

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

April 15, 2025

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 on April 15, 2025, at 6:00 p.m., there being present the following members:

Woody McEvers, Mayor

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

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

PLEDGE OF ALLEGIANCE: Councilmember Evans led the pledge of allegiance.

POEM READING: City of Coeur d'Alene Poet Laureate Jennifer Passaro read the poem entitled "Coeur d'Alene, Windstorm 2021."

ARBOR DAY: Councilmember Wood proclaimed April 25, 2025, as Arbor Day, with Urban Forester Nick Goodwin accepting the proclamation. Mr. Goodwin highlighted last year's planting of a bristle cone pine at Atlas Park, assisted by Ramsey Magnet School students. This year, similar activities will take place at Persons Field, including planting 10 trees to replace dead ones. Coeur d'Alene, a Tree City USA for 41 years and recipient of 21 growth awards, planted 324 public trees, removed 82, and maintained 793 last year. Arbor Day events will feature tree planting, seedling distribution, tree info, and a larger tree raffle. North Idaho College will also host a seedling giveaway, nursery and vendor booths on April 26th.

John Schwandt highlighted the growth of the Arbor Day program over the past 40 years, expanding from distributing a few seedlings to providing them to every 4th grader in the county. Celebrating its 40th year, the program has given out nearly 90,000 seedlings of 75 different tree species. The Coeur d'Alene Press is running a special feature on people who planted trees years ago. The Arbor Day of North Idaho, a nonprofit organization, funds the seedlings through donations. This year, seedlings include River birch, Austrian pine, European mountain ash, and Flowering crab apple. Volunteers are invited to help bag 2,500 seedlings at the Coeur d'Alene Idaho Department of Lands fire warehouse on Tuesday morning, with coffee and donuts provided.

INTERNATIONAL DARK SKY WEEK: Councilmember English read the Proclamation declaring April 21-28, 2025 as International Dark Sky Week. Dr. James Fillmore accepted the

Proclamation. In his presentation, he explained the issue of light pollution, emphasizing its impact on the night sky, wildlife, and human health. He noted that light pollution has increased by 10% annually over the past decade, affecting areas like Coeur d'Alene and Post Falls. Excessive lighting disrupts bird migration, insect behavior, and can cause health issues such as sleep disorders and obesity. He advocated better lighting ordinances, similar to those in other Idaho cities, to reduce glare and energy waste. He invited the public to learn more at an Earth Day event at the library on Saturday.

IDAHO GIVES WEEK: Councilmember Evans read the Proclamation declaring April 28 – May 1, 2025 as Idaho Gives Week. Dr. Sarah Lynch, the Coeur d'Alene Region Liaison for Idaho Gives accepted the Proclamation. She discussed the upcoming statewide online giving campaign from April 28th to May 1st. This event supports nonprofits that strengthen the Idaho communities. Despite raising \$4.3 million in 2024, donations are currently down due to a federal grant funding freeze. Dr. Lynch encouraged visiting the IdahoGives.org website to support local nonprofits and invited everyone to a Community Information Fair at Companions Animal Center on April 28th. The event will feature food, music, and opportunities to learn about and support 22 participating nonprofits.

LAKE CITY CENTER UPDATE: Lake City Center Executive Director Nancy Philipps, explained its history and mission. Originally a Senior Center since 1973, it became a Community Center in 2013, expanding services to address food insecurity and social isolation among seniors in Coeur d'Alene, Post Falls, Hayden, Hausser, Huetter, and Dalton Gardens. The center provides home-delivered meals and hosts congregated meals for social interaction. In 2024, they delivered over 43,000 meals and served 3,000 meals at the center, supported by 4,600 volunteer hours. Ms. Phillips highlighted the importance of their programs and recent celebrations, including a World War II veteran's 101st birthday. On May 3rd, the center will host their annual fundraiser for the home-delivered meals program.

DOWNTOWN CORE/ INFILL WORKING GROUP UPDATE: Planning Director Hilary Patterson updated the Council on the Working Group's progress in revisiting the Downtown Core and Downtown Infill Development Standards and Design Guidelines in response to community feedback. The review covers the downtown core and overlay areas, highlighting the contrast between new towers and historic structures. The Council's directives include historic preservation, assessing development impacts, and exploring alternatives for building heights and floor area ratios. The Group, comprising representatives from Planning and Zoning Commission, Design Review Commission, Historic Preservation Commission, the Downtown Association, design professionals, Councilmember Gookin, and city staff, has held 15 meetings, reviewed documents, and conducted traffic scoping. They aim to simplify zoning districts and incorporate public safety and historic preservation. Initial recommendations include limiting tower heights on Sherman, Lakeside, and Front Avenues, capping towers at 110 feet on Coeur d'Alene Avenue, focusing on pedestrian-oriented streets, preserving historic structures, and encouraging retail-supportive designs for new commercial or mixed-use buildings. The Group plans to modify floor area ratio (FAR) bonuses, involve residential advocates to stakeholder discussions, collaborate with the University of Idaho for further modeling, and public input to efficiently update the city's code and design guidelines.

