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

WEDNESDAY, NOVEMBER 12, 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.

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

PLEDGE:

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

September 9, 2025 - Planning & Zoning Commission Meeting

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

PUBLIC HEARING: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

1. Applicant: Bellerive Homeowners Association, Inc. Location: Bellerive Lane (off of Beebe Boulevard)

Request: A proposed modification to the Bellerive Planned Unit Development (PUD) to

place gates on Bellerive Lane east and west of Beebe Boulevard

QUASI JUDICIAL (PUD-1-04m.7)

Presented by: Tami Stroud, Associate Planner

ADJOURNMENT/CONTINUATION:

Motion by	, seconded by __		,					
to continue meeting to		at	p.m.; m	notion carried	d unanimou	sly.		
Motion by	,seconded by _		, to	adjourn me	eting; motic	on carried	unanimous	sly.

<u>PLEASE NOTE:</u> THE COEUR TERRE ITEMS THAT WERE NOTICED FOR A PUBLIC HEARING ON NOVEMBER 12, 2025 ARE RESCHEDULED TO DECEMBER 9, 2025 AND WILL BE RE-NOTICED.

These include the proposed 64-acre Planned Unit Development for Coeur Terre 1, associated Subdivision (Coeur Terre 1 Preliminary Plat), and proposed landscaping plans Applicants: Affinity at Coeur Terre, LLC and the Goat at Coeur Terre, LLC Location: Coeur Terre Boulevard & Hanley Avenue

*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.



PLANNING & ZONING COMMISSION MINUTES LOWER LEVEL – LIBRARY COMMUNITY ROOM 702 E. FRONT AVENUE SEPTEMBER 9, 2025

COMMISSIONERS PRESENT:

STAFF MEMBERS PRESENT:

Tom Messina, Chairman Jon Ingalls, Vice Chair Phil Ward Mark Coppess Lynn Fleming Kris Jamtaas Sarah McCracken Hilary Patterson, Community Planning Director Sean Holm, Senior Planner Randy Adams, City Attorney Chris Bosley, City Engineer Traci Clark, Administrative Assistant

COMMISSIONERS ABSENT:

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Commissioner Ingalls, seconded by Commissioner Coppess, to approve the minutes of the Planning & Zoning Commission meeting on August 12, 2025. Motion carried.

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

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

- We did not receive any applications that would require a public hearing next month. We will try to go ahead and schedule a workshop to continue some discussions on possible code amendments.
- She will be presenting next Tuesday with Walter Burns, who is the chairman of the Historic Preservation Commission, to NIBCA, which is the North Idaho Building Contractors Association, Joint Government Group. They want to hear about the Historic Preservation Commission efforts.

COMMISSION COMMENTS:

None.

PUBLIC HEARINGS: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

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)

A-1-25:

Mr. Holm, Senior Planner, provided the following statements on Item A: A Proposed 3.18-acre Annexation from County Agriculture Suburban to City R-3 (residential at 3 units per acre) (A-1-25).

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 annexation requests were in 2005 (item A-7-05) and in 2021. Both requests 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. For comparison, 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.

Mr. Holm noted there are four findings that must be made, Findings B1-B4.

The first finding is Finding B1, that this proposal (is) (is not) in conformance with the Comprehensive Plan policies. The Comprehensive Plan includes Place Types that 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. The Place Type for this request is Single-Family Neighborhood which are 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 includes R-1, R-3, R-5, R-8, and MH-8.

From the policy and framework portion of the Comprehensive Plan, staff curated a list of goals and objectives from the Comprehensive Plan for this annexation request. Goals CI 1 under Community &

Identity, Goal ER3 from Environment & Recreation and four objectives under that goal, and Goals GD 1 and GD 2 under Growth & Development. Staff included the full worksheet for the commission to review.

The Comprehensive Plan also includes Special Areas. The two special areas that apply to this request are Recreation and Natural Areas and Hillsides.

Recreation and Natural Areas are identified as areas that have specific goals and policies that encourage the preservation of Coeur d'Alene's unique natural resources. Hillsides include the terrain surrounding the City. The hillsides help frame the unique setting of Coeur d'Alene and 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 on the environment and ensure the safety of people and structures.

The next finding is Findings B2, that the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. City Staff from Streets and Engineering, Water, Police, Fire, Parks, and Wastewater departments have reviewed the application request in regard to public utilities and public facilities. Each department has indicated that there are public facilities and public utilities available and adequate for the proposed annexation with zoning to R-3.

Findings B3, that the location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities, and services. The physical characteristics of the site are that 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). Site photos are provided on the next few slides 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.

Mr. Holm stated there was a cistern on the property. The cistern has now been removed.

Findings B4, that the proposal (would) (would not) adversely affects the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses. The City Engineer, Chris Bosley, provided comments on 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.

Mr. Holm commented on neighborhood 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.

Mr. Holm noted the seven recommended conditions to include in an annexation agreement. **Planning:**

 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.

Commissioner Coppess asked about the annexation of this property. He is surprised that when he looks at Stanley Hill, it is not already in the city. Is the applicant's home on City water and sewer? Does the City police department go up there when they get calls?

Mr. Holm replied that he is not an expert if the home is on city utilities. He does know that there are some water extensions and sewer extensions outside of city limits. One of the conditions is the water line will need to be connected to the other side of Lilly Drive. He is assuming that the water is on the other side of Lilly and that they can create a loop system, which will help everybody in the long run.

Commissioner Coppess asked if there is a set of qualifiers for annexation that we could use as a basis to understand whether this meets the city's requirements.

Mr. Holm's replied this is a state requirement. There are different categories of annexation. In this case, the applicant has asked for annexation rather than the city forcing annexation. This is also not a leapfrog case. The property is bordering the city. One of the other criteria is if the annexation of land is orderly and there is a requirement to conduct a hearing, which we are participating in tonight.

Commissioner Coppess stated the utilities are right there. It's a matter of cost and support. It seems more efficient to annex this in order to close a loop that's right now not connected for water.

Mr. Holm read the Water Department's comments:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposal. There are six-inch water mains on Lilly on both sides of the property. The area pf the water system is located on the Elm Street boosted zone, which may require the customer to install a pressure-reducing valve on the main water service as it enters the building. That's where it dead ends, and would be a good connection to loop the system.

Commissioner Coppess asked if annexation of the property into the city, zoning it R-3, and making it look like the surrounding properties would be a burden.

Mr. Holm replied it's not an undue burden. The development is taken on by the developer. The city taxpayer will not be paying for the extensions of utilities and the roadway. It would be taken on by the applicant.

Commissioner Coppess commented he had read a letter from a neighbor who was concerned about trees that would be taken down on her property and the applicant's property. He understands the trees will be removed from the property where the street will now connect on Lilly Drive. Can you explain how many trees can be removed from the property?

Mr. Holm replied there is no requirement to remove trees from the city's standpoint to make the streets more accessible just the streets themselves coming through. The city has always been a Tree City USA. We try to encourage people to save trees. This property is subject to the Hillside Overlay District if annexed. There is a limited amount of disturbance that's allowed. The footprint of the homes and the driveways, those trees can be removed without replacement. If there is a tree that is blocking their view, and they remove it, it will need to be replaced. There will be no trees removed from the neighbor's property.

Chairman Messina stated the Hillside Ordinance will dictate what the homeowner will be allowed to build on his property, the color of the homes, etc. and they will need to discuss with city staff as well.

Commissioner McCracken asked if any street trees will be planted along Lilly Drive.

Mr. Holm replied because it's a hillside, there is some slope there. On the south side, there is a tiny notch which would restrict dealing with stormwater as well as putting sidewalks on both sides. It meets the subdivision design standards. Staff met with the applicant and determined that a public sidewalk would be required on the north side of Lilly rather than on both sides due to the slope and right-of-way. Most of the trees will go away within the right-of- way. The Urban Forester will come in and determine if trees need to be replanted.

Commissioner Ingalls commented he would like to speak about the annexation part. The commission has findings to make tonight, such as how it affects the neighborhood. There is a Comprehensive Plan element GD 1.5 that talks about recognizing the neighborhood that should be included. The applicant has come to us three times before. At those prior meetings the neighbors stated they would be really affected, and they did not want Lilly Drive to be connected. Council raised concerns about the protection of the existing neighborhood as well. There is steep topography, stormwater drainage, traffic. He wants to know if Eastside Highway District has been contacted and what would be the grade of the road. The portion of the road to the west has been abandoned. Who would repair it and bring that up to city standard?

Ms. Patterson stated for the annexation request for this evening the commission's only role is to make a recommendation if the zoning is appropriate. The city council will determine if the annexation is appropriate.

Decision Point:

Mr. Holm noted the action alternatives this evening for the annexation request. 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.

S-1-25:

Mr. Holm provided the analysis and findings for the subdivision request, **Item B: A 5-lot Subdivision known as Haag Estates (S-1-25).**

The applicant is requesting 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 and Zoning Commission will recommend approval, denial, or denial without prejudice of the annexation to the City Council, which makes the final decision.

Mr. Holm noted there are four findings that must be made for a subdivision, Findings B1-B4.

- Findings B1: That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.
- Findings 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.
- Findings 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.
- Findings B4: The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

For Findings B1, all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer. The City Engineer who is here tonight has attested that the preliminary plans submitted contain all of the general preliminary plat elements required by the Municipal Code.

For Findings 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. City staff has indicated that there are adequate public services and facilities. This is a hillside area and is not downtown. I have showed you the transportation maps. Some of those elements are not available. Sidewalks are shown on the north side of Lilly drive. There are seven recommended conditions. The preliminary plat shows the future lots and disturbed areas for the hillside requirement and slopes for each lot. Mr. Holm stated that lot #5 which is the existing home is less than 15% slope as determined by the applicant's engineer, which would make that lot hillside exempt.

Finding B3 is that the proposed preliminary plat does or does not comply with all of the subdivision design standards in Chapter 16.15 and the improvements standards of Chapter 16.40. City Engineer Chris Bosley reviewed those and stated that those design standards have been vetted for compliance, obviously subject to being on a hillside. One of the conditions the Fire Department has achieved is a maximum 8% slope. Fire access still needs to be there to get to any emergency.

Finding B4 for a subdivision, is if the lots proposed in the preliminary plat do or do not meet the requirement of the applicable zoning district. This is what Ms. Patterson was speaking about; does it meet the R-3 requirement for the subdivision as it's proposed? The minimum lot size in an R-3 district is 11,515 square feet. The smallest lot, which is on the very southern end that where there still slope there because

it's required to meet the Hillside Code. According to the applicant's engineer, there is room enough for disturbance and still have that be developed up to a maximum of 18,812 square feet for the lots that are to the south, while the lot with the existing single-family home would retain almost 61,000 square feet. There is a minimum frontage of 75' along a public street, which is why in the last iteration, Commissioner Ingalls, when it was a PUD, that's how they proposed it was not frontage requirement through the PUD as a deviation to the standards they used driveways to get to the lots rather than building a public street. All setbacks in Hillside Code must be met.

Per Planning Commission and City Council feedback of prior subdivision and annexation hearing requests, the applicant team provided a Geotech study that includes slope calculations and disturbance results showing hillside overlay code could be met. The following table shows the slope to undisturbed ratio for the five proposed lots:

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

Mr. Holm stated lots 1-4 have an average slope over 15%, and are thus subject to the Hillside Ordinance. They also must provide the 25% retention area automatically. Every lot must do that in the hillside to do the calculation of what must be left natural for each of those lots.

Mr. Holm noted the seven recommended conditions for the subdivision request.

Planning:

 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.

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- 7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

Decision Point:

Mr. Holm noted the action alternatives this evening. The Planning and Zoning 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.

Mr. Holm concluded his presentation.

Commissioner Ward stated this is the third time this has been brought forward to Planning and Zoning. Everything to the east of Lilly Drive is in the County and should be 2 acres and should be AG zoning. He doesn't know how that changed. The homes look much more comparable in size to what's being proposed by this development, is that correct?

Mr. Holm replied maybe the misunderstanding is that it is a more recent ordinance that happened after the homes were built. These were subdivided in the county and approved the way that they are. In 2022, the code in the county came to be for the larger lot sizes.

Commissioner Ward asked if he received the Geotech report?

Mr. Holm replied yes, he did receive the report.

Commissioner Ingalls commented he is lost tonight. If the commission is only looking at making a recommendation on zoning and whether R-3 is appropriate or not, he does not have a problem with R-3. What he struggles with are the findings. Such as B4, whether it negatively affects the neighborhood. If we are looking at what the zoning should be, why are we talking about the effect on the neighborhood, and why do we make these findings if we're only looking at zoning? He lives on a cul-de-sac, and he knows what it feels like. He does not want that to go away. Why are the findings not applicable?

Mr. Adams, City Attorney, replied, they are applicable. He stated they are required by statute because the density of development does affect the neighborhood and does affect traffic. You must decide whether the R-3 as opposed to R-17 or R-1 is the appropriate zoning for this area.

Commissioner McCracken stated this zoning is compatible with the neighborhood zoning. Just like when we are looking at the PUD, and determining if it is compatible with the traffic and the neighborhood.

Commissioner Fleming commented we are also looking at what is still in the county and will remain in the county with no effect from this development. The Ag Suburban areas that are currently Lilly Drive and Gunnison Place, those lots are small. They are consistent with the R-3 zone. This looks like it would tuck in nicely against the current Lilly on the east side. We are going to affect traffic. They will have another exit if there is a forest fire or if there is an accident at the end of the road and they can't get through. There will be a benefit to connecting the east and west ends of Lilly. She would want to be able to get out if a fire happened. She saw what happened during the Pacific Palisades fire. Some neighbors have the feeling that that the city will make them be annexed. That will not happen.

Commissioner McCracken stated when you separate the issues, the zoning is compatible, and the land use is compatible with the neighboring adjacencies. When you get to the PUD, there are other elements playing into that. If we annexed, the zoning would be R-3.

