

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

March 18, 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 March 18, 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.

INVOCATION: Raydeane Owens of the Heart of the City Church led the invocation.

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

PURPLE DAY FOR EPILEPSY AWARENESS: Councilmember Gookin read the Proclamation declaring March 26, 2025 as Purple Day for Epilepsy Awareness. Mickaela Wilson accepted the Proclamation and thanked the City Council for recognizing Purple Day for epilepsy awareness. She explained that this proclamation is significant as it highlights a cause that has deeply impacted her life and many others. Purple Day, observed annually on March 26th, was founded in 2008 by a young girl with epilepsy to raise awareness and reduce stigma. She encouraged everyone to take a free seizure recognition first aid course available online through the Epilepsy Foundation. She also expressed gratitude to the Fire Department and Police Department for their commitment to community health and safety. Fire EMS Officer Steven Jones thanked the City Council and stated that the Coeur d'Alene Fire Department have responded to over 290 seizure-related calls for service in 2024, and he emphasized the importance of awareness, education, and support for those with epilepsy. He added that the firefighters will wear purple ribbons on March 26 and encourage the community to join them in wearing purple to show support.

MID-YEAR FINANCIAL UPDATE: Finance Director Katie Ebner provided a high-level overview of the city's financial status for the current fiscal year, focusing on the General Fund. The financials for the first five months show that revenues are on track in relation to prior year budgets and the adopted budget. Payroll expenditures are also showing savings in the first five months due to unfilled positions. However, Ms. Ebner noted that these unfilled positions strain staff and affect services. As of February, the General Fund revenue collection has increased proportionally compared to the previous two years. However, intergovernmental revenues are slightly down due

to reduced state payments, including highway user funds and liquor tax. The decrease in intergovernmental revenue is partly due to the absence of ARPA funds in the 2025 budget, which was present in 2024. Ms. Ebner discussed the challenges in projecting general fund expenditure, particularly non-employee-related costs, due to the irregular timing of purchases and one-time projects. Payroll expenditures, which show a predictable trend, were analyzed using a method that compares current expenditures to those of previous years. This analysis revealed that the city is on track to achieve savings in payroll expenditures for FY25, primarily due to unfilled positions. Ms. Ebner emphasized the importance of filling these vacancies to maintain service quality for citizens. Councilmember Wood inquired about the reason for unfilled positions with Ms. Ebner explaining that the situation varies by department, with some experiencing turnover. She mentioned about turnover and competition with nearby municipalities, such as those in Washington, pose challenges. Councilmember Wood asked Mr. Tymesen if the city is holding any approved positions that can't be filled. Mr. Tymesen confirmed that the city is not holding any positions. He noted that the Finance Department has experienced some unusual movement and that there is an open Planning Department position due to a retirement.

Ms. Ebner stated projected savings of about \$400,000 in the General Fund. However, unbudgeted requests during the budget amendment process, often due to unexpected resignations or retirements and associated unused leave payments, could offset these savings. The savings from unfilled positions are considered one-time and cannot be allocated to ongoing costs unless those positions are permanently removed from the budget. Additionally, the current year's budget was built with the use of some fund balance to support operations, so these savings will help reduce the need to dip into the fund balance as much as initially expected. Ms. Ebner added that personnel costs will continue to be reviewed to adjust savings calculations. Savings from unfilled positions are temporary unless the unfilled FTE (full-time equivalency) is permanently removed from the budget. Councilmember Gabriel inquired about the health of the fund balance. Ms. Ebner responded that the city currently meets the GFOA requirements, which is beneficial for cash flow. She noted that the city has an ongoing budget situation regarding operational support, which was discussed during the budget setting process for the coming years. The fund balance will be useful in addressing this current budget situation.

PUBLIC COMMENTS:

Brian Engdahl, Post Falls, stated that as the owner of Chalice Brewing, he is excited about the possibility of adding outdoor seating to his establishment, with the permit up for Council approval tonight. He mentioned that he is available to answer any questions from the Council. Councilmember Gookin noted that he had reviewed the application and asked Mr. Engdahl if he found the paperwork excessive. Mr. Engdahl replied that while it was a fair amount of paperwork, he is hopeful to meet all the requirements. Councilmember Gookin then inquired if the application is for the taco truck usually stationed at the back, to which Mr. Engdahl confirmed it does.