Mayor McEvers requested clarification on the role of the Design Review Commission, the concept of residential advocates, and the integration of various elements in the planning process. Ms. Patterson explained that representatives from the Design Review Commission are part of the Working Group, providing input in updating the code language and design guidelines. Residential advocates will provide perspectives from downtown residents. Ms. Patterson noted that while design guidelines might be easier to fast-track since this is the imagery, zoning details are more complex and interconnected. She also addressed view corridors and confirmed that costs for University of Idaho's assistance would fit within the professional services budget allocated to the Planning Department. Councilmember Evans expressed gratitude to Ms. Patterson, the Working Group and Councilmember Gookin for their extensive efforts. Councilmember Gookin emphasized the Group's commitment to preserving downtown character amidst development. He noted that their discussions included building heights, pedestrian-friendly designs, and enhancing downtown appeal. The Group aims to balance development with maintaining downtown charm. Ms. Patterson mentioned that there is a FAR bonus for workforce housing and potential incentives to encourage its use. Councilmember Gookin also noted the importance of public art and encouraged the public to give feedback, highlighting the collaborative nature of the process. Councilmember Wood emphasized the urgency of gathering public input sooner rather than later, acknowledging the extensive work already undertaken and suggesting that hosting meetings to collect feedback on specific aspects would be beneficial. Councilmember English expressed two main concerns: avoiding the construction of a large, block-like building that resembles a "Great Wall of Coeur d'Alene," and the contentious issue about the implications of the one-way street proposal. Councilmember Gookin explained that during their meeting, the Group discussed the proposal to make Sherman and Lakeside one-way streets; however, the idea was ultimately dismissed. Councilmember Miller stated that the intention for the next step should involve using modeling to visualize options for the community, allowing for informed public input. She emphasized the importance of involving all stakeholders, including property owners, and stressed the urgency of gathering public feedback to ensure development aligns with community desires.

PUBLIC COMMENTS:

Kelly Bell, Coeur d'Alene, expressed concerns about the 1119 C Street code violations, urging the Council to enforce the city's rules and regulations rather than yielding to demands that could undermine them. She emphasized the importance of protecting all citizens and maintaining trust in elected officials to uphold the codes. Additionally, she supported the idea of making changes to the code to better protect residential areas.

Vince Weibert, Coeur d'Alene, highlighted the long-term negative impacts of inappropriate rezoning and development. He emphasized the importance of making the right choices, even when challenging, and praised the Council for their proactive approach. He urged the Council and staff to enforce zoning regulations diligently to prevent future issues and preserve the community, the neighborhoods, and their way of life.

Suzanne Knutson, Coeur d'Alene, recounted the tragic incident involving Victor Perez, a young man with autism and cerebral palsy, who was shot by Pocatello police officers on April 5, 2025. She emphasized the urgent need for law enforcement training to appropriately respond to people with disabilities, advocating for de-escalation strategies and comprehensive education. She also

invited the community to participate in upcoming events to support individuals with disabilities and promote awareness such as the Autism Walk for Acceptance on April 19 at Kootenai County Fairgrounds and SNR's 40th Anniversary Party on May 13 at SNR located at 3700 N Government Way Suite J.

Will Cushman, Coeur d'Alene, expressed frustration with the development of high-rise buildings in downtown Coeur d'Alene, which has compromised the small-town feel and safety of the area. He criticized the city's approach to urban planning and called for a return to lower building heights to preserve the community's character and way of life.

ANNOUNCEMENTS:

Councilmember Gookin thanked those who showed up and for their patience regarding the C Street issue, which cannot be discussed due to a potential lawsuit. He mentioned ongoing efforts to prevent large, bulky buildings that disrupt neighborhood character, and highlighted historical height restrictions that were removed. He praised the Council's support and the Working Group's proactive approach, emphasizing that while change takes time, efforts are being made to preserve the community's character.

Councilmember Wood announced the Tubbs Hill Foundation's Spring cleanup event on Saturday, April 19, from 8:00 AM to 10:30 AM, encouraging volunteers to help maintain the area, which is heavily used and often littered. She highlighted the foundation's efforts to preserve the beauty of Tubbs Hill.

Councilmember Evans announced that the Arts Commission is seeking artists to participate in this year's ArtCurrents program, which allows artists to display their sculptures around downtown Coeur d'Alene and Riverstone for one year, with an option to renew for a second year. More information is available on the Arts Commission's website www.cdavid.org/arts.

Councilmember Miller followed up on Councilmember Gookin's comments, mentioning the workshops between the Planning and Zoning Commission and the Historic Preservation Commission. She mentioned about discussions on the impact of "barndominiums" in residential neighborhoods and the importance of sharing historical context with residents. She appreciated the efforts to gather feedback and work towards solutions.