Chris Bosley, City Engineer, stated a single-family development generated between eight and ten trips a day. However, connecting Lilly Drive will draw more traffic. Connecting Lilly Drive will provide better

emergency access and would be better for snow plowing. He has not contacted the East Highway District regarding the snow plowing. In the past it has been a handshake deal as to who plows what streets because it doesn't make sense for us to get to the city limits and stop and backout. He spoke with the Street Department Director about how we would direct plow crews. He stated he would likely take them all the way out to the end of Lilly Drive. He has not had a conversation with Ben Weymouth, with the Eastside Highway District, to make sure that they understand that it would be more beneficial for us to take that, since we're doing the rest of Lilly Drive. We do not like dead ends. Currently, that's likely plowed at least a couple times a year by Eastside Highway District, but that would be something that we would likely take over. One of the comments that he did read from the public was about cut-through traffic to the golf course. He measured that on a map and anybody coming from Elm Ave underneath I-90 from 15th Street coming in from that direction, because that seems like the way that most people would be going anyone who would be tempted to take Lilly would be coming in from that direction to get to the golf course. It would be about 200 feet shorter to Ponderosa Golf Course. It may not be as direct. It's hard to tell if anyone would make that trip to make those turns to go that way.

Commissioner Ingalls asked if this gets approved, the section of Lilly, maybe 150 feet or a little more, from the barricades there to the project limits is kind of a no man's land right now. It's in bad shape. It hasn't been maintained for decades. How would that be repaired? It needs to be rebuilt, could we add that on as a condition tonight?

Mr. Bosley replied, it certainly could be a condition. Likely once all construction is done, we would take a look to see if it needed some sort of overlay or something. We wouldn't touch it before all the construction is done. If it was a condition he would talk to the legal department and have the developer address it, or this would be something the city would look at later.

Commissioner Ward asked hypothetically whether people could use Lilly as a cut through to get to the golf course. Now, most people I know, when he drives up Stanley Hill, he will drive up to the end and cross over. How much of a magnet would that really be? Other than the golf course, is there that much development that would lead people to use as a shortcut?

Mr. Bosley stated it's unnatural. People are creatures of habit. They will probably continue to go the golf course on the same route that they have always driven, unless they are curious or know the road and want to take a different route to get there. It doesn't seem to be a huge draw for cut through traffic.

Commissioner Jamtaas asked the people that live east of Lilly now, north of the golf course, would they connectivity of Lilly provide any reason for them to look at that as a shortcut going west towards I-90?

Mr. Bosely replied for those that live on Lilly yes, they will not have to go up to Stanley Drive and down the big hill. He can not estimate how much traffic is generated by a certain development, but once a connection is made, traffic models aren't going to predict what people will do because we can't predict human behavior.

Commissioner Coppess asked the two street names Lilly and the gap between them, just from an urban design standpoint, whether it was eminent domain or maybe the owner did not want to develop at the time. Was there an intent to join up those streets, and maybe the folks that live in the cul-de-sac might be aware that one day the two streets would be joined?

Mr. Bosely replied he was not in the city at the time, and he does not know what caused the disjunction between Lilly Drive. He does assume that it was meant to go through someday. These streets aren't just cul-de-sacs. Lilly Drive (east) does have a right of way for cul-de-sac. It was platted with a cul-de-sac, but he does not believe it was built with a cul-de-sac. The plat map shows lot lines.

Public Testimony Open:

Eric Olson was sworn in and introduced himself. He is an engineer at Olson Engineering, and he represents

Mr. Haag. He stated that Mr. Haag wishes to annex and subdivide his parcel for the benefit of his family. There have been changes that have happened since 2005 and 2021. Growth in the city, housing needs, and fire protection. The 2005 application brought this forward with the completion of Lilly Drive and was shot down at that time. In 2021 the PUD version was presented. There was a driveway coming off the end of the east side of Lilly and another driveway off the west side. This failed as well with City Council stating the reason it didn't make it through is because it didn't show any benefit to the city. He stated the public road is logical. Lilly Drive was meant to be completed. City staff would prefer this as well.

Mr. Olson pointed to a plat map on the screen for the Ponderosa Terrace. If there was a cul-de-sac, the map would show a circle, and it does not. The map is drawn with a radius, and to show a street veering towards the other side of Lilly Drive. There is an asterisk on the map that read's "This easement is to be vacated upon extension of the road." That road was meant to be extended. Lilly Drive was meant to be completed. The benefits of completing Lilly Drive, as he reads the City Fire Marshal's comment: The proposed road connection along Lilly Street enhances fire department response times to areas beyond 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 Ave and further optimizes access and response capabilities in the surrounding area. Mr. Olson states this will provide a way out for vehicles on the County side of Lilly, should that portion of Lilly be blocked, they will have a way to get out with their vehicle. There is currently no turnaround at the end of Lilly drive on the County side, which is not good for emergency vehicles. The main water extension will be required to serve this subdivision and be tied into the existing main on east Lilly Drive. Both ends of the water main on Lilly Drive must be tied together. This project would connect two dead-ends, water lines, providing increased water circulation, flow capacity and pressure during high use periods. He states yes, there will be increased traffic on Lilly Drive, but it was meant to be connected. County residents on the east side of Lilly Drive will experience more traffic but will benefit from reduced travel time to and from destinations along I-90. Residents trespass regularly on the subject property because it's a useful pedestrian connection. There is a beaten path on the property from this use. Someone has trespassed and installed signs and poop containers for their dogs without notifying Mr. Haag or getting his approval. It appears there is a need for a pedestrian connection.

Mr. Olson shared information about the geotechnical evaluation: Surface & Groundwater. Nine test pits that were dug on Mr. Haag's property, with the following results and recommendations:

- Groundwater was not encountered in test holes
- Groundwater may yet be encountered during construction...capture and divert
- Surface water was found discharging from a pipe from neighboring property
- "Based on our observations and the information provided by the civil engineer, it does not appear that the free-flowing surface water represents a naturally occurring stream or spring."
- "The existing drainage pipe discharge should be evaluated by the civil engineer to redirect this discharge to an appropriate receiving location."

Chairman Messina asked if there has been a conversation with the neighbor regarding the discharge from the pipe, as this would be a concern down the road.

Mr. Olson replied, Mr. Haag was contemplating that conversation. He reviewed the title report and there is no easement associated with any discharge from a neighboring property.

Mr. Olson continued with his presentation and stated he has met all four findings. The neighborhood character and existing land uses will remain similar with the addition of four new single-family lots of similar size to the surrounding area which is all R-3 zoning within the city. A legal walking connection will enhance connectivity between neighborhoods. The cross section of the proposed Lilly Drive extension. It matches the width on either side, which is 36 feet back of curb. There will be a six-foot planter strip on the north side adjacent to a five-foot sidewalk. In summary of benefits to the city: there will be better fire protection, water circulation, traffic circulation, sidewalk construction, no construction cost to the city, increased tax base, the city will control the development through the Hillside Ordinance versus potential county development. He does recognize that potential county development would be an uphill battle, they would have to convince

them to rezone the whole area to match what's built out there. This would be a restricted residential zoning instead of an Ag Suburban. If it's in the city, the city controls this. The Hillside Ordinance has a lot more teeth than what the county has, and this will create housing opportunities.

Commissioner Fleming asked on the existing lot 5, is that also going to go onto sewer and water from the city?

Mr. Olson replied it was already on water, and it would connect to the sewer.

Mr. Olson concluded his presentation.

Mr. Haag, the applicant, introduced himself and was sworn in. He stated it's kind of nerve wracking sitting here listening to everything and knowing the neighbors are upset. He does not want that at all. He really wants a place so his kids can move back to Coeur d'Alene. He has one son that lives here and the other five kids had to move out of town and seek employment opportunities where the housing is less expensive. He could give them the land so they can build a home. He is not a developer and not looking to make money. It's going to cost him money because his kids aren't going to pay him for the lots to build on. He would like to use his own property for his family and not have people trespassing and walking their dogs. He also would not want water drained onto his property that he didn't even know about. His intention is to do right with his kids.

Dale Dennis introduced himself and was sworn in. He stated he is not against the subdivision and supports people developing their property. He is against the subdivision in its concept and design proposed to connect Lilly Drive. He read the comments from the packet and the ones that were in favor, and they were from Mr. Haag's children and people that do not even live here. There are nine homes on Lilly Drive that will be directly affected if Lilly connects. Why would the commission consider approving this to accommodate four new homes. This will cause traffic hazards. Both Gunnison Place and Stowe Court are cul-de-sacs. The last request in 2021, which was a PUD, the design still had the cul-de-sac on Lilly Drive, and it should be approved that way.

Lauren Hayden introduced herself and was sworn in. She stated there is nothing in the Comprehensive Plan that she can find that bases annexation and zone change out of a desire to provide building lots for his children. Logically the property should be left Ag Suburban. Mr. Olson states that trespassing would be eliminated by pushing through Lilly, connecting the two ends, is silly. Annexation does not stop trespassing; fences stop trespassing and there are no fences that she has seen on the property. She is concerned about the presence of water on the property, she doesn't know where the discharge pipe is located but the water in the pipe must come from somewhere. Mr. Olson states they will capture it and redirect it. How will that happen? If you push through Lilly there will be more vehicular traffic where there has been none. This will make it unsafe. There have been no wildfires in the 21 years that she has seen. She would like this request to be denied.

Chris Cheely introduced himself and was sworn in. He stated he was born in Coeur d'Alene and has seen lots of changes in the city. There have been challenges of water pressure and volume and the benefit to the city of being able to loop that is tremendous. As Commissioner Fleming pointed out with the fires in Hawaii and Pacific Palisades, it makes sense to connect Lilly Drive to have another way out and not have an outlet blocked. Apparently from the beginning the road should have been connected. Mr. Haag is not a contentious man. He has known him for a long time. At the end of day, we're looking for ways to improve water, and EMS connection. The city will be able to manage the Hillside Ordinance. He is in favor of the request.

Janice Houghton introduced herself and was sworn in. She stated she has lived on Lilly since 1987. She has always felt bad when he was denied in the past and he can't do anything on his own land. Yes, we all use the land to walk through. Because nobody wanted to see it get littered, friends of hers put up the dog poop bags. We appreciate him letting us walk through the property and she has never seen no trespassing signs and there are no fences. He has never denied us access to his property. She bought her property because of the dead-end road. It's safe and she has never committed any crime in the neighborhood. We do not have people speeding or any traffic issues. She is curious as to why he wants to punch the road through now when he

didn't ask for that before. She does not have any water pressure issues. Her sprinkler heads are always blowing out. She is asking for the matter of safety and for peace and quiet and the rights of the people that bought these properties because of the dead-end road. She does not think the benefits outweigh the impact it will have and it will devalue her property.

Applicant Rebuttal:

Mr. Olson said he wanted to address the concern about the unsafe intersection at Hill Street and Lilly Drive. He hasn't studied that, but if Lilly Drive was connected you can still go around the other way. Mr. Haag has previously installed no trespassing signs to no avail; they have been taken down. Mr. Haag does not want to punch the road through. He has been advised by City staff and himself to do this and have the application successfully go through the process. Mr. Haag really doesn't want to pay for the road extension, water and sewer as they will be very expensive. He can respect the water pressure is high on Lilly Drive already, but his is a connection that will benefit the whole area. There is a lot of elevation, when you go down 100 feet in elevation, that's 40 pounds of PSI of water pressure. It may not benefit Lilly, but he thinks there will be some benefit in the lower portions of the pressure zone that it serves. The benefit of the road connecting on Lilly will decrease travel time for the residents that do live on Lilly. Yes, it could gain more traffic with the public. The east side of Lilly is not a cul-de-sac it is a dead end.

Commissioner McCracken asked on the parcel, is there an easement for Lilly Drive?

Mr. Olson replied no, there is just the marking on the survey saying about a potential connection. Both plats showed the road there. Ponderosa Terrace plat noted the road extension. This plat also left it open right-of-way, but it does not explicitly state it.

Chairman Messina stated besides having Lilly go through, have you looked at perhaps having it accessible for emergency reasons, fire and EMT, maybe a bollard-type system at the end? It does stop the flow of traffic. If the city says you should or it is recommended from streets, would that be an acceptable alternative?

Mr. Olson replied he did see a comment on one of the letters that was sent regarding that subject. He does not think it would make a difference to the applicant. Personally, himself or Mr. Bosley who is making that decision, he would not suggest the gate. Yes, it placates the neighbors and make them happier. The fire protection is still there but now you would have to open a gate to get through the street.

Chairman Messina asked Ms. Patterson regarding the turnaround for fire.

Ms. Patterson stated when staff met with Mr. Haag the city wanted to see the full connection because the roads were intended to connect, and the city thought all the benefits would be there. The city understands there would be some increased traffic. The gated bollard-type system does not work very well on a public street; the turnaround for a fire truck on a public street does not work very well. In addition to the property being platted, as Mr. Olson indicated, the road is named the same as the county had intended for the two ends of Lilly to be connected. We have roads in the city that continue through and have different names, and these roads do not continue through (yet), and they are named the same. There was an intention all along that it would connect once this property was developed. For those reasons, staff felt strongly to have the street connection.

Public testimony closed.

Commission discussion:

Commissioner Coppess asked Mr. Adams, what makes the annexation viable in the State of Idaho? He thinks his understanding of Mr. Holm is the interest in the city and the owners there is some form of percentage that is required for land and owners. In this case, he thinks it's 100% because there's just one owner, which makes it simple. To that it comes down to the benefits of the city and whether the city thinks that this is viable for the city's long-term benefits.

Mr. Adams replied, you do have that right. City Council will make the decision as to whether annexation, in any case in the best interest of the city. Council has a wide discretion on that.

Commissioner McCracken stated the annexation really is more straight forward. The zoning is compatible with the adjacent properties on both sides, even though the county has it as a suburban agriculture zone. The lot sizes are very similar. The land use is very similar. The comprehensive plan on which we can all pick our own ways that might fit in. The facilities and utilities are available. We have talked about all the other specifics. Of the characteristics of the neighborhood, we get a little sidetracked when we start talking about the actual subdivision. All the city departments have said the R-3 is compatible. The piece that gets a little sticky but maybe we have loaded that into the annexation agreement is maybe why we are getting stuck or something. She thinks these are hard when we chat about these findings together, because these are two separate decisions. The annexation is a recommendation to city council. If the annexation gets shot down by city council, the subdivision one goes away automatically.

