



Coeur d'Alene

CITY COUNCIL MEETING

October 21, 2008

MEMBERS OF THE CITY COUNCIL:

Sandi Bloem, Mayor

Councilmen Edinger, Goodlander, McEvers, Bruning, Hassell, Kennedy

CONSENT CALENDAR

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
OCTOBER 7, 2008**

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room, October 7, 2008 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem

John Bruning)	Members of Council Present
Loren Ron Edinger)	
A. J. Al Hassell, III)	
Deanna Goodlander)	
Mike Kennedy)	
Woody McEvers)	

CALL TO ORDER: The meeting was called to order by Mayor Bloem.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman Goodlander.

PRESENTATION - SPECIAL NEEDS RECREATION ANNUAL REPORT:
Recreation Director Steve Anthony introduced Angie Goucher, Special Needs Recreation Director. Ms. Goucher presented a summary of the activities conducted by the Special Needs Recreation program this past year.

PUBLIC COMMENTS:

MID-TOWN IMPROVEMENTS: Don Thompson, 701 4th Street, believes that it is unfair that a portion of his property taxes have gone to LCDC over the years and now the City wants to form a Local Improvement District (LID) for the improvements along 4th Street and he would like to see the City have LCDC fund the LID improvements. Councilman McEvers noted that the City has budgeted \$1.8 million (\$637,000 from LCDC) for this project which includes the cost of forming an LID. Gordon Dobler, City Engineer, explained that LCDC is providing funds for the increased costs for this project of \$1.1 million, with the total contributed funds from the City and LCDC at \$2.5 million. Councilman McEvers asked if LCDC should indeed pick up the entire tab for this project instead of the property owners. Councilman Kennedy noted that the increased cost to the project came from the enhancements requested by the property owners. Councilman Edinger asked if the Council can direct LCDC to pay the LID costs. Deputy City Attorney Warren Wilson responded that he believes that the City cannot direct LCDC as they are a separate governmental board. Mayor Bloem noted that the owners along Sherman Avenue and Lakeside Avenue paid for their LID costs along with State grants for the Downtown improvements and paid their property taxes. In this case there is LCDC which is the one of funding sources of this project. Mr. Thompson believes that since 4th Street is a part of the Lakes Urban Renewal District that LCDC should pay for

all of the LID costs. Councilman McEvers asked why doesn't LCDC pay for the entire project since, when the properties are improved through this project, LCDC receives the additional funding from the increased property taxes. Councilman Kennedy asked Mr. Thompson if he feels the property owners should pay any LID costs. Mr. Thompson responded maybe \$1.00 per property owner. Councilman Kennedy reported that several owners along Sherman and Lakeside have told him that they feel that it would not be fair if they had to pay large amounts of money for their street improvements and the property owners along 4th street pay nothing. Councilman Kennedy asked if Mr. Thompson would be more willing to participate if the properties that are receiving more enhancements pay more of the LID share. Mr. Thompson again feels that he should not have to pay anything for the improvement to his property. Councilman Edinger summarized that the LID would be for a total of \$400,000 of the \$2.5 million total project costs along with an additional \$400,000 for incentives being paid for by LCDC and Mr. Thompson is requesting that LCDC pay for all improvements. Councilman Goodlander recapped by saying that Mr. Thompson's requesting LCDC to pay \$1.9 million of this project. Councilman McEvers believes that this is a unique situation and the Council should discuss this issue further. Councilman Hassell noted that LCDC has already spent \$800,000 on property acquisition for this area and has pledged an additional \$1.1 million. Councilman Edinger noted that he believes Mr. Thompson is feeling is that since he has been paying property taxes to LCDC he has already paid his share of the project. Mayor Bloem noted any action at this time would be premature without the engineer's report on the complete project design and estimated costs.

Lynn Schwindel, 735 N 4th Street, supports Mr. Thompson's concerns. He believes that LCDC could pay the LID off in 10 years with the property taxes received from the 4th Street property owners.

Harold Hocker, 1413 E. Spokane Ave., believes that the Council is really sticking their necks out and they are going to be in a mess that they are going to regret for the rest of their lives. He believes that LCDC is the most unfair thing that he has ever seen noting that when he lived in Sacramento he experienced urban renewal districts. He believes that the Council does not know what they are getting into. He noted that he lived through one depression and he believes that what is coming will be worse.

Susan Snedaker, 821 Hastings, announced that October is Breast Cancer Awareness month and urged residents to get examined. She noted that the Council wanted to know if any of the people voting in the Midtown meetings were property owners and she noted that she and Dan Gookin were only people present who did not hold an interest in real property along 4th Street and that they did not vote. She is dumbfounded that Welch Comer who participated in the meetings is not being awarded the design contract but JUB is being awarded the design contract for this project and she wants to know why they were awarded the contract since they were never a part of any of the meetings. She asked what the process was and why wasn't the engineer who attended the meetings given the contract. Gordon Dobler, City Engineer, responded that per Idaho Code, the City followed the RFP process in selecting the engineer. He noted that the concept will be drawn up and built by the engineer hired. Councilman Hassell asked what the 4 criteria

were for selecting the construction design engineer. Mr. Dobler responded that among them were familiarity with the project and corporate experience.

Lynn Schwindel, 735 N. 4th Street, also expressed his surprise that the engineering firm that conducted the meetings was not selected as the project engineer. He suggested in the future that LCDC should have had a position on the selection committee as well as one of the owners along 4th Street as a stakeholder on this project.

CONSENT CALENDAR: Motion by Goodlander, seconded by Hassell to remove contract award to JUB from the agenda for separate consideration. Motion carried.