Mike Gridley, Coeur d'Alene, expressed his gratitude to the Council for their response following the recent town hall incident. He thanked them for defending First Amendment rights and the Constitution, specifically acknowledging Police Chief Lee White and Chief Deputy City Attorney Ryan Hunter for their swift and accurate interpretation of the Constitution. Mr. Gridley mentioned that he feels safe wearing a jersey at public events, knowing he won't be threatened or assaulted

for cheering for his team. He thanked the Council for their efforts and support, encouraging them to continue their good work.

ANNOUNCEMENTS:

Mayor McEvers extended his condolences to the family and friends of the late Ken Thompson, who served the City of Coeur d'Alene from 1983 to 2000 in various roles, including City Treasurer, Finance Director, and City Administrator. He highlighted Mr. Thompson's dedication to maintaining the city's good financial standing and expressed gratitude for his many years of service.

Mayor McEvers requested the appointments of Kevin Jester and Denise Lundy to the Design Review Commission, and J.D. Reeves to the Urban Forestry Committee.

MOTION: Motion by Evans, seconded by Miller to appoint Kevin Jester and Denise Lundy to the Design Review Commission and J.D. Reeves to the Urban Forestry 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 March 4, 2025 Council Meeting.
2. Approval of the March 10, 2025 General Services/Public Works Committee Minutes.
3. Setting of the March 24, 2025 General Services/Public Works Committee Meeting.
4. Setting of a public hearing for **April 15, 2025** – ZC-2-25; a zone change from R-17 to C-17, R-3 to C-17L, and C-17 to R-3, and amendments to the Annexation and Development Agreement on property North of I-90 and Woodside Ave., South of West Hanley Ave, East of Huetter Rd., and West of Atlas Rd., commonly known as “Coeur Terre.”
5. Approval of Outdoor Eating Facility Permit for Chalice Brewing, 413 E. Sherman Avenue
6. Approval of Bills as Submitted.
7. Approval of Financial Report.
8. Approval of a Final Plat – SS-25-01c, Duffield Place
9. Approval of **Resolution No. 25-012** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING THE FOLLOWING: THE PURCHASE OF ELECTRONIC CITATION SOFTWARE FOR LAW ENFORCEMENT FROM SALTUS TECHNOLOGIES, A/K/A DIGITICKET, WITH A PURCHASE PRICE OF \$69,324.00, AND AN ANNUAL FEE BEGINNING IN YEAR TWO OF \$15,163.00; AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC., FOR DRUG ENFORCEMENT AGENCY (DEA) APPLICATION PROGRAMMING INTERFACE (API) ACCESS TO AUTOMATED LICENSE PLATE READER (ALPR) DATA; A MASTER JOINT POWERS AGREEMENT FOR THE PROVISION OF EMERGENCY AND NON-EMERGENCY MEDICAL SERVICES IN KOOTENAI COUNTY; AN ADVANCE NOTIFICATION POLICY FOR TRAFFIC CONTROL; AND DECLARATION OF VARIOUS PIECES OF USED EQUIPMENT AS SURPLUS AND AUTHORIZATION FOR THE SALE OF THE PROPERTY AT AUCTION.

MOTION: Motion by Evans, seconded by Gabriel to approve the Consent Calendar as presented, including **Resolution No. 25-012**.

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

RE-ADOPTION OF ORDINANCE 3745a – A-2-24 JBR Landholdings, LLC–3415 N. 15th St.

COUNCIL BILL 24-1023

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 1, TOWNSHIP 50N, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED AS R-12 (RESIDENTIAL AT 12 UNITS PER ACRE); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

STAFF REPORT: Municipal Services Director Renata McLeod noted in her staff report that on December 17, 2024, Council adopted Ordinance 3745, annexing approximately 2.116 acres of land at the request of the owner, JBR Landholdings, LLC. State law provides that an annexation ordinance will be effective upon publication. Additionally, Idaho Code §§ 50-901 and 50-222(6) require the City to publish a summary of an annexation ordinance within 30 days of passage. She explained that this Ordinance was inadvertently not published within 30 days of its passage and, therefore, cannot go into effect. Therefore, she requests that Council readopt the ordinance as Ordinance 3745-a. Staff will then publish it within thirty days so that it becomes effective. The City Attorney has determined that the Council need not redo any of the meetings, hearings, discussion, etc., preparatory to adoption of the Ordinance.