Councilmember Gabriel thanked the C Street community for their continued engagement and congratulated Water Department Assistant Director Glenn Poelstra on his election to the Board of Idaho Rural Water Association. He mentioned the museum's upcoming grand opening. Lastly, he praised the hard work of Councilmember Gookin and Ms. Patterson on the project, expressing pride in the community's achievements and a willingness to assist further.

Mayor McEvers requested the appointment of Monica Donegan to the Pedestrian Bicycle Committee.

MOTION: Motion by Evans, seconded by Gabriel to appoint Monica Donegan to the Pedestrian Bicycle Committee.

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

CONSENT CALENDAR:

1. Approval of Council Minutes for the April 1, 2025 Council Meeting.
2. Setting of a Public Hearing for May 20, 2025 for ZC-3-25- a Zone Change request by Melrose Properties, LLC from R-12 to C-17L on three (3) parcels measuring 0.957 acres, located at: 417, 421, and 503 W. Emma Avenue
3. Approval of Bills as Submitted.
4. Approval of Financial Report.
5. Approval of **Resolution No. 25-015** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH EMERGE CDA, INC., TO PROVIDE STUDENT SCHOLARSHIPS FOR ART CLASSES.

MOTION: Motion by Evans, seconded by Miller to approve the Consent Calendar as presented, including **Resolution No. 25-015**.

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

RESOLUTION NO. 25-016

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF, AND AWARDING THE CONTRACT FOR THE 2025 MILL AND INLAY PROJECT TO, INTERSTATE CONCRETE AND ASPHALT COMPANY, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED THIRTY-FIVE THOUSAND, FOUR HUNDRED SIXTY-SEVEN and 30/100 Dollars (\$735,467.30)

STAFF REPORT: Streets & Engineering Director Todd Feusier highlighted that the asphalt surfaces on sections of 3rd Street, 4th Street, Harrison Avenue, and Kathleen Avenue have deteriorated over time and require maintenance. To address this, the Streets & Engineering Department has initiated a project to mill the existing surface and replace it with new asphalt, significantly extending the lifespan of these streets. The project includes a base bid for 4th Street, Kathleen Avenue, Harrison Avenue, and part of 3rd Street, with an additional alternate bid for further work on 3rd Street. After advertising the project for two weeks, three bids were received and opened on April 8th. Interstate Concrete and Asphalt submitted the lowest bid of \$735,467.30, which will be funded through the current overlay/chipseal budget. The project includes milling and inlaying several streets to extend their lifespan, with plans for future chip sealing to maximize road durability.

DISCUSSION: Councilmember English pointed out that the curve near Dave Smith naturally causes vehicles to speed up, asking if the physics of the curve contribute to this. Mr. Feusier responded that new asphalt can lead to increased speeds. They plan to add thermoplastic lane markings and chip seal to make the surface less smooth and help control speeds. Councilmember

Gabriel asked whether repairs would be done by city crews. Mr. Feusier explained that some repairs would be done in-house, while others might be contracted out. He discussed the balance of paving and chip sealing, noting the cost differences and the goal of extending road life. Mayor McEvers inquired about night work, and Mr. Feusier expressed a preference for daytime work due to residential areas. Councilmember Miller inquired about the savings on the project and whether there was an engineer's estimate before the RFP was issued. Mr. Feusier confirmed that the budget for the project was \$1.5 million and thanked the Council for an increase from a few years ago. He also mentioned plans to use some of the budget for ADA sidewalk repairs.

MOTION: Motion by Gookin, seconded by English to approve **Resolution No. 25-016**, Accepting the bid of, and approving a contract with, Interstate Concrete and Asphalt Company for the 2025 Mill and Inlay Project, in the amount of \$735,467.30.

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

RESOLUTION NO. 25-017

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF, AND AWARDING THE CONTRACT FOR CONSTRUCTION OF THE POLICE STORAGE BUILDING TO, GINNO CONSTRUCTION CO., IN AN AMOUNT NOT TO EXCEED ONE MILLION NINETY-FIVE THOUSAND AND NO/100 DOLLARS (\$1,095,000.00).

STAFF REPORT: Building Maintenance Superintendent Adam Korytko noted that on the morning of June 9, 2024, the Police Department storage building was completely destroyed by fire, resulting in a total loss of the structure and its contents. After the investigation was completed, the remains of the building were demolished, and the site was graded. Based on the architect Longwell Trapp's review of bids, Ginno Construction of Idaho, Inc. was identified as the responsive low bidder with a bid of \$1,095,000. The project will be funded through insurance proceeds, with \$636,800 already received and additional funds to be received as claims are processed.

DISCUSSION: Councilmember Wood thanked Mr. Korytko for detailing the bids and expressed concern about potential change orders due to the significant price difference between Ginno Construction and other bidders. Mr. Korytko assured that they are confident in Ginno's bid. Councilmember Wood then inquired about the completion date, and Mr. Korytko confirmed that if approved, Ginno would start next Monday with an estimated completion by November. The new building will have the same footprint but will be conventionally framed instead of a pole building.