Mr. Adams replied yes, the commission's duty is to decide on what zoning will be if it is to be annexed. There will be an annexation agreement. These conditions are something that the commission would recommend to the City Council that in the annexation agreement. These conditions that are listed on pages 3 and 4 of the findings are from the departments. They are requesting that the commission recommend to council, if it annexes, to include these conditions in the annexation agreement.

Commissioner McCracken stated the purpose of the annexation is to recommend it, from our perspective, is to recommend a zoning, and with a zoning recommendation we that that R-3 would be compatible it doesn't really matter if Lilly is connect or not. To say that the lot size is compatible with R-3 it might make a difference on how this is divided but not necessarily the zoning it comes int the city with, because it could just get annexed in the city and subdivided at a later date.

Mr. Adams stated that is true. The city departments are saying if you're going to annex this property, Lilly should go through and if you don't want Lilly to go through, maybe you don't want to annex the property. It is certainly up to the commission to decide which of these conditions, if any, to recommend to council. He thinks this is the appropriate stage to make those recommendations or not.

Chairman Messina stated if for some reason, whoever makes the findings wants to add a condition stating Lilly does not go through, they can add that to the annexation agreement.

Mr. Adams replied, the commission can make a condition to the annexation or recommend a condition to the City Council, the Council can make the decision whether they want the condition or not.

Commissioner McCracken commented on the seven conditions listed and have some of the requirements of the subdivision, but they do not have all the requirements. She feels like it is a little disconnected. With the subdivision, there's the details of the sidewalks and the street trees and all of that and we have some of these requirements here. This feels off on this one. She suspects that the conditions for the annexation for the zoning would apply regardless of what the development would be on that property.

Mr. Adams stated he suspects that the conditions for the annexation for the zoning would apply regardless of what the development would be on that property whether it's this subdivision these are conditions that should just go with the property.

Chairman Messina commented the annexation is taking a piece of property and bringing it into the city. That's one separate issue. On the other side, which we have in front of us, depending on how that does, the tree removal and the Hillside Ordinance and all the construction that goes into the findings that we must deal with and that's what will happen on that end. We are looking at a piece of property that is in the county, bringing it into the city with the zoning that is being recommended, and then the rest of the findings. We have more conditions in the PUD. That is because there is more that's going to go on with that.

Commissioner Ward stated we are mixing stuff together that does not need to be. If we don't approve one,

you can forget the other. If we are not willing to annex this. It is a matter of geographically if it fits in and meets with our master plan. Now, except for the fact this was denied before, which kind of concerns him, this fully complies with annexation requirements. As far as zoning is concerned, that's a separate issue, but he thinks we need to deal with the annexation first and decide whether we're going to recommend it or not.

Commissioner Fleming stated the zoning to the west is very evidently R-3. To the south is R-3. It doesn't quack like a duck, but the ag suburban had been distorted on Lilly. There are not two and three and four acre lots. We have what constitutionally are R-3, it's just that it's in the county. They have got to run to catch up with us. She would agree that we meet all the annexation, and she thinks that it would be a safer solution if the city controlled it. There are a lot of trees there. It's a forest. It needs to be thinned. She doesn't know why we would deny it. It meets all of the boxes for annexation.

Mr. Jamtaas commented that the reason that we would deny it is just because it would change the lifestyle of people had lived east of this property for many years. He does not know if that's a reason to deny it. This is a smart plan. There is a lot of change. The connectivity to that road allows for four more homes to be developed that are going to look and feel a lot like seven homes that are to the east. He has not heard anything that would make him believe that this will be a major traffic issue, although there will be some. He does not see the traffic as a big change, big enough to deny the owner the ability to develop his property, which he thinks is the right that he has.

Commissioner Ingalls stated he might be the minority opinion he would like to explain his struggle, and he does support staff. The application points out some benefits, but he is struggling, and Mr. Holm's staff report laid out the details on why the City Council denied this twice. He wished the cul-de-sac version had been supported. The folks from the neighborhood came up and spoke they talked about the steep topography and that hasn't changed. The Council mentioned concerns about stormwater. Those issues haven't changed. The traffic issues, the shortcuts that will create for these neighborhoods. The bottom line for him is version 3.0, in his opinion, is more disruptive to the neighborhood than the cul-de-sac version 2.0. He cannot support this project because of this.

Commissioner McCracken asked Ms. Patterson about the water and sewer connection regarding the other side of Lilly Drive is serviced by City of Coeur d'Alene with water but not sewer is that correct?

Ms. Patterson replied yes, that is correct.

Commissioner McCracken stated we do talk sometimes about these donut holes in the city where we are surrounded by county. Do we have any history on the way that was planned out when those were built out. She does struggle with both sides of this application. The water was put on Lilly Drive it seems like Lilly Drive it seems like the city was going to be annex that into the city at some point and connect Lilly Drive.

Ms. Patterson replied she was not here when the water was connected. There was some agreement for the water. Some of the septic systems are failing up in that area too. We do have several areas outside the city limits that we have extended our water system; some have agreed to consent to annexation in the future. To reassure the neighbors here, the city is not going out and annexing any properties.

Chairman Messina stated he understands what Commissioner Ingalls stated and made some valid points about protecting the neighborhood. Is there a benefit for fire and emergency to neighborhood? Yes, and the through streets for snow plowing.

Mr. Adams replied, yes. If you go back to what Commissioner McCracken stated, the question for the commission is what is the proper zoning if it is annexed? Council decides whether to annex it or not. Your recommendation is, what should the zoning be? Not whether the road goes through or not. Any of these things occur in the development. That may be part of the subdivision.

Commissioner Ingalls stated he would like to make a motion to recommend to council that we annex this at R-3 with the seven recommendations plus an eight that says Lilly not be connected.

Ms. Patterson stated that it will not work if you do not have Lilly Drive go through. This would have to be a PUD and a private street because you would have not have the frontage requirements and everything would change related to the subdivision.

Mr. Adams commented on the way to handle this is to simply deal with zoning first. Then move on to the subdivision.

Commission Ingalls stated he would like to withdraw his motion.

Commissioner Coppess asked why the city council had not approved the PUD last time this came forward?

Motion by Commissioner Fleming, seconded by Commissioner Ward, to approve item A-1-25 annexation to City Council. Motion Carried.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Jamtaas	Voted	Aye
Commissioner Ingalls	Voted	Nay
Commissioner Coppess	Voted	Aye
Chairman Messina	Voted	Aye
Commissioner Ward	Voted	Aye
Commissioner McCracken	Voted	Aye

Motion to approve carried by a 6 to 1 vote.

Mr. Adams stated he looked up the minutes from the City Council meeting on July 20, 2021 and replied to Commissioner Coppess that it was a 3 to 3 vote and the mayor breaking the tie to deny the annexation. According to the minutes of the meeting, the three council members who voted against the annexation simply said that they didn't see how it benefited the city to annex the property.

Commissioner Jamtaas asked if the owners of the homes where disclosed the information and understand that Lilly was intended to go through?

Commissioner McCracken commented that the sellers, if they are aware, would have potentially disclosed that. The title commitment should have showed the notes on the plat if they went through a title company for their sale, which is exactly what Mr. Olson had on the screen. That would have been signed off by the buyer of property on their title commitment. Whether they noticed the little asterisks or read into the plat on the survey is another thing, but it was on the survey when those lots were originally divided.

Motion by Commissioner McCracken, seconded by Commissioner Coppess, to approve item S-1-25 with conditions. Motion Carried.

ROLL CALL:

Commissioner Ward	Voted	Aye
Commissioner Jamtaas	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Fleming	Voted	Aye
Chairman Messina	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner Ingalls	Voted	Aye

Motion to approve carried by a 7 to 0 vote.

Commissioner Coppess commented this will be up to the city planning staff a to try and make sure this is conforming with all the requirements needed to cross the T's and dot the I's for environmental concerns and all the engineering stuff. It makes it much easier knowing that all those things have been addressed for us to look at it from a holistic standpoint. He would like to thank staffs for all their efforts.



ADJOURNMENT:

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

The meeting was adjourned at 8:06 p.m.

Prepared by Traci Clark, Administrative Assistant







PLANNING AND ZONING COMMISSION STAFF REPORT

FROM: TAMI STROUD, ASSOCIATE PLANNER

HEARING DATE: NOVEMBER 12, 2025

SUBJECT: BELLERIVE PUD AMENDMENT: GATE REQUEST (PUD-1-04m.7)

LOCATION: BELLERIVE, PRIVATE ROAD (AIN 301804) AND BELLERIVE 1ST

ADDITION, TRACT B (AIN 314920), ENCOMPASSING AN AREA THAT IS +/- 0.24 ACRE. THE BELLERIVE PUD PROJECT IS LOCATED BETWEEN THE FORMER BURLINGTON NORTHERN RAILROAD AND THE SPOKANE RIVER AND INCLUDES THE FOLLOWING PLATS: BELLERIVE 1ST – 7TH, BELLERIVE CENTENNIAL TRAIL, BELLERIVE BY THE RIVER, RIVERFRONT HOUSE CONDOS AND 1ST ADDITION, STARR ADDITION, AND

WHITEHAWK ADDITION, IN THE SW SEC. 11, TWP,50N, R4W, B.M.,

RECORDED IN KOOTENAI COUNTY, IDAHO.

APPLICANT/OWNER: BELLERIVE HOMEOWNER'S ASSOCIATION (HOA)

1579 W RIVERSTONE DR. SUITE 102

COEUR D'ALENE, ID 83815

DECISION POINT:

Should the Planning and Zoning Commission approve Amendment #7 to the Bellerive Planned Unit Development (PUD) to allow two (2) gates along Bellerive Lane?

PUD AMENDMENT OVERVIEW:

The Bellerive Homeowner's Association (HOA) is requesting Amendment #7 to the Bellerive PUD to allow for two (2) gates to be installed on Bellerive Lane, which is a private road. The proposed gates will be located on Bellerive Lane to the east and west of Beebe Boulevard. The gates would not restrict public access to the full length of the public boardwalk located along the Spokane River. Pedestrians will continue to have access to the boardwalk from all original designated access points. Signage indicates all access points from Bellerive Lane, including access next to the gates, the Riverfront House, Centennial Trail, and the boardwalk. The gates would restrict vehicle traffic to Bellerive residents and guests. No other changes to the PUD are requested.

HISTORY:

The original PUD was approved in 2005 and was known as the "Riverwalk/Bellerive" development. As the project evolved and as changes in the economy and property ownership occurred, amendments to the PUD were made to modify phasing, change housing types, and replat a number of lots along the river primarily for Boardwalk Homes. In December 2015, the open space requirement was modified to meet the mandated 10%. The modification to open space was approved in May of 2016, enhancements to the open space areas have been made and the boardwalk was extended to the east when additional lots were platted at the eastern end of Bellerive Lane.

A PUD modification request to allow gates on Bellerive Lane came before the Planning and Zoning Commission in December 2018. The Bellerive Homeowner's Association wanted to install gates at the same location as the current request. In the 2018 application, the HOA indicated that installation of gates would mitigate ongoing issues in the development such as a high volume of traffic, parking,

late night gatherings, drinking and drug activity. The request was denied without prejudice in 2018 due to a variety of factors. Some concerns that were raised during the public hearing were that the gate would limit public access to the boardwalk, the lift for ADA access to the boardwalk was not functioning at the time of the request, some of the original conditions of approval had not been satisfied, such as the connection to Lacross Boulevard for secondary access and that had not been completed, the project was not built out and much of the traffic and parking problems could have been attributed to construction activity, one property owner testified that an access easement to the Riverfront Park Addition at the west end of Bellerive Lane would be restricted by the gate, and some members of the public testified that they were not made to feel welcome on the boardwalk or in the Bellerive neighborhood. In the motion to deny without prejudice, the Commission indicated the timing wasn't right for the gate request and encouraged the Bellerive Homeowners Association to take action to mitigate the issues brought forward in their request. The tables on pages 4 and 5 of this staff report provide a summary of the concerns outlined in 2018 and the HOA's response as part of the current PUD amendment to allow the gates.

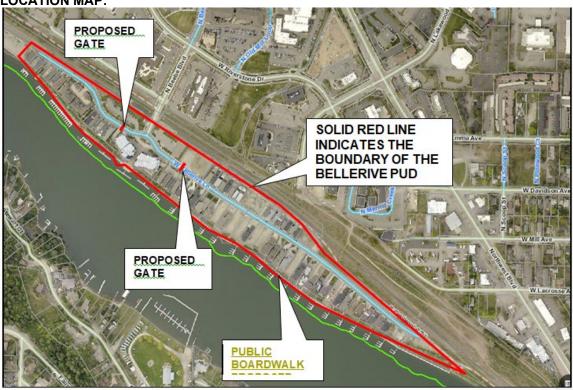
In response to the direction provided by the Commission following the denial of their request in 2018, the HOA has taken significant action over the last few years to mitigate the issues. They increased security patrols, implemented a resident parking-decal program with an online guest parking authorization system, installed signage restricting parking to residents and guests only, added security cameras, and added speed bumps throughout the neighborhood. They have reported the results have been limited and that the neighborhood has continued to have problems.

As part of the current request, the HOA provided a summary addressing the Planning Commission's concerns from the 2018 hearing, and how each of those items have been addressed and have demonstrated how the public can still access the open space along the Spokane River boardwalk.

