

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

**SEPTEMBER 9, 2025**

**THE PLANNING & ZONING COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY**

The Planning & Zoning Commission sees its role as the preparation and implementation of the Comprehensive Plan through which the Commission seeks to promote orderly growth, preserve the quality of Coeur d'Alene, protect the environment, promote economic prosperity and foster the safety of its residents.

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

**ROLL CALL:** Messina, Fleming, Ingalls, Coppess, McCracken, Ward, Jamtaas

**PLEDGE:**

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

August 12, 2025 – Planning & Zoning Commission Meeting

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

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

1. Applicant: Eugene P. Haag Jr Trust  
Location: 2248 E Stanley Hill Rd.  
Request:
  - A. A Proposed 3.18-acre Annexation from County Agriculture Suburban to City R-3 (residential at 3 units per acre)  
LEGISLATIVE (A-1-25)
  - B. A 5-lot Subdivision known as Haag Estates  
QUASI-JUDICIAL (S-1-25)

**Presented by: Sean Holm, Senior Planner**

**ADJOURNMENT/CONTINUATION:**

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

*\*The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Traci Clark at (208)769-2240 at least 72 hours in advance of the meeting date and time.*

*\*Please note any final decision made by the Planning & Zoning Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.*

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# MINUTES

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**PLANNING & ZONING COMMISSION  
MINUTES  
LOWER LEVEL – LIBRARY COMMUNITY ROOM  
702 E. FRONT AVENUE  
AUGUST 12, 2025**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice Chair  
Phil Ward  
Mark Coppess  
Lynn Fleming  
Kris Jamtaas

**STAFF MEMBERS PRESENT:**

Hilary Patterson, Community Planning Director  
Sean Holm, Senior Planner  
Randy Adams, City Attorney  
Traci Clark, Administrative Assistant

**COMMISSIONERS ABSENT:**

Sarah McCracken

**CALL TO ORDER:**

The meeting was called to order by Chairman Messina at 5:30 p.m.

**APPROVAL OF MINUTES:**

Motion by Commissioner Ward, seconded by Commissioner Fleming, to approve the minutes of the Planning & Zoning Commission meeting on June 10, 2025. Motion carried.

**PUBLIC COMMENTS:**

None.

**STAFF COMMENTS:**

Hilary Patterson, Community Planning Director, provided the following comments:

- There will be a combined annexation and subdivision request for September's Planning & Zoning Commission meeting.
- As an update on the efforts of the Downtown Core Working Group, there is a survey that is available online to gather early community input. This is on the City of Coeur d'Alene website and Facebook page, and has been shared on social media. The survey is to gather input on the downtown regulations regarding height, tower spacing, or any concerns. The public can also sign up and receive information about the project and indicate if they are interested in participating in public forums or to be considered in the stakeholder groups. We are looking at September for the first stakeholder meeting.
- This Thursday Ms. Patterson will be a presenter at the Interim Land Use and Housing Study Committee meeting in Sandpoint Idaho. The committee was formed out of the legislative session and is comprised primarily of Idaho legislators.

Commissioner Coppess asked if there are any restrictions on who can or cannot participate in the study.

Ms. Patterson replied no there are no restrictions; the survey does ask if you live in Coeur d'Alene, or if you own property, and various questions to understand who takes the survey. It has also been sent out to the development community and the Downtown Businesses.

Commissioner Coppess asked when the survey closes and if the results going to be made public.

Ms. Patterson replied they may close the survey sometime next week so she can bring the survey responses to the next Working Group meeting. The results will be made public.

**COMMISSION COMMENTS:**

None.

**OTHER BUSINESS: \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1.     Applicant:     Sam Investments, LLC  
       Location:    1801 Lincoln Way Coeur d'Alene ID, 83814  
       Request:     Requesting a Special Use Permit for On-Site Food and Beverage Consumption  
                      in Commercial Limited C-17L Zoning District. QUASI-JUDICIAL (SP-1-25)

Mr. Holm, Senior Planner, provided the following statements:

Sam Investments, LLC is requesting a Food and Beverage On-site Consumption Special Use Permit in the C-17L (Commercial Limited at 17 units/acre) zoning district to allow a bakery within the 1,100 sq. ft. suite. The Special Use Permit would apply to the whole parcel, including the existing On-site Food and Beverage Consumption Use in the adjacent suite (El Paisa Restaurant). Parking would be the limiting factor to determine use allowance for additional food and beverage uses onsite.

**APPLICANT'S NARRATIVE:**

"This letter is the explanation of why a bakery at 1801 Lincoln Way makes sense. Since the corridor is designated as a retail center/corridor a bakery will fit right in. All city utilities already service the building, and it is easily accessed by Davidson Street to the south or Emma to the north. The building already features a lot of mixed use and a Mexican restaurant and is a local "go to" for many areas surrounding it, including several medical establishments. Adding a bakery to this space will also add employment opportunities to the local community, adding to economic growth for the area. I know that adding a bakery to this part of town will be a huge win for everyone to enjoy".

Mr. Holms explained the El Paisa restaurant has been out of compliance at this space. Through the request tonight, if approved, the Special Use Permit would also apply to El Paisa. The Planning Department discovered El Paisa not having this Special use permit through this application.

Chairman Messina asked about the current parking requirements for the entire building.

Mr. Holm stated there are 25 parking stalls that are required; there are total of 29 provided.

Mr. Holm continued his presentation and noted there are three findings that must be made, Findings B1 through B-3.

Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

Mr. Holm shared the following goals and objectives as a curated list picked by staff: Community & Identity Goal CI 1 with Objective CI 1.1, Goal CI 2 with Objective CI 2.1, Growth and Development Goal GD 1 with Objectives GD 1.3, 1.4 and 1.6, Goal GD 2 and Objective 2.1, and Jobs and Economy Goal JE 1 with Objectives JE 1.2 and JE 3.2. The full list from the 2022 Comprehensive Plan is attached for review.

Findings B2: The design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties.

The site is in a retail area that provides goods and services to the nearby Health Care Corridor. It is positioned on a main arterial serving traffic to the Downtown District and Interstate 90. The subject parcel has other On-site Food and Beverage establishments within the same building. The nearby Ironwood Square Northeast of the property also has similar On-site Food and Beverage businesses.

Required Parking: For commercial/retail uses, for all of the suites in the strip mall property, the required number of parking spaces is 25. There are 29 spaces existing. ADA parking is also provided.

Findings B3: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities, and services.

City staff from Water, Fire, Wastewater and Streets/Engineering Departments have reviewed the application request in regard to public utilities and public facilities.

For potential traffic impacts, Mr. Holm provided the City Engineer's comment from the staff report:

Using Land Use Code 939 – Bread/Donut/Bagel Shop without Drive-Through Window from the ITE Trip Generation Manual, the proposed bakery is expected to generate approximately 48 trips in the AM Peak Hour. It is likely that the bakery will receive a significant number of walk-in customers with its proximity to the medical campus. Emma Ave has the capacity to accommodate the additional traffic.

*Submitted by Chris Bosley, City Engineer*

Staff have indicated that there are adequate public services and facilities available.

No conditions are proposed for this request.

**Decision Point:**

Mr. Holm noted the action alternative this evening: The Planning and Zoning Commission may, as a condition of approval, establish reasonable requirements as conditions of approval to mitigate any impacts that would adversely affect the surrounding neighborhood and you must consider the request by motion by granting approval for a special use Permit, in the C-17L (Commercial Limited at 17 units/acre) zoning district.

Mr. Holm concluded his presentation.

Commissioner Ingalls commented when he was looking at the packet he got lost because he figured the restaurant next door must have had a Special Use Permit somewhere. Usually in the staff report of the packet you can see the history of Special Use Permits, but he did not see one. Now through the presentation Mr. Holm explained how the existing restaurant did not have a Special Use Permit. He asked, if this does not get approved tonight, would the restaurant be in jeopardy? The question is, how has it been with the restaurant? Have there been any issues or problems such as parking or traffic that staff have been aware of? It seems to function very well; people walk to the restaurant and there has been enough parking for the rest of the businesses.

Mr. Holm replied yes, the existing restaurant would be in jeopardy. He is not aware of any problems. He did receive a phone call from a person who is also located in the same building and wanted to understand how the parking worked. She stated sometimes the parking lot does get busy and people jockey for stalls.

Commissioner Ingalls stated since this is a Special Use Permit and not a zone change, the function gets locked in tonight. What if down the road they want to make this into a bar?

Mr. Holms replied this would be open to food and beverage on-site consumption which is a use allowed with the Special Use; it is not specific to a bakery. The applicant tonight is trying to open a bakery. This is tied into the whole parcel not just that suite.

Chairman Messina asked, if the building owners want to have another food establishment, would they have enough parking and would have to come in front of Planning & Zoning again?

Mr. Holm replied each business will have a number of stalls associated with that use. The city does not state which parking stall would be for every business. It's first come first serve. The owner could mark those spots if they wanted to, but the city does not determine that.

Commissioner Coppess asked Sean to clarify his previous statement that indicated there is 800 square feet of additional space that could also be used for food and beverage onsite consumption if they could meet the parking, which would add up to the 4 additional parking spaces out of the 4 suites.

Mr. Holm stated the suites that are there now and the stalls that are there now; the math we apply for it is 1 parking space per 330 square feet of food and beverage onsite consumption use. There are a number of stalls that are associated with each one of those suites. Right now, there are 4 additional parking stalls.

Commissioner Ward commented that in Mr. Bosley's report it stated the bakery will anticipate a lot of pedestrian traffic. What is that based on?

Mr. Holm replied some of this is based on hours of operation. El Paisa is lunch and dinner. Bakeries are more breakfast, so largely morning hours.

Commissioner Ward stated he has no problem with the bakery, he just wants to make sure there is no big impact and make sure there is adequate parking. He does like the fact that most customers will be pedestrians.

Mr. Holm replied, the city does have standards but cannot control popularity. There are certain businesses that will drive a lot of traffic.

Commissioner Coppess commented that Mr. Bosley talked about a bagel shop or bakery as a basis with a drive through as part of the traffic flow. Does that have a specific trip calculation?

Mr. Holm replied yes, it is the ITE trip manual. This categorizes all these types of use.

Commissioner Jamtaas asked, if the prime time does attract 48 new customers into the parking lot and the time corresponds with El Paisa's busy time during lunch, would that be a concern that at least for those hours

of overlap? Could there be a parking issue and, if so, how does this get mitigated?

Mr. Holm replied that it is not up to the city. What we look at is the number of trips that is expected to generate. In this case in the bakery in the a.m. and El Paisa is lunch/dinner. We would not expect those to cross. Traffic does happen and we cannot control who goes where and when.

**Public Testimony Open:**

Kurtis Thornton, Applicant's Representative, lives in Post Falls, ID. He was sworn in and introduced himself as the owner of MDI Construction, a local contracting company. He represents the owner of Emily's Flour Shop. She is bursting at the seams in her other location. This space will perfectly fit in with what she is trying to do with her business. He states there will be products that you can purchase from about 6:00 a.m. to 2:00 p.m. After 2:00 the business will be closed, and the rest of the day she and some staff will be preparing for the next day and for her to distribute her baked goods to other customers, who are coffee shops across town and the local Farmers Market. He states that Emily and her husband are both natives to Coeur d'Alene.

Chairman Messina asked, would the business not be open after 2:00 p.m.?

Mr. Thornton stated that it is correct. The owner will be getting the next day's goods ready and prepped. She has not given him shop hours yet. She feels most people will want baked goods in the morning and not really in the afternoon.

Commissioner Fleming asked, will the owner be making any kind of sandwich or just bagels and baked goods? She states if there is not enough parking in the lot, people will start parking in the streets that are for the residents to park.

Mr. Thornton stated her specialty is baked goods such as pastries and donuts. She will not be making sandwiches.

**Public testimony closed:**

**Commission Discussion:**

Commissioner Ingalls commented there are two business at stake with the Mexican restaurant next door. It's very compatible, and a bakery would be a good fit. He supports the request.

Commissioner Ward stated parking could be an issue, but it does have good flow. He can't find a reason it does not meet the code or the comprehensive code. The impact might be an issue with the public parking, but that could be any business going in there. He has no issue with the bakery.

**Motion by Commissioner Fleming, seconded by Commissioner Ingalls, to approve item SP-1-25.  
Motion Carried.**

ROLL CALL:

|                      |       |     |
|----------------------|-------|-----|
| Commissioner Fleming | Voted | Aye |
| Commissioner Jamtaas | Voted | Aye |
| Commissioner Ingalls | Voted | Aye |
| Commissioner Coppess | Voted | Aye |
| Chairman Messina     | Voted | Aye |
| Commissioner Ward    | Voted | Aye |

Motion to approve carried by a 6 to 0 vote.

Commissioner McCracken was absent.

Commissioner Coppess asked about the review process for food and beverage facilities, citing El Paisa, and wondered if there was some kind of review process that would prevent this in the future. How do we know if there are more of these non-compliant uses in the city?

Mr. Holm replied no, this is a very difficult situation. There are a lot of business requirements throughout the city unless you are dealing with a very specific point of contact such as massage, taxi, etc. Largely we are complaint based. We received no complaints and there was a restaurant called Chopped Stix in this location. It seems that El Paisa just took over the space that was set up as a restaurant already. They just did not realize the floor ratio for seating.


Ms. Patterson stated when someone applies for a building permit or tenant improvement change, this is also when we see a change of use and can inform them that a Special Use Permit may be required.

**ADJOURNMENT:**

Motion by Commissioner Fleming, seconded by Commissioner Ingalls, to adjourn. Motion carried.

The meeting was adjourned at 6:18 p.m.


Prepared by Traci Clark, Administrative Assistant



# **PUBLIC HEARING**

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# STAFF REPORT

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## **PLANNING COMMISSION STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** SEPTEMBER 9, 2025  
**SUBJECT:** A-1-25: REQUEST FOR R-3 ZONING PRIOR TO ANNEXATION  
FOR A 3.19 ACRE PARCEL (HILLSIDE)  
**LOCATION:** PROPERTY IS LOCATED AT 2248 E. STANLEY HILL ROAD

**APPLICANT:**  
Eugene P. Haag, Jr. Trust  
2248 E Stanley Hill Road  
Coeur d'Alene, ID 83814

**ENGINEER:**  
Olson Engineering  
1649 N Nicholson Center St #102  
Post Falls, ID 83854

### **DECISION POINT:**

Should the Planning and Zoning Commission recommend adoption or rejection of the requested R-3 zoning in conjunction with annexation of 3.19 acres from County Agricultural-Suburban to City R-3 in the Hillside Overlay?

Planning Commission's recommendation will be provided to City Council who will make the final decision at a regularly scheduled public hearing.

### **BACKGROUND INFORMATION:**

The 3.19-acre property is currently zoned Agricultural-Suburban in Kootenai County and is proposed for annexation with R-3 zoning and Hillside Overlay (A-1-25). The site contains a single-family residence and is within the City's Area of City Impact (ACI).

The applicant proposes to subdivide the property into five lots, ranging from 0.26 to 0.43 acres, with the existing residence on a 1.40-acre lot, resulting in a density of 1.57 units per acre. The proposed lot with the existing residence to the north is hillside-exempt (<15% slope), while the four new lots are subject to the Hillside Overlay.

A new public street connecting the east and west terminus of Lilly Drive will provide access, along with city water and sewer extensions.

This is the third annexation attempt. Previous requests in 2005 (A-7-05) and 2021 (A-2-21, PUD-2-21, S-2-21) were denied. In 2021, the applicant requested annexation of the 3.19-acre subject property with R-3 zoning, a Planned Unit Development (PUD), and a five-lot, two-tract preliminary plat (A-2-21, PUD-2-21, S-2-21).

On June 8, 2021, the Planning Commission held a public hearing for the proposal. The 2021 request included a Planned Unit Development (PUD) with private driveways and open space, whereas the current request proposes a public street and no PUD.

The Planning Commission adopted the following annexation findings (condensed):

- **Finding #B8:** That this proposal is in conformance with the Comprehensive Plan policies as follows:
  - Objective 1.06 Urban Forests: Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.
  - Objective 1.10 – Hillside Protection: Protect the natural and topographic character, identity, and aesthetic quality of hillsides.
  - Objective 1.13 Open Space: Encourage all participants to make open space a priority with every development and annexation.
  - Objective 1.14 Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
  - Objective 3.05 Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.
  - Objective 4.01 City Services: Make decisions based on the needs and desires of the citizenry.
- **Finding #B9:** That public facilities and utilities are available and adequate for the proposed use. This is based on input from all city departments and adequate sewer and water available at the most southern lot.
- **Finding #B10:** That the physical characteristics of the site do make it suitable for the request at this time because with the dedication of the Hillside Ordinance which will protect that hillside area.
- **Finding #B11:** That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because its compatible with the surrounding properties and that traffic will be minimal based on the three upper lots.

The Planning Commission's annexation recommendation was forwarded to the City Council, to which they denied the annexation on July 20, 2021. By default, the PUD and subdivision requests were also denied as they were dependent on approval of the annexation. *(Staff comments and updates relevant to the City Council findings from 2021 are provided below in red italics.)*

City Council's findings:

- **Finding #B8:** That this proposal is not in conformance with the Comprehensive Plan policies as follows:
  - Objective 3.05 Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.
    - Neighborhood development and the development pattern are not compatible with adjacent land uses.

- Objective 4.01 City Services: Make decisions based on the needs and desires of the citizenry.
  - The request is not in compliance with the previously stated reasons.
  - *Note: A new Comprehensive Plan (2022) has been adopted since this decision. This new information is provided below in the “Required Findings” section of this staff report.*
- **Finding #B9:** Those public facilities and utilities are available and adequate for the proposed use. This is based on that the subject property is adjacent to City water, sewer and streets.
- **Finding #B10:** That the physical characteristics of the site do not make it suitable for the request at this time because of the steep topography, stormwater drainage, and existing spring on the property make the subject property unsuitable for R-3 zoning.
  - *Note: The “spring” has been discovered to be a cistern(s) with a pipe for drainage (see photos).*
- **Finding #B11:** That the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, existing land uses because if the property were developed to its full potential, R-3 zoning would be detrimental to the neighborhood character and the surrounding land uses.
  - *Note: The applicant’s current request has now proposed extending Lilly Drive to connect the two dead ends on either side of the parcel.*

## SUMMARY OF FACTS:

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission’s consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

- A1.** All public hearing notice requirements have been met for item A-1-25.
- 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 August 23, 2025, seventeen days prior to the hearing.
  - 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 August 22, 2025, eighteen days prior to the hearing.
  - 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). Fifty-two (52) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on August 22, 2025.
  - 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 on August 22, 2025, eighteen days prior to the hearing.

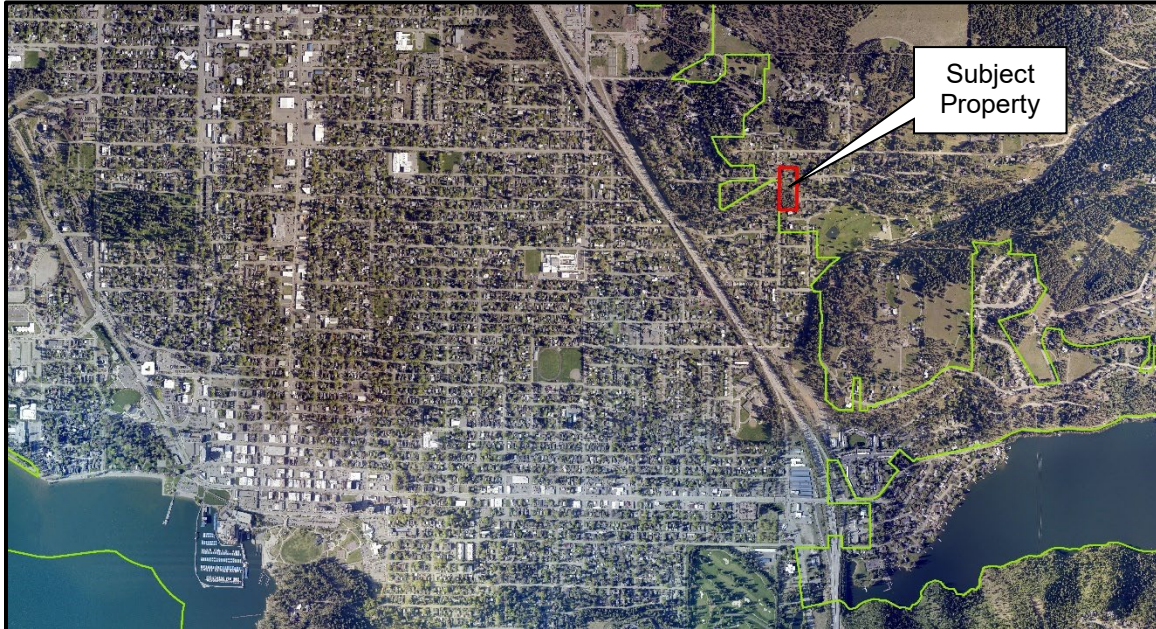
- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) 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). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on August 22, 2025.

- A2.** Public testimony was received at a public hearing on September 9, 2025.
- A3.** The subject site is located in an unincorporated area of Kootenai County, with the total area of the subject property measuring 3.19 acres and is currently zoned AG-Suburban.
- A4.** The subject property is currently developed as a large lot single family home. If approved, the project would include the existing home on a lot, four (4) hillside residential lots, and a future public street connection and dedication of Lilly Drive between the existing termini.
- A5.** The Comprehensive Plan Future Land Use Map designation is the Single Family Neighborhood Place type. Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails. Compatible Zoning is listed as R-1, R-3, R-5, and R-8; MH-8
- A6.** Staff identified Comprehensive Plan goals and objectives for particular consideration by the Planning and Zoning Commission on pages 17 and 18 of this staff report. See the Attachment 2 for the full list of Comprehensive Plan goals and objectives.
- A7.** The Comprehensive Plan lists the area under consideration as Hillside. Hillside areas are important due to their scenic qualities and provide recreational opportunities. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures.
- A8.** The property is sloped, and single-family homes are the dominant land use nearby. The natural features of the site are consistent with the natural features of the surrounding properties. Hillside code will apply to four of the five proposed lots.

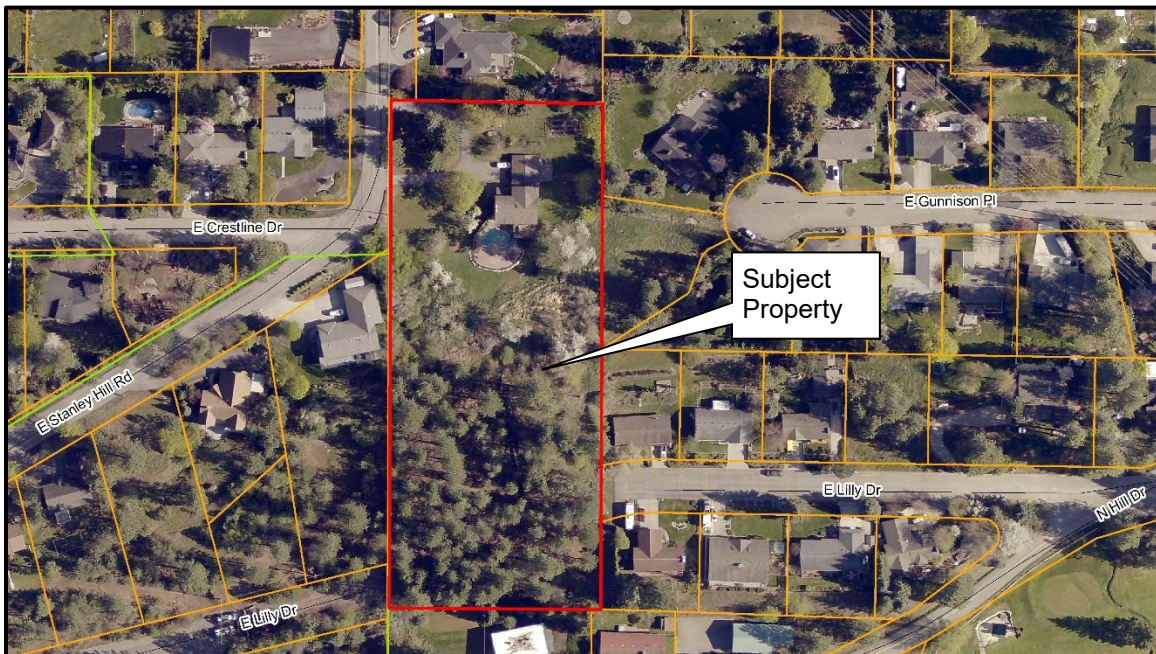


- A9.** City utilities and facilities are available to serve the project site, if annexed. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.