DISCUSSION: Councilmember Evans stated that this is a housekeeping item given that Council has seen and decided on this before.

MOTION: Motion by Evans, seconded by Gookin, to dispense with the rule and read **Ordinance 3745-a** once by title only.

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

MOTION: Motion by Evans, seconded by Gabriel, to adopt **Ordinance 3745-a**.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; Gabriel Aye; Gookin No; English Aye.
Motion carried.

COUNCIL BILL 25-1006

AN ORDINANCE GRANTING TO KOOTENAI ELECTRIC COOPERATIVE, INC., A NON-PROFIT CORPORATION EXISTING AND ORGANIZED UNDER THE LAWS OF THE STATE OF IDAHO, AND ITS SUCCESSORS AND ASSIGNS, HEREINAFTER REFERRED TO AS "KEC," THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY, AND FRANCHISE TO LOCATE, CONSTRUCT, INSTALL, OWN, MAINTAIN, OPERATE, AND USE WIRES FOR CONVEYING ELECTRICITY FOR ELECTRIC LIGHT, ELECTRIC HEAT, AND ELECTRIC POWER PURPOSES; FURTHER, THE CITY GRANTS TO KEC THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY, AND FRANCHISE TO ERECT, CONSTRUCT, MAINTAIN, OPERATE, AND USE WIRES FOR TELEPHONE PURPOSES IN ITS PRIVATE BUSINESS, AND TO ERECT POLES AND OTHER NECESSARY SUPPORTS THEREFOR, TOGETHER WITH CROSS-ARMS AND OTHER EQUIPMENT; FURTHER, THE CITY GRANTS TO KEC THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY, AND FRANCHISE TO CONSTRUCT CONDUITS ON, OVER, ALONG, UNDER, AND ACROSS THE STREETS AND ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF COEUR D'ALENE, IDAHO, AS THEY NOW EXIST OR AS THEY MAY HEREAFTER BE CHANGED; FURTHER, KEC SHALL HAVE THE RIGHT TO CUT AND TRIM ANY AND ALL TREES GROWING IN OR OVER THE STREETS OR ALLEYS OF THE CITY OF COEUR D'ALENE, IDAHO, THAT INTERFERE WITH ANY OF ITS WIRES, POLES, CONDUITS, OR OTHER APPARATUS; FURTHER, THAT SAID NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY, AND FRANCHISE SHALL BE FOR A PERIOD OF THIRTY-FIVE (35) YEARS; FURTHER, RESERVING CERTAIN RIGHTS WITH REFERENCE THERETO TO THE CITY OF COEUR D'ALENE; PROVIDING FOR STANDARD SERVICE AND RATES; PROVIDING FOR A FRANCHISE FEE OF 5% OF KEC'S GROSS OPERATING REVENUE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE HEREOF.

STAFF REPORT: City Attorney Randy Adams requested Council to approve the new franchise agreement with Kootenai Electric Cooperative, Inc. (KEC) for a term of thirty-five (35) years, with a franchise fee of 5% of its gross revenues, paid on a quarterly basis. He explained that the previous agreement, adopted in 1978, had a 25-year term, with KEC paying the City 3% of its gross operating revenue quarterly. In 1993, the city increased the franchise fee to 5%, and in 1995, extended the term to 35 years. This term expired in August 2013, but it went unnoticed. KEC continued to pay the franchise fee, and the city continued to accept it. Recently, KEC's new general counsel discovered the expired agreement and contacted Mr. Adams. After several discussions, KEC agreed to a new franchise agreement under the same terms: a 35-year term with a 5% franchise fee. Mr. Adams stated that the city and KEC have enjoyed a cooperative relationship over the years and look forward to continuing this partnership. He mentioned that staff prepared the new agreement with minor language changes and recommends Council's approval.

