ms. Anderson said that staff and legal looked at the original PUD and they were supposed to have connections at Lakewood and Bellerive. Lakewood was removed through a PUD amendment.

Mr. Jordan commented that when all this was done in the early 2000's, Marshall Chesrown went under and everything developed other than what was envisioned. He thinks the neighbors were trying to keep their streets low traffic. Mayor Widmyer said that council will need to weigh in on a direction to go, and it seems that the direction is already in the PUD and the council would like to move forward with what is in the PUD.

Councilmember Miller said that she thought that there was some potential in the future to connect the right-of-way to Lakewood. Councilmember Gookin asked who owns the property. Mr. Boyd said that Union Pacific owns the piece on the north side. If the city acquired right-of-way, they could make a connection through the city's right-of-way to Lakewood.

Mr. Gridley said that they have had discussions with Dennis Cunningham and he is trying to work out some title issues. One of the issues is access and what is the most rational and efficient way to build a road – and how do all of those pieces and moving parts move together. He is working with Union Pacific to try and reduce the price based on the fact that the city does have easement along there.

Mayor Widmyer said that it seems that the council would like a complete project there – not just putting in the lights and connection to the park, but for the city to explore the complete connection. Councilmember Miller said that she thinks it is a priority item but she thinks that the original PUD enforcement is sort of a quick fix for traffic. Pursuing Lacrosse all the way to Lakewood would be a higher priority.

Mr. Berns asked the council members for their ideas regarding priorities.

Councilmember Miller said that there are two areas she is concerned about. One is the Atlas to Beebe piece, in that she thinks that it doesn't make sense to walk away from the funding and leave that a gravel weed lot. She is also concerned about the piece that borders Tilford on the Centennial Trail and noted that some extensive plans have been brought up by the Centennial Trail Foundation that don't match the proposal at all, and could also affect the BLM corridor. She thinks that those plans need to be put into the mix as well.

Mr. Greenwood said that he has never seen the Centennial Trail plan, and only recently discovered it on a website that he found. They had previously proposed some of the development and the Centennial Trail Foundation and the Ped/Bike Committee shot it down and didn't want anything in there other than a green belt. The plan that he saw was much more extensive than a greenbelt, and includes a plaza, trees, rerouting of the trail, etc., and Mr. Greenwood commented that it is an interesting development to come forward at this stage in the planning process. Councilmember Miller said that it is new information, but it is very extensive, and she thinks that they would be unwise to prioritize and confirm the priority list unless they have all of the other potential projects involved. Mr. Greenwood said that the Parks & Recreation Commission and the council were very clear about putting a bigger "frosting" on the Atlas piece. If there is a private funding source and some grants and they can look at it in the future, they can certainly talk about it.

Mayor Widmyer said that a lot of the proposed projects have gone through the entire process. He is not discounting the green belt idea, but there is a project that is moving forward and it probably needs to go through the system. Mr. Greenwood said that nothing being done would preclude anything being done in the future and that it is certainly still on the table, but the items before the council today have all gone through the system and the folks that are doing the work are looking for some priorities from the council on the direction to go.

Mr. Berns said that the council's recommendations would be taken back to the ignite board for consideration for their planning for the next few years. They won't get everything done next year, but if they get a sense of priorities, they can start taking "bites out of the elephant" and get it going. He noted that they have to have all of their funds spent by September of 2022, and have to identify, plan and process the funds spent.

Mr. Berns asked if there was any energy around the Coeur d'Alene Avenue greenscaping element. Councilmember McEvers asked why they would do that. Mr. Berns said that it was done for Front and Lakeside. Mayor Widmyer said that it would probably be a low priority.

Councilmember Gookin said that there were a couple of items that he wrote down as low priorities. One is the Performing Arts Center as it is pretty much too late to undertake a project of that magnitude in the Lake District. In regard to the University of Idaho project, he commented that he doesn't know enough about it, and because it is new and the date of completion is 2025, it would also be a low priority to him. The Coeur d'Alene Avenue project would probably also be a low priority.

Mayor Widmeyer said that the pocket park is privately owned and the owners have not indicated that they are going to sell it to anyone else, or to the city, so it may be difficult to prioritize something that may never materialize. The owners at this point are not motivated to do anything. As things move forward in Midtown, they will probably have to take a look as there could be some more expended in midtown, including possibly some things coming forward to enhance the parking situation. They are working through that process, and don't have a dollar figure at this time. The mayor commented that he thinks Midtown needs to be finalized and completed, and there is some priority to having a finished project.

Councilmember Gookin said that in regard to expanding, resurfacing and lighting of the parking in Midtown, there is also an opportunity for signage that could go through the Arts Commission as an art project. Having the Midtown parking signs as art would be a way to fund it through the Arts budget without having to use ignite funding.

Councilmember McEvers said he would like to see urban renewal finish the intersections that were built that didn't work out so great, and would also like to see the sidewalks corrected. Once urban renewal is gone, the taxpayers will be picking up the dollars on the maintenance, so he would like to see it built to a higher standard.

In regard to the right-of-way on Beebe, Councilmember McEvers asked if there is more than one trail there right now. Mayor Widmyer said that the proposal is that they would gradually go up to meet the Centennial Trail at some point. Mr. Boyd said that this was not actually budgeted and the background is that the Parks & Recreation Commission said that they have a perfectly good trail and why tear it up? It would create an opportunity to put in green space, or the potential for parking in the future. The idea about moving the trail to the lower bench would set Parks up for the future for building a parking lot. The collaboration between ignite and the city could potentially create a salable piece of property.

Mayor Widmyer said that he believes there was talk about a road connection on the lower bench and that idea was thrown out. Mr. Boyd said they vetted a whole series of options with the Parks & Recreation Commission and went through the scenarios of bringing roads through, and on each one of those iterations, the Parks & Recreation Commission said that it just doesn't feel right. Mr. Greenwood said that they also presented to the Centennial Trail Foundation and the Parks Foundation and they also weren't in favor. Mayor Widmyer said that the Parks & Recreation Commission viewpoint is that they were focused on Atlas Park. They wanted to make a complete project and put in as many resources as possible. Then, after some more conversations, they agreed that there should be some investment in Lacrosse. Both investments spur some economic development, which is what urban renewal money is for.

Councilmember Miller said that she feels that the Atlas piece needs to be addressed before they move on. Councilmember Gookin agreed.

Mr. Boyd said that one of the things that has been sitting in the back of his mind is would the council entertain a developable piece of property off of Beebe. If you were to move the trail and use the BNSF right of way, that is an investment that ignite would make but it gives opportunity for a future parking lot and setting the stage for a salable piece of property off of Beebe Boulevard. That is one of the things that ignite keeps in the back of their mind. Mayor Widmyer said that the BNSF trail could be something as simple as creating a gravel walking path, which would be a minimum amount of investment that doesn't preclude doing something in the future.

Mr. Berns summarized that Midtown is a medium plus priority for the council, the UP Development IRA and Performing Arts Center are low priority. Lacrosse Phases 1 and 2 are high priority.

Coeur d'Alene Avenue 2<sup>nd</sup> to 5<sup>th</sup> is low priority. The downtown greenspace is a low priority. The Atlas Park items are all high priority. The BNSF Right-of-Way west of Beebe is a medium plus priority. The University of Idaho Technology Center is low priority. The Lacrosse Park Parking Lot, Restroom, site remediation, gravel walking path, and Spokane River Picnic Shelter are all high priority.

Mr. Jordan said that, in regard to the Coeur d'Alene Avenue project, there was always a hope to expand the downtown core and it has really come to light with the parking garage. He can understand it being a low priority, but the property owners are willing to do an LID as a match and are asking to upgrade the sidewalks and lighting. He thinks it would be something that is important to do and asked the council to keep it in mind. Mayor Widmyer said that it is not a priority for him. Councilmember McEvers said that if the property owners are willing to do an LID, that says a lot. His suggestion would be to not do pavers and colored concrete and not get too fancy because it comes around too fast for fixing and he doesn't think it is fair. Mr. Jordan said that he doesn't think that Lakeside and Sherman turned out too bad, and if anyone wants to talk to him sometime, he will explain why they painted the sidewalks in Midtown. Councilmember English said that he would recommend keeping the priority somewhere between medium and high as there is a lot of interest up there and they are right at the cusp of downtown.

Mayor Widmyer asked if there was a difference between painted concrete and colored concrete. Mr. Boyd said that colored concrete is more expensive. Mr. Jordan said that the intersection at Lakewood and Northwest Boulevard going into Riverstone is colored concrete and it has really held. He noted that a lot of downtowns have used colored concrete and explained that what was supposed to happen in midtown was stained concrete. A decision was made at a Public Works Committee for more of an epoxy paint, which was not the right application for how it was used.

Mayor Widmyer said that the connection from Lacrosse is an important issue and needs to be pursued, along with a connection into Riverstone and the gravel trail. Councilmember Miller said that she thinks it is important take a look at working with other entities and other groups who want to come forward with funding and plans.

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

The meeting adjourned at 1:17 p.m.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Amy C. Ferguson  
Deputy City Clerk

Draft



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

April 2, 2019

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, April 2, 2019 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor  
Carson Anderson, Honorary Mayor

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

**CALL TO ORDER:** Honorary Mayor Carson Anderson called the meeting to order.

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

**Proclamation declaring the Month of April as Fair Housing Month** – Mayor Widmyer proclaimed the Month of April as Fair Housing Month and read the Proclamation. Community Planning Director Hilary Anderson accepted the proclamation. She noted that the City is co-sponsoring fair housing training in Spokane, WA. on April 11, 2019. More fair housing information is available on the city's website under the "Residents" tab.

**Proclamation declaring the Week of April 8-12 as Week of the Young Child** - Mayor Widmyer proclaimed the Week of April 8-12 as the Week of the Young Child and read the Proclamation. Program Coordinator with Panhandle Health District and Childcare Commission member Samantha Tuskan accepted the proclamation. She thanked the City on behalf of the Childcare Commission as education in the early years lays the foundation for school readiness.

**COUNCIL ANNOUNCEMENTS:**

Councilmember Miller reminded the community that the City is hosting a free Coeur d'Green compost weekend April 20-22, 2019 at 3500 N. Julia Street.

Councilmember Evans noted that there are vacancies on the Arts Commission and any interested person may apply on-line the city website at: [www.cdavid.org/volunteer](http://www.cdavid.org/volunteer).

Mayor Widmyer thanked Carson Anderson and his mother for his outstanding job as honorary Mayor and encouraged him to run for the office of Mayor after college.

**CONSENT CALENDAR: Motion** by McEvers, seconded by Miller, to approve the Consent Calendar.

1. Approval of Council Minutes for the March 15, and March 19, 2019 Council Meetings.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for Monday, April 8, 2019 at 12:00 noon and 4:00 p.m. respectively.

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

### **RESOLUTION NO. 19-010**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING A MIDTOWN PILOT PROJECT FOR CERTAIN PERMITTED RESIDENTIAL PARKING ONLY AREAS.

**STAFF REPORT:** Community Planning Director Hilary Anderson noted that the parking study conducted in September of 2018 by Rich and Associates noted the core area of Midtown to include the area within Boise Avenue to Reid Avenue, including Montana and Roosevelt Avenues. Some of the recommended parking solutions included improved public parking lots and the creation of a residential parking zone. Staff has created a pilot residential parking program, for a term of 12 months, within the core area to include 66% participation required per block, and a \$30.00 per year permit (for two tags). Ms. Anderson noted that many meetings have been held with the residents and business owners. The core area residents are supportive of the pilot project; however, the business owners and residents on 5<sup>th</sup> Street have expressed concern with the proposal. She noted that enforcement would be done thorough the Police Department based on priority needs, as private enforcement would be very cost prohibitive. Ms. Anderson noted that staff would provide a status update to the Council in six months.

Ms. Anderson outlined additional recommendations for the area to include remove the hours (11 p.m. - 6 a.m.) from ignite cda's (ignite) parking signs; however, overnight parking will still be prohibited. Staff is working with ignite to fund and install Rectangular Rapid Flashing Beacons (RRFBs) at the 4th/Roosevelt and 4th/Montana crosswalks. They have encouraged Midtown stakeholders to form an Association for future coordination and communication. Staff is looking at the potential to install parking lot signage, additional speed limit signs on 4th Street, and having the public parking signs lit for better visibility. Staff continues to look for ways to acquire additional property to expand the Midtown 3rd Street Public Parking Lot. Ms. Anderson noted that she and Mr. Tymesen have met with Trinity Lutheran Church regarding possible shared parking opportunities. She noted that ignite has made a decision on the Midtown development proposal that will include additional parking. The Streets Department will install lights in the 3rd Street and 4th Street public parking lots and will move forward with further discussions regarding the implementation of a Loading Zone on 4th Street. Based on the feedback from the stakeholder meeting held on March 29, 2019, the majority wanted to create an association.

**DISCUSSION:** Councilmember English asked for clarification regarding the 66% participation requirement. Ms. Anderson noted that one block has two property owners and both would need to participate. The other two streets have three property owners, which means two would need to participate. Councilmember McEvers asked if the City has a cost estimate for the projects. Ms. Anderson noted that Streets Superintendent Tim Martin has been repurposing street lights and they will be working with ignite to purchase new lights and the flashing beacons and parking lot improvements. However, she noted that she is not sure of costs associated with signage. Mayor Widmyer noted that ignite has heard that there would be some cost sharing and some funds will come from the City's Parking Fund. Councilmember Miller noted that she attended the stakeholder meeting and felt there was a good cross-representation of people from the residential and commercial zones. She noted that two important items were that this is a unique set of roads for the pilot project as it does not include the entire neighborhood, so it will be interesting to navigate. Secondly, she heard that there is potential for a paved alley and felt that would help a lot of businesses.

**MOTION:** Motion by Miller, seconded by Edinger to approve **Resolution No. 19-010**, Establishing a Pilot Project for Residential Parking-Only Permits in certain blocks in Midtown.

**DISCUSSION CONTINUED:** Councilmember Gookin thanked Ms. Anderson for working on this and cautioned the neighbors that enforcement will be an issue as the Police will be busy with other calls and not always able to address a parking issue. Councilmember English said that he would support the proposal as it is a pilot project and he looks forward to the 6-month update.

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

**MOTION:** Motion by Evans, seconded by Miller to enter into Executive Session pursuant to Idaho Code 74-206 ((b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student; and (c) To acquire an interest in real property which is not owned by a public agency.

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

The City Council entered into Executive Session at 6:26 p.m. Those present were the Mayor, City Council, City Administrator, City Clerk, and City Attorney. Council returned to regular session at 7:14 p.m.

**MOTION:** Motion by Gookin, seconded by English to accept the decision of the Personnel Appeals Board made on March 29, 2019. **Motion Carried.**

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

The meeting adjourned at 7:15 p.m.

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Steve Widmyer, Mayor

ATTEST:

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Renata McLeod, CMC, City Clerk

Draft

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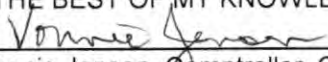
APR 08 2019

CITY CLERK

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

FUND	BALANCE 2/28/2019	RECEIPTS	DISBURSE- MENTS	BALANCE 3/31/2019
<u>General-Designated</u>	\$1,745,319	\$106,471	\$5,397	\$1,846,393
<u>General-Undesignated</u>	13,811,641	3,203,710	5,135,621	11,879,730
<u>Special Revenue:</u>				
Library	490,793	15,039	127,429	378,403
CDBG	8,554	11,674	13,460	6,768
Cemetery	37,965	34,880	17,818	55,027
Parks Capital Improvements	944,942	163,318	59,080	1,049,180
Impact Fees	3,266,514	91,694		3,358,208
Annexation Fees	19,362	42		19,404
Cemetery P/C	1,470,819	5,895	2,295	1,474,419
Jewett House	35,034	1,035	383	35,686
Reforestation	26,679	58		26,737
Street Trees	195,744	10,622	2,050	204,316
Community Canopy	2,967	506	308	3,165
Public Art Fund	52,331	15,113	15,050	52,394
Public Art Fund - ignite	629,302	1,356	40,036	590,622
Public Art Fund - Maintenance	99,072	213	1,616	97,669
<u>Debt Service:</u>				
2015 G.O. Bonds	517,799	5,145		522,944
<u>Capital Projects:</u>				
Street Projects	389,337	496	775	389,058
Atlas Waterfront Project	(159,136)	18,665		(140,471)
<u>Enterprise:</u>				
Street Lights	249	48,118	52,864	(4,497)
Water	3,449,499	326,466	479,594	3,296,371
Water Capitalization Fees	6,867,622	133,689		7,001,311
Wastewater	9,232,247	1,801,362	1,202,965	9,830,644
Wastewater-Reserved	1,151,352	27,500		1,178,852
WWTP Capitalization Fees	1,584,098	177,231		1,761,329
WW Property Mgmt	60,668			60,668
Sanitation	1,447,782	373,732	323,488	1,498,026
Public Parking	342,237	29,894	81,872	290,259
Drainage	1,094,614	97,968	50,119	1,142,463
Wastewater Debt Service	1,049,947	2,262		1,052,209
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	283,237	228,479	283,237	228,479
LID Advance Payments	-			-
Police Retirement	1,015,193	14,614	14,604	1,015,203
Sales Tax	2,167	2,712	2,167	2,712
BID	236,702	5,531		242,233
Homeless Trust Fund	472	427	472	427
<b>GRAND TOTAL</b>	<b>\$51,403,123</b>	<b>\$6,955,917</b>	<b>\$7,912,700</b>	<b>\$50,446,341</b>

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

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



CITY OF COEUR D'ALENE  
 BUDGET STATUS REPORT  
 SIX MONTHS ENDED  
 March 31, 2019

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APR 08 2019

CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 3/31/2019	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$253,438	\$118,750	47%
	Services/Supplies	11,400	2,816	25%
Administration	Personnel Services	299,969	98,842	33%
	Services/Supplies	20,200	602	3%
Finance	Personnel Services	683,971	325,236	48%
	Services/Supplies	498,800	256,783	51%
Municipal Services	Personnel Services	1,236,651	621,102	50%
	Services/Supplies	644,479	368,629	57%
	Capital Outlay		16,650	
Human Resources	Personnel Services	312,985	136,970	44%
	Services/Supplies	74,125	29,109	39%
Legal	Personnel Services	1,178,684	584,589	50%
	Services/Supplies	53,253	17,567	33%
Planning	Personnel Services	594,382	290,717	49%
	Services/Supplies	133,600	40,261	30%
	Capital Outlay			
Building Maintenance	Personnel Services	378,357	166,045	44%
	Services/Supplies	157,475	55,040	35%
	Capital Outlay	17,000	10,410	
Police	Personnel Services	13,247,773	6,472,975	49%
	Services/Supplies	1,309,691	625,626	48%
	Capital Outlay			
Fire	Personnel Services	9,439,387	4,706,724	50%
	Services/Supplies	607,909	248,734	41%
	Capital Outlay		17,151	
General Government	Services/Supplies	86,850	85,897	99%
	Capital Outlay		29,521	
Police Grants	Personnel Services	115,292	28,447	25%
CdA Drug Task Force	Services/Supplies	40,000		
	Capital Outlay	60,000		
Streets	Personnel Services	2,990,394	1,519,646	51%
	Services/Supplies	1,694,650	639,059	38%
	Capital Outlay	241,500	651,717	270%
Parks	Personnel Services	1,553,223	626,318	40%
	Services/Supplies	583,350	163,121	28%
	Capital Outlay	165,000	81,636	49%

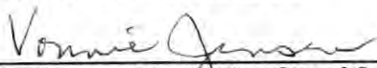
CITY OF COEUR D'ALENE  
 BUDGET STATUS REPORT  
 SIX MONTHS ENDED  
 March 31, 2019

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 3/31/2019	PERCENT EXPENDED
Recreation	Personnel Services	550,643	260,403	47%
	Services/Supplies	191,780	45,115	24%
	Capital Outlay	20,000	17,950	90%
Building Inspection	Personnel Services	886,775	405,256	46%
	Services/Supplies	39,410	11,608	29%
	Capital Outlay	33,935	32,797	97%
Total General Fund		<u>40,406,331</u>	<u>19,809,819</u>	<u>49%</u>
Library	Personnel Services	1,322,388	660,146	50%
	Services/Supplies	222,000	112,502	51%
	Capital Outlay	180,000	61,309	34%
CDBG	Services/Supplies	408,854	71,797	18%
Cemetery	Personnel Services	202,455	76,199	38%
	Services/Supplies	102,500	31,592	31%
	Capital Outlay	85,000	39,085	
Impact Fees	Services/Supplies	521,500	5,228	1%
Annexation Fees	Services/Supplies	286,000	286,000	100%
Parks Capital Improvements	Capital Outlay	131,500	154,593	118%
Cemetery Perpetual Care	Services/Supplies	207,000	71,212	34%
Jewett House	Services/Supplies	30,955	3,885	13%
Reforestation	Services/Supplies	8,000	4,099	51%
Street Trees	Services/Supplies	100,000	26,858	27%
Community Canopy	Services/Supplies	2,000	661	33%
Public Art Fund	Services/Supplies	348,500	84,385	24%
		<u>4,158,652</u>	<u>1,689,551</u>	<u>41%</u>
Debt Service Fund		<u>876,931</u>	<u>58,114</u>	<u>7%</u>

CITY OF COEUR D'ALENE  
BUDGET STATUS REPORT  
SIX MONTHS ENDED  
March 31, 2019

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 3/31/2019	PERCENT EXPENDED
Seltice Way	Capital Outlay		34,140	
Seltice Way Sidewalks	Capital Outlay	72,000	3,500	5%
Traffic Calming	Capital Outlay	40,000	135	0%
Govt Way - Hanley to Prairie	Capital Outlay		195,536	
US 95 Upgrade	Capital Outlay			
Kathleen Avenue Widening	Capital Outlay	195,000		
Margaret Avenue	Capital Outlay			
4th and Dalton	Capital Outlay	50,000		
US 95 Upgrade	Capital Outlay	195,000		
15th Street	Capital Outlay	25,000	1,153	5%
Ironwood	Capital Outlay			
Downtown Signal Imprvmnts	Capital Outlay	154,000	2,000	
Atlas Waterfront Project	Capital Outlay		85,159	
		<u>731,000</u>	<u>321,623</u>	<u>44%</u>
Street Lights	Services/Supplies	650,050	297,509	46%
Water	Personnel Services	2,073,534	979,994	47%
	Services/Supplies	4,580,300	701,076	15%
	Capital Outlay	5,543,500	614,634	11%
Water Capitalization Fees	Services/Supplies	1,700,000		
Wastewater	Personnel Services	2,793,403	1,320,388	47%
	Services/Supplies	6,562,993	1,189,563	18%
	Capital Outlay	8,224,700	2,652,684	32%
	Debt Service	2,178,563	747,274	34%
WW Capitalization	Services/Supplies	1,000,000		
Sanitation	Services/Supplies	4,154,083	1,916,263	46%
Public Parking	Services/Supplies	289,880	214,290	74%
	Capital Outlay		105,023	
Drainage	Personnel Services	115,166	57,122	50%
	Services/Supplies	764,458	122,919	16%
	Capital Outlay	920,000	376,323	41%
Total Enterprise Funds		<u>41,550,630</u>	<u>11,295,062</u>	<u>27%</u>
Kootenai County Solid Waste		2,600,000	1,134,174	44%
Police Retirement		180,760	89,346	49%
Business Improvement District		176,000		
Homeless Trust Fund		5,200	2,368	46%
Total Fiduciary Funds		<u>2,961,960</u>	<u>1,225,888</u>	<u>41%</u>
TOTALS:		<u>\$90,685,504</u>	<u>\$34,400,057</u>	<u>38%</u>

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

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



RECEIVED

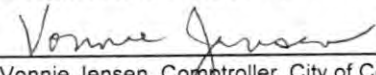
APR 08 2019

CITY CLERK

City of Coeur d Alene  
Cash and Investments  
3/31/2019

Description	City's Balance
<b>U.S. Bank</b>	
Checking Account	2,012,426
Checking Account	29,573
Investment Account - Police Retirement	999,724
Investment Account - Cemetery Perpetual Care Fund	1,470,819
<b>Wells Fargo Bank</b>	
Federal Home Loan Bank Bond	1,001,808
<b>Community 1st Bank</b>	
Certificate of Deposit	1,018,286
Certificate of Deposit	208,683
<b>Idaho Central Credit Union</b>	
Certificate of Deposit	259,394
<b>Idaho State Investment Pool</b>	
State Investment Pool Account	43,184,927
<b>Spokane Teacher's Credit Union</b>	
Certificate of Deposit	258,575
<b>Cash on Hand</b>	
Finance Department Petty Cash	500
Treasurer's Change Fund	1,350
Police Change Fund	75
Library Change fund	180
Cemetery Change Fund	20
<b>Total</b>	<b>50,446,341</b>

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

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



City of Coeur d'Alene

Municipal Services Department

City Hall, 710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814
(208)769-2229 or Fax (208)769-2237
ksetters@cdaid.org

OUTDOOR EATING FACILITY ENCROACHMENT APPLICATION
Valid March 17 - Nov 1 Annually

New applications or renewals with changes will be submitted to City Council for approval.
The application must be received in the Customer Service Center a minimum of seven (7) days prior to a City Council meeting (first and third Tuesday of each month). Payments are due with the application.

Name of Eating Establishment: LIVEFORBLU GALLERY WINE BAR

Applicant's Name: CAMERON HOWARD

Phone Number: (208)314-1804

Contact Person: SAME

Phone Number:

Cell Phone: (208)314-1804

Email: CAMERON@LIVEFORBLU.COM

Mailing Address: 24026 E BROADWAY CT
LIBERTY LAKE, WA 99019

City/State/Zip: LIBERTY LAKE, WA 99019

Physical Address: 505 SHERMAN AVE, CDA 83814

City/State/Zip: CDA, ID 83814

Application form with checkboxes for New/Renewal, Change in ownership, License status, and 21+ age restriction.

Please supply a copy of your current menu.

What hours is the full menu available? Start 12:00 PM End 9:00 PM

What days is the full menu available? EVERYDAY

Please supply a proposed site/seating plan, which is subject to approval and includes the following:

- Show table sizes and chair placement, distance from building (side street 24" tables maximum)
Show distance to any tree, grate, bench, light post, bicycle rack, news rack, etc.
What is width of sidewalk from property line to curb?
Please show location of refuse receptacle and disposal of cigarette remains

Insurance: Please supply copy of liability insurance naming City as additional insured (\$1,000,000)

Signed encroachment application

**FEEES**

Number of Seats x \$22.13 per seat (Sewer Cap Fee) 8 = \$ 177.04  
If located on sidewalk or City property, the encroachment fee is \$125.00. + \$ 125.00  
TOTAL DUE \$ 302.04

If this is new or a renewal of permit with any changes to site plan or ownership, submit documentation. Please include the following:

- \_\_\_\_\_ If serving alcohol, submit a site plan indicating proposed location of posts, type of barrier between posts, measurements from posts, and barriers to any obstacles including curbs, trees, grates, benches, etc.
- \_\_\_\_\_ Mark sidewalk for placement of posts and have the City team inspect and approve markings prior to installation
- \_\_\_\_\_ Have sidewalk cored and posts installed with caps for winter, at owners expense, after obtaining City Council approval (*see attached policy*)
- \_\_\_\_\_ Signs installed at exits

I have read the outdoor eating policy and encroachment agreement, and agree to abide by the regulations of the City. The encroachment agreement, on file with the City, shall remain in full force and effect until the permit is cancelled by owner, change of ownership of business, or permit is expired, non-renewed, revoked or denied. Further, I understand that no alcohol may be served at outdoor eating tables placed on City property after 10 p.m.

  
Applicant Signature

3/13/19  
Date

**Internal Use Only**

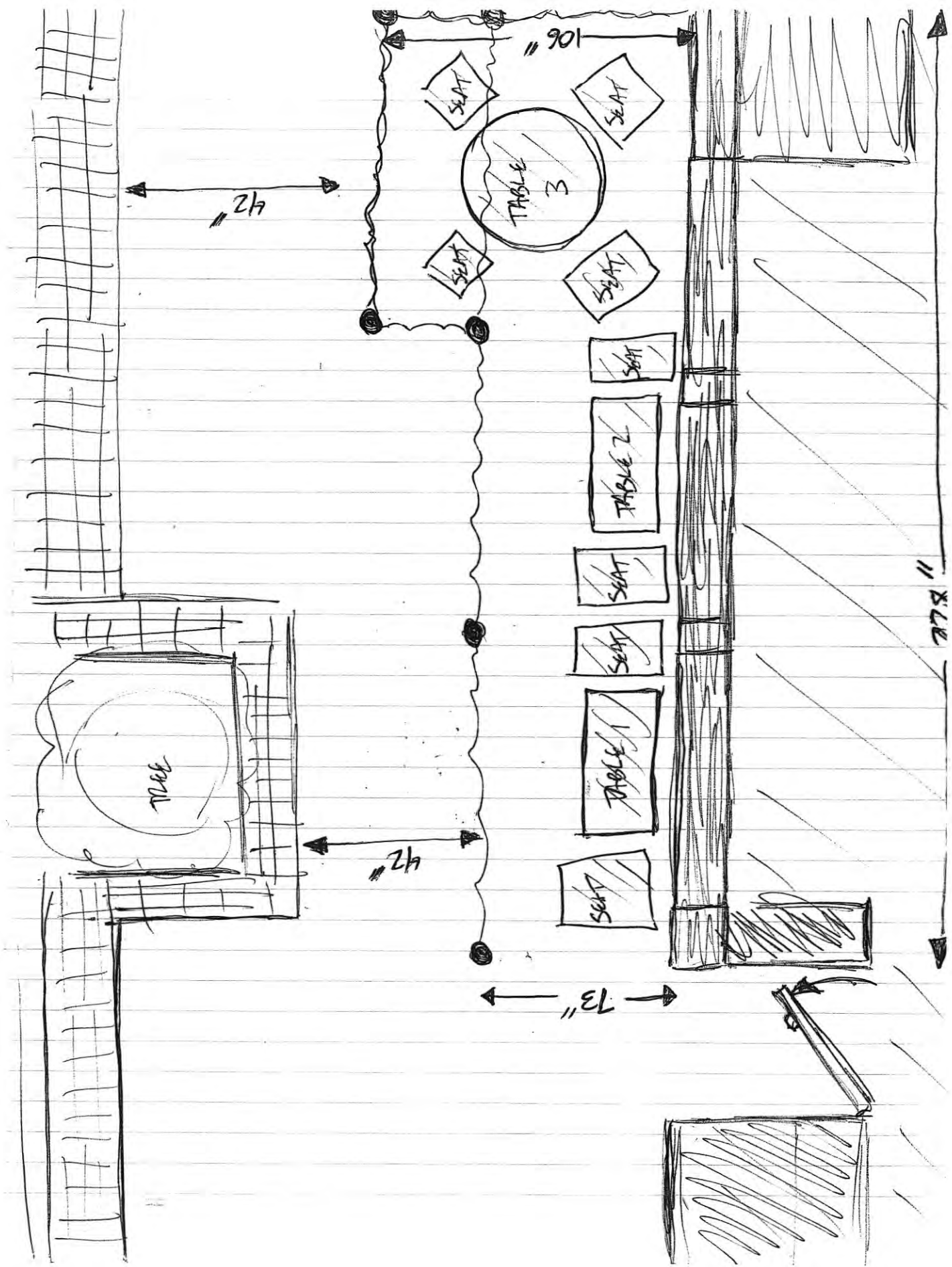
Reviewed and approved on: \_\_\_\_\_ By: \_\_\_\_\_

Issued By: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

Denied due to: \_\_\_\_\_

Date: \_\_\_\_\_



RESOLUTION NO. 19-011

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE BELOW MENTIONED AGREEMENT AND OTHER ACTION OF THE CITY OF COEUR D'ALENE: APPROVAL OF A LOCAL PROFESSIONAL SERVICES AGREEMENT WITH PRECISION ENGINEERING, LLC, FOR SIGNAL IMPROVEMENT; AND DECLARATION AS SURPLUS A MIOX CHLORINE GENERATOR FROM THE WATER DEPARTMENT AND AUTHORIZATION TO DISPOSE OF THE GENERATOR.