**PROPERTY LOCATION MAP:**



**AERIAL PHOTO:**



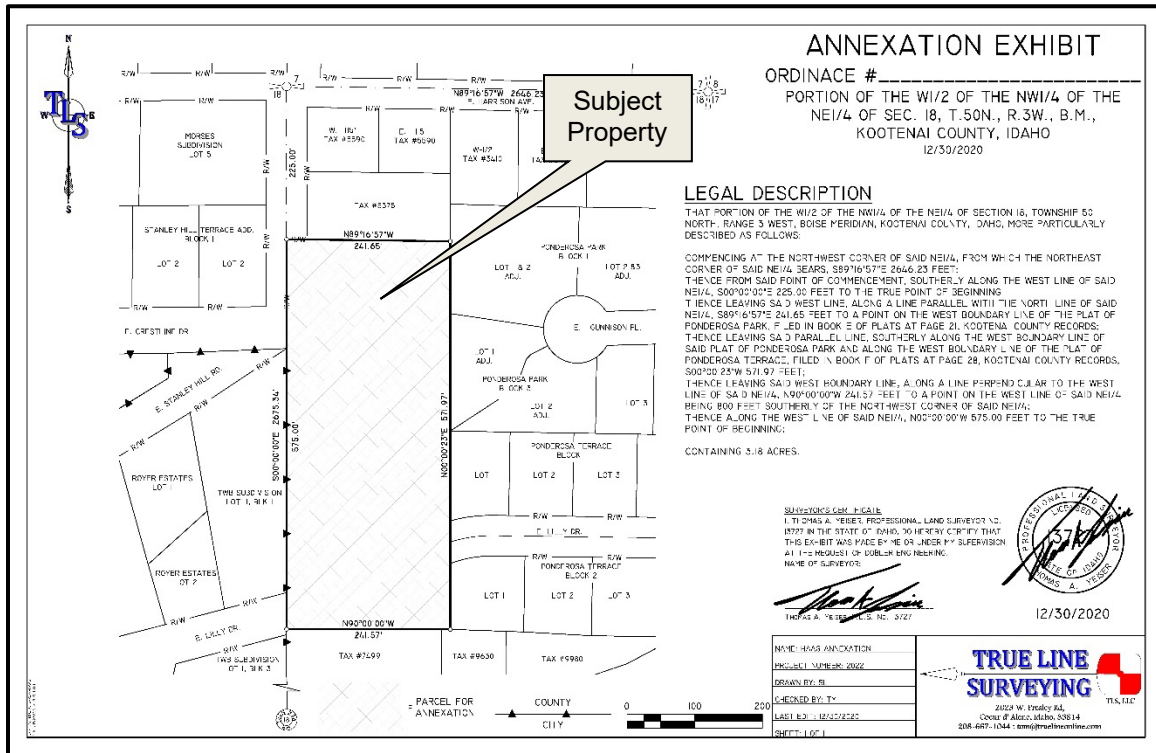


**BIRDS EYE AERIAL:**

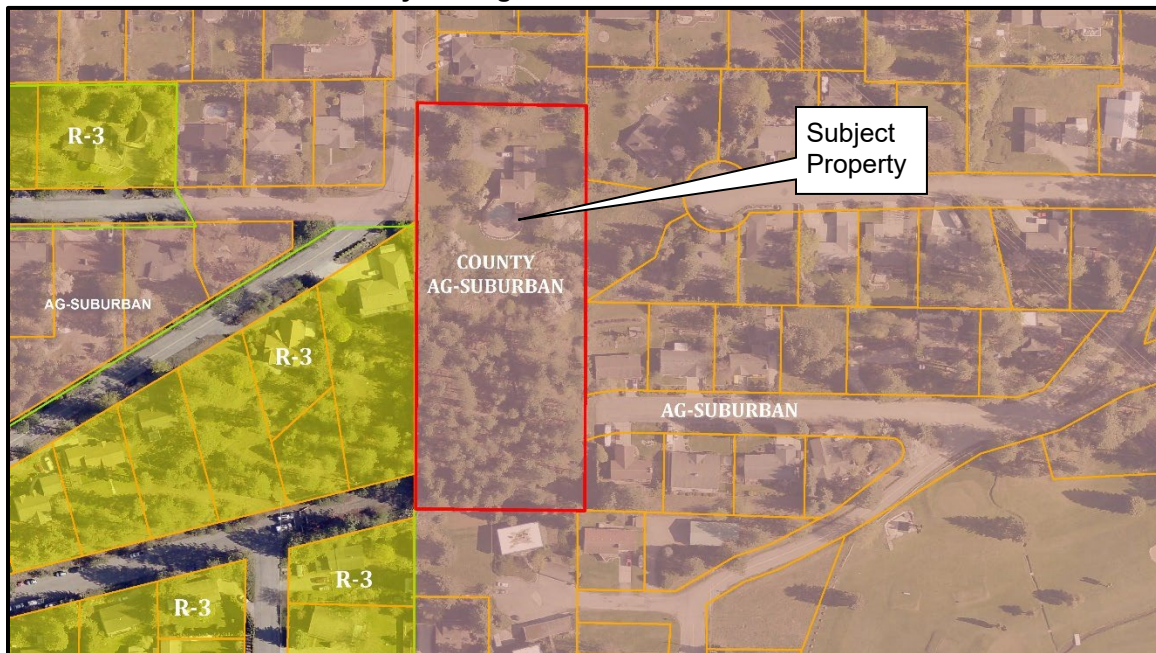




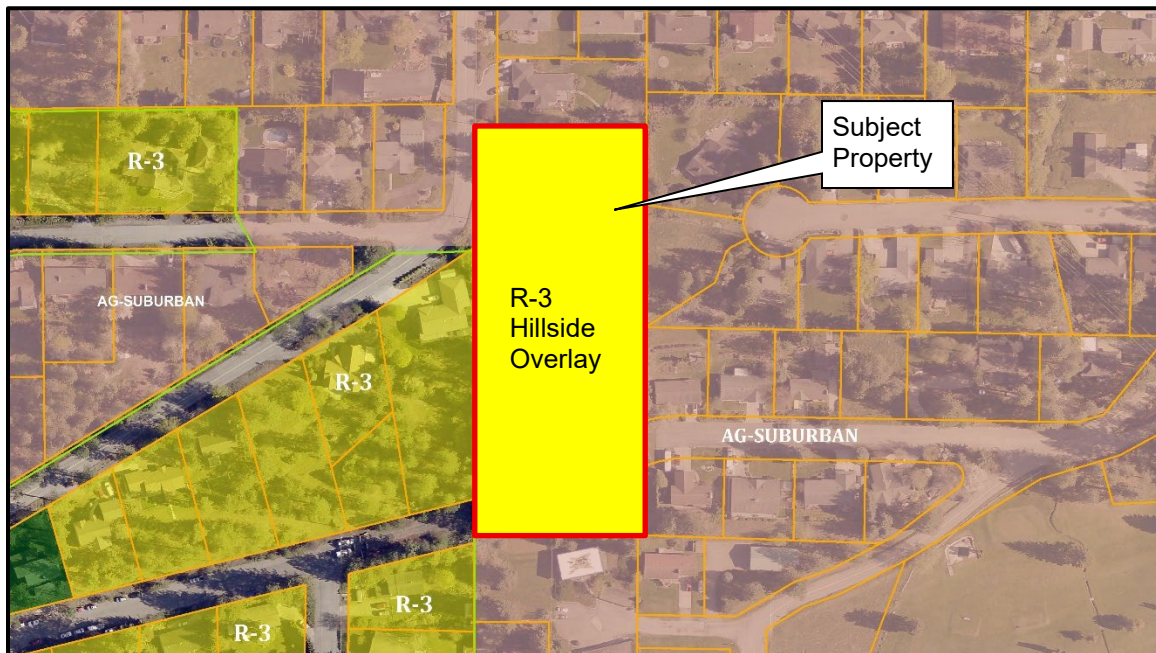
## ANNEXATION MAP:



## EXISTING ZONING MAP: County Zoning Districts



## PROPOSED ZONING MAP:



The proposed R-3 zoning and Hillside Overlay are shown on the map above. The proposed zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property to the west within the Coeur d'Alene city limits. The property is surrounded by County Ag-Suburban zoning to the northwest, north, east and south. Approval of the requested R-3 zoning in conjunction with annexation would allow the following potential uses of the property. Note that the requirements listed below are required at the time of building permit. Further, based on prior feedback in previous hearings concerning hillsides and cisterns, the applicant commissioned and provided a Geotech report identifying soils, construction recommendations, and was used to support engineering calculations to show allowed disturbance for each proposed hillside parcel.

### ***PROPOSED R-3 ZONING DISTRICT:***

This district is intended as a residential area that permits single family detached housing at a density of 3 dwelling units per gross acre. This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

### **R-3 Zoning District:**

Principal permitted uses in an R-3 district shall be as follows:

- single family housing
- home occupations as defined in Sec. 17.06.705
- essential services (underground)
- civic administrative offices
- neighborhood recreation
- public recreation

Permitted uses by special use permit in an R-3 district shall be as follows:

- community assembly
- community education
- community organization
- convenience sales
- essential service (above ground)

- noncommercial kennel
- religious assembly
- bed & breakfast facility
- per. 17.08.500
- commercial film production

**Accessory Uses:**

- carport, garage and storage structures (attached or detached)
- private recreation facility (enclosed or unenclosed)
- outside storage when incidental to the principal use.
- temporary construction yard.
- temporary real estate office.
- accessory dwelling unit

**17.05.050: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:**

Maximum height requirements in an R-3 District shall be as follows:

| Structure Type  | Structure Location                         |   |
|---|--|---|
|   | In Buildable Area For Principal Facilities | In Rear Yard  |
| Principal structure   | 32 feet 1                                  | n/a   |
| For public recreation, community education or religious assembly activities | 45 feet1                                   | n/a   |
| Detached accessory building including garages and carports                  | 32 feet1                                   | With low or no slope roof: 14 feet<br>With medium to high slope roof: 18 feet |

**17.05.075: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

- A. Minimum yard requirements for residential activities in an R-3 District shall be as follows:
1. Front: The front yard requirement shall be twenty feet (20').
  2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
  3. Side, Street: The street side yard requirement shall be ten feet (10').
  4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space
- B. There will be no permanent structures erected within the corner cutoff areas.
- C. Extensions into yards are permitted in accordance with section 17.06.495 of this title.

**PROPOSED HILLSIDE OVERLAY:**

**17.08.900: TITLE AND PURPOSE:**

The title of this article shall be the HILLSIDE OVERLAY ORDINANCE. The purpose of these regulations is to establish a Hillside Overlay Zone and to prescribe procedures whereby the development of lands within the Hillside Overlay Zone occurs in such a manner as to protect the natural and topographic development character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by ensuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, that it prevents surface water degradation, severe cutting or scarring, and to reduce the risk of catastrophic wildfire in the wildland-urban interface. It is the intent of these development standards to encourage a sensitive form of development and to



allow for a reasonable use that complements the visual character and the nature of the City. (Ord. 3091 §2, 2003)

**17.08.905: APPLICABILITY:**

The provisions of this article shall apply to all land within the Hillside Overlay Zone as shown in exhibit A of this section and to all lands annexed into the City limits after May 1, 2005. Lands with an average slope of less than fifteen percent (15%), within the Hillside Overlay Zone, are exempt from these regulations.

**17.08.915: GENERAL REQUIREMENTS:**

A. Geotechnical Studies: Prior to development a geotechnical study indicating that the site is suitable for the proposed use and development shall be prepared by a geotechnical engineer and shall be submitted and approved by the city. The study shall include the following information:

1. Project description to include location, topography, drainage, vegetation, discussion of previous work and discussion of field exploration methods, if any.
2. Site geology, to include site geologic maps, description of bedrock and surface materials, including artificial fill, locations of any faults, folds, etc., and geologic structural data including bedding, jointing and shear zones, soil depth and soil structure. The analysis shall indicate the degree of risk for landslides and/or slumping.
3. Discussion of any off site geologic conditions that may pose a potential hazard to the site, or that may be affected by on site development.
4. Suitability of site for proposed development from a geotechnical standpoint.
5. Specific recommendations for site preparation, foundation design and construction, slope stability, potential for slope sloughing and raveling, ground water, surface and subsurface drainage control, fill placement and compaction, retaining walls, and other design criteria necessary to mitigate geologic hazards.
6. Additional studies and supportive data shall include cross sections showing subsurface structure, graphic logs with subsurface exploration, results of laboratory tests and references, if deemed necessary by the engineer or geologist to establish whether an area to be affected by the proposed development is stable.
7. Signature and registration number of the engineer.
8. Additional information or analyses as necessary to evaluate the site.
9. Recommendations for inspections during construction by the geotechnical engineer.

B. Wildland-Urban Interface: Wildfire mitigation goals for each development shall be determined by the city prior to development, and shall be achieved using the applicable sections of the Kootenai County wildland-urban interface fire mitigation plan, 2000 urban-wildland interface code and National Fire Protection Association (NFPA) standards as guidelines. (Ord. 3160 §2, 2003; Ord. 3091 §5, 2003)

**17.08.920: GRADING AND EROSION CONTROL:**

Prior to development, grading and erosion control plans conforming to the following requirements shall be submitted and approved by the city. Erosion control measures conforming to best management practices (BMPs) approved by the city, or identified in the DEQ manual entitled "Catalog Of Storm-Water Best Management Practices For Idaho Cities And Counties", shall be required.

A. Plans: All grading and erosion control plans shall include the following:

1. Property boundaries.
2. All existing natural and manmade features and facilities within twenty feet (20') of the area to be disturbed, including, but not limited to, streets, utilities, easements, topography, structures, and drainage channels.
3. Existing and proposed finish contours of the areas to be disturbed, at two foot (2') vertical intervals. However, this requirement can be waived when the finished ground surface elevation does not vary by more than two feet (2') from the ground surface elevation prior to the proposed development.
4. Location of all proposed improvements, including paving, structures, utilities, landscaped areas, flatwork, and storm water control facilities.
5. Existing and proposed drainage patterns, including ridgelines and tributary drainage areas.
6. Storm water control facilities, including invert elevations, slopes, length, cross sections, and sizes. Construction details shall be shown for grassed infiltration areas, and/or detention/retention facilities.
7. Existing and proposed drainage easements.
8. Details for temporary and permanent erosion control measures.
9. Revegetation measures.
10. Plans shall be stamped and signed by a professional engineer or landscape architect, licensed in the state of Idaho. However, plans for public improvements shall be stamped and signed by a professional engineer licensed in the state of Idaho.

B. Review By Geotechnical Engineer: The project geotechnical engineer shall provide written proof of review and compliance to all grading plans. All grading shall conform to the most current adopted building code and the recommendations of the geotechnical engineer.

C. Installation Of Temporary Erosion Control: Temporary erosion control measures shall be installed and functional prior to start of any grading and/or land disturbing activity. They shall be maintained in a functional condition until the permanent measures are installed.

D. Retention In Natural State: All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel **plus** the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%),  $25\% + 29\% = 54\%$  of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed. Also, see exhibit 17.08.940A of this chapter.

Lots less than twenty-five thousand (25,000) square feet, legally created prior to adoption of this article, shall be required to retain an area equal to fifty percent (50%) of the area calculated by the above formula. In the above example, on a lot created prior to this article, a twenty-four thousand nine hundred ninety-nine (24,999) square foot lot would need to leave twenty seven percent (27%) retained in the natural state. The area that could be disturbed would be a maximum of eighteen thousand two hundred forty-nine (18,249) square feet.

E. Grading: All cut slopes shall be constructed in such a manner so that sloughing or raveling is minimized. The maximum allowable vertical height of any cut or fill slope shall be thirty feet (30'). The maximum inclination of fill slopes shall be two to one (2:1) (horizontal to vertical). For public roadways, the maximum allowable vertical height for cut and fill slopes in combination shall be sixty feet (60').

F. Temporary Erosion Control For Slopes With Erodable Surface Materials: All slopes with erodable surface material shall be protected with erosion control netting, blankets, or functional equivalent. Netting or blankets shall only be used in conjunction with organic mulch such as straw or wood fiber. The blanket must be applied so that it is in complete contact with the soil so that erosion does not occur beneath it. Erosion netting or blankets shall be securely anchored to the slope in accordance with manufacturer's recommendations. Temporary slope erosion control measures shall be installed upon completion of slope grading if permanent erosion control measures are not completed at the same time.

G. Revegetation Requirements: All areas with erodable surface materials that are graded and not paved shall be revegetated. The vegetation used for these areas shall be native or similar species that will reduce the visual impact of the slope and provide long term slope stabilization. All revegetation measures shall be installed, inspected by the city, and approved prior to the issuance of a certificate of occupancy, or other time as determined by the city. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

H. Maintenance Of Erosion Control Measures: All measures installed for the purposes of long term erosion control, including, but not limited to, vegetative cover, rock walls, and landscaping, shall be maintained in perpetuity on all areas which have been disturbed, including public rights of way. The applicant shall indicate the mechanisms in place to ensure maintenance of these measures.

I. Security: After an erosion control plan for a building site is approved by the city and prior to issuance of a building permit, the applicant shall provide a performance bond or other security in the amount of one hundred fifty percent (150%) of the value of the erosion control measures shown on the approved plan. The city attorney shall approve all security. The financial guarantee instrument shall be in effect for a period of at least one year from the project completion date. All or a portion of the security retained by the city may be withheld for a period up to three (3) years beyond the one-year maintenance period if it has been determined by the city that the site has not been sufficiently stabilized against erosion.

J. Inspections And Final Report: Prior to the acceptance of a subdivision by the city or issuance of a certificate of occupancy for individual structures, the project geotechnical engineer shall provide a final report indicating that the project was constructed in accordance with their recommendations, and that all recommended inspections were conducted by the project geotechnical engineer.

K. Protecting Bare Soil During Development: All surfaces where bare soil is exposed during clearing and grading operations, including spoil piles, shall be covered or otherwise protected from erosion.

L. Construction Ways And Vehicles: Stabilized construction entrances and driveways shall be required for all construction sites to minimize sediment tracking onto roadways. Parking of vehicles shall be restricted to paved or stabilized areas. (Ord. 3160 §3, 2003; Ord. 3091 §6, 2003)

## **A-1-25 ANNEXATION FINDINGS:**

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

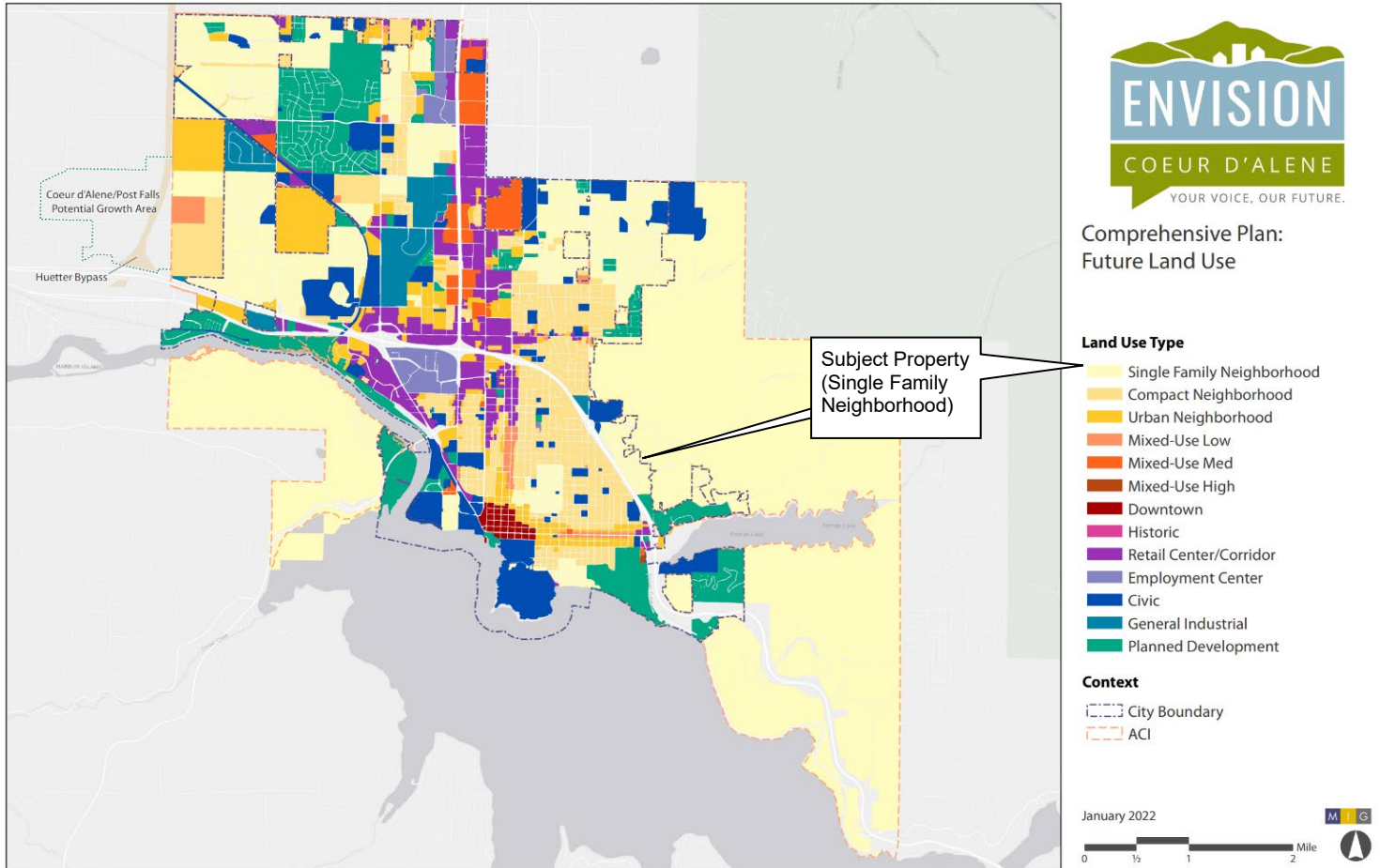
**Finding B1:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

*Using the information provided below, the summary of facts in item A4, A5, and A6, and the testimony from the hearing, make finding B1 using the attached findings worksheet.*

### **2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:**

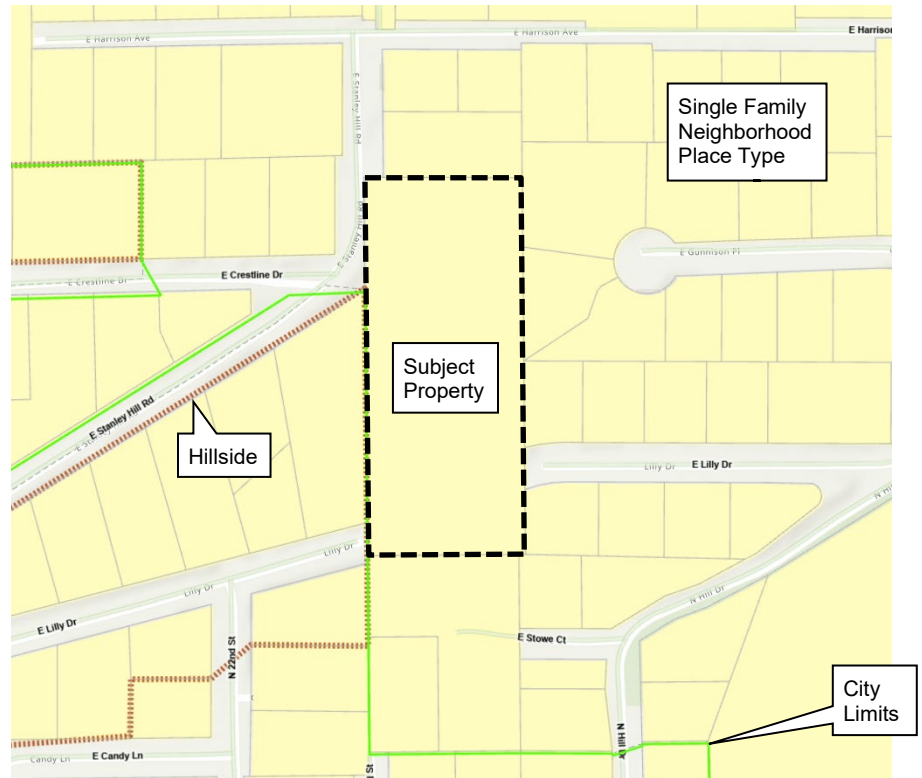
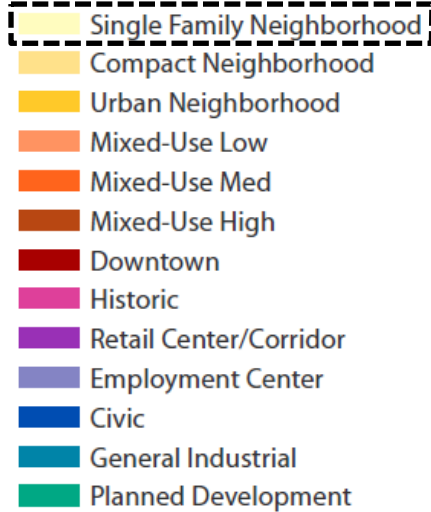
- The subject property is within city limits.
- The City's 2022-2042 Comprehensive Plan categorizes this parcel as Single-Family Neighborhood Place Type.