DISCUSSION: Councilmember English inquired whether the 5% fee is increased annually or if it represents 5% of the utility's total revenue. Mr. Adams explained that, according to the statute passed after the original franchise agreement, a city can charge up to 1% of a utility's gross operating revenue unless the utility agrees to a higher percentage, up to 3%. However, if there is an existing franchise agreement with a higher percentage, and the utility consents, the city can

charge that greater percentage. In this case, Kootenai Electric Cooperative (KEC) agreed to the 5% fee from the existing agreement. Councilmember English then asked if this arrangement is similar to other utility agreements, to which Mr. Adams confirmed that Avista also pays 5%. Councilmember Gookin recalled that the franchise fee was raised to 5% to help fund improvements to Ramsey Road. Mr. Adams clarified that while the agreement doesn't specifically mention Ramsey Road, it does address roadway maintenance. Councilmember Gookin noted that the fee increase was timely, as state statute changes later limited the fee to 3%. Mr. Adams confirmed that the additional 2% in the new franchise agreement is also dedicated to roadway maintenance.

MOTION: Motion by Gookin, seconded by English, to dispense with the rule and read **Council Bill No. 25-1006** once by title only.

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

MOTION: Motion by Gookin, seconded by English, to adopt **Council Bill No. 25-1006**.

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

(QUASI-JUDICIAL PUBLIC HEARING) ZC-1-25 – A ZONE CHANGE FROM C-17PUD TO C-17L ON A PARCEL MEASURING 0.213 ACRES, LOCATED AT 213 E. HARRISON AVENUE

COUNCIL BILL NO. 25-1007

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM C-17PUD TO C-17L, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A PARCEL MEASURING +/- 0.213 ACRES LOCATED AT THE NORTHWEST CORNER OF E. HARRISON AVENUE AND N. 2ND STREET, COMMONLY KNOWN AS 213 E. HARRISON AVE, COEUR D'ALENE, ID; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

STAFF REPORT: Senior Planner Sean Holm noted that the applicant, Aaron Mote, is requesting for Council's approval for a zone change from C-17PUD to C-17L for property located at the northwest corner of E. Harrison Avenue and N. 2nd Street, commonly known as 213 E. Harrison Avenue. He stated that legal notices were sent out: mailing sent on February 28, 2025, publication in the CDA Press on March 1, 2025, and notice posted on the said property on March 10, 2025. At their public hearing on February 11, 2025, the Planning Commission considered the applicant's request for a zone change and after deliberation, the Commission voted 4-1 to recommend approval of a zone change to C-17L instead of the requested C-17. The Commission found that C-17L better aligns with the surrounding land uses and the intent of the Comprehensive Plan while still allowing

for reasonable development opportunities. The recommendation reflects the Commission's determination that C-17L provides an appropriate transition in intensity while maintaining compatibility with adjacent properties. Mr. Mote has indicated that, if this zone change request is approved, he intends to use the property for a professional management office in the existing residential structure and build a Caretaker's Unit which requires that somebody related to the applicant or an employee live in the said unit. As a background on the said property, Mr. Holm recalled that Frank K. Myers and Julie A. Clovis applied to rezone 213 Harrison Avenue from R-1 (Residential One) to C-1aL-PUD (Commercial One-A Limited / Planned Unit Development) to convert the residence into an insurance/real estate office. The Planning Commission recommended approval on February 12, 1980, with the condition that the structure retains a residential style, citing alignment with the Comprehensive Plan and Neighborhood Service designation. The City Council approved the zone change on April 1, 1980, after considering traffic feasibility, with conditions including maintaining the residential appearance and installing 8-foot sidewalks. Ordinance No. 1611 detailed these conditions.