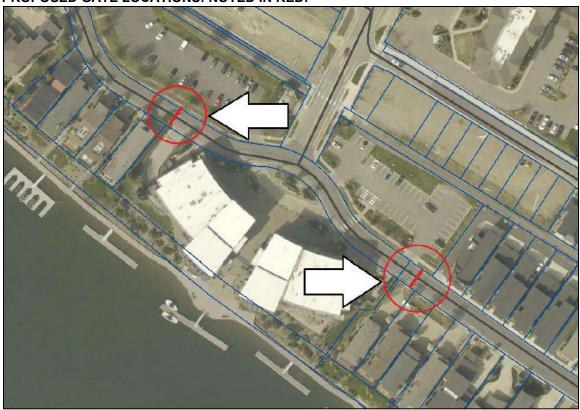
AERIAL PHOTO:







PROPOSED GATE LOCATIONS: NOTED IN RED:



➤ The following information on pages 4-6 was provided by the Bellerive HOA, (applicant) in support of the requested gates and responding to the original list of conditions listed in the December 11, 2018, staff report. In addition, the Bellerive HOA has also provided an exhibit providing additional photos and graphics showing current on-site conditions in response to the previous gate request denial. The report corresponds to staff's proposed conditions.

City of CDA

CDA Planning Commission Staff Report (Dec. 11, 2018)

Below are Responses to the Original City Report (see Bellerive's 10-1- 2025 submission for updated responses) Summary of 12 Conditions & One Finding

	<u>City</u> <u>Recommendations</u> Dec. 11, 2018	Bellerive HOA Response	Addressed or Resolved
1	Post welcoming wayfinding signage at gated entries. Inform public of the usable open space within the community, and that they are welcome on sidewalks, paths, on the boardwalk, and in the commercial area.	DONE.	~
2	Bicycle parking accommodation. Install a rack for a minimum of 10 bicycles near "Riverfront House" for prior to installation	DONE . Riverfront House has 3 racks holding 10 bikes.	~
3	Working boardwalk lift for accessibility to the boardwalk	IN PLACE. Riverfront House has had an elevator since 2008, with a contract for routine maintenance. To avoid interruptions, after this 2018 Staff Condition report, the HOA replaced the lift.	~
4	HOA shall work with city and other property owners to determine an equitable solution for the Lacrosse connection from Bellerive Lane to NW Boulevard (which is an unfulfilled condition of the Bellerive PUD project approval)	NOW MOOT: Access issue resolved with connection via Union Dr.	~
5	ADA parking stalls and accessible route(s) to commercial areas and public open space shall be provided in one or both surface parking lots, or access to the below grade parking in the Riverfront House open for ADA parking	IN PLACE. There are 6 ADA parking spaces across the road from Riverfront House, with crosswalks directly in front to provide direct access to the boardwalk and elevator (see ADA-complaint directing disabled people to elevator on page 3). There are two crosswalks leading from the 2 parking lots with disabled parking spaces.	~
6	Third emergency access gate may be required if an alternate Lacrosse connection is made to fulfill #4's the condition	DONE via Four Corners.	~
7	Provide gate keys/keypad access to city depts. with easements for public utilities and emergency services	AGREE.	✓

PUD-1-04m.7 November 12, 2025 PAGE 4

8	Gate related improvements shall be approved by the city's Wastewater Utility so improvements do not impede access to Sanitary Sewer System within the utility easement	NO ISSUE. Island footings do not penetrate the ground. DONE. City report states that gate meets WASTEWATER Sewer Policy 719 (RES. 15-007) and Sewer Policy 719 (RES. 15-007)	V
9	Construction of permanent structures and deep rooted flora within the utility easement not permitted	DONE . Island footings do not penetrate ground. No flora. Filled 2-3" basalt rocks.	~
10	 HOA shall not impair, or allow others to impair, the sewer easement. If gate improvements impair Wastewater Utility to maintain, construct, or reconstruct the sewer system, they will give reasonable notice to the HOA to move gate improvements prior to maintenance, construction or reconstruction. If the HOA fails the above, or in an emergency, HOA agrees that the Wastewater Utility may move gate improvements without liability or the obligation to restore the gate improvements. 	No impairment. AGREE. AGREE.	~
11	HOA will have full responsibility to repair the gates if they are damaged as a result of emergency or routine repair of city's sewer and water facilities	AGREE.	~
12	 HOA must follow Intl. Fire Code 2015 Ed. \$503.5 to 503.6 and D103.5 re fire dept. access via gates Minimum lane width is 12' for a divided street. Fire Dept. access thru gate shall be manual or electric using Knox products such as Knox keyway switch or Knox padlock that are keyed for CDA Fire Dept. (contact Inspector Bobby Gonder re Knox products) 	AGREE. Access width per side is 14.5 feet. AGREE. Knox box. In addition: East and west side curbing was painted red as a no parking fire zones.	~

Other Finding Dec. 11, 2018	HOA Response
#B8C Finding: The proposal (is) (is not) compatible with natural features of the site and adjoining properties. While the proposed gates would not technically restrict pedestrian access to the open space in Bellerive, they would definitely be a deterrent by giving the appearance that the open space and boardwalk are private and restricted from public access. Additionally, citizens and visitors with a disability would be challenged to access the public portions of Bellerive if gates	Yellow. Any "deterrent" or "appearance" has been resolved with the installation of large "Welcome" signs to make it obvious where to enter the community. The HOA has never restricted access to the boardwalk or open space. Because Bellerive is a privately owned street, homeowner fees pay for road maintenance; thus, street parking is restricted to residents, guests, and authorized vehicles. Residents have no obligation to provide free on street parking to non-residents. Non-residents can park in nearby designated lots or public streets.
are installed.	Blue —Bellerive's six ADA signs at Riverfront House directing those with disabilities to the elevator. See sample and location diagram page 3.
	Signage: To ensure those with disabilities readily spot the sign ADA-complaint Handicap Access to Public Boardwalk via Elevator – Straight Ahead have been ordered. See pg. 3.

Bellerive Responses Continued:

- <u>Disability Note</u>: The HOA has never "challenged" disabled individuals to "access the public portions" (nor will it ever).
- There is a **public elevator** at Riverfront House (before the gates) that provides **disability access** to the public boardwalk.
- The HOA has a service contract in place.
- Since this report, the elevator was replaced.
- A person in a wheelchair or motorized scooter can access "open areas within the community."
- Bellerive's sidewalks meet the 5' wide ADA requirement.
- No structure infringes the walkways.
- Those in wheel chairs or mobility scooter cannot access the trailheads beyond the entries as these sidewalks have stairs down to the public boardwalk—these visitors must entry via the elevator at Riverfront House.



The Bellerive HOA has provided three (3) WELCOME signs at the entrances.

> to Public Boardwalk via Elevator -

> > Straight Ahead





PUD-1-04m.7 November 12, 2025 PAGE 6

- The Bellerive HOA has demonstrated they have fulfilled or will complete the proposed conditions from the 2018 Bellerive Gate request, which was denied by the Planning Commission in 2018.
- The W. Lacrosse Avenue extension was completed in 2022, providing an additional connection to Beebe Boulevard which was a condition proposed in the original gate request in 2018.
- The public Open Space remains usable and unrestricted as pedestrians can access each point specified in the Public Boardwalk Access Map depicted on page 31.

STAFF NOTE: As can be seen from the site photos, the Bellerive HOA has already installed the gate infrastructure on Bellerive Lane but has not been able to close them. City approval, which entails PUD approval and Fire Department authorization for the electronic Knox key bypass, is required to use the gates. The HOA was initially in disagreement with City staff that a PUD amendment was required. They assessed Bellerive property owners for the gate following notification to Bellerive owners in March 2024. The HOA began installing medians, lighting signage and gate infrastructure without the actual gates in May 2025. The gates were hung in June 2025. After meetings with City staff and seeing documentation dating back to the first PUD projects in Coeur d'Alene - Mill River and Coeur d'Alene Place - where gates were only allowed on private streets if approved through the PUD process, the HOA agreed to re-apply for a PUD amendment for the gates. Staff met with the HOA to discuss recommended conditions that would be appropriate for improving and ensuring continued pedestrian access to the boardwalk. emergency response, and access for city utilities if the gates were allowed. The HOA is agreeable to the recommended conditions of approval and has proactively installed welcoming signage at all access points and next to the two gate locations, enhanced ADA signage, painted crosswalks, painted curbs red and installed fire lane signage, verified bike racks, and other improvements.

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 PUD-1-04m.7.
 - 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 October 25, 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). Two Notices were posted on the property on November 4, 2025, eight 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). Two hundred twenty (220) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on October 24, 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 October 24, 2025.
 - 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 October 24, 2025.
- **A2.** Bellerive is the subject of this PUD amendment. The neighborhood, which was approved as a PUD project in 2005, includes single family homes, a mixed-use condominium building with residential units, restaurants and other businesses, and open space areas including the public boardwalk.
- **A3.** Bellerive is bound by the Spokane River to the south, Riverstone to the north, the Union to the north, and the Mahogany Lane development to the west. Surrounding land uses include single-family residential, twin homes, commercial, retail, restaurant, medical office, hospitality, parks, open space, and recreation. The Centennial Trail runs along Bellerive.
- A4. The Bellerive HOA is requesting two gates on Bellerive Lane to the east and west of Beebe Boulevard with this amendment (PUD-1-04m7). The gates would be located on the private road, which is platted as Bellerive, Private Road (AIN 301804) and Bellerive 1st Addition, Tract B (AIN 314920), encompassing an area that is +/- 0.24 acre. The HOA requested gates in the same location in 2018 through a PUD amendment. Following a public hearing, the gates were denied without prejudice by the Planning and Zoning Commission for a variety of factors. Conditions have changed and the HOA is once again requesting gates. They have already made improvements to ensure public access to the boardwalk and are agreeable to the recommended conditions of approval for this PUD amendment.
- **A5.** The Comprehensive Plan Future Land Use Map designation is the Planned Development Place Type, which are locations that have completed the planned unit development application process. Bellerive was approved as a PUD project.
- **A6.** The transportation exhibits from the Comprehensive Plan were provided showing the planned and existing bicycle, pedestrian, and transit networks.
- **A7.** City staff provided Comprehensive Plan goals and objectives for the Planning and Zoning Commission to review as part of this PUD amendment request. The commission will review the full list and determine which goals and objectives are applicable to this request.
- **A8.** Uses surrounding Bellerive include other residential developments that are primarily single-family residential, with some twin homes, mixed-use areas and a variety of commercial, service, hospitality, parks, recreation and open space areas. The request for gates would preserve pedestrian access to the boardwalk and would not change other aspects of the project. ADA access and bike racks are available at the Riverfront House.
- **A9.** The gates would be located on Bellerive Lane, a private street, and are not expected to impact the natural features of the site.
- **A10.** City departments have provided comments regarding the location, design and size of the proposal related to City Codes and their ability to provide services and facilities. Conditions have been provided to ensure continued service to Bellerive.
- A11. The open space in Bellerive would not be reduced with this PUD amendment. Public access to the boardwalk will be maintained and enhanced with additional signage and pedestrian/ADA improvements, and the HOA is completing the remaining open space areas. Bike racks are provided at the Riverfront House.
- **A12.** The proposed PUD amendment does not affect the original parking requirement.
- **A13.** The Bellerive Homeowner's Association would be responsible for providing perpetual maintenance of all common property.
- **A14.** City departments have provided recommended conditions to ensure public access to the boardwalk such as enhanced pedestrian access and visibility of the public access locations to the boardwalk, emergency access, access to maintain and repair city infrastructure, and HOA responsibility of any damage to the gates associated with infrastructure repairs.

PLANNED UNIT DEVELOPMENT FINDINGS

17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

A planned unit development may be approved only if the proposal conforms to the following criteria, to the satisfaction of the commission.

REQUIRED FINDINGS (PUD):

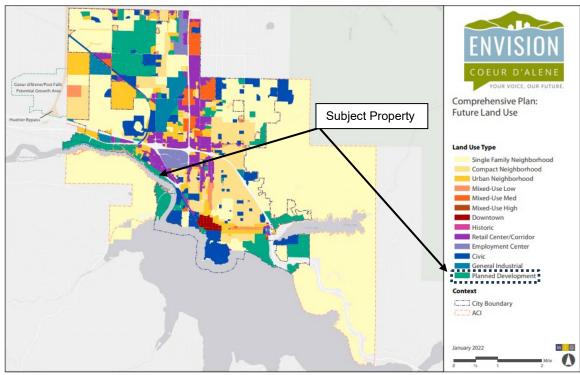
<u>Finding B1:</u> This proposal (is) (is not) in conformance with the Comprehensive Plan goals, objectives and Future Land Use Map Place Type.

Use the following information including the Comprehensive Plan goals and objectives to make findings **A5-A7**.

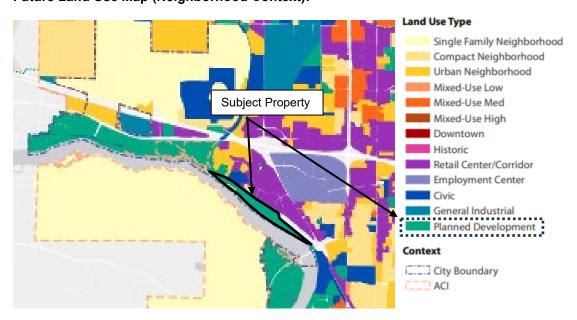
2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The Future Land Use Map designates this area as Planned Development.

Future Land Use Map (City Context)



Future Land Use Map (Neighborhood Context):



Place Types

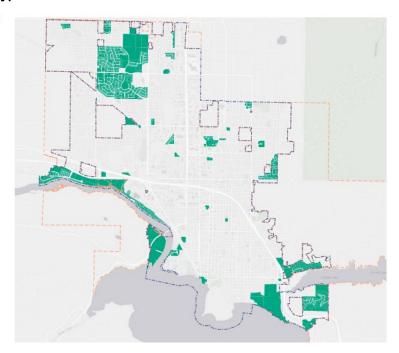
The Place Types in this plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will in turn provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses. See Page 55 for summaries of each Place Type and development assumptions.

Planned Development Place Type

Planned Development

Planned Development places are locations that have completed the planned unit development application process. As part of that process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scale Planned developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the City of Coeur d'Alene's PUD evaluation process.

Compatible Zoning: Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).



Planned Unit Development Neighborhood Map & Key Characteristics



Planned Development







Key Characteristics

Planned Development places are locations that have completed the planned unit development application process. As part of that process the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Planned development also often has a determined phasing and development plan and can include land uses such as housing, recreation, commercial centers, and industrial parks, all within one contained development or subdivision. Building design and scale, and transportation, public space and other elements are determined by the City of Coeur d'Alene's PUD evaluation process.