### **Future Land Use Map (City Context):**



## Comprehensive Plan: Future Land Use

### Land Use Type



### Place Types:

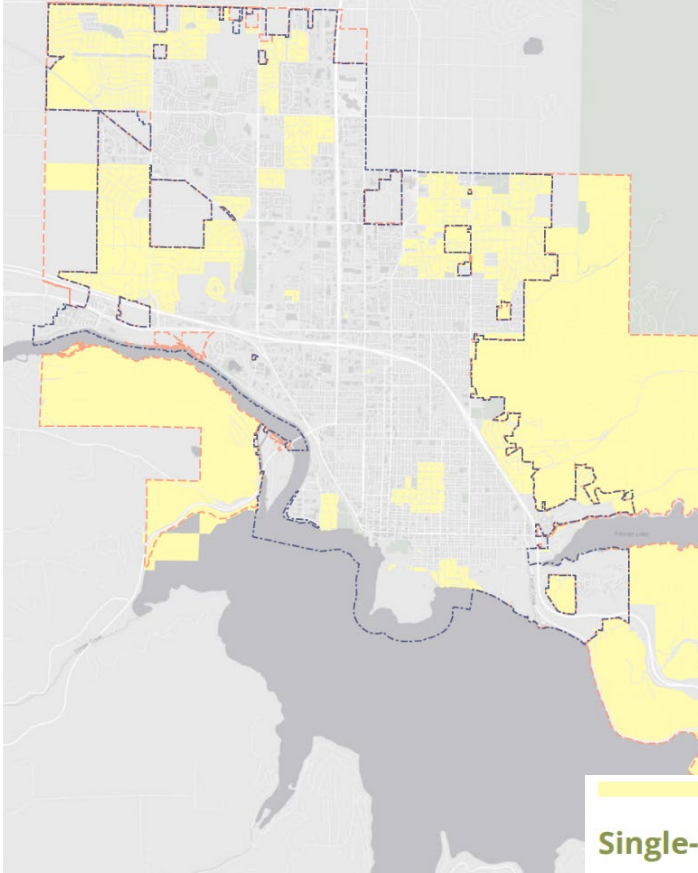
Place types in this plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These place-types will in turn provide the policy-level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, *and allowed uses*.

### Single-Family Neighborhood

Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails.

**Compatible Zoning:** R-1, **R-3**, R-5, and R-8; MH-8





## Single-Family Neighborhood



### Key Characteristics

Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails.

### Transportation

- Neighborhood streets for local access connected by collectors

### Typical Uses

- Primary: Single-family residential
- Secondary: Civic uses, neighborhood parks and recreation facilities

### Building Types

- 1-2 story detached houses

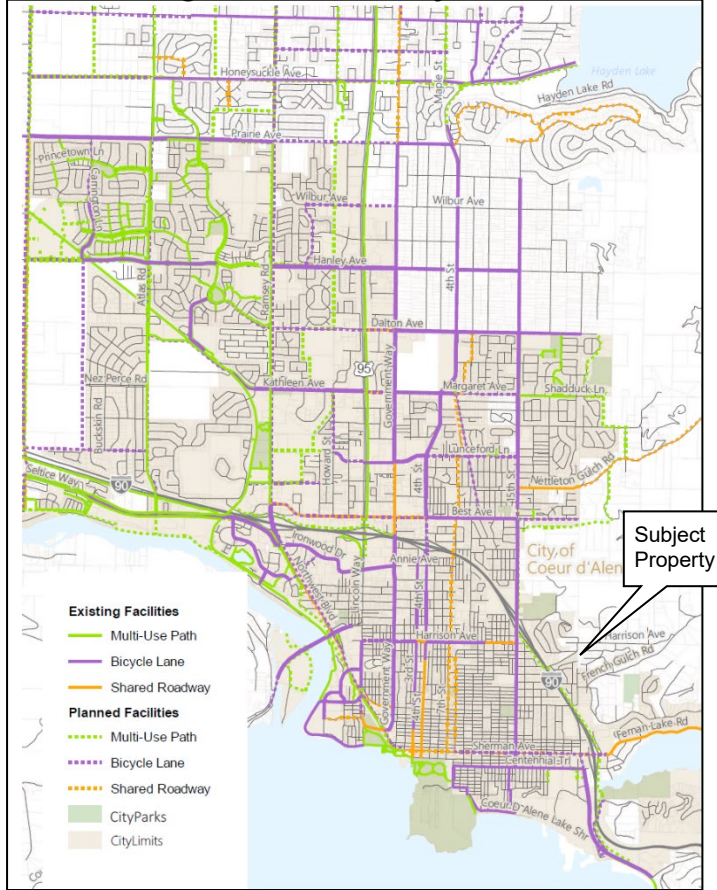
### Compatible Zoning

- R-1, R-3, R-5, and R-8; MH-8

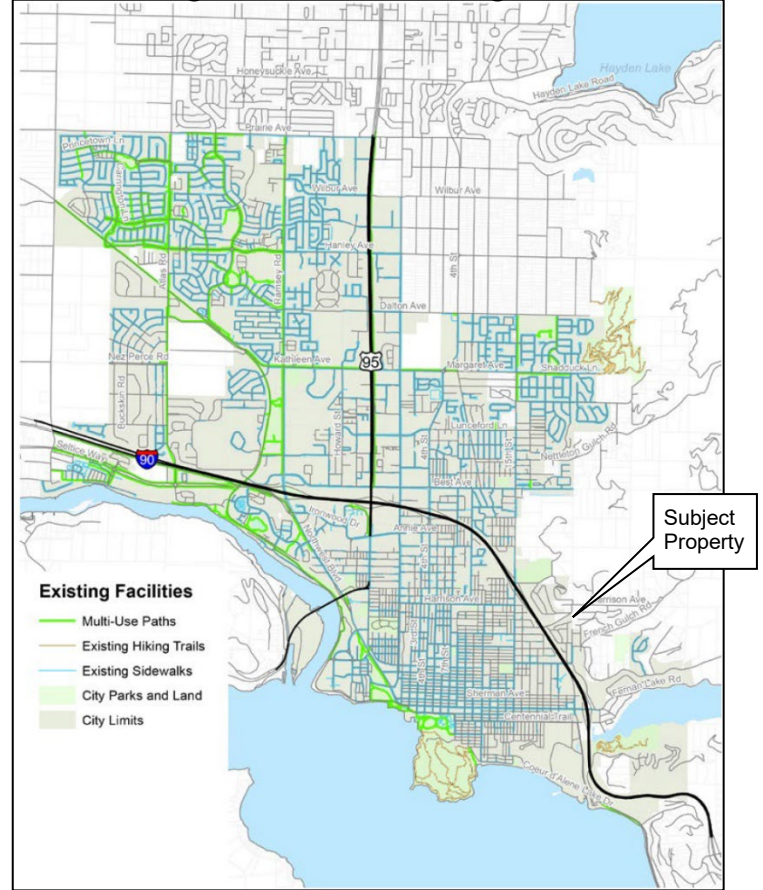


## Transportation

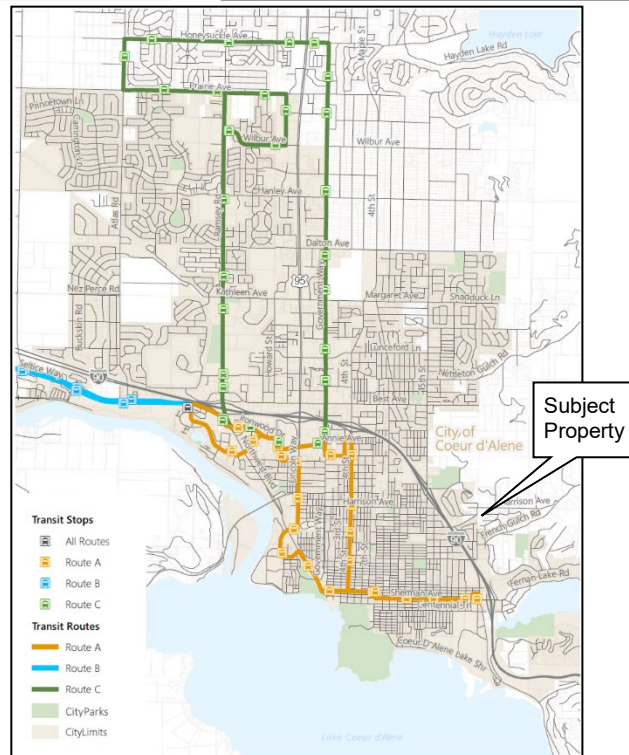
### Existing and Planned Bicycle Network:



### Existing and Planned Walking Network:



### Existing Transit Network:



## **Recreation and Natural Areas**

These areas have specific goals and policies that encourage the preservation of Coeur d'Alene's unique natural resources.

### **Hillsides**

The terrain surrounding the City frames the unique setting of Coeur d'Alene and helps define the physical image. Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake are also important assets to the community. These hillsides are not only important due to their scenic qualities but provide recreational opportunities as well. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures.

### **Policy Framework (Goals and Objectives)**

The following goals and objectives are a curated list picked by staff. The full list from the 2022 Comprehensive Plan is attached for review:

#### **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.

#### **Environment & Recreation**

**Goal ER 3:** Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

**Objective ER 3.1:** Preserve and expand the number of street trees within city rights-of-way.

**Objective ER 3.2:** Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

**Objective ER 3.3:** Minimize the risk of fire in wooded areas that also include, or may include residential uses.

**Objective ER 3.4:** Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

#### **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 1.1:** Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

**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.

**Health & Safety**

**Goal HS 3:** Continue to provide exceptional police, fire, and emergency services.

**Objective HS 3.2:** Enhance regional cooperation to provide fast, reliable emergency services.

**Evaluation:** *The Planning Commission will need to determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

**Finding B2:** **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

*Using the information provided below, the summary of facts in A8, and the testimony from the hearing, make finding B2 using the attached findings worksheet.*

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject site is currently undeveloped except for the existing home accessed by E. Stanley Hill Rd. The site has frontage on Lilly Drive, both to the west and the east. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Lilly Drive must be constructed to City of Coeur d'Alene standards. Due to topography, a sidewalk will only be required on the north side of Lilly Drive. The site plan submitted generally meets the City's requirements. The Streets and Engineering Department has no objection to this annexation request.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposal. There are 6" water mains on E Lilly Dr. on both sides of the property. This area of the water system is located on the Elm St. Boosted zone which may require the customer to install a Pressure Reducing Valve on the main water service as it enters the building.

*-Submitted by Glen Poelstra, Assistant Water Department Director*

**SEWER:**

The nearest public sanitary sewer is located on Lily Drive to the west of subject property. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2023 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

The proposed road connection along Lilly Street enhances Fire Department response times to areas beyond the city limits. Additionally, it provides access to a second fire hydrant location along Lilly Street, improving fire protection coverage. The completion of Lilly Street provides faster emergency services to Hill Street and Galena Avenue and further optimizes access and response capabilities in the surrounding area.

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

*-Submitted by Craig Etherton, Deputy Fire Marshal*

**POLICE:**

The Coeur d'Alene Police Department has reviewed the proposed annexation (A-1-25) and subdivision (S-1-25) requests for the "Haag Estates" property at 2248 E. Stanley Hill Road. The proposed extension of Lilly Drive to connect the east and west termini is anticipated to increase traffic flow by creating a more direct route through the neighborhood to areas east of the current road gap. However, the addition of five residential lots is not expected to be inconsistent with the existing neighborhood character. While some community concerns may arise, the Police Department has no objections to the proposed annexation or subdivision.

*-Submitted by David Hagar, Patrol Captain*

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

**Finding B3:** **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

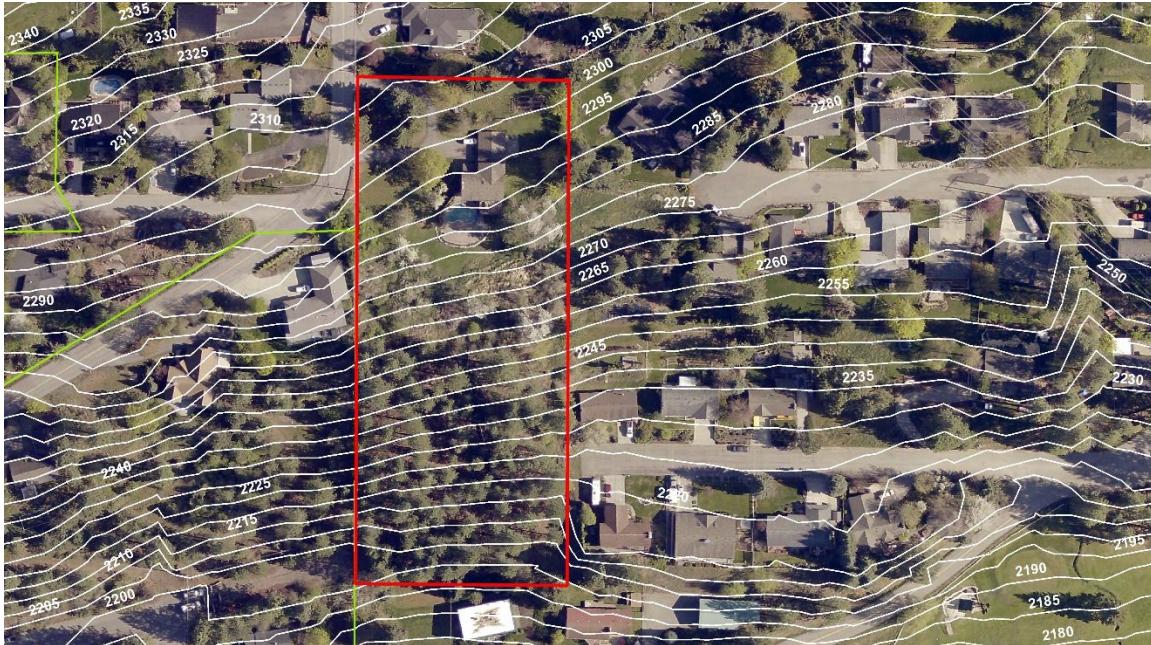
*Using the information provided below, the summary of facts in item A7, and the testimony from the hearing, make finding B3 using the attached findings worksheet.*



**PHYSICAL CHARACTERISTICS:**

The site slopes to the south and there is an approximately one-hundred and twenty-foot drop in elevation on the subject property (See topography map on the following page). Site photos are provided on the next few pages showing the existing conditions.

The subject property would be annexed into the city under the city's Hillside Regulations with potential development requiring average lot slope for determination of validity. The site is currently densely treed.

**TOPOGRAPHIC MAP:**



**SITE PHOTO - 1:** View from E. Stanley Hill Road of the home looking east. Hillside slope can be seen to the south (right side of picture).



**SITE PHOTO - 2:** Looking east into E. Lilly Dr. This is approximately 160' prior to the edge of asphalt that terminates at the western edge of the subject property.



**SITE PHOTO - 3:** Terminus of E. Lilly Dr. on the southwestern side of the Haag property.





**SITE PHOTO - 4:** Terminus of E. Stanley Hill Road from the eastern side of the subject property.



**SITE PHOTO - 5:** Interior view from the subject property looking north showing the existing home and uphill slope.



**SITE PHOTO - 6:** Abandoned cistern on subject property (to be removed/remediated).





**Evaluation:** *The Planning Commission will need to determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

**Finding B4:** **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

*Using the information provided below, the summary of facts in item A2, A3, and A7, and the testimony from the hearing, make finding B4 using the attached findings worksheet.*

**TRAFFIC:**

The subject property is bordered primarily by Lilly Drive where future construction is anticipated, which is a local residential street. Traffic from this proposed development is estimated to provide a very minimal increase in peak hour trips to Lilly Drive and may improve traffic circulation for nearby residents. However, residents along the existing Lilly Drive dead-end will undoubtedly experience an increase in traffic. The Streets & Engineering Department has no objection to the annexation and subdivision plat as proposed.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

The subject property is situated in a transitional area between established low density residential neighborhoods within the City of Coeur d'Alene to the west and rural/suburban lands in Kootenai County to the north, east, and south. The surrounding neighborhood is characterized by low-density single-family residential development on larger lots, with a mix of gently rolling to steep hillside topography that contributes to scenic views and natural features typical of the region's wildland-urban interface.

To the west, adjacent properties within city limits are zoned R-3 and developed with single-family homes on lots generally ranging from 0.25 to 0.5 acres, featuring conventional suburban layouts with public streets, sidewalks, and access to city utilities. These areas exhibit a cohesive residential character with well-maintained lawns, mature trees, and minimal commercial intrusion, aligning with the R-3 district's intent for densities up to 3 units per acre while respecting topographic constraints.

To the northwest, north, east, and south, properties remain in Kootenai County's Agricultural-Suburban zoning, supporting rural-residential uses on larger parcels (typically 1-5 acres) with private wells, septic systems, and limited infrastructure. However, parcels directly adjacent to E. Lilly Dr. and E. Gunnison Pl. in the county generally measure 0.25 to 0.5 acres in size.

The subject site's hillside location emphasizes the need for development that preserves visual and environmental qualities, such as minimizing cuts/fills, retaining natural vegetation (per Hillside Overlay requirements of at least 25% + average slope percentage in natural state), and integrating wildfire mitigation measures. The proposed R-3 zoning and Hillside Overlay would ensure compatibility by limiting density, requiring

geotechnical studies, erosion control, and revegetation to blend with the neighborhood's character.

Overall, the neighborhood's character is defined by single-family homes in a hillside setting, balancing urban accessibility with natural preservation. Annexation with R-3 zoning would extend this pattern eastward, promoting infill development that protects against incompatible rural sprawl while addressing past concerns about topography and drainage.

#### GENERALIZED LAND USE PATTERN:



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

#### ORDINANCES & STANDARDS USED FOR EVALUATION:

- 2022-2042 Comprehensive Plan
- KMPO Transportation Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2021 Parks Master Plan
- 2017 Trails and Bikeways Master Plan

## **RECOMMENDATIONS FOR CONDITIONS TO INCLUDE IN AN ANNEXATION AGREEMENT:**

### **Planning:**

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

### **Fire:**

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

### **Water:**

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

### **Wastewater:**

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

## **ACTION ALTERNATIVES:**

The Planning Commission must evaluate the annexation request (A-1-25) and associated zoning proposal (R-3 with Hillside Overlay) and provide separate findings to recommend that the City Council adopt the requested R-3 zoning (Hillside Overlay) with or without conditions to be included in the Annexation Agreement, or reject the requested R-3 zoning (Hillside Overlay).

The City Council will make the final decision at a subsequent public hearing. The findings worksheet is attached for reference.

### **Attachments:**

- 1-Applicant's Application and Narrative
- 2-Comprehensive Plan Policy pick list

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# APPLICANT'S APPLICATION

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# ANNEXATION APPLICATION

## STAFF USE ONLY

Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee paid: \_\_\_\_\_ Project # A-1-25

## REQUIRED SUBMITTALS

*\*Public Hearing with the Planning Commission and City Council required*

**Application Fee: \$ 2,000.00**

**Publication Fee: \$ 300.00**

**Mailing Fee (x2): \$ 1.00 per address + \$ 28.00**

*(The City's standard mailing list has 28 addresses per public hearing)*

**A COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

☒ **Completed application form**

☐ **Application, Publication, and Mailing Fees**

☒ **Map:** Conforming to State of Idaho requirements (see attached example), and legal description of the property for which annexation is requested. Once approved by the City Surveyor, and City Council approval of the annexation, two (2) additional copies will be required. The map may be drawn from record information (existing plats/survey). If in the opinion of the City Surveyor, the record information is not adequate, a new record of survey may be required. **(\*the record of survey must show bearings and distances for the exterior boundaries, the existing city limits, the proposed city limits, and a narrative description of the property boundaries taken from the Record of Survey).**

☒ **Letter:** Addressed to the Mayor and City Council stating that you are requesting annexation into the City of Coeur d'Alene, and that you understand there are annexation fees and an annexation agreement that will be negotiated. **\*\*Please note that a mutually acceptable annexation agreement must be negotiated and executed within six (6) months from the date of City Council approval of the zoning designation, or any previous approvals will be null and void.**

☐ **Title Report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company. The report(s) shall be a full Title Report and include the Listing Packet.

☐ **Mailing labels provided by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:

1. All property owners within 300ft of the external boundaries. **\* Non-owners list no longer required\***
2. All property owners within the subject property boundaries. (Including the applicant's property)
3. A copy of the tax map showing the 300ft mailing boundary around the subject property.

☒ **A written narrative:** Including zoning, how proposal relates to the 2022-2042 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and how they support your request.

☒ **A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.

☒ **A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

☒ **Record of Survey:** showing bearings/distances for the exterior boundaries including any linkages needed for contiguity. The existing city limits, the proposed city limits, city limits of nearby cities, when appropriate and a narrative description of the property boundaries taken for the Record of Survey.

☐ **Submittal documents:** Applications will not be accepted unless all application items on the form are submitted both with original documents and an electronic copy.



**DEADLINE FOR SUBMITTALS**

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

**PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:**

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posed on the property is also required and must be returned to the Planning Department.

**APPLICATION INFORMATION**

|  |           |   |
|--|-----------|---|
| PROPERTY OWNER: Eugene P Haag Jr Trust           |           |   |
| MAILING ADDRESS: 2248 E Stanley Hill Rd          |           |   |
| CITY: Coeur d'Alene                              | STATE: ID | ZIP: 83814  |
| PHONE: 208-699-9185                              | FAX:      | EMAIL: ephaagjr@gmail.com   |
| APPLICANT OR CONSULTANT: Olson Engineering       |           | STATUS: <input checked="" type="checkbox"/> ENGINEER <input type="checkbox"/> OTHER |
| MAILING ADDRESS: 1649 N Nicholson Center St #102 |           |   |
| CITY: Post Falls                                 | STATE: ID | ZIP: 83854  |
| PHONE: 509-953-0401                              | FAX:      | EMAIL: gj@oecivil.com   |

**FILING CAPACITY**

- ☐ Recorded property owner as to of \_\_\_\_\_
- ☐ Purchasing (under contract) as of \_\_\_\_\_
- ☐ The Lessee/Renter as of \_\_\_\_\_
- ☒ Authorized agent of any of the foregoing, duly authorized in writing. (*Written authorization must be attached*)

**SITE INFORMATION:**

|  |
|--|
| PROPERTY LOCATION OR ADDRESS OF PROPERTY:<br>2248 E Stanley Hill Rd  |
| EXISTING ZONING (CHECK ALL THAT APPLY):<br>Ag. Zone <input type="checkbox"/> AS <input checked="" type="checkbox"/> RR <input type="checkbox"/> C <input type="checkbox"/> LI <input type="checkbox"/> I <input type="checkbox"/> M <input type="checkbox"/> R <input type="checkbox"/> HDR <input type="checkbox"/>   |
| EXISTING CITY ZONING (CHECK ALL THAT APPLY):<br>R-1 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-17 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> CC <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/> |

|   |   |  |
|---|---|--|
| <b>TAX PARCEL #:</b><br>50N03W180850  | <b>EXISTING ZONING:</b><br>Agricultural Suburban        | <b>ADJACENT ZONING:</b><br>R-3 to west, AS for remainder                     |
| <b>GROSS AREA/ACRES:</b><br>3.19 acres  | <b>CURRENT LAND USE:</b><br>one single-family residence | <b>ADJACENT LAND USE:</b><br>SF residential except small MF complex to south |
| <b>DESCRIPTION OF PROJECT/REASON FOR REQUEST:</b>   |   |  |
| This is a proposed 5 lot subdivision that will be connecting two dead ends of Lilly Dr. that can be annexed into city of CDA. |   |  |
| Water and sewer infrastructure will be included for this project.   |   |  |

**COMPREHENSIVE PLAN DESIGNATIONS:**

|  |
|--|
| PROPERTY NOT CURRENTLY LOCATED WITHIN THE CITY PLANNING AREA MUST RECEIVE A 2022-2042 COMPREHENSIVE PLAN DESIGNATION ALONG WITH THE NEW ZONING CLASSIFICATION. |
| CITY COMPREHENSIVE PLAN CATEGORY (PAGE 43): Single-Family Neighborhood   |
| NEIGHBORHOOD AREA (PAGES 44-53): Single-Family Neighborhood  |
| SPECIAL AREAS (PAGES 61-68) Urban Forest & Hillside  |

Note: The 2022-2042 Comprehensive Plan is available

[https://www.cdaid.org/files/Planning/2042CompPlan/Coeur%20d'Alene\\_2042CompPlan.pdf](https://www.cdaid.org/files/Planning/2042CompPlan/Coeur%20d'Alene_2042CompPlan.pdf)

**CERTIFICATION OF APPLICANT:**

I, \_\_\_\_\_, being duly sworn, attests that he/she is the applicant of this  
*(Insert name of applicant)*

request and knows the contents thereof to be true to his/her knowledge.