Mr. Holm explained that there are four key findings required for a zone change: this proposal is in conformance with the Comprehensive Plan; that public facilities and utilities are available and adequate for the proposed use; that the physical characteristics of the site do make it suitable for the request at this time; and that the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character and existing land uses. He stated that the area in question was designated as a compact neighborhood during the development of the comprehensive plan, balancing existing conditions with the protection of single-family neighborhoods. He noted that compact neighborhoods are medium-density residential areas primarily located in older locations of Coeur d'Alene, featuring an established street grid pattern with bicycle and pedestrian facilities. Compatible zoning for these areas includes R12 (Residential at 12 units per acre), R17 (Residential at 17 units per acre), MH-8 (Mobile Home District at 8 units per acre), NC (Neighborhood Commercial), and CC (Community Commercial). He mentioned that there was a considerable discussion at the Planning Commission level about various zoning, particularly NC and CC, which do not permit caretakers' units unless they are on the second floor or below grade. Mr. Holm pointed out that this posed a challenge for the property in question, as the existing home is at a single level, making modifications like tearing off the roof a significant undertaking. The existing zoning map shows various zones, including C-17 PUD and residential areas, with the C17L district intended for low-density commercial use. This district serves as a transition between residential and commercial areas and requires special use permits for certain activities. The proposed zone change would allow administrative or professional office space, with potential limitations based on property size and use. The land use map indicates civic and commercial uses nearby, with some vacant properties. Mr. Holm mentioned that city departments have indicated that water and wastewater services are available for commercial use of the subject property. Sidewalks, hydrants, and stormwater will be addressed at the time of construction. The City Engineer has indicated that the proposed two business offices and a caretaker's unit could generate 18 additional trips per day but is not expected to adversely affect traffic. The Police Department was also contacted, and they have no comments. Lastly, Mr. Holm stated that the two types of use that best fit the applicant's intentions are administrative office or professional office space. If the City Council approves the zone change, these uses would be allowed by right unless specific limitations are placed on the property.

DISCUSSION: Councilmember Gookin asked if there was any data on what was included in the Planned Unit Development (PUD). Mr. Holm confirmed that it was limited to insurance or real estate sales only and explained that since the zone change and PUD were predicated together, staff felt it necessary to bring the matter back to the Council for review. Councilmember Gookin inquired about the parking requirements for C17L, which Mr. Holm clarified are based on the use, with office space requiring one stall per 330 square feet. Councilmember Gookin questioned the adequacy of parking for any use of the property, to which Mr. Holm responded that the current parking covers residential use, but if approved, the applicant would need to pull a building permit to upgrade and build the Accessory Dwelling Unit (ADU), at which point parking would be reassessed. Councilmember Gookin asked about future parking needs if the property is sold and used for a classroom, and Mr. Holm confirmed that parking would be reevaluated when the building is modified. Councilmember Gookin also noted the requirement for a sidewalk on 2nd Street, which Mr. Holm said would be determined by the City Engineer.

APPLICANT: Aaron Mote, Coeur d'Alene, explained that when he bought the property, he didn't fully understand the zoning implications. They intended to use it as office space and were excited to buy what he thought was commercially zoned property. However, he didn't know what Planned Unit Development (PUD) meant and should have asked more questions at the time. After submitting building plans with adequate parking to the city, he learned they couldn't proceed until the PUD was removed. This has been the situation for the past 5-6 months since submitting the plans in November. He hopes to use the property as C17L, based on recommendations from the Planning Department. After discussing various options, he stated that it seemed sensible to drop the PUD in the application process. Mr. Mote stated that C17L appeared to be more fitting.

PUBLIC TESTIMONY: Mayor McEvers opened the public testimony portion of the hearing with the Clerk swearing in those who will testify.

Lora Dawson, Coeur d'Alene, expressed her opposition to the zone change request citing several changes in the application and a lack of clarity about the property's future. She mentioned a lack of follow-through on previous commitments, including unresolved issues from last summer. She voiced concerns about the potential impact on the neighborhood, noting that while they are not opposed to office space or a caretaker's unit, the approval would allow various uses that might not be suitable for the area. Ms. Dawson highlighted issues such as broken fences, increased traffic, and difficulties with parking, which were exacerbated by the city's growth and the presence of Trader Joe's. She concluded by reiterating her opposition to the zone change.

Councilmember Wood asked Ms. Dawson if she would feel better if Mr. Mote could provide the assurances he presented to the Council tonight, considering that she mentioned having no issues to the commercial office and caretaker's unit. Ms. Dawson responded affirmatively, noting that it would also make the neighbors feel better. She expressed concerns about the changes and lack of clarity regarding the property's future, highlighting the difference between caregivers and caretakers. She mentioned past issues with caregivers in the neighborhood and the presence of homeless shelters, which have made the area feel unsafe. She agreed with the idea of the caretaker's unit but emphasized the need for consistency and clarity about the plans, particularly regarding parking. Councilmember Wood reassured her that these questions should be addressed tonight and encouraged her to have more conversation with Mr. Mote being her neighbor.