Transportation

 Dependent on PUD approvals it large lots. Access should include pedestrian and bicycle facilities

Typical Uses

- · Primary: Dependant on PUD approval agreements
- · Secondary: Not applicable

Building Types

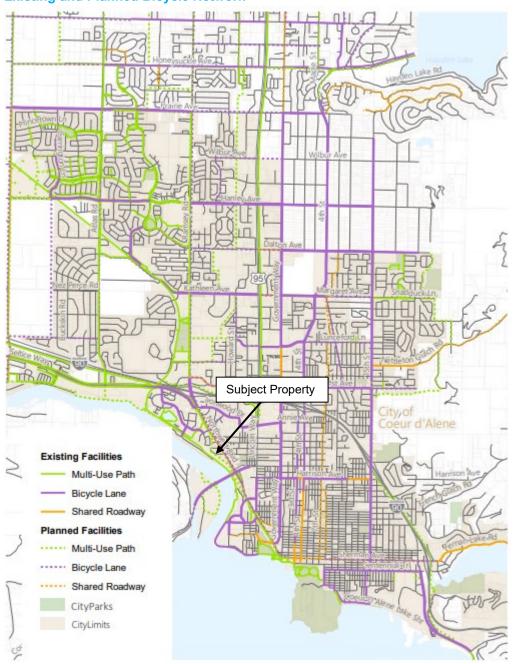
· Varies by PUD

Compatible Zoning

 Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).

Transportation Exhibits

Existing and Planned Bicycle Network



Existing and Planned Walking Network Subject Property **Existing Facilities** Multi-Use Paths **Existing Hiking Trails** Existing Sidewalks City Parks and Land City Limits



Comprehensive Plan Policy Framework:

The following is staff's assessment of applicable goals and objectives.

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.

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.

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 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 1.7

Increase physical and visual access to the lakes and rivers.

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.

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.

Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene

Goal JE 1

Retain, grow, and attract businesses

OBJECTIVE JE 1.2

Foster a pro-business culture that supports economic growth.

Evaluation:

The Planning and Zoning Commission must determine, based on the information before them, whether the Comprehensive Plan goals, objectives and Future Land Use Map Place Type do or do not support the request. Specific ways in which the goals, objectives and Place Type is or is not supported by this request should be stated in the finding.

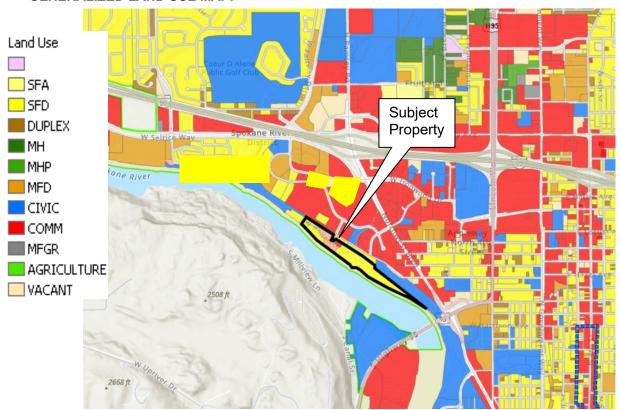
Finding B2: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

Use the following information as well as testimony from the hearing to make finding A8.

The Bellerive PUD includes single family homes along the river and a mixed-use condominium building known as Riverfront House with residential units, restaurants, and other businesses. Bellerive includes the public boardwalk and 10% open space. The Centennial Trail/Prairie Trail runs along the north side of Bellerive and provides pedestrian access to the boardwalk. Bellerive is located adjacent to Riverstone, which offers a variety of residential, shopping, dining, medical and professional offices, services, hospitality, and entertainment. The subject property is also in close proximity to Riverstone Park and Atlas Waterfront Park, which provide both passive and active recreation opportunities. To the south, the subject site is adjacent to the Spokane River on its southern boundary. The Spokane River is primarily used for recreational activities and has the Navigable Water Zoning District designation.

Neighboring residential developments include Mahogany Lane at the end of Bellerive Lane, the Union off Beebe Boulevard and Union Drive, and Tilford Place along Tilford Lane off of Beebe Boulevard, which are all three PUD projects.

GENERALIZED LAND USE MAP:



As noted previously, the requested PUD Amendment #7 for the Bellerive PUD project would allow two (2) gates to be installed along Bellerive Lane, one on the east side and one on the west side of Beebe Boulevard, while preserving pedestrian access to the boardwalk. There would be no other changes to the project.

There are currently ten (10) "Pedestrian Boardwalk Access" signs located along Bellerive Lane indicating where the access points are to reach the Boardwalk. Additionally, visitors with a disability would still have access to the lift located near the Riverfront House that has been repaired and is in operation and available if needed, along with the sidewalks leading to the entrances of each pedestrian access point leading to the public boardwalk. Bike racks are available at the Riverfront House.

Evaluation: The Planning and Zoning Commission must determine, based on the information

before them, whether or not the design and planning of the site is compatible

with the location, setting and existing uses on adjacent properties.

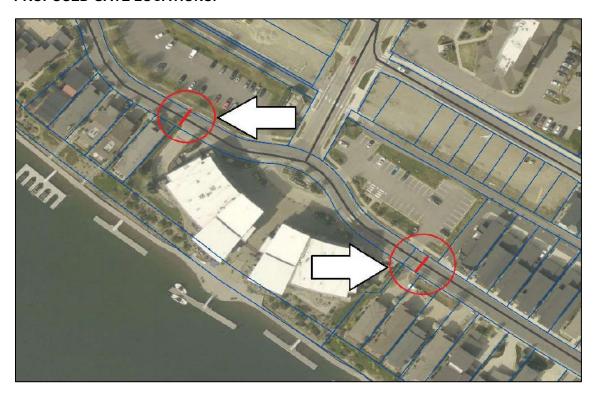
Finding B3: The proposal (is) (is not) compatible with natural features of the site and adjoining properties.

Use the following information as well as testimony from the hearing to make finding A9.

The only natural features within Bellerive and surrounding areas are the Spokane River, Tract A which is the open space area within Bellerive between the boardwalk, shoreline and waterfront lots, and some areas along the Centennial Trail that have native vegetation.

The request is for gates on Bellerive Lane, which is a private street. It would not impact natural features or impact the existing and approved open space areas within the project or along the Centennial Trail.

PROPOSED GATE LOCATIONS:





SITE PHOTO 2 – Looking east along Bellerive Lane at the proposed gate and single family homes on the north side of Bellerive Lane.



SITE PHOTO 3 – Looking east along Bellerive Lane at the single family homes on the north side with a welcome sign in the foreground for pedestrian access to the boardwalk.





SITE PHOTO 5 – Looking south on Bellerive Lane at the public access sign and the pathway between two (2) single family homes.



SITE PHOTO 6 – Looking south at the Fire Department turnaround between two (2) single family homes on the south side of Bellerive Lane. There is also pedestrian access leading to the boardwalk in this location.



SITE PHOTO 7 –Looking north along the east end of Bellerive Lane toward W. Lacrosse Avenue and the Centennial Trail running parallel.



SITE PHOTO 8 –Looking west on Bellerive Lane at the existing single family homes in the neighborhood.



SITE PHOTO 9 –Looking north on the east end of Bellerive Lane at the emergency gate access for the fire department.



SITE PHOTO: 7: Looking south toward the Spokane River at a public access pathway to the boardwalk:



SITE PHOTO 8 – Looking south at the public access pathway to the boardwalk with a vacant lot to the right of the pathway.



SITE PHOTO 9: Looking south toward the Spokane River at a public access pathway to the boardwalk between two single-family homes.



SITE PHOTO 10: Looking west from the open space strip along the north side of Bellerive Lane which runs parallel with the Centennial Trail.



SITE PHOTO 11 – Looking northwest at the west end of the alley/driveway to the Bellerive $5^{\rm th}$ Addition and the pedestrian crossing.



SITE PHOTO: 12: View looking west along Bellerive Lane with the Riverfront House on the right side of the photo.



SITE PHOTO: 13: Looking north along Bellerive Lane at the public parking lot with the Hampton Inn in the background.



SITE PHOTO 14: Looking west along Bellerive Lane at the proposed gate.



SITE PHOTO 15: Looking south toward the Spokane River at the pedestrian access point near a single-family home on the west end of Bellerive Lane. This also serves as a fire



Evaluation:

The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties.

Findina B4:

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

Use the following information as well as testimony from the hearing to make finding A10.

Utility Information

STORMWATER:

No changes to stormwater management are anticipated with this proposed PUD modification.

STREETS:

The site is located on Bellerive Lane near the intersection with Beebe Boulevard. Sidewalk connectivity must be provided to enable pedestrian access through the existing gap in sidewalk east of Beebe Boulevard. All sidewalks shall be ADA compliant.

TRAFFIC:

No changes in traffic are anticipated with this requested PUD modification.

-Submitted by Chris Bosley, City Engineer

WATER:

The Water Department must have 24/7 access through the gate using a secure access code to repair, read, and maintain infrastructure as needed.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

Per Sewer Policy 719 (RES. 15-007) "Manholes within the easement will require access by maintenance vehicles and equipment via an all-weather surface approved by the Wastewater Department". Sanitary Sewer Manhole BEL-2B1 must be unobstructed within the gate improvement area. The City's Wastewater Utility must have approved access through the gate for maintenance, construction, or reconstruction activities related to the sewer system.

Per Sewer Policy 719 (RES. 15-007) "Construction of structures within the easement is prohibited. Landscaping within the easement shall be limited to shallow rooted vegetation, concrete curbing, and asphalt surfaces." Controls mounted on fence posts, or similar structures that do not require a foundation, footing or equivalent will be permitted.

In the event sewer maintenance work reasonably requires the removal or displacement of gate or gate related improvements within the easement, the City should not be obligated to restore or replace said improvements as the gates are optional.

The Wastewater Department must have 24/7 access through the gate using a secure access code to repair, and maintain infrastructure as needed.

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

The Fire Department has concerns about delayed access to the properties of Bellerive via the request to add an electronic gate to these roadways.

The following conditions will be required if approved:

- Electronic Knox key bypass will be needed on both gates
- No parking will need to be enforced within 50' of the entrance and egress gate to ensure fire apparatus can make it through the gates and not be blocked by parked vehicles.
- FD turn around at the east/south end of Bellerive must remain clear at all times for a fire department turnaround or the access to Lacrosse will need to be opened up permanently for fire apparatus to be able to drive through the development.
- FD turnaround on the west/north side need to be kept clear.
- Curbs should be painted or signs placed stating NO PARKING FIRE LANE at both FD turn arounds.

-Submitted by Craig Etherton, Deputy Fire Marshal

PARKS:

The Parks Department has no issue with a proposed gate that prohibits vehicular access. However, pedestrian access must be maintained along Bellerive Lane at each public access point for the public to access the boardwalk along the Spokane River.

In addition, City staff will work with the Bellerive HOA to install up to two (2) Public Access Interpretive Signs at agreed upon locations within the Bellerive Development showing all public access locations for the boardwalk.

-Submitted by Monte McCully, Trails Coordinator

Evaluation:

The Planning and Zoning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.

Finding B5:

The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.

Use the following information as well as well as testimony from the hearing to make finding A11.

All open space areas will remain unchanged if the proposed gates are approved. The installation of gates to the east and west of Beebe Boulevard on Bellerive Lane would not limit the public access to the boardwalk by pedestrians but would restrict vehicular access unless they are a resident or are a guest of a Bellerive resident. ADA access to the boardwalk and bike racks are both available at the Riverfront House.

The open space (including the boardwalk) which would remain unchanged and open to the public. The Bellerive PUD is a total of 24.3 acres in size. The approved open space for the project was 4.42 acres, which equates to 18%, and later reduced to 2.4 acres or the required 10% open space requirement. There are a few remaining areas of open space that need further improvements. The HOA is aware of this and has plans to complete the landscaping. The Bellerive Homeowner's Association has also included graphics for additional improvements to several grassy open space areas as noted on the site photos.

The PUD section of the Zoning Code requires open space to be usable with amenities. Open space must be free of buildings, streets, driveways and parking areas, accessible to all users of the development, and usable for open space and recreational purposes. The PUD section of the Code allows projects to have private or public open space. The Bellerive PUD was proposed and approved with public open space, including the boardwalk.

The following page includes a Public Access Interpretive sign providing locations for the access points along Bellerive Lane to reach the public boardwalk along the Spokane River waterfront.

EXAMPLE OF BELLERIVE PUBLIC ACCESS INTREPRETIVE SIGN:



Evaluation: The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.

<u>Finding B6:</u> Off-street parking (does) (does not) provide parking sufficient for users of the development.

Use the following information as well as testimony from the hearing to make finding A12.

The request for gates would not impact previously approved parking requirements for the project. Standard parking requirements for the proposed use in Bellerive/Riverwalk PUD were approved as follows:

- Single-family dwellings: 2 spaces per unit.
- Courtyard Homes: 1.5 spaces per unit.

The parking lots on either side of Beebe Boulevard within the Bellerive project are available for patrons with restaurant validation and can be used by the public to access the boardwalk. Since the request in 2018, the City in partnership with ignite cda installed additional parking off of Lacrosse Boulevard. There is on-street parking along Lacrosse Boulevard and a parking lot next to the Centennial Trail that has been gated off temporarily because it is intended for future parkland and recreational uses that were envisioned with the Four Corners Master Plan. As part of the Mahogany Lane PUD, there will be additional on-street parking on Tilford Boulevard along the Centennial Trail, and there is on-street parking on the north side of Union Drive in the vicinity of Bellerive.

Evaluation:

The Planning and Zoning Commission must determine, based on the information before them, which alternative for the off-street parking provides parking sufficient for users of the development.

<u>Finding B7:</u> That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.

Use the following information as well as testimony from the hearing to make finding A13.

The Bellerive Homeowner's Association was a part of the original approval and Final Development Plan. The open space areas will continue to be maintained by the HOA in accordance with the existing governance documents. Bellerive Lane is maintained by the HOA. The gates would also be owned and maintained by the HOA, if the request is approved.