Signed: \_\_\_\_\_

*(applicant)*

Notary to complete this section for applicant:

Subscribed and sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for Idaho Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(notary)*

**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Address: \_\_\_\_\_

Signed by Owner: \_\_\_\_\_

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for Idaho Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(notary)*

*For multiple applicants or owners of record, please submit multiple copies of this page.*

I (We) the undersigned do hereby make petition for annexation and zone classification of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NOTIFICATION OF ADDITIONAL FEES:**

The cost to prepare certain documents necessary to obtain annexation approval and the actual cost of the land surveyor's review of the legal description and map will be billed to the applicant/owner.

The legal preparation fee for Annexation Agreement will a base fee of \$800.00 and actual labor costs, if needed.

An annexation fee will be negotiated as part of the Annexation Agreement – the fee is based on \$1,133.00/dwelling unit or equivalency.

## IDAHO STATE TAX REGULATIONS REGARDING THE LEGAL DESCRIPTION AND MAP FOR ANNEXATIONS

### REGULATION 2215:

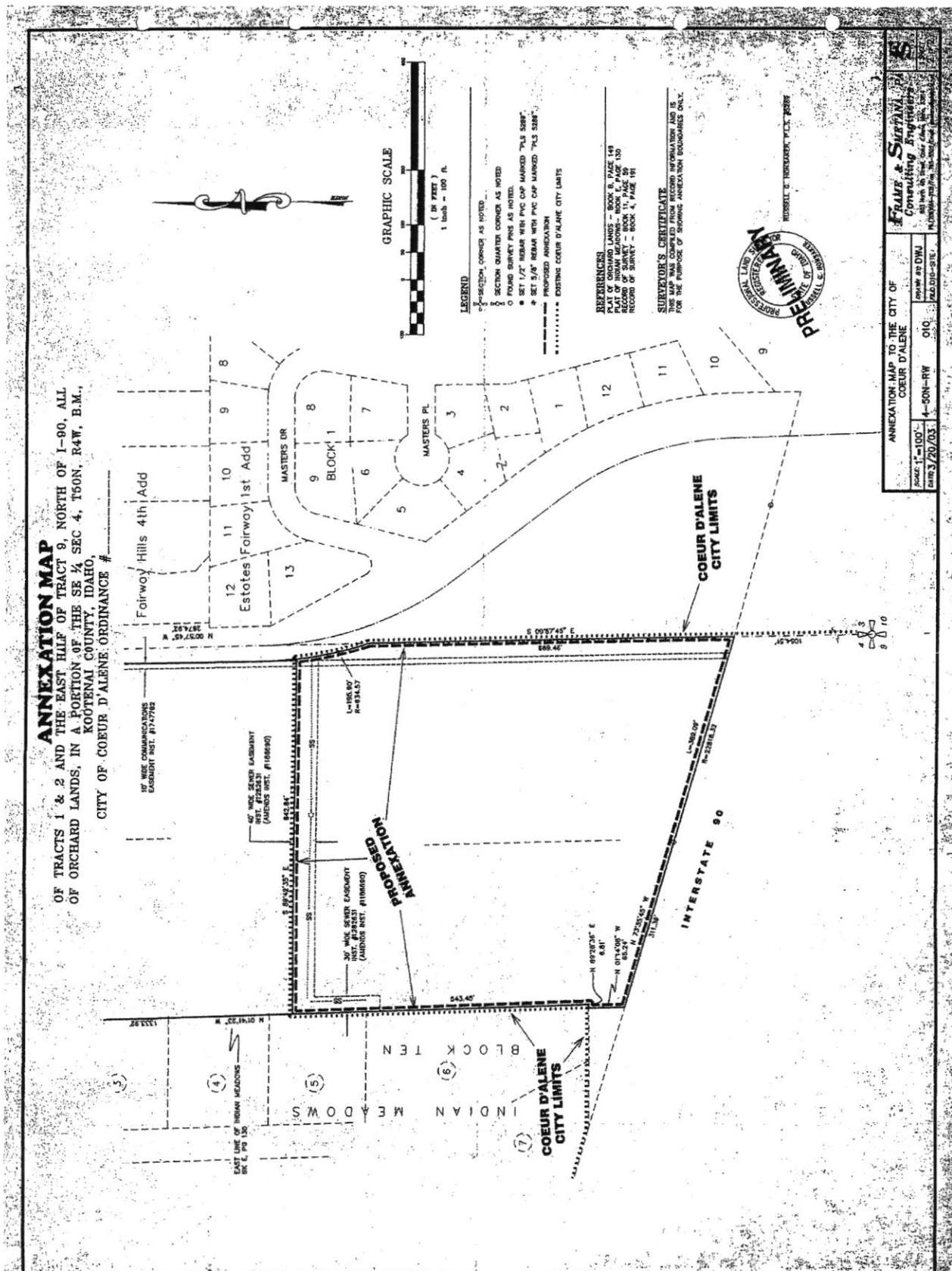
- a. The following documentation shall be filed with the County Assessor, County Recorder, and Tax Commission no later than ten (10) days following the effective date of an action creating a new district or municipal boundary, or altering an existing district or municipal boundary.
  - i. *A legal description which plainly and clearly defines the boundary of a new district or municipality, or the altered portion of an existing district or municipality with a copy of the ordinance, or order effecting the formation or alteration.*
  - ii. *A copy of a map prepared in a draftsman-like manner or a record of survey, as defined by Idaho Code Chapter 19, Title 55, which matches the legal description.*
- b. "Legal description" means a narrative which describes by metes and bounds, a definite boundary of an area of land that can be mapped on a tax code area map, and shall include:
  - i. *Section, township, range, and meridian.*
  - ii. *An "initial point," being a government surveyed corner, such as a section corner, quarter corner, meander corner, or mineral survey corner.*
  - iii. *A true "point of beginning," defined by bearings and distances from the initial point, that begins the new or altered district or municipal boundary.*
  - iv. *Bearings and distances that continuously define an area boundary with a closure accuracy of at least 1 part in 5,000. Variations from closure requirements of this subsection may be approved when verified documentation is provided:*
    - (a) *When boundaries follow mountain ranges, rivers, lakes, canals, etc. that are clearly delineated on published U.S. Geological Survey quadrangle maps at scale 1:24,000 or, if not available, at scale 1:62,500; or*
    - (b) *When references to cardinal direction, government survey distances, and section or aliquot part corners are used and modern survey information is not available; or*
    - (c) *When legislatively established boundaries are defined by Idaho Code, a duplication and reference to that section of the code shall be provided.*

Identification of an existing district boundary, which shall duplicate the metes and bounds of the existing district, or shall reference the same as, "formerly known as." For example, "thence N88°58'32" E 2635.42 feet (formerly East 2640 feet) along south line of Section 27, the boundary of the Acme District as enacted by Ordinance 2173."

- c. "Map prepared in a draftsman-like manner" means an original graphic representation or precise copy matching the accompanying legal description and drafted to scale using standard mechanical drawing instruments or a computer. The map shall include:
  - i. *Section, township, range, and meridian identifications.*
  - ii. *North arrow, bar scale, and title block.*
  - iii. *District name and ordinance number or order date.*
  - iv. *Bearing and distance annotation between boundary points.*
  - v. *Clearly defined boundary lines of the newly formed district or altered district, together with reference to the existing boundary where contiguous.*
  - vi. *District boundaries delineated on recorded surveys, engineer drawings, or U.S. Geological Survey Quadrangle maps are also acceptable. General hunting and fishing, city street, or non-scaled maps will not be accepted.*
- d. "Contiguous" means being in actual contact or touching along a boundary or at a point.



## EXAMPLE OF REQUIRED ANNEXATION MAP





May 22, 2025

## **ANNEXATION AND SUBDIVISION NARRATIVE FOR GENE HAAG PROPERTY (AIN:113841)**

Olson Engineering, on behalf of Gene Haag, is proposing to annex his 3.18-acre property into the City of Coeur d'Alene. The property has been turned down for annexation multiple times before in part due to opposition from the neighbors. Our understanding is that this will be the first time that annexation is being proposed with a public street connecting the two dead ends of Lilly Dr.

Mr. Haag's goal is to create four additional building lots for his children on the lower, forested portion of the subject property. See attached Conceptual Subdivision Plan. The new lots range in size from 0.26 to 0.43 acres. The remainder lot with Mr. Haag's existing home would be 1.40 acres. There would be 5 total lots at a density of 1.57 lots per acre. The project would likely be built in one phase likely in the 2026-2028 timeframe.

This project is currently zoned as Agricultural Suburban (county). The adjacent zoning is R-3 (city) and Agricultural Suburban so it would be logical for this parcel to also be zoned as R-3.

Water and gravity sewer extensions would be constructed to serve the property. Lilly Drive would be completed to provide access to the property. The City water system would benefit from the elimination of two dead-end lines on each side of Lilly. City and County fire protection would benefit from the elimination of two dead-end streets, one of which has no turnaround. The public would benefit from the creation of a public sidewalk and the elimination of ongoing trespassing on an informal trail connecting both sides of Lilly.

Per the Geotechnical Evaluation report an existing drainage pipe discharging water was found on site. No existing stream or spring was encountered on site. The discharge from the existing pipe will be redirected, as shown in an exhibit included with this submittal.

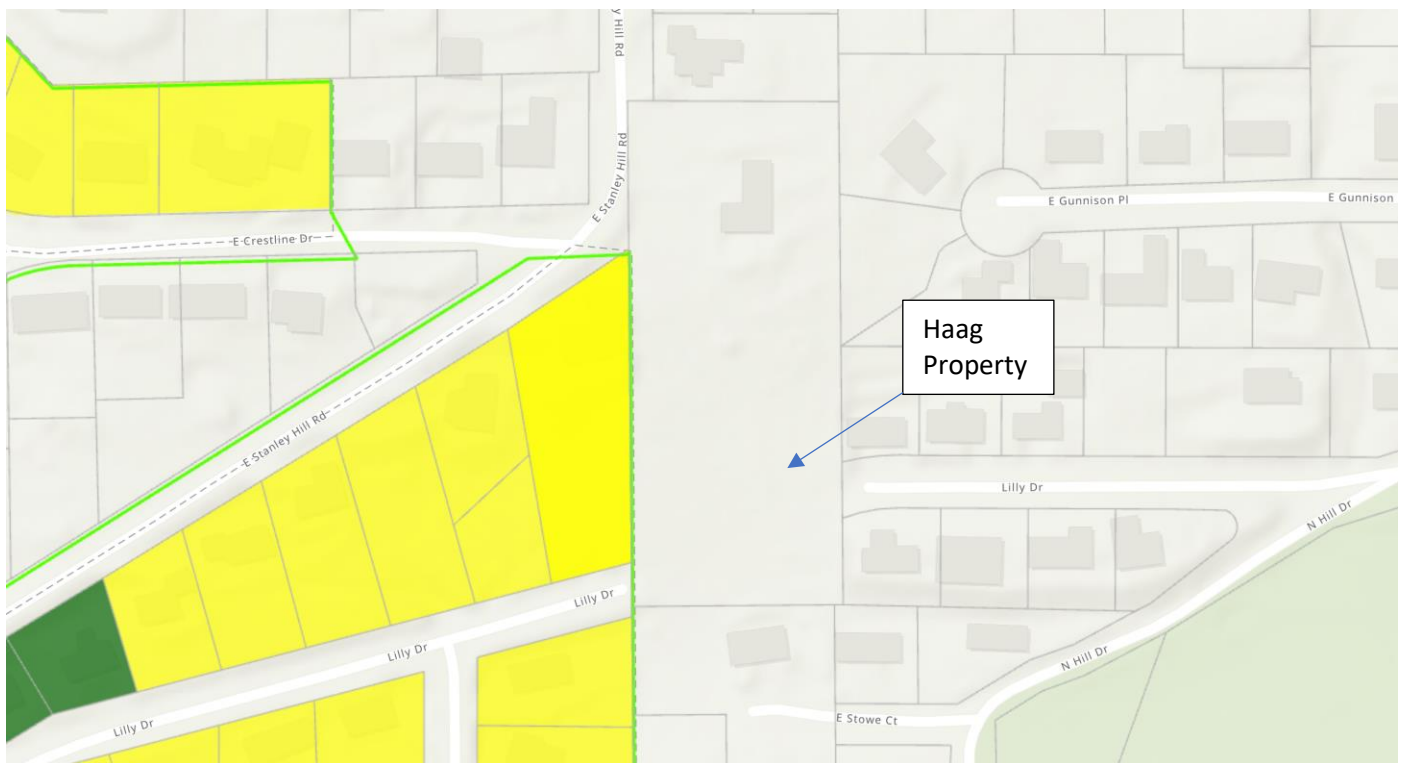
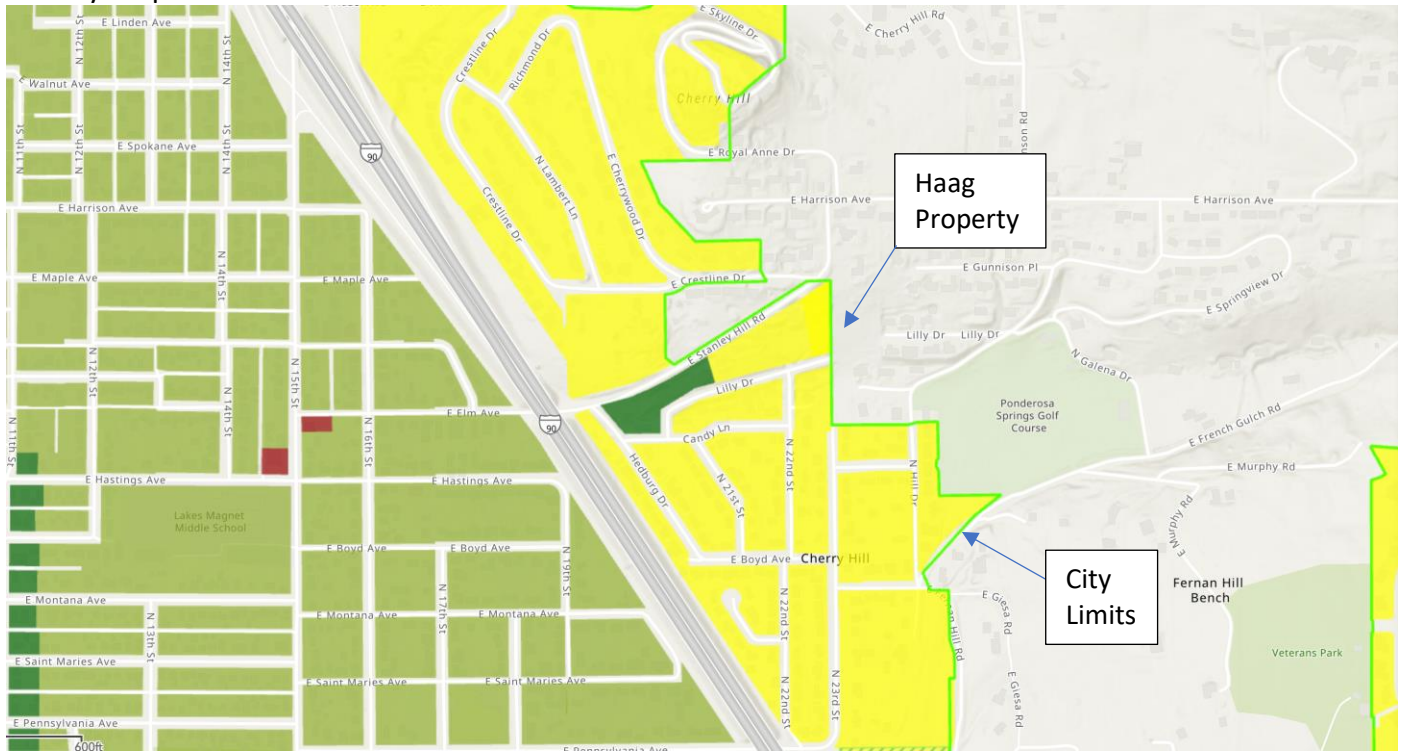
This property is currently located in the 2022-2042 Comprehensive Plan future land use map. It is under the Single-Family neighborhood plan category, and it contains special area designations for the urban forest and hillsides. The property will meet the requirements of the Hillside Overlay Zone in the City of CDA code.

Applicable Goals from the 2022-2042 Comprehensive Plan include:


- *Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.* The additional lots will allow Gene's children to become property owners.
- *Goal GD 3: Support the development of a multimodal transportation system for all users.* The annexation and subdivision would complete Lilly Dr and make it legal for pedestrians to walk through.
- *Goal GD 5: Implement principles of environmental design in planning projects:* The project will be built in accordance with the Hillside Ordinance and will have less impact on the urban forest from the previous PUD version which would have required additional disturbance to create "useful open space".

- **Goal HS 3: Continue to provide exceptional police, fire, and emergency services.** The completion of Lilly Drive, elimination of dead ends, and additional looping of the water system will enhance emergency access and the ability to fight fires in the area.

#### Vicinity Maps:



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# STAFF REPORT

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## **PLANNING COMMISSION STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER  
**DATE:** SEPTEMBER 9, 2025  
**SUBJECT:** S-1-25: A FIVE-LOT PRELIMINARY PLAT REQUEST FOR  
"HAAG ESTATES" ON 3.19 ACRES (HILLSIDE)  
**LOCATION:** PROPERTY IS LOCATED AT 2248 E. STANLEY HILL ROAD

**APPLICANT:**  
Eugene P. Haag, Jr. Trust  
2248 E Stanley Hill Road  
Coeur d'Alene, ID 83814

**ENGINEER:**  
Olson Engineering  
1649 N Nicholson Center St #102  
Post Falls, ID 83854

### **DECISION POINT:**

The applicant requests approval of a five-lot preliminary plat on 3.19 acres, "Haag Estates", contingent on the concurrent annexation request (A-1-25) also presented at this meeting. The Planning Commission will recommend approval, denial, or denial without prejudice of the annexation to the City Council, which makes the final decision.

The Planning Commission's decision on the subdivision is final unless appealed to the City Council. Each hearing item will require separate findings to be made.

### **BACKGROUND INFORMATION:**

The 3.19-acre property is currently zoned Agricultural-Suburban in Kootenai County and is proposed for annexation with R-3 zoning and Hillside Overlay (A-1-25). The site contains a single-family residence and is within the City's Area of City Impact (ACI).

The applicant proposes to subdivide the property into five lots, ranging from 0.26 to 0.43 acres, with the existing residence on a 1.40-acre lot, resulting in a density of 1.57 units per acre. The proposed lot with the existing residence to the north is hillside-exempt (<15% slope), while the four new lots are subject to the Hillside Overlay.

A new public street connecting the east and west termini of Lilly Drive will provide access, along with city water and sewer extensions.

This is the third annexation attempt. Previous requests in 2005 (A-7-05) and 2021 (A-2-21, PUD-2-21, S-2-21) were denied. In 2021, the applicant requested annexation of the 3.19-acre subject property with R-3 zoning, a Planned Unit Development (PUD), and a five-lot, two-tract preliminary plat (A-2-21, PUD-2-21, S-2-21).



On June 8, 2021, the Planning Commission held a public hearing for the proposal. The 2021 request included a Planned Unit Development (PUD) with private driveways and open space, whereas the current request proposes a public street and no PUD.

The Planning Commission adopted the following subdivision findings (condensed):

- **Finding B7A:** All general preliminary plat requirements were met, as determined by the City Engineer based on staff and applicant testimony.
- **Finding B7B:** Provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities were adequate, based on the PUD meeting these standards.
- **Finding B7C:** The proposed preliminary plat complied with all subdivision design standards (Municipal Code Chapter 16.15) and improvement standards (Chapter 16.40), as presented by the applicant's engineer, Dobler Engineering.
- **Finding B7D:** The proposed lots met the R-3 zoning district's minimum size requirements but lacked the required street frontage, necessitating the PUD request.

The Planning Commission's annexation recommendation was forwarded to the City Council, to which they denied the annexation on July 20, 2021. By default, the PUD and subdivision requests were also denied as they were dependent on approval of the annexation. (Staff comments and updates relevant to the City Council findings from 2021 are provided below in red italics.)

City Council's findings:

- **Finding #B8:** That this proposal is not in conformance with the Comprehensive Plan policies as follows:
  - Objective 3.05 Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.
    - Neighborhood development and the development pattern are not compatible with adjacent land uses.
  - Objective 4.01 City Services: Make decisions based on the needs and desires of the citizenry.
    - The request is not in compliance with the previously stated reasons.
  - *Note: A new Comprehensive Plan (2022) has been adopted since this decision. This new information is provided below in the "Required Findings" section of this staff report.*
- **Finding #B9:** Those public facilities and utilities are available and adequate for the proposed use. This is based on that the subject property is adjacent to City water, sewer and streets.
- **Finding #B10:** That the physical characteristics of the site do not make it suitable for the request at this time because of the steep topography, stormwater

drainage, and existing spring on the property make the subject property unsuitable for R-3 zoning.

- *Note: The “spring” has been discovered to be a cistern(s) with a pipe for drainage (see photos).*
- **Finding #B11:** That the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, existing land uses because if the property were developed to its full potential, R-3 zoning would be detrimental to the neighborhood character and the surrounding land uses.
  - *Note: The applicant’s current request has now proposed extending Lilly Drive to connect the two dead ends on either side of the parcel.*

### **SUMMARY OF FACTS:**

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission’s consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

#### **A1.** All public hearing notice requirements have been met for item S-1-25.

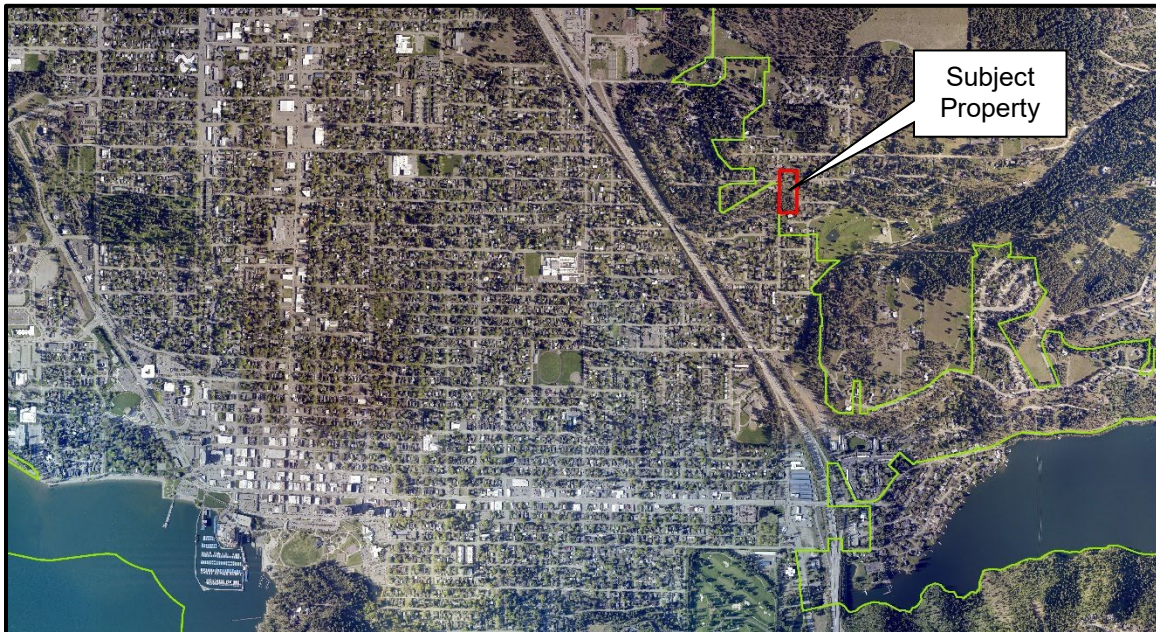
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The notice was published in the Coeur d’Alene Press on August 23, 2025, seventeen days prior to the hearing.
- Notice of the public hearing 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 August 22, 2025, eighteen days prior to the hearing.
- 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). Fifty-two (52) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on August 22, 2025.
- 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 on August 22, 2025, eighteen days prior to the hearing.
- 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). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on August 22,

2025.