MOTION: Motion by Wood, seconded by Gookin to approve **Resolution No. 25-017**, Accepting the bid of, and approving a contract with, Ginno Construction of Idaho, Inc., for the Police Storage Building in the amount of \$1,095,000.00.

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

RESOLUTION NO. 25-018

RESOLUTION RE: REIMBURSEMENT OF COSTS

[Official Intent pursuant to Section 1.150-2, Code of Federal Regulations]

A RESOLUTION OF THE CITY OF COEUR D'ALENE, IDAHO, DECLARING ITS OFFICIAL INTENT TO REIMBURSE CERTAIN REIMBURSABLE EXPENDITURES RELATING TO CERTAIN PROJECTS FROM TAX EXEMPT OBLIGATIONS AND PROVIDING AN EFFECTIVE DATE.

STAFF REPORT: Fire Chief Tom Greif requested the Council's approval to purchase a stock-type pumper engine and take possession of it within the next 60 to 90 days. He reminded the Council that in the previous G.O. Bond presentation, an early engine purchase was identified in the Bond financial plan. Chief Greif emphasized the urgency of this purchase, as the only backup fire engine is an 18-year-old Spartan type engine that has exceeded its useful life. Custom engines and ladders typically take 36 to 48 months to receive after placing an order, and the current backup engine is unlikely to last that long, making this early purchase essential. The pumper engine fits within the Bond financial plan, and a Resolution allows the City to reimburse itself if the Bond passes. Chief Greif explained that the only immediate option in the fire apparatus market is a pre-built stock-type pumper/engine. This opportunity has been vetted by the Fire Department's Apparatus Committee and the Lead City Mechanic. The total request is \$1,015,000, which includes \$985,000 for the apparatus and \$30,000 for additional needed equipment. If the G.O. Bond passes in May, the Resolution will allow the City to reimburse the general fund for this purchase.

DISCUSSION: Councilmember Gabriel asked if they are planning to transfer all the equipment from the Spartan to the new engine. Chief Greif stated that they have allocated \$30,000 in the final amount towards equipment and will use the equipment from two of the retired rigs that were not planned for this year and supplement it with additional necessary equipment. He added that this is included in the \$1,015,000 total mentioned in the staff report. Councilmember Wood asked about the payment plan and its impact on the fund balance. Finance Director Katie Ebner explained that while using the fund balance to underwrite the purchase isn't ideal, it could cover the cost if the Bond fails. However, this would expedite the reduction in the fund balance, necessitating a reassessment of the budget. Bonding is the preferred funding mechanism for large purchases, and they hope it will come through. In the worst-case scenario, the fund balance would cover the cost. Given the urgent need for this purchase, Ms. Ebner is okay with proceeding. Mr. Tymesen added that the public has received the information well and stressed the importance of public safety, especially with the current fire trucks running hard and lacking backups as the City approaches the busy season. Councilmember Gookin asked how does this new engine fits into the current fleet with Chief Greif explaining that they want to move away from the term "backup" because when they acquire a new engine, it becomes an integral part of the fleet. With their preventative maintenance plan, rigs will regularly be in the shop, so this new engine will be used frequently. He added that the 18-year-old backup engine will likely be parked and used only in emergency circumstances.

MOTION: Motion by Gabriel, seconded by Wood to approve **Resolution No. 25-018**; Declaring the City's intent to reimburse the expenditure of a KME K-180 Type 1 Pumper truck in the amount of \$1,015,000.00, from the tax-exempt obligations.

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

COUNCIL BILL NO. 25-1009

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE ZONING OF CERTAIN PARCELS OR PORTIONS THEREOF FROM R-3 TO C-17L, AND C-17L TO R-3, RESPECTIVELY, SAID PARCELS BEING DESCRIBED FULLY IN EXHIBIT "1" HERETO, AND SAID PARCELS BEING WITHIN THE AREA COMMONLY KNOWN AS "COEUR TERRE," WHICH IS LOCATED NORTH OF INTERSTATE-90 AND WOODSIDE AVENUE, SOUTH OF WEST HANLEY AVENUE, EAST OF HUETTER ROAD, AND WEST OF ATLAS ROAD; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