Evaluation:

The Planning and Zoning Commission must determine, based on the information before them, whether or not the proposal provides for an acceptable method for the perpetual maintenance of all common property.

RECOMMENDED CONDITIONS:

FIRE:

- 1. Electronic Knox key bypass will be needed on both gates.
- 2. No parking will need to be enforced within 50' of the entrance and egress gate to ensure fire apparatus can make it through the gates and not be blocked by parked vehicles.
- 3. FD turn around at the east/south end of Bellerive must remain clear at all times for a fire department turnaround or the access to Lacrosse will need to be opened up permanently for fire apparatus to be able to drive through the development.
- 4. FD turnaround on the west/north side need to be kept clear from vehicles and job trailers.

WATER/WASTEWATER:

- 5. The Water and Wastewater Departments requires that the 30-foot combined easement for water and wastewater be maintained. In addition, both departments must have 24/7 access through the gate using a secure access code to repair, read, and maintain infrastructure as needed.
- 6. The HOA will have full responsibility to repair the gates if they are damaged as a result of emergency or routine repair of the City's sewer and water facilities.

STREETS & ENGINEERING

7. Add the missing section of sidewalk between the Riverfront House and 1842 Bellerive Lane for pedestrian access next to the gate that meets ADA accessibility requirements.

PLANNING:

- 8. Install a trail connection to the Centennial Trail at the midway point aligning with the public access connection to the boardwalk.
- 9. Dedicate an Easement to the City and Centennial Trail Foundation for the portion of the Centennial Trail that is on private properties.
- 10. Conduct an annual inspection with the Master Association, City Parks Department and/or Planning Department staff to verify signage remains in place for the nine public access points, ADA access, and trail connections.
- 11. Improve remaining Open Space areas.

PARKS & RECREATION:

12. The Bellerive HOA is responsible for working with City staff on the design and installation of up to two (2) Public Access Interpretive Signs at agreed upon locations within the Bellerive Development. The Parks Department staff will work with the Bellerive HOA on a design showing all public access locations within Bellerive. The interpretive signs shall be similar to the design of the interpretive sign example on page 31 of the staff report. The HOA will be responsible for the cost of the signs and installation.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2022-2042 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

The Planning and Zoning Commission will need to consider the request from the Bellerive Homeowners Association for Bellerive PUD Amendment #7 to request the installation of two (2) gates on Bellerive Lane to the east and west of Beebe Boulevard, and make findings to approve, deny, or deny without prejudice.

The findings worksheet is attached.

Attachments:

- Application and Narrative
- Bellerive Homeowners Association Requested Modification Table and Exhibit (PUD Amendment #7)

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PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

Pup. 2-25

Date Submitted: 10/1/25 Received by: T5 Fee paid: 1549. Project # Bte Bellevive Gade Reg
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REQUIRED SUBMITTALS

*Public Hearing with the Planning Commission required

Application Fee: \$ 1,000.00 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 a	and accepted by the
Planning Department located at h	ttp://cdaid.org/1105	5/departments/planning	g/application-for	rms.

- ☑ 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: Including the development name (original PUD), description of modification proposed, and the reason for the modification.
- A legal description: in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map: Providing sufficient information to identify how the proposed modification differs from the previously submitted/approved PUD request and development plans and a phasing schedule. The respective elements of the development plans that will affect such items as the existing and proposed infrastructure, improvements, building, and landscaping.
- ☑ **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

PAID

OCT 0 2 2025

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 posted on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION						
PROPERTY OWNER: Bellerive Homeowners Association, Inc.						
Mailing Address: 1579 W Riverstone Dr Suite 102						
City: Coeur d'Alene		STATE: ID	ZIP: 83814			
PHONE: 208-770-2596	Fax:	EMAIL: kh.hoa@kiemlehagood.com				
APPLICANT OR CONSULTANT:	Bellerive Homeowners As	sociation, Inc.	STATUS: ENGINEER OTHER			
Mailing Address: 1579 W	Riverstone Dr Suite 10	2				
CITY: Coeur d'Alene		STATE: ID	ZIP: 83815			
PHONE: 208-770-2596	FAX:	EMAIL: kh.hoa@kiemlehagood.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: General Location or Address of the Property: Bellerive Lane (off of Beebe Blvd)						
DEVELOPMENT NAME (ORIGINAL PUD): Bellerive						
Description of Project/Reason for Request: Place gates on Bellerive Lane at areas located East and						
West of Beebe Blvd. Pedestrian access to the public boardwalk will not be inhibited.						
		-				

5-2024

CERTIFICATION OF APPLICANT: Bryan Green for Bellerive HOA (President) Leading dish aware attacks that he lobe is the applicant of
I,, being duly sworn, attests that he/she is the applicant of (Insert name of applicant)
this request and knows the contents thereof to be true to his/her knowledge.
Signed: (applicant)
Notary to complete this section for applicant:
2 / 1
Notary Public for Idaho Residing at: Wew d' Mene
Darcy Weaver 20180154 My commission expires: January 36, 2030
NOTARY PUBLIC STATE OF IDAHO MY COMMISSION EXPIRES 01/26/2030 Signed: (notary)
(Hotary)
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: Bryan Green for Bellerive HOA (President)
Telephone No.: 208-770-2596
Address: 1579 W Riverstone Dr Suite 102, Coeur d'Alene, ID 83814
Signed by Owner:
orgined by Owner.
Notary to complete this section for all owners of record:
Subscribed and sworn to me before this 15th day of 0ctober , 2025.
Notary Public for Idaho Residing at: Weer d'Arene
Darcy Weaver 20180154 My commission expires: January 26, 303 0
NOTARY PUBLIC STATE OF IDAHO MY COMMISSION EXPIRES 01/26/2030 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 an amendment to the original planned unit development 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 1	DAY OF October	20 25
_	KX	
Bry	yan Green for Bellerive HOA (President)	
Pre	esident of HOA Board of Directors	

C/o Ben Weaver Kiemle Hagood 1579 W Riverstone Dr. STE 102 Coeur d'Alene, ID 83814 (208) 770-2590



October 1, 2025

Subject: Planned Unit Development (PUD) Amendment Request

Dear CDA Planning and Zoning Commission:

On behalf of the Bellerive Homeowners Association, we are pleased to submit this application requesting an amendment to our PUD. Our goal is to continue encouraging robust public access to the Bellerive boardwalk while responsibly restricting unauthorized vehicular access to our private street through the installation of controlled entry gates.

The purpose of these gates is simple but essential: to prevent ongoing unauthorized vehicle entry that has repeatedly created safety risks, property damage, and security concerns within our community and, by extension, the adjacent Centennial Trail.

Important Note: The proposed vehicle-restricted gates will not block sidewalks, nor will they impede safe pedestrian access to Bellerive Lane, the adjacent Boardwalk, or the Centennial Trail trailheads.

Commitment to Public Access

The Bellerive community remains proud of its long-standing commitment to welcoming the public. In close collaboration with City Planning staff, we have recently:

- Completed significant improvements to wayfinding and trail signage.
- Increased and clearly marked ten public boardwalk entry points with signage stating WELCOME.
- Enhanced disabled visitor access, including six directional signs from public parking areas to the elevator.

All prior conditions imposed by the City (dating back to 2018) have been satisfied, and all more recent staff-requested improvements are either completed or in final adjustment.

Background and Ongoing Challenges

For nearly two decades, uncontrolled vehicle traffic has posed challenges to both the Bellerive community and public users of the Centennial Trail. Our unique location alongside Coeur d'Alene's most popular amenities—the Spokane River, Centennial Trail, public boardwalk, and nearby restaurants—naturally draws high volumes of visitors. Unfortunately, this has led to persistent issues, including:

- Bumper-to-bumper unauthorized parking that disrupts daily residential life.
- Late-night gatherings involving drinking, drug use, and related littering (needles, bottles, trash).
- Drivers ignoring "No Turnaround" signs, then speeding dangerously through the neighborhood—or, in some cases, illegally exiting across the public trail ("Trail Blazers"), endangering pedestrians and cyclists.

At the City's 2018 recommendation, the HOA invested in numerous mitigation measures, including expanded security patrols, a resident decal and guest-parking authorization system, additional signage, and speed bumps. While costly, these measures yielded only limited relief. The community

continues to experience unauthorized traffic, burglaries, loitering, and other safety and quality-of-life concerns.

Need for Traffic Management Gates

Unrestricted vehicle access increases the likelihood of accidents, property damage, and personal injury. It also heightens liability risks for both the HOA and the City due to trail connectivity. Installing managed-entry gates is a proactive and balanced solution that safeguards residents while preserving the City's—and the HOA's—commitment to public access for pedestrians, bicyclists, and trail users.

Community and Developer Support

We also note that Rob Bloem, the StanCraft developer of Mahogany Lane, has expressed support for this initiative.

Closing Request

We respectfully request the Commission's support in approving this amendment. The proposed gates represent a responsible step in managing safety risks, protecting property values, and ensuring continued enjoyment of Bellerive's public amenities.

Respectfully submitted,

Bellerive Master Board of Directors

Attachment: Bellerive Vehicle Public Safety Report

Bellerive HOA

PUD Amendment Request

BACKGROUND. The Bellerive community is uniquely situated alongside some of Coeur d'Alene's most popular attractions—the Centennial Trail, Spokane River, public Boardwalk, and restaurants.

These amenities attract a high volume of traffic and some unwelcome activities, at times bumper-to-bumper parking, which directly impacts residents' daily lives and enjoyment of their community. The east end, with no street light infrastructure, became a magnet for late-night gatherings, romantic hook-ups, drinking, and even drug activity, leaving discarded needles, alcohol containers, and trash.

The neighborhood also faces challenges beyond the HOA's jurisdiction: Drivers who ignore the "No Turnaround" signs, proceed to the east end, then realize there's no exit. At that point they either: turnaround; speed back dangerously; or blaze their own exit via the trail. These "Trail Blazers" pose a serious safety hazard for both the community and users of the trail. Over the years, residents have complained. We've managed to document some incidents, but unless someone is there with a camera, it's a losing battle. Without direct police observation, this issue shows no sign of stopping.

At the 2018 CDA Planning Commission, the City recommended that the HOA take action to mitigate these issues. In response, the HOA undertook significant remediation measures: increased security patrols; implemented a resident parking-decal program with an online guest parking authorization system; installed signage restricting parking to residents and guests; and added speed bumps throughout the neighborhood. These initiatives came at considerable cost to the residents. Despite the investment, the results are limited—Trail Blazers, non-resident traffic, and related problems continued to strain the safety, security, and quality of life in Bellerive.

Bellerive Gate: CDA's Proposed Conditions for PUD Amendment

As of Aug. 15, 2025

- 1. Fire Access through/past gates
 - Add NO PARKING signage & maintain painting on curb to prevent vehicles from parking/stopping within 50' of gate opening
 - Knox electronic bypass needs to be ordered & installed following PUD & Fire Dept. approval

COMPLETE

- Both entries: curbs painted red as noted with No Parking signage
- Knox Box awaiting Fire Dpt. approval

West Entry





North side

South side









South side

- 2. City Department Access and HOA responsibility for damages.
 - Provide gate codes to Water, Wastewater, Streets & Engineering departments.
 - Maybe use this condition language from 2018 instead: All City departments with easements for public utilities and emergency service providers shall be provided with keys/keypad access to open the gates.
 - Easements shall be preserved to access and maintain public infrastructure.

AGREE

2018 staff report conditions:

- The HOA shall not impair, or allow others to impair, the sewer easement. If the gate improvements impair the ability of the Wastewater Utility to maintain, construct, or reconstruct the sewer system, the Wastewater Utility give reasonable notice to the HOA so that the HOA can move the gate improvements prior to maintenance, construction or reconstruction. If the HOA fails or refuses to move the gate improvements, or in the event of an emergency, the HOA agrees that the Wastewater Utility may move the gate improvements without liability or the obligation to restore the gate improvements.
- The HOA will have full responsibility to repair the gates if they are damaged as a result of emergency or routine repair of the City's sewer and water facilities.

AGREE

- 3. Boardwalk Lift/ADA Access: (condition of original PUD approval)
 - Lift has stickers stating it is under repair and cannot be used
 - Ensure the lift is in functioning order to comply with ADA access requirement to boardwalk. The Master Assoc. is responsible for the lift. The PUD approval and federal law require the lift to be in functioning order.

COMPLETE. Lift is normally operational, was down a few days in August 2025 as a new part was needed. Elevator repaired within a week.

- The HOA has a service contract for going routine maintenance.
- To avoid interruptions, after the original 2018 Staff Condition report, the HOA replaced the lift.
- Add a crosswalk/accessible route from ADA stalls in the north parking lot and install ADA lift access signage that is visible from crosswalk

COMPLETE. Installed two crosswalks: 1) in front of west parking lot; and 2) midway down Bellerive's east side (connects to a Boardwalk trailhead). Also refreshed the existing crosswalk in front of the east parking lot.

Total of three Bellerive crosswalks.



West parking lot (new)



Midway down Bellerive's east side (new)



East parking lot crosswalk (refreshed)

- Add ADA signage on Riverfront House column near Terraza and under the boardwalk sign by the stairs, and near ADA parking stalls to clearly note how disabled community members can access the boardwalk. (There are two ADA signs on the concrete planters in front of the Riverfront House, but one sign doesn't line up with the crosswalk. Signs should be visible from crosswalks and near the lift where ADA community members/patrons would access the lift/boardwalk)
- Add additional ADA access signage on or around Terraza restaurant
- Ensure chain on Terraza patio area can be removed for ADA access to lift

<u>COMPLETE</u>. There are **six ADA signs**. Two in line-of-sight of the east and west parking lots directing disabled visitors to the elevator. Around Terraza, there are four signs, including one mounted by the chain clip so disabled visitors immediately see where to unclip it. Terraza is aware to keep elevator access open (HOA will monitor).