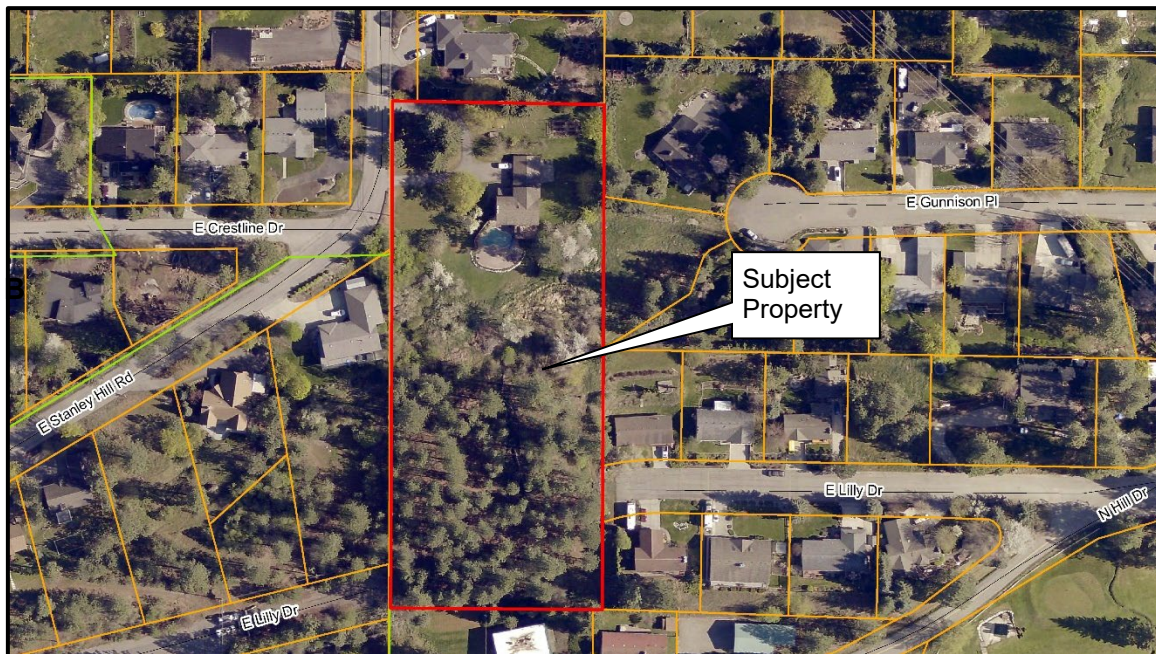
- A2.** Public testimony was received at a public hearing on September 9, 2025.
- A3.** The subject property is 3.19 acres and currently zoned Agriculture-Suburban in Kootenai county, with a request for R-3 zoning as part of a dependent annexation application.
- A4.** The subject property is proposed to be divided into five (5) single-family residential lots in the hillside overlay, with the existing home on a parcel exempt from hillside code due to a slope of less than 15%. The subject property is adjacent to or abutting single-family homes to the north, south, east, and west.
- A5.** The City Engineer has attested that the preliminary formal plat submitted contains all of the elements required by the Municipal Code.
- A6.** City departments have reviewed the preliminary plat for potential impact on public facilities and utilities, and provided an analysis of compliance with code requirements. Staff from various departments have determined that conditions are required to bring the plat into full compliance with code requirements and performance standards. All departments have indicated the ability to serve the project with the additional conditions as stated herein on pages 9 and 10.
- A7.** The City Engineer has vetted the preliminary plat for compliance with both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40). The City Engineer has reviewed the applicant's analysis regarding meeting subdivision standards and concurs with the findings.
- A8.** City staff have confirmed that the proposed subdivision meets all zoning standards for the proposed R-3 zoning district. Per Planning Commission and City Council feedback of prior subdivision and annexation hearings, the applicant team provided a Geotech study that includes: slope calculations and disturbance results showing hillside overlay code could be met (slope and disturbance calcs are provided in the staff report on pages 11 and 12).
- A9.** The applicant has proposed connecting E. Lilly Dr. which terminates on either side of the subject property. This street connection would provide access to the public and emergency services as well as provide city utility extensions through the property.



**PROPERTY LOCATION MAP:**



**AERIAL PHOTO:**

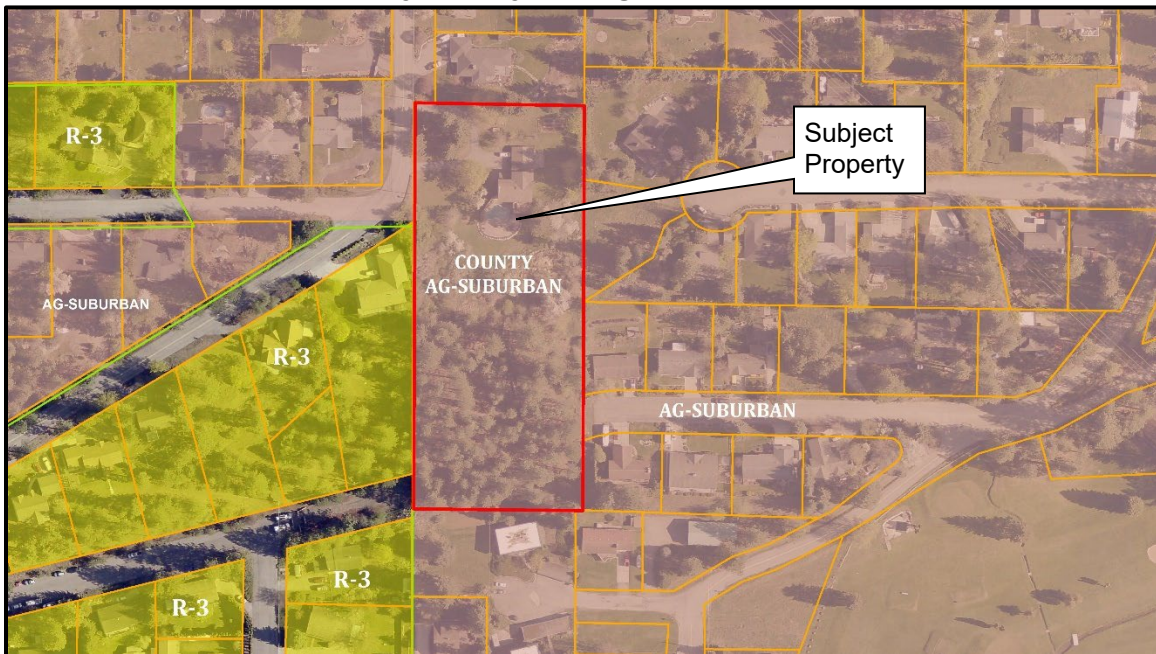




**BIRDS EYE AERIAL:**

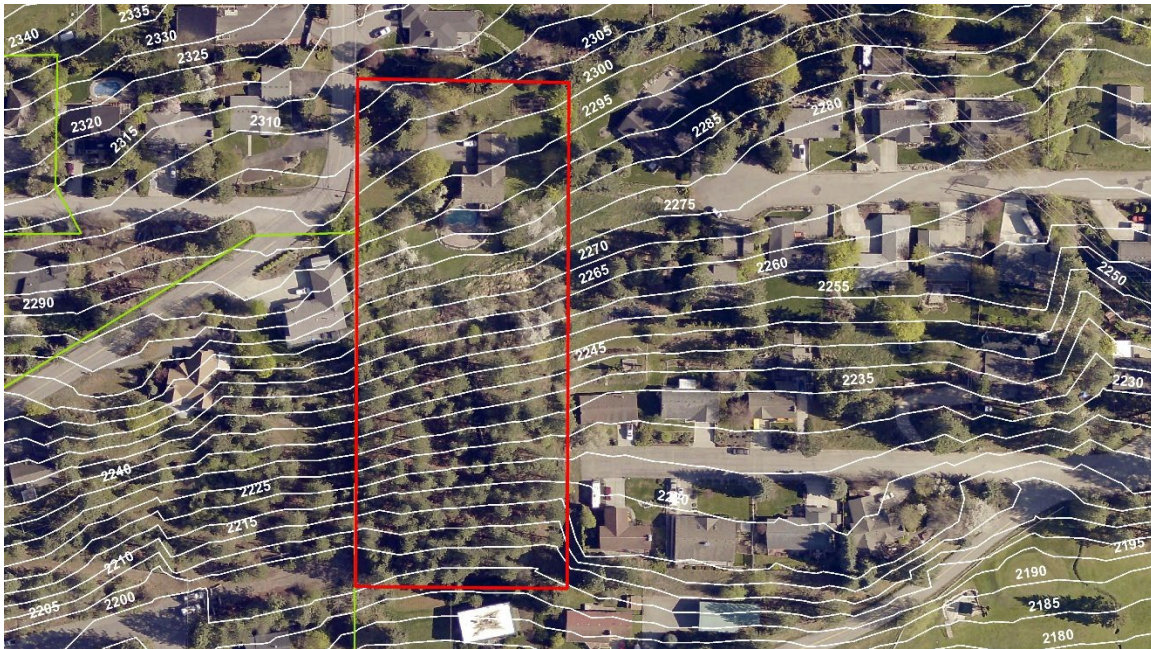


**EXISTING ZONING MAP: City/County Zoning Districts**





**TOPOGRAPHIC MAP:**



**GENERALIZED LAND USE PATTERN:**



## S-1-25 REQUIRED SUBDIVISION FINDINGS:

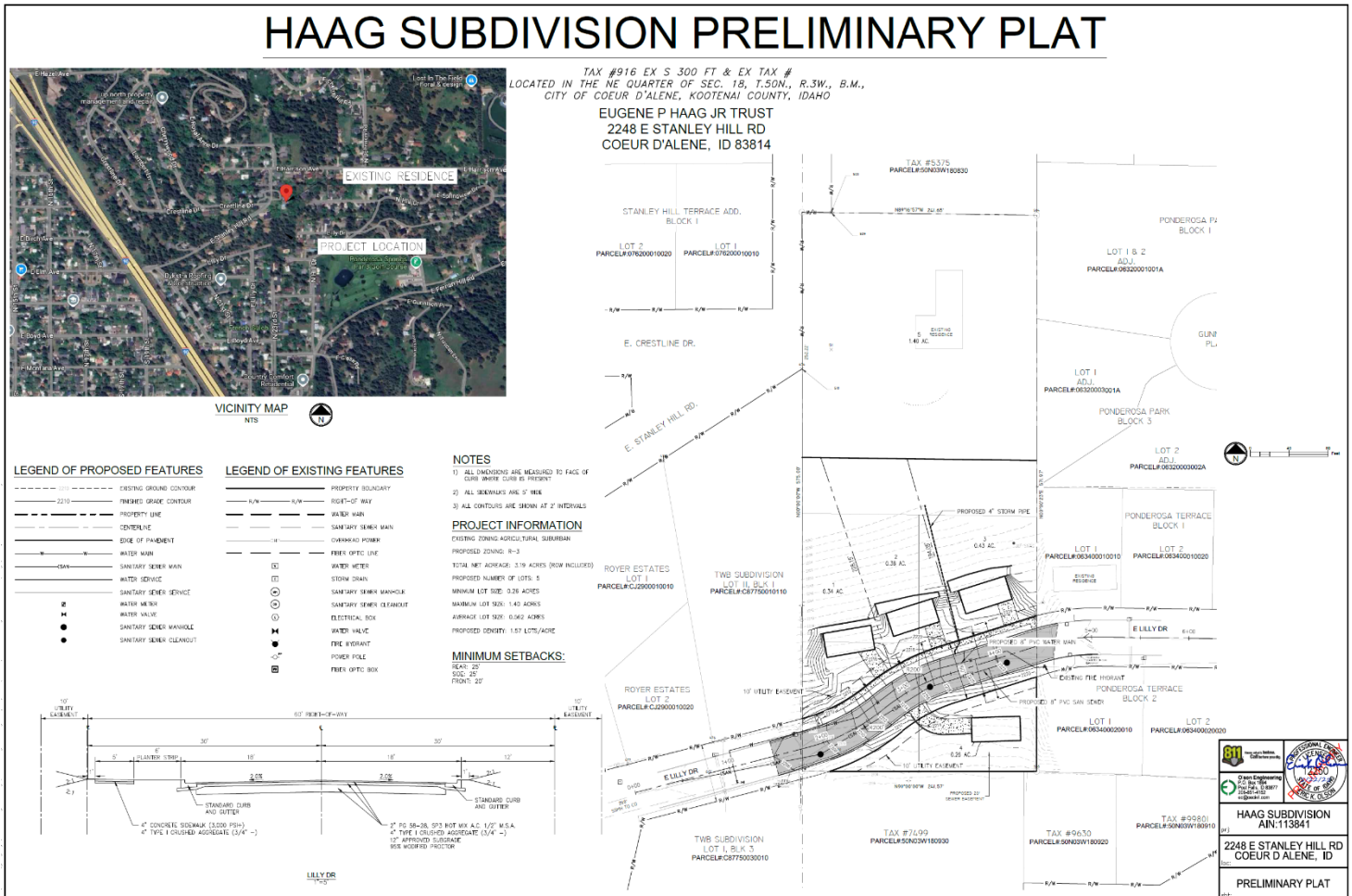
### REQUIRED FINDINGS FOR SUBDIVISION:

**Finding B1:** That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

*Using the information provided below, the summary of facts in item A3 and A5, and the testimony from the hearing, make finding B1 using the attached findings worksheet.*

Per Chris Bosley, City Engineer, the preliminary plans submitted contains all of the general preliminary plat elements required by the Municipal Code.

### PRELIMINARY PLAT FOR "HAAG ESTATES":



**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.



**Finding B2:** That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

*Using the information provided below, the summary of facts in item A6 and A9, and the testimony from the hearing, make finding B2 using the attached findings worksheet.*

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

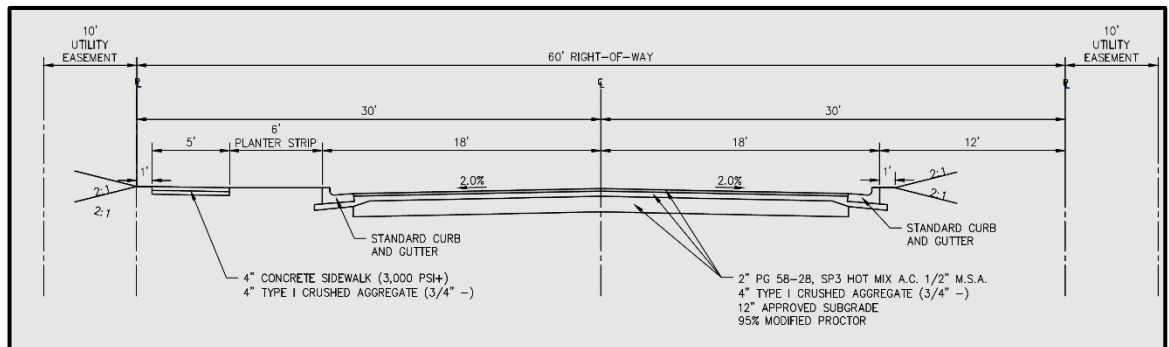
The subject site is currently undeveloped except for the existing home accessed by E. Stanley Hill Rd. The site has frontage on Lilly Drive, both to the west and the east. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Lilly Drive must be constructed to City of Coeur d'Alene standards. Due to topography, a sidewalk will only be required on the north side of Lilly Drive. The site plan submitted generally meets the City's requirements. The Streets and Engineering Department has no objection to this annexation request.

*-Submitted by Chris Bosley, City Engineer*

**Proposed connection of E. Lilly Drive:**



**Lilly Drive Street Cross Section:**



**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposal. There are 6" water mains on E Lilly Dr. on both sides of the property. This area of the water system is located on the Elm St. Boosted zone which may require the customer to install a Pressure Reducing Valve on the main water service as it enters the building.

*-Submitted by Glen Poelstra, Assistant Water Department Director*

**SEWER:**

The nearest public sanitary sewer is located on Lily Drive to the west of subject property. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2023 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

The proposed road connection along Lilly Street enhances Fire Department response times to areas beyond the city limits. Additionally, it provides access to a second fire hydrant location along Lilly Street, improving fire protection coverage. The completion of Lilly Street provides faster emergency services to Hill Street and Galena Avenue and further optimizes access and response capabilities in the surrounding area.

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

*-Submitted by Craig Etherton, Deputy Fire Marshal*

**POLICE:**

The Coeur d'Alene Police Department has reviewed the proposed annexation (A-1-25) and subdivision (S-1-25) requests for the "Haag Estates" property at 2248 E. Stanley Hill Road. The proposed extension of Lilly Drive to connect the east and west termini is anticipated to increase traffic flow by creating a more direct route through the neighborhood to areas east of the current road gap. However, the addition of five residential lots is not expected to be inconsistent with the existing neighborhood character. While some community concerns may arise, the Police Department has no objections to the proposed annexation or subdivision.

*-Submitted by David Hagar, Patrol Captain*

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



**Finding B3:** That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

*Using the information provided below, the summary of facts in item A7, and the testimony from the hearing, make finding B3 using the attached findings worksheet.*

Per engineering review, for the purposes of the preliminary plans, both subdivision design standards (Chapter 16.15) and improvement standards (Chapter 16.40) have been vetted for compliance.

*-Submitted by Chris Bosley, City Engineer*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether the proposed preliminary plat does or does not comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

**Finding B4:** The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

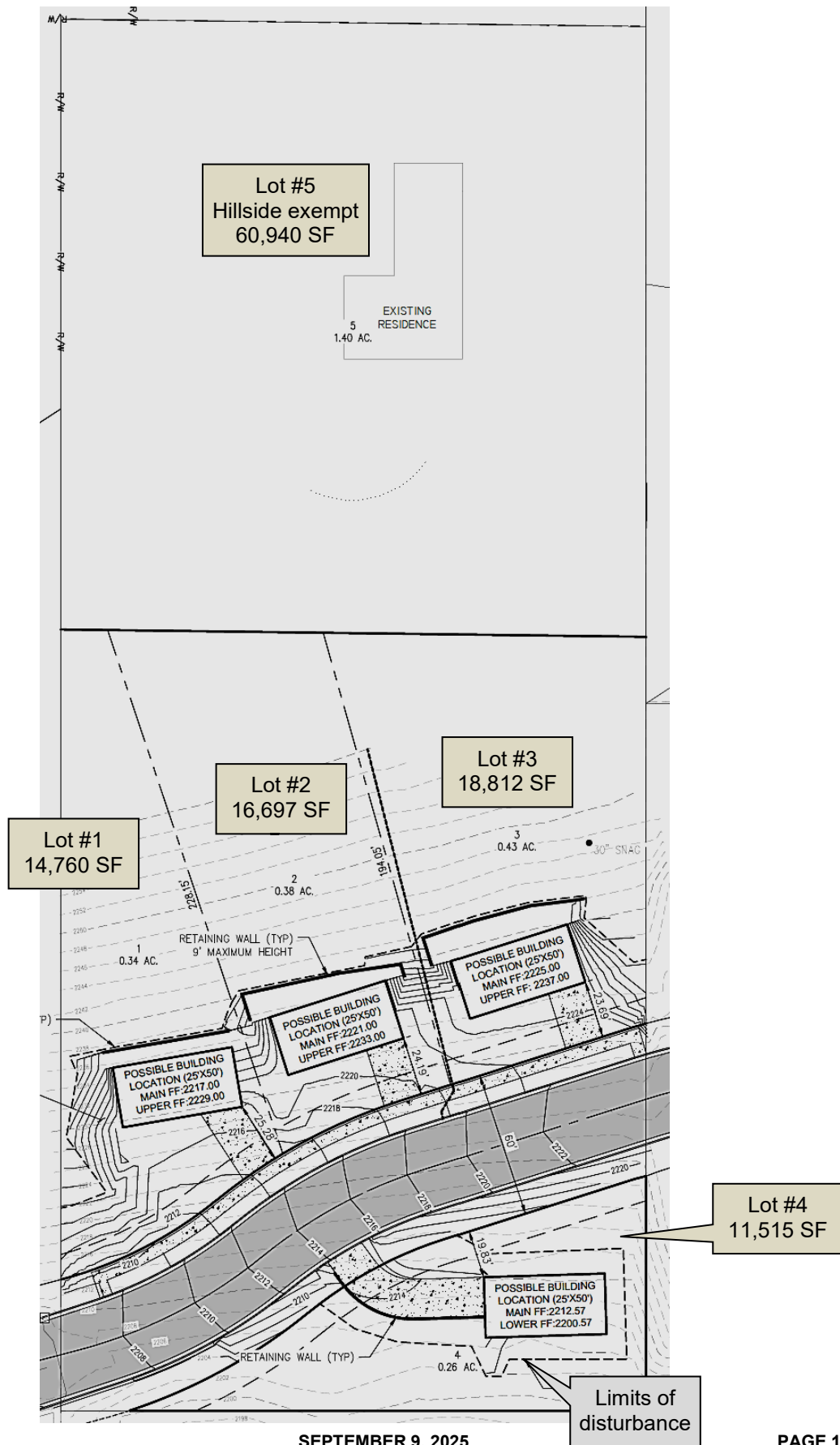
*Using the information provided below, the summary of facts in item A8, and the testimony from the hearing, make finding B4 using the attached findings worksheet.*

The R-3 Zoning District requires that each lot has a minimum of 11,500 square feet and 75' of frontage. The proposed lots area ranges from 14,000SF to 16,00SF. The subject property is 3.19 acres (139,130 sq. ft.) and would generally allow a maximum of 12 units.

However, the subject property is located on a slope that triggers the Hillside Overlay code for the newly proposed *vacant* lots. The lot planned where the *existing* home is sited (Lot #5) would be exempt due to an average slope of less than 15%:

| GRADING TABLE   |               |                                   |                                  |
|---|---------------|-----------------------------------|----------------------------------|
| LOTS  | AVERAGE SLOPE | SLOPE(+25%)                       | PERCENT OF PROPERTY LEFT NATURAL |
| 1   | 25%           | 50%                               | 54%                              |
| 2   | 24%           | 49%                               | 59%                              |
| 3   | 22%           | 47%                               | 57%                              |
| 4   | 20%           | 45%                               | 58%                              |
| 5   | 12.5%         | EXEMPT FROM HILLSIDE REQUIREMENTS |                                  |
| *ALL LOTS MEET HILLSIDE OVERLAY RETENTION IN NATURAL STATE REQUIREMENTS |               |                                   |                                  |

Corresponding lots:



The proposed R-3 zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property to the west within the Coeur d'Alene city limits. The property is surrounded by County Ag-Suburban zoning to the northwest, north, east and south. The following code describes R-3 uses and performance standards, as well as describes the hillside overlay:

### **Proposed R-3 Zoning District**

This district is intended as a residential area that permits single family detached housing at a density of 3 dwelling units per gross acre. This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

### **R-3 Zoning District:**

Principal permitted uses in an R-3 district shall be as follows:

- single family housing
- home occupations as defined in Sec. 17.06.705
- essential services (underground)
- civic administrative offices
- neighborhood recreation
- public recreation

Accessory Uses:

- carport, garage and storage structures (attached or detached)
- private recreation facility (enclosed or unenclosed)
- outside storage when incidental to the principal use.
- temporary construction yard.
- temporary real estate office.
- accessory dwelling unit

### **17.05.050: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:**

Maximum height requirements in an R-3 District shall be as follows:

| Structure Type  | Structure Location                         |   |
|---|--|---|
|   | In Buildable Area for Principal Facilities | In Rear Yard  |
| Principal structure   | 32 feet 1                                  | n/a   |
| For public recreation, community education or religious assembly activities | 45 feet1                                   | n/a   |
| Detached accessory building including garages and carports                  | 32 feet1                                   | With low or no slope roof: 14 feet<br>With medium to high slope roof: 18 feet |

**17.05.075: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

A. Minimum yard requirements for residential activities in an R-3 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

B. There will be no permanent structures erected within the corner cutoff areas.

C. Extensions into yards are permitted in accordance with section 17.06.495 of this title.

**Proposed Hillside Overlay:**

**17.08.900: TITLE AND PURPOSE:**

The title of this article shall be the HILLSIDE OVERLAY ORDINANCE. The purpose of these regulations is to establish a Hillside Overlay Zone and to prescribe procedures whereby the development of lands within the Hillside Overlay Zone occurs in such a manner as to protect the natural and topographic development character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by ensuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, that it prevents surface water degradation, severe cutting or scarring, and to reduce the risk of catastrophic wildfire in the wildland-urban interface. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the City. (Ord. 3091 §2, 2003)

**17.08.905: APPLICABILITY:**

The provisions of this article shall apply to all land within the Hillside Overlay Zone as shown in exhibit A of this section and to all lands annexed into the City limits after May 1, 2005. Lands with an average slope of less than fifteen percent (15%), within the Hillside Overlay Zone, are exempt from these regulations.