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

- A) Approval of a Local Professional Services Agreement with Precision Engineering, LLC, for signal improvement at the intersection of Sherman Ave. and Lakeside Ave.;
- B) Declaration as surplus a MIOX Chlorine Generator from the Water Department and authorization to dispose of the generator by the best means available; and

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

NOW, THEREFORE,

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

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

DATED this 16<sup>th</sup> day of April, 2019.

---

Steve Widmyer, Mayor

ATTEST:

---

Renata McLeod, City Clerk

Motion by \_\_\_\_\_, Seconded by \_\_\_\_\_, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted \_\_\_\_\_

COUNCIL MEMBER EVANS Voted \_\_\_\_\_

COUNCIL MEMBER MILLER Voted \_\_\_\_\_

COUNCIL MEMBER MCEVERS Voted \_\_\_\_\_

COUNCIL MEMBER GOOKIN Voted \_\_\_\_\_

COUNCIL MEMBER EDINGER Voted \_\_\_\_\_

\_\_\_\_\_ was absent. Motion \_\_\_\_\_.

IDAHO TRANSPORTATION DEPARTMENT

LOCAL PROFESSIONAL SERVICES AGREEMENT

Agreement Number  
95158

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the CITY OF COEUR D'ALENE, whose address is 710 E. MULLAN AVENUE Coeur d'Alene ID 83814, hereinafter called the "Sponsor," and PRECISION ENGINEERING, LLC, whose address is 1935 N. Belgrave Way, Eagle, ID, 83616, hereinafter called the "Consultant."

RATIFICATION

The Idaho Transportation Department, representing the Federal Highway Administration on all local federal-aid highway projects, is authorized to ratify all agreements for engineering services entered into between sponsoring local agencies and their retained consultants. All references to State used hereafter shall denote the Idaho Transportation Department.

NOW, THEREFORE, the parties hereby agree as follows:

The work covered by this Agreement is for the following project(s):

- PROJECT NAME: SHERMAN AVE & LAKESIDE AVE, COEUR D'ALENE
PROJECT NO: A021(993)
KEY NO: 21993

I. SUBCONSULTANTS

The Sponsor approves the Consultant's utilization of the following Subconsultants: None

II. AGREEMENT ADMINISTRATOR

This Agreement shall be administered by Brian Wright, LHTAC ; (208) 344-0565; or an authorized representative.

III. DUTIES AND RESPONSIBILITIES OF CONSULTANT

A. DESCRIPTION OF WORK

The Consultant shall provide professional services as outlined in the attachment(s) and as further described herein.

- 1. The following attachments are made a part of this Agreement:



- a. **Attachment No. 1L** is the Consultant Agreement Specifications which are applicable to all agreements.
- b. **Attachment No. 2** is the negotiated Scope of Work, Cost Estimate, and Man-Day Estimate.

In the case of discrepancy, this Agreement shall have precedence over Attachment No. 2, and Attachment No. 2 shall have precedence over Attachment No. 1L.

- 2. Per Diem will be reimbursed at the current approved rates. These rates are listed at <http://itd.idaho.gov/business/?target=consultant-agreements>.

**IV. DUTIES AND RESPONSIBILITIES OF SPONSOR AND/OR STATE**

The Sponsor and/or State shall provide to the Consultant, upon request, copies of any records or data on hand which are pertinent to the work under the Agreement.

**V. TIME AND NOTICE TO PROCEED**

- A. The Consultant shall start work under this Agreement no later than ten (10) calendar days from the receipt of the written notice to proceed with the work. The Consultant shall complete all work by **10/31/2019**.
- B. The Consultant shall remain available to perform additional work for an additional sixty (60) days or until the Agreement is closed out, whichever comes first.

**VI. BASIS OF PAYMENT**

- A. Payment Basis: Lump Sum
- B. Compensation Amount
  - 1. Not-To-Exceed Amount: **\$135,617.87**
  - 2. Additional Services Amount: **\$0.00**
  - 3. Total Agreement Amount: **\$135,617.87**
- C. Fixed Fee Amount: **\$0.00** (This is included in the Total Agreement Amount.)
- D. Approved Overhead Rates for Prime Consultant and Subconsultants

PRECISION ENGINEERING, LLC 52.7%

- E. Reasonable increases in labor rates during the life of this Agreement will be accepted. Payroll additive rate, general administrative overhead rate, and unit prices are subject to adjustment during the life of this Agreement based on audit



and negotiations. If the State approves an adjustment to the overhead rate or unit prices, the Consultant must then submit a written request to the Agreement Administrator requesting use of the approved rate(s) on this agreement. If the new rate(s) are accepted by the Agreement Administrator, they shall apply from the date the written request was made to the Agreement Administrator. An adjustment shall not change the Not-To-Exceed amount of the Agreement. An adjustment shall not change the Non-To-Exceed amount of the Agreement. For projects of duration greater than two years, the Not-To-Exceed amount may be negotiated. In no case will rates be adjusted more than once per agreement year.

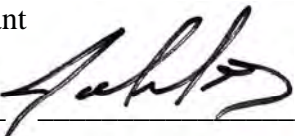
- F. Professional Services Authorization and Invoice Summary (Authorization) No. 1 is issued in the amount of **\$135,617.87** to complete the work of this Agreement.

An additional services amount may be included in this Agreement. If so, the Sponsor will determine if additional services is required beyond the services outlined in Attachment No. 2. When additional services are required, the additional services amount of the Agreement will be utilized, and a subsequent Authorization will be issued.

**IN WITNESS WHEREOF**, the Parties hereto have set their hands on the day and year in this Agreement first written above.

**PRECISION ENGINEERING, LLC**  
Consultant

**CITY OF COEUR D'ALENE**  
Sponsor

By: 

By: \_\_\_\_\_

Title: Principal Engineer

Title: \_\_\_\_\_

**IDAHO TRANSPORTATION  
DEPARTMENT**

By: \_\_\_\_\_

Title: \_\_\_\_\_

## ATTACHMENT NO. 1L

### CONSULTANT AGREEMENT SPECIFICATIONS

These specifications supplement Local Professional Services Agreements and shall be attached to said Agreements.

#### A. DEFINITIONS

1. **Administrator:** Person directly responsible for administering the Professional Services Agreement (Agreement) on behalf of the Local Public Agency.
2. **Combined Overhead:** The sum of the payroll additives and general administrative overhead expressed as a percent of the direct labor cost.
3. **Cost:** Cost is the sum of the hourly charge out rate and other direct costs.
4. **Cost Plus Fixed Fee:** Cost Plus Fixed Fee is the sum of the payroll costs, combined overhead, and other direct costs, plus the fixed fee.
5. **CPM:** Critical Path Scheduling. The CPM will list work tasks, their durations, milestones and their dates, and State/Local review periods.
6. **Fixed Fee:** A dollar amount established to cover the Consultant's profit and business expenses not allocable to overhead. The fixed fee is based on a negotiated percent of direct labor cost and combined overhead and shall take into account the size, complexity, duration, and degree of risk involved in the work. The fee is "fixed," i.e. it does not change. If extra work is authorized, an additional fixed fee can be negotiated, if appropriate.
7. **General Administrative Overhead (Indirect Expenses):** The allowable overhead (indirect expenses) expressed as a percent of the direct labor cost.
8. **Hourly Charge Out Rate:** The negotiated hourly rate to be paid to the Consultant which includes all overhead for time worked directly on the project.
9. **Incentive/Disincentive Clause:** Allows for the increase or decrease of total Agreement amount paid based on factors established in the Agreement. Normally, these factors will be completion time and completion under budget.
10. **Lump Sum:** An agreed upon total amount, that will constitute full payment for all work described in the Agreement.
11. **Milestones:** Negotiated portions of projects to be completed within the negotiated time frame. Normally the time frame will be negotiated as a calendar date, but it could also be "working" or "calendar" days. As many milestones as the Consultant and the State/Sponsor believe necessary for the satisfactory completion of the Agreement will be negotiated.
12. **Not-To-Exceed Amount:** The Agreement amount is considered to be a Not-to-Exceed amount, which amount shall be the maximum amount payable and shall not be exceeded unless adjusted by a Supplemental Agreement.
13. **Other Direct Costs:** The out-of-pocket costs and expenses directly related to the project that are not a part of the normal company overhead expense.
14. **Payroll Additives:** All payroll additives allocable to payroll costs such as FICA, State Unemployment Compensation, Federal Unemployment Compensation, Group Insurance, Workmen's Compensation, Holiday, Vacation, and Sick Leave. The payroll additive is expressed as a percent of the direct labor cost.

15. **Payroll Costs (Direct Labor Cost):** The actual salaries paid to personnel for the time worked directly on the project. Payroll costs are referred to as direct labor cost.
16. **Per Diem Rates:** Per Diem will be reimbursed at actual cost. However, reimbursements shall not exceed the current approved rates. The current rates are listed on the following Web site: <http://itd.idaho.gov/business/?target=consultant-agreements> .
17. **Standard of Care:** The level or quality of service ordinarily provided by normally competent practitioners of good standing in that field, contemporaneously providing similar services in the same locality and under the same circumstances.
18. **State:** Normally "State" refers to the Idaho Transportation Department.
19. **Sponsor:** The "Sponsor" refers to the local public agency.
20. **Unit Prices:** The allowable charge out rate for units or items directly related to the project that are not a part of the normal overhead expense.

**NOTE:** All cost accounting procedures, definitions of terms, payroll cost, payroll additives, general administrative overhead, direct cost, and fixed fee shall comply with Federal Acquisition Regulations, 48 CFR, Part 31, and be supported by audit accepted by the State.

#### B. STANDARDS OF PERFORMANCE

Except as otherwise specifically provided for in the Consultant's Scope of Work, the Consultant agrees that all work performed under the Agreement will be performed in accordance with Idaho Transportation Department Standards and other appropriate standards with generally acceptable standard of care. When the work is of a nature that requires checking, the checking shall be performed by a qualified person other than the one who performed the work.

#### C. AGREEMENT ADMINISTRATOR

The Agreement Administrator will administer the Agreement for performance and payment, and will decide all questions which may arise as to quality and acceptability of the work, rate of progress, definition of work to be performed, completion of milestones, and acceptable fulfillment of the Agreement. The Consultant shall address all correspondence, make all requests, and deliver all documents to the Administrator. The Administrator shall be responsible for the timely coordination of all reviews performed by the State or their representatives.

#### D. PERSONNEL

The Consultant shall provide adequate staff of experienced personnel or Subconsultants capable of and devoted to the successful accomplishment of work to be performed under the Agreement. The specific individuals or Subconsultants listed in this Agreement, including Project Manager, shall be subject to approval by the State and shall not be removed or replaced without the prior written approval of ITD. Replacement personnel submitted for approval must have qualifications, experience and expertise at least equal to those listed in the proposal.

#### E. SUBCONSULTANTS

The Consultant shall have sole responsibility for the management, direction, and control of each Subconsultant and shall be responsible and liable to the Sponsor for the satisfactory performance and quality of work performed by Subconsultants under the terms and conditions of this Agreement. The Consultant shall include all the applicable terms and conditions of this Agreement in each Subconsultant Agreement between the Consultant and Subconsultant, and provide the State with a copy of each Subconsultant Agreement prior to the Subconsultant beginning work. No other Subconsultant shall be used by the Consultant without prior written consent by the State.

#### F. PROFESSIONAL SERVICES AUTHORIZATION

1. A written PROFESSIONAL SERVICES AUTHORIZATION (PSA) will be issued by the State to authorize the Consultant to proceed with a specific portion of the work under this Agreement. The number of PSAs required to accomplish all the work under this Agreement is one to several. Each PSA will authorize a maximum dollar amount and specify the milestone(s) for which the PSA represents. The Sponsor assumes no obligation of any kind for expenses incurred by the Consultant prior to the issuance of the PSA; for any expenses incurred by the Consultant for services performed outside the work authorized by the PSA; and for any dollar amount greater than authorized by the PSA.
2. The Consultant's work of this Agreement will be divided into milestones, each governed by a separate PSA. It is not necessary for a PSA to be completed prior to the issuance of the next PSA. The Consultant shall not perform work which has not been authorized by a PSA. When the money authorized by a PSA is nearly exhausted, the Consultant shall inform the Administrator and shall identify the need for additional authorization via issuance of the next PSA. The Administrator must concur with the Consultant prior to the issuance of the next PSA.
3. The Agreement is lump sum, unit cost, or cost plus fixed fee amount as indicated in this Agreement and may include an Additional Services amount for possible extra work not contemplated in the original scope of work. For the Consultant to receive payment for any work under the Additional Services Amount of this Agreement, said work must be authorized and performed under a PSA issued by the State specifically for the extra work. Should the Sponsor request that the Consultant perform additional services, the scope of work and method of payment will be negotiated. The basis of payment for additional work will be set up either as a Lump Sum or Cost Plus Fixed Fee.

#### G. PROJECT SCHEDULING

All negotiated agreements shall be accompanied by a critical path method schedule (CPM Schedule). The CPM Schedule will list the work tasks for the Agreement, their duration, negotiated milestones and their completion dates, including State/Local review periods. The format of this schedule shall be agreed on prior to signing the Agreement.

Along with the monthly progress report, the Consultant shall provide monthly CPM Schedule updates to the Agreement Administrator for approval. The CPM schedule shall show project percent completed on each task.

#### H. MONTHLY PROGRESS REPORT

The Consultant shall submit to the State a monthly progress report on Form ITD-771, as furnished by the State. When no work will be performed for a period of time, this requirement can be waived by written notice from the Agreement Administrator. However, at such time as work re-commences, the monthly progress reports shall resume.

The Consultant shall provide monthly progress schedule (CPM) updates to the Agreement Administrator.

The monthly progress report and schedule update will be submitted by the tenth of each month following the month being reported or as otherwise agreed to in the approved scope of work.

The Agreement Administrator will review the progress report and submit approved invoices for payment within two weeks of receiving the invoice, the associated monthly report and the schedule update.

Each progress report shall list invoices by PSA number and reference milestones.

#### I. PROGRESS AND FINAL PAYMENTS

1. Progress payments will be made once a month for services performed which qualify for payment under the terms and conditions of the Agreement. Such payment will be made based on invoices submitted by the Consultant in the format required by the State. The monthly invoice shall be submitted no later than the tenth of each month following the month being invoiced.

#### Lump Sum

Progress payments will be made based on a percentage of the work or milestones satisfactorily completed.

#### Cost Plus Fixed Fee

The Consultant shall submit a breakdown of costs by each item of work on the monthly invoice, and shall show the percent complete of each item of work, each milestone and percent complete of the entire Agreement. Progress payments will be made based on the invoice cost less the fixed fee for the work satisfactorily completed for each invoicing period. Said payment shall not exceed the percent complete of the entire Agreement. Upon satisfactory completion of each milestone, full payment for all approved work performed for that milestone will be made, including Fixed Fee.

#### Cost

The Consultant shall submit a breakdown of costs by each item of work on the monthly invoice, and shall show the percent complete of each item of work and percent complete of the entire Agreement. Progress payments will be made based on the invoiced cost for the work satisfactorily completed for each item of work. Said payment shall not exceed the percent complete of the entire Agreement.

Direct expenses will be reimbursed at actual cost, not to exceed the current approved rates as identified at <http://itd.idaho.gov/business/?target=consultant-agreements> .

For "Cost Plus Fixed Fee" and "Cost" agreements, invoices must include backup documentation to support expenditures as appropriate, and as requested by the Agreement Administrator. Such support may consist of copies of time sheets or cost accounting system print-out of employee time, and receipts for direct expenses.

2. The Sponsor will make full payment for the value of the services performed which qualify for payment. This full payment will apply until 95 percent of the work under each Project Agreement PSA or Supplemental Agreement has been completed. No further progress payments will be made until all work under the Agreement has been satisfactorily accomplished and accepted by the Sponsor. If at any time, the Sponsor determines that the work is not progressing in a satisfactory manner, further payments may be suspended or withheld for sums that are deemed appropriate for unsatisfactory services.
3. Final payment of all amounts retained shall be due 60 days after all work under the Agreement has been completed by the Consultant and accepted by the Sponsor. Such final payment will not be made until satisfactory evidence by affidavit is submitted to the State that all indebtedness incurred by the Consultant on this project has been fully satisfied.
4. Agreements which include an incentive/disincentive clause will normally have the clause applied only to the completion of the BID OPENING milestone. If the project is deemed by the Sponsor to be ready for advertisement, but advertisement is postponed at no fault of the Consultant, any incentive earned will be paid.
5. Payments to Subconsultants

The Consultant shall pay each subconsultant for satisfactory performance of its contract items no later than twenty (20) calendar days from receipt of each payment the Consultant receives from the State under this Agreement, in accordance with 49 CFR, Part 26. The Consultant shall return retainage payments to each subconsultant within twenty (20) calendar days after the subconsultant's work is satisfactorily completed. The Consultant will verify that payment or retainage has been released to the subconsultant or suppliers within the specified time for each partial payment or partial acceptance by the Department through entries in the Department's online diversity tracking system during the corresponding monthly audits.

Prompt payment will be monitored and enforced through the Consultant's reporting of monthly payments to its subconsultants and suppliers in the online diversity tracking system. Subconsultants, including lower tier subconsultants, suppliers, or both, will confirm the timeliness and the payment

amounts received utilizing the online diversity tracking system. Discrepancies will be investigated by the Contract Compliance Officer and the Contract Administrator. Payments to the subconsultants, including lower tier subconsultants, and including retainage release after the subconsultant or lower tier subconsultant's work has been accepted, will be reported monthly by the Consultant or the subconsultant.

The Consultant will ensure its subconsultants, including lower tier subconsultants, and suppliers meet these requirements.

J. MISCELLANEOUS PROVISIONS

1. COVENANT AGAINST CONTINGENT FEES

a. The Consultant warrants that they have not:

Employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person to solicit or secure this Agreement, other than a bona fide employee of the firm;

agreed, as an expressed or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out this Agreement, or;

paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee of the firm) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the Agreement.

b. The Sponsor warrants that the above Consultant or its representative has not been required, directly or indirectly as an expressed or implied condition in connection with obtaining or carrying out this Agreement.

Employ or retain, or agree to employ or retain, any firm or person, or; pay, or agree to pay to any firm, person or organization, any fee, contribution, donation or consideration of any kind.

2. PROHIBITION AGAINST HIRING PERSONNEL AND WORKING FOR CONTRACTOR

In compliance with the Code of Federal Regulations, (23 CFR, Section 1.33, Conflict of Interest), the Consultant agrees that no one in their employ will work on a part time basis under this Agreement while also in the full-time employ of any Federal Agency, the State, or the Sponsor, without the written consent of the public employer of such person. The Consultant agrees that no one in their employ under any circumstances shall perform any services for the contractor on the construction of this project.

3. CHANGES IN WORK

All changes in work shall conform to one or more of the following conditions and in no instance shall such change in work be undertaken without written order or written approval of the Sponsor.

- a. Increase in the work required by the Sponsor due to unforeseen circumstances.
- b. Revision in the work required by the Sponsor subsequent to acceptance of such work at the appropriate conference or after revision of such work as outlined at said conference.
- c. Items of work which are beyond the scope of intent of this Agreement and pre-approved by the Sponsor.
- d. Reduction in the work required by the Sponsor due to unforeseen circumstances.

An increase in compensation will be considered when Department Design Standards or expectations have changed from the time of negotiation.

Adjustment in compensation for either an increase or reduction in work shall be on a negotiated basis arrived at by mutual agreement between the Sponsor and the Consultant. During such



negotiations the Sponsor may examine the documented payrolls, transportation and subsistence costs paid employees actively engaged in the performance of a similar item or items of work on the project, and by estimated overhead and profit from such similar items or items of work.

Said mutual agreement for a negotiated increase or reduction in compensation shall be determined prior to commencement of operations for an increase in a specific item or items of work. In the case of Sponsor order for nonperformance, a reduction in the specific item or items of work will be made as soon as circumstances permit. In the event that a mutual agreement is not reached in negotiations for an increase in work, the Sponsor will use other methods to perform such item or items of work.

The mutually agreed amount shall be covered by a Supplemental Agreement and shall be added to or subtracted from the total amount of the original Agreement.

Adjustment of time to complete the work as may pertain to an increase or a reduction in the work shall be arrived at by mutual agreement of the Sponsor and the Consultant after study of the change in scope of the work.

#### 4. DELAYS AND EXTENSIONS

Time adjustment may occur when the negotiated scope of work is increased or reduced through mutual agreement of the State and the Consultant.

Extensions of time may be granted for the following reasons:

- a) Delays in major portions of the work caused by excessive time used in processing of submittals, delays caused by the State, or other similar items which are beyond the control of the Consultant.
- b) Additional work ordered in writing by the Sponsor.
- c) Department Design Standards have changed or expectations have changed from the time of negotiation.

#### 5. TERMINATION

The Sponsor may terminate or abandon this Agreement at any time, without further obligation, upon giving notice of termination as hereinafter provided, for any of the following reasons:

- a. Evidence that progress is being delayed consistently below the progress required in the current approved CPM Schedule.
- b. Continued submission of sub-standard work.
- c. Violation of any of the terms or conditions set forth in the Agreement, other than for the reasons set forth in a. and b. above.
- d. At the convenience of the Sponsor.

Prior to giving notice of termination for the reasons set forth in a through c above, the Sponsor shall notify the Consultant in writing of any deficiencies or default in performance of the terms of this Agreement, and Consultant shall have ten (10) days thereafter in which to correct or remedy such default or deficiency. Upon their failure to do so within said ten (10) days, or for the reasons set forth in c above, such notice of termination in writing shall be given by the Sponsor. Upon receipt of said notice the Consultant shall immediately discontinue all work and service unless directed otherwise, and shall transfer all documents pertaining to the work and services covered under this Agreement, to the Sponsor. Upon receipt by the Sponsor of said documents, payment shall be made to Consultant as provided herein for all acceptable work and services.

#### 6. DISPUTES

Should any dispute arise as to performance or abnormal conditions affecting the work, such dispute shall be referred to the Sponsor and the Director of the Idaho Transportation Department or his duly authorized representative(s) for determination.

Such determination shall be final and conclusive unless, within thirty (30) days of receipt of the decision Consultant files for mediation or arbitration. Consultant agrees that any mediation or arbitration hearing shall be conducted in Boise, Idaho. Consultant and Sponsor agree to be bound by the mediation agreement or the decision of the arbitration. Expenses incurred due to the mediation or arbitration will be shared equally by the Consultant and the Sponsor.

#### 7. ACCEPTANCE OF WORK

- a. The Consultant represents that all work submitted shall be in accordance with generally accepted professional practices and shall meet tolerances of accuracy required by State practices and procedures.
- b. Acceptance of work will occur at phases appropriate to the terms of the Agreement and level of detail required by the State in its project development procedures.
- c. It is understood by the Consultant that the Sponsor is relying upon the professional expertise and ability of the Consultant in performance of the Agreement. Any examination of the Consultant's work product by the State/Sponsor will not be considered acceptance or approval of the work product which would relieve the Consultant for any liability or expense. Consultant is solely responsible for the propriety and integrity of its work product.

Acceptance or approval of any portion of Consultant's work product by the Sponsor for payment, partial or final, shall not constitute a waiver of any rights the Sponsor may have against the Consultant. If due to errors, omissions and negligent acts by the Consultant, or its Subconsultants, agents or employees, in its work product, the Consultant shall make corrections to its work product at no expense to the Sponsor. The Consultant shall respond to the Sponsor's notice of any error or omission within twenty-four hours of receipt, and give immediate attention to any corrections to minimize any delay to the construction contract. This may include, if directed by the Sponsor, visits to the site of the work.

If the Consultant discovers errors or omissions in its work product, it shall notify the State within seven days of discovery. Failure of the Consultant to notify the State shall be grounds for termination of the Agreement.

The Consultant's liability for damages incurred by the Sponsor due to negligent acts, errors or omissions by the Consultant in its work product shall be borne by the Consultant. Increased construction costs resulting from errors, omissions or negligence in Consultant's work product shall not be the Consultant's responsibility unless the additional construction costs were the result of gross negligence of the Consultant.

#### 8. OWNERSHIP OF DOCUMENTS

All material acquired or produced by the Consultant in conjunction with the preparation of the plans, study, or report, shall become the property of, and be delivered to, the Sponsor without restrictions or limitations of their further use. Any use of these materials by the Sponsor for purposes other than intended under this agreement shall be at the risk of the Sponsor. The Consultant has the right to make and retain copies of all data and documents for project files. Documents provided to the State may be public records under the Public Records Act §§ 74-101 through 74-126 and Idaho Code §§ 9-338 *et seq*, and thus subject to public disclosure unless excepted by the laws of the state of Idaho, otherwise ordered by the courts of the state of Idaho, and/or otherwise protected by relevant state and/or federal law.

#### 9. AERIAL PHOTOGRAPHY

After aerial photography has been flown, processed and checked for coverage, the negatives shall be sent to the State at the address indicated on the Agreement for evaluation, labeling, and prints or diapositives as needed by the District and the Consultant. The negatives shall become the property of the State. Along with the negatives, the Consultant shall also deliver the Report of Calibration for the aerial camera used for the aerial photography, the flight maps, and the flight log. Once complete, a copy of the mapping shall be placed on a CD-ROM and sent to the address specified in the Agreement.



10. CADD SPECIFICATIONS

Two copies of all drawings shall be furnished to the Department upon completion of the contract. One copy shall be a durable reproducible of the drawing stamped and signed by the Engineer. An electronic stamp is acceptable, provided it is registered and approved with the Board of Professional Engineers and Land Surveyors. Roadway plans shall be furnished on 11" x 17" sheets. Structures plans shall be furnished on 22" x 34" sheets. The other copy shall be an electronic drawing file in a MicroStation .DGN file format. Electronic files shall be delivered on one of the following:

- a. Standard CD-ROM format;
- b. Standard DVD-ROM Format

Files shall be developed with MicroStation software, XM Version 8.09.X or higher; or converted to the MicroStation .DGN file format with all conversion errors corrected prior to delivery. If the consultant elects to convert files from other CADD software to the .DGN format, the consultant may be required at various times during the contract period to provide proof that all conversion errors can be corrected.

Refer to the CADD Manual for a complete set of CADD Standards. The manual is available at the following website: <http://apps.itd.idaho.gov/apps/manuals/manualsonline.html> .

11. GEOTECHNICAL AND MATERIALS WORK

If geotechnical and materials work is required under this Agreement, the Consultant must ensure that any Subconsultant performing geotechnical and materials work be involved in the final design review. This does not mean that the geotechnical and materials Subconsultant must attend the actual final design review meeting, but does mean that the Subconsultant, will at a minimum, participate in the final design plans and proposal review to assure that all geotechnical and materials recommendations/issues it raised concerning the project have been addressed, or notify the Consultant of any outstanding issues.

12. HIGHWAY CONSTRUCTION ESTIMATING PROGRAM

The Idaho Transportation Department has adopted the Trns.Port Estimator™ Highway Construction Cost Estimation software package as the standard for developing all highway construction cost estimates. Consultants who prepare PS&E (Plans, Specifications and Estimate) packages for submittal to ITD are required to use Estimator. Further information is available at the following Web Site: <http://itd.idaho.gov/business/?target=consultant-agreements> .

13. INDEMNITY

- a. Concerning claims of third parties, the Consultant shall indemnify, and hold harmless and defend the Sponsor from any and all damages of and against any and all suits, actions, claims or losses of every kind, nature and description, including costs, expenses and reasonable attorney fees that may be incurred by reason of any negligent act, error or omission of the Consultant in the prosecution of the work which is the subject of this Agreement.
- b. Concerning claims of the Sponsor, the Consultant shall assume the liability and responsibility for negligent acts, errors or omissions caused by the Consultant or a Subconsultant or their agents or employees to the design, preparation of plans and/or specifications, or other assignments completed under this Agreement, to the standards accepted at the time of the Final Design Review, other established review periods.
- c. Notwithstanding any other provision of this Agreement, the Consultant shall not be responsible for claims arising from the willful misconduct or negligent acts, errors, or omissions of the Sponsor for contamination of the project site which pre-exist the date of this Agreement or subsequent Task Authorizations. Pre-existing contamination shall include but not be limited to any contamination or the potential for contamination, or any risk to impairment of health related to the presence of hazardous materials or substances.

14. INSURANCE

The Consultant, certifying it is an independent contractor licensed in the State of Idaho, shall acquire and maintain commercial general liability insurance in the amount of \$1,000,000.00 per occurrence, professional liability insurance in the amount of \$1,000,000.00, and worker compensation insurance in accordance with Idaho Law.

The professional liability insurance coverage shall remain in force and effect for a minimum of one (1) year after acceptance of the construction project by the State (if applicable), otherwise for one (1) year after acceptance of the work by the State.

Regarding workers' compensation insurance, the Consultant must provide either a certificate of workers' compensation insurance issued by an insurance company licensed to write workers' compensation insurance in the State of Idaho as evidence that the Consultant has a current Idaho workers' compensation insurance policy in effect, or an extraterritorial certificate approved by the Idaho Industrial Commission from a state that has a current reciprocity agreement with the Idaho Industrial Commission.

The Consultant shall provide the State with certificates of insurance within ten (10) days of the Notice to Proceed.

15. ENDORSEMENT BY ENGINEER, ARCHITECT, LAND SURVEYOR, AND GEOLOGIST

Where applicable, the Professional Engineer, Architect, Land Surveyor, or Geologist in direct charge of the work or portion of work shall endorse the same. All plans, specifications, cost summaries, and reports shall be endorsed with the registration seal, signature, and date of the Idaho professional in direct charge of the work. In addition, the firm's legal name and address shall be clearly stamped or lettered on the tracing of each sheet of the plans. This endorsement certifies design responsibility in conformance with Idaho Code, ITD's Design Manual, and acceptance of responsibility for all necessary revisions and correction of any errors or omissions in the project plans, specifications and reports relative to the project at no additional cost to the State based on a reasonable understanding of the project at the time of negotiation.