Insert pictures of disabled signage (installation underway)

- Annual inspection with Master Assoc. and Parks Dept. &/or Planning Dept. staff to verify that the lift is in functioning order.
 AGREE
- ADA patrons should not pay for parking (they are not charged Downtown)
 - **NEED** HOA unable to find City ADA code for private lots—please provide
- 2018 staff report condition: The Boardwalk Lift shall be in working order to provide accessibility to the boardwalk prior to installation of the gates.

<u>LIFT NORMALLY FUNCTIONS</u>. It was down a few days when a new part was ordered. HOA has a multi-year service contract for routine maintenance to avoid interruptions.

4. Improve remaining Open Space areas

<u>UNDERWAY</u>. Landscape plans completed. Contractor identified. Below are conceptual drawings of the north east end of Bellerive, which parallels the trail.







5. Dedicate an Easement to the City and Centennial Trail Foundation for the portion of the Centennial Trail that is on private properties

<u>AGREE</u>. HOA is in the process of securing conveyance of this parcel. Upon possession, Bellerive will create a dedicated easement to the City and/or Centennial Trail Foundation.

6. Reconstruct the semi-circle driveway in front of the Riverfront House to accommodate increased vehicle traffic as a result of the gate

TOPIC REMOVED. For almost 20 years, Riverfront House has had a functioning TWO-LANE turnaround specifically designed for commercial delivery trucks.

7. Bike Parking – Add additional bike racks? (8 of the 10 bike parking spaces were a requirement of the Riverfront House and not the boardwalk)

Here is the 2018 staff report condition: **The installation of a bicycle rack accommodating a minimum of 10 bicycles shall be provided near the "Riverfront House" for bicycle parking prior to installation of the gates.**

IN PLACE. There are 3 racks that hold 10 or more bikes.







8. Welcoming Pedestrian Access Signage at Gated Entries

<u>COMPLETE</u>. There are 3 large <u>WELCOME</u> to the Boardwalk Pedestrian Access signs (Note: pictures taken before curbing was painted red).







West East (north side) East (south side)

- 9. Welcoming Pedestrian Access Signage from Public Parking Areas and Centennial Trail access points (see map)

 Need Clarification
- 10. Signage from Bellerive Lane showing Centennial Trail access locations (see map)

 Question re artwork graphic
- 11. Additional signage at public access locations
 - Replace two (2) missing signs between 1790 and 1810 Bellerive Lane and 1384 and 1370 Bellerive Lane on street side (signs at boardwalk in place still). Signs & posts are gone from Bellerive Lane access points.

COMPLETE

- Add large boardwalk signage at all locations that only have small signs COMPLETE
- Add signs at trail connections (see map)
 COMPLETE. Each trailhead has a sign.

• Annual inspection with the Master Association with Parks Dept. &/or Planning Dept. staff to verify signage remains in place for nine public access points, ADA access trail connections.

AGREE

2018 condition language: Welcoming Wayfinding Signage shall be posted at gated entries at the time the gates are installed to inform public of the usable open space within the development and that the public is welcome in the neighborhood on sidewalks, paths, on the boardwalk, and in the commercial area.

There are 10 Boardwalk trailheads. Each has one of these pedestrian **WELCOME** noted to the right. There are two styles – black is the newest version used at 6 of the trailheads.

The signs list the boardwalk rules (e.g., no bikes, skateboards, or e-vehicles).

Welcome to the Bellerive Boardwalk

Rules of the Boardwalk

Enjoy the Boardwalk and Please be Courteous Pedestrians Only Do not Black Boardwalk

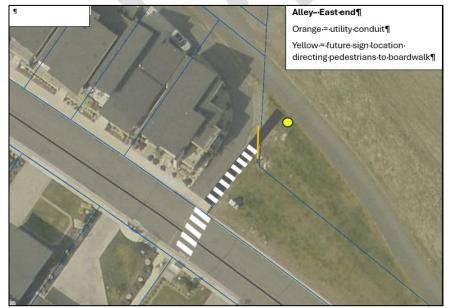
No Bicycles or Skateboarding
No Swimming or Ulving off the Boardwalk



#10 is missing from the City's list is of trailhead location (total of 10)

	Nine (9) 10 Public Access Locations Required with Plat and PUD	All Complete			
1.	Southern edge - Verified				
2.	Hammerhead between 1258 and 1248 Bellerive Lane - Verified				
3.	Between 1384 and 1370 Bellerive Lane – MISSING on Bellerive Lane side				
4.	Between 1486 and 1502 Bellerive Lane - Verified				
5.	Between 1650 and 1668 Bellerive Lane (vacant lot) - Verified	All 10 trailheads have			
6.	Between 1790 and 1810 Bellerive Lane - MISSING on Bellerive Lane side	one of the above WELCOME signs			
7.	At Riverfront House - Verified	W ELCOWIE SIGHS			
8.	Between 2026 and townhouses at 2056 Bellerive Lane - Verified				
9.	Between townhouses at 2104 and 2130 Bellerive Lane – Verified				
10.	Between 2180 and 2170				

- 12. Install sidewalks from public parking area off of Lacross Boulevard, public parking area (within emergency access gates), and Centennial Trail to Bellerive Lane
 - a. Add missing section of sidewalk between Riverfront House and 1842 Bellerive Lane for pedestrian access next to the gate IMPLEMENTATION underway. There are three underground utility boxes the area and water drainage. As the area involves a drainage ditch, HOA consulted with two providers to remediate the area and add a runoff drain in anticipation of the future sidewalk.
 - b. Add sidewalk connections as shown on the map.



AGREE: Noted on map

Widen east end of alley driveway to include a pedestrian pathway from trail into the Bellerive community.

Paint crosswalk along new alley pedestrian to the road.

<u>COMPLETE</u>. Painted crosswalk over the road to connect to the trailhead between 1486 & 1502.

12b continued. Prior to adding a sidewalk; however, there are three issues to resolve first:

- 1. Need owner of 1505 to grant permission
- 2. Obtain City's permission as the sidewalk crosses city property to connect to the trail
- 3. Waiting for conveyance of Riverstone Waterfront LLC property to HOA
- **13.** Add a crosswalk and move speed bumps to align pedestrian crossing with boardwalk access. **COMPLETE**.

Consider adding fencing with pedestrian openings to prevent vehicles from accessing the trail and Bellerive Lane.

<u>AGREE</u> with suggestion. Below is fencing used on the west side. It would fit well into the landscape beautification plans along the trail on the east end as shown in #4 pictures.



Comments from Idaho Dept. of Lands Noted in 2018 Staff Report

IDL: Mike Ahmer, Resource Supervisor- Lands & Waterways (black font)

The IDL has issued 7 encroachment permits for the community dock system and boardwalk at Bellerive, along with permits for bank stabilization, installation of boat lifts, and additional boardwalk to be installed. The first permit was issued August 31, 2006, and the most recent permit was issued on October 25, 2018. There have been numerous challenges with this project dating back to July 2006 when IDL received the 1st original application.

<u>ALMOST COMPLETE</u>. The IDL dock issues have been resolved, except landbridges. A provider has been secured who will works with a barge company to offload the rocks. Anticipate achieving the November 2025 deadline.

One of the big issues with this project was that the boardwalk be available and open to the public. In fact, one of the terms and conditions of the permit was that the boardwalk was to be made available to the public in perpetuity. IDL feels that installing a gate that would restrict vehicular access could also restrict public access to the boardwalk. IDL needs to ensure that terms, conditions, and conditions of approval of previous permits are still being adhered to. IDL is opposed to any projects or actions that would reduce the public's ability to recreate and utilize this area as was originally agreed upon.

<u>WAYFARING SIGNS</u>: boardwalk continues to remain "open to the public" with three <u>WELCOME</u> signs currently in place at the gate entries.

Moreover, there are "WELCOME Pedestrian Access Public Boardwalk" signs are located at each of the **ten trailheads**, directing the public to the boardwalk (vs the issue of trespassing through private property). The signs also list rules (e.g., no swimming, etc.).

<u>ASSURANCE</u>: HOA assures the IDL and City of CDA that it has <u>never</u> restricted access to the boardwalk or open spaces, and it never will.

<u>NOTE</u>: Since Bellerive is a **privately owned street**, residents pay its maintenance; thus, street parking is restricted to residents, guests, and authorized vehicles. However, large commercial trucks visiting Riverfront House businesses use Bellerive as a turnaround, disregarding the two-lane turnaround driveway built for this purpose.

<u>PARKING</u>. Because residents are not obligated to provide free on street parking to non-residents, to protect private property rights and lessen maintenance expenses, the HOA installed parking restriction signs to deter vehicles from entering and use the two nearby commercial lots or public streets. These practices provide limited relief but at cost to the HOA. Gates resolve the issue without impeding pedestrian access.

At all times, pedestrians and bicyclists are always allowed to enter via the unobstructed sidewalks.





Misc: Not sure where to include this statement

StanCraft's Mahogany Lane developer, Rob Bloem, has no objection to the gates

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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. П **OBJECTIVE CI 1.1** Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement. П 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. П **OBJECTIVE CI 2.1** Maintain the community's friendly, welcoming atmosphere and its smalltown feel. П **OBJECTIVE CI 2.2** Support programs that preserve historical collections, key community features, cultural heritage, and traditions. П 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. П Goal CI 4 Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness. П **OBJECTIVE CI 4.1** Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland. П **OBJECTIVE CI 4.2** Create an environment that supports and embraces diversity in arts, culture, food, and selfexpression. П **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.

skills, academic enrichment, mentoring programs, and personal growth.

enthusiastic, talented, and caring teachers and staff.

Provide abundant opportunities for and access to lifelong learning, fostering mastery of new

Support educators in developing and maintaining high standards to attract, recruit, and retain

Comprehensive Plan Goals and Objectives - 1

OBJECTIVE EL 3.2

OBJECTIVE EL 3.3

П

П

П	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.		
Enviro	nment	& 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.		
Growt	h & De	velopment		
		D 1 o a mix of land uses throughout the city that balance housing and employment while preserving lities 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 welling and hiking dictance.		
		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.		
	Cool			
	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 G Protect	D 4 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	& Safe	et <u>y</u>		
	Goal H	S 1 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 &	Econo	<u>my</u>		
	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.		



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From: Bob Zurcher
To: CLARK, TRACI

Subject: Support for Bellerive PUD gate **Date:** Friday, November 7, 2025 1:32:57 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon,

I live on Bellerive Land and am writing to express my support for installing two gates on Bellerive, east and west of Beebe Lane. These gates are designed to allow pedestrian and emergency vehicle access while addressing residents' concerns about congestion and safety issues caused by excessive non-resident traffic.

For these reasons, I hope you will support the installation of the gates.

Sincerely, Bob Zurcher

This email is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination, or other use of, or taking of any action in reliance upon, the information in this email by persons or entities other than the intended recipient is prohibited and may be unlawful. If you received this in error, please contact the sender and delete the material from all devices.

From: Cathy Albright
To: CLARK, TRACI

Date: Friday, November 7, 2025 1:15:02 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Cathy Albright at 1583 Bellerive is in support for the two gates on Bellerive Ln.

Cathy Albright

From: Debbi Somers
To: CLARK, TRACI
Subject: PUD-1-04m.7

Date: Tuesday, October 28, 2025 10:01:51 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Will we be given clickers or gate code in order to access the gate?

Lou & Debbi Somers 2056 W Bellerive #103 Coeur d'Alene, ID 83814 702-371-3561 From: Dennis Cunningham
To: CLARK, TRACI
Subject: Bellerive HOA Gates

Date: Friday, November 7, 2025 12:04:55 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Planning Commission,

I live in the Bellerive HOA area. Please consider approving gates at our two designated locations. The turn-around vehicular traffic at both east and west roads are dead ends and as a result it gets very busy especially during vacation seasons. 90% of these vehicles are not stopping they are just drive byes looking around and not knowing there isn't any exit.

Thanks for your consideration on this agenda item.

Dennis Cunningham

Get Outlook for iOS

From: Raintree Car Wash & Detail Center

To: <u>CLARK, TRACI</u>

Subject: Support for Gates on Bellerive Ln

Pate: Friday, November 7, 2025 2:14:56 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We are writing this in support of the proposed gate(s) addition to Bellerive Lane.

We have owned our home at 1769 W. Bellerive Lane since 2015, during which time we have seen a large increase in non-resident vehicles speeding, parking, and traffic. Many of these vehicles travel well above the clearly posted 15 mph limit — some reaching speeds closer to 45 mph. The speed bumps installed by the HOA have had little effect in slowing them down. Rather than park in the parking lots or on Beebe, non-resident vehicles frequently park partially on sidewalks, in red zones, and close to driveways and alley entrances or exits, creating dangerous visual obstructions for anyone entering or leaving these areas. This poses a serious risk to residents and pedestrians, especially children playing in the neighborhood.

We believe the addition of the gates will greatly reduce these issues by managing vehicle traffic on Bellerive Lane, which in turn will increase safety, comfort, and security not only for residents but for everyone in the surrounding community, especially the pedestrians who enjoy walking through Bellerive.

We respectfully request that the City Planning Department approve the gate proposal without delay.

Thank You, Jan Frym
 From:
 Jim Van Sky

 To:
 CLARK, TRACI

Cc: <u>Casey Price</u>; <u>Deb Vernon</u>
Subject: Bellerive Lane Street Gates

Date: Friday, November 7, 2025 12:42:54 PM

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Greetings,

My name is Jim Van Sky and I reside with my wife Teresa at 1774 West Bellerive Lane in Coeur d'Alene. We have lived there since 2015.

We are in aware of the efforts between the City of Coeur d'Alene and our HOA board to work together to satisfy the safety concerns of the neighborhood residents while continuing to provide a welcoming atmosphere to the visitors of the neighborhood. My wife and I enjoy seeing people walking on the boardwalk while they are visiting the local restaurants and taking in the scenery.

It is our hope that the Bellerive Lane street gates may be approved.

We appreciate your consideration in this matter.