Motion by Hassell, seconded by Kennedy to approve the Consent Calendar as presented.

1. Approval of minutes for September 16, 2008.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, October 6th at Noon and 4:00 p.m. respectively.
3. RESOLUTION 08-053: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH LMN ARCHITECTS FOR COMMERCIAL ZONING DESIGN STANDARDS; ANNUAL RENEWAL RATES AND BENEFIT PLAN CHANGES FOR EMPLOYEE INSURANCES; BID AWARD AND APPROVAL OF A CONTACT WITH POLIN & YOUNG CONSTRUCTION, INC. FOR THE REMODEL TO FIRE STATION 1; AND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH INLAND NORTHWEST CONSULTANT'S INC. FOR THE NEIDER AVE. / HOWARD STREET EXTENSION.
4. Approval of cemetery lot repurchase from Carly Ann Basile.
5. Acceptance of waterline easement at Kootenai Hospital District.
6. Acceptance of access easement from Dave Rucker at 4th and Best
7. SS-22-06 - Final plat approval for Trails End, A Condominium.
8. Approval of rescheduling the public hearing for amending City fees to December 2, 2008.

ROLL CALL: Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

CONSENT CALENDAR ITEM - APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH JUB ENGINEERS FOR 4TH STREET IMPROVEMENTS:

Councilman Hassell recused himself as his son works for JUB Engineers. Councilman Edinger asked what would be the effect if this contract is not approved tonight. Gordon Dobler noted that the project is on a very tight schedule to get this project done by June, 2009. Councilman Edinger commented that he has concerns that Welch Comer went through the meeting process with the 4th Street project and now JUB will do the project. Mr. Dobler responded that these are two completely different processes – Welch Comer completed the landscape architect concept process which will

not be done again and now the engineering firm contracted will be completing the construction design of the project. Thus, the City would not be starting over with a different engineer since these are two different phases of the project – concept design and construction design. In conclusion, Mr. Dobler noted that if the Council does not take action tonight, that the project could end up a split project with part of it being done in the Spring and then part of it waiting to be done in the Fall. In regard to the selection committee, it consisted of 3 engineering staff and a representative from the Water Department and a representative from Wastewater. Councilman Goodlander asked who ended up with the most total points. Mr. Dobler responded that JUB had the most points. She asked what the point difference was between JUB and Welch Comer. Mr. Dobler responded that he did not know. Councilman Goodlander noted that there was a 1.5 point difference between the JUB and Welch Comer proposals. Councilman Goodlander asked how subjective the ratings are on the RFP. Mr. Dobler responded that there really isn't that much subjectivity in awarding points in the selection process. Councilman Goodlander stated that she disagreed with Mr. Dobler that the design is complete and the costs have been estimated as the final design has not yet been approved.

Councilman Bruning noted that there is not duplication of work between what Welch Comer did and what JUB will be doing. Councilman Kennedy commented that he had talked with Del Hatch from Welch Comer and asked Mr. Dobler if there was a place for oral interviews since the scores were so tight. Mr. Dobler responded that the panel did not feel the need for an oral presentation based on the RFP's presented. Councilman Kennedy asked why this contract award was not run through Public Works Committee before coming to the City Council. Mr. Dobler responded that generally once the Council approves the project that the contract award is taken directly to the Council. Mr. Kennedy asked about the rationale for selecting the members of the review committee. Mr. Dobler responded that the representatives from Water and Wastewater were there because of their expertise in dealing with these types of contracts and had very little to do with their utilities. Councilman Kennedy commented that he has a conflict with the fact the Welch Comer is less qualified than JUB. Mr. Dobler does not believe that Welch Comer is less qualified than JUB and that is not the reason why JUB received the contract. He added that it is never an issue of less qualified but rather it comes down to a point that somebody needs to come in first. Councilman Kennedy questioned the points awarded for the qualifications of the project manager. Mr. Dobler responded that the principal of a company is generally never the individual listed as the project manager which is the person for which experience ratings are applied. Councilman Kennedy asked if this issue could go back to Public Works to discuss if the selection panel should have included members from LCDC. Mr. Dobler responded that the concept of panel selection could be discussed in broader terms at the Public Works Committee.

Councilman Edinger noted that Mr. Dobler has said that the project has been approved yet the color of the sidewalks has not yet been approved. Mr. Dobler responded that time has been allotted in this project to make those final detail decisions.

MOTION: Motion by McEvers, seconded by Edinger to award the professional services

contract to JUB Engineers for the 4th Street project.

DISCUSSION: Councilman Goodlander noted that she is voting no because Del Hatch from Welch Comer had attended the meetings and their involvement should be continued. Councilman Edinger asked if Del Hatch and Welch Comer did receive compensation for what they have done. Mr. Dobler responded that they have been paid for their work. Councilman Bruning noted that the residents along 4th have requested that this project be done as quickly as possible so there is the least amount of disruption to their business. Councilman Kennedy asked Councilman Goodlander what would be the downside of redoing the RFP process. Councilman Goodlander responded that staff has made the determination but she is voting no because she has concerns on the landscape architect aspect of this project and that the property owners have been working with Welch Comer. Deputy City Attorney Warren Wilson commented that staff could not come back in two weeks with a different determination. If Council rejects the bid tonight, then the RFP process would have to be completely redone. Councilman Edinger does not see any benefit in putting off the decision to award the engineering design contract tonight. Councilman Kennedy noted that since they cannot bring it back in two weeks, he has made his decision but the Council does need to look at the process for selecting professional services from engineering firms. Councilman McEvers does not believe that the selection process needs to be reviewed. Councilman Goodlander disagreed in that this process was done differently than other city projects in that LCDC is involved with this project.