16. LEGAL COMPLIANCE

The Consultant at all times shall, as a professional, observe and comply with all Federal, State and local laws, by-laws, safety laws, and any and all codes, ordinances and regulations affecting the work in any manner and in accordance with the general standard of care. The Consultant agrees that any recourse to legal action pursuant to this agreement shall be brought in the District Court of the State of Idaho, situated in Ada County, Idaho.

17. SUBLETTING

The services to be performed under this Agreement shall not be assigned, sublet, or transferred except by written consent of the Sponsor. Written consent to sublet, transfer or assign any portions of the work shall not be construed to relieve the Consultant of any responsibility for the fulfillment of this Agreement or any portion thereof.

18. PERMITS AND LICENSES

The Consultant shall procure all permits and licenses, pay all charges, fees, and taxes and give all notices necessary and incidental to the due and lawful prosecution of the work.

19. PATENTS AND COPYRIGHTS

The Consultant shall hold and save the Sponsor and its agents harmless from any and all claims for infringement by reason of the use of any patented design, device, material process, trademark, and copyright.

20. NONDISCRIMINATION ASSURANCES

**1050.20 Appendix A:**

During the performance of work covered by this Agreement, the Consultant for themselves, their assignees and successors in interest agree as follows:

1. **Compliance With Regulations.** The Consultant shall comply with all regulations of the United States Department of Transportation relative to Civil Rights, with specific reference to Title 49 CFR Part 21, Title VI of the Civil Rights Act of 1964 as amended, and Title 23 CFR Part 230 as stated in the ITD EEO Special Provisions and Title 49 CFR Part 26 as stated in the appropriate ITD DBE Special Provisions. <http://apps.itd.idaho.gov/apps/ocr/index.aspx>
2. **Nondiscrimination.** The Consultant, with regard to the work performed by them during the term of this Agreement, shall not in any way discriminate against any employee or applicant for employment; subcontractor or solicitations for subcontract including procurement of materials and equipment; or any other individual or firm providing or proposing services based on race, color, sex, national origin, age, disability, limited English proficiency or economic status.
3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment.** In all solicitations, either by bidding or negotiation, made by the Consultant for work or services performed under subcontract, including procurement of materials and equipment, each potential subcontractor or supplier shall be made aware by the Consultant of the obligations of this Agreement and to the Civil Rights requirements based on race, color, sex, national origin, age, disability, limited English proficiency or economic status.
4. **Information and Reports.** The Consultant shall provide all information and reports required by regulations and/or directives and sources of information, and their facilities as may be determined by the State or the appropriate Federal Agency. The Consultant will be required to retain all records for a period of three (3) years after the final payment is made under the Agreement.
5. **Sanctions for Noncompliance.** In the event the Consultant or a Subconsultant is in noncompliance with the EEO Special Provisions, the State shall impose such sanctions as it or the appropriate Federal Agency may determine to be appropriate, including, but not limited to:
  - Withholding of payments to the Consultant until they have achieved compliance;
  - Suspension of the agreement, in whole or in part, until the Consultant or Subconsultant is found to be in compliance, with no progress payment being made during this time and no time extension made;
  - Cancellation, termination or suspension of the Agreement, in whole or in part;
  - Assess against the Consultant's final payment on this Agreement or any progress payments on current or future Idaho Federal-aid Projects an administrative remedy by reducing the final payment or future progress payments in an amount equal to 10% of this agreement or \$7,700, whichever is less.
6. **Incorporation of Provisions.** The Consultant will include the provisions of paragraphs 1 through 5 above in every subcontract of \$10,000 or more, to include procurement of materials and leases of equipment unless exempt by the Acts, the Regulations, and directives pursuant thereto. The Consultant will take such action with respect to any subcontract or procurement as the State or the appropriate Federal Agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, that if the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the State to enter into any litigation to protect the interest of the State. In addition, the Consultant may request the United States to enter into the litigation to protect the interests of the United States.

## 1050.20 Appendix E

During the performance of this contract, the Consultant, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with all non-discrimination statutes and authorities; including but not limited to:

### **Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, ( 49 USC § 4 71, Section 4 7123 ), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U .S.C. 1681 et seq).

## 21. INSPECTION OF COST RECORDS

The Consultant shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred on the project. They shall make such data available for inspection, and audit, by duly authorized personnel, at reasonable times during the life of this Agreement, and for a period of three (3) years subsequent to date of final payment under this Agreement, unless an audit has been announced or is underway; in that instance, records must be maintained until the audit is completed and any findings have been resolved. Failure to provide access to records may affect payment and may constitute a breach of contract.

## 22. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

By signing this document the Consultant certifies to the best of his knowledge and belief that except as noted on an attached Exception, the company or its subcontractors, material suppliers, vendors or other lower tier participants on this project:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
- b. have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records making false statements, or receiving stolen property;
- c. are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- d. have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**NOTE:** Exceptions will not necessarily result in denial of award, but will be considered in determining Consultant responsibility. For any exception noted, indicate to whom it applies, initiating agency and dates of action. Providing false information may result in criminal prosecution or administrative sanctions.

### 23. CERTIFICATION CONCERNING LOBBYING ACTIVITIES

By signing this document, the Consultant certifies to the best of their knowledge and belief that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

The Consultant also agrees that he or she shall require that the language of this certification shall be included in all lower tier subcontracts, which exceed \$100,000, and that all such sub-recipients shall certify and disclose accordingly.

### 24. EMPLOYEE ELIGIBILITY

The Consultant warrants and takes the steps to verify that it does not knowingly hire or engage persons not authorized to work in the United States; and that any misrepresentation in this regard or any employment of person not authorized to work in the United States constitutes a material breach and shall be cause for the imposition of monetary penalties up to five percent (5%) of the contract price, per violation, and/or termination of its contract.

# Scope of Work

**SHERMAN AVE & LAKESIDE AVE SIGNAL IMPROVEMENT, CDA**

**PROJECT No. A021(993)**

**KEY No. 21993**

**PRECISION ENGINEERING, LLC**

**Project Manager: Joel Grounds, P.E., PTOE**

**Phone: 208-938-1695**

**Email: joel@precisionengineeringllc.com**

*February 27, 2019*



## PROJECT UNDERSTANDING

This project is for the intersection of Sherman Ave & Lakeside Ave, City of Coeur d'Alene, Idaho. The project includes signal improvements for the intersection. The project is located at the intersection of Sherman Ave & Lakeside Ave, City of Coeur d'Alene, Idaho. The project includes signal improvements for the intersection. The project is located at the intersection of Sherman Ave & Lakeside Ave, City of Coeur d'Alene, Idaho. The project includes signal improvements for the intersection.

The project is scheduled in FY2021. The project is scheduled in FY2021.

## PROPOSED IMPROVEMENTS

The following are the anticipated improvements for the intersection of Sherman Ave & Lakeside Ave, City of Coeur d'Alene, Idaho. The project includes signal improvements for the intersection.

Sherman Ave & Lakeside Ave		Sherman Ave & 1st St	
Proposed Improvements	Quantity	Proposed Improvements	Quantity
Install 4-Section PPLT Head (WB)	w	Install 4-Section PPLT Head (WB)	1
Install 3-Section Head	9	Install 3-Section Head	9
Install Ped Countdown Signal Head	[	Install Ped Countdown Head Insert	[
Install APS Push Button Assembly	[	Install APS Push Button Assembly	[
Install Contr6>>K	1	Install Contr6>>K	1
Install Video DetectionK	1	Install Video Detection	1
Sherman Ave & 2nd St		Sherman Ave & 3rd St	
Proposed Improvements	Quantity	Proposed Improvements	Quantity
Install 4-Section PPLT Head (EB)	1	Install 4-Section PPLT Head (WB)	1
Install 3-Section Head	9	Install 3-Section Head	9
Install Ped Countdown Head Insert	[	Install Ped Countdown Signal Head	[
Install APS Push Button Assembly	[	Install APS Push Button Assembly	[
Install Contr6>>K	1	Install Contr6>>K	1
Sherman Ave & 4th St		Sherman Ave & 5th St	
Proposed Improvements	Quantity	Proposed Improvements	Quantity
Install 4-Section PPLT Head (EB)	1	Install 4-Section PPLT Head (EB/WB)	w
Install 3-Section Head	[	Install 3-Section Head	[
Install Ped Countdown Signal Head	[	Install Ped Countdown Head Insert	[
Install APS Push Button Assembly	[	Install APS Push Button Assembly	[
Install Contr6>>K	1	Install Contr6>>K	1
Sherman Ave & 7th St		Sherman Ave & 8th St	
Proposed Improvements	Quantity	Proposed Improvements	Quantity
Install 4-Section PPLT Head	Q	Install 4-Section PPLT Head (EB)	1
Install 3-Section Head	9	Install 3-Section Head	[
Install Ped Countdown Head Insert	[	Install Ped Countdown Signal Head	\
Install APS Push Button Assembly	[	Install APS Push Button Assembly	\
Install Cabinet & ControlleK	1	Install Contr6>>K	1
Install Video DetectionK	1	Install Video Detection	1

## SCOPE OF WORK

HERMAN AVE & LAKESIDE AVE, SIGNAL IMPROVEMENT, CDA  
RESOLUTION NO. 19-011  
PROJECT NO. 1A021(993) KEY NO. 121993

FEBRUARY 2019

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EXHIBIT A

Lakeside Ave & 3rd St		Lakeside Ave & 4th St	
Proposed Improvements	Quantity	Proposed Improvements	Quantity
Install 3-Section Head	[	Install 3-Section Head	6
Install 4-Section Head (NB)	1	Install Ped Countdown Head Insert	[
Install Ped Countdown Head Insert	[	Install APS Push Button Assembly	[
Install APS Push Button Assembly	[		
Lakeside Ave & 7th St			
Proposed Improvements	Quantity		
Install 3-Section Head	12		
Install Ped Countdown Head Insert	[		
Install APS Push Button Assembly	[		

**PROJECT DEVELOPMENT**

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- Plans will be prepared using ITD 11x17 sheets.
- English units will be used for this project.
- CDA will provide Precision with the most current City Traffic Signal Standards.
- CDA to provide Precision Engi+//5'+<K=';&K(&?0/)'>/((K?/5'?>K0&6;6?6&JK?+- dxf files (exported from GIS shapefiles) to use in the preparat'6+K6)K;&/KO?(/ @?0"
- It is assumed the ex'('; '+<K0/-/(/;5 '?+K5?@0(K='>>K+6;KO/K5/96+(;5\*9;/-"
- Right-of-way will not be required for this project and is not included '+K;&'(K(960/ 6)K=65H"
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- The City has provided Precision with copies of the as-bui>;K0>?+("
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**PROJECT SCOPE OF WORK**

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**TASK 1 PROJECT MANAGEMENT**

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**Task 1.1 Project Coordination**

This ;?(HK'+9>\*/-(K 056<5/((K @//;'<(K '+' )65@?>K B'/(K ?+-K </+5?>K coordination with CDA and LHTAC staff as r/\_\*5/-K-\*5 '+'<K;&/K058/9;"K



**Task 1.2 Prepare Monthly Invoices**

Monthly 'B6'9/(K='>>K9>\*-/K;&/KLTHAC 771 `KMonthly Progress Report, ;&/K 9\*55/+;KProfessional ,/5B'9/K Authorization (PSA), (9&/-\*/K ='&K \*0-?;/-K @'>/;(6+/(K?+-K?K96B/5K/;/;5K\*@@?5'j'+<K&/K=65H856<5/((K?+-K budget status. LHTAC will send monthly invoices to CDA for acceptance.

**TASK 2 PROJECT CHARTER**

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**Task 2.1 Pre-Project Conference (Kick off Meeting)**

Precision Engineering ='>>K;/-K;&/KPre-Pr68/9;KConference ?+-K05/0?5/K +6;/(K(\*@@?5'j'+<K;&/K@//;'+<"KThe deliverables for this task consist of:

- Meeting Notes

**Task 2.2 Prepare Project Charter and Material Memo (LHTAC)**

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**TASK 3 MATERIALS (LHTAC)**

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**TASK 4 ENVIRONMENTAL EVALUATION**

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**TASK 5 PRELIMINARY DESIGN**

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**Task 5.1 Site Visits**

Precision Engineering ='>>K(';K?9&K6)K&/K0568/9;K;/K ?(K+//--"K Z/K ='>>K 96+-\*9;K ?K;5?))9K'<+?>K'/>-K '+B/+;65JK6)K;&/K/^(';<+K 96+-\*';(K ?+-K 96+-\*9;65("KThis ='>>K'(-K ;6K056B'-/K+K99\*5?;/K/0'9;'6+K6)K&/K^(';<+K 96+-\*';K?+-K9?O>'<ZK ='>>9665-'>?;/K=';&K&/K CDA ?(K+//--K )65K99/((K ;6K/^(';<+K9?O'+/;K?(KO\*');K0>?+(K;/9"KKKK

**Task 5.2 Prepare Design Files**

After ;&/K(';/K B'(';KPrecision Engineering ='>>85/0?5/K;&/KO?/(K @?0K 96@0>/-K5@K?;?K6O;?'+/-K)56@K/K'<+?>K'/>-K '+B/+;65JK?( YO\*');K-K ?--;'6+?>K'+)65@?;'6+K?(K+//--K6K(/;K\*0K0568/9;K)'>/("K

**Task 5.3 Prepare Preliminary Design Display and Estimate**

Precision Engineering will prepare a preliminary design display and estimate for the intersection of I-84 and LHTAC. The deliverable for this task consists of:

- 11 Preliminary Intersection Layout Display, 6 sheets & intersection provided in PDF format

**TASK 6 FINAL DESIGN**

This task includes the preparation of final design documents and contract time determination for Final Design Review and PS&E submittals.

**Task 6.1 Utility Coordination**

Precision Engineering will coordinate with utility providers to obtain necessary information for the design of the intersection. The deliverables for this task include:

- Copies of Utility Submittal Letters
- Initial Utility Plans
- Copies of all information and documents received from the Utilities
- Prepare utility waiver documents if needed.

**Task 6.2 Prepare Final Plan Sheets (55 Sheets)**

Precision Engineering will prepare the final plan sheets for the intersection, including all necessary details and annotations. The deliverables for this task include:

- 1 – Title Sheet
- 1 – Project Clearances
- 1 – Roadway Summary Sheet
- 1 – Key Map
- 11 – Traffic Signal Materials List (1 Per Intersection)
- 11 – Traffic Signal Plan (1 Per Intersection)
- 11 – Pole Wiring Diagram & Phasing Sheet (1 Per Intersection)
- 11 – Signal Pole Mast Arm Sheet (1 Per Intersection)
- 1 – Service Pedestal Detail Sheet
- 1 – Pole Assembly Detail (td-14a) Sheet
- 2 – Construction Traffic Control Plan Sheets
- 1 – Intersection Flagger Setup Sheet
- 2 – Pedestrian Routing Phasing Plan Sheets

**Task 6.3 Prepare Construction Cost Estimate**

Precision Engineering will prepare a construction cost estimate for the intersection, including all necessary materials and labor. The deliverable for this task is a detailed cost estimate report.

- Engineer's Construction Cost Estimate in Estimator Format

**Task 6.4 Prepare Special Provisions**

Precision Engineering =>>05/0?5/K;&/K,0/9'?>KProvisions #Ö'-K(Proposal)K ?+<K;&/K Contract Time Determinat'6+K,9&/-\*>/K )65K&/K 0568/9;"KThe -/>'B/5?O>/((K)65K;&'(K;K96+'(;K6)XK

- Special Provisions
- Contract Time Determination Schedule
- Including Environmental Commitments

**Task 6.5 Internal Review and Prepare Final Design Review Submittal**

Precision Engineering =>>05)65@K+K+;/5+?>KB'/=K 6)K&/K/ +;'5/K)'>?>K -/('<+K 5/B'/=K 0?9H?</K#0>?+(K0/9'?>K056B'('6+(K?+<K96+;'5\*9;'6+K96(; K /(' @?;/%K05'65K6K\*O@;';;'+<K)65K'+?>KDesign Rev'/"K KZ /K=>>05)65@K 5/B'('6+(K)56@K;&/K'+;/5+?>K5/B'/=K?+<K05/0?5/K;&/K0/9'?>K056B'('6+(K ?+<K96+;'5\*9;'6+K96(;K;' @?;/K)65K&/K)65@?K'+?>KDesign Review (\*O@;';;?>K to LHTAC and CDA.

**Task 6.6 Final Design Review Meeting**

Precision Engineering =>>K; /+<K ;&/K)'>?>KDesign Review Meeti+<K?+<K 05/0?5/K@//;'<+K+6;/((K;&?;K\* @?5'j/K;&/K5/B'='K96@ @/+;'(6O;'?+<K)56@K ;&/K@//;'<+K?+<K)56@K&/K@?5H/-Y\*00?>+(K0/9'?>K056B'('6+(K?+<K;' @?;'/"KK The deliverable for this task consists of:

- ,\*@@?5JK6 Final Design Review Comments

**Task 6.7 Prepare PS&E Submittal**

Precision Engineering =>>KB'(/K;&/K0?>+(K0/9'?>K056B'('6+(K?+<K;' @?;/K ?(K+19/(( ?5JK6K?--5/((K ;&/K)'>?>KDes'+<KReview 96@ @/+;'("KZ/K =')>K 05/0?5/K;&/K0'-Y5/?-JK-69\*@/+s for the PS&E submittal.

**Task 6.8 Address Review Comments**

Precision Engineering =>>K5/B'(/K;&/K0?>+(K0/9'?>K056B'('6+(K?+<K estimate as necessary to address the PS&E Review comments.

**Task 6.9 Prepare Resident's File**

Precision Engineering =>>05/0?5/K?K(\*@@?5JK6)K;&/K(;?;\* (K 6)K0568/9;K '+'65@?;'6+K+<K?;;?9&K005605'?;/K0568/9;K69\*@/+;'(K )65K+9?\*'('6+K+K;&/K Resident's '!'>/"KThe >'(K)K?;'K+9>\*-/<K=>>05/0?5/K?(/<K6+K/9;'6+K 920.04 of the ITD Design Manual. The deliv/5?O>/K65K;&'(K;?(HK96+'(;K6)XKKK

- Resident Engineer's File

## PROJECT SCHEDULE

Task Name	Duration	Start	Finish
<b>Sherman Ave &amp; Lakeside Ave, Coeur d' Alene</b>	148 days	Wed 3/6/19	Fri 9/27/19
Notice to Proceed (Assumed)	<b>0 days</b>	<b>Wed 3/6/19</b>	<b>Wed 3/6/19</b>
<b>Project Startup &amp; Existing Data</b>	<b>23 days</b>	<b>Wed 3/6/19</b>	<b>Fri 4/5/19</b>
Project Setup	3 days	Wed 3/6/19	Fri 3/8/19
Signal As-Builts & GIS Base Map	20 days	Mon 3/11/19	Fri 4/5/19
Utility Maps	10 days	Mon 3/11/19	Fri 3/22/19
<b>Environmental Evaluation (LHTAC)</b>	<b>80 days</b>	<b>Mon 3/11/19</b>	<b>Fri 6/28/19</b>
Prepare Environmental Evaluation Docs (CatEx)	60 days	Mon 3/11/19	Fri 5/31/19
<i>ITD Review</i>	20 days	Mon 6/3/19	Fri 6/28/19
<b>Project Charter</b>	<b>7 days</b>	<b>Thu 3/14/19</b>	<b>Fri 3/22/19</b>
Pre-Project Conference	1 day	Thu 3/14/19	Thu 3/14/19
Review and Finalize Project Charter	5 days	Fri 3/15/19	Thu 3/21/19
Address Review Comments	1 day	Fri 3/22/19	Fri 3/22/19
<b>Preliminary Design</b>	<b>47 days</b>	<b>Mon 3/25/19</b>	<b>Tue 5/28/19</b>
Site Visit and Traffic Signal Field Inventory	15 days	Mon 3/25/19	Fri 4/12/19
Prepare Preliminary Intersection Display	20 days	Mon 4/15/19	Fri 5/10/19
<b>Submit Prelim Design Review</b>	<b>1 day</b>	<b>Mon 5/13/19</b>	<b>Mon 5/13/19</b>
<i>CDA / LHTAC Review</i>	<i>10 days</i>	<i>Tue 5/14/19</i>	<i>Mon 5/27/19</i>
Preliminary Display Review	1 day	Tue 5/28/19	Tue 5/28/19
<b>Final Design</b>	<b>88 days</b>	<b>Wed 5/29/19</b>	<b>Fri 9/27/19</b>
Prepare Final Design	55 days	Wed 5/29/19	Tue 8/13/19
Prepare Construction Cost Estimate	5 days	Wed 8/7/19	Tue 8/13/19
Prepare Special Provisions	10 days	Wed 7/31/19	Tue 8/13/19
Prepare Final Design Review Submittal	5 days	Wed 8/14/19	Tue 8/20/19
<b>Submit Final Design Review</b>	<b>1 day</b>	<b>Wed 8/21/19</b>	<b>Wed 8/21/19</b>
<i>CDA / LHTAC Review</i>	<i>10 days</i>	<i>Thu 8/22/19</i>	<i>Wed 9/4/19</i>
Final Design Review Meeting	1 day	Thu 9/5/19	Thu 9/5/19
Prepare PS&E Submittal	15 days	Fri 9/6/19	Thu 9/26/19
<b>Submit PS&amp;E Package</b>	<b>1 day</b>	<b>Fri 9/27/19</b>	<b>Fri 9/27/19</b>

**PRECISION COST SUMMARY WORKSHEET**

**SUMMARY ESTIMATED MAN-DAY COSTS**

	Man-Days	Man-Hours	Hrly Rate	Raw Labor Cost
Principal Engineer	75.25	602	@ \$ 90.09	\$ 54,234.18
Sr. Project Engineer	76.75	614	@ \$ 38.00	\$ 23,332.00
			<b>DIRECT LABOR COSTS</b>	<b>\$ 77,566.18</b>

**PAYROLL, FRINGE BENEFIT COSTS & OVERHEAD**

Direct Labor \$77,566.18 X Overhead 52.70% = \$ 40,877.38

**GENERAL AND ADMINISTRATIVE OVERHEAD**

Direct Labor \$0.00 X FCCM 0.00% = \$ -

**NET FEE**

Profit 14.5% = \$ 17,174.32

**TOTAL LABOR = \$135,617.87**

**OTHER DIRECT COSTS (N/A)**

**TOTAL \$135,617.87**

**MAN-HOUR ESTIMATE**  
**SHERMAN AVE & LAKESIDE AVE SIGNAL IMPROVEMENT, CDA**  
**PROJECT NO. A021(993) | KEY NO. 21993**  
**February 27, 2019**

		Principal Eng HOURS	Sr. Project Eng HOURS	TOTAL HOURS
<b>TASK 1</b>	<b>PROJECT MANAGEMENT</b>			
	1.1 Project Coordination	] \	[	\ Q
	1.2 Prepare Monthly Invoices	16		16
	<b>TASK 1 TOTAL</b>	<b>72</b>	<b>8</b>	<b>80</b>
	<b>TASK 1 MAN-DAYS</b>	<b>9.0</b>	<b>1.0</b>	<b>10.0</b>
<b>TASK 2</b>	<b>PROJECT CHARTER</b>			
	2.1 Pre-Project Conference (Kick off Meeting)	w	Q	\
	w" w Prepare Project Charter (Completed By LHTAC)	Q		Q
	<b>TASK 2 HOURS</b>	<b>6.0</b>	<b>4.0</b>	<b>10.0</b>
	<b>TASK 2 MAN-DAYS</b>	<b>0.8</b>	<b>0.5</b>	<b>1.3</b>
<b>TASK 3</b>	<b>MATERIALS (LHTAC)</b>			
	Materials Assistance	w		w
	<b>TASK 3 HOURS</b>	<b>2.0</b>	<b>0.0</b>	<b>2.0</b>
	<b>TASK 3 MAN-DAYS</b>	<b>0.3</b>	<b>0.0</b>	<b>0.3</b>
<b>TASK 4</b>	<b>ENVIRONMENTAL EVALUATION (LHTAC)</b>			
	Environmental Document Assistance	10	w	12
	<b>TASK 4 HOURS</b>	<b>10.0</b>	<b>2.0</b>	<b>12.0</b>
	<b>TASK 4 MAN-DAYS</b>	<b>1.3</b>	<b>0.3</b>	<b>1.5</b>
<b>TASK 5</b>	<b>PRELIMINARY DESIGN</b>			
	5.1 Site Visits	wQ	\$ \	\ f
	] " w Prepare Design Files	Q f	16	] \
	] \$ Prepare Preliminary Design Display and Estimate	[	\$ \	QQ
	<b>TASK 5 HOURS</b>	<b>72.0</b>	<b>88.0</b>	<b>160.0</b>
	<b>TASK 5 MAN-DAYS</b>	<b>9.0</b>	<b>11.0</b>	<b>20.0</b>
<b>TASK 6</b>	<b>FINAL DESIGN</b>			
	6.1 Utility Coordination	\	Q	10
	\ " w Prepare Final Signal Design & Plan Preparation (55 Sheets)			
	Title Sheet (1)		w	w
	Roadway Summary Sheet (1)	Q	16	w f
	Key Map (1)	\	12	18
	Traffic Signal Materials List (11)	Q f	\ f	100
	Traffic Signal Plan Sheets (11)	[ \	150	w \$ \
	Pole Wiring Diagram & Phasing Sheet (11)	[ f	[ f	160
	Signal Pole Mast Arm Sheet (11)	[ f	\$ f	110
	Service Pedestal Detail Sheet (1)	w	[	10
	Pole Assembly Detail (td-14a) Sheet (1)	\	w	[
	Construction Traffic Control Plan Sheets (2)	12	[	w f
	Intersection Flagger Setup Sheet (1)	w	[	10
	Pedestrian Routing Phasing Plan Sheets (2)	10	w f	\$ f
	\ " \$ Prepare Quantities & Construction Cost Estimate	Q	16	w f
	\ " Q Prepare Special Provisions	16	10	w \
	\ " ] Prepare Final Design Review Submittal	16	[	w Q
	\ " \ Final Design Review Meeting	[	[	16
	\ " G Prepare PS&E Submittal	Q f	Q w	[ w
	\ " [ Address PS&E Review Comments	16	w Q	Q f
	6.9 Prepare Resident's File	\	Q	10
	<b>TASK 6 HOURS</b>	<b>440.0</b>	<b>512.0</b>	<b>952.0</b>
	<b>TASK 6 MAN-DAYS</b>	<b>55.0</b>	<b>64.0</b>	<b>119.0</b>
<b>TOTAL HOURS</b>		<b>602.0</b>	<b>614.0</b>	<b>1216.0</b>
<b>TOTAL MAN-DAYS</b>		<b>75.3</b>	<b>76.8</b>	<b>152.0</b>

**CITY COUNCIL MEETING  
STAFF REPORT**

**DATE:** April 16, 2019  
**FROM:** Kyle Marine, Assistant Water Superintendent  
**SUBJECT:** **Request to declare the used MIOX Chlorine Generator as surplus.**

---

**DECISION POINT:**

Water Department Staff requests that Mayor and Council declare the used MIOX Chlorine Generator as surplus property and allow Water Department staff to dispose of through best means.

**HISTORY:**

Prior to 2009, the City of Coeur d'Alene Water Department historically utilized gas chlorination for disinfection of the potable water supply. Chlorine gas is inherently dangerous if improperly handled and is extremely poisonous and highly corrosive. The Water Department began looking for much safer alternatives and opted to try sodium hypochlorite onsite generation. The process uses salt and electricity to generate a weak sodium hypochlorite solution for disinfection. In 2009 the first onsite CL2 generator was purchased and installed at the 4<sup>th</sup> Street Well. The department later switched to another brand and this unit was relocated to the Hanley Well due to its low use. The cells have a limited operational life estimated to be about 10 years. This cell is no longer functional and cannot be repaired.

**FINANCIAL ANALYSIS:**

As previously mentioned, the MIOX unit has reached its life expectancy and repair parts are no longer available. A complete replacement unit has been purchased under the O&M budget schedule and will be installed. As the majority of the existing unit is plastic, wiring and steel casing, there will be relatively little scrap value.

**PERFORMANCE ANALYSIS:**

The Declaration of the MIOX as surplus and authorization for Water Department staff to dispose of through best means will not affect the City's customers in any way with regards to financial impact or customer service. A new unit will be installed prior to well activation for the summer season.

**DECISION POINT/RECOMMENDATION:**

Water Department Staff requests that Mayor and Council declare the used MIOX as surplus property and allow Water Department staff to dispose of through best means.

**CITY COUNCIL MEETING  
STAFF REPORT**

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**DECISION POINT/RECOMMENDATION:**

Water Department Staff requests that Mayor and Council declare the used MIOX as surplus property and allow Water Department staff to dispose of through best means.



OTHER BUSINESS

CITY COUNCIL  
STAFF REPORT

DATE: April 10, 2019

FROM: Dave Hagar

SUBJECT: School Resource Officer Contract for School Years 2019-2021 with  
SD271

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**Decision Point:** The police department requests approval of the attached contract with the Coeur d'Alene School District #271 to provide School Resource Officer services for school years 2019- 2021, a two-year contract.

**History:** The City has maintained a contract the Coeur d'Alene School District to provide 7 School Resource Officer for several years. Due to the passage of their recent operations levy, the school district desires to add an additional SRO which will provide a second Elementary SRO.

**Financial Analysis:** The Coeur d'Alene School District agrees to pay 67% of nine months' salary and benefits of 8 Officers to be paid quarterly in equal installments. The average reimbursement for the 7 existing officers is \$56,342 per officer. The cost to hire an entry level officer with an average benefit package will be approximately \$96,921.20. Based on these estimates, the cost to the City to add this additional Officer would be approximately \$40,679.20. The District has also agreed to pay \$20,000 a year for two years for equipment for the Officer. The Officer would not need to be hired until August and would only have an impact for the last two months of the current budget year, but the full amount would need to be added to the Police Department's budget for subsequent years.

**Performance Analysis:** This partnership with the Coeur d'Alene School District is extremely valuable and demonstrates our commitment to keeping our students safe. The added Elementary SRO would reduce the workload to 4 Elementary schools each upon completion of the new Elementary School.

**Decision Point:** The police department requests approval of the attached contract with the Coeur d'Alene School District to provide School Resource Officer services for school years 2019- 2021.

RESOLUTION NO. 19-012

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN AGREEMENT FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS TO SCHOOL DISTRICT #271 FOR THE DISTRICT'S FISCAL YEARS 2019 -2021.

WHEREAS, the Police Chief of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into an agreement with School District #271, pursuant to terms and conditions set forth in an agreement, a copy of which is attached hereto as Exhibit "1" and by reference made a part hereof; and

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

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City enter into an agreement for the provision of School Resource Officers to School District #271 for the District's fiscal years 2019-2021, in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreement to the extent the substantive provisions of the agreement remain intact.