STAFF REPORT: Senior Planner Sean Holm noted that the applicant, Kootenai County Land Company LLC, have a two-part request involving three zone changes and amendments to the development agreement. The zone changes include R-17 to C-17, R-3 to C-17L, and C-17L to R-3. The amendments aim to provide flexibility in land use types and adjust sewer infrastructure timing. The Planning Commission reviewed and unanimously approved these changes with conditions. The property, historically farmland, was annexed by the city in 2023 and zoned for mixed residential and commercial use. The development agreement outlines requirements for infrastructure, utilities, public improvements, and amenities, including parks and trails. The applicant's team has worked extensively to ensure the project's feasibility and compliance with city standards. As part of the concurrency analysis, traffic studies will be required. The developers must create and donate a 5.4-acre park and a 12.3-acre community park. They must also dedicate and pave 212-foot-wide north-south trails and 210-foot-wide east-west trails adjacent to each development phase. Additionally, they need to convey two school sites to the school district and establish a police substation. The project includes affordable housing elements which requires that there's a reserve of 5% for ownership and 5% of residential units for affordable/ workforce housing and offer Habitat for Humanity of first right of refusal on one of the multifamily parcels in order to meet the 5% requirement. Financial obligations include the requirement to pay \$2,000,000 in split payments over 2 years that has been paid in full. All the other fees will be required at time of development, such as impact fees and other connection fees, and then some administrative and legal compliance. The applicant requested a short plat to carve out a piece of land for a future school after the property was annexed. This area includes a sliver piece wrapping around the school site, a remainder extending to Hutter Road, and a section sold to a religious assembly. Improved rights-of-way and the city's water tower are also part of the subject property. The proposal includes zone changes and must conform to the comprehensive plan, which outlines compatible zoning and transportation elements. The proposal includes zone changes and must conform to the Comprehensive Plan, which outlines compatible zoning and transportation elements. The staff report indicates that public facilities and utilities are adequate for the proposed use, subject to the

developer providing the required improvements per the development agreement. The property is mostly flat with some grade change at the south end. Traffic studies will be required for the C-17 zone. The neighborhood character includes a mix of newer and older neighborhoods, with nearby industrial parks and large parcels. The existing zoning includes R-1, R-3, R-8, and C-17, with various uses allowed by right in the C-17 zoning district. The area is currently used for agriculture, with future development plans for single-family homes and commercial uses.

Mr. Holm stated that the City Council will need to consider and approve the request for amendments to the development agreement, along with the recommended conditions from the Planning and Zoning Commission. They must make findings to approve, modify, or reject the requested amendments. The Planning Commission recommended banning administrative short plats, requiring all subdivisions to go through the long plat process, which would be reviewed by the Planning Commission. Additionally, the Council will need to address the zone change requests, including the largest one for 14 acres in the northwest corner and the two well sites.

DISCUSSION: Mayor McEvers requested clarification on the well site with Mr. Holm explaining that the well site is currently zoned C-17L is requested to be moved north. The northwest corner, currently zoned R-17, is requested to change to C-17. Councilmember Gookin asked for clarification on the actions before Council with Mr. Holm explaining there are two overarching actions, the first involves three parts for the zone change, and the second includes two parts for the development agreement. Councilmember Gookin asked if Council can make any modifications to the development agreement or limited to what's proposed. Mr. Adams replied that typically, the development agreement would go to the Planning Commission first, so any changes the Council wants to make should be referred back to the Planning Commission. Councilmember Gookin inquired why a religious assembly is zoned C-17, with Mr. Holm responding that religious assembly is also allowed in C-17L, which was requested when it came into the City before being sold to the church so it was already zoned C-17. Councilmember Wood stated that there was an area already identified as commercial, and it looks like with the new proposal doubles the commercial area at the top while maintaining commercial zoning below. She stated support on the transfer of the well site; however, she stressed her concern about the 14-acre zone change and its impact on emergency services due to unknown future developments. She also noted the dramatic changes to the development agreement, which looks like removing public hearings and making the process administrative. Mr. Holm explained that the master plan coincides with underlying zoning, and any subdivision would still require Council's approval. Councilmember Miller inquired about the development agreement, noting that it specifies affordable housing for those earning 80% to 130% of the area median income, which differs from previous discussions of 80% to 120%. She also asked about the required traffic study and subsequent steps. City Engineer Chris Bosley explained that traffic studies will be required for each phase of the subdivision or every two years. These studies will assess traffic impacts and recommend improvements but do not mandate specific actions like installing traffic signals. Mr. Bosley added that there will be requirements for frontage improvements on bordering streets, but these improvements will not extend far beyond the actual development. Councilmember Gabriel asked if a traffic study only provides information. Mr. Adams responded that the development agreement currently states that with a traffic concurrency analysis, concurrent improvements within each phase shall provide independent utility to address the trips generated, so they have to design based on the traffic concurrency analysis. Councilmember Gookin expressed concerns about the proposed

development and annexation agreements, specifically the language in the amendment that would eliminate the requirement for public hearings. He stated that removing public hearings contradicts the Comprehensive Plan's goal of keeping citizens informed and involved in community discussions. He emphasized that this change seems to benefit developers rather than the public and highlighted the importance of public input in the decision-making process. Mr. Holm explained that staff cannot determine whether use is not allowed in the zone is permissible. Exhibit E in the development agreement lists the allowed uses. The applicant requests that zoning rules determine uses, removing the need for public hearings for each change. Public hearings will still be required for subdivisions, and if the Planning Commission prohibits the short plat process, all subdivisions, even single lots, will come before the Planning Commission.