ROLL CALL: Bruning, Aye; Edinger, Aye; Hassell, Abstained; Goodlander, No; Kennedy, Aye; McEvers, Aye. Motion carried.

RECESS: Mayor Bloem called for a recess at 8:15 p.m. The meeting reconvened at 8:25 p.m.

COUNCIL ANNOUNCEMENTS:

COUNCILMAN BRUNING: Councilman Bruning announced that the Recreation department is currently registering 3rd-8th grade students for the boys and girls basketball leagues until October 10th. Registration fees are \$26/residents and \$31/nonresidents.

COUNCILMAN HASSELL: Councilman Hassell announced that absentee voting will begin soon. One of the ballot items in this election is the vehicle registration fees and urged residents to review the information on this ballot item.

COUNCILMAN MC EVERS: Councilman McEvers announced that CDA TV is currently airing the dedication ceremony of the 9-11 Memorial Park. He noted that it is a very moving video.

COUNCILMAN KENNEDY: Councilman Kennedy announced that there will be a ribbon cutting ceremony for the Safe Routes to Schools project. The site of the ribbon

cutting will be along the sidewalk that connects Lakes Middle School to north of the I-90 underpass. He commended Mike Gridley and Kristen Pomerantz for their work on this project

COUNCILMAN GOODLANDER: Councilman Goodlander announced that the Mayor's Awards in the Arts will held on October 9th in the lower level of Brix. Awards will be given to Judith and Michael McGivney for excellence in the arts, Mary Lou Deon for support of the Arts and the Sorensen Magnet School for Excellence in Education in the Arts.

COUNCILMAN EDINGER: Councilman Edinger congratulated the Fire Dept. for their Open House last Saturday.

**ORDINANCE NO. 3341
COUNCIL BILL NO. 08-1018**

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 2.66.010 INCREASING MEMBERSHIP FROM 9 MEMBERS TO 10 TO INCLUDE A HIGH SCHOOL STUDENT WHOSE TERM SHALL BE FOR ONE YEAR; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Goodlander, seconded by Edinger to pass the first reading of Council Bill No. 08-1018.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

Motion by Hassell, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 08-1018 by its having had one reading by title only.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

SOLE SOURCE PROCUREMENT - ACCUBRINE MACHINE: Street Superintendent Tim Martin requested Council's authorization to proceed with a sole source procurement of an Accubrine machine. He noted that this is to replace the current practice of purchasing de-icing agent from a vendor and that the cost savings from using this machine to create our own de-icer will pay for itself in three seasons of usage. He also noted that other area cities and the highway districts are interested in obtaining their brine solution from the City. Councilman Hassell noted that one of the reasons for the City purchasing this machine is the shortage of the de-icing product used in the past.

Mr. Martin also noted that the annual leaf pickup program will begin November 12th.

Motion by Edinger, seconded by Hassell to authorize staff to proceed with the sole source procurement of an Accubrine Automated Brine Maker manufactured by Cargill, Inc. Motion carried.

REQUEST FOR WATER SERVICE OUTSIDE CITY LIMITS - 1894 JOHNSON ROAD: Water Superintendent Jim Markley reported that the Phelps who own the property at 1894 Johnson Road are requesting water service to their parcel. Mr. Markley noted that the original parcel had been approved for water service. The property owner is now requesting additional water service for the proposed construction of a residence on the adjacent parcel. Mr. Markley noted that this request does not meet the policy and requirements for providing water service outside the city limits. He also noted that he has a concern of the capacity of our water service being adequate to provide service to those areas that already qualify for City service.

DISCUSSION: Councilman McEvers noted that this is being brought to the full Council to see if the Council would want to reconsider the City's policy and extend water service to this parcel. Councilman Edinger noted that when the City granted water service to the Ulvan property (purchased by the Phelps) that there was a stipulation that water service would not be extended to the adjacent lot which is now requesting water service. Councilman Hassell asked if there were any changes to the conditions in this area that would cause the City to change their policy. Mr. Markley responded no.

Deputy City Attorney noted that what is before the Council tonight is a request to change the City's policy.

Councilman Kennedy asked for input from the applicant or their attorney. Motion by Edinger, seconded by Hassell to allow the applicant 5 minutes of testimony. Motion carried.

Susan Weeks, attorney for the applicant, noted that their clients are aware that they are again requesting water service from the City because they believe that it is not clear that they cannot hook up to the City's water service. She believes that although staff has legitimate concerns, an LID extension agreement can be entered into with the property owners, even though this is not a part of the City's water extension policy. In regard to the concern that this will open up the number of residents outside the city limits wanting water service from the City, she does not believe that this is the case. Additionally, she believes that their water rights were given away by the previous owners, the Shaws. She is requesting that the Council allow her clients an exception to the City's policy and grant them water service outside the city limits.

Councilman Edinger recalled discussions with Gary Ulvan regarding water service to that property and it was stated to Mr. Ulvan that water service would only go to his property where the residence is located and not the property to the north of his parcel. He believes that the realtor who sold this property to the Phelps did a disservice to them. Attorney Weeks disagreed in that Mr. Ulvan believes he was granted service to the property to the

north of his residence. Councilman Edinger asked that if the City granted this request, what effect would this have on the previous owner that was denied water service. Deputy City Attorney Wilson noted that if the City disregards their existing policy and grants water service to this parcel, then the property owner on Harrison could come back and request water service from the City. He also noted that this applicant does not meet the City's policy requirements for water service. Councilman Goodlander challenged that the City obtained their water rights to their well and it was the City's decision that the amount of water from the well did not justify pursuing converting these water rights to a municipal water right. She also believes that it is worth looking at entering into an LID agreement for water service to this parcel. Councilman McEvers believes that if these people want city services then they need to be annexed into the City. Councilman Edinger noted that this is a vacant piece of property that is requesting water service. He believes that the City cannot be the "good guy" all the time and sometimes we need to say no. Councilman Goodlander asked if all the other property owners in the area have City Water. Mr. Markley responded that vacant lots do not have water service; however, those areas that were developed prior to the City purchasing Idaho Water had service provided to them from the Idaho Water Co. Councilman Bruning asked Mr. Markley if the City is making any enhancements to the water system in this area. Mr. Markley noted that there is a large ticket item to enlarge water capacity on Stanley Hill but this is in the distant future.