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

DATED this 16<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

Motion by \_\_\_\_\_, Seconded by \_\_\_\_\_, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER EVANS Voted \_\_\_\_\_

COUNCIL MEMBER MCEVERS Voted \_\_\_\_\_

COUNCIL MEMBER MILLER Voted \_\_\_\_\_

COUNCIL MEMBER EDINGER Voted \_\_\_\_\_

COUNCIL MEMBER GOOKIN Voted \_\_\_\_\_

COUNCIL MEMBER ENGLISH Voted \_\_\_\_\_

\_\_\_\_\_ was absent. Motion \_\_\_\_\_.

AGREEMENT BETWEEN THE  
COEUR D'ALENE SCHOOL DISTRICT #271  
and  
THE CITY OF COEUR D'ALENE  
for  
EMPLOYMENT OF SCHOOL RESOURCE OFFICERS  
FOR THE DISTRICT'S FISCAL YEARS 2019-2021

THIS AGREEMENT is entered into this 16<sup>th</sup> day of April, 2019, by and between School District #271, Coeur d'Alene, Idaho, hereinafter referred to as DISTRICT, and the City of Coeur d'Alene, having its principal business office located at 710 Mullan, Coeur d'Alene, Idaho, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, safety and security on and around high school, middle school, and elementary school campuses is an essential element for a positive educational environment and the DISTRICT lacks the specialized skills and resources to adequately meet these needs; and

WHEREAS, the safety and well-being of students on high school, middle school, and elementary school campuses is a concern shared by both the CITY and the DISTRICT, and a coordinated effort is deemed the most effective and efficient means to provide for campus security; and

WHEREAS, the presence of uniformed police officers on school campuses, in addition to basic law enforcement services, allows for an array of police services to be provided to both students and staff, such as the dissemination of information on the police department, the criminal justice system, gang intervention and prevention, and alcohol and drug abuse prevention.

NOW THEREFORE, the parties to this Agreement do mutually agree as follows:

I. RESPONSIBILITIES OF CITY

1. CITY agrees to provide eight (8) School Resource Officers (SROs) in order to provide a uniformed high visibility presence on and around the high school, middle school and elementary campuses located in the City of Coeur d'Alene; in the event the SRO is absent for any reason, layered coverage will be maintained by another officer(s), and DISTRICT officials will be notified in a timely manner; and
2. CITY agrees to furnish normal equipment for officers who perform this service, including use of Coeur d'Alene Police Department vehicles; and
3. CITY agrees the officers will facilitate classroom and faculty presentations related

to the youth and the law, at Coeur d'Alene High School, Lake City High School, Venture High School, Woodland Middle School, Canfield Middle School, Lakes Middle School, and the following 7 elementary schools: Borah, Bryan, Fernan, Ramsey, Skyway, Sorensen, and Winton. SROs will investigate youth-related criminal cases, continue to work with community agencies and parent/teacher groups, schedule security activities as needed, be the first responder in all law enforcement-related matters as they occur during regularly scheduled work hours for the officer; and

4. CITY agrees to have officers attend various sporting events and other extracurricular activities as needed for pro-active enforcement and interaction; and

5. CITY agrees to document and investigate all incidents of crime as per the police department's policies and procedures; and

6. CITY agrees to work with the DISTRICT to ensure that all SROs comply with all use and disclosure requirements regarding "education records" and "personally identifiable information" imposed by the Family Educational Rights and Privacy Act (FERPA).

## II. RESPONSIBILITIES OF DISTRICT

1. DISTRICT agrees to provide office space, furnishings and supplies for each School Resource Officer; and

2. DISTRICT agrees to furnish any special equipment or material necessary for the performance of this service as such equipment or material shall be identified and agreed to by the parties in writing; and

3. DISTRICT agrees each officer shall be responsible primarily to their Police Department Supervisor and secondarily to the principal of the high school to which they are assigned.

4. DISTRICT agrees to pay all school-related overtime for the School Resource Officers for events outside the regular school day.

## III. CONTROL AND JURISDICTION

Prevention, education and training may take place at all elementary schools, Coeur d'Alene High School, Lake City High School, Venture High School, Woodland Middle School, Canfield Middle School and Lakes Middle School located in the City of Coeur d'Alene as such activity relates to the DISTRICT.

The School Resource Officers will remain under the employment, direction, and control of the Coeur d'Alene Police Department. The SROs are employees of the City of Coeur d'Alene as "employee" is defined under Idaho Code § 6-902(4).

The CITY shall remain responsible for the actions of the School Resource Officers, and shall maintain liability insurance, or self-insurance as the case may be for any claims under the Idaho Tort Claims Act, Idaho Code § 6-901 *et seq.*, or any other alleged act or omission of the School Resource Officers, including, but not limited to, bodily injury or death, property damage, or alleged Civil Rights violations.

The DISTRICT shall maintain liability insurance, or self-insurance as the case may be for any claims under the Idaho Tort Claims Act, or any other claim, arising out of the negligent acts or omissions of DISTRICT, its employees, agents, and students, including but not limited to bodily injury or death, property damage, or alleged Civil Rights violations.

The DISTRICT shall endeavor to provide the CITY with requests for additional officers or for work assignments occurring outside regular school hours (that are not usual police duties) prior to the beginning of the school year. DISTRICT will update the CITY at reasonable intervals in order to assist the CITY in scheduling officers. Any requests for services by the DISTRICT outside the scope of this Agreement shall be negotiated for compensation prior to the incurrence of such work assignments, the same shall be agreed to in writing.

#### IV. CONSIDERATION

In consideration of all services hereinbefore described, DISTRICT agrees to pay and CITY agrees to accept in full payment therefor the amount of sixty-seven percent (67%) of nine (9) months' salary and benefits of eight (8) School Resource Officers to be paid quarterly in equal installments. Overtime, as agreed upon under sections II and III, will be paid quarterly as billed. Additionally, the DISTRICT agrees to pay a sum of Twenty Thousand Dollars (\$20,000) each year for 2 years, to provide equipment for the additional SRO.

#### V. TERM, AMENDMENT, RENEWAL AND TERMINATION OF AGREEMENT

1. The term of this Agreement shall remain in effect for the 2019-2020 and 2020-2021 public school fiscal years.
2. This Agreement may be amended or renewed in writing by consent of CITY and DISTRICT as permitted by law.
3. This Agreement may be terminated at any time in writing by mutual consent of CITY and DISTRICT.
4. The parties shall make reasonable efforts to meet from time-to-time during the term of this Agreement in order to evaluate the program prior to deciding whether to continue.
5. In the event that the parties do not have a writing as contemplated in subsection 2 above to continue the Agreement after its expiration as contemplated in subsection 1, above, this Agreement will continue quarterly until the Agreement is either amended or renewed (per subsection 2) or is terminated (per subsection 3). This continued Agreement will not include the additional payment for equipment as listed in section IV, above.

VI. IDAHO LAW CONTROLS

It is expressly understood and agreed by CITY and DISTRICT that the laws of the State of Idaho shall govern them and the venue for any litigation disputes regarding, or interpretation of, this Agreement shall be initiated exclusively in Kootenai County, State of Idaho.

VII. SUCCESSORS-IN-INTEREST AND ASSIGNS

All terms, conditions and provisions hereof shall inure to and shall bind the parties hereto, their respective successors in interest and assigns.

IN WITNESS THEREOF, CITY and DISTRICT have caused the Agreement to be signed on their behalf by duly authorized representatives of the 16<sup>th</sup> day of April, 2019, pursuant to Resolution No. 19-012 and have authorized the City Mayor to sign the same.

CITY OF COEUR D'ALENE

NORTH IDAHO COLLEGE

By: \_\_\_\_\_  
Steve Widmyer, Mayor

By: \_\_\_\_\_  
Casey Morrisroe, Chairperson

Attest:

Attest:

\_\_\_\_\_  
Renata McLeod, City Clerk

\_\_\_\_\_  
Lynn Towne, Clerk of the Board

APPROVED as to form and legality this 16<sup>th</sup> day of April, 2019.

By: \_\_\_\_\_  
Michael C. Gridley, City Attorney

By: \_\_\_\_\_  
Mark Lyons, Attorney for North Idaho College



**CITY COUNCIL  
STAFF REPORT**

**FROM:** TAMI STROUD, ASSOCIATE PLANNER  
**DATE:** APRIL 16, 2019  
**SUBJECT:** A-1-19 – ZONING PRIOR TO ANNEXATION OF A +/- 4.6 ACRE PARCEL FROM COUNTY COMMERCIAL TO R-17 (RESIDENTIAL AT 17 UNITS/ACRE)  
**LOCATION:** +/- 4.6 ACRE PARCEL LOCATED ON THE WEST SIDE OF RAMSEY ROAD AND SOUTH OF PRAIRIE AVENUE.

**APPLICANT:**

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

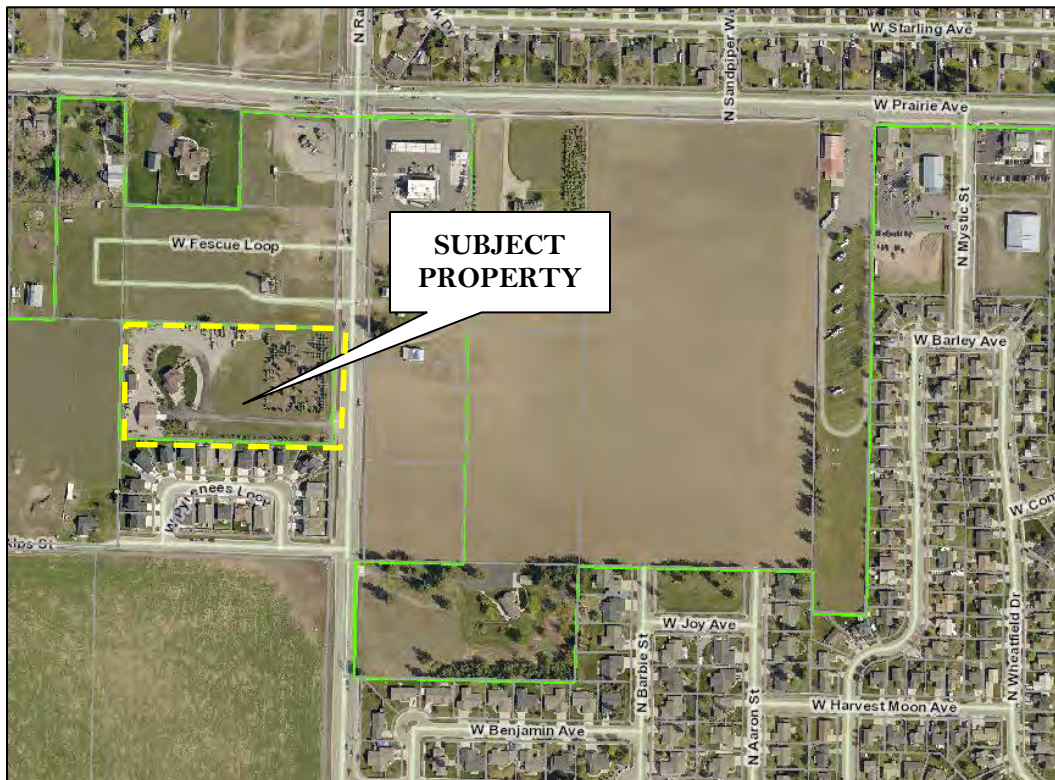
**OWNER:**

Ted Burnside  
7725 N. Ramsey Road  
Coeur d'Alene, ID 83815

**DECISION POINT:**

Lake City Engineering, on behalf of Ted Burnside, is requesting approval of a proposed +/- 4.6 acre annexation from County Commercial to city R-17 zoning district (Residential at 17 units/acre).

**AREA MAP:**



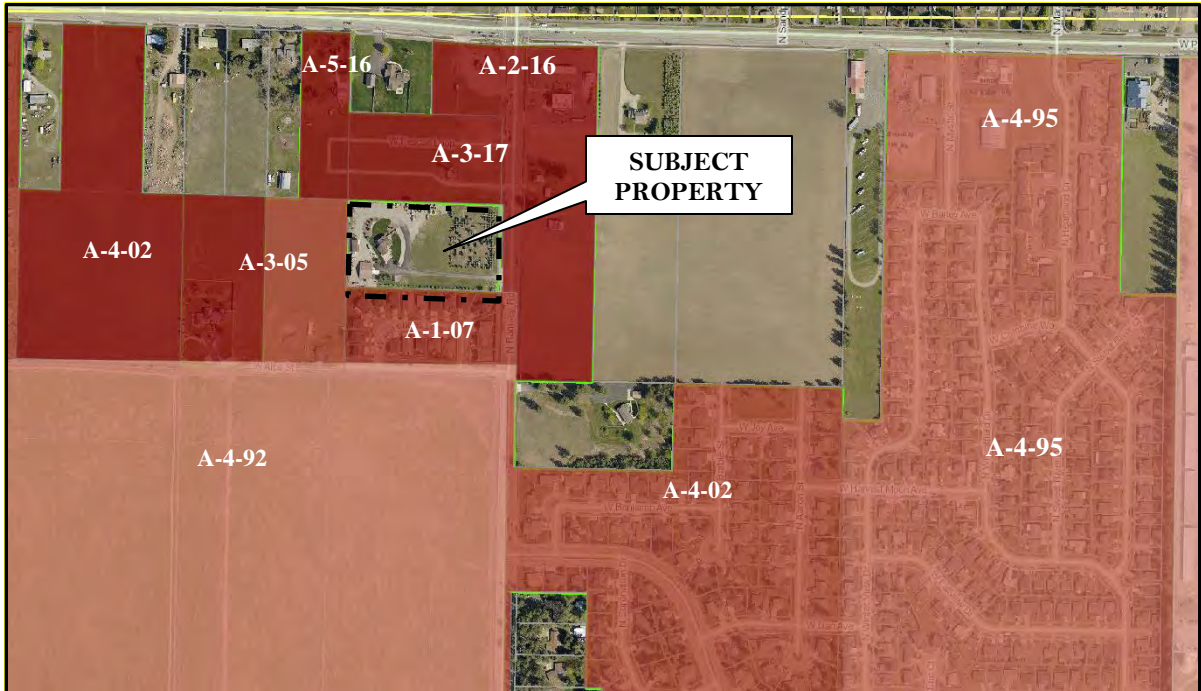




**GENERAL INFORMATION:**

Lake City Engineering on behalf of Lake Ted Burnside is proposing to annex a +/- 4.6 acre parcel as noted on the above annexation map. The subject property is near the southwest corner of the intersection of Prairie Avenue and Ramsey Road.

**ANNEXATION HISTORY MAP:**



The allowable uses by right under the R-17 zoning district are listed below.

**Existing 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.

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
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- 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
- Specialty retail sales
- Veterinary office

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

- Adult entertainment sales and service
- Auto camp
- Criminal transitional facility
- Custom manufacturing
- Extensive impact
- Residential density of the R-34 district as specified
- Underground bulk liquid fuel storage - wholesale
- Veterinary hospital
- Warehouse/storage
- Wireless communication facility

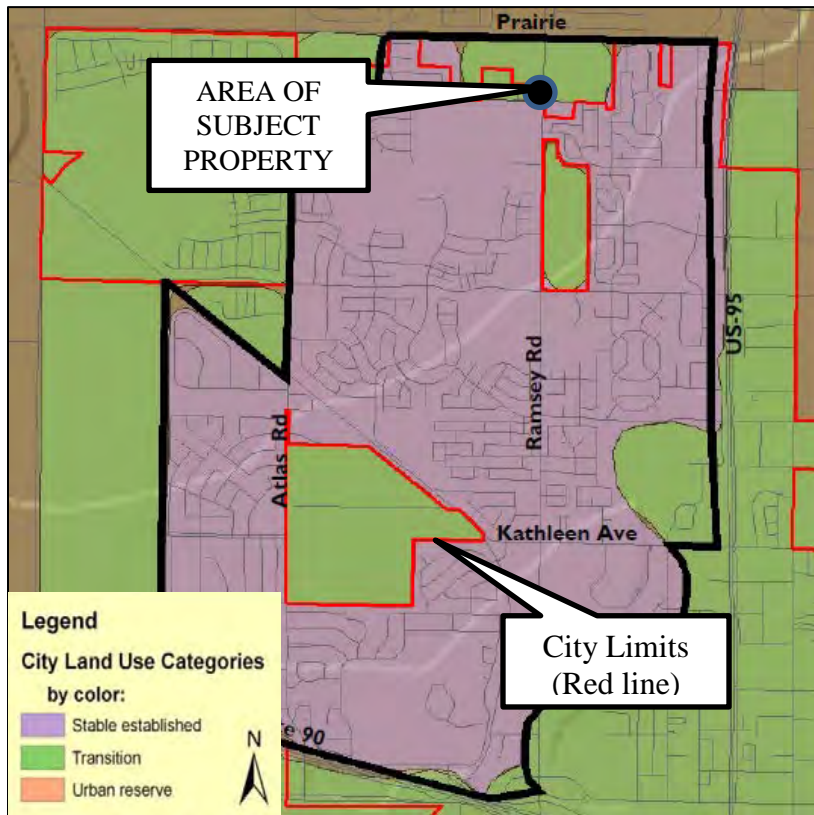
#### **REQUIRED FINDINGS FOR ANNEXATION:**

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

#### **2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES: RAMSEY WOODLAND**

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as: Ramsey- Woodland Transition

## Comprehensive Plan Map: Ramsey- Woodland -



### **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.

### **Land Use:**

#### **Ramsey - Woodland Today:**

The development pattern in this area is mixed with established subdivisions, such as Coeur d'Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue.

Neighborhood service nodes can be found throughout the Ramsey-Woodland area.

#### **Ramsey - Woodland Tomorrow**

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.

#### **The characteristics of Ramsey – Woodland 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.
- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.

- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

## **COMPREHENSIVE PLAN GOALS & OBJECTIVES:**

- **Objective 1.02 - Water Quality:**  
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.11- Community Design:**  
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 - Community Design:**  
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.13 - Open Space:**  
Encourage all participants to make open space a priority with every development and annexation.
- **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.
- **Objective 2.02 - Economic & Workforce Development:**  
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- **Objective 3.05 - Neighborhoods:**  
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.16 - Capital Improvements:**  
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**  
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **Objective 4.02 - City Services:**  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**  
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

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

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

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. It is anticipated that the residential development will typically utilize curb adjacent swales to manage the site runoff.

*-Submitted by Chris Bosley, City Engineer*

**TRAFFIC:**

The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone. However, assuming that R-17 multi-family housing is constructed on the parcel, less than 50 vehicle trips could be expected from this site during the peak hour. Ramsey Road in that area experiences about 20,000 vehicles per day, per our 2018 counts, whereas portions of Ramsey Road near I-90 experience over 30,000 vehicles per day. Ramsey Road is considered a Minor Arterial. The typical capacity of a 5-lane arterial is over 36,000 trips per day, but the level of service will degrade before reaching that capacity. Ramsey Road has the available capacity to accommodate additional traffic generated from the subject site, but access in and out of the development could be challenging during peak hours, especially for left turns. The Streets & Engineering Department has no objection to the annexation as proposed.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject site is currently undeveloped. The site has frontage along the west side of Ramsey Road. Any necessary improvements to this site would be addressed during the site development process. The Streets and Engineering Department has no objection to this annexation request if the right-of-way is provided.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

The Water Department has no comments or conditions. The subject property falls within Hayden Lake Irrigation District (HLID).

*-Submitted by Kyle Marine, Asst. Water Superintendent*

**WASTEWATER:**

The nearest public sanitary sewer is located within the Ramsey Road Right-of-Way which borders the easterly boundary of the Subject Property.

The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

*-Submitted by Mike Becker, Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Bobby Gonder, Fire Inspector*

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

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

**PHYSICAL CHARACTERISTICS:**

The +/- 4.6 acre parcel is located on the west side of Ramsey Road and approximately ¼ mile south of Prairie Avenue. The site fronts Ramsey Road and is generally flat. Currently, there is an existing single-family dwelling unit and an out building on a portion of the property; however, the majority of the subject property is vacant. The physical characteristics of the site appear to be suitable for the request at this time.



**PHOTOS OF SUBJECT PROPERTY:**

*Looking west at the existing single-family and trees on the subject property*



*View of a portion of the subject property looking northwest. There are a number of existing trees located on the site.*



*View of a portion of the subject property from Ramsey Road, looking southeast at the existing trees on the site and “Provence Twenty” development in the background.*





*Looking west at the view of a portion of the subject property that abuts the future multi-family project known as "Bluegrass Lodge" from Ramsey Road*



*View of a portion of the subject property on the left looking north toward Prairie Avenue*



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

**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 annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone. However, assuming that R-17 multi-family housing is constructed on the parcel, less than 50 vehicle trips could be expected from this site during the peak hour. Ramsey Road in that area experiences about 20,000 vehicles per day, per our 2018 counts, whereas portions of Ramsey Road near I-90 experience over 30,000 vehicles per day. Ramsey Road is considered a Minor Arterial. The typical capacity of a 5-lane arterial is over 36,000 trips per day, but the level of service will degrade before reaching that capacity. Ramsey Road has the available capacity to accommodate additional traffic generated from the subject site, but access in and out of the development could be challenging during peak hours, especially for left turns. The Streets & Engineering Department has no objection to the annexation as proposed.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

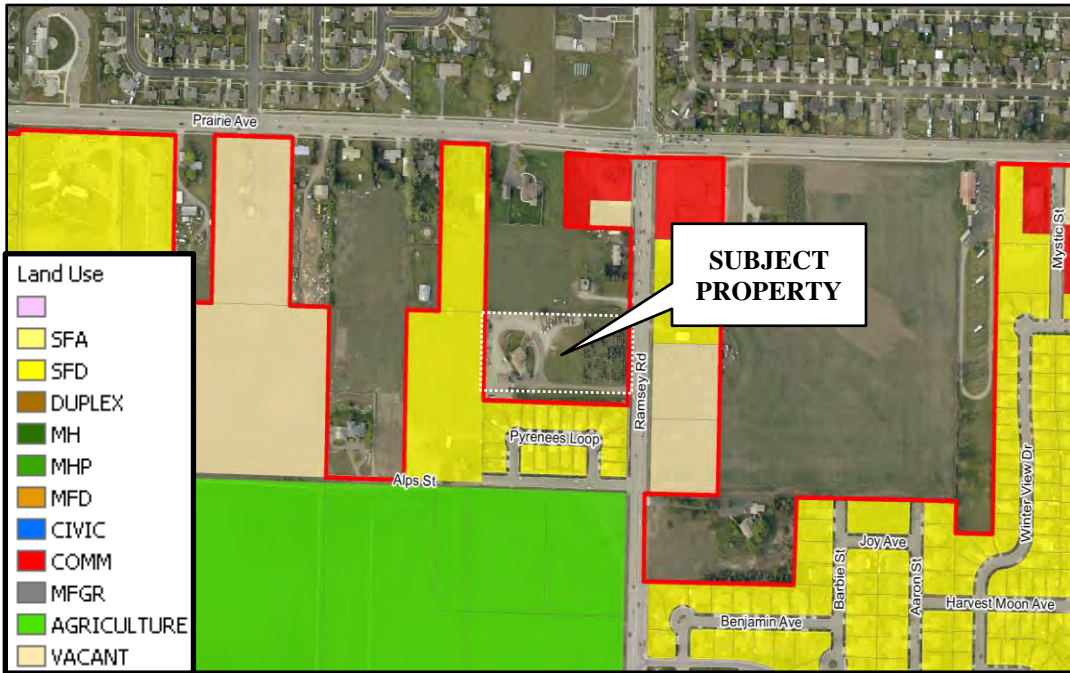
This is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, zone changes and PUD's have been approved in the area within the last five years.

There is an existing coffee stand (in city "C-17") to the north of this project, and a residential subdivision abutting the subject property, "Province 20", directly to the south. A multi-family project is proposed on the abutting lot directly to the north which is in the R-17 zoning district. The surrounding property consist of residentially zoned parcels (R-8) south (R-3) to the west and (R-17) to on the north.

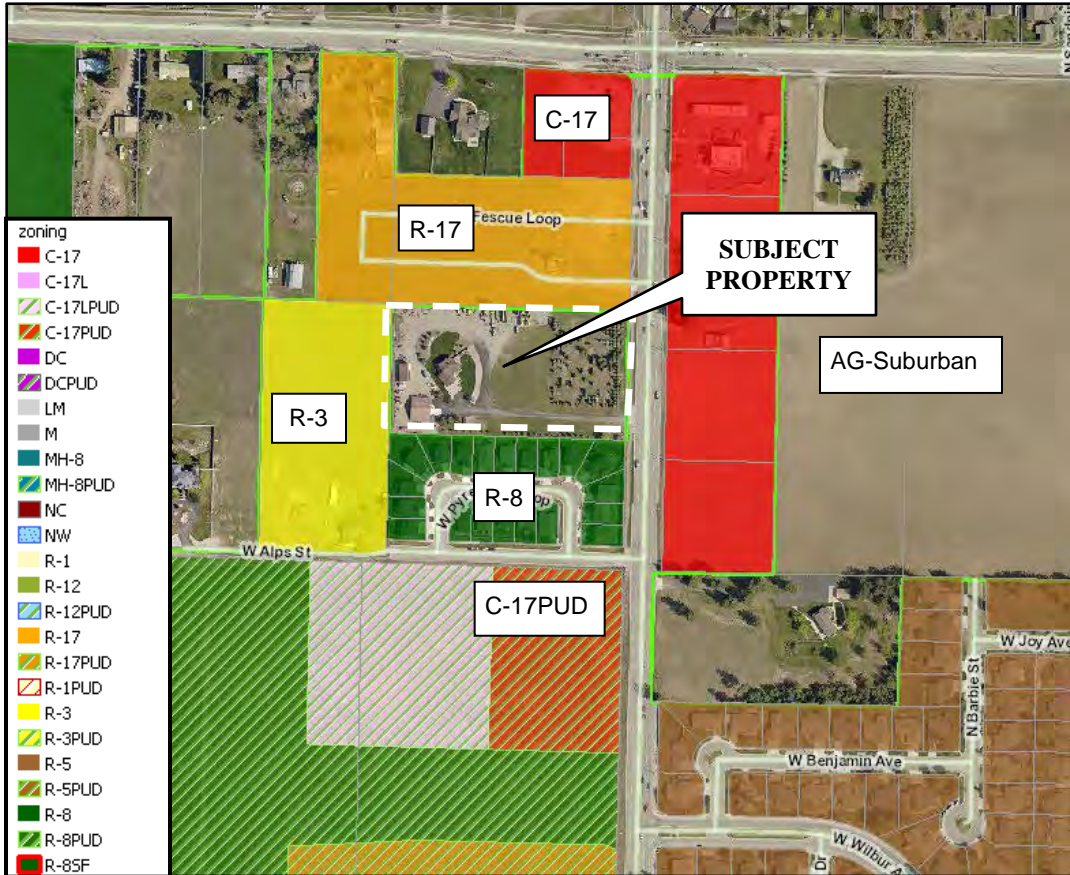
The applicant has stated in the narrative that the goal is to incorporate the subject property and the property to the west with the existing multi-family zoned property to the north to create a larger multi-family project.



**GENERALIZED LAND USE PATTERN:**



**ZONING:**



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

**PROPOSED ITEMS FOR AN ANNEXATION AGREEMENT:**

**BUILDING:**

Prior to the competition of the annexation, the applicant must address any outstanding code violations for the existing structures onsite if they are to remain.

**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  
2010 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

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

# **RAMSEY ROAD ANNEXATION**

## *PROJECT NARRATIVE*

*Coeur d'Alene, Idaho*

*January 17, 2019*



*126 E. Poplar Avenue  
Coeur d'Alene, Idaho 83814  
Phone: 208-676-0230*



**INTRODUCTION**

We are hereby requesting the annexation of approximately 4.6 acres of property into the City of Coeur d’Alene. The subject property is located near the southwest corner of the intersection of Prairie Avenue and Ramsey Road. Currently, there is an existing single-family residential house on a portion of the property; however, the majority of the land is vacant.

**SUBJECT PARCEL**

The property being requested for annexation is as follows:

- Parcel #: 0-3560-27-330-AA
- Address: 7725 N. Ramsey Road  
Coeur d’Alene, ID 83815
- Area: 4.58 acres
- Current Zoning: Commercial (County)
- Proposed Zoning: R-17 Residential
- Legal Description: The North half of Tract 330 of Hayden Lake Irrigated Tracts, excepting and right-of-way.



Figure 1: Vicinity Map

## ZONING CLASSIFICATION

The property is currently zoned Commercial in Kootenai County and is located at the northern boundary of the City of Coeur d'Alene City Limits. The surrounding property consists of residentially zoned parcels to the North (R-17), South (R-8) and West (R-3), and commercial property to the East (C-17). The project proponent is requesting a zoning classification of R-17 for the subject property to allow for a future multi-family development in coordination with the existing multi-family property to the North and in accordance with the City of Coeur d'Alene Zoning Ordinance.

A Zone Change application is being submitted concurrently with this Annexation for the property to immediate West. Said property is currently zoned R-3, and the project proponent is requesting a zone change to R-17. The goal is to incorporate this subject property and the property to the West with the existing multi-family property to the North to create a larger multi-family project.

The requested zoning classifications are in conformance with the goals and policies of the Comprehensive Plan and are compatible with the surrounding land uses.

## COMPREHENSIVE PLAN ANALYSIS

The property lies in a *Transition* area along the northern boundary of the Ramsey-Woodland land use area per the City of Coeur d'Alene Comprehensive Plan. Neighborhood characteristics for this land use tend to be single-family and multi-family housing with an overall density of 3 – 4 units per acre with pockets of higher density housing. Neighborhood service nodes and commercial uses should be placed where appropriate. The proposed zoning would be consistent with the Comprehensive Plan as this is located near the intersection of two major arterial streets, and is appropriate for commercial uses.

The City of Coeur d'Alene Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet, or exceed, the goals, policies and objectives as outlined in the Comprehensive Plan. The project proponent believes that the following Goals and Objectives (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

### **Goal #1 – Natural Environment**

*Objective 1.12 – Community Design: Support the enhancement of existing urbanized areas and discourage sprawl.*

The subject property is currently an undeveloped County property located on the northern boundary of the City of Coeur d'Alene. This annexation will allow for the development of this property to match that of the existing surrounding land uses.

*Objective 1.14 – Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.*

Existing utilities including sanitary sewer and domestic water are extended to this property in Ramsey Road, are readily available, and have the capacity to serve future development. This property is already included in the Sewer, Water and Transportation Master Plans for the City, and will be developed in accordance with the same.

## **Goal #2 – Economic Environment**

*Objective 2.02 – Economic and Workforce Development: Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.*

*Objective 2.05 – Pedestrian & Bicycle Environment: Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.*

The subject property is located near the intersection of two major arterials with bicycle and pedestrian friendly facilities including bike trails, bike lanes and pedestrian walkways/paths.

*Objective 2.04 – Downtown & Neighborhood Service Nodes: Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the City.*

## **Goal # 3 – Home Environment**

*Objective 3.05 – Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.*

The proposed annexation and zoning will allow for the future development of the subject property in a similar character and style of the surrounding land uses and neighborhoods.

*Objective 3.06 – Neighborhoods – Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.*

The subject property is surrounded by mixed zoning including both residential and commercial uses. Multi-family is a natural fit for this area, and will provide a transition from the existing single-family residential to the South and West to the commercial properties near the intersection of Ramsey Road and Prairie Avenue.