Councilmember English inquired about the current use of the subject property, questioning whether it is a residential rental or used for commercial purposes during the day. Mr. Mote clarified that the property is currently vacant. He explained that he owns a business and brings his employees to the area, mentioning that they came up last summer. He noted that there were some issues regarding his employees, and he faced many challenges defending them. Mr. Mote stated that he would continue to use the property as a residential space if his request is not approved. However, his intention is to invest significantly in the property to enhance its beauty and make it a valuable part of midtown. He also expressed his appreciation for his good neighbors.

Bob Riggs, Coeur d'Alene, noted that he submitted a written testimony and expressed opposition to the zone change. He stated that his property is one block north of Mr. Mote's property and that his house turned 100 years old this year. His intention is to restore the house and develop the other three lots in a way that complements the restoration. Mr. Riggs expressed concern about how any development on Mr. Mote's property will relate to his plans for his own property. Specifically, he worries that changing the zoning from PUD to L will allow various uses that might not be compatible. While he doesn't have an issue with office space, he suggested that the PUD could be retained and reworded to accommodate Mr. Mote's stated intentions. Additionally, Mr. Riggs mentioned that traffic is a significant concern. He is worried that Mr. Mote's development might further increase traffic going north on 2nd Street, impacting the residential area. In his written comments, he suggested that vehicular access to the development should be strictly from Harrison Avenue, with no traffic looping through the property to 2nd Street. He also recommended city signage on 2nd Street to prevent business-related parking that could interfere with residential parking.

Councilmember Wood asked if Mr. Riggs is not really opposed to the office space. Mr. Riggs responded that he is not opposed and believes it makes sense to have a commercial development at that location given the amount of traffic on Harrison Avenue. However, he emphasized that it should be done in a way that preserves the residential character of the greater neighborhood.

Mr. Mote stated that during the previous Planning and Zoning meeting, they were attentive to the comments made and have taken them into account. He mentioned that their proposed entry is off Harrison Avenue, and they are planning to push the building as far back into the back left corner as possible to maximize parking space. He added that designating residential parking on the driveway to the right works well for him and is part of his plan. He concluded by saying that if it needs to be written, he is fine with that. Councilmember Wood acknowledged that it seems like there isn't strong opposition to the office space and that everyone appears to be good neighbors who get along well. She mentioned that Ms. Dawson is looking for some assurance that the development will proceed as agreed. She added that the conditions have been included in the agreement and asked Mr. Mote if he has no issues with them. Mr. Mote stated that his use has been specified and explained that if the zoning is changed, the project will move forward within the next three months, with permits being submitted and modifications made to ensure compliance.

Councilmember Wood asked Mr. Holm regarding feedback on traffic and city signage. Mr. Holm noted that City Streets and Engineering follow the Manual on Uniform Traffic Control Devices

(MUTCD) standards for signage placement and that there was a prior condition for traffic to use Harrison Avenue as access instead of 2nd Street.

Councilmember Gookin asked about the new egress on Harrison Avenue, to which Mr. Mote responded that he plans to apply for the process and confirms that the intention is to enter through Harrison Avenue. He explained that the garage on the property line would need to be demolished for any other access, which he is not planning to do. Therefore, the most reasonable solution is to use the area for parking and enhance the landscaping. Councilmember Gookin inquired if the driveway on 2nd Street would be abandoned, and Mr. Mote confirmed it would be used for residential parking. He mentioned that this arrangement works well for him and makes sense for the neighbors. Councilmember Gookin then asked if he really wants to pay to add a sidewalk on 2nd Street because there is no sidewalk there now, to which Mr. Mote suggested that a blinking light for safety might be more appropriate on Harrison Avenue. He emphasized the safety concerns with the current traffic situation. Councilmember Miller asked about restricting business customers from parking on 2nd Street, which is a public street, and Mr. Holm explained that restrictive parking typically requires permitting and are not something that can be addressed with the current request for zone change.

With no more comments received, Mayor McEvers closed public testimony.