Mrs. Phelps, property owner, commented that she believes she has not been afforded a fair hearing on her request. She believes that if they went ahead and built a residence then they could have connected to the City. Councilman Kennedy recalled Mr. Phelps wanting to construct a mother-in-law house. He believes that the reason they would not allow water service is just because someone constructs a home does not guarantee obtaining water service from the City. Susan Weeks believes that if the city returns the water rights and they build a well and in two years it fails, then they would be here asking for water service from the City at that time. Deputy City Attorney responded that the City's good neighbor water policy was for existing homes that had their wells fail, not for the further development of property. Councilman Hassell noted that most of the other residences had paid to extend the mains and hooked up to the water system in this area prior to the City purchasing the Idaho Water Co. Mr. Markley confirmed that is true and that is why the city extended water service to these properties which is not the case with the Phelps property. Councilman Edinger recapped that the property owners that have city water service in this area were previous customers of Idaho Water Co. prior to the City purchasing Idaho Water Co. Mayor Bloem asked that if the Phelps made a single lot of the two parcels, then could they extend the existing water service to another residence built on the same lot. Deputy City Attorney Wilson responded that the policy only applies to existing dwelling units, not new construction.

MOTION: Motion by Edinger, seconded by Hassell to deny the request to extend water service outside the City limits to 1894 Johnson Road. Motion carried.

PUBLIC HEARING - VACATION OF EASEMENT AT PRAIRIE STANDPIPE AND QUIT CLAIM TO IDAHO DEPT. OF TRANSPORTATION: Mayor Bloem read the rules of order for this public hearing. Jim Markley, Water Superintendent, gave the staff report.

Mr. Markley reported that when the City began construction 15 years ago of the Prairie Avenue standpipe they obtained a temporary construction easement and a permanent access easement from the State of Idaho Dept. of Transportation. During the process of obtaining permits for the Idaho State Police to expand their facility at this site, it was discovered that the proposed temporary construction easement provided in fee simple as the permanent easement and the proposed permanent access easement was given as the temporary construction easement to the standpipe.

Tonight's public hearing is to exchange the easements in order to provide the with City with the appropriate permanent access easement to Prairie Standpipe in exchange for the City quit claiming the construction easement back to the Idaho Department of Transportation.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

MOTION: Motion by Goodlander, seconded by Edinger to quit claim the improperly located permanent easement back to the Idaho Department of Transportation at the Prairie Standpipe site.

ROLL CALL: Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

PUBLIC HEARING - V-08-3 - VACATION OF RIGHT-OF-WAY ON THE NORTHGATE CONDOMINIUM PLAT: Mayor Bloem gave the rules of order for this public hearing. Gordon Dobler, Engineering Services Director, gave the staff report.

Mr. Dobler gave the applicant's name as Donald Beck, who is requesting the vacation of a length of undeveloped right-of-way from the Northgate Mall condominium plat. He noted that the subject right-of-way was dedicated on the condominium plat in 1985 and the intent at the time would have been for future street construction to the east of the subject development. The development to the east of the subject property has been structured in such a manner as to eliminate the need for this portion of right-of-way as there is no additional right-of-way available for roadway construction.

DISCUSSION: Councilman Goodlander noted that the water line that runs just north of this easement that connects to the property east of this parcel is along an easement that was vacated and wanted to know if this gives away their rights to water. If so, the homeowners association to the east of the subject property has some serious problems with continuing water service to their property.

PUBLIC COMMENTS: Joe Sharnetsky, 362 E. Jeffry Pine Lane, representing The Village Homeowners Association, noted that his Board did a title search on the condominium plat on which their water line lies and that there is a perpetual easement deeded in 1955 for their water line that serves their storage shed. He also noted that homeowners that have RV's have been using this right-of-way for getting their RV's to the storage shed. He summarized that the applicant for this vacation of right-of-way has agreed to sign a contract with the homeowners association to relocate their existing water line to the storage building. If the association agrees with this contract, then they have no objection to this vacation.

MOTION: Motion by Goodlander, seconded by Edinger to approve the vacation of right-of-way on the Northgate Condominium plat contingent upon The Village Homeowners Association and the applicant working out an agreement for moving their water line.

ROLL CALL: Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye. Motion carried.

ADJOURNMENT: Motion by Kennedy, seconded by Goodlander to recess this meeting to October 16, 2008 at 12:00 noon in the Library Community Room for a Fall Workshop with LCDC. Motion carried.

The meeting recessed at 10:05 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk

RESOLUTION NO. 08-054

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING DECLARING CERTAIN COMPUTER HARDWARE & SOFTWARE AS SURPLUS, APPROVING THE ANNUAL WAIVER OF COVERED LOAD REGULATIONS FROM NOVEMBER 1, 2008 THROUGH NOVEMBER 30, 2008 FOR THE ANNUAL FALL LEAF PICKUP AND APPROVAL OF A MEMORANDUM OF AGREEMENT FOR PUD-2-07 "COTTAGE GROVE PUD".