APPLICANT: Melissa Wells, President of Kootenai County Land Company, LLC, presented their request for a zone change and development agreement amendment. The company annexed 438 acres into Coeur d'Alene in March 2023, establishing zoning regulations and entering into a unique development agreement with additional requirements, including a cap of 2800 residential units. Concerns about traffic and sewer limitations led to a self-imposed cap, reducing the theoretical maximum by 44%. Ms. Wells emphasized that the cap is not an entitlement, and each subdivision request must include a concurrency analysis. She stressed the need for flexibility in relocating housing types within development zones without requiring repeated approvals from the Planning and Zoning Commission or City Council. Ms. Wells explained that the requested amendment does not bypass public processes or grant automatic approval but allows the submission of applications while meeting all requirements. It swaps out exhibit E to show allowed uses within each zone, ensuring clarity and adherence to zoning regulations. Additionally, the amendment addresses wastewater infrastructure improvements, allowing the city to adjust timing and scope as needed. Ms. Wells reassured that all commitments to transportation, parks, and pathways remain unchanged. She explained the intent behind the C-17 zoning request, aiming to retain planned commercial uses and enhance neighborhood amenities. The C-17 zone allows both commercial and residential development, contributing to economic growth, job creation, and improved quality of life. The project includes 50 acres of commercial land and 390 acres for residential use, with a self-imposed cap of 2800 residential units. All applications must comply with the city's concurrency review process, ensuring infrastructure capacity. Any non-residential development within the new C-17 zone will reduce the residential unit cap proportionally, maintaining transparency and consistency with the original agreement. Ms. Wells briefly reviewed the compatibility of the C-17 and C-17L zoning requests with the comprehensive plan, confirming their alignment. The application process began with planning and zoning, which unanimously recommended approval with the condition to restrict short plats. Ms. Wells requested Council's approval for the development agreement amendment to submit applications for any permitted product type within the designated zone and to allow flexibility for the wastewater department's infrastructure needs. Additionally, she sought approval for zone changes, including replacing 14 acres of R-17 with C-17 land for mixed-use and commercial buildings, and relocating the city's well site due to its original unsuitability.

DISCUSSION: Mayor McEvers inquired if the church's use of sewer capacity reduce the 2800 residential unit cap. Ms. Wells explained that the 2800 residential unit cap is subject to concurrency analysis for each use, including commercial developments like a church. If commercial use consumes significant sewer capacity, it indirectly reduces the number of residential units that can be approved within the cap. Ms. Wells added that the amendment does not bypass public hearings

or processes, ensuring all applications undergo thorough city review. Councilmember Gookin pointed out that the amendment allows for specific land use changes within the same zone without requiring a public hearing, which is detailed in the staff report. Ms. Connie Krueger, the applicant, clarified the goal behind the language in the development agreement, which caused some confusion, was to transition from a concept drawing to a zoning map with a list of allowed uses. This approach would accommodate new residential product types that may emerge over time, allowing city staff to approve these based on current zoning standards without needing repeated public hearings. The aim was to facilitate timely and predictable development, keeping pace with market changes and benefiting the community by making it easier to introduce new land uses and product types. Councilmember Gookin expressed the need for accountability, oversight, and transparency in the development process, especially for large projects. He also highlighted the lack of comparative language between the old and new agreements, making it difficult to understand what changes were made. He insisted on maintaining public hearings to ensure continued involvement and accountability.

Councilmember Evans asked Mr. Adams to clarify how the development agreement impacts public hearings, given that the narrative suggests it eliminates the requirement. Mr. Adams stated that the current development agreement's paragraph 6.6 requires future subdivision and PUD applications to generally adhere to the transportation network, product and place types, trails, multi-use paths, and public parks as shown in the conceptual design, subject to the zoning code in effect at the time of development. The proposed amendment expands this paragraph with additional language. Basically, under the existing development agreement, a public hearing is required for use not in the conceptual design, but the amended agreement allows any permitted use in the zone without a public hearing.

Councilmember Wood emphasized the significant impact of the development agreement on Coeur d'Alene, both now and in the future. She insisted on maintaining the city's control over the process and stated that she was not comfortable with the proposal to add 14 acres of commercial zoning due to existing traffic issues on Hanley Avenue. She also opposed amending the development agreement to eliminate public hearings, stressing the importance of public accountability and oversight. Despite acknowledging the developers' generosity with parkland and trails, she could not support the commercial zoning request or the amendment to the development agreement.

PUBLIC TESTIMONY: Mayor McEvers opened the public testimony portion of the hearing with the clerk swearing-in those that gave testimony.

Brian Roger, Post Falls, expressed frustration with the development agreement process, highlighting concerns about unchecked zoning authority and the impact on property values and traffic. He criticized the proposal to add 14 acres of commercial zoning, emphasizing the lack of height limits and the potential for significant changes without adequate review. He stressed the importance of maintaining boundaries and adhering to the original plan, advocating for keeping the zoning as R-17 and ensuring thorough review and public involvement in the process. He acknowledged the ongoing nature of the project and the need for continued oversight and accountability.