DISCUSSION: Councilmember Gookin proposed that commercial access should be off Harrison Avenue, as Mr. Mote suggested, while residential access could use the existing curb cut, which he deemed acceptable since it is already part of the neighborhood. He also recommended that Mr. Mote should not be required to add a sidewalk on 2nd Street as it would be out of character for the neighborhood, which lacks sidewalks, and would ease the burden on neighbors who would not have to add sidewalks in the future. Councilmember English asked about whether they could narrow down the list of potential uses for the property to just a few, such as office administration, instead of the entire list of possible uses. Councilmember Gookin responded that limiting the uses could be an encumbrance on the property in the future. Mr. Holm added that while it is within the Council's power to condition the zone change to specific uses, they should be cautious as they might need to revisit this issue if the property changes hands or if there is a future change of use.

MOTION: Motion by Gookin, seconded by Wood to approve without prejudice a zone change from C-17PUD to C-17L on a parcel measuring 0.213 acres, located at 213 E. Harrison Avenue, based on the attached findings and conclusions, which are established by the undisputed evidence set forth in the staff report, during staff presentation, and the testimony of the applicant.

DISCUSSION: Councilmember Evans inquired about the sidewalk requirements mentioned in the staff report of City Engineer Chris Bosley which stated that all sidewalk deficiencies on Harrison Avenue must be corrected, and a new sidewalk installed on 2nd Street. She expressed concern about the need for a pedestrian ramp should be installed at the corner during construction. She asked how eliminating the sidewalk on 2nd Street would impact the ramp and corrections on Harrison Avenue. Mr. Holm responded that the ramp would still be required to meet ADA standards, even if the sidewalk on 2nd Street is foregone. Councilmember Evans noted the potential for gaps in the future if improvements on 2nd Street are not made. Mr. Holm acknowledged this possibility, explaining that requirements depend on specific circumstances,

such as new construction. Mr. Adams added that the city code includes provisions for when sidewalks need to be installed, with exceptions for neighborhoods without existing sidewalks. Councilmember Gookin clarified that the policy primarily applies to school routes, suggesting that it might not be relevant in this case.

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

MOTION: Motion by Gookin, seconded by Miller, to dispense with the rule and read **Council Bill No. 25-1007** once by title only.

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

MOTION: Motion by Gookin, seconded by English, to adopt **Council Bill 25-1007**.

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

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

The meeting adjourned at 7:30 p.m.


Woody McEvers, Mayor

ATTEST:



Anne Mateski
Executive Assistant

**COEUR D'ALENE CITY COUNCIL
FINDINGS AND ORDER**

ZC-1-25

INTRODUCTION

This matter came before the City Council on March 18, 2025, to consider ZC-1-25, a request for a zone change from C-17PUD to a C-17L of a parcel measuring 0.213 acres.

APPLICANT: Aaron Mote

LOCATION: Northwest Corner of E. Harrison Avenue and N. 2nd Street, commonly known as 213 E. Harrison Avenue.

A. FINDINGS OF FACT:

The City Council finds that the following facts, A1 through A18, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

- A1.** Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on March 1, 2025.
- A2.** Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on March 10, 2025.
- A3.** Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Sixty-six (66) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on February 28, 2025.
- A4.** Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts, at least fifteen (15) days prior to the public hearing.
- A5.** Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the Pipeline and Hazardous Materials Safety Administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b).
- A6.** The subject property contains a single-family home located on the northwest corner of the intersection of Harrison Ave. and 2nd St. The subject site measures 0.213 acres in area and is relatively flat.
- A7.** The subject site is currently zoned Commercial Planned Unit Development (C-17PUD).

- A8.** The neighborhood surrounding 213 E. Harrison Avenue is characterized by a mix of historical development and gradual transformation. The area is predominantly residential, featuring early to mid-20th-century homes in a variety of architectural styles, including Craftsman bungalows, traditional cottages, and ranch-style houses. The neighborhood includes a mix of residential, civic, and commercial uses.
- A9.** The Comprehensive Plan Future Land Use Map designation is the Compact Neighborhood place type. The Comprehensive Plan states that the compatible zoning districts are listed as R-12, R-17, MH-8, NC, and CC.
- A10.** According to the Comprehensive Plan, the Compact Neighborhood place type is described as places that are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family homes, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.
- A11.** The City Council has identified the following Comprehensive Plan Goals and Objectives as being applicable to this matter.