WHEREAS, it has been recommended that the City of Coeur d'Alene enter into the contract(s), agreement(s) or other actions listed below pursuant to the terms and conditions set forth in the contract(s), agreement(s) and other action(s) documents attached hereto as Exhibits "1 through 3" and by reference made a part hereof as summarized as follows:

- 1) Declaring certain computer hardware & software as surplus;
- 2) Approving the Annual Waiver of Covered Load Regulations from November 1, 2008 through November 30, 2008 for the Annual Fall Leaf Pickup;
- 3) Approval of a Memorandum of Agreement for PUD-2-07 "Cottage Grove PUD";

AND;

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

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into agreements or other actions for the subject matter, as set forth in substantially the form attached hereto as Exhibits "1 through 3" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements or other actions so long as the substantive provisions of the agreements or other actions remain intact.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized to execute such agreements or other actions on behalf of the City.

DATED this 21st day of October, 2008.

Sandi Bloem, Mayor

ATTEST

Susan K. Weathers, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER BRUNING Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

STAFF REPORT

Date: October 21, 2008

From: Kirk Johnson, Network Systems Admin

RE: Declare old hardware as Zero Value surplus

Decision point:

To declare listed hardware as zero value surplus, so it can be disposed of, to free up much needed storage space.

History:

This older hardware cannot be repaired cost effectively. It is taking up too much room in our storage areas.

Financial Analysis:

This batch of items has been replaced by better hardware. It does not have any value to the City.

Performance Analysis:

This old equipment is taking up too much space, and makes it difficult to work efficiently in our areas. Declaring this as zero value surplus will free up storage room.

Quality of Life Analysis:

Declaring these items as surplus will allow for Information Technology to donate these items to non-profit organizations.

Decision point/recommendation:

Approve the listed hardware as surplus.

Asset	Manu	Model		SN#		
Monitors						
1766	KDS	VS-7i		301000244	old	
	Envision	en-770c		D1GG1CAQQ3461	old	
1789	?	1770		N7HJ01F067341	old	
1768	?	1770		N7HJ01F067336	old	
1783	?	1770		N7HJ01F067318	old	
1784	?	1770		N7HJ01F067338	old	
1782	KDS	VS-7e		301000294	old	
1450	PerComp	MA-1405		S9452752	old	
1444	KDS	GA		882082189	old	
1553	KDS	VS-7e		592123236	old	
1954	Microtek	17" LCD		S23F508912	vertical hold problems	
2260	Acer	AL1912		ETL230202244600A9FED11	blurred picture	
3094	I-Inc	CY199		722HE1CY01820	back light is dead	
2266	AOC	LM729		1174CBA084038		
1786	KDS	VS-7		1745BAA18016167		
Printer						
1858	HP DJ	670C		US78C1T0JC	doesn't work	
382	HP DJ	600c		SG62S1H20T	doesn't work	
1961	Lex	Optra	E312I	3060201	doesn't work	
1987	HP DJ	648C		TH07R969ZF	doesn't work	
1962	Lex	Optra	E312I	3068091	doesn't work	
2002	HP DJ	930C		CN07T1Q2DV		
2013	HP DJ	9650		SG39F21062		
PC						
277	AMS	desktop		3906Q0892	questionable	
1454	?	server		Z00863714	old	
	HP	C3022R		US39002544		
	HP	2345A		3110F12409		
	HP	3000		3235A21961		
Misc						
	Multitech	Multiplexer	MultiMux	1331374	old	
	Multitech	Multiplexer	MultiMux16	25486	old	
	Motherboard/Cpu	MSI/AMD		306205-01074	old	Quantity 2
				3A111-00327		

CITY COUNCIL STAFF REPORT

DATE: OCTOBER 21, 2008
TO: CITY COUNCIL
FROM: JOHN J. STAMSOS, SENIOR PLANNER
SUBJECT: PUD-2-07 - MEMORANDUM OF AGREEMENT

DECISION POINT

Approve memorandum of agreement for PUD-2-07 "Cottage Grove PUD"

HISTORY

The Planning Commission approved PUD-2-07 on February 13, 2007 and the Planning Department approved the Final Development Plan on September 3, 2008.

PERFORMANCE ANALYSIS

It has been past practice to memorialize the Final Development Plan, in accordance with Section 17.09.478 of the Municipal Code, by requiring a memorandum of agreement that is approved by the City Council, signed by the Mayor and property owner and recorded in the Kootenai County Recorder's Office. This request is in keeping with that procedure.

FINANCIAL ANALYSIS

There is no financial impact associated with the proposed memorandum of agreement.

QUALITY OF LIFE ANALYSIS

The memorandum of agreement will provide any future buyers of the property with information on the agreement.

DECISION POINT RECOMMENDATION

Approve the memorandum of agreement for PUD-2-07.

MEMORANDUM OF AGREEMENT

MEMORANDUM OF AGREEMENT, entered into this _____ day of _____, 2008 by and between the City of Coeur d'Alene, Kootenai County, Idaho, a municipal corporation organized and existing under the laws of the State of Idaho, hereinafter referred to as the "City," and JHM Investments LLC., hereinafter referred to as the "Owner."

W I T N E S S E T H:

WHEREAS, the "Owner" has received approval for a Planned Unit Development, which Planned Unit Development includes certain terms, conditions and agreements, which the parties wish to memorialize as applicable to the real property to which this Planned Unit Development attaches.