Brett Haney, Post Falls, expressed his apprehensions about the development project, particularly the commercial aspect involving 10 acres of C-17 zoning. He noted that the property was sold for a potential temple, which was kept quiet from the public for nearly a year. Mr. Haney questioned the transparency of the process and raised concerns about the possibility of the land being used for undesirable projects, such as a big box store or gas station. He emphasized the impact on traffic and the need for a rock-solid agreement to ensure the property is used appropriately.

Ron McGhie, Post Falls, voiced strong opposition to the use of additional C-17 zoning, citing its many permitted uses and unlimited height, which he believes are incompatible with a residential rural subdivision. He emphasized the importance of zoning ordinances in protecting public interest and property rights. He urged the Council to defer the proposal to change R-17 to C-17 and to work with the applicant to find a more suitable zoning option. He insisted that C-17 is not appropriate for this project.

Nate Dyk, Coeur d'Alene, stated his concern that removing housing designations could lead to uniform apartment development in R-17 zones, limiting future homeownership opportunities. He supports flexibility in housing arrangements but believes removing designations entirely would not benefit the public. He also raised concerns about traffic impacts. He urged the Council to maintain housing designations in the agreement to ensure a variety of housing options.

Tom Berube, _____, expressed concerns about the request to amend the agreement, fearing increased traffic and questioning the necessity of a police substation and two schools within the development. He highlighted the potential impact of 16,000 car trips a day on local infrastructure, particularly Atlas Road, and questioned who would bear the costs of necessary expansions. He urged the Council to consider the implications of unchecked growth and called on residents to be mindful of upcoming Council elections, emphasizing the importance of maintaining Coeur d'Alene's character.

Suzanne Knutson, Coeur d'Alene, expressed concerns about the Coeur Terre project, noting that changes are already occurring that negatively impact existing neighborhoods. She questioned why the Planning and Zoning Commission did not share the same concerns as the Council, suggesting potential conflicts of interest. She emphasized the need for oversight and opposed the removal of public hearings, fearing it would reduce accountability. She highlighted the potential height of the temple and the impact on neighborhood character. She urged the Council to deny the zone change and amendment, stressing the importance of addressing community concerns and maintaining oversight.

Marc Jacobi, Post Falls, expressed his concerns about the proposed zoning change and development agreement amendment. While he acknowledged the positive aspects of the development, such as trails and parks, he is worried about the increased density and traffic buildup. He opposed the zoning change, fearing it could lead to the construction of a hotel or Walmart near his property, which he believes would not be conducive to the neighborhood.

REBUTTAL: Ms. Wells thanked everyone for their comments and reiterated the purpose of the development agreement amendment. She emphasized that the development agreement was intended to allow flexibility within the zones, enabling the movement of housing types without

requiring exact adherence to the conceptual design. The amendment does not seek to increase density or change permitted uses but aims to facilitate the submission of applications for projects that align with the concept.

With no other comments received, Mayor McEvers closed the public testimony portion of the hearing.

DISCUSSION: Councilmember Gookin inquired if the developer could still come back to make specific modifications to the existing development agreement if it remains unchanged. Mr. Holm replied in the affirmative stating that the door is always open. He clarified that while staff is flexible with general street alignment and unit sizes, substantial changes require some clarifications. Councilmember Gookin pointed out the flexibility of the current development agreement, noting that the developer can propose modifications in larger segments as the project evolves. He questioned Wastewater Director Mike Anderson about the sewer plan, which is based on the 2013 collection system master plan. Mr. Anderson explained that the plan assumed more flow than currently observed, necessitating flexibility in upgrading infrastructure. He emphasized that modifying the wastewater portion of the development agreement would benefit the City, allowing for necessary adjustments based on actual flow and infrastructure needs.

Councilmember Gabriel expressed support on the importance of city oversight. He acknowledged the sale of C-17 zoned land and the developer's right to do so but stressed that the Council is not taking anything away. He envisioned small commercial developments like those at Atlas and Prairie, rather than large projects like Walmart. He emphasized the need for clarity on the Council's responsibilities, expressing a desire to listen to community concerns and act on them.

Councilmember Miller sought clarification on several points, including height restrictions for C-17 zoning and the process for building a church in different zones. Mr. Holm explained that it is based on floor area ratio, if the building is 51% or more residential, the maximum height is 45 feet; if it's 51% or more commercial, there is no maximum height. So far, most buildings have been residential, capping the height at 45 feet. He added that there are certain residential zones at the higher level that require special use permits for religious assembly, C-17 and C-17L are allowed for religious assembly. Mr. Adams stated that the R-17 zone can have religious assembly with a special use permit.