## PRE-DEVELOPMENT CONDITIONS

The subject property currently contains a single-family residence, an outbuilding, and a cell phone tower. Access to both the single-family residence and the cell tower are off of Ramsey Road. There are no other structures located on the property.

The Ramsey Road frontage improvements are complete and include curb and gutter, swales and walking paths. No additional improvements to Ramsey Road would be required during development of the subject property.

Figure 2 below shows the current site conditions.



Figure 2: Existing Site Conditions

1. Applicant: Ted Burnside  
Location: 7725 N. Ramsey Road  
Request: A proposed 4.6 acre annexation from County Commercial to City R-17.  
LEGISLATIVE (A-1-19)

Tami Stroud, Associate Planner stated that Lake City Engineering, on behalf of Ted Burnside, is requesting approval of a proposed +/- 4.6 acre annexation from County Commercial to city R-17 zoning district (Residential at 17 units/acre).

Ms. Stroud provided the following statements:

- Lake City Engineering, on behalf of Ted Burnside, is proposing to annex a +/- 4.6 acre parcel as noted on the annexation map.
- The subject property is near the southwest corner of the intersection of Prairie Avenue and Ramsey Road.
- She presented an aerial view of the subject property.
- She stated that the Comprehensive Plan designates this area as Ramsey-Woodland (Transition)
- She noted where the various staff comments were located in the staff report.
- The +/- 4.6 acre parcel is located on the west side of Ramsey Road and approximately ¼ mile south of Prairie Avenue.
- The site fronts Ramsey Road and is generally flat.
- Currently, there is an existing single-family dwelling unit, and an out building on a portion of the property; however, the majority of the subject property is vacant.
- The physical characteristics of the site appear to be suitable for the request at this time.
- She showed various photos of the property.
- This is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, zone changes and PUD's have been approved in the area within the last five years.
- There is an existing coffee stand (in city "C-17") and cell tower to the north of this project, and a residential subdivision abutting the subject property, "Province 20", directly to the south.
- A multi-family project is proposed on the abutting lot directly to the north. The surrounding property consists of residentially-zoned parcels (R-8) to the south, and (R-3) and (R-17) on the north.
- The applicant has stated in the narrative that the goal is to incorporate the subject property and the property to the west with the existing multi-family zoned property to the north to create a larger multi-family project.
- She showed a map of the various land uses surrounding the property.
- She noted that there is one proposed item for the annexation agreement that states: "Prior to the completion of the annexation, the applicant must address any outstanding code violations for the existing structures onsite."

Ms. Stroud concluded her presentation.

There were no questions for staff.

Public testimony open.

Drew Dittman, Applicant representative, provided the following statements:

- The property is 6.8 acres and currently zoned commercial in the county and they are proposing an R-17 designation.
- He stated the property to the north is R-17 as noted on the map that includes the new school site, with R-8 to the south, which is the Province 20 subdivision, and then there is the Coeur d'Alene Place PUD to the south that is C-17PUD.

- He stated that Idaho Code requires express standards for annexation and zoning requests.
- They believe the proposal is in conformance with the Comprehensive Plan.
- He stated there is commercial property along the east side of Ramsey Road.
- Currently there is a trail that runs along Ramsey to the Coeur d'Alene Place subdivision that runs down to Lake City High School and then to the Maverick gas station. This property is close to walking trails and Mr. Dittman feels this project will be a good fit.
- He stated the utilities are available with no objections from Streets and Engineering.
- He stated that they have been in contact with the Hayden Lake Irrigation District and they stated they have no issues.
- He described the property as flat with an existing tree farm and no outstanding features that would prohibit development on the property.
- He stated that there was a comment from Chris Bosley, City Engineer, who stated that Ramsey is a major collector and can handle traffic, and that Prairie is a principle arterial that can handle high volumes of traffic.
- He commented that there is R-17 and C-17 zoning to the north, commercial to the East and R-8 to the south with C-17 south of that property.
- He stated that this property meets all the land uses

Mr. Dittman concluded his presentation.

#### **Commission Comments:**

Commissioner Fleming inquired about the “left turn” issue and asked if that would be discussed at the next hearing for the zone change request.

Mr. Dittman explained that it is more of a development issue and would be addressed at the time of development and they will work with the City Engineer based on the number of approved units etc. He stated that it is premature to talk about it since there is no development now.

Commissioner Ingalls said that the parcel is currently in the county and is referenced by Mr. Holm as a “doughnut hole,” and which he refers to as “Swiss cheese” and considered a “freeloader” that is getting city services. He stated that it makes sense to clean up the “doughnut holes.” and commented that if he lived in one of the houses to the south and liked looking north at a nice tree farm, he would want that view to be like that forever. He inquired if the applicant could describe what it will look like compared to if the request is turned down and remained in the County as County Commercial.

Mr. Dittman explained that if the property remains in the county it could be developed as commercial property with a gas station. He said there would be a number of commercial projects that could be done on the parcel and commented that the parcel could also be annexed as commercial with commercial properties surrounding the property to the east.

Commissioner Ingalls confirmed that development could include a gas station, mini storage etc. He inquired if the property was approved as R-17, what would that look like.

Mr. Dittman explained that they could have 17 units/acre and the maximum height would be 45 feet, which is three stories, and they would not need to go three stories to get the density. He stated that they can get 17 units per acre with two story buildings. He referenced the Landings and Carrington Place in Coeur d'Alene as two story apartment projects that meet the R-17 density. He stated that he would anticipate that that is what would be on the property.

Chairman Messina inquired if Mr. Dittman received a copy of the letter submitted by the School District and noted on page two of the letter, under “Partnerships,” the last three sentences that state “the district is also pleased to report that the developer has indicated a willingness to provide some mitigation for the impact on local schools.” He asked Mr. Dittman to explain.

Mr. Dittman said the applicant has been in contact with the School District and discussed the future school site. He explained that they asked them if they could provide connectivity by a walking trail for potential students to walk to the school site. Mr. Dittman said that they can only go to their border and can provide a walking trail to get there. In Idaho you can't have impact fees for schools that are not allowed by code.

Chairman Messina stated that putting an access to the school site was mentioned, and asked if the applicant/owner owns the R-17 piece that they annexed in March.

Mr. Dittman said the boundary lines are not correct and noted on the map the parcel the applicant owns.

Chairman Messina inquired if apartments are planned for the other R-17 piece of property that was approved earlier this year.

Mr. Dittman said that the parcel is currently zoned R-17 and explained that building permits are sitting in the building permit "queue" and were put on hold when the opportunity came up for these two pieces to see if they can combine them and make it one big parcel.

Chairman Messina questioned if there has been any discussion with the property owner for connecting the R-17 parcel to the school.

Mr. Dittman noted that that piece of property is currently in the county and is not for sale. He said that if the zone change goes through, the three parcels will be for one project.

Dawn Antrim said she is concerned that, with a new school proposed, traffic will be terrible. She stated that she works downtown at the District Court and it takes twenty minutes for her to get to work. She believes that traffic from 172 apartments will be terrible, and said that she has two kids in grade school and they had to be split up, because one school didn't have enough room for the fifth graders and the first graders. She said that the schools are at capacity and something needs to be done.

Janet Roberts said she lives in Provence Twenty located behind the parcel. They are aware of the 435 acre field for Coeur d'Alene Place for 429 homes. She stated her concern is that apartments already have been approved in the R-17 zone and that the new school proposed on the corner of Ramsey and Prairie will be overtaxed. She stated if this zone change is approved, they will be putting "for sale" signs on their homes.

Chris Jessen noted on the map where he lives and said that he understands there is going to be progress. He said he is worried what is going to be built behind his house and if it is proposed three stories, he will be losing his sunsets, with people looking into his bedroom. He said they moved there because the properties behind them were vacant and commented that single family or duplexes would be fine, but three story apartments are too much.

David Hirtle stated he lives in Provence Twenty and questioned when the last traffic study was done on the property.

Ms. Anderson said that she is not aware of the date, but the City Engineer noted in the staff report that the project would not have an impact on traffic. She said that she could give Mr. Hirtle the number for the City Engineer who can give him the information when those studies were done.

Mr. Hirtle said his wife can't make a left turn to go north on Ramsey and with the addition of these apartments it will be terrible. He said that R-8 would be a better fit and make it part of their neighborhood.

Chairman Messina said that the commission is aware of the traffic problem along that corridor and they are in the process of redoing the Comprehensive Plan that will address those issues and that, right now, they are doing the best they can do.

**Rebuttal:**

Mr. Dittman made the following statements:

- He stated that he appreciates all the comments.
- In regard to traffic, he said that the City Engineer reviewed it and commented in the staff report that he sees no objections. Ramsey is a major collector. Prairie is a principal arterial that is designed to handle a high volume of traffic and where you want to put higher density projects.
- The cell tower is not on the property.
- In regard to schools, Mr. Dittman said that in the letter it was referenced that one out of every 5 multi-family units equals one school age student that will join the district. He said that they have 15 acres between all three of the parcels, and explained that if the entire parcel was zoned R-17 and was built to maximum density, that would be 255 maximum units. Multi-family generates 1 student for every 5 units, which equals 51 students at maximum build out if it was multifamily. If the parcel was R-8, which is the same as Provence 20, single family generates .62 students per unit, which is based on information from the school district. Mr. Dittman said that if they were to develop the parcel as single family, 75 units times .62 is 47 students. He commented that 51 multi-family versus 47 single family, which would be the same amount of students either way.
- He stated that it's not fair to say that apartments on the property will be a burden to the school district.

Mr. Dittman stood for questions.

Public testimony closed.

**Discussion:**

Commissioner Ingalls stated that this is a parcel that belongs in the city and stated that the Comprehensive Plan designates this area as a transition area. He said that years ago this area was envisioned as an area that would change and it was envisioned that these "doughnut" holes would be making their way into the city and confusing which jurisdiction whose codes prevailed, etc. He said that the Comprehensive Plan had a vision that this was coming into the city and that this is a "no brainer". Commissioner Ingalls said that he believes that when they look at the project to the north of the property, it makes sense to look at it as one project and agree that the zone be designated R-17.

Commissioner Luttrupp said that he is sympathetic to the people who live in the area and said that when they look at the Comprehensive Plan they will spend some time on trying to better develop how they are going to manage growth. He said that he understands that nobody wants a large building next to them but understands that growth and traffic is an issue but it's a problem throughout the city. He commented that he supports the request.

Commissioner Fleming commented that the piece or property belongs in the city and they will have to walk through this with the developer for the best solution. She supports the request.

Chairman Messina said this is a good fit for the property and he will support the request.

**Motion by Ingalls, seconded by Fleming, to approve Item A-1-19. 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.



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

**A-1-19**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 12, 2019 and there being present a person requesting approval of ITEM A-1-19, a request for zoning prior to annexation from County Commercial to city R-17 zoning district (Residential at 17units/acre).

APPLICANT: TED BURNSIDE

LOCATION: +/- 4.6 ACRE PARCEL LOCATED ON THE WEST SIDE OF RAMSEY ROAD AND SOUTH OF PRAIRIE AVENUE.

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

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

- B1. That the existing land uses are commercial and residential.
- B2. That the Comprehensive Plan Map designation is Ramsey-Woodland Transition.
- B3. That the zoning is County Commercial.
- B4. That the notice of public hearing was published on February 22, 2019, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on March 12, 2019.

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

**Objective 1.02 - Water Quality:**

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

**Objective 1.11- Community Design:**

Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.

**Objective 1.12 - Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.13 - Open Space:**

Encourage all participants to make open space a priority with every development and annexation.

**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.

**Objective 2.02 - Economic & Workforce Development:**

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

**Objective 3.05 - Neighborhoods:**

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

**Objective 3.16 - Capital Improvements:**

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

**Objective 3.18 - Transportation:**

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

**Objective 4.02 - City Services:**

Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).

**Objective 4.06 - Public Participation:**

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

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on that the utility or engineering departments have provided any objections, and that all services are adequate.
  
- B10. That the physical characteristics of the site do make it suitable for the request at this time because this is a flat site with no physical challenges or constraints.
  
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses.

**C. ORDER: CONCLUSION AND DECISION**

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

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

**BUILDING:**

Prior to the competition of the annexation, the applicant must address any outstanding code violations for the existing structures onsite if they are to remain.

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

**ROLL CALL:**

Commissioner Fleming	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted Yes

Commissioners Mandel, Ward and Rumpler were absent.

Motion to approved carried by a 3 to 0 vote.

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



# Coeur d'Alene Public Schools

DISTRICT ADMINISTRATIVE CENTER  
1400 N. Northwood Center Court, Coeur d'Alene, ID 83814

OFFICE 208.664.8241  
FAX 208.664.1748  
[www.cdaschools.org](http://www.cdaschools.org)

April 12, 2019

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

RE: Item: A-1-19 and ZC-1-19

Dear Council:

I am writing on behalf of the Coeur d'Alene School District regarding two referenced items on the agenda to go before the City Council on Tuesday, April 16, 2019. It is our understanding that there are two requests: (1) Item ZC-1-19 requesting a zone change of R-3 to R-17, and (2) Item A-1-19 requesting annexation and R-17 Zone Designation along with an existing adjoining 6 acre parcel. Both requests are part of a plan submitted by a local developer to build multi-family residences on these properties.

The school district supports responsible growth, but again we see an example of a request for higher density growth with limited consideration for the impact of schools. The school district is planning to construct a new elementary school just to the east of the properties at issue. This school should seat 550 students. This new school site is located between Ramsey Elementary, Skyway Elementary, and Atlas Elementary, all of which are above capacity and have classrooms in portables. Lake City High School is at capacity and Woodland Middle School has classrooms in portables as well. Development in this area is already expected to fill the new elementary school, which in turn reduces the ability to move students out of portables at existing schools and increases enrollment in the high school and middle schools. The district is required to accommodate this increased growth, either through increased classrooms at existing schools or by acquiring new property to construct additional schools.

Both projects cover approximately 4.6 acres. An R-17 zoning would allow for up to 79 units with respect to each parcel. Our data suggests that 1 out of every 5 units will have school-age students, with each those households including 1 - 1.5 students. Based on these averages, we would anticipate 16-24 students for each property, for a total of 32-48 students. These students would be in addition to the 6 acres project already plated to the north, which is also expected for development as apartment structures. Total numbers of students anticipated for all 3 parcels at full development would generate a total of 54-81 students.

While the district is supportive of positive growth and responsible development, we again ask that both the City Council thoughtfully weigh the impact that all future development projects have on local school districts, also a sister public agency. The impacts that we believe will result from this development are as follows:

**1) Development and Growth has an impact on public schools and a real cost to taxpayers:** The developer already has approval for a 6+acre development to the north with an R-17 designation. This relates to approximately 110 units. The current request includes two additional 4.6 acres parcels at R-17 for an additional 79 units per parcel. Again, the district expects that one out of every five units correlates to 1-1.5 school-aged

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well-educated, resilient and future-ready citizens.

students that will join the district. Based on full build-out of all three parcels for this entire project, the school district anticipates 54-81 students. Our current cost per student that local taxpayers provide under the current operation and maintenance levy, is approximately \$1860.00. This does not include any new building or facilities. So under the current levy, 54 students would require approximately an additional \$100,440 operational dollars annually, and an additional 81 students would require an additional \$150,660.

**2) Space:** Based on current school zones, these additional students would likely attend the New Elementary School, Woodland Middle School and Lake City High School, all of which are at or over capacity. Funding sources are necessary for rezoning, adding classroom space, and/or building new schools and acquiring land to develop additional availability for kids. (We estimate a total out of pocket cost for taxpayers to build a 550 student elementary school in today's market at \$13.5 million).

**3) Land Acquisition:** School districts are not set up to enter the open market as a private developer to compete for the right location for schools. Additionally, failing to dedicate land within the development area requires the district to build outside of the current growth; thus increasing transportation costs and increasing the prevalence of rezoning, an emotionally charged process that often leads to significant frustration in the community. Imagine if other public entities such as Fire Departments, or Parks departments were similarly expected to compete on the open market to locate and place future fire stations or community parks.

**4) Capital Fund:** What would it look like if developers were required to contribute to a Capital Fund so that the School District is in a position to purchase property as it comes on the market or look at capital improvements to meet the needs of growth at existing schools? As it stands right now, the City does not mandate any fees related to schools, so it would need to be at the desire of the developer to participate in ensuring all public services, including schools, are provided for both now and in the future as a result of development and growth. Going forward, we strongly urge the City to fairly assess the impact for all projects on public schools, either by amending current policy, city code, or changing approach and practice to establish and act upon the authority to assess impact fees, funding or land acquisition for the impacts of development on the school district and the expectation that the best communities grow all public resources in concert for the betterment of the overall local community.

**5) High Density Development:** As the City has built out over the past 10 years, there are very few large parcels remaining for construction of higher quantity single family homes. High density, multi-family, infill projects put a significant strain on schools that are at capacity. Currently as a district, 14 of our 17 schools are at or over capacity.

**6) City Authority:** One of the stated purposes of Idaho's Local Land Use Planning Act is "to allow local school districts to participate in the community planning and development process so as to address public school needs and impacts on an ongoing basis." LLUPA recognizes that public school capacity should be a vital piece of any discussion regarding city development and requires cities to analyze school district needs as part of their comprehensive plans. While current code allows the City to mitigate impacts to school districts by requiring land dedications for school use as a condition of approval for planned unit developments, to our knowledge the City has never exercised this authority, or its authority to pass additional ordinances addressing mitigation. The school district would like to further engage with City Staff to plan for future development and ensure consideration for the growth, funding and impact on public schools both through ordinance and comprehensive planning. The School District appreciates recent conversations with the City to consider future planning for School District needs.

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We invest in each student to prepare, challenge and advance well-educated, resilient and future-ready citizens.

**7) Partnerships:** The developer has indicated a desire to construct a trail through the back of the development to provide safe and easy access to the new school but may require the request of an easement from a neighboring property. The District is also pleased to report that the developer has indicated a willingness to provide some mitigation for the impacts on local schools. The school district appreciates this consideration of positive partnerships and looks forward to continuing these discussions.

The school district recognizes that growth has occurred and continues to occur within our community. The school district is committed to the development of effective long range plans, and we are compelled to build even stronger municipal partnerships, aligning our long range plans with the City's comprehensive plan, creating clear and effective opportunity for developers to participate and contribute to the increased demands placed on all public services, including our schools. Thank you for your consideration and we look forward to our partnership as we build a collaborative approach between the city and the school district to ensure that future growth and development in our community can be done in a thorough and thoughtful manner.

Sincerely,

Jeff Voeller  
Director of Operations

# City Council Meeting



April 16, 2019

## A-1-19: Annexation

### Tonight's Public Hearings



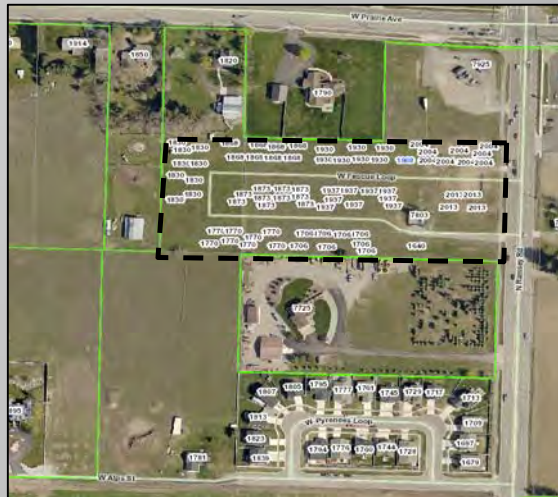


# A-1-19: Annexation

## Tonight's Public Hearings

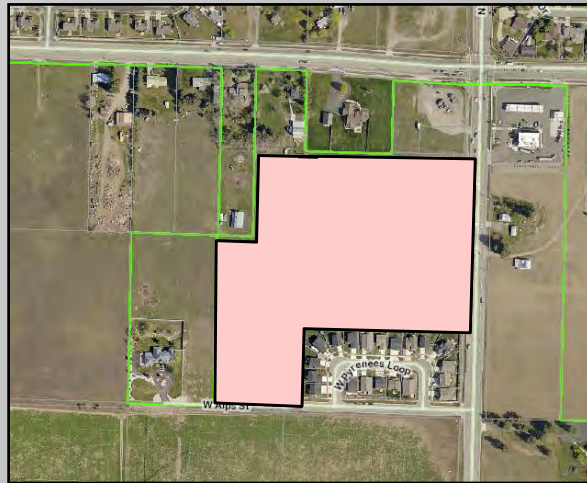


# A-1-19: Annexation





## A-1-19: Annexation



## A-1-19: Annexation

**APPLICANT:**

Lake City Engineering

**OWNER:**

Ted Burnside

**SUBJECT:**

Request for zoning designation in conjunction with annexation

**LOCATION:**

A +/- 4.6 acre parcel on the west side of Ramsey Road



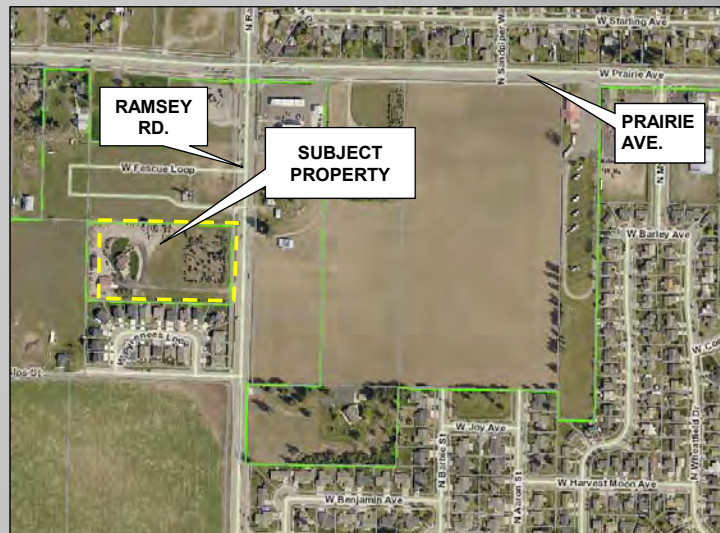
## A-1-19: Annexation Comprehensive Decision Points

The applicant is requesting:

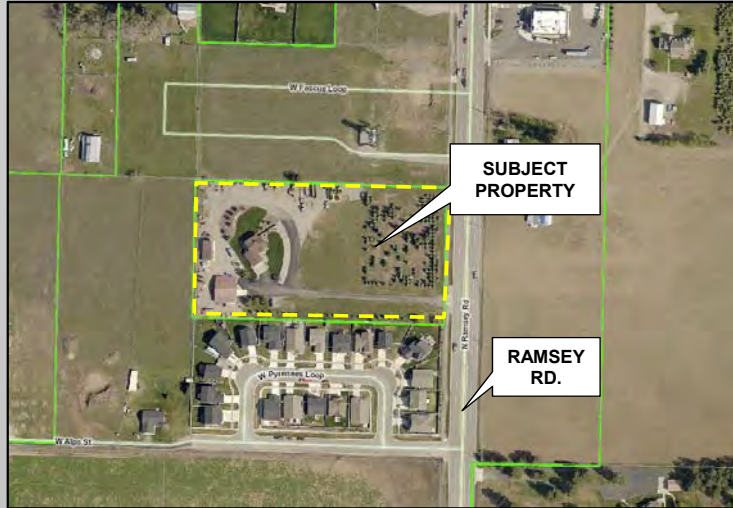
1. Annexation of +/- 4.6 acres
2. R-17 zoning designation



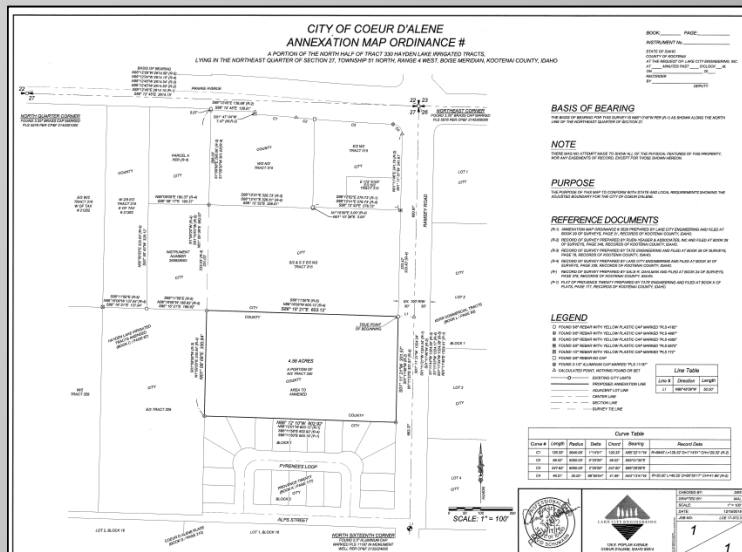
## A-1-19: Annexation Vicinity Map



# A-1-19: Annexation Vicinity Map



# A-1-19: Annexation Map



## A-1-19: Annexation History Map



## A-1-19: Annexation Photo of Subject Property

### Site Photo - 1

*View looking west at the existing single-family and existing trees on the subject property*





## A-1-19: Annexation Photo of Subject Property

**Site Photo - 2**

*View of a portion of the subject property looking northwest. There are a number of existing trees located on the site.*



## A-1-19: Annexation Photo of Subject Property

**Site Photo - 3**

*View of a portion of the subject property from Ramsey Road, looking southeast at the "Provence Twenty" development in the background.*



## A-1-19: Annexation Photo of Subject Property

**Site Photo - 4**

*View looking west at a portion of the subject property that abuts the future multi-family project known as "Bluegrass Lodge" from Ramsey Road*



## A-1-19: Annexation Photo of Subject Property

**Site Photo - 5**

*View of a portion of the subject property on the left looking north toward Prairie Avenue*



## A-1-19: Annexation Requested R-17 Zoning District

### **17.05.250: GENERALLY:**

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.

## A-1-19: Annexation Annexation Findings

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

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

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

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

## A-1-19: Annexation Required Findings

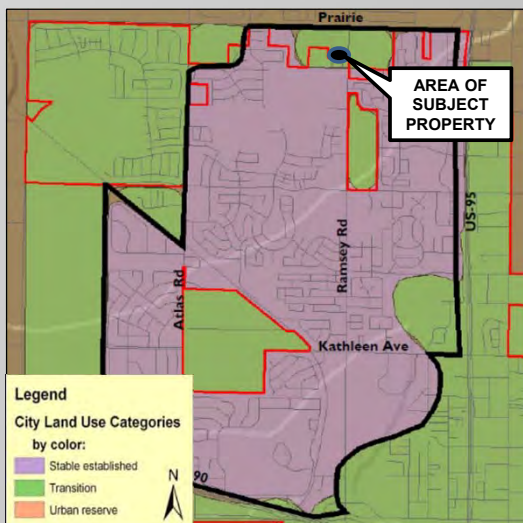
**Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

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

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as:

*Ramsey – Woodland*

## A-1-19: Annexation Finding #B8: continued



**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





## A-1-19: Annexation Finding #B8: continued

### **Ramsey- Woodland Today:**

The development pattern in this area is mixed with established subdivisions, such as Coeur d'Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue. Neighborhood service nodes can be found throughout the Ramsey-Woodland area.



## A-1-19: Annexation Finding #B8: continued

### **Ramsey- Woodland Tomorrow:**

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.



## A-1-19: Annexation Finding #B8: continued

**Characteristics of Ramsey-Woodland 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.

- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

## A-1-19: Annexation Finding #B8: Comp Plan Goals & Objectives

**Objectives:**

- |   |                             |
|---|-----------------------------|
| 1.02-Water Quality                        | 3.05 – Neighborhoods        |
| 1.11 –Community Design                    | 3.16 – Capital Improvements |
| 1.12 –Community Design                    | 3.18 – Transportation       |
| 1.13- Open Space                          | 4.02 – Capital Improvements |
| 1.14 –Efficiency                          | 4.02 – City Services        |
| 1.16 – Connectivity                       | 4.06 – Public Participation |
| 2.02 –Economic &<br>Workforce Development |                             |



## A-1-19: Annexation Required Findings

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

Staff comments from Streets & Engineering, Water, Wastewater and Fire are located in your staff report on pages 7 & 8.

## A-1-19: Annexation Required Findings

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

The +/- 4.6 acre parcel is located on the west side of Ramsey Road and approximately ¼ mile south of Prairie Avenue. The site fronts Ramsey Road and is generally flat. Currently, there is an existing single-family dwelling unit, and an out building on a portion of the property; however, the majority of the subject property is vacant. The physical characteristics of the site appear to be suitable for the request at this time.

## A-1-19: Annexation Required Findings

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

**NEIGHBORHOOD CHARACTER:**

This is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, zone changes and PUD's have been approved in the area within the last five years.

## A-1-19: Annexation Department Comments

**Finding #B11: (continued)**

There is an existing coffee stand (in city "C-17") to the north of this project, and a residential subdivision abutting the subject property, "Province 20" directly to the south. A multi-family project is proposed on the abutting lot directly to the north. The surrounding property consist of residentially zoned parcels (R-8) south (R-17) and (C-17) to the north.

The applicant has stated in the narrative that the goal is to incorporate the subject property and the property to the west with the existing R-17 multi-family zoned property to the north to create a larger multi-family project.

## A-1-19: Annexation Department Comments

### **Finding #B11: (continued)**

#### **TRAFFIC:**

The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone. However, assuming that R-17 multi-family housing is constructed on the parcel, less than 50 vehicle trips could be expected from this site during the peak hour. Ramsey Road in that area experiences about 20,000 vehicles per day, per our 2018 counts, whereas portions of Ramsey Road near I-90 experience over 30,000 vehicles per day. Ramsey Road is considered a Minor Arterial.

## A-1-19: Annexation Department Comments

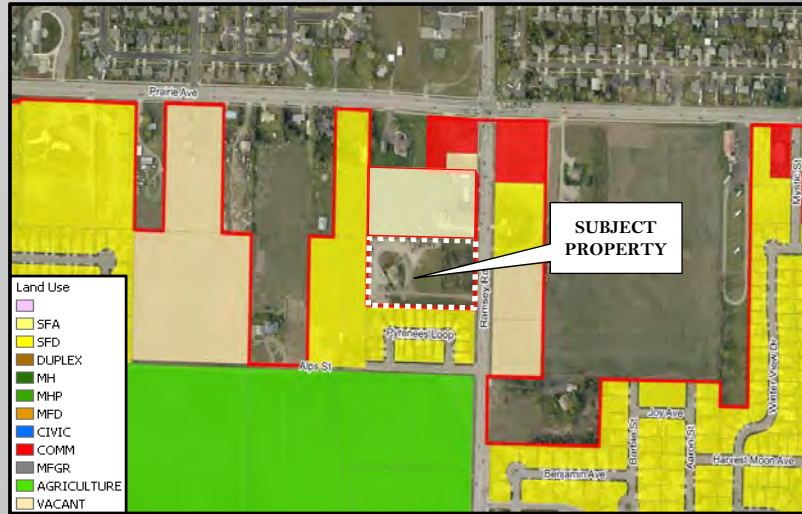
### **TRAFFIC (continued)...**

The typical capacity of a 5-lane arterial is over 36,000 trips per day, but the level of service will degrade before reaching that capacity.