NOW, THEREFORE the parties agree as follows:

1. The real property to which the below listed terms, conditions, and agreements apply particularly is described as follows:

A +/- 10 acre parcel in the vicinity of the Northeast corner of West Pinegrove Drive and Canfield Avenue. It is legally described as Lot 1, Block 1, Lake Forest 3rd Addition and Lot 1, Block 1, Lake Forest 9th Addition in the Southwest 1/4 of Section 26, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

2. The parties agree that the following constituted agreement to which the owner, owner's heirs, assigns, and successors in interest, must comply during and after the development of the aforementioned Planned Unit Development.

A. Preliminary Planned Unit Development Plan (PUD-2-07) approved by Planning Commission on February 13, 2007.

B. Final Planned Unit Development Plan (PUD-2-07) approved by Planning Department on September 3, 2008.

C. List of exhibits.

Exhibit 1- Final PUD Water, Sewer and Road Drainage Plans dated September 6, 2007

Exhibit 2- Final PUD Landscaping Plan dated May 13, 2008

Exhibit 3- Final PUD Site Plan dated June 5, 2008

Exhibit 4- Final PUD Parking Lot Grading Plan dated June 16, 2008

WHEREAS, said terms, conditions, and agreements are on file at City Hall in the Offices the Planning Director, and City Clerk.

IN WITNESS WHEREOF, the Mayor and City Clerk of the City of Coeur d'Alene have executed this contract on behalf of said City, the City Clerk has affixed the seal of said City hereto, and JHM Investments, LLC, Owner, has caused the same to be executed the day and year first above written.

CITY OF COEUR D'ALENE,
KOOTENAI COUNTY, IDAHO

JHM INVESTMENTS, LLC

By: _____
Sandi Bloem, Mayor

By: _____
Dave Babb, President

ATTEST:

Susan K. Weathers, City Clerk

STATE OF IDAHO)
) ss.
County of Kootenai)

On this ____ day of _____, 2008, before me, a Notary Public, personally appeared Sandi Bloem and Susan K. Weathers, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene and the persons who executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

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

Notary Public for Idaho
Residing at Coeur d'Alene
My Commission expires:

STATE OF IDAHO)
) ss.
County of Kootenai)

On this _____ day of _____, 2008, before me, a Notary Public, personally appeared, JHM Investments, LLC, known to me to be the Owner that executed the foregoing agreement, and acknowledged to me that said JHM Investments, LLC executed the same.

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

Notary Public for Idaho
Residing at
My Commission expires:

**CITY COUNCIL
STAFF REPORT**

DATE: October 21, 2008
FROM: Christopher H. Bates, Engineering Project Manager 
SUBJECT: Village at Riverstone Condominiums B, Final Plat Approval

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a 1 lot, two (2) building residential/commercial condominium development.

HISTORY

- a. Applicant: Riverstone Center East
104 S. Division Street
Spokane, WA 99202

- b. Location: North of Riverstone Drive, adjacent to the Riverstone Cinema complex.

FINANCIAL ANALYSIS

There are no financial agreements associated with this final plat approval.

PERFORMANCE ANALYSIS

There are no platting issues related to the subject property and the final plat document is ready for recordation. All development related issues are addressed through the building permit process for the subject property. The ground floor of the development is the commercial/retail component, and, there are forty eight (48) residential condominium units in the 2nd and 3rd stories.

DECISION POINT RECOMMENDATION

1. Approve the final plat document.

VILLAGE AT RIVERSTONE CONDOMINIUMS B

LOT 5, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11, T20N, R10E, EIGHTH TOWNSHIP, HOOPER COUNTY, IDAHO

BASIS OF BEARINGS:
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WESTERLY LOT LINE OF BLOCK 1, VILLAGE AT RIVERSTONE, PLAT RECORDED IN BOOK 33, PAGE 83, AS INSTRUMENT NO. 2121438000, DERIVED FROM THE CITY OF COEUR D'ALENE HORIZONTAL CONTROL NETWORK, HAD 83, WEST ZONE, 1982 ADJ. A CONVERGENCE ANGLE OF 3.40 SECONDS. THE BEARINGS WERE CORRECTED TO THE GRID BY LINE TO CONVERGENCE TO A GEOMETRIC BEARING. SUBTRACT THE CONVERGENCE ANGLE FROM ALL NORTHEAST AND SOUTHWEST BEARINGS AND ADD TO ALL NORTHWEST AND SOUTHEAST BEARINGS.

BENCHMARK:
 FOUND TBM #5, A 5/8" REBAR, L.S. 4585, IN MONUMENT CASE AT THE INTERSECTION OF RIVERSTONE DRIVE & BEEBE BLVD. ELEV.=2165.85'

ACCESS EASEMENT FOR THE ENJOYMENT OF LOTS 1-5, BLOCK 1 PER INST. # 2121438000.
 20' WATER LINE EASEMENT TO THE CITY OF COEUR D'ALENE PER INST. # 2121438000.

NOTE:
 THIS CONDOMINIUM PLAT IS SUBJECT TO THE DECLARATION OF CONDOMINIUMS FOR THE VILLAGE AT RIVERSTONE CONDOMINIUMS RECORDED FEBRUARY 01, 2008, AS INSTRUMENT NO. 2142822000, AND TO THE SUPPLEMENT OF SAID DECLARATION CONFORMANTS B AND C, AND TO THE DECLARATION OF THE VILLAGE AT RIVERSTONE CONDOMINIUMS AS INSTRUMENT NO. _____

LEGEND:
 - - - - - PROPERTY BOUNDARY
 ■ - INDICATES FOUND 5/8" X 30" REBAR WITH ALUM. CAP STAMPED "LS 10162"

RAM - INDICATES BOTH RECORD PER PLAT OF "VILLAGE OF RIVERSTONE", RECORDED IN BOOK 33, PAGE 83, AS INSTRUMENT NO. 2121438000 AND MEASURED.