Jim and Teresa Van Sky

From: Joseph Anderson
To: CLARK, TRACI
Subject: Bellerive gates

Date: Friday, November 7, 2025 1:46:07 PM

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To whom it may concern-My wife and I are in support of the gates and hope they will be approved. Thank you! -Joe

Joe Anderson 1790 W Bellerive Lane Coeur d'Alene, ID 83814

Sent from my iPhone

From: <u>Laura phelps</u>
To: <u>CLARK, TRACI</u>

Subject: Gates at east and west of Bellerive Lane **Date:** Friday, October 31, 2025 2:07:21 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We received a letter requesting our opinions on the proposed gates at the east and west of Bellerive Rd. We did notice the gates have already been installed, so we are a bit unclear about the timing of the request for feedback. Additionally, we feel The River House Condos should not be responsible for any materials or future maintenance of these gates (i.e., through the Bellerieve Master dues), as we already maintain our own gate that is separate from this project.

Thanks, Tim and Laura Phelps From: Lois Hansen
To: CLARK, TRACI

Subject: Approval of Bellerive"s submission for a PUD amendment to install traffic control gates

Date: Thursday, November 6, 2025 5:21:52 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The city's approval of Bellerive's submission for a PUD amendment to install gates is a positive step toward enhancing both safety and accessibility. With many non-resident pedestrians already enjoying the boardwalk, the gates with pedestrian welcome signs will ensure continued access without obstructing sidewalks. The amendment also addresses the growing safety concerns, including speeding vehicles and cars driving on the trail, which pose a risk to residents and visitors. We have seen many vehicles driving on the trail coming from the east end to exit at Beebe. Additionally, the installation of gates and security cameras will help deter crime, creating a safer environment for all. This thoughtful approach balances safety with community enjoyment and security.

We ask the city to approve Bellerive's submission of a PUD amendment for traffic controlling gates.

Lois and Herb Hansen

1669 W Bellerive Lane

Coeur d' Alene, ID 83814

From: <u>lolita lolitac.com</u>
To: <u>CLARK, TRACI</u>

Cc: Larry; george@georgehacker.com

Subject: FW: Riverfront House Gates & On-Street Parking: add to public hearing on Nov 12

Date: Friday, November 7, 2025 7:41:00 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Planning Commission:

I forgot to add you to this email to voice our opinion for the Nov 12th public hearing. Please count our voice.

Thank you, Lolita Cardona and George Hacker 1884 Bellerive Lane, Unit 208

From: lolita <u>lolitac.com</u>

Sent: Friday, November 7, 2025 8:32 AM

To: 'kh.hoa@kiemlehagood.com' <kh.hoa@kiemlehagood.com>

Cc: Larry <sidebar808@sbcglobal.net>; Joleen Norcini <jnorcini@sentrymgt.com>;

george@georgehacker.com

Subject: Riverfront House Gates & On-Street Parking: add to public hearing on Nov 12

Hello Mr. Weaver,

We own one of the units at Riverfront House condo – been an owner since 2008. We have been opposed to the installation of the gates on Bellerive Lane. The perceived notion that it will enhance the value of the homes and that it will reduce crime, (the initial reasons provided at the start), is a fallacy. In the 15+ years, there have been only a few crimes reported.

We are very concerned that the use of the gates will cause undue traffic in our circular driveway (maintained by Riverfront House COA) since there is not a "turnaround". This problem could be a huge potential for pedestrian mishaps and, in addition, will cause additional wear and tear in our circular driveway. These gates will give the perception that this is a "private" community and will discourage public access to the boardwalks.

How are the Riverfront House owners (residential and commercial) benefiting from these gates?

Sincerely, Lolita Cardona and George Hacker

1. The gates are a borner to the river/boardwalk. 2. No turn arounds except private lot on the east, private drive way on the west or backing up through a crosswalk. Trash trucks already back up through a crosswalk. 3. Traffic a pedestrian activity is very high on holidays, weekends, a June - Sept for Centennial Track, Community books board walk , & 2 restaurants, Even the Fort Grounds Dr. has turneerounds! Mark Kinines 1950 W Belleine Con From: Sprague, Patrick
To: CLARK, TRACI
Subject: Gate for Bellerive Lane

Date: Friday, November 7, 2025 1:40:29 PM

Attachments: public notice .docx update.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I support the gated entrance and hope it is approved!

Patrick Sprague

Coeur d' Alene Resident



From: PRANEE UNIAT
To: CLARK, TRACI

Subject: Bellerive HOA entry gate

Date: Thursday, November 6, 2025 3:24:51 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Our names are John and Pranee Uniat Address 1735 W Bellerive Lane CdA, ID 83814

We are emailing you to express support for the gate in front of our street. I was almost hit by a car coming down the Centennial Trail at fast speed and crossing onto Bellerive Lane and speeding away. This happened twice. The gate will serve as a traffic control because drivers will not be able to plow through Bellerive Lane and out the street. Many drivers think that they could cross onto Bellerive Lane as a short cut. Someday, someone will be hit and killed by a car.

Please support and vote for us to keep the automatic entrance gate functioning. Thank you.

Sincerely

Pranee and John Uniat 909-523-1021 (call if you have questions) From: <u>russell.d.mueller@mac.com</u>

To: <u>CLARK, TRACI</u>
Subject: Item: PUD-1-04m.7

Date: Wednesday, November 5, 2025 3:35:27 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I currently live in the Bellerive Condos at 1950 W Bellerive Lane. I'm writing in reference to the Bellerive HOA's desire to place gates on Bellerive Lane. The gates will cause a significant issue relative to the cars that approach the gate. They will be forced to make a u-turn on Bellerive Lane into the underground garage entrance of the Bellerive Condos. The entrance has a blind curve, which has the potential to cause a collision as cars attempt to make the u-turn off of Bellerive Lane. The gates are simply transferring the issue of cars making a u-turn on resident driveways and shifting it to our underground garage entrance into the Bellerive Condos. Unfortunately Condo residents have a blind curve as they exit the garage, which will eventually create an increased chance of a car collision.

Please feel free to respond if you have any questions regarding my commentary.

Russell Mueller 1950 W Bellerive Lane, Unit 309 Coeur d'Alene, ID 83814 360-907-5556 From:Suzanne DevriesTo:CLARK, TRACISubject:Bellerive Lane gates

Date: Friday, November 7, 2025 12:43:00 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello. My husband and I are in full support of installing the gates along Bellerive Lane. Thank you for the consideration.

Suzanne DeVries 714.390.6175

From: Clark Emmerson

To: CLARK, TRACI

Subject: Bellerive Homeowner Gate Request **Date:** Friday, November 7, 2025 3:30:53 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sir,

I live at 1384 West Bellerive Ln. We moved into our home October of 2016. Since that time we personally have had two incidents. One involved a theft about 3am whereby a car stopped by our house, the driver went down to the dock, stole a paddle board and then loaded it and drove off.

The second incident was young men who through a large stick through our glass garage door panels. Cost of repair was over \$18,000.00.

The numerous issues we have as a community are constant! The numbers of vehicles that race up and down the streets is dangerous and totally avoidable. Theft is ongoing and the gate will undoubtedly make a huge difference.

While we welcome visitors to walk our community and the boardwalk the gate has become a necessity. There is no need for vehicular access other than homeowners and our guests.

Please support this our application for this gate.

Sincerely, Clark and Carol Emmerson

Sent from my iPad

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COEUR D'ALENE PLANNING AND ZONING COMMISSION FINDINGS AND ORDER

PUD-1-04m.7

INTRODUCTION

This matter came before the Planning and Zoning Commission on November 12, 2025, to consider PUD-1-04m.7, a request to approve amendment #7 to the Bellerive Planned Unit Development (PUD) to allow two (2) gates along Bellerive Lane, a private street.

APPLICANT: Bellerive Homeowner's Association (HOA)

OWNER: Bellerive Homeowner's Association (HOA)

LOCATION: Bellerive, Private Road (AIN 301804) And Bellerive 1st Addition, Tract B (AIN

314920), encompassing an area that is +/- 0.24 Acre. The Bellerive PUD project is located between the former Burlington Northern Railroad and the Spokane

River and includes multiple plats.

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A14, 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 PUD-1-04m.7.

- 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 October 25, 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). Two Notices were posted on the property on
 November 4, 2025, eight 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). Two hundred twenty (220) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on October 24, 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 § 676509(a). The Notice was sent to all political subdivisions providing services within the
 planning jurisdiction, including school districts on October 24, 2025.
- 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 October 24, 2025.
- **A2.** Bellerive is the subject of this PUD amendment. The neighborhood, which was approved as a PUD project in 2005, includes single family homes, a mixed-use condominium building with residential units, restaurants and other businesses, and open space areas including the public boardwalk.
- **A3.** Bellerive is bound by the Spokane River to the south, Riverstone to the north, the Union to the north, and the Mahogany Lane development to the west. Surrounding land uses include single-family residential, twin homes, commercial, retail, restaurant, medical office, hospitality, parks, open space, and recreation. The Centennial Trail runs along Bellerive.
- A4. The Bellerive HOA is requesting two gates on Bellerive Lane to the east and west of Beebe Boulevard with this amendment (PUD-1-04m7). The gates would be located on the private road, which is platted as Bellerive, Private Road (AIN 301804) and Bellerive 1st Addition, Tract B (AIN 314920), encompassing an area that is +/- 0.24 acre. The HOA requested gates in the same location in 2018 through a PUD amendment. Following a public hearing, the gates were denied without prejudice by the Planning and Zoning Commission for a variety of factors. Conditions have changed and the HOA is once again requesting gates. They have already made improvements to ensure public access to the boardwalk and are agreeable to the recommended conditions of approval for this PUD amendment.
- **A5.** The Comprehensive Plan Future Land Use Map designation is the Planned Development Place Type, which are locations that have completed the planned unit development application process. Bellerive was approved as a PUD project.
- **A6.** The transportation exhibits from the Comprehensive Plan were provided showing the planned and existing bicycle, pedestrian, and transit networks.
- **A7.** The Commission finds the following Comprehensive Plan goals and objectives applicable to this PUD amendment request.

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.

Goal ER 1

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

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 GD 1

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

OBJECTIVE GD 1.3

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

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.

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.

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.

Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene.

(The commission will determine which of the above goals and objective apply and may add other applicable goals and objectives. The full Comprehensive Plan Worksheet is attached.)

- **A8.** Uses surrounding Bellerive include other residential developments that are primarily single-family residential, with some twin homes, mixed-use areas and a variety of commercial, service, hospitality, parks, recreation and open space areas. The request for gates would preserve pedestrian access to the boardwalk and would not change other aspects of the project. ADA access and bike racks are available at the Riverfront House.
- **A9.** The gates would be located on Bellerive Lane, a private street, and are not expected to impact the natural features of the site.
- **A10.** City departments have provided comments regarding the location, design and size of the proposal related to City Codes and their ability to provide services and facilities. Conditions have been provided to ensure continued service to Bellerive.
- **A11.** The open space in Bellerive would not be reduced with this PUD amendment. Public access to the boardwalk will be maintained and enhanced with additional signage and pedestrian/ADA improvements, and the HOA is completing the remaining open space areas. Bike racks are provided at the Riverfront House.
- A12. The proposed PUD amendment does not affect the original parking requirement.
- **A13.** The Bellerive Homeowner's Association would be responsible for providing perpetual maintenance of all common property.
- **A14.** City departments have provided recommended conditions to ensure public access to the boardwalk such as enhanced pedestrian access and visibility of the public access locations to the boardwalk, emergency access, access to maintain and repair city infrastructure, and HOA responsibility of any damage to the gates associated with infrastructure repairs.

(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. This proposal **(is) (is not)** in conformance with the Comprehensive Plan Goals, Objectives, and Future Land Use Map Place Type.
- B2. The design and planning of the site (is) (is not) compatible with the location, setting and existing uses on adjacent properties.
- B3. The proposal (is) (is not) compatible with natural features of the site and adjoining properties.
- B4. The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.
- B5. The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.
- B6 Off-street parking **(does) (does not)** provide parking sufficient for users of the development.
- B7. That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property.

C. DECISION

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested PUD amendment (does) (does not) comply with the required evaluation and should be (approved with conditions) (approved without conditions) (denied) (denied without prejudice).

Recommended conditions:

FIRE:

- 1. Electronic Knox key bypass will be needed on both gates.
- 2. No parking will need to be enforced within 50' of the entrance and egress gate to ensure fire apparatus can make it through the gates and not be blocked by parked vehicles.
- 3. FD turn around at the east/south end of Bellerive must remain clear at all times for a fire department turnaround or the access to Lacrosse will need to be opened up permanently for fire apparatus to be able to drive through the development.
- 4. FD turnaround on the west/north side need to be kept clear from vehicles and job trailers.

WATER/WASTEWATER:

- 5. The Water and Wastewater Departments requires that the 30-foot combined easement for water and wastewater be maintained. In addition, both departments must have 24/7 access through the gate using a secure access code to repair, read, and maintain infrastructure as needed.
- 6. The HOA will have full responsibility to repair the gates if they are damaged as a result of emergency or routine repair of the City's sewer and water facilities.

STREETS & ENGINEERING

7. Add the missing section of sidewalk between the Riverfront House and 1842 Bellerive Lane for pedestrian access next to the gate that meets ADA accessibility requirements.

PLANNING:

- 8. Install a trail connection to the Centennial Trail at the midway point aligning with the public access connection to the boardwalk.
- 9. Dedicate an Easement to the City and Centennial Trail Foundation for the portion of the Centennial Trail that is on private properties.
- 10. Conduct an annual inspection with the Master Association, City Parks Department and/or Planning Department staff to verify signage remains in place for the nine public access points, ADA access, and trail connections.
- 11. Improve remaining Open Space areas.

PARKS & RECREATION:

12. The Bellerive HOA is responsible for working with City staff on the design and installation of up to two (2) Public Access Interpretive Signs at agreed upon locations within the Bellerive Development. The Parks Department staff will work with the Bellerive HOA on a design showing all public access locations within Bellerive. The interpretive signs shall be similar to the design of the interpretive sign example on page 31 of the staff report. The HOA will be responsible for the cost of the signs and installation.

(The commission may add other conditions.)

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order (approve with conditions) (approve without 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 with conditions)(approve without conditions)(deny)(deny without prejudice) carried by a to vote.