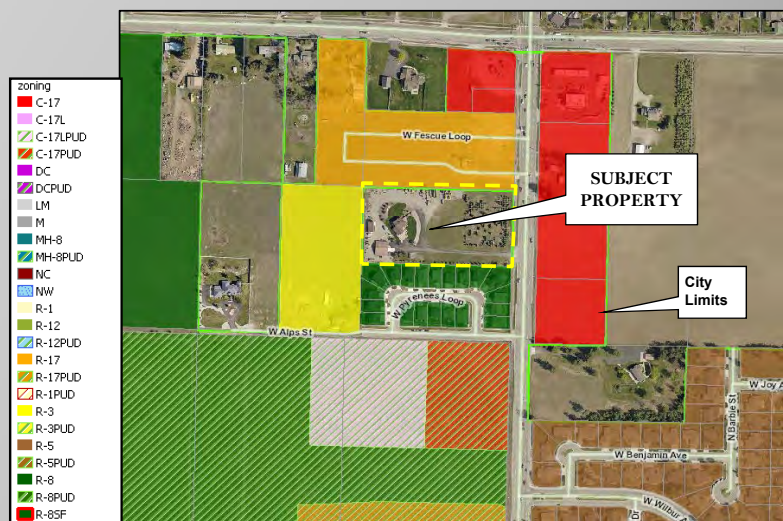
Ramsey Road has the available capacity to accommodate additional traffic generated from the subject site, but access in and out of the development could be challenging during peak hours, especially for left turns. The Streets & Engineering Department has no objection to the annexation as proposed.

*-Submitted by Chris Bosley, City Engineer*

## A-1-19: Annexation Generalized Existing Land Uses



## A-1-19: Annexation Existing Zoning



## A-1-19: Annexation Proposed Items for Annexation Agreement

### **1) BUILDING:**

Prior to the competition of the annexation, the applicant must address any outstanding code violations for the existing structures onsite.

## A-1-19: Annexation Action Alternatives

The City Council must consider this request and make appropriate findings:

- To approve**
- Deny**
- Deny without prejudice**





**CITY COUNCIL  
STAFF REPORT**

FROM: TAMI STROUD, ASSOCIATE PLANNER

DATE: APRIL 16, 2019

SUBJECT: ZC-1-19 - ZONE CHANGE FROM R-3 TO R-17  
ZONING DISTRICT (4.9 ACRES)

LOCATION: +/- 4.9 LOCATED ON THE WEST SIDE OF RAMSEY ROAD  
ALONG ALPS STREET & SOUTH OF PRAIRIE AVENUE

**APPLICANT:**

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

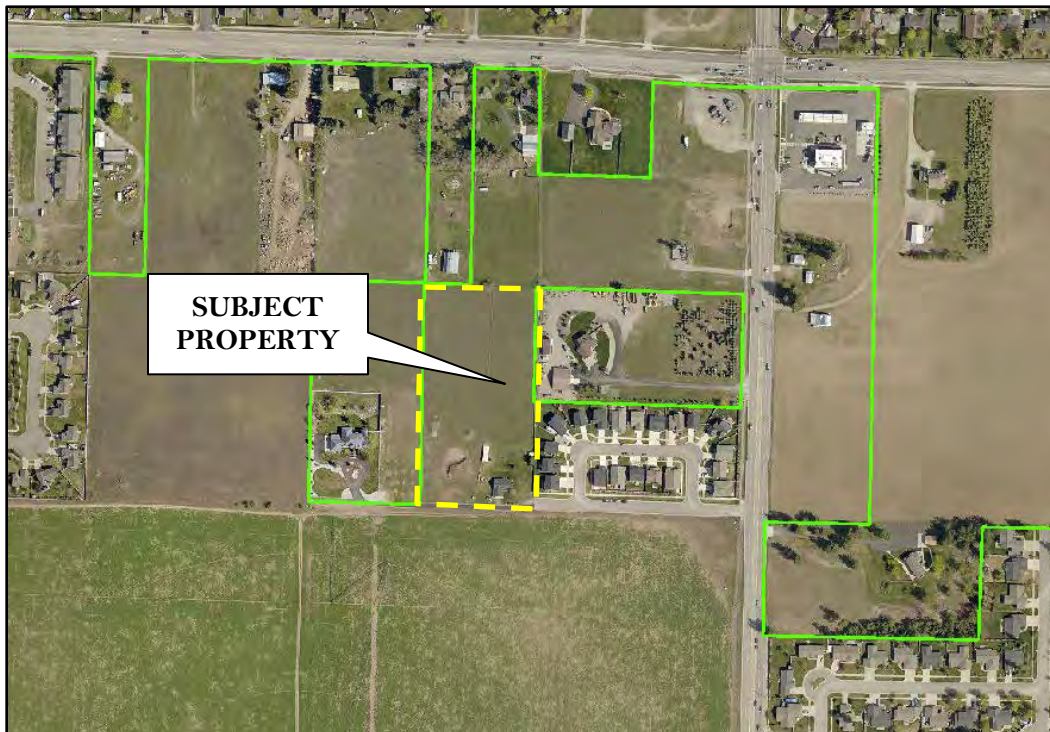
**OWNER:**

Tammi Kerr  
7725 N. Ramsey Road  
Coeur d'Alene, ID 83815

**DECISION POINT:**

Lake City Engineering, on behalf of Tammi Kerr, is requesting approval of a proposed +/- 4.9 acre zone change from R-3 (Residential at 3 units/acre) to city R-17 zoning district (Residential at 17 units/acre).

**AERIAL MAP:**





Located on the west side of the "Province Twenty" development and on the north side of Alps Street. (Subject property outlined in yellow)



**BACKGROUND INFORMATION:**

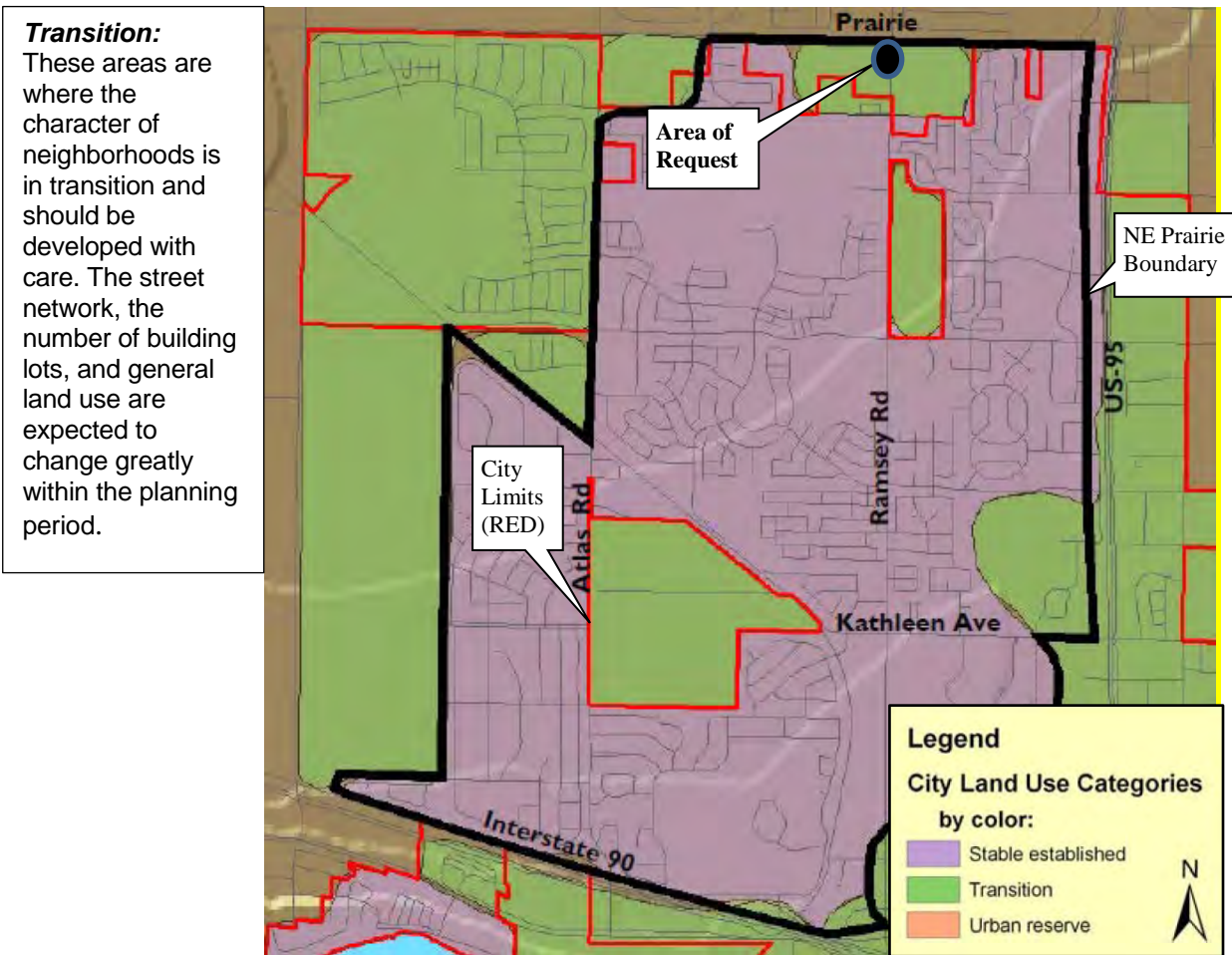
The 4.9 acre zone change request is located on the west side of Ramsey Road and south of Prairie Avenue along Alps Street. The property was annexed into the city in July of 2005, with the R-3 (Residential zoning at 3 units/acre) zoning district. The applicant is requesting the R-17 (Residential at 17 units/acre) zoning district and has noted in the narrative that the request for the R-17 zone is to allow for the development of a multi-family project in coordination with the previously approved multi-family project to the north.

**REQUIRED FINDINGS:**

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map Designation:  
**Ramsey-Woodland (Transition)**

**Ramsey-Woodland Comprehensive Plan Map:**



**Ramsey - Woodland Tomorrow**

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.

**The characteristics of Ramsey – Woodland 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.
- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

**Significant Policies:**

- Objective 1.06 -Vistas:  
Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.
- Objective 1.11 –Community Design:  
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- Objective 1.12 - Community Design:  
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.13 –Open Space:  
Encourage all participants to make open space a priority with every development and annexation.
- 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.
- Objective 2.05 –Pedestrian & Bicycle Environment:  
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.
- Objective 3.02 –Managed Growth:  
Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.
- Objective 3.04 -Neighborhoods:  
Encourage the formation of active neighborhood associations and advocate their participation in the public process.

- 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 3.08 -Housing:  
Design new housing areas to meet the city’s need for quality neighborhoods for all income and family status categories.
- Objective 3.16 - Capital Improvements:  
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- Objective 4.01 - City Services:  
Make decisions based on the needs and desires of the citizenry.
- Objective 4.02 - City Services:  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).
- Objective 4.06 - Public Participation:  
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision- making process.

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

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

**STORMWATER:**

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

## **STREETS:**

The subject property is bordered by Alps Street to the South. Alps Street must be reconstructed to City standards along the southern frontage of the subject property, with any construction on the property. Alps Street intersects with Ramsey Road to the east. No changes to Ramsey Road will be required.

*-Submitted by Chris Bosley, City Engineer*

## **WATER:**

The Water Department had no comments or conditions. The subject property is within Hayden Lake Irrigation District (HLID).

*-Submitted by Kyle Marine, Assistant Water Superintendent*

## **WASTEWATER:**

Public sewer is available to this project at the west end of Alps Street within the adjacent Provence Twenty Development to the east.

Development of this property will required Public Sewer to be extended "To and Through" this development as to not deny the adjacent property public sewer access.

*-Submitted by Mike Becker, 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*

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



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

**PHYSICAL CHARACTERISTICS:**

The subject property is located off of Ramsey Road and Alps Street. The 4.9 acre parcel is relatively flat. There is currently an existing single-family residence with an accessory structure on a portion of the site, while the remainder of the northern portion of the property is vacant. Any future development will require that all code requirements are met.

**SITE PHOTOS:** (Along Ramsey Road/Alps Street)

*View from Ramsey Road looking west along Alps Street toward Provence Twenty, with the subject property in the background*



*View of a portion of the subject property looking northwest from Alps Street*



*View of a portion of the subject property looking looking north toward Prairie Avenue*





*View from Alps Street toward a portion of the subject property*



*View along Alps Street near the subject property, looking south*



*View from the subject property along Alps Street looking east toward Ramsey Road*



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

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

**TRAFFIC:**

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, residential construction under the proposed zone change to R-17 may generate approximately 5.6 times the amount traffic that would be generated under the existing R-3 zoning, resulting in over 50 vehicle trips.

Ramsey Road in that area experiences about 20,000 vehicles per day, per our 2018 counts, whereas portions of Ramsey Road near I-90 experience over 30,000 vehicles per day. Ramsey Road is considered a Minor Arterial. The typical capacity of a 5-lane arterial is over 36,000 trips per day, but the level of service will degrade before reaching that capacity. Ramsey Road has the available capacity to accommodate additional traffic generated from the subject site, but access in and out of the development could be challenging during peak hours, especially for left turns. The Streets & Engineering Department has no objection to the zone change as proposed.

*-Submitted by Chris Bosley, City Engineer*

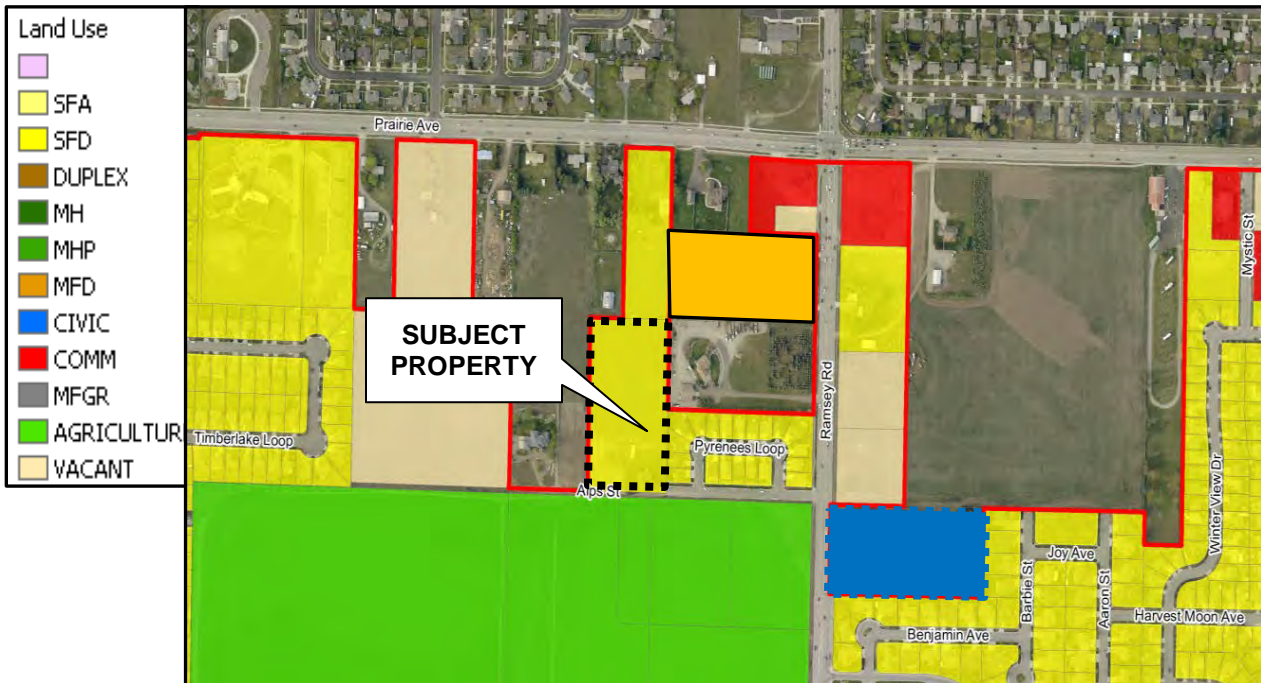
**NEIGHBORHOOD CHARACTER:**

This is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, and Planned Unit Developments have been approved in the area within the last five years. Some of the larger projects include: Garden Grove, Vista Meadows, Kerr Properties, and the Prairie Trails subdivision.

The subject property abuts the "Province Twenty" development to the east and a single-family dwelling to the west that remains in the County. Just north of the property there is a proposed multi-family project "Bluegrass Lodge" that is currently awaiting building permit approval. The applicant has noted that the subject property may be integrated as part of the overall multi-family project in the future.

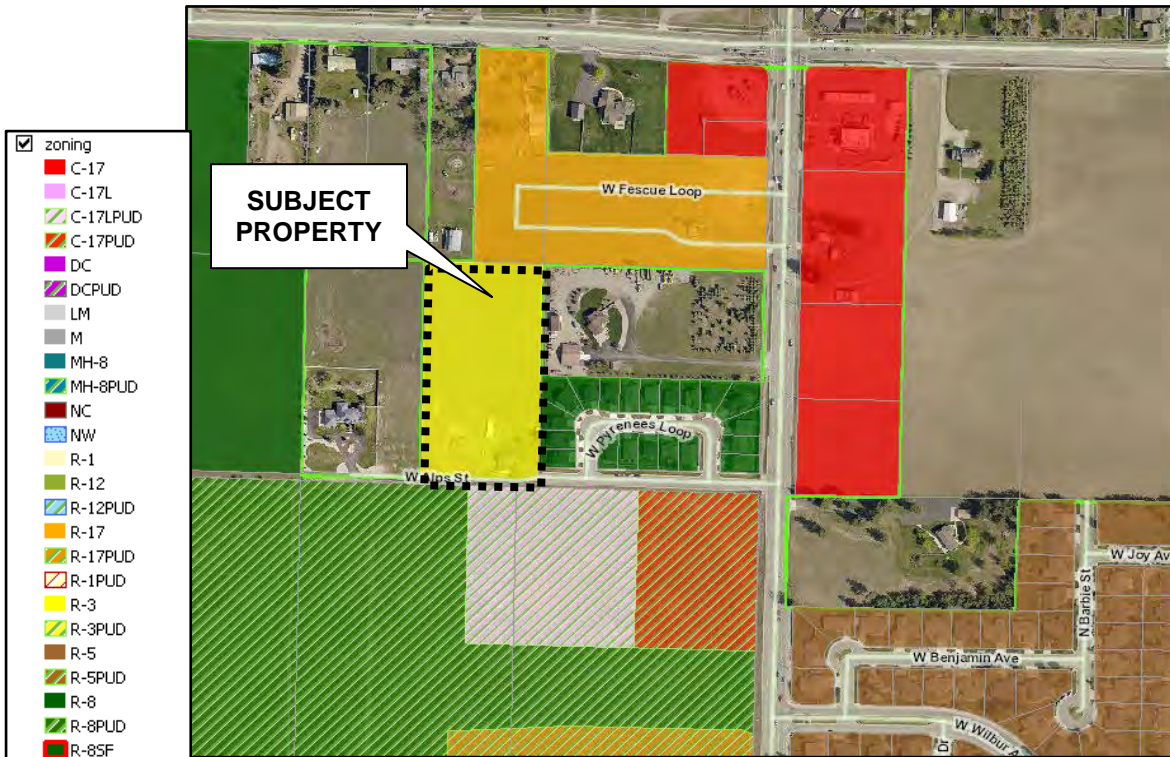
See the "Ramsey-Woodland" descriptions from the 2007 Comprehensive Plan listed in Finding #B8 as well as the photos of subject property. A land use and zoning map are provided below to assist in depicting the context of the area.

**GENERALIZED LAND USE PATTERN:**





**ZONING:**



Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right from R-3 uses to R-17 uses (as listed below).

**Existing 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.

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

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

**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 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

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

# ***ALPS STREET ZONE CHANGE***

## *PROJECT NARRATIVE*

*Coeur d'Alene, Idaho  
January 17, 2019*



*126 E. Poplar Avenue  
Coeur d'Alene, Idaho 83814  
Phone: 208-676-0230*



## INTRODUCTION

Copper Basin Construction, as the Applicant, is hereby requesting the zoning designation of approximately 4.6 acres of property be amended to R-17 Residential. The subject property is located near the southwest corner of the intersection of Prairie Avenue and Ramsey Road along the North side of the future extension of Alps Street. Currently, there is an existing single-family residential house on the subject parcel; however, the majority of the land is vacant.

## SUBJECT PARCELS

The property being requested for annexation is as follows:

Parcel #:	C-4537-27-329-AC
Address:	1781 W. Alps Street Coeur d'Alene, ID 83815
Area:	4.96 acres
Current Zoning:	R-3 Residential
Proposed Zoning:	R-17 Residential
Legal Description:	The East half of Tract 329 of Hayden Lake Irrigated Tracts



Figure 1: Vicinity Map

## ZONING CLASSIFICATION

The parcel is currently zoned R-8 Residential and is located at the northern boundary of the City of Coeur d'Alene City Limits. The surrounding property consists of residentially zoned parcels to the North (R-17) and South (R-8). An Annexation Application for the property immediately to the East is being submitted concurrently with this zone change request, and the applicant is asking for an R-17 Residential zoning designation. The project proponent is requesting a zoning classification of R-17 for the subject property to allow for the development of a multi-family project in coordination with the previously approved multi-family project to the North and the new annexation parcel.

## COMPREHENSIVE PLAN ANALYSIS

The property lies in a *Transition* area along the northern boundary of the Ramsey-Woodland land use area per the City of Coeur d'Alene Comprehensive Plan. Neighborhood characteristics for this land use tend to be single-family and multi-family housing with an overall density of 3 – 4 units per acre with pockets of higher density housing. Neighborhood service nodes and commercial uses should be placed where appropriate. The proposed zoning would be consistent with the Comprehensive Plan, as this is located near the intersection of two major arterial streets and is appropriate for high density residential uses adjacent to commercial uses.

The City of Coeur d'Alene Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet, or exceed, the goals, policies and objectives as outlined in the Comprehensive Plan. The project proponent believes that the following Goals and Objectives (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

### **Goal #1 – Natural Environment**

*Objective 1.12 – Community Design: Support the enhancement of existing urbanized areas and discourage sprawl.*

The subject property is currently an undeveloped parcel located within the boundary of the City of Coeur d'Alene. This zoning amendment will allow for the development of this property to match that of the surrounding residential land uses.

*Objective 1.14 – Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.*

Existing utilities including sanitary sewer and domestic water are extended to this property in Ramsey Road and Prairie Avenue, are readily available, and have the capacity to serve future development. This property is already included in the

Sewer, Water and Transportation Master Plans for the City, and will be developed in accordance with the same.

## **Goal #2 – Economic Environment**

*Objective 2.02 – Economic and Workforce Development: Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.*

It is the intention of the proponent to develop this property into multi-family residential housing in coordination with the previously approved multi-family project to the North . This will provide mixed-use opportunities to the area as it is located directly adjacent to commercial property at the intersection of Ramsey Road and Prairie Avenue.

*Objective 2.05 – Pedestrian & Bicycle Environment: Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.*

The subject property is located near the intersection of two major arterials with bicycle and pedestrian friendly facilities including bike trails, bike lanes and pedestrian walkways/paths.

## **Goal # 3 – Home Environment**

*Objective 3.05 – Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.*

The proposed zoning will allow for the future development of the subject property in a similar character and style of the surrounding land uses and neighborhoods and act as a buffer between the less intense residential uses to the South, and the commercial uses to the North and East.

*Objective 3.06 – Neighborhoods – Protect the residential character of neighborhoods by allowing residential/commercial/industrial transition boundaries at alleyways or along back lot lines if possible.*

The subject property is adjacent to both residential and commercial uses, and the proposed multi-family zoning designation will provide a natural buffer and transition between the uses.



**PRE-DEVELOPMENT CONDITIONS**

The subject property currently contains a single-family residence and outbuildings. Access to the single-family residence is currently off the end of Alps Street. There are no other structures located on the property.

The Alps Street frontage improvements are not complete adjoining the subject property. These improvements include curb and gutter, swales and sidewalks and will need to be completed during development of the property. No additional improvements to Ramsey Road are anticipated to be required during development of the subject property.

Figure 2 below shows the existing site conditions.



Figure 2: Existing Conditions

2.     Applicant:     Tammi Kerr  
       Location:     1781 W. Alps Street  
       Request:      A proposed zone change from R-3 to R-17  
                      QUASI-JUDICIAL (ZC-1-19)

Tami Stroud, Associate Planner stated that Lake City Engineering, on behalf of Tammi Kerr, is requesting approval of a proposed +/- 4.9 acre zone change from R-3 (Residential at 3 units/acre) to city R-17 zoning district (Residential at 17 units/acre).

Ms. Stroud provided the following statements:

- The 4.9 acre zone change request is located on the west side of Ramsey Road and south of Prairie Avenue along Alps Street.
- The property was annexed into the city in July of 2005, with the R-3 (Residential zoning at 3 units/acre) zoning district.
- The applicant is requesting the R-17 (Residential at 17 units/acre) zoning district and has noted in the narrative that the request for the R-17 zone is to allow for the development of a multi-family project in coordination with the previously approved multi-family project to the north.
- The Comprehensive Plan designates this area as Ramsey-Woodland (Transition).
- She noted the various comments from city staff in the report.
- She presented various site photos of the property.
- She noted that this is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, and Planned Unit Developments have been approved in the area within the last five years.
- Some of the larger projects include: Garden Grove, Vista Meadows, Kerr Properties, and the Prairie Trails subdivision.
- The subject property abuts the "Province Twenty" development to the east and a single-family dwelling to the west that remains in the County. Just north of the property there is a proposed multi-family project "Bluegrass Lodge" that is currently awaiting building permit approval.
- The applicant has noted that the subject property may be integrated as part of the overall multi-family project in the future.
- She showed a rendering of the land use properties
- She stated that there are no proposed conditions

Ms. Stroud concluded her presentation.

#### **Commission Comments:**

Commissioner Fleming commented that they have previously looked at a Planned Unit Development (PUD) south of the property and discussed a possible traffic light at Wilbur. She asked if the request is approved, would the distance be too close between the Wilbur connections to put a light in at that location.

Ms. Anderson said that is correct and that they did ask the City Engineer, who said it would not be an appropriate location for another traffic signal.

Commissioner Luttrupp commented that this area is in transition per the Comprehensive Plan and, when looking at the neighborhood character, would it be appropriate to have the property zoned to R-17 without it being disruptive to the surrounding neighborhood. He suggested a zoning more than an R-3, but less than an R-17.

Ms. Stroud stated that the R-12 zone would be the next zoning district and if the intent is for the applicant to integrate the properties, an R-12 would not allow multifamily. She showed a photo of the property and how the three parcels would look when combined together.

Commissioner Fleming questioned if the intent is to combine the lots into one development.

Ms. Stroud stated that the narrative states that the intent is to combine the parcels for the apartments.

Commissioner Fleming stated that from looking at the combined parcels she could see a way to manage traffic. She said she understands from listening to testimony that the surrounding neighbors are paranoid because they see many cars going out into the street.

Public testimony open.

Drew Dittman, Applicant representative, provided the following statements:

- He stated that Idaho code requires certain standards for zoning, as in an annexation.
- There is a full analysis in the narrative and since the property is in a transition area, it will allow for multifamily.
- When they proposed the project, they originally had two points of access, which was a requirement from the City Engineer and the Fire Department. He explained that points of access will help alleviate access and traffic, and said that if the zone change is approved for R-17, their goal is to combine the three parcels into one, with multiple points of access.
- He stated that Alps Road would be improved during site development to city standards along their frontage and it would be the first point of access and a second point of access on to Ramsey. He stated that Alps will go through and tie in to Coeur d'Alene Place.
- He stated there is a traffic signal proposed at Wilbur.
- He stated there is R-17 zoning to the north, R-17 zoning to the west, and there is also a C-17PUD. He explained that C-17 can have a variety of things such as apartments, gas stations, etc. He commented there is also C-17 zoning on the east side of Ramsey. He said that the proposed development fits with the surrounding land uses.

Mr. Dittman concluded his presentation.

#### **Commission Comments:**

Commissioner Luttrupp inquired what the height limit is for the C-17 PUD to the south of the subject property.

Mr. Holm explained that the C-17 and C-17L PUD height was not limited and it is just the underlined zone that would govern.

Commissioner Luttrupp asked what are the differences between a C-17 zone and R-17 zone in regard to density and height.

Mr. Holm explained that the density is the number that follows the designation. For example, 17 units per acre is the number that you have to live with in regard to height and setbacks, etc. He added that in regard to C-17 zoning, if 51% or more of the floor area is commercial there is no height limit. If it is 51% or more residential, then there is a 45' foot maximum height.

Chairman Messina asked what is the vision for all three pieces when the property is developed.

Mr. Dittman said that the development will be similar to the Centennial Pines Apartments right next to the C&I building which was done a year and a half ago. He said that the project, when done, will be similar. The Centennial Pines Apartments are two story buildings -- 6 unit and twelve unit two story buildings with garages located underneath. He said that the building is less than 45' feet, and that they would combine all three parcels into one project with apartments.

David Hirtle said that looking at these three parcels, they are giving the go ahead for 15 acres of apartment buildings if the zoning is approved. He said that if they do 17 units/acre, two cars per unit, and include the area approved for 429 homes, with two cars per home and the added school traffic, the



number would 1,500 to 2,000 cars.

**Rebuttal:**

Mr. Dittman made the following statements:

- He said that there will be multiple points of ingress/access to Coeur d'Alene Place when the additional homes are built and all traffic will not go down Ramsey Road and feels Mr. Hirtle's comment is not a fair statement. He noted that Ramsey Road is a major collector and he doesn't see any problem with additional traffic.
- He stated that the proposed apartments will be 3 story apartments.

Public testimony closed.

**Discussion:**

Commissioner Ingalls said that an R-3 zoning designation is not a good fit and from looking at what surrounds the parcel, which is C-17 to the south, R-3 doesn't make sense. He said that maybe R-17 is generous, but if that is a negative on the positive side, the three parcels can work together cohesively. He said that he is confident that with the developer's track record, he will develop a better project if they are all the same zone. He explained that the project is an infill project and he would like to have more quality infill projects than expanding city limits.

Commissioner Luttrupp said that, for him, R-17 is too much and R-8 would be more appropriate. He said that he understands that if the property is zoned the same, then more things can be done with the property. He said that, if approved, he feels that an R-17 zoning designation would be too disruptive to the existing R-8 neighborhood.

Commissioner Fleming said that she likes to see cohesion rather than another R-12 or R-8 etc. She feels that they want a more unified appearance rather than "chipping away" at some oddballs showing up. She would like the entire parcel to be R-17.

Chairman Messina stated he is confident the developer will do a great job.

**Motion by Fleming, seconded by Ingalls, to approve Item ZC-1-19. Motion approved.**

**ROLL CALL:**

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

Motion to approve carried by a 2 to 1 vote.