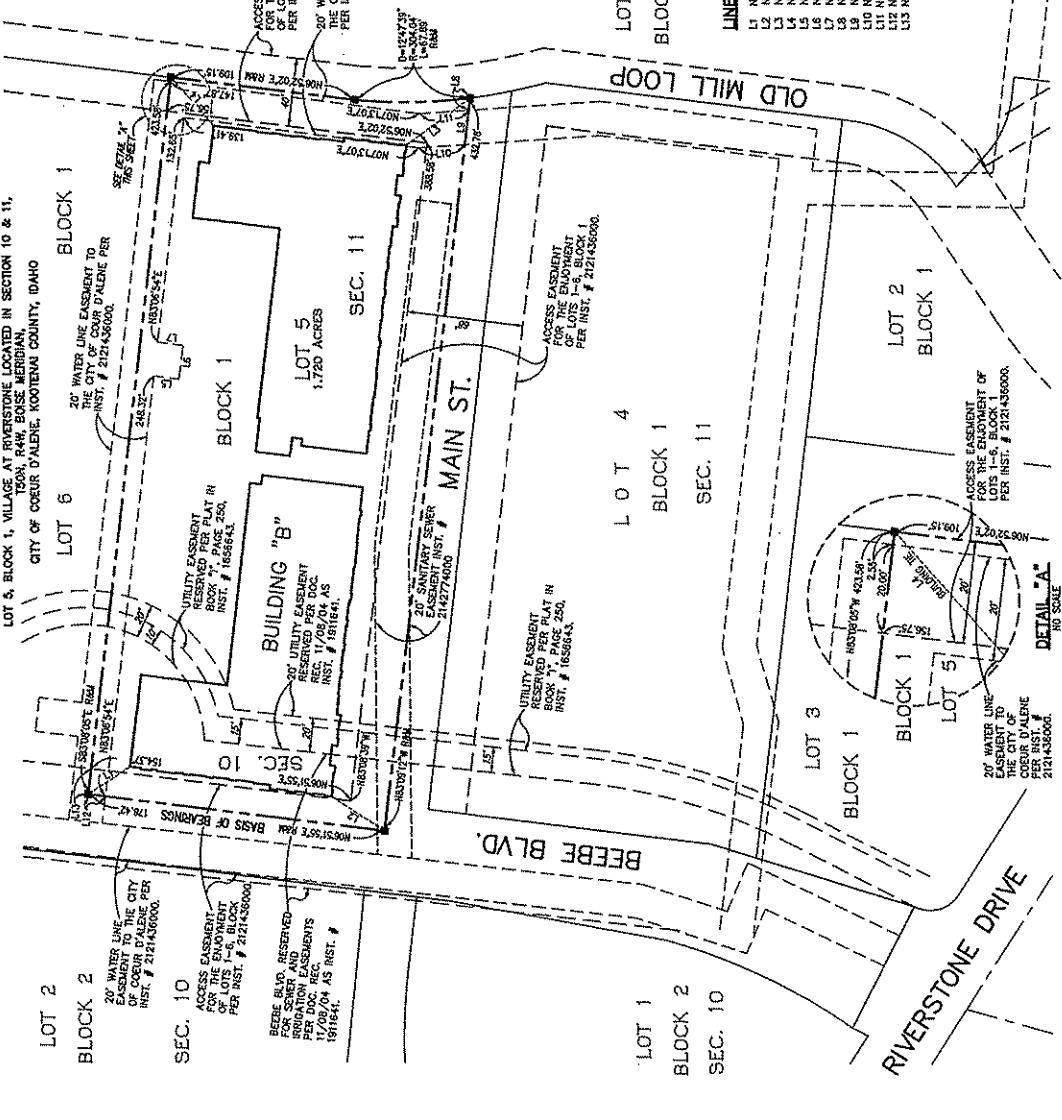
LINE DATA:

- L1 N370555°W 28.71'
- L2 N322708°E 37.12'
- L3 N383327°W 48.43'
- L4 N635401°E 37.80'
- L5 N383042°W 20.00'
- L6 N055315°E 15.01'
- L7 N830812°W 7.19'
- L8 N830812°W 25.37'
- L9 N041015°W 28.84'
- L10 N063155°E 10.16'
- L11 N063155°E 10.16'
- L12 N063155°E 10.16'
- L13 N063155°E 15.00'



GRAPHIC SCALE: 1" = 40'
 0' 40' 80' 120'

Alta Land Surveying
 9517 Greenwood Summit Drive
 La Jolla, California 92034
 (619) 451-8541
 14022-201 JAN. 07-2010 DATE: 02/16/08