**17.08.915: GENERAL REQUIREMENTS:**

A. Geotechnical Studies: Prior to development a geotechnical study indicating that the site is suitable for the proposed use and development shall be prepared by a geotechnical engineer and shall be submitted and approved by the city. The study shall include the following information:

1. Project description to include location, topography, drainage, vegetation, discussion of previous work and discussion of field exploration methods, if any.
2. Site geology, to include site geologic maps, description of bedrock and surface materials, including artificial fill, locations of any faults, folds, etc., and geologic structural data including bedding, jointing and shear zones, soil depth and soil structure. The analysis shall indicate the degree of risk for landslides and/or slumping.

3. Discussion of any off site geologic conditions that may pose a potential hazard to the site, or that may be affected by on site development.
4. Suitability of site for proposed development from a geotechnical standpoint.
5. Specific recommendations for site preparation, foundation design and construction, slope stability, potential for slope sloughing and raveling, ground water, surface and subsurface drainage control, fill placement and compaction, retaining walls, and other design criteria necessary to mitigate geologic hazards.
6. Additional studies and supportive data shall include cross sections showing subsurface structure, graphic logs with subsurface exploration, results of laboratory tests and references, if deemed necessary by the engineer or geologist to establish whether an area to be affected by the proposed development is stable.
7. Signature and registration number of the engineer.
8. Additional information or analyses as necessary to evaluate the site.
9. Recommendations for inspections during construction by the geotechnical engineer.

B. Wildland-Urban Interface: Wildfire mitigation goals for each development shall be determined by the city prior to development, and shall be achieved using the applicable sections of the Kootenai County wildland-urban interface fire mitigation plan, 2000 urban-wildland interface code and National Fire Protection Association (NFPA) standards as guidelines. (Ord. 3160 §2, 2003: Ord. 3091 §5, 2003)

**17.08.920: GRADING AND EROSION CONTROL:**

Prior to development, grading and erosion control plans conforming to the following requirements shall be submitted and approved by the city. Erosion control measures conforming to best management practices (BMPs) approved by the city, or identified in the DEQ manual entitled "Catalog Of Storm-Water Best Management Practices For Idaho Cities And Counties", shall be required.

- A. Plans: All grading and erosion control plans shall include the following:
  1. Property boundaries.
  2. All existing natural and manmade features and facilities within twenty feet (20') of the area to be disturbed, including, but not limited to, streets, utilities, easements, topography, structures, and drainage channels.
  3. Existing and proposed finish contours of the areas to be disturbed, at two foot (2') vertical intervals. However, this requirement can be waived when the finished ground surface elevation does not vary by more than two feet (2') from the ground surface elevation prior to the proposed development.
  4. Location of all proposed improvements, including paving, structures, utilities, landscaped areas, flatwork, and storm water control facilities.
  5. Existing and proposed drainage patterns, including ridgelines and tributary drainage areas.



6. Storm water control facilities, including invert elevations, slopes, length, cross sections, and sizes. Construction details shall be shown for grassed infiltration areas, and/or detention/retention facilities.
7. Existing and proposed drainage easements.
8. Details for temporary and permanent erosion control measures.
9. Revegetation measures.
10. Plans shall be stamped and signed by a professional engineer or landscape architect, licensed in the state of Idaho. However, plans for public improvements shall be stamped and signed by a professional engineer licensed in the state of Idaho.

B. Review By Geotechnical Engineer: The project geotechnical engineer shall provide written proof of review and compliance to all grading plans. All grading shall conform to the most current adopted building code and the recommendations of the geotechnical engineer.

C. Installation Of Temporary Erosion Control: Temporary erosion control measures shall be installed and functional prior to start of any grading and/or land disturbing activity. They shall be maintained in a functional condition until the permanent measures are installed.

D. Retention In Natural State: All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel **plus** the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%),  $25\% + 29\% = 54\%$  of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed. Also, see exhibit 17.08.940A of this chapter.

Lots less than twenty-five thousand (25,000) square feet, legally created prior to adoption of this article, shall be required to retain an area equal to fifty percent (50%) of the area calculated by the above formula. In the above example, on a lot created prior to this article, a twenty-four thousand nine hundred ninety-nine (24,999) square foot lot would need to leave twenty seven percent (27%) retained in the natural state. The area that could be disturbed would be a maximum of eighteen thousand two hundred forty-nine (18,249) square feet.

E. Grading: All cut slopes shall be constructed in such a manner so that sloughing or raveling is minimized. The maximum allowable vertical height of any cut or fill slope shall be thirty feet (30'). The maximum inclination of fill slopes shall be two to one (2:1) (horizontal to vertical). For public roadways, the maximum allowable vertical height for cut and fill slopes in combination shall be sixty feet (60').

F. Temporary Erosion Control For Slopes With Erodable Surface Materials: All slopes with erodable surface material shall be protected with erosion control netting, blankets, or functional equivalent. Netting or blankets shall only be used in conjunction with organic mulch such as straw or wood fiber. The blanket must be applied so that it is in

complete contact with the soil so that erosion does not occur beneath it. Erosion netting or blankets shall be securely anchored to the slope in accordance with manufacturer's recommendations. Temporary slope erosion control measures shall be installed upon completion of slope grading if permanent erosion control measures are not completed at the same time.

G. **Revegetation Requirements:** All areas with erodable surface materials that are graded and not paved shall be revegetated. The vegetation used for these areas shall be native or similar species that will reduce the visual impact of the slope and provide long term slope stabilization. All revegetation measures shall be installed, inspected by the city, and approved prior to the issuance of a certificate of occupancy, or other time as determined by the city. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

H. **Maintenance Of Erosion Control Measures:** All measures installed for the purposes of long term erosion control, including, but not limited to, vegetative cover, rock walls, and landscaping, shall be maintained in perpetuity on all areas which have been disturbed, including public rights of way. The applicant shall indicate the mechanisms in place to ensure maintenance of these measures.

I. **Security:** After an erosion control plan for a building site is approved by the city and prior to issuance of a building permit, the applicant shall provide a performance bond or other security in the amount of one hundred fifty percent (150%) of the value of the erosion control measures shown on the approved plan. The city attorney shall approve all security. The financial guarantee instrument shall be in effect for a period of at least one year from the project completion date. All or a portion of the security retained by the city may be withheld for a period up to three (3) years beyond the one-year maintenance period if it has been determined by the city that the site has not been sufficiently stabilized against erosion.

J. **Inspections And Final Report:** Prior to the acceptance of a subdivision by the city or issuance of a certificate of occupancy for individual structures, the project geotechnical engineer shall provide a final report indicating that the project was constructed in accordance with their recommendations, and that all recommended inspections were conducted by the project geotechnical engineer.

K. **Protecting Bare Soil During Development:** All surfaces where bare soil is exposed during clearing and grading operations, including spoil piles, shall be covered or otherwise protected from erosion.

L. **Construction Ways And Vehicles:** Stabilized construction entrances and driveways shall be required for all construction sites to minimize sediment tracking onto roadways. Parking of vehicles shall be restricted to paved or stabilized areas. (Ord. 3160 §3, 2003: Ord. 3091 §6, 2003)

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat do or do not meet the requirements of the applicable zoning district*

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2022-2042 Comprehensive Plan  
KMPO Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2021 Parks Master Plan  
2017 Trails and Bikeways Master Plan

**RECOMMENDED SUBDIVISION CONDITIONS:****Planning:**

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

**Fire:**

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

**Water:**

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

**Wastewater:**

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

**ACTION ALTERNATIVES:**

Planning Commission will need to consider this subdivision request concurrent with the annexation in conjunction with zoning request, and make separate findings to approve, approve with conditions, deny, or deny without prejudice. The findings worksheet is attached.

**Attachments:**

- 1- Applicant's Application and Narrative
- 2- 2022 Comp Plan Goals & Objectives

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# APPLICANT'S APPLICATION

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# SUBDIVISION APPLICATION

**STAFF USE ONLY**

Date Submitted: 7/1/25 Received by: [Signature] Fee paid: 4458.00 (INCL. A-1-25) Project # 6-1-25

## REQUIRED SUBMITTALS

*\*Public hearing required with the Planning Commission*

**Application Fee: \$ 2,000.00 (up to 5 lots)**

**+ \$ 100.00 (per lot above 5)**

**Publication Fee: \$ 300.00**

**Mailing Fee (x1): \$ 1.00 per address + \$ 28.00**

*(The City's standard mailing list has 28 addresses per public hearing)*

**A COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

☒ **Complete Pre-Application Meeting** Date of Meeting: 10/29/2024

☒ **Completed application form**

☐ **Application, Publication, and Mailing Fees**

☐ **Title Report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company. The report(s) shall be a full Title Report and include the Listing Packet.

☐ **Mailing labels provided by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:

1. All property owners within 300ft of the external boundaries. **\* Non-owners list no longer required\***
2. All property owners within the subject property boundaries. (Including the applicant's property)
3. A copy of the tax map showing the 300ft mailing boundary around the subject property.

☒ **A written narrative:** describing the proposal.

☐ **A legal description:** map stamped by a licensed Surveyor.

☒ **A vicinity map:** see City of Coeur d' Alene subdivision ordinance for specific information required.

☒ **A map:** One (1) tentative platting map (see attached checklist for specific information required); and an electronic map that can be scaled to an 8 ½ X 11" format.

☒ **A map:** inclusion of plat map showing street names approved and stamped by the Kootenai County Planning department.

☒ **Complete forms for Chapter 16.15 Subdivision Design Standards and Chapter 16.40**

**Subdivision Improvement Standards:** Answer all questions with detail on how it does or does not meet the standards, including any deviations requested through an associated Planned Unit Development (if applicable).

☐ **Submittal documents:** Applications will not be accepted unless all application items on the form are submitted both with original documents and an electronic copy.

Preparation of certain documents necessary to obtain Final Plat approval, if prepared by the City Legal Department, will be billed to the Applicant at a rate of \$150.00 per hour.

**DEADLINE FOR SUBMITTALS**

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

**APPLICATION INFORMATION**

|  |           |   |
|--|-----------|---|
| PROPERTY OWNER: Eugene P Haag Jr Trust           |           |   |
| MAILING ADDRESS: 2248 E Stanley Hill Rd          |           |   |
| CITY: Coeur d'Alene                              | STATE: ID | ZIP: 83814  |
| PHONE: 208-699-9185                              | FAX:      | EMAIL: ephaagjr@gmail.com   |
| APPLICANT OR CONSULTANT: Olson Engineering       |           | STATUS: <input checked="" type="checkbox"/> ENGINEER / <input type="checkbox"/> OTHER |
| MAILING ADDRESS: 1649 N Nicholson Center St #102 |           |   |
| CITY: Post Falls                                 | STATE: ID | ZIP: 83854  |
| PHONE: 509-953-0401                              | FAX:      | EMAIL: gj@oecivil.com   |

**FILING CAPACITY**

- ☐ Recorded property owner as to of \_\_\_\_\_
- ☐ Purchasing (under contract) as of \_\_\_\_\_
- ☐ The Lessee/Renter as of \_\_\_\_\_
- ☒ Authorized agent of any of the foregoing, duly authorized in writing. (*Written authorization must be attached*)

**SITE INFORMATION:**

|  |  |  |
|--|--|--|
| PROPERTY LOCATION OR ADDRESS OF PROPERTY: 2248 E Stanley Hill Rd   |  |  |
| EXISTING CITY ZONING (CHECK ALL THAT APPLY):<br>R-1 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-17 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> CC <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/> |  |  |
| TAX PARCEL #:<br>50N03W180850  | EXISTING ZONING:<br>Agricultural Suburban        | TOTAL NUMBER OF LOTS:<br>5                                     |
| GROSS AREA/ACRES:<br>3.19 acres  | CURRENT LAND USE:<br>one single-family residence | PROPOSED RESIDENTIAL DENSITY/PER DWELLING UNIT: 1.57 lots/acre |
| DESCRIPTION OF PROJECT/REASON FOR REQUEST:<br>This is a proposed 5 lot subdivision that will be connecting two dead ends of Lilly Dr. that can be annexed into city of CDA.<br>Water and sewer infrastructure will be included for this project.   |  |  |

**CERTIFICATION OF INTEREST HOLDER:** Mortgagee and all other persons having an interest in the land under consideration for platting must consent to the filing of this application.

I have read and consent to the filing of this application as an interest holder of record of the area being considered in this application.

Interest Holder #1:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

STATE OF \_\_\_\_\_ )

) ss.

County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public, personally appeared

\_\_\_\_\_, known to me to be the person whose name is subscribed herein, and who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for: \_\_\_\_\_

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



**CERTIFICATION OF INTEREST HOLDER:** Mortgagee and all other persons having an interest in the land under consideration for platting must consent to the filing of this application.

I have read and consent to the filing of this application as an interest holder of record of the area being considered in this application.

Interest Holder #2:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

*For multiple applicants or owners of record, please submit multiple copies of this page.*

I (We) the undersigned do hereby make petition for subdivision of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CHAPTER 16.15 SUBDIVISION DESIGN STANDARDS

**16.15.020: STREETS AND PATHS TO CONFORM WITH PLAN:**

The alignment of arterial and collector streets and multiuse paths must conform as nearly as possible with that shown on the adopted transportation and trails elements of the city's adopted comprehensive plan. (Ord. 3485, 2014)

|  |   |
|--|---|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?               | <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO |
| Detailed Explanation (required)  |   |
| This project connects two dead ends of Lilly Rd which will improve circulation, and will |   |
| meet local street standards.   |   |
|  |   |

**16.15.030: CONTINUITY OF STREET AND PATH NETWORK:**

The street and multiuse path layout must provide for the continuation of existing principal streets and trails in adjoining subdivisions. The layout must provide for future continuation of streets and trails into areas which are not presently subdivided. (Ord. 3485, 2014)

|  |   |
|--|---|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?               | <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO |
| Detailed Explanation (required)  |   |
| This project connects two dead ends of Lilly Rd which will improve circulation. No other |   |
| dead ends will be created.   |   |
|  |   |

**16.15.040: STREET ACCESS TO BODIES OF WATER:**

Unless topography or conditions prevent, subdivisions bordering on a navigable lake or river must be provided with at least one right of way not less than sixty feet (60') wide to the low water mark of the water body at one-eighth (1/8) mile intervals as measured along such body of water. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| No bodies of water nearby this project.                                    |  |
|  |  |
|  |  |

**16.15.050: LOCAL STREET DESIGN:**

Local streets which serve primarily to provide access to abutting property only must be designed to discourage through traffic. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| City staff requiring the two dead end streets to be connected.             |  |

|  |
|--|
|  |
|  |

**16.15.060: DEAD END STREET AND CUL-DE-SAC DESIGN:**

Streets designed to have one end permanently closed or in the form of a cul-de-sac can be no longer than four hundred feet (400') and must be provided at the closed end with a turnaround having a minimum right of way radius of not less than fifty feet (50') or with "Y" or "T" permitting comparable ease of turning. Pedestrian walks as specified in section [16.15.150](#) of this chapter must also be installed at the end of cul-de-sacs with reverse frontage lots. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| No dead ends or cul-de-sacs created.                                       |  |
|  |  |
|  |  |

**16.15.070: ACCESS RIGHTS ON LIMITED ACCESS STREETS:**

Streets designated in the transportation plan as "limited access" must have abutter's rights of access waived on the final plat. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| Does not apply to this project.  |  |
|  |  |
|  |  |

**16.15.080: STREET ALIGNMENT:**

Connecting street centerlines, deflecting from each other at any one point more than ten degrees (10°), must be connected by a curve of at least one hundred foot (100') radius for local streets and at least three hundred foot (300') radius for collector and arterial streets. A tangent at least one hundred feet (100') long shall be introduced between curves on arterial streets. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / NO |
| Detailed Explanation (required)  |  |
| There are two 200' radius centerline curves on this proposed local street. |  |
|  |  |
|  |  |

**16.15.090: INTERSECTION DESIGN:**

Street intersections must be as nearly at right angles as is practicable. Approach angles must not be more than fifteen degrees (15°) from a right angle. Street intersection centerline offsets will not be allowed. Where centerline offsets are unavoidable they must be offset by a minimum of one hundred twenty five feet (125'). (Ord. 3485, 2014)



|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| No intersections   |  |
|  |  |
|  |  |

**16.15.100: STREET GRADES:**

Streets must conform closely to the natural contour of the land. However, grades must be not less than thirty one-hundredths percent (0.30%) on any street and not more than eight percent (8%) for any streets or as otherwise determined by the city. Changes in grades greater than one percent (1%) must be connected by vertical curves. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / NO |
| Detailed Explanation (required)  |  |
| The street has grades between 0.3%-8% with vertical curves.                |  |
|  |  |
|  |  |

**16.15.110: RIGHT OF WAY WIDTHS:**

A. Street right of way widths must comply with the transportation element of the city's adopted comprehensive plan, but will not be less than:

1. Arterials: One hundred feet (100').
2. Collectors: Seventy feet (70').
3. Local streets: Fifty five feet (55').
4. Rural streets: Fifty feet (50').

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / NO |
| Detailed Explanation (required)  |  |
| The right of way for this local street is 60'.                             |  |
|  |  |
|  |  |

B. A street right of way lying along the boundary of a subdivision may be dedicated one-half ( $\frac{1}{2}$ ) the required width where there exists a dedicated half street right of way on the adjoining plat. The city may require the other half be dedicated on the proposed plat to make the street right of way complete. When construction of an adjoining street is required as a condition of plat approval, the developer will be required to obtain the necessary right of way from the adjoining properties, at the developer's cost. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| Does not apply to this project.  |  |

|  |
|--|
|  |
|  |

**16.15.120: PRIVATE INFRASTRUCTURE EASEMENTS:**

Easements for private infrastructure such as electricity, gas, communication, and fiber must be provided adjacent to the right of way and must be of sufficient width to accommodate the intended use. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| 10' utility easement provided one each side of the right of way.           |  |
|  |  |
|  |  |

**16.15.130: WATERCOURSE EASEMENTS:**

Where a subdivision is traversed by a watercourse, drainageway, channel or stream, the developer must make provision to accommodate the off site flow. Any alteration to the watercourse may not result in an increase in either volume or velocity of flow to the downstream property. Drainage easements must be granted to the upstream properties. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| Does not apply to this project.  |  |
|  |  |
|  |  |

**16.15.140: BLOCK LENGTH:**

A. In general, blocks shall be as short as is reasonably possible, consistent with the topography and the need for convenient access, circulation, control and safety of street traffic, and type of land use proposed, but, ordinarily, block lengths shall not exceed the following standards as measured from centerline to centerline of through intersecting streets:

1. Six hundred foot (600') block length in all residential zones;
2. One thousand foot (1,000') block length for commercial and manufacturing districts. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| Roadway is less than 600' so doesn't apply.                                |  |
|  |  |
|  |  |



**16.15.150: MIDBLOCK WALKWAYS:**

A pedestrian access easement or tract must be provided at the end of cul-de-sacs or closed end streets and at the approximate midpoint of any block exceeding six hundred feet (600') in length, or in any block of lesser length where such a crosswalk is deemed essential by the city engineer to provide circulation or access to surrounding neighborhoods, schools, playgrounds, shopping centers, transportation lines and other community facilities. The required access easements or tracts must be a minimum of fifteen feet (15') wide and contain a paved path at least eight feet (8') wide. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| No midblock walkways on this project.                                      |  |
|  |  |
|  |  |

**16.15.160: LOT FRONTAGE AND ACCESS:**

A. Each lot must have frontage on a public street sufficient to provide legal access or as prescribed in the zoning ordinance, whichever is greater.

B. Lots may front, and access from, private driveways if one of the following conditions are met:

1. Residential lots served by common parking and driveways may front and access from a private driveway situated in a separate tract dedicated on the final plat. Driveways for single-family residences may not serve more than five (5) lots.

2. Commercial lots that are served by common parking and driveways (i.e., shopping centers) may be accessed by easements or separate tracts dedicated on the final plat.

C. Private driveways may not provide access through the parcel to another street. They can be looped or dead end only. Private driveways must meet the design requirements of section [17.44.280](#) of this code and the currently adopted fire code.

D. Prior to the issuance of building permits a maintenance agreement must be recorded on each affected lot detailing the expected life cycle and maintenance costs for the driveway and defining the pro rata share for each lot. (Ord. 3560, 2017; Ord. 3485, 2014)

|   |  |
|---|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?      | <input checked="" type="checkbox"/> YES / NO |
| Detailed Explanation (required)   |  |
| All lots will have frontage on public streets with small driveways on each lot. |  |
|   |  |
|   |  |

**16.15.170: LOT SIZE:**

Lot widths and areas must conform with the requirements of the zoning district and any zoning overlay district in which the lot is located, except that corner lots for which side yards are required shall have extra width to permit appropriate setbacks from and orientation to both streets. Lot depths must be suitable for the land use proposed. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / NO |
| Detailed Explanation (required)  |  |
| All lots will have minimum 11,500 sq ft per R-3 zoning requirements.       |  |

**16.15.180: DOUBLE FRONTAGE LOTS:**

A. Residential lots that have street frontage along two (2) opposite boundaries are not allowed except for reverse frontage lots which are essential to provide separation of residential development from traffic arteries, or to overcome specific disadvantages of topography and orientation.

B. For such lots, in order to improve the visual quality of the streetscape, and to provide adequate protection from the street, landscaped buffer areas must be provided along single-family residential lots whose property lines are adjacent and parallel to collector and/or arterial streets.

1. Perimeter Landscape Buffer:

a. The buffer must be located outside of any planned future right of way, and should not be used for future roadway improvements.

b. The width of the buffer along arterial streets must be a minimum of thirty feet (30'). The width of the buffer along collector streets must be a minimum of twenty feet (20'). Where a subdivision requiring a buffer is less than five (5) acres in size, and located in a developed area where existing subdivisions without buffers abut the adjacent streets, the planting strip must be at least ten feet (10') in width.

c. Buffer zones must be dedicated on the final plat as tracts.

2. Buffer Design Standards: The design of the buffer must comply with the following standards:

a. Landscaping, as used herein, must include as a minimum, grass, native and other drought resistant vegetation and street trees as required by the city. Nonvegetative materials, such as decorative rock, bark, and permabark, may not be used in lieu of landscaping. However, nonvegetative material may be used to augment the landscape or around the base of shrub groupings or flowerbeds as long as the coverage does not exceed twenty percent (20%). The use of bark or other loose material shall be designed or located to keep the bark from being blown onto the paved path.

b. The twenty percent (20%) limitation on nonvegetative material does not apply if the landscape is designed by a licensed landscape architect and the nonvegetative material is used to complement or visually enhance the vegetative material.

c. A permanent irrigation system must be provided for all landscaped areas. The use of hose bibs on the exterior of existing or proposed structures is not an acceptable method of landscape irrigation, unless the landscaped area is adjacent to the existing or proposed structure. All irrigation systems and landscaped areas must be designed, constructed, operated, and maintained so as to promote water conservation and prevent overflow or seepage into adjacent streets or sidewalks/trails.

3. Maintenance: The developer is required to form a property owners' association prior to final plat, with said buffers to be owned and maintained by a perpetual property owners' association. Alternatively, if the subdivision has only one lot fronting on a collector or minor arterial, a homeowners' association will not be required for the maintenance of the greenbelt if a nonrevocable covenant, approved by the city, is recorded against the property fronting the greenbelt memorializing the obligation.