**COEUR D'ALENE PLANNING COMMISSION**

**FINDINGS AND ORDER**

**ZC-1-19**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 12, 2019, and there being present a person requesting approval of ZC-1-19 a proposed +/- 4.9 acre zone change from R-3 (Residential at 3 units/acre) to city R-17 zoning district (Residential at 17 units/acre).

APPLICANT: TAMMI KERR

LOCATION: +/- 4.9 SOUTH OF PRAIRIE AVENUE AND ON THE WEST  
SIDE OF RAMSEY ROAD ALONG ALPS STREET

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

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

- B1. That the existing land uses are residential and commercial.
- B2. That the Comprehensive Plan Map designation is **Ramsey-Woodland (Transition)**
- B3. That the zoning is R-3.
- B4. That the notice of public hearing was published on February 22, 2019, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 28, 2019, 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 March 12, 2019.

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

Objective 1.06 -Vistas:

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.11 –Community Design:

Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.13 –Open Space:

Encourage all participants to make open space a priority with every development and annexation.

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.

Objective 2.05 –Pedestrian & Bicycle Environment:

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

Objective 3.02 –Managed Growth:

Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.

Objective 3.04 -Neighborhoods:

Encourage the formation of active neighborhood associations and advocate their participation in the public process.

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 3.08 -Housing:

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

Objective 3.16 - Capital Improvements:

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

Objective 4.01 - City Services:  
Make decisions based on the needs and desires of the citizenry.

Objective 4.02 - City Services:  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

Objective 4.06 - Public Participation:  
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision- making process.

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the staff report and that Hayden Lake Irrigation District will provide water.
  
- B10. That the physical characteristics of the site do make it suitable for the request at this time because the site is flat, vacant and has some trees but nothing with significance.
  
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because there are some adjacent residences and that the existing land uses will be unified on this parcel.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of TAMMI KERR for a zone change, as described in the application should be approved.


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

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted No

Commissioners Mandel, Ward and Rumpler were absent.

Motion to approve carried by a 2 to 1 vote.

  
CHAIRMAN TOM MESSINA



# Coeur d'Alene Public Schools

DISTRICT ADMINISTRATIVE CENTER  
1400 N. Northwood Center Court, Coeur d'Alene, ID 83814

OFFICE 208.664.8241  
FAX 208.664.1748  
www.cdaschools.org

April 12, 2019

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

RE: Item: A-1-19 and ZC-1-19

Dear Council:

I am writing on behalf of the Coeur d'Alene School District regarding two referenced items on the agenda to go before the City Council on Tuesday, April 16, 2019. It is our understanding that there are two requests: (1) Item ZC-1-19 requesting a zone change of R-3 to R-17, and (2) Item A-1-19 requesting annexation and R-17 Zone Designation along with an existing adjoining 6 acre parcel. Both requests are part of a plan submitted by a local developer to build multi-family residences on these properties.

The school district supports responsible growth, but again we see an example of a request for higher density growth with limited consideration for the impact of schools. The school district is planning to construct a new elementary school just to the east of the properties at issue. This school should seat 550 students. This new school site is located between Ramsey Elementary, Skyway Elementary, and Atlas Elementary, all of which are above capacity and have classrooms in portables. Lake City High School is at capacity and Woodland Middle School has classrooms in portables as well. Development in this area is already expected to fill the new elementary school, which in turn reduces the ability to move students out of portables at existing schools and increases enrollment in the high school and middle schools. The district is required to accommodate this increased growth, either through increased classrooms at existing schools or by acquiring new property to construct additional schools.

Both projects cover approximately 4.6 acres. An R-17 zoning would allow for up to 79 units with respect to each parcel. Our data suggests that 1 out of every 5 units will have school-age students, with each those households including 1 - 1.5 students. Based on these averages, we would anticipate 16-24 students for each property, for a total of 32-48 students. These students would be in addition to the 6 acres project already plated to the north, which is also expected for development as apartment structures. Total numbers of students anticipated for all 3 parcels at full development would generate a total of 54-81 students.

While the district is supportive of positive growth and responsible development, we again ask that both the City Council thoughtfully weigh the impact that all future development projects have on local school districts, also a sister public agency. The impacts that we believe will result from this development are as follows:

**1) Development and Growth has an impact on public schools and a real cost to taxpayers:** The developer already has approval for a 6+acre development to the north with an R-17 designation. This relates to approximately 110 units. The current request includes two additional 4.6 acres parcels at R-17 for an additional 79 units per parcel. Again, the district expects that one out of every five units correlates to 1-1.5 school-aged

INVEST | INSPIRE | INNOVATE

We invest in each student to prepare, challenge and advance  
well-educated, resilient and future-ready citizens.

students that will join the district. Based on full build-out of all three parcels for this entire project, the school district anticipates 54-81 students. Our current cost per student that local taxpayers provide under the current operation and maintenance levy, is approximately \$1860.00. This does not include any new building or facilities. So under the current levy, 54 students would require approximately an additional \$100,440 operational dollars annually, and an additional 81 students would require an additional \$150,660.

**2) Space:** Based on current school zones, these additional students would likely attend the New Elementary School, Woodland Middle School and Lake City High School, all of which are at or over capacity. Funding sources are necessary for rezoning, adding classroom space, and/or building new schools and acquiring land to develop additional availability for kids. (We estimate a total out of pocket cost for taxpayers to build a 550 student elementary school in today's market at \$13.5 million).

**3) Land Acquisition:** School districts are not set up to enter the open market as a private developer to compete for the right location for schools. Additionally, failing to dedicate land within the development area requires the district to build outside of the current growth; thus increasing transportation costs and increasing the prevalence of rezoning, an emotionally charged process that often leads to significant frustration in the community. Imagine if other public entities such as Fire Departments, or Parks departments were similarly expected to compete on the open market to locate and place future fire stations or community parks.

**4) Capital Fund:** What would it look like if developers were required to contribute to a Capital Fund so that the School District is in a position to purchase property as it comes on the market or look at capital improvements to meet the needs of growth at existing schools? As it stands right now, the City does not mandate any fees related to schools, so it would need to be at the desire of the developer to participate in ensuring all public services, including schools, are provided for both now and in the future as a result of development and growth. Going forward, we strongly urge the City to fairly assess the impact for all projects on public schools, either by amending current policy, city code, or changing approach and practice to establish and act upon the authority to assess impact fees, funding or land acquisition for the impacts of development on the school district and the expectation that the best communities grow all public resources in concert for the betterment of the overall local community.

**5) High Density Development:** As the City has built out over the past 10 years, there are very few large parcels remaining for construction of higher quantity single family homes. High density, multi-family, infill projects put a significant strain on schools that are at capacity. Currently as a district, 14 of our 17 schools are at or over capacity.

**6) City Authority:** One of the stated purposes of Idaho's Local Land Use Planning Act is "to allow local school districts to participate in the community planning and development process so as to address public school needs and impacts on an ongoing basis." LLUPA recognizes that public school capacity should be a vital piece of any discussion regarding city development and requires cities to analyze school district needs as part of their comprehensive plans. While current code allows the City to mitigate impacts to school districts by requiring land dedications for school use as a condition of approval for planned unit developments, to our knowledge the City has never exercised this authority, or its authority to pass additional ordinances addressing mitigation. The school district would like to further engage with City Staff to plan for future development and ensure consideration for the growth, funding and impact on public schools both through ordinance and comprehensive planning. The School District appreciates recent conversations with the City to consider future planning for School District needs.

INVEST | INSPIRE | INNOVATE

We invest in each student to prepare, challenge and advance  
well-educated, resilient and future-ready citizens.



**7) Partnerships:** The developer has indicated a desire to construct a trail through the back of the development to provide safe and easy access to the new school but may require the request of an easement from a neighboring property. The District is also pleased to report that the developer has indicated a willingness to provide some mitigation for the impacts on local schools. The school district appreciates this consideration of positive partnerships and looks forward to continuing these discussions.

The school district recognizes that growth has occurred and continues to occur within our community. The school district is committed to the development of effective long range plans, and we are compelled to build even stronger municipal partnerships, aligning our long range plans with the City's comprehensive plan, creating clear and effective opportunity for developers to participate and contribute to the increased demands placed on all public services, including our schools. Thank you for your consideration and we look forward to our partnership as we build a collaborative approach between the city and the school district to ensure that future growth and development in our community can be done in a thorough and thoughtful manner.

Sincerely,

Jeff Voeller  
Director of Operations

# City Council Meeting



April 16, 2019

## ZC-1-19: Zone change from R-3 to R-17

**APPLICANT:**

Lake City Engineering

**OWNER:**

Tammi Kerr

**SUBJECT:**

Request for a zone change from R-3 to R-17

**LOCATION:**

A +/- 4.9 acre parcel on the west side of Ramsey Road along  
West Alps Street



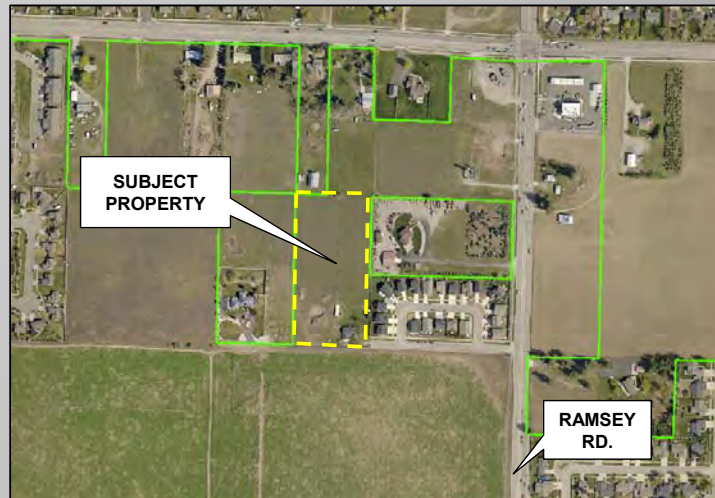
## ZC-1-19: Zone change from R-3 to R-17 Comprehensive Decision Point

The applicant is requesting:

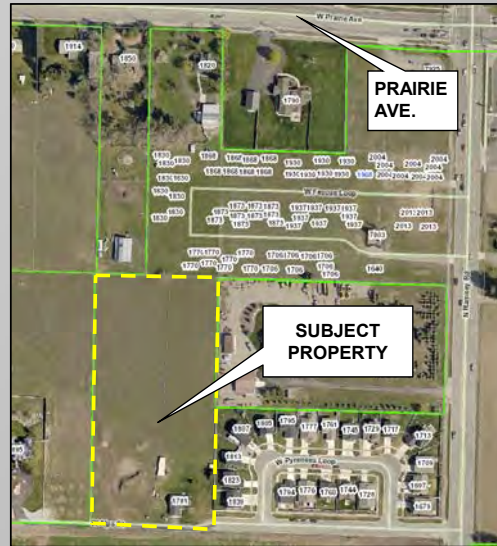
1. R-17 zoning designation for +/- 4.9 acres



## ZC-1-19: Zone change from R-3 to R-17 Vicinity Map



## ZC-1-19 Zone change from R-3 to R-17 Vicinity Map



## ZC-1-19: Zone change from R-3 to R-17 Photo of Subject Property

**Site Photo - 1**

*View from Ramsey Road looking west along Alps Street toward the "Provence Twenty" development, with the subject property in the background*



## ZC-1-19: Zone change from R-3 to R-17 Photo of Subject Property

**Site Photo - 2**

*View of a portion of the subject property looking northwest from Alps Street*



## ZC-1-19: Zone change from R-3 to R-17 Photo of Subject Property

**Site Photo - 3**

*View of a portion of the subject property looking west from Alps Street at the existing single family*



ZC-1-19: Zone change from R-3 to R-17  
Photo of Subject Property

**Site Photo - 4**

*View looking  
north along  
Alps Street at  
the subject  
property  
toward  
Prairie  
Avenue*



ZC-1-19: Zone change from R-3 to R-17  
Photo of Subject Property

**Site Photo - 5**

*View from  
the subject  
property on  
Alps Street  
looking  
north  
toward  
Prairie  
Avenue*





ZC-1-19: Zone change from R-3 to R-17  
Photo of Subject Property

**Site Photo - 6**

*View from  
Alps Street  
near the  
subject  
property  
looking south  
at vacant  
property  
within City  
boundaries*



ZC-1-19: Zone change from R-3 to R-17  
Photo of Subject Property

**Site Photo - 7**

*View from the  
subject  
property  
looking east  
toward  
Ramsey Road  
along Alps  
Street*



## ZC-1-19: Zone change from R-3 to R-17 Requested R-17 Zoning District

### **17.05.250: GENERALLY:**

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.

## ZC-1-19: Zone change from R-3 to R-17 Zone Change Findings

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

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

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

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

## A-1-19: Annexation Required Findings

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

### 2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as:

*Ramsey – Woodland*

## V-1-19: Finding #B8: continued



### *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



## ZC-1-19: Finding #B8: continued

### **Ramsey- Woodland Today:**

The development pattern in this area is mixed with established subdivisions, such as Coeur d'Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue. Neighborhood service nodes can be found throughout the Ramsey-Woodland area.



## ZC-1-19: Finding #B8: continued

### **Ramsey- Woodland Tomorrow:**

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.



ZC-1-19:  
Finding #B8: continued

**Characteristics of Ramsey-Woodland 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.

- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

ZC-1-19:  
Finding #B8: Comp Plan Goals & Objectives

<b>Objectives:</b>	3.05 – Neighborhoods
1.02-Water Quality	3.16 – Capital
1.11 –Community Design	Improvements
1.12 –Community Design	3.18 – Transportation
1.13- Open Space	4.02 – Capital
1.14 –Efficiency	Improvements
1.16 – Connectivity	4.02 – City Services
2.02 –Economic &	4.06 – Public Participation
Workforce Development	

## ZC-1-19: Required Findings

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

Staff comments from Streets & Engineering, Water, Wastewater and Fire are located in your staff report on pages 5 & 6.

## ZC-1-19: Required Findings

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

**PHYSICAL CHARACTERISTICS:**

The subject property is located off of Ramsey Road and Alps Street, with a portion of Alps being unimproved. The 4.9 acre parcel is relatively flat. There is currently an existing single-family residence with an accessory structure on a portion of the site, while the remainder of the northern portion of the property is vacant. Any future development will require that all code requirements are met.



## ZC-1-19: Required Findings

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

**NEIGHBORHOOD CHARACTER:**

This is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, zone changes and PUD's have been approved in the area within the last five years.

## ZC-1-19: Department Comments

**Finding #B11: (continued)**

The subject property abuts the "Province Twenty" development to the east and a single-family dwelling to the west that remains in the County. There is a proposed multi-family project to the north "Bluegrass Lodge" that is currently awaiting building permit approval. The applicant has noted that the subject property may be integrated as part of the overall multi-family project in the future.

See the "Ramsey-Woodland" descriptions from the 2007 Comprehensive Plan listed in Finding #B8 as well as the photos of subject property.

## ZC-1-19: Department Comments

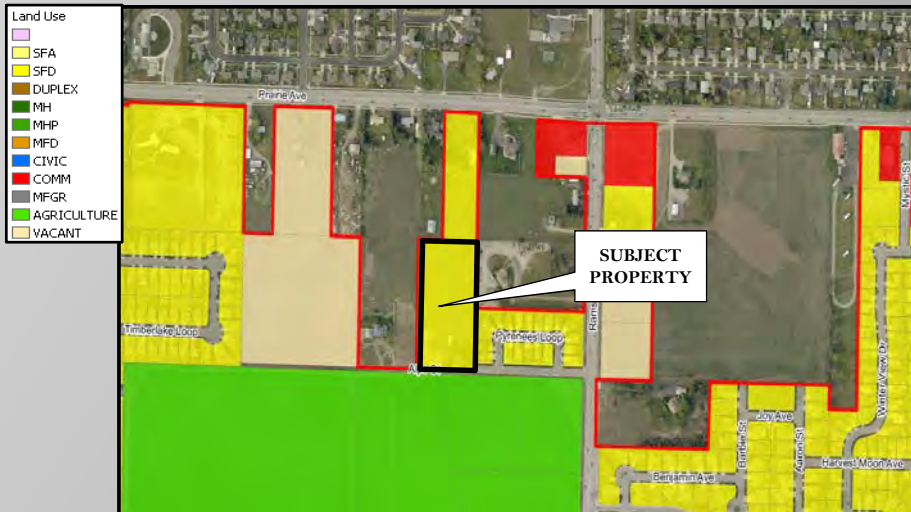
### **Finding #B11: (continued)**

#### **TRAFFIC:**

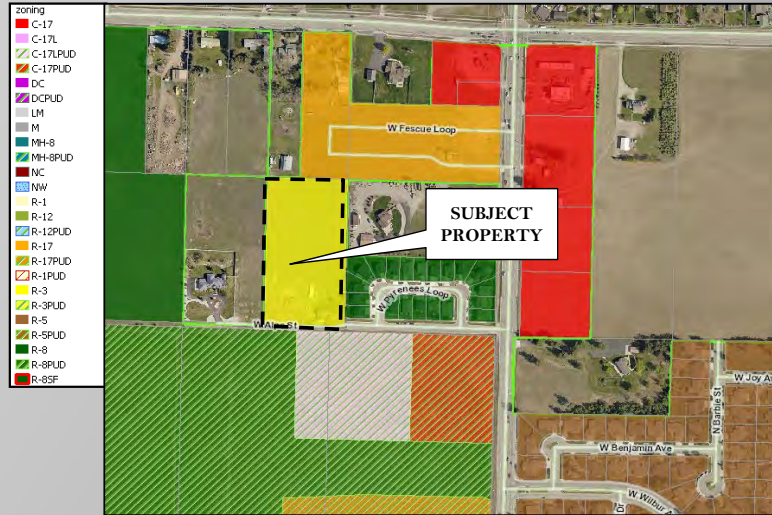
The proposed zone change itself would not adversely affect the surrounding area with regard to traffic. However, residential construction under the zone change to R-17 may generate approximately 5.6 times the amount traffic that would be generated under the existing R-3 zoning. Ramsey Road has the available capacity to accommodate additional traffic generated from the subject site, but access in and out of the development could be challenging during peak hours, especially for left turns. The Streets & Engineering Department has no objection to the zone change as proposed.

*-Submitted by Chris Bosley, City Engineer*

## ZC-1-19: Generalized Existing Land Uses



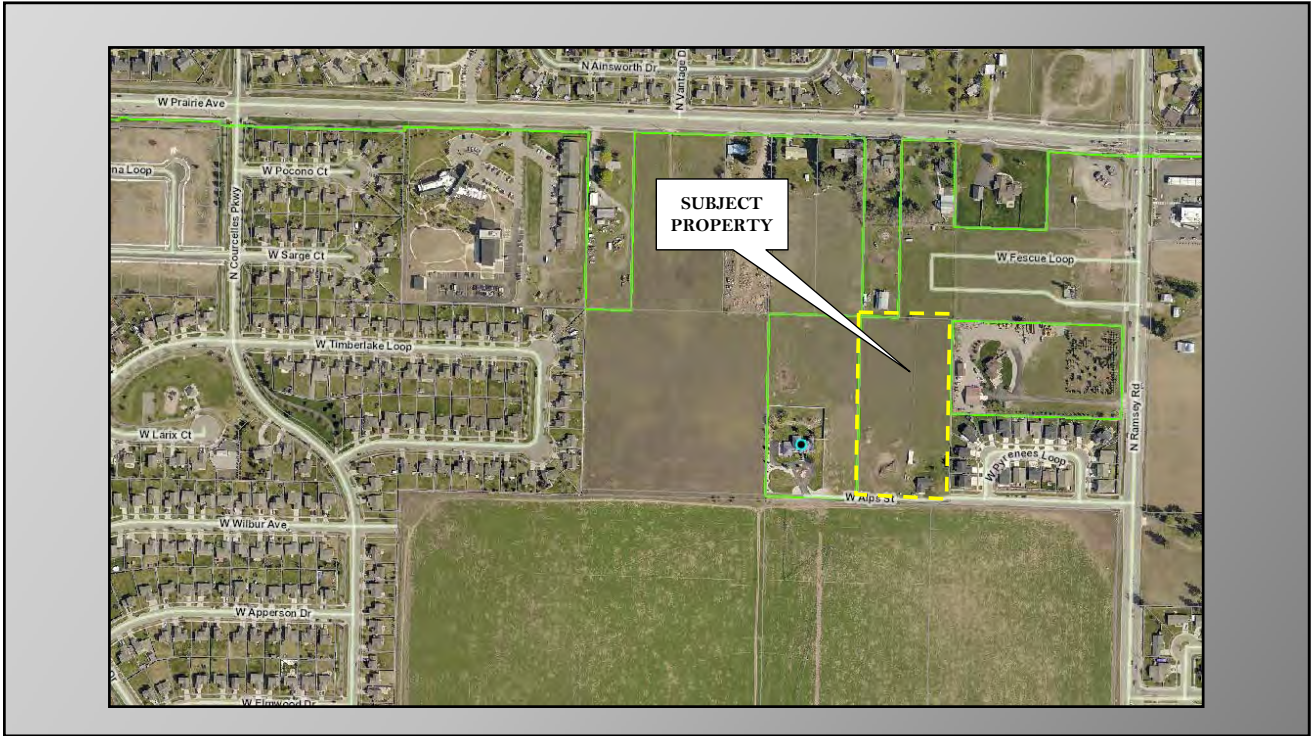
## ZC-1-19: Existing Zoning



## ZC-1-19: Action Alternatives

The City Council must consider this request and make appropriate findings:

- To approve**
- Deny**
- Deny without prejudice**





**CITY COUNCIL  
STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** APRIL 16, 2019  
**SUBJECT:** ZC-2-19 A ZONE CHANGE REQUEST FROM MH-8 TO R-17 ON  
A SINGLE PARCEL MEASURING 0.82 OF AN ACRE  
**LOCATION:** PROPERTY BOUND BY HOWARD STREET AND FRUITLAND  
LANE, NORTH OF NEIDER AVENUE, COMMONLY KNOWN AS  
601 W NEIDER AVENUE

**APPLICANT/OWNER:**

James Casper, Executive Director  
Habitat for Humanity of North Idaho, Inc.  
176 W. Wyoming Ave.  
Hayden, ID 83835

**DECISION POINT:**

Mr. Casper, Executive Director for Habitat for Humanity of North Idaho, is requesting a zone change of property in city limits. The request is to allow a change of zoning from MH-8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre).

**AERIAL PHOTO:**




**BACKGROUND INFORMATION:**

Planning Commission held a regularly scheduled hearing on March 12<sup>th</sup>, 2019 with this request on the agenda. Planning Commission recommended approval of the zone change to City Council unanimously in a 3 to 0 vote.

The MH-8 to R-17 zone change request abuts Howard Street on the west, Fruitland Lane on the east, and Neider Avenue on the south. Directly north are mobile homes that are accessed by vehicle through Lake City Lane. Lake City Lane does not share a boundary with the Habitat for Humanity site.

The subject property was deemed as surplus by the City's Water Utility due to the inability to support a viable well as a source of water for the city and was auctioned through a sealed bid process which was due by May 30<sup>th</sup>, 2018. Habitat for Humanity of North Idaho was the highest bidder and has successfully transferred legal ownership.

**PRIOR ZONE CHANGE REQUESTS NEAR SUBJECT PROPERTY:**



ITEM	REQUEST	AREA	PC	CC
ZC-1-16	MH-8 to R-12	0.91	Y	Y
ZC-3-10	R-12 to R-17	2.17	Y	Y
ZC-2-08	MH-8 to R-17	3.25	Y	Y
ZC-2-07	MH-8 to R-12	3.5	Y	Y
ZC-2-07	MH-8 to C-17	3.5	Y	Y
ZC-8-06	MH-8 to R-12	1.82	Y	Y
ZC-6-06	M to R-17 & C17	11.7	N	Y
ZC-11-04	R-12 to C-17	2.1	Y	Y
ZC-10-04	MH-8 to R-12	1.9	Y	Y
ZC-8-02	MH-8 to C-17	0.24	Y	Y
ZC-3-99	R-12 to C-17	0	D	Y
ZC-4-96	R-12 to C-17	20.7	Y	Y
ZC-2-92	MH-8 to C-17	1.25	Y	Y
ZC-11-91SP	MH-8 to R-17	1.71	Y	Y
ZC-10-91	MH-8 to R-12	0.91	Y	Y
ZC-4-91SP	MH-8 to R-17	2.75	Y	Y
ZC-11-90	MH-8 to R-8	6	Y	Y
ZC-5-90	MH-8 to C-17	1.14	Y	Y
ZC-3-90	R-12 to C-17	4.04	Y	Y
ZC-2-89	R-12 to C-17	8.5	Y	Y
ZC-3-88	C-17 to M	18.2	Y	Y
ZC-12-87	MH-8 to R-12	0.34	Y	Y
ZC-17-86	R-12 to C-17	15	Y	Y
ZC-1-86SP	MH-8 to R-12	3.2	Y	Y
ZC-8-85SP	R-12 to MH8	1.72	Y	Y
ZC-14-84	R-12 to C-17	2.3	Y	Y
ZC-8-84PUD	R-12 to C-17	0.57	Y	Y

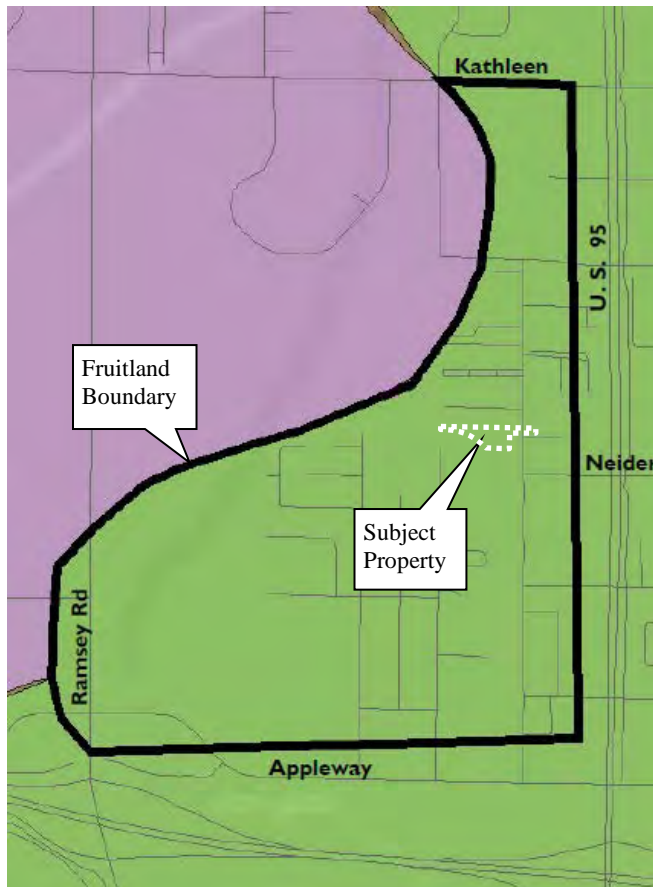


**REQUIRED ZONE CHANGE FINDINGS:**

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

1. The subject property is within the existing city limits.
2. The City's 2007 Comprehensive Plan categorizes this area as Fruitland:

**2007 Comprehensive Plan- Fruitland Land Use Map (Transition)**



**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.

**Fruitland Today**

Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleyway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks. Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents. Fruitland has the largest concentration of mobile home zoned property within city limits.

Topography is generally flat and development opportunities exist. A recent wastewater main extension north to Bosanko provides opportunity for development.

## **Fruitland Tomorrow**

Generally this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.

### **The characteristics of Fruitland neighborhoods will be:**

- That overall density will approach eight residential units per acre (8:1).
- That single- and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.

### **The characteristics of Fruitland commercial areas will be:**

- Commercial buildings will remain lower in scale than in the downtown core.
- Native variety trees will be encouraged along commercial corridors.

### **Significant Comprehensive Plan policies for consideration:**

#### **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.

#### **Objective 2.02**

##### ***Economic & Workforce Development:***

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

#### **Objective 2.05**

##### ***Pedestrian & Bicycle Environment:***

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

#### **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 3.08**

***Housing:***

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

**Objective 3.10**

***Affordable & Workforce Housing:***

Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16**

***Capital Improvements:***

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

**Objective 4.01**

***City Services:***

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

**Objective 4.06**

***Public Participation:***

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

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

**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. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject property is bordered by Neider Ave to the south, Fruitland Lane to the east, and Howard Street to the west; all of which are fully developed street sections. No changes to the streets adjoining the subject property will be required.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed zone change of 601 W Neider Avenue.

There is an existing 3/4" water service off of Neider Avenue. There is also a well on the property that can only be used for irrigation purposes.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**WASTEWATER:**

Public sewer is available to this property via existing 4" sewer lateral extended from the Fruitland Street Right-of-Way which borders the easterly boundary of the Subject Property.

*-Submitted by Mike Becker, Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Bobby Gonder, Fire Inspector*

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

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

**PHYSICAL CHARACTERISTICS:**

The site is vacant and flat with many smaller trees and a couple large pines. There are no topographical or other physical constraints that would make the subject property unsuitable for the request. Site photos are on the following pages.