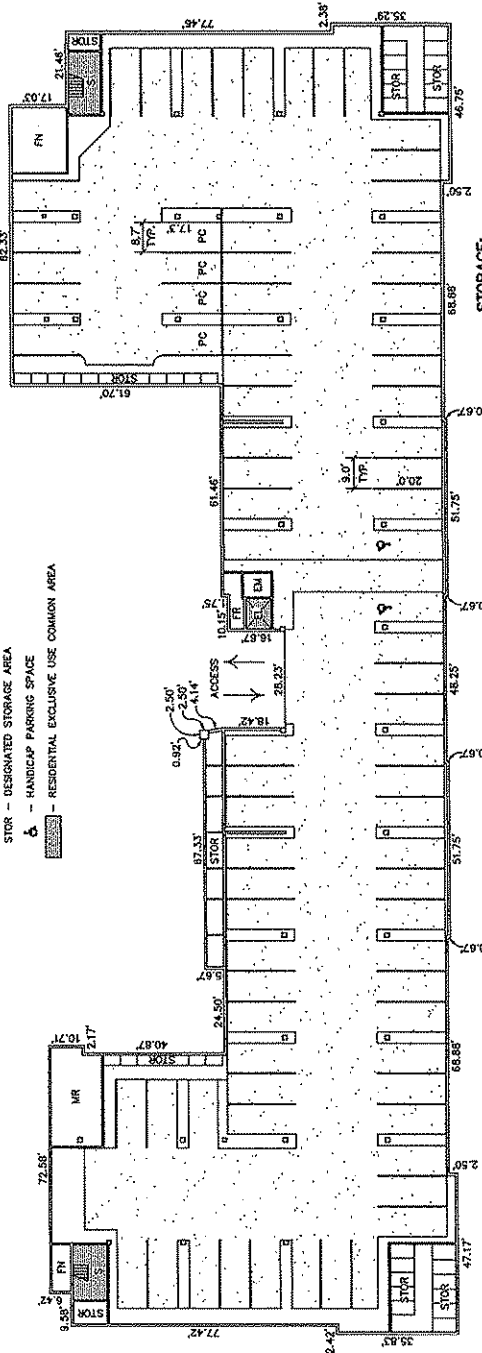
DETAIL "A"
 1/4" SCALE

VILLAGE AT RIVERSTONE CONDOMINIUMS B

LOT 5, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
 T25N R14E S12E, 3RD EDITION PLAT 100, KOOTENAI COUNTY, IDAHO

LEGEND

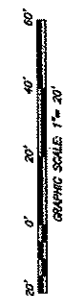
- EL - ELEVATOR
- EM - ELEVATOR MECHANICAL ROOM
- FN - FAN ROOM
- FR - FIRE RISER ROOM
- MR - MECHANICAL ROOM
- PC - COMPACT PARKING SPACE
- S - STARWAY
- STOR - DESIGNATED STORAGE AREA
- ♿ - HANDICAP PARKING SPACE
- ▭ - RESIDENTIAL EXCLUSIVE USE COMMON AREA



STORAGE:
 EXCLUSIVE USE STORAGE AS ASSIGNED PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS RECORDED FEBRUARY 01, 2008, AND TO THE SUPPLEMENT OF SAID COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS B AND C, AS INSTRUMENT NO. _____

PARKING:
 PARKING SPACES ARE EXCLUSIVE USE, AS ASSIGNED PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS RECORDED FEBRUARY 01, 2008, AND TO THE SUPPLEMENT OF SAID COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS B AND C, AS INSTRUMENT NO. _____

BUILDING "B" - RESIDENTIAL UNITS GARAGE & STORAGE
 CEILING HEIGHT = 2,184.42' - 2,186.67'
 FINISHED FLOOR = 2,153.00' - 2,154.37'



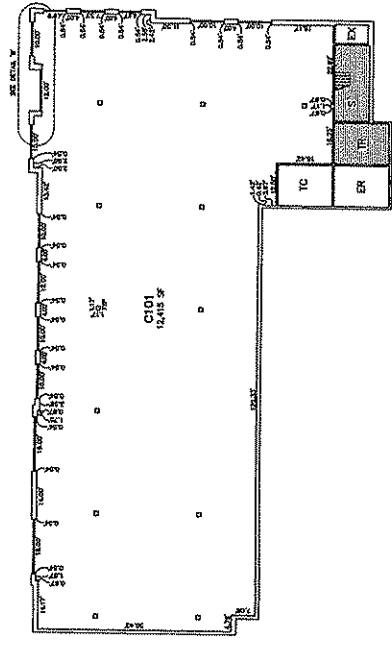
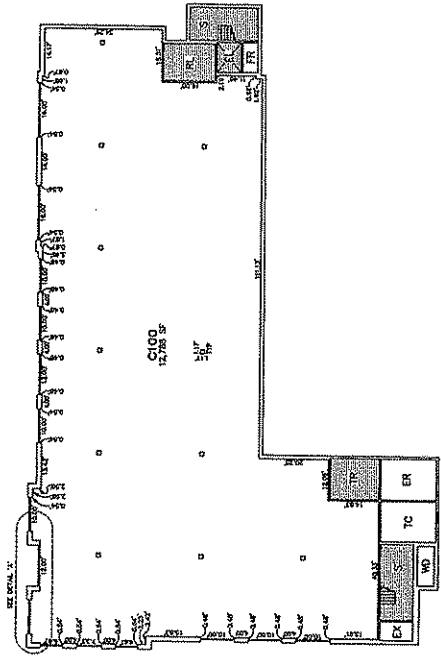
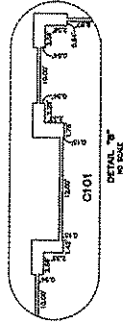
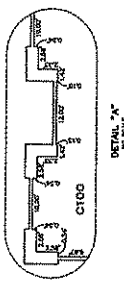
Alta Land Surveying
 8017 CROSSLAND SUITE 600
 LA MESA, CA 91954
 PHONE / FAX: (619) 579-2382
 14322-822 JK 07-1410 DATE: 02/25/08

VILLAGE AT RIVERSTONE CONDOMINIUMS C

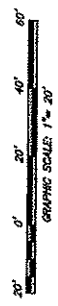
LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
 T8N, R10E, S8E MERIDIAN,
 BOONVILLE TOWNSHIP, KOOTENAI COUNTY, IDAHO
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

LEGEND

- EL - ELEVATOR
- ER - ELECTRICAL ROOM
- EX - EXHAUST FROM BELOW
- FR - FIRE RISER