Councilmember Miller discussed the need for flexibility in urban planning and zoning regulations and emphasized that while conceptual plans are useful, they shouldn't rigidly dictate development for decades. It should allow developers to adapt to market demands and new housing types, such as twin homes, multi-generational housing, and cottage homes. Mr. Holm explained that while there is flexibility in allowing changes to transportation networks, there are limits. When proposed changes are substantially different from the original conceptual plan, staff must raise concerns and have discussions with the applicant. In such cases, the applicant may need to abandon the conceptual plan to accommodate the new, significantly different proposals. This ensures that major deviations are properly reviewed and addressed. Councilmember Miller stated that these are two separate issues: the zone changes and amendment to the development agreement noting the residents' concern about potential commercial developments like Walmart. She mentioned the benefits of the neighborhood store concept in reducing traffic caused by urban sprawl. She stated

that allowing commercial zoning could be beneficial for neighborhoods by providing necessary services locally. Mr. Adams stated that the applicant can request a rezoning to C-17 with specific limitations, allowing conditions to be set rather than opening it up entirely. Planning and Zoning Commission would make a recommendation, but the Council ultimately decides on zone changes. However, Council does not always decide on subdivisions unless there is an appeal.

Councilmember English noted the convenience of a corner in Coeur d'Alene for accessing local amenities and suggests that a proposed 14-acre development might be too large, proposing a smaller size to better serve the community.

Councilmember Evans asked Mr. Holm to clarify if the applicant can return to the Planning and Zoning Commission to apply conditions to the C-17 if the proposal is denied tonight. Mr. Adams stated that it is a possibility, or Council could theoretically agree to the zone change to C-17 and limit the uses tonight with the consent of the applicant. He added that the applicant has indicated that they are willing to accept restrictions on the uses of C-17. Councilmember Gabriel stated discomfort with imposing restrictions on the C-17 zone change tonight, citing uncertainty about what specific restrictions would be appropriate. Mr. Holm stated that Council has the ability to direct staff to discuss with the applicant the restrictions for C-17.

Councilmember Wood pointed out the extensive discussions about the commercial zone allowed in the original agreement, noting that a significant portion was designated for C-17 and then subsequently sold. She expressed concern about allowing more commercial zoning, considering the existing traffic issues and the long-term implications. She added the importance of adhering to the established process, even if it requires more effort from all parties involved. She assured commitment to maintaining an open mind throughout the process, as promised during the initial annexation agreement. Councilmember Gookin stated his preference that any future proposals go through the planning and zoning process, including another hearing, rather than making decisions hastily tonight.

MOTION: Motion by Gookin, seconded by Wood, to approve a zone change from R-3 to C-17L and C-17L to R-3, and to deny a zone change from R-17 to C-17 on property North of I-90 and Woodside Ave., South of West Hanley Ave., East of Hutter Rd., and West of Atlas Rd., commonly known as "Coeur Terre," based on the attached findings and conclusions, which are established by the undisputed evidence set forth in the staff report, during staff presentations, and the testimony of the applicant.

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

MOTION: Motion by Gookin, seconded by Gabriel, to dispense with the rule and read **Council Bill No. 25-1009** once by title only with modifications.

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

MOTION: Motion by Gookin, seconded by Wood, to adopt **Council Bill 25-1009**.

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

RESOLUTION NO. 25-019

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AMENDMENT NO. 1 TO THE ANNEXATION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COEUR D'ALENE, IDAHO, AND THE KOOTENAI COUNTY LAND COMPANY, LLC, LREV 27 LLC, LREV 28 LLC, LREV 29 LLC, LREV 30 LLC, LREV 31 LLC, LREV 32 LLC, LREV 33 LLC, LREV 34 LLC, LREV 35 LLC, LREV 36 LLC, LREV 37 LLC, LREV 38 LLC, AND LREV 39 LLC.

MOTION: Motion by Gookin, seconded by Wood to approve **Resolution No. 25-019**; Approving Amendment No. 1 to the Annexation and Development Agreement on property North of I-90 and Woodside Ave., South of West Hanley Ave., East of Hutter Rd., and West of Atlas Rd., commonly known as "Coeur Terre" specifically regarding the wastewater treatment plant request.

DISCUSSION: Councilmember Gookin stated that this would only satisfy what the Wastewater Department needs to move forward on the project but beyond that, there will be no modifications on the development agreement.

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

EXECUTIVE SESSION: Motion by Evans, seconded by Gabriel to enter into Executive Session pursuant to Idaho Code § 74-206 (1)(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.

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

The Council entered into Executive Session at 10:08 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, Planning Director, and Building Director.

Council exited Executive Session at 10:48 p.m.

RECESS: Motion by Gookin, seconded by Wood to recess to April 21, 2025, at 12:00 noon in the Library Community Room, located at 702 E. Front Avenue, for appeal hearings for the revocation of Massage Facility License #63411 held by Anqin Du, Foot Massage located at 1034 N. 3rd Street, Ste. A., and revocation of Massage Facility License #64750 held by Hui Hsung, H&P Magic Hands LLC., d/b/a Red Sea Massage located at 411 W. Haycraft Avenue, Ste. B2.
All in favor. Motion carried.