4. Completion Time:

a. All improvements required by this section must be installed prior to final plat approval or occupancy of a building subject to development review.

b. The planning director may authorize a delay in the completion of planting during the months of October through March. Should a delay be granted, a bond or other sufficient security, approved by the city attorney, equal to one hundred fifty percent (150%) of the costs of landscaping, must be provided by the owner/developer and held by the city until the required landscaping is complete. No final certificate of occupancy will be issued until the landscaping is complete. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> No |
| Detailed Explanation (required)<br>Does not apply to this project.         |  |
|  |  |
|  |  |

## CHAPTER 16.40

### SUBDIVISION IMPROVEMENT STANDARDS

**16.40.010: GENERALLY:**

Developers seeking final plat approval must first design and install the subdivision improvements required by this chapter and titles 15 and 17 of this code or secure the completion of the required improvements as allowed by [chapter 16.45](#) of this title. Improvement design must be completed by an engineer licensed by the state of Idaho and submitted to the city engineer for approval prior to construction and final plat approval. All improvements must be constructed under the supervision of the design engineer in a manner that complies with the city's construction standards. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)<br>This will be done.                      |  |
|  |  |
|  |  |

**16.40.020: CAPACITY AND DIMENSIONS OF UTILITIES TO PROVIDE FOR FUTURE DEVELOPMENT:**

The capacities and dimensions of water, sewerage, drainage and street facilities must be adequate to provide for the future needs as identified in the approved utility master plans. The city may share in the cost of these improvements to the extent of the difference in cost between the capacities needed to serve the subdivision and the capacities required to serve the vicinity. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?                   | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)<br>Sewer and water mains will be connected into the project. |  |
|  |  |
|  |  |

**16.40.030: STREET WIDTHS:**

A. All streets must be improved in accordance with the following schedules of widths, measured from the inside edge of opposite curbs. Street widths must also conform to the requirements of the currently adopted fire code.

| Class Of Street | Width Of Street |
|-----------------|-----------------|
|-----------------|-----------------|



| Class Of Street    |                                    | Width Of Street |
|--------------------|------------------------------------|-----------------|
| Arterial           |                                    | 64 feet minimum |
| Collector          |                                    | 40 feet minimum |
| Local streets:     |                                    |                 |
|                    | Primary frontage                   | 32 feet minimum |
|                    | Secondary frontage, parking 1 side | 28 feet minimum |
|                    | Secondary frontage, no parking     | 24 feet minimum |
| Cul-de-sac         |                                    | 50 foot radius  |
| Rural minor access |                                    | 24 feet minimum |

|   |   |
|---|---|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?  | <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO |
| Detailed explanation and provide details on any deviations requested through an associated request for a Planned Unit Development (if applicable) |   |
| Width is 35' from inside curb to inside curb.   |   |
|   |   |
|   |   |

B. Existing improved streets lying along the boundary of a subdivision but not improved to city standards, must be improved by the developer to the center of the street. New unimproved streets adjacent to a subdivision must be improved by the developer to the required full width if the subdivision will directly access the street or use it for ingress or egress.

C. As an alternative to installing improvements on existing streets the developer may/shall pay to the city, in lieu of said improvements, money in an amount equal to one hundred ten percent (110%) of the estimated present cost of such improvements. The estimate must be approved by the city engineer. This alternative may be utilized if in the opinion of the city engineer the following conditions are met:

1. The improvement of a street lying along the boundary of a subdivision would create drainage problems due to difficulties matching the existing centerline profile to the future curb profile; or
2. The improvement of the street only would create a significant traffic hazard; or
3. Significant excavation of the street is scheduled in the immediate future for purposes of installing utility mains such as sewer or water. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| No frontage improvements should be needed outside of the subdivision.      |  |
|  |  |
|  |  |

#### 16.40.040: CURBS:

All streets must be improved at each edge of the roadway with portland cement concrete curbs constructed to city standards. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| Standard curb and gutter will be provided.                                 |  |
|  |  |
|  |  |

**16.40.050: SIDEWALKS:**

Except for hillside subdivisions, all streets must be improved with sidewalks constructed to city standards. Installation must be completed prior to the issuance of any building permits or final subdivision plat approval except as may be allowed by chapter 16.45 of this title. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| Sidewalk only on the north side per discussion with city staff.            |  |
|  |  |
|  |  |

**16.40.060: GUTTERS AND STORM SEWERS:**

Surface drainage from streets and other areas must be disposed of through an adequate system of gutters and storm drainage facilities designed and constructed to city standards. (Ord. 3485, 2014)

|   |  |
|---|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?                  | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)   |  |
| The gutter will be along the curb line. No stormwater treatment will be done within this    |  |
| project. It will get routed through project and treated through the existing system further |  |
| down the existing road per discussion with city staff.                                      |  |

**16.40.070: SEWER CONNECTIONS:**

All subdivision lots must be connected to the city's sewage collection system. The sewer mains and laterals must be designed and constructed in accordance with the requirements of the city and the Idaho department of environmental quality. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| Sewer will be tied into existing main.                                     |  |
|  |  |
|  |  |



**16.40.080: WATER MAINS AND FIRE HYDRANTS:**

All subdivision lots must be provided with a potable water distribution system. The water distribution system must be designed and constructed in accordance with the requirements of the Idaho department of environmental quality and must also conform to the following:

- A. One fire hydrant must be installed at each street intersection. Intermediate hydrants must be placed as directed by the fire department where distances between intersections exceed three hundred feet (300'). In no case will the number of hydrants in an area be less than that required by the currently adopted fire code.

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard?     | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| There is already a fire hydrant located just east of this project on Lilly Rd. |  |
|  |  |
|  |  |

- B. Water mains and hydrant laterals shall be of sufficient size and design to provide the minimum required fire flows specified in the currently adopted fire code. In no case will any water main or lateral supplying a fire hydrant be of less than six inch (6") inside diameter when part of a looped system and not less than an eight inch (8") diameter main if the system is not looped or the fire hydrant is installed on a dead end main exceeding three hundred feet (300') in length. Dead end mains shall not exceed six hundred feet (600') in length for main sizes eight inches (8") in diameter or less. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)  |  |
| This project will have an 8" water main and no dead end.                   |  |
|  |  |
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**16.40.090: STREET NAME SIGNS:**

Street signs designed to meet city standards must be installed at each intersection for convenient identification of streets. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
| Detailed Explanation (required)  |  |
| Does not apply to this project.  |  |
|  |  |
|  |  |

**16.40.100: TRAFFIC CONTROL SIGNS AND DEVICES:**

Pavement markings and traffic control signs, including, but not limited to, stop signs, yield signs, and speed limit signs designed in accordance with the most recent edition of the "Manual On Uniform Traffic Control Devices" must be installed by the developer. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | YES / <input checked="" type="checkbox"/> NO |
|--|--|

*Detailed Explanation (required)*

Does not apply to this project.

**16.40.110: UNDERGROUND CONDUIT:**

Underground conduit must be installed by the developer to each lot for private utilities such as telephone, electricity and cable television when those utilities are required by the city to be installed underground. (Ord. 3485, 2014)

*Does this Subdivision Design meet or not meet this standard?*☒ YES / No*Detailed Explanation (required)*

This will be done.

**16.40.120: MONUMENTS:**

Monuments must be installed as follows:

- A. Boundary Line and Lot Corners: Monuments for boundary line and lot line corners must conform to the requirements of Idaho Code section 50-1303.

*Does this Subdivision Design meet or not meet this standard?*☒ YES / No*Detailed Explanation (required)*

This will be done.

- B. Street Centerline: Monuments must be placed at the centerlines of all streets, at intersections, all angle points, all points of curvature, all points of tangent on street centerlines, and the radial points of cul-de-sacs. All monuments must be a minimum of five-eighths inch by thirty inch ( $\frac{5}{8}$ " x 30") iron rod with a durable metal cap. Other methods of monument construction may be used if approved by the city engineer. (Ord. 3485, 2014)

*Does this Subdivision Design meet or not meet this standard?*☒ YES / No*Detailed Explanation (required)*

This will be done.

**16.40.130: RECORD DRAWINGS:**

Record drawings, stamped and signed by the design engineer, certifying that all required improvements are in place and were constructed as shown on the drawings must be submitted to the city engineer prior to acceptance of the improvements and issuance of any certificates of occupancy. (Ord. 3485, 2014)

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)<br>This will be done.                      |  |
|  |  |
|  |  |

**16.40.140: COMPLETION REQUIRED FOR BUILDING PERMIT ISSUANCE:**

Building permits will not be issued for lots in the subdivision until all sewer and water facilities have been completed and approved in accordance with the requirements of this chapter, all access roads have been installed and made serviceable and the final plat has been recorded. In addition, property monuments shall be set on the lot prior to issuance of a building permit. No certificate of occupancy shall be granted prior to the completion and acceptance of all of the public improvements by the city council.

|  |  |
|--|--|
| Does this Subdivision Design <u>meet</u> or <u>not meet</u> this standard? | <input checked="" type="checkbox"/> YES / No |
| Detailed Explanation (required)<br>This will be done.                      |  |
|  |  |
|  |  |





May 22, 2025

## **ANNEXATION AND SUBDIVISION NARRATIVE FOR GENE HAAG PROPERTY (AIN:113841)**

Olson Engineering, on behalf of Gene Haag, is proposing to annex his 3.18-acre property into the City of Coeur d'Alene. The property has been turned down for annexation multiple times before in part due to opposition from the neighbors. Our understanding is that this will be the first time that annexation is being proposed with a public street connecting the two dead ends of Lilly Dr.

Mr. Haag's goal is to create four additional building lots for his children on the lower, forested portion of the subject property. See attached Conceptual Subdivision Plan. The new lots range in size from 0.26 to 0.43 acres. The remainder lot with Mr. Haag's existing home would be 1.40 acres. There would be 5 total lots at a density of 1.57 lots per acre. The project would likely be built in one phase likely in the 2026-2028 timeframe.

This project is currently zoned as Agricultural Suburban (county). The adjacent zoning is R-3 (city) and Agricultural Suburban so it would be logical for this parcel to also be zoned as R-3.

Water and gravity sewer extensions would be constructed to serve the property. Lilly Drive would be completed to provide access to the property. The City water system would benefit from the elimination of two dead-end lines on each side of Lilly. City and County fire protection would benefit from the elimination of two dead-end streets, one of which has no turnaround. The public would benefit from the creation of a public sidewalk and the elimination of ongoing trespassing on an informal trail connecting both sides of Lilly.

Per the Geotechnical Evaluation report an existing drainage pipe discharging water was found on site. No existing stream or spring was encountered on site. The discharge from the existing pipe will be redirected, as shown in an exhibit included with this submittal.

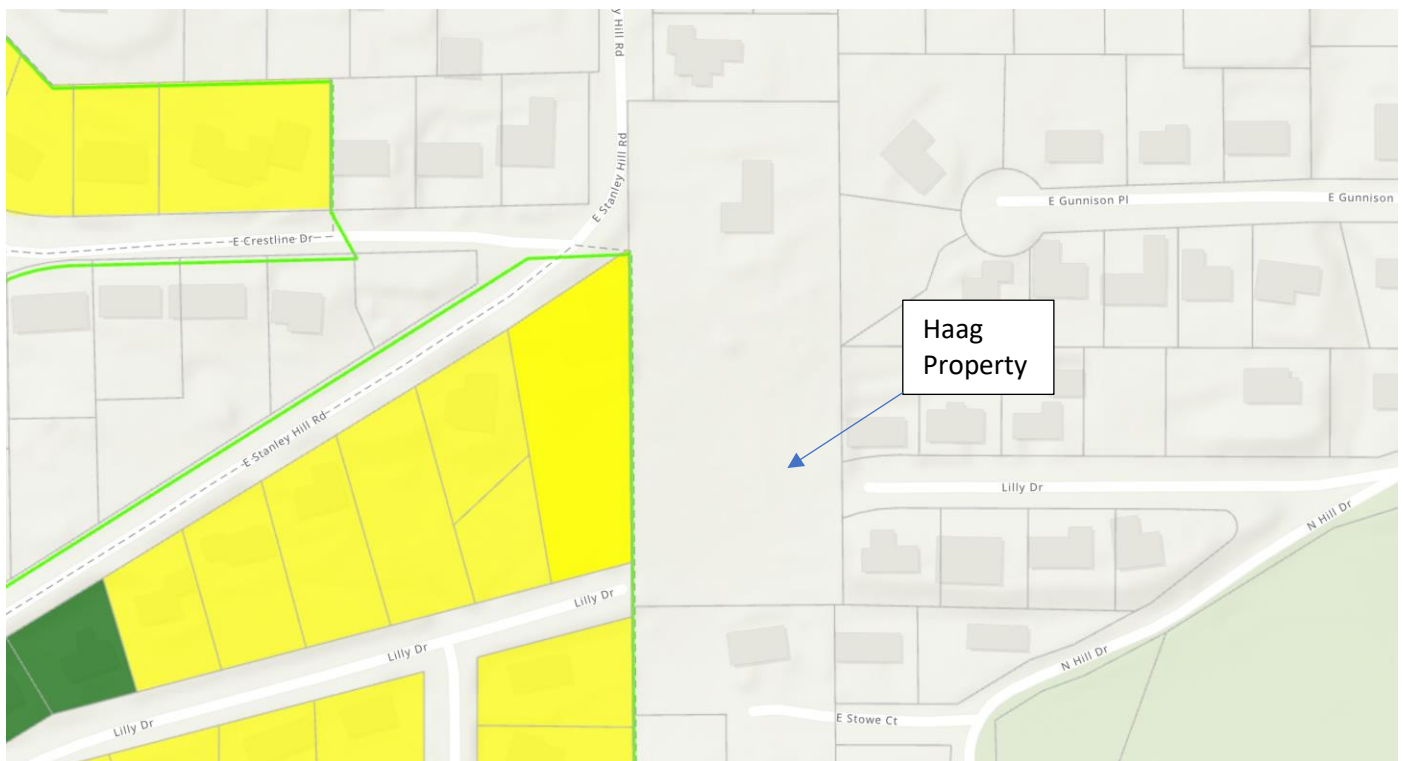
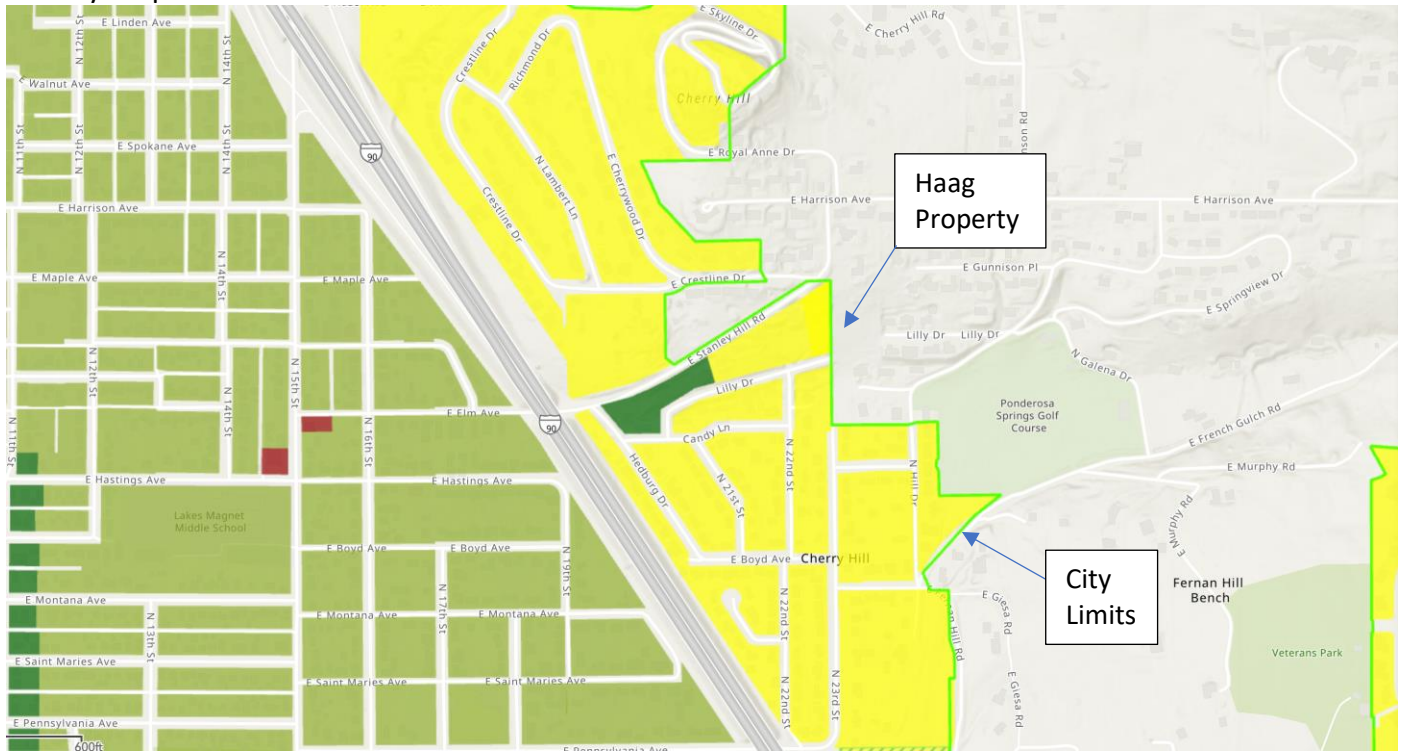
This property is currently located in the 2022-2042 Comprehensive Plan future land use map. It is under the Single-Family neighborhood plan category, and it contains special area designations for the urban forest and hillsides. The property will meet the requirements of the Hillside Overlay Zone in the City of CDA code.

Applicable Goals from the 2022-2042 Comprehensive Plan include:

- *Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.* The additional lots will allow Gene's children to become property owners.
- *Goal GD 3: Support the development of a multimodal transportation system for all users.* The annexation and subdivision would complete Lilly Dr and make it legal for pedestrians to walk through.
- *Goal GD 5: Implement principles of environmental design in planning projects:* The project will be built in accordance with the Hillside Ordinance and will have less impact on the urban forest from the previous PUD version which would have required additional disturbance to create "useful open space".

- **Goal HS 3: Continue to provide exceptional police, fire, and emergency services.** The completion of Lilly Drive, elimination of dead ends, and additional looping of the water system will enhance emergency access and the ability to fight fires in the area.

#### Vicinity Maps:



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# **Comp Plan Goals & Objectives**



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# COMPREHENSIVE PLAN GOALS AND OBJECTIVES

## 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 smalltown feel.



#### **OBJECTIVE CI 2.2**

Support programs that preserve historical collections, key community features, cultural heritage, and traditions.



### **Goal CI 3**

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.



#### **OBJECTIVE CI 3.1**

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.



### **Goal CI 4**

Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.



#### **OBJECTIVE CI 4.1**

Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland.



#### **OBJECTIVE CI 4.2**

Create an environment that supports and embraces diversity in arts, culture, food, and self-expression.



#### **OBJECTIVE CI 4.3**

Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

## Education & Learning



### **Goal EL 3**

Provide an educational environment that provides open access to resources for all people.



#### **OBJECTIVE EL 3.2**

Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs, and personal growth.



#### **OBJECTIVE EL 3.3**

Support educators in developing and maintaining high standards to attract, recruit, and retain enthusiastic, talented, and caring teachers and staff.



#### **Goal EL 4**

Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.



##### **OBJECTIVE EL 4.1**

Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.



##### **OBJECTIVE EL 4.2**

Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

### Environment & Recreation



#### **Goal ER 1**

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.



##### **OBJECTIVE ER 1.1**

Manage shoreline development to address stormwater management and improve water quality.



##### **OBJECTIVE ER 1.2**

Improve the water quality of Coeur d'Alene Lake and Spokane River by reducing the use of fertilizers, pesticides, herbicides, and managing aquatic invasive plant and fish species.



##### **OBJECTIVE ER 1.3**

Enhance and improve lake and river habitat and riparian zones, while maintaining waterways and shorelines that are distinctive features of the community.



##### **OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.



#### **Goal ER 2**

Provide diverse recreation options.



##### **OBJECTIVE ER 2.2**

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.



##### **OBJECTIVE ER 2.3**

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.



#### **Goal ER 3**

Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.



##### **OBJECTIVE ER 3.1**

Preserve and expand the number of street trees within city rights-of-way.



##### **OBJECTIVE ER 3.2**

Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.



##### **OBJECTIVE ER 3.3**

Minimize the risk of fire in wooded areas that also include, or may include residential uses.



##### **OBJECTIVE ER 3.4**

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.



#### **Goal ER 4**

Reduce the environmental impact of Coeur d'Alene.



##### **OBJECTIVE ER 4.1**

Minimize potential pollution problems such as air, land, water, or hazardous materials.



##### **OBJECTIVE ER 4.2**

Improve the existing compost and recycling program.

### 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 1.1**

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.



##### **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.



##### **OBJECTIVE GD 1.6**

Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.



##### **OBJECTIVE GD 1.7**

Increase physical and visual access to the lakes and rivers.



##### **OBJECTIVE GD 1.8**

Support and expand community urban farming opportunities.



#### **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.



##### **OBJECTIVE GD 2.2**

Ensure that City and technology services meet the needs of the community.



#### **Goal GD 3**

Support the development of a multimodal transportation system for all users.



##### **OBJECTIVE GD 3.1**

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.



##### **OBJECTIVE GD 3.2**

Provide an accessible, safe, efficient multimodal public transportation system including bus stop amenities designed to maximize the user experience.



#### **Goal GD 4**

Protect the visual and historic qualities of Coeur d'Alene



##### **OBJECTIVE GD 4.1**

Encourage the protection of historic buildings and sites.

- ☐ **Goal GD 5**  
Implement principles of environmental design in planning projects.

- ☐ **OBJECTIVE GD 5.1**  
Minimize glare, light trespass, and skyglow from outdoor lighting.

## Health & Safety

- ☐ **Goal HS 1**  
Support social, mental, and physical health in Coeur d'Alene and the greater region.

- ☐ **OBJECTIVE HS 1.1**  
Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.
- ☐ **OBJECTIVE HS 1.2**  
Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.
- ☐ **OBJECTIVE HS 1.3**  
Increase access and awareness to education and prevention programs, and recreational activities.

- ☐ **Goal HS 3**  
Continue to provide exceptional police, fire, and emergency services.

- ☐ **OBJECTIVE HS 3.2**  
Enhance regional cooperation to provide fast, reliable emergency services.
- ☐ **OBJECTIVE HS 3.3**  
Collaborate with partners to increase one on one services.

## Jobs & Economy


- ☐ **Goal JE 1**  
Retain, grow, and attract businesses

- ☐ **OBJECTIVE JE 1.1**  
Actively engage with community partners in economic development efforts.
- ☐ **OBJECTIVE JE 1.2**  
Foster a pro-business culture that supports economic growth.

- ☐ **Goal JE 3**  
Enhance the Startup Ecosystem

- ☐ **OBJECTIVE JE 3.1**  
Convene a startup working group of business leaders, workforce providers, and economic development professionals and to define needs.
- ☐ **OBJECTIVE JE 3.2**  
Develop public-private partnerships to develop the types of office space and amenities desired by startups.
- ☐ **OBJECTIVE JE 3.3**  
Promote access to the outdoors for workers and workers who telecommute.
- ☐ **OBJECTIVE JE 3.4**  
Expand partnerships with North Idaho College, such as opportunities to use the community maker space and rapid prototyping (North Idaho College Venture Center and Gizmo) facilities.





# PUBLIC COMMENTS

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**From:** [Ashleigh Lindemann](#)  
**To:** [CLARK, TRACI](#)  
**Subject:** Planning & Zoning -2248 E Stanley Hill Rd.  
**Date:** Wednesday, September 3, 2025 3:01:15 PM

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Dear Members of the Planning and Zoning Committee,

I am writing to express my support for the proposed division of the private property located at 2248 E. Stanley Hill Rd owned by Eugene P Haag Jr Trust (Haag Estates). As a community member, I believe that allowing this property to be subdivided aligns with both the character and the future growth of our community. The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area. I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to our community in terms of additional housing options for close family members, improved land management/fire fighting capabilities, and increased property value. Thank you for your time and consideration.

Ashleigh Lindemann  
208-659-8209

**From:** [Barbara Daugharty,m.d.](#)  
**To:** [CLARK, TRACI](#)  
**Subject:** Haag Living Trust  
**Date:** Wednesday, August 27, 2025 5:35:17 AM

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I am writing in opposition to this proposed development. This has come up in the past and was turned down. I live adjacent to this property and foresee that it will increase traffic to this area dramatically not only on Stanley Hill Road but also on the the junction of this road and fifteenth street. It will adversely affect my home and the homes adjacent. Unfortunately I am out of town and unable to attend the meeting. Thank you. Barbara Daugharty. 2272 East Stanley Hill Road.

[Sent from AT&T Yahoo Mail for iPhone](#)

**From:** [Brendon Hill](#)  
**To:** [CLARK, TRACI](#)  
**Cc:** [ephaagjr@gmail.com](mailto:ephaagjr@gmail.com)  
**Subject:** Proposed Parcel split  
**Date:** Tuesday, September 2, 2025 3:37:23 PM

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Dear Members of the Planning and Zoning Committee,

I am writing to express my support for the proposed division of the private property located at 2248 E. Stanley Hill Rd owned by Eugene P Haag Jr Trust (Haag Estates). As a community member, I believe that allowing this property to be subdivided aligns with both the character and the future growth of our community.