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Objective CI 2.1: Maintain the community's friendly, welcoming atmosphere and its small-town feel.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.3: Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

Objective GD 1.4: Increase pedestrian walkability and access within commercial development.

Objective GD 1.5: Recognize neighborhood and district identities.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Jobs & Economy

Goal JE 1: Retain, grow, and attract businesses.

Objective JE 1.2: Foster a pro-business culture that supports economic growth.

- A12.** The applicant has indicated that, if this zone change request is approved, he intends to use the property for a professional management office in the existing residential structure and build a Caretaker's Unit. However, it should be noted that if the zone change is approved all uses within the C-17L zoning district would be allowed.

- A13.** City departments have indicated that water and wastewater services are available for a commercial use of the subject property. Sidewalks, hydrants, and stormwater will be addressed at the time of construction.
- A14.** The subject property is approximately 9,411 square feet in size and contains a house and paved driveway off of 2nd Street. It is relatively flat with minimal landscaping and mature trees in the northwest corner of the lot. The immediate area is characterized by a mix of small-scale residential and commercial development that is primarily residential in nature with some smaller commercial and civic uses.
- A15.** The City Engineer has indicated that the proposed two business offices and a caretaker's unit could generate 18 additional trips per day, but is not expected to adversely affect traffic. The area is predominately residential with some civic and commercial uses. The C-17L zoning district would allow for a variety of service uses and residential uses by right, as well as accessory uses and those allowed by special use permit. Approval of the zone change request will intensify the potential of the property by increasing the allowable uses and density by right from C-17PUD to C-17L unless conditions are approved. The existing PUD limits commercial access to the site from Harrison Avenue and the use of the structure on-site to office space, specifically insurance/real estate.
- A16.** The Planning and Zoning Commission considered this zone change request at its regularly scheduled hearing on February 11, 2025. Following the presentation by staff, the presentation by the applicant, and public testimony, the Commission asked the applicant if he would consider changing his request from C-17 to C-17L. The applicant agreed to change his request to C-17L. By a vote of 4 to 1, with two commissioners absent, the Commission recommended that the City Council approve a zone change for the property to C-17L. The Commission found that C-17L better aligns with the surrounding land uses and the intent of the Comprehensive Plan while still allowing for reasonable development opportunities. The recommendation reflects the Commission's determination that C-17L provides an appropriate transition in intensity while maintaining compatibility with adjacent properties.
- A17.** Traffic is an issue in this neighborhood. Harrison Avenue is a busy street and cannot be widened. Limiting the access to the property for commercial purposes to Harrison Avenue is necessary to protect the neighborhood. Access to the property for residential purposes will remain on 2nd Street.
- A18.** A sidewalk along the property on 2nd Street would be contrary to the character of the residential neighborhood and should not be required.

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the City Council makes the following Conclusions of Law.

- B1. This proposal is in conformance with the Comprehensive Plan policies.
- B2. Public facilities and utilities are available and adequate for the proposed use.
- B3. The physical characteristics of the site make it suitable for the request.
- B4. The proposal would not adversely affect the surrounding neighborhood character, and or with regard to traffic, neighborhood character, and or existing land uses.
- B5. Commercial access to the property shall be only from Harrison Avenue.
- B6. A sidewalk shall not be required on 2nd Street with the current development project.

C. DECISION

The City Council, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested C-17L zone change does comply with the required evaluation criteria and the zone change request is approved.

Motion by Councilmember Gookin, seconded by Councilmember Wood, to adopt the foregoing Findings and Order and approve the request.

ROLL CALL:

| | | |
|-------------------------------|--------------|------------|
| COUNCIL MEMBER ENGLISH | Voted | AYE |
| COUNCIL MEMBER MILLER | Voted | AYE |
| COUNCIL MEMBER GOOKIN | Voted | AYE |
| COUNCIL MEMBER EVANS | Voted | AYE |
| COUNCIL MEMBER GABRIEL | Voted | AYE |
| COUNCIL MEMBER WOOD | Voted | AYE |

Motion to approve the zone change from C-17PUD to C-17L carried by a 6 to 0 vote.