**SITE PHOTOS:**

*Photos of narrow "flag lot" portion of subject property along Fruitland Avenue (looking west):*



*Close up of the northern property boundary showing rear yards of mobile homes:*





*Interior of property looking northwest across Neider Avenue (fence on right is a SFDU parcel):*



*Narrow west end of property looking northwest across Neider Avenue toward N. Howard Street:*





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

**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:**

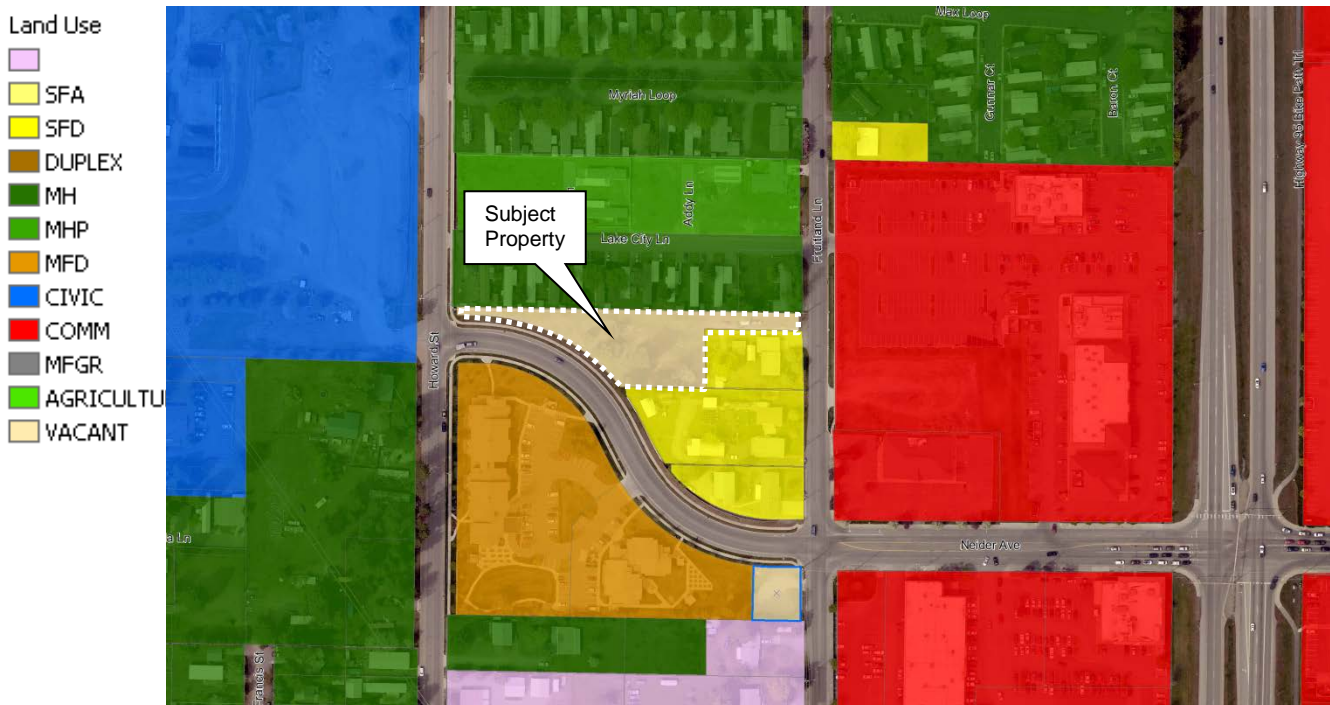
The proposed zone change would not likely adversely affect the surrounding area with regard to traffic. Neider Ave has the available capacity to accommodate additional traffic generated from the subject site. The Streets & Engineering Department has no objection to the zone change as proposed.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

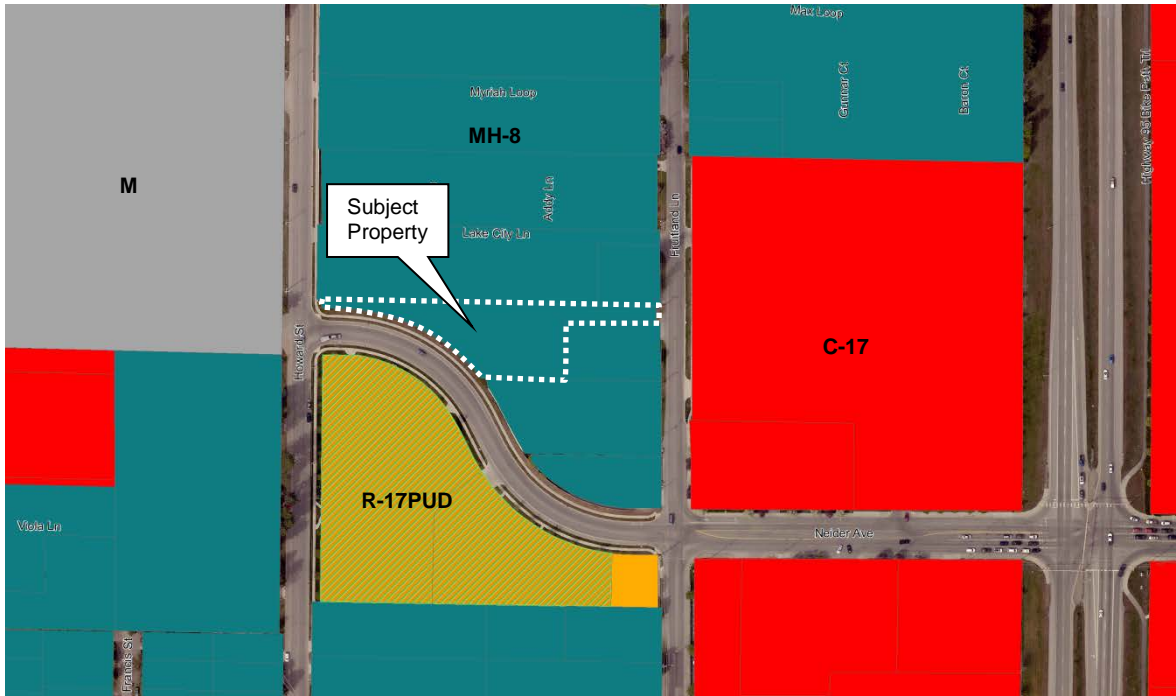
The Fruitland area has changed dramatically over the planning period, with multiple pocket housing projects built and under construction. These include developments associated with the following streets: West Cherry Lane, West Link Lane, West Clady Lane, as well as mobile home infill of existing areas like West Lake City Lane and the spurs adjoining. To the south of the subject property along Neider Avenue, two civic uses were approved and constructed by way of an approved zone change from MH-8 to R-17, followed by an approved PUD which allowed for construction of the Kathy Reed House and the Lynn Peterson facilities.

**GENERALIZED LAND USE PATTERN:**



**ZONING:**

- zoning
- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-8SF



Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right from MH-8 uses to R-17 uses. In addition, the site performance standards would adjust to allowable dimensional standards for R-17 if approved (see the zoning matrix following the MH-8 and R-17 district information).

**Existing MH-8 Zoning District:**

**17.05.410: GENERALLY:**

The MH-8 district is intended as a moderate density residential district for mobile homes at a density of eight (8) units per gross acre.

**17.05.420: PERMITTED USES; PRINCIPAL:**

Principal permitted uses in an MH-8 district shall be as follows:

- Administrative.
- Essential service (underground).
- Home occupation.
- Individual mobile homes.
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing.

**17.05.430: PERMITTED USES; ACCESSORY:**

Accessory permitted uses in an MH-8 district shall be as follows:

- Accessory dwelling units.
- For individually sited mobile homes, private recreation facilities
- Garage or carport
- Mailroom or common use room
- Management office.
- Outside area or buildings for storage when incidental to a mobile home park.
- Private unenclosed recreation facilities

**17.05.440: PERMITTED USES; SPECIAL USE PERMIT:**

Permitted uses by special use permit in an MH-8 district shall be as follows:

- Commercial film production.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Ministorage facility.
- Mobile home park.
- Noncommercial kennel.
- Religious assembly.

**Proposed R-17 Zoning District:**

**17.05.250: GENERALLY:**

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.

**17.05.260: PERMITTED USES; PRINCIPAL:**

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

**17.05.270: PERMITTED USES; ACCESSORY:**

Accessory permitted uses in an R-17 District shall be as follows:

- Accessory dwelling units.
- Garage or carport (attached or detached).
- Mailroom and/or common use room for or multiple-family developments.
- Outside area or building for storage when incidental to the principal use.
- Private recreation facility (enclosed or unenclosed).

**17.05.280: PERMITTED USES; SPECIAL USE PERMIT:**

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

Zoning Matrix (MH-8 to R-17)								
Site Performance Standards	Principal Height	Accessory Height	Minimum Yards				Minimum Lot	
			Front	Side	Street Side	Rear	SFDU	MHP/MFDU
<b>MH-8</b>	MH-19' / SFDU-32'	14' / 18'	20'	5'/10'	10'	15'	5500 SF	3150 SF/unit
<b>R-17</b>	SFDU-32' / MF-45'	14' / 18'	20'	10'	10'/20'	25'/20'	5500 SF	2500 SF/unit

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

**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 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

City Council must consider this request and make separate findings to approve, deny or deny without prejudice. A findings worksheet is attached.



176 W. Wyoming Ave., Hayden ID 83835 • Phone: (208) 762-4663 Fax: (208) 762-4574  
E-Mail: [info@northidahohabitat.org](mailto:info@northidahohabitat.org)  
Web: [www.northidahohabitat.org](http://www.northidahohabitat.org)

02/01/2019

James Casper  
Executive Director

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

FY 2018 - 2019  
BOARD OF DIRECTORS

Re: Zone Change Application

Jamie Smith  
Chair

In June of 2018 Habitat acquired the following property at public auction from the City of Coeur d'Alene:

Vacant  
Vice-Chair

601 W. Neider Ave., Coeur d'Alene, ID 83815

Mark Butera  
Treasurer

Lot 1, Block 2, Clark Addition, according to the Plat thereof, recorded in Book 1 of Plats at Page 187, records of Kootenai County, Idaho

Judy Edwards  
Secretary

Jerri Slocumb

That property is currently zoned MH-8 and we would like to change that zoning to R-17.

Barbara Woodbury

Habitat's mission which is focused on affordable housing development requires us to constantly evaluate appropriate construction types for the demand in our area. Recent increases to property values indicate that single-family homes are not truly affordable class units in this area. Multi-family development is more appropriate in this environment and can allow more units to be created in each area. This is in-line with Objective 3.01, Managed Growth, in the city's 2007 Comprehensive Plan. The scope of the individuals in our area that need affordable housing will continue to grow as property values increase, and increased density is one solution to that issue.

Nearby this property is a similar development owned by St. Vincent DePaul, along with many mobile homes. We believe the proposed R-17 zoning change will have either a neutral or positive impact to the neighborhood makeup.



Regards,

A handwritten signature in blue ink, appearing to read "James Casper".

James Casper  
Executive Director



Applicant: Habitat for Humanity of North Idaho, Inc.  
Location: 601 W. Neider Avenue  
Request: A proposed zone change from MH-8 to R-17  
QUASI-JUDICIAL, (ZC-2-19)

Sean Holm, Senior Planner stated that Habitat for Humanity of North Idaho, is requesting a zone change for property in the city limits. The request is to allow a change of zoning from MH-8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre).

Mr. Holm made the following statements:

- The MH-8 to R-17 zone change request abuts Howard Street on the west, Fruitland Lane on the east, and Neider Avenue on the south. Directly north are mobile homes that are accessed by vehicle through Lake City Lane.
- Lake City Lane does not share a boundary with the Habitat for Humanity site.
- The subject property was deemed surplus by the City's Water Utility due to the inability to support a viable well as a source of water for the city and was auctioned through a sealed bid process which was due May 30, 2018. Habitat for Humanity of North Idaho was the highest bidder and has successfully transferred legal ownership.
- He provided a map showing the prior zone changes surrounding the property.
- He noted that the Comprehensive Plan designates this area as Fruitland – Transition.
- He referenced where the city staff comments are in the staff report.
- He provided various site photos of the area.
- He explained land uses using a map of the area. He stated that there are no proposed conditions.

Mr. Holm concluded his presentation.

#### **Commission Comments:**

Chairman Messina said that since this property is a unique shape, he questioned if the setbacks and parking will be a challenge to get many units on the property.

Mr. Holm commented said that is a true statement and from talking with Terry Pickle about providing services, it was one of the reasons the Water Department had originally obtained the property. He explained that the property has a lot of frontage and depending on what frontage is used for the front yard, the building envelope is tiny.

Commissioner Fleming inquired if they can change the frontage to Fruitland in order to meet setbacks.

Mr. Holm explained any one of the frontages can be used and it is the applicant's choice since the property is vacant.

Public testimony open.

James Casper, Applicant representative, provided the following statements:

- He stated that their goal is to create low income affordable housing and to try and cut costs through construction and volunteers.
- He commented that the property is a challenge, but single family is not affordable in any format.
- He said that they are finishing another project on Hastings which is a 1.5 or 2 acre lot, basic 3 bedroom, 1 bath house with a single garage. He said the appraisal is \$244,000.00, and commented they won't be selling it to their buyers but, later, when they move or sell, there will be nothing affordable for the lower income.
- He stated that the density is the solution to affordability for both near term/long term.
- Land costs are also an issue and they will try and use any available space. It is expensive to buy dirt.
- He stated that they have to set their costs at \$40,000 to \$50,000 per unit and this is not



- comparable to other lots in the city without cost going to density.
- He referenced a rendering showing the site plan and stated that when designing the lots, frontage is a big issue. He explained that they can't use Neider for frontage and still have frontage on Fruitland and so they end up with abnormal looking lots. He said that they are hopeful to provide 4 or 5 lots on the property. He further said that there will be challenges on the long lots with parking and setback concerns and they feel the height will help solve some of those issues.
- He explained that they can develop single family that will be affordable for the community.
- He stated that they are also looking at shared equity and eventually getting to the point to be able to buy back the property and control the properties in perpetuity.
- He stated that they feel this property, when completed, will be a win/win for the city.

Mr. Casper concluded his presentation.

Robert Shaw said that he owns the property behind the development and was not notified about the hearing but noticed the sign on the property.

Mr. Holm explained that Mr. Shaw did come in the other day and talked with Jake Plagerman, Planning Tech, who informed Mr. Shaw that the notice is mailed to where your tax bill goes.

Mr. Shaw stated that his tax bill comes to his home in Hayden, Idaho and that's ok since he did see the sign for the public hearing. He said that he owns the mobile home park to the north and that it is a senior park that is full of mostly low income people. He said the mobile home park has been there for 48 years and the people notified him that they have concerns about their privacy and suggested that if this project is approved, a site obscuring fence should be placed. He explained that the people in the new homes will be using the street behind as the road and is concerned about the noise.

Mr. Holm explained that their Permit Tech did speak with Mr. Shaw and commented that since it's a residential use against a residential use, there is no buffer yard requirement. He added that if it was a commercial use against a residential use, or an incompatible use, then there would be a requirement for a fence or plantings.

**Rebuttal:**

Mr. Casper provided the following statements:

- He said that appreciates all concerns, especially for privacy and safety for all residents.
- He stated there is a high amount of traffic and it not an ideal location for homes. He said that they do feel a fence would be appropriate. He does understand that a barrier should be there for privacy and safety for both sides.
- He stated that they don't anticipate a lot of change in traffic on a daily basis.
- He commented that as time goes by the city will have to address if there are more appropriate areas, but there are not a lot of areas to choose from to add density.

Commissioner Luttrupp inquired if they do support a fence.

Mr. Casper said that they do support a fence.

Commissioner Luttrupp commented that he hopes the applicant and Mr. Shaw can have a discussion to get it resolved.

Mr. Casper said that by putting demands to provide a large brick wall between two residential communities, he would hope that those neighbors would want to be a neighbor. He said that they may want to protect their privacy from the other neighbors.

Commissioner Luttrupp said that he is aware that Habitat for Humanity is very community oriented and he is confident they will work it out between the neighbors.

Public Testimony closed.

**Discussion:**

Commissioner Ingalls explained that this piece of property has been a weed farm for many years and now they have a proposal for workforce housing that will help put something on that property that is useless the way it is. It is a good thing.

Commissioner Fleming said that she concurred with Commissioner Ingalls and stated that this will be a great project.

Chairman Messina commented that he is familiar with the piece of property, which is an odd shape and will be a challenge.

Motion to reopen testimony. Motion approved.

Mr. Casper said that if there was a version of R-12 that allows multifamily at a lower height, it could be considered.

Public testimony closed.

**Motion by Ingalls, seconded by Fleming, to approve Item ZC-2-19. 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.

**COEUR D'ALENE PLANNING COMMISSION**

**FINDINGS AND ORDER**

**ZC-2-19**

**A. INTRODUCTION**

This matter having come before the Planning Commission on March 12, 2019, and there being present a person requesting approval of ZC-2-19, a request for a zone change from MH-8 to R-17 zoning district

APPLICANT: JAMES CASPER, EXECUTIVE DIRECTOR  
HABITAT FOR HUMANITY OF NORTH IDAHO, INC.

LOCATION: PROPERTY BOUND BY HOWARD STREET AND FRUITLAND LANE, NORTH  
OF NEIDER AVENUE, COMMONLY KNOWN AS 601 W NEIDER AVENUE

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

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

- B1. That the existing land uses are Commercial and Residential.
- B2. That the Comprehensive Plan Map designation is Fruitland-Transition
- B3. That the zoning is MH-8.
- B4. That the notice of public hearing was published on February 22, 2019, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 4, 2019, 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 March 12, 2019.

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

**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.

**Objective 2.02**

***Economic & Workforce Development:***

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

**Objective 2.05**

***Pedestrian & Bicycle Environment:***

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

**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 3.08**

***Housing:***

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

**Objective 3.10**

***Affordable & Workforce Housing:***

Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16**

***Capital Improvements:***

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

**Objective 4.01**

***City Services:***

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

**Objective 4.06**

***Public Participation:***

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

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the staff report.
  
- B10. That the physical characteristics of the site does make it suitable for the request at this time because it is a vacant site, flat with no topographical challenges or constraints.
  
- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because this will be a good fit with the adjacent land uses.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of JAMES CASPER, EXECUTIVE DIRECTOR, HABITAT FOR HUMANITY OF NORTH IDAHO, INC. For a zone change, as described in the application should be approved.


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

**ROLL CALL:**

Commissioner Fleming	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted Yes

Commissioners Mandel, Ward and Rumper were absent.

Motion to approve carried by a 3 to 0 vote.

  
CHAIRMAN TOM MESSINA

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

Comments:

I am in favor of zone change — But would rethink  
in coverage of 6' High site obscuring fence on the north  
boundary between subject and lake city prop. to home part.

Wally Brown



*City Council Meeting*



*April 16, 2019*

ZC-2-19: Zone change from MH-8 to R-17  
(0.825 Acre)

**APPLICANT:**

James Casper, Executive Director  
Habitat for Humanity of North Idaho, Inc.  
176 W. Wyoming Ave.  
Hayden, ID 83835

**REQUEST:**

Mr. Casper, Executive Director for Habitat for Humanity of North Idaho, is requesting a zone change of property in city limits. The request is to allow a change of zoning from MH-8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre).



ZC-2-19: Zone change from MH-8 to R-17  
Description

**LOCATION:**

Property bound by Howard Street and Fruitland Land, north of Neider Avenue, commonly known as 601 W. Neider Avenue. (0.825 acre)

**PLANNING COMMISSION:**

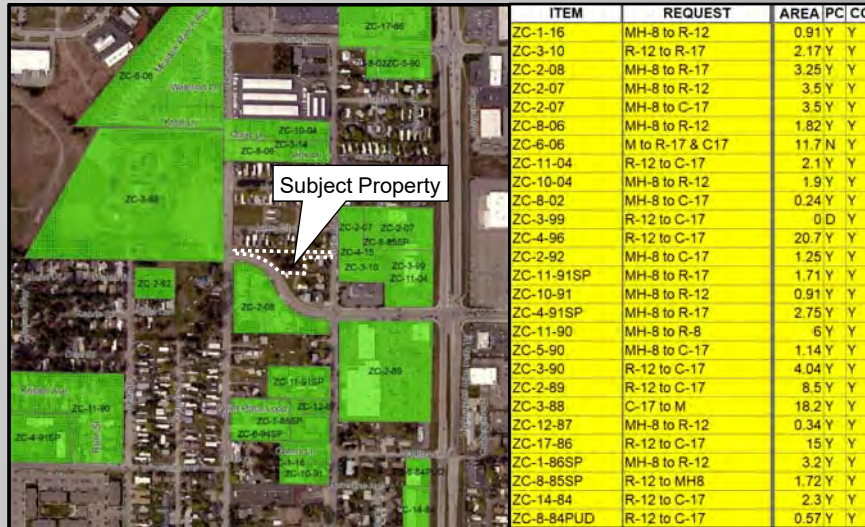
Planning Commission held a regularly scheduled hearing on March 12th, 2019 with this request on the agenda. Planning Commission recommended approval of the request unanimously in a 3 to 0 vote.



ZC-2-19: Zone change from MH-8 to R-17  
Location Map



## ZC-2-19: Zone change from MH-8 to R-17 Previous Zone Change Requests



## ZC-2-19: Zone change from MH-8 to R-17 General Comparison of Zones

**Existing MH-8 Zoning District:**

17.05.410: GENERALLY:

The MH-8 district is intended as a moderate density residential district for mobile homes at a density of eight (8) units per gross acre.

**Proposed R-17 Zoning District:**

17.05.250: GENERALLY:

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.



## ZC-2-19: Zone change from MH-8 to R-17 Comparison of Principal Uses

Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right from MH-8 uses to R-17 uses. In addition, the site performance standards would adjust to allowable dimensional standards for R-17 if approved.

**Existing MH-8:**

- Administrative
- Essential service (underground)
- Home occupation
- Individual mobile homes
- Neighborhood recreation
- Public recreation
- Single-family detached

**Proposed R-17:**

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Public recreation
- Single-family detached



## ZC-2-19: Zone change from MH-8 to R-17 Theoretical Zoning Matrix & Density Analysis

*Subject Property: 0.825 acre = 35,937 SF*

**MH-8 district:** 6 separate lots or up to 11 spots as a mobile home park

**R-17 district:** 6 separate lots or up to 14 units as multi-family structure

### Zoning Matrix (MH-8 to R-17)

Site Performance Standards	Principal Height	Accessory Height	Minimum Yards				Minimum Lot	
			Front	Side	Street Side	Rear	SFDU	MHP/MFDU
<b>MH-8</b>	MH-19' / SFDU-32'	14' / 18'	20'	5'/10'	10'	15'	5500 SF	3150 SF/unit
<b>R-17</b>	SFDU-32' / MF-45'	14' / 18'	20'	10'	10'/20'	25'/20'	5500 SF	2500 SF/unit



## ZC-2-19: Zone change from MH-8 to R-17 Required Findings

### Finding #B8:

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

### Finding #B9:

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

### Finding #B10:

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

### Finding #B11:

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

## ZC-2-19: Zone change from MH-8 to R-17 Comprehensive Plan

### Finding #B8:

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

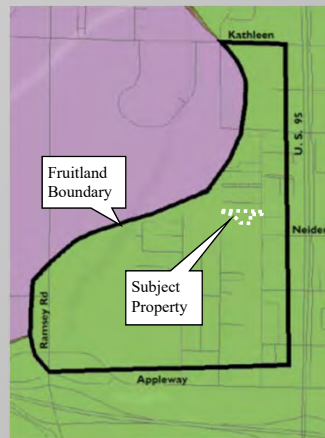
1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map category is defined as:
  - **Fruitland - *Transition***



ZC-2-19: Zone change from MH-8 to R-17  
Comprehensive Plan

**Finding #B8:**

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



**Fruitland: Transition**

**Legend**  
City Land Use Categories  
by color:

- Stable established
- Transition
- Urban reserve

N



ZC-2-19: Zone change from MH-8 to R-17  
Fruitland Today

Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. *Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks. Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents.* Fruitland has the largest concentration of mobile home zoned property within city limits.

Topography is generally flat and development opportunities exist. A recent wastewater main extension north to Bosanko provides opportunity for development.





## ZC-2-19: Zone change from MH-8 to R-17 Fruitland Tomorrow

Generally this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.

**The characteristics of Fruitland neighborhoods will be:**

- That overall density will approach eight residential units per acre (8:1).
- That single- and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.



## ZC-2-19: Zone change from MH-8 to R-17 Comprehensive Plan Objectives

**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.



ZC-2-19: Zone change from MH-8 to R-17  
 Comprehensive Plan Objectives

**Objective 2.02**

***Economic & Workforce Development:***

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

**Objective 2.05**

***Pedestrian & Bicycle Environment:***

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

**Objective 3.01**

***Managed Growth:***

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



ZC-2-19: Zone change from MH-8 to R-17  
 Comprehensive Plan Objectives

**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 3.08**

***Housing:***

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.



ZC-2-19: Zone change from MH-8 to R-17  
Comprehensive Plan Objectives

**Objective 3.10**

***Affordable & Workforce Housing:***

Support efforts to preserve and provide affordable and workforce housing.

**Objective 3.16**

***Capital Improvements:***

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

**Objective 4.01**

***City Services:***

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



ZC-2-19: Zone change from MH-8 to R-17  
Comprehensive Plan Objectives (continued)

**Objective 3.05 Neighborhoods:**

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

**Objective 4.01 City Services:**

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

**Objective 4.06 Public Participation:**

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



ZC-2-19: Zone change from MH-8 to R-17  
Staff Comments (Public Facilities & Utilities)

**Finding #B9:**

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

- City staff from Stormwater, Streets, Water, Fire, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed request.
- No objection to this zone change request as proposed was raised. Department comments may be found on page 5-6 of the staff report.



ZC-2-19: Zone change from MH-8 to R-17  
Physical Characteristics

**Finding #B10:**

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

The site is vacant and flat with many smaller trees and a couple large pines. There are no topographical or other physical constraints that would make the subject property unsuitable for the request.



ZC-2-19: Zone change from MH-8 to R-17  
Site Photos

*Photos of narrow "flag lot" portion of subject property along Fruitland Avenue (looking west):*



ZC-2-19: Zone change from MH-8 to R-17  
Site Photos

*Close up of the northern property boundary showing rear yards of mobile homes:*



ZC-2-19: Zone change from MH-8 to R-17  
Site Photos

*Interior of property looking northwest across Neider Avenue (fence on right is a SFDU parcel):*



ZC-2-19: Zone change from MH-8 to R-17  
Site Photos

*Narrow west end of property looking northwest across Neider Avenue toward N. Howard Street:*





ZC-2-19: Zone change from MH-8 to R-17  
Traffic

**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 would not likely adversely affect the surrounding area with regard to traffic. Neider Ave has the available capacity to accommodate additional traffic generated from the subject site. The Streets & Engineering Department has no objection to the zone change as proposed.

*-Submitted by Chris Bosley, City Engineer*

ZC-2-19: Zone change from MH-8 to R-17  
Neighborhood Character

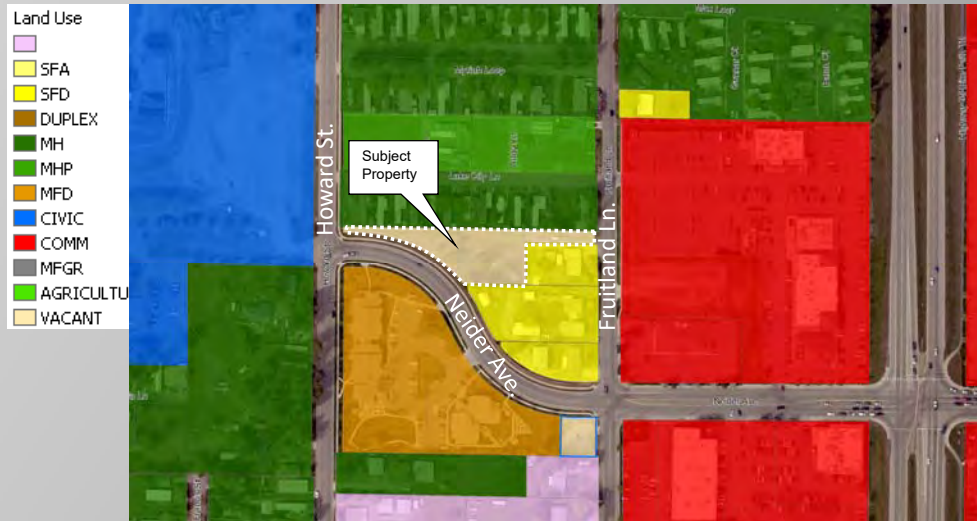
**Finding #B11:**

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

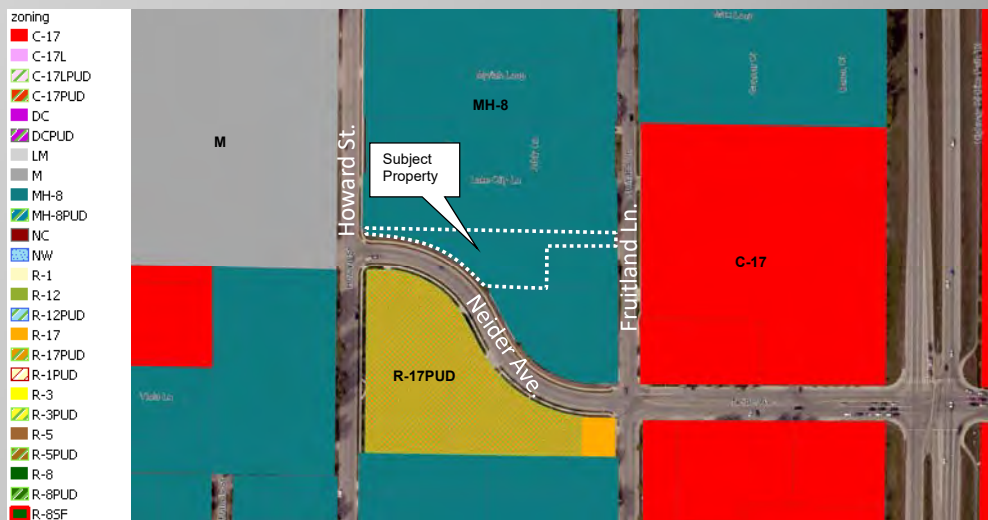
**NEIGHBORHOOD CHARACTER:**

The Fruitland area has changed dramatically over the planning period, with multiple pocket housing projects built and under construction. These include developments associated with the following streets: West Cherry Lane, West Link Lane, West Clady Lane, as well as mobile home infill of existing areas like West Lake City Lane and the spurs adjoining. To the south of the subject property along Neider Avenue, two civic uses were approved and constructed by way of an approved zone change from MH-8 to R-17, followed by an approved PUD which allowed for construction of the Kathy Reed House and the Lynn Peterson facilities.

## ZC-2-19: Zone change from MH-8 to R-17 Land Use Map



## ZC-2-19: Zone change from MH-8 to R-17 Zoning Map



## ZC-2-19 Zone change from MH-8 to R-17

### **ACTION ALTERNATIVES:**

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

- Approve
- Deny
- Deny without prejudice



## ZC-2-19 Zone change from MH-8 to R-17

### **17.06.830: BUFFER YARD REGULATIONS:**

A. Definition: A "buffer yard" is a landscape area which serves to physically and/or visually separate land uses having incompatible facilities, activities, or differing intensities of use. For the purposes of buffer yard regulations, a display lot as defined in section 17.44.020 of this title shall not be construed to be a parking lot.

B. Applicability: A buffer yard is required as follows:

1. When a commercial, civic, or manufacturing use abuts a residential use.
2. Between a parking lot not associated with a residential activity, and a residential activity.
3. Where a parking lot abuts a public street right of way.
4. To conceal outdoor storage areas, trash receptacles, and exposed machinery associated with any commercial activity when adjacent to a residential activity or a public street right of way.
5. As established in subsection 17.44.250D of this title for loading berth adjacent to residential activity.
6. For planting screen easements required by section 16.15.180 of this code.

Application No.	Buffer Yard Requirement
1, 4	5 feet wide, 5 feet high, or a 5 foot fence
2	5 feet wide where curb acts as a bumper stop, otherwise, 3 feet wide; and 5 feet high or a minimum 5 foot fence
3	5 feet wide where curb acts as a bumper stop, otherwise, 3 feet wide; and 3 feet high or a minimum 3 foot fence
6	Vegetative cover that meets the requirements of subsection D of this section must fill the easement. Fences are not allowed within the easement.

D. Materials For Buffer Yards:

1. All buffer yards shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs, and ground cover in which evergreen plant materials comprise a minimum of seventy five percent (75%) of the total plant material used.
2. The required buffer yard shall result in an effective barrier within three (3) years and be maintained such that fifty percent (50%) or more of the vertical surface is closed and prevents the passage of vision through it, as determined by the planning department. (Ord. 3237 §2, 2005; Ord. 3127, 2003; Ord. 3025 §13, 2001; Ord. 2934 §52, 1999; Ord. 2331 §1, 1990; Ord. 2109 §8, 1988)