The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area.

I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to our community in terms of additional housing options for close family members, improved land management/fire fighting capabilities, and increased property value.

Thank you for your time and consideration.

Sincerely,  
Brendon K. Hill  
1615 W Switchgrass Lane #201  
Coeur d'Alene, ID 83815

Mailing: 285 W Prairie Shopping CTR PMB 266, Hayden, ID 83835

(208) 620-7299  
[brendonh@bullseye-mechanical.com](mailto:brendonh@bullseye-mechanical.com)



**From:** [Devon Haag](#)  
**To:** [CLARK, TRACI](#)  
**Cc:** [Gene Haag](#)  
**Subject:** 2248 E Stanley Hill Rd- Haag Estates  
**Date:** Tuesday, September 2, 2025 1:00:05 PM

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Traci Clark,

I am writing to express my strong support for the proposed development of a portion of my father's land, which is held within the Eugene P. Haag Jr. Trust (Haag Estates), at 2248 E Stanley Hill Road.

As a single-income family, the possibility of developing this land offers us a rare and life-changing opportunity, the ability to build an affordable home, return to the place where I was raised, and provide a safe, grounded upbringing for our newborn child. Idaho's skyrocketing housing costs have made it increasingly difficult for working families like ours to stay rooted in the communities we love. Being able to develop part of this property is one of the only viable paths we have toward homeownership.

This land isn't just an asset on paper, it's part of our family history. It's where I grew up, where generations have gathered, and where we hope to raise the next. I want my child to experience the same kind of childhood I was blessed with: the freedom of the outdoors, the comfort of being near grandparents, and the lasting bonds that come from growing up close to family. Moving back home would mean more than just a roof over our heads, it would mean stability, support, and a sense of belonging that no housing market can price.

Additionally, the proposed development includes the construction of an access road, which we believe could significantly improve emergency and firefighting access to the area, a meaningful benefit for the broader community in light of Idaho's growing wildfire risks.

We also have real concerns about unauthorized public access to this private land. There have been numerous instances of strangers walking their dogs and wandering through the backyard, while our family, including young children, were present. This lack of privacy is unsettling and unacceptable. Development would help establish proper boundaries, reduce trespassing, and better protect the safety and privacy of our family.

We are not seeking to drastically change the land, only to make it livable for the next generation. The Eugene P. Haag Jr. Trust (Haag Estates) was established with family in mind, and we want to honor that legacy by continuing to live, grow, and contribute to the place we call home.

I respectfully urge you to consider how deeply important this development is, not only to our family's future but to the preservation of a multi-generational Idaho story. I am unable to attend the meeting on September 9th, 2025.

Thank you for your time and thoughtful consideration.

Sincerely,

Devon Dahlman (Haag)

**From:** [Doug Rupiper](#)  
**To:** [CLARK, TRACI](#)  
**Cc:** [Ephaagir@gmail.com](mailto:Ephaagir@gmail.com)  
**Subject:** Haag Estates 2248 E Stanley Hill Road  
**Date:** Wednesday, September 3, 2025 5:09:31 PM

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I would like to express my strong support for the annexation request for Haag Estates, located at 2248 E. Stanley Hill Road, Coeur d'Alene.

Granting this request will:

- Turn an underutilized parcel into an attractive, professionally maintained property that enhances the character of our neighborhood.
- Add sidewalks and safe, legal access for residents, improving walkability and fostering a greater sense of connection within the community.
- Provide more reliable access for fire and emergency responders, strengthening overall public safety.
- Contribute to the long-term value and appropriate use of the property, benefiting both local residents and the broader city/county tax base.

This proposal is a thoughtful step forward for our community, and I respectfully encourage its approval.

Thank you,

Doug Rupiper

**From:** [gaylaf@roadrunner.com](mailto:gaylaf@roadrunner.com)  
**To:** [CLARK, TRACI](#)  
**Cc:** ["Jeffffleming@roadrunner.com"](mailto:Jeffffleming@roadrunner.com)  
**Subject:** RE: ITEM: A-1-25 & S-1-25  
**Date:** Sunday, August 31, 2025 8:33:33 AM

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Dear Planning Department,

We, the Fleming Family Trust residing at 2211 Crestline Drive, want to express opposition to the proposed annexation of the 2248 E. Stanley Hill Road property as we feel our property, and other nearby residential properties, may also be annexed by the City of Coeur d'Alene, either through this current process, or in a future annexation attempt. One of our criteria for buying this house in 2004, was that it was not part of an incorporated city. We would like it to remain within the jurisdiction of Kootenai County only and fear there is an increased likelihood the City of Coeur d'Alene may be emboldened to annex other areas of our neighborhood if the annexation of the Haag property succeeds.

Jeffrey and Gayla Fleming

**From:** [Hughes Judy](#)  
**To:** [CLARK, TRACI](#)  
**Subject:** A-1-25 & S-1-25  
**Date:** Wednesday, September 3, 2025 11:48:36 AM

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2248 E Stanley Hill Road RE: Annexation to the city and Haag Estates

Traffic would be much less impactful if Haag estates access/exits on the city side, not back into the county side of East Lilly dr.

1. The two neighborhoods are entirely different. On the East County side the homes live and play on that street, no sidewalks, many East Lilly Dr homes don't have backyards so the street is very pedestrian. However on the city (west side) the Lilly Dr is barely used. It is also the most direct route.

2. the intersection of East Lilly onto Hill Drive is already dangerous. It does not make sense to add more traffic to East Lilly Dr.

Come for a walk here for 5 minutes you will instantly understand why the traffic from Haag Estates needs to go to the West CITY side of Lilly Drive.

The most direct route out of Haag estates to access everything is to drive straight out the west City side. If you let them send traffic East onto the county side consider all their cartrips, snowplows, deliveries etc for the next hundreds of years to go the long way around through very residential living.

Thankyou for your consideration,

Judy Hughes  
2514 Lilly Drive  
Coeur D Alene, ID



**From:** [Keegan Kime](#)  
**To:** [CLARK, TRACI](#)  
**Subject:** 2248 E. Stanley Hill Rd Comments  
**Date:** Monday, September 1, 2025 3:08:34 PM

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To Whom This May Concern,

My Wife and I live directly to the east of this proposed annexation and development. We strongly oppose this annexation and proposed development for several reasons. Many of the reasons this planning commission and city council have already stated in the previous decisions made in both 2005 and 2021. According to public record there were 19 requirements laid out by the city in 2021 we have seen no evidence that even a single requirement has been met as of this date.

The four conditions of primary concern to us are the control of the natural spring that runs through the property, the control of the storm water from the property during and after construction, the proper and safe grading of the property according to the Hillside Ordinance and the construction of a private driveways instead of connecting Lilly Drive. Being the immediate abutting property it is of significant concern to us that all of these be managed properly as they could cause substantial negative impact or damage to our property.

The city engineer stated in 2021 that the city did not wish to connect the east and west portions of Lilly Drive we strongly urge the city to maintain this position. Many of the resident purchased homes on East Lilly because it is a dead end and the majority of us do not wish to see the two streets connected. The east portion of Lilly Drive is a very quiet and peaceful block the connection of the two streets would disturb this peace and lower property values for the existing residents. Additionally connecting the two streets will exacerbate the confusion in regards to public works jurisdiction that already exists.

The formation of an HOA runs counter to the culture of this neighborhood made up of many who intentionally chose to live outside city limits. It also appears that this development seeks annexation into The City of Coeur d'Alene in order to avoid sanitary restrictions placed on development by the Panhandle Health District and Kootenai County. It was argued on behalf of the development that these new lots would be less dense than the average neighborhood lot. While that maybe true you cannot retroactively apply 1970's construction standards to a modern development the same way you cannot apply the standards of 2025 to homes built in the last century. That argument like many factors in regards to this development run counter to common sense and logic.

Additionally we must state for the record that as the abutting property using the front of our property or any area of our property as a staging area for construction/arborist crews will under no circumstance be tolerated. If the workers from this development purposefully or mistakenly trespasses onto our property we will have no choice but to involve the Kootenai County Sheriff. This statement is being made due to a significant history of trespassing by unknown individuals onto our property from 2248 E. Stanley Hill Road.

Due to the general lack of upkeep of the property we have no confidence that this property will be developed responsibly nor respectfully. We regularly deal with trespassers that trespass onto our property through 2248 E. Stanley Hill assuming it is a park. They commonly state that they believed it was a park until the stumble onto our property which is more clearly looked after. There is a abundance of dead and overgrown plants, small abandoned structures, and general refuse visible on the property from afar.

We have no intention of halting development or stopping the owner from doing what they wish to with their property we only wish to see it done in a responsible and respectful manner. As one of the immediate neighbors for two years we do not have any reason to believe that this will be the case. We

respectfully ask the planning commission and city council to consider the families that currently live in the neighborhood not the people that might possibly live here eventually.

Sincerely,

Keegan and Kelsey Kime  
E Lilly Drive

# Lindsay Matthey

---

Oklahoma City, OK | 208-916-0164 | lindsayhaag1@gmail.com

August 27, 2025

Dear Traci Clark and Associates,

I am writing to express my support for the subdivision of Eugene P Haag Jr's property at 2248 E Stanley Hill Road, Coeur D Alene, ID 83814 scheduled to be discussed on September 9<sup>th</sup>, 2025. I am one of Eugene's six children and was raised on the property in question. It has always been a dear wish of mine to return to CDA and raise my family there. Regrettably, real estate prices have reached new heights, where my husband, an active-duty soldier, and I cannot afford to make this transition to be close to family. Through the generosity of my father and the council's approval of the subdivision, my husband and I would be able to move back to the area and raise our future children in this wonderful community.

Additionally, it is the constitutional right of every citizen of the United States to possess, use, transfer, and exclude others from their property. The constitution's protection of our property rights is the cornerstone of individual liberties and our free market economy. Protected in this, is the right for private property development consistent with zoning around the property. My father's interest is solely to create a space for his children to return home.

This is also a safety issue. While growing up, there were several instances where strangers walked through the property while my siblings and I were outside playing. Several attempts have been made through the years to post "no trespassing" signs. All of which have been vandalized or removed without permission. As I understand it, people continue to use the property as their personal park. I vehemently oppose this and would like to draw the council's attention to the fact that approving the zoning of this property would improve safety and reduce liability. With zoning approval, fire and emergency services would be able to reach the homes on E Lilly Drive faster, residents of the neighborhood would be able to utilize the area with the addition of sidewalks legally, and it would decrease traffic on the surrounding streets through the creation of the thoroughfare.

Lastly, approving this zoning will bring skilled workers to Coeur D Alene. In my family, there are educators, engineers, business owners, and medical professionals who are eager to return to the area and contribute to the growing economy. I myself am months away from graduating with my doctorate in physical therapy and would be honored to come home and work with my fellow Idaho natives.

I would implore you to deeply consider the benefits of zoning this property and question why others oppose it when they have no right to. Thank you for your consideration. I look forward to hearing about your decision.

Sincerely,

Lindsay Matthey

**From:** [Samantha Hill](#)  
**To:** [CLARK, TRACI](#)  
**Cc:** [ephaag@gmail.com](mailto:ephaag@gmail.com)  
**Subject:** Request for Approval of Property Division; Sep 9 Meeting  
**Date:** Tuesday, September 2, 2025 3:40:54 PM

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Dear Members of the Planning and Zoning Committee,

I am writing to respectfully request your consideration and approval of a proposed plan to divide a private property located at 2248 E. Stanley Hill Rd, which belongs to my family friend, Eugene P Haag Jr Trust (Haag Estates).

I want to note that I grew up in the Coeur D'Alene community, but I am not currently a member. However, as a close family friend, I would directly benefit from this proposed change because it would allow my best friend—Lindsay Haag—to live closer. This opportunity would strengthen family ties, provide stability, and support the community by ensuring that property remains well cared for by those with a vested personal interest in it.

The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area.

I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to the community in terms of additional housing options for close family members, improved land management and fire-fighting capabilities, and fostering a stronger, more connected neighborhood.

Thank you for your time and thoughtful consideration.

Sincerely,

**Samantha Grace Larson**  
2141 S Stephen Ave Apt 102  
Boise, ID  
[sghill1123@gmail.com](mailto:sghill1123@gmail.com)  
208-964-0291  
09-02-2025



**From:** [Suzan Rheault](#)  
**To:** [CLARK, TRACI](#)  
**Subject:** Proposed Haag Estates  
**Date:** Wednesday, September 3, 2025 1:45:56 PM

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To: City Planning Commission

Re: proposed Development at 2248 E Stanley Hill Road, Coeur d'Alene, ID 83814  
Opposition to Through Street Connection.

I understand the city needs to provide housing to meet the growth in the Community. I am strongly opposed to the proposed plan to extend a through street into our cul-de-sac as part of the Haag Estates.

Concerns:

\*Safety Risks- Cul-de-sacs are designed to be safe, low-traffic residential streets. A through street would bring cut-through traffic, higher speeds, and danger to children, pedestrians and cyclists.

\* Neighborhood Character- The quiet and private nature of the cul-de-sac would be permanently damaged, undermining why many residents chose to live here.

\*Property Impacts- Increased traffic, noise, and reduced safety will negatively affect property values and quality of life.

\*Better Alternatives Exist- The development can be served by alternative access points, or pedestrian/bicycle connections, without opening the cul-de-sac to through traffic.

I respectfully urge the Planning Commission to reject the proposed through street connection and require the developer to revise the design to protect safety, livability, and integrity of our neighborhood.

Suzan Rheault  
2514 Lilly Drive  
Coeur D alene, ID 83814

**From:** [Tyson Larson](#)  
**To:** [CLARK, TRACI](#)  
**Cc:** [ephaag@gmail.com](mailto:ephaag@gmail.com)  
**Subject:** Endorsement of Property Division Request; Sep 9 Meeting  
**Date:** Tuesday, September 2, 2025 3:54:11 PM

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Dear Members of the Committee,

I am writing in support of the request to divide the property located at 2248 E. Stanley Hill Rd, currently owned by Eugene P Haag Jr Trust (Haag Estates).

Although I am not a resident of the Coeur D'Alene community, I have a close connection to the family and understand how meaningful this request is for them. Allowing this division would give his children and grandchildren the chance to live nearby, keeping family close and ensuring the property remains in the care of those who value it deeply.

This proposal respects existing zoning requirements and aligns with broader land use goals. It offers a thoughtful approach to growth—supporting additional family housing, improving access for land management and fire protection, and ultimately contributing to a more connected and resilient neighborhood.

I kindly ask the committee to look favorably on this request and recognize the benefits it can bring, not only to the family but to the surrounding community as well.

Thank you for your time and consideration.

Respectfully,  
**Tyson DeShawn Larson**  
2141 S Stephen Ave Apt 102  
Boise, ID  
[tysonlarson6@gmail.com](mailto:tysonlarson6@gmail.com)  
208-957-0802  
09-02-2025

**From:** [Martinez, Leo](#)  
**To:** [CLARK, TRACI](#)  
**Subject:** PUBLIC NOTICE FOR PLANNING & ZONING ON SEPTEMBER 9, 2025  
**Date:** Monday, August 25, 2025 12:48:14 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[public notice .pdf](#)

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Traci,

Phillips 66 does not have any utilities within your attached project vicinity.  
(Response 13089)



**Leo Martinez**

Associate, Operations Support • Real Estate Services

O: 805-541-8912 | F: 805-538-6204  
18781 El Camino Real | Atascadero, CA 93422  
[Leo.Martinez@phillips66.com](mailto:Leo.Martinez@phillips66.com)



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**From:** CLARK, TRACI <TCLARK@cdaid.org>  
**Sent:** Friday, August 22, 2025 8:52 AM  
**To:** CLARK, TRACI <TCLARK@cdaid.org>  
**Subject:** [EXTERNAL]PUBLIC NOTICE FOR PLANNING & ZONING ON SEPTEMBER 9, 2025

**This Message Is From an External Sender**

This message came from outside your organization.

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Greetings,

Attached is a copy of the public hearing notice for the **PLANNING & ZONING** on **TUESDAY, SEPTEMBER 9, 2025, at 5:30.**

If you have any comments, please let me know.

*Traci Clark*  
*Administrative Assistant*  
*Planning Department, City of Coeur d'Alene*


208.769-2240

[tclark@cdaid.org](mailto:tclark@cdaid.org)



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

**A-1-25**

**INTRODUCTION**

This matter came before the Planning and Zoning Commission on September 9, 2025, to consider A-1-25, a request for zoning prior to annexation of 3.19 acres from County Ag Suburban to City Residential R-3.

APPLICANT: Olson Engineering

OWNER: Eugene P. Haag, Jr. Trust

LOCATION: 2248 E. Stanely Hill Road Coeur d'Alene, Idaho 83814

**A. FINDINGS OF FACT:**

**The Planning & Zoning Commission finds that the following facts, A1 through A9 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.** All public hearing notice requirements have been met for item A-1-25.

- 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 August 23, 2025, seventeen days prior to the hearing.
- 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 August 22, 2025, eighteen days prior to the hearing.
- 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). Fifty-two (52) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on August 22, 2025.
- 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 on August 22, 2025, eighteen days prior to the hearing.
- 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). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on August 22, 2025.

**A2.** Public testimony was received at a public hearing on September 9, 2025.

- A3.** The subject site is located in an unincorporated area of Kootenai County, with the total area of the subject property measuring 3.19 acres and is currently zoned AG-Suburban.
- A4.** The subject property is currently developed as a large lot single family home. If approved, the project would include the existing home on a lot, four (4) hillside residential lots, and a future public street connection and dedication of Lilly Drive between the existing termini.
- A5.** The Comprehensive Plan Future Land Use Map designation is the Single Family Neighborhood Place type. Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails. Compatible Zoning is listed as R-1, R-3, R-5, and R-8; MH-8
- A6.** The following Comprehensive Plan goals and objectives are applicable to this request for annexation in conjunction with R-3 zoning:

#### **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.

#### **Environment & Recreation**

**Goal ER 3:** Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

**Objective ER 3.1:** Preserve and expand the number of street trees within city rights-of-way.

**Objective ER 3.2:** Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

**Objective ER 3.3:** Minimize the risk of fire in wooded areas that also include, or may include residential uses.

**Objective ER 3.4:** Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

#### **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 1.1:** Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

**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.

#### **Health & Safety**

**Goal HS 3:** Continue to provide exceptional police, fire, and emergency services.

**Objective HS 3.2:** Enhance regional cooperation to provide fast, reliable emergency services.

*(The Commission may adopt these and/or other Plan Goals and Objectives as findings – see attached worksheet)*

- A7.** The Comprehensive Plan lists the area under consideration as Hillside. Hillsides are important due to

their scenic qualities and provide recreational opportunities. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures.

- A8.** The property is sloped, and single-family homes are the dominant land use nearby. The natural features of the site are consistent with the natural features of the surrounding properties. Hillside code will apply to four of the five proposed lots.
- A9.** City utilities and facilities are available to serve the project site, if annexed. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.

*(The commission should add other facts here which it finds are relevant to its decision.)*

## **B. CONCLUSIONS OF LAW:**

**Based on the foregoing Findings of Fact, the Planning Commission makes the following Conclusions of Law.**

- B1. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies.
- B2. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
- B3. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time.
- B4. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses.

## **C. DECISION**

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested zoning **(does) (does not)** comply with the required evaluation criteria and recommends that the City Council **(adopt the R-3 zoning with the following conditions to be included in an Annexation Agreement) (reject the R-3 zoning)** for Council consideration of the annexation request:

*Recommendations for conditions in the annexation agreement:*

### **Planning:**

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

### **Fire:**

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C



3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

**Water:**

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

**Wastewater:**

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.


*(The commission may include additional conditions.)*

Motion by commissioner , seconded by commissioner , to adopt the foregoing Findings and Order and recommend (adoption of the R-3 zoning [with conditions][without conditions]) (rejection of the R-3 zoning) in conjunction with the requested annexation.

**ROLL CALL:**

|                             |                   |
|-----------------------------|-------------------|
| COMMISSION MEMBER INGALLS   | Voted (Aye) (Nay) |
| COMMISSION MEMBER JAMTAAS   | Voted (Aye) (Nay) |
| COMMISSION MEMBER WARD      | Voted (Aye) (Nay) |
| COMMISSION MEMBER FLEMING   | Voted (Aye) (Nay) |
| COMMISSION MEMBER MCCracken | Voted (Aye) (Nay) |
| COMMISSION MEMBER COPPESS   | Voted (Aye) (Nay) |
| CHAIRMAN MESSINA            | Voted (Aye) (Nay) |

Motion to recommend (adoption [with conditions][without conditions])(rejection) carried by a to vote.



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

**S-1-25**

**INTRODUCTION**

This matter came before the Planning and Zoning Commission on September 9, 2025, to consider S-1-25 a request for approval of a 5-lot, preliminary plat known as "Haag Estates."

APPLICANT: Olson Engineering

OWNER: Eugene P. Haag, Jr. Trust

LOCATION: 2248 E. Stanley Hill Road Coeur d'Alene, ID 83814

**A. FINDINGS OF FACT:**

**The Planning and Zoning Commission finds that the following facts, A1 through A9, 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.** All public hearing notice requirements have been met for item S-1-25.

- 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 in the Coeur d'Alene Press on August 23, 2025, seventeen days prior to the hearing.
- 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 August 22, 2025, eighteen days prior to the hearing.
- 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). Fifty-two (52) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on August 22, 2025.
- 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 on August 22, 2025, eighteen days prior to the hearing.
- 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). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on August 22, 2025.

- A2.** Public testimony was received at a public hearing on September 9, 2025.
- A3.** The subject property is 3.19 acres and currently zoned Agriculture-Suburban in Kootenai county, with a request for R-3 zoning as part of a dependent annexation application.
- A4.** The subject property is proposed to be divided into five (5) single-family residential lots in the hillside overlay, with the existing home on a parcel exempt from hillside code due to a slope of less than 15%. The subject property is adjacent to or abutting single-family homes to the north, south, east, and west.
- A5.** The City Engineer has attested that the preliminary formal plat submitted contains all of the elements required by the Municipal Code.
- A6.** City departments have reviewed the preliminary plat for potential impact on public facilities and utilities, and provided an analysis of compliance with code requirements. Staff from various departments have determined that conditions are required to bring the plat into full compliance with code requirements and performance standards. All departments have indicated the ability to serve the project with the additional conditions as stated herein on pages 9 and 10.
- A7.** The City Engineer has vetted the preliminary plat for compliance with both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40). The City Engineer has reviewed the applicant's analysis regarding meeting subdivision standards and concurs with the findings.
- A8.** City staff have confirmed that the proposed subdivision meets all zoning standards for the proposed R-3 zoning district. Per Planning Commission and City Council feedback of prior subdivision and annexation hearings, the applicant team provided a Geotech study that includes: slope calculations and disturbance results showing hillside overlay code could be met (slope and disturbance calcs are provided in the staff report on pages 11 and 12).
- A9.** The applicant has proposed connecting E. Lilly Dr. which terminates on either side of the subject property. This street connection would provide access to the public and emergency services as well as provide city utility extensions through the property.

*(The commission should add other facts here which it finds are relevant to its decision.)*

**B. CONCLUSIONS OF LAW:**

**Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.**

- B1.** That all of the general preliminary plat requirements **(have) (have not)** been met as attested to by the City Engineer.
- B2.** That the provision for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities **(are) (are not)** adequate.
- B3.** That the proposed preliminary plat **(does) does not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.



- B4. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district.

**C. DECISION**

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the proposed preliminary plat **(does) (does not)** comply with the required evaluation criteria **(with conditions) (without conditions)**, and the request should be **(approved) (approved with conditions) (denied) (denied without prejudice)**.

**Recommended conditions:**

**Planning:**

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

**Fire:**

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

**Water:**

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

**Wastewater:**

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

*The commission may include additional conditions.*

Motion by commissioner , seconded by commissioner , to adopt the foregoing Findings and Order and (approve) (approve with conditions) (deny) (deny without prejudice) the request.

**ROLL CALL:**

|                             |                   |
|-----------------------------|-------------------|
| COMMISSION MEMBER INGALLS   | Voted (Aye) (Nay) |
| COMMISSION MEMBER JAMTAAS   | Voted (Aye) (Nay) |
| COMMISSION MEMBER WARD      | Voted (Aye) (Nay) |
| COMMISSION MEMBER FLEMING   | Voted (Aye) (Nay) |
| COMMISSION MEMBER MCCracken | Voted (Aye) (Nay) |
| COMMISSION MEMBER COPPESS   | Voted (Aye) (Nay) |
| CHAIRMAN MESSINA            | Voted (Aye) (Nay) |

Motion to (approve)(approve with conditions)(deny)(deny without prejudice) carried by a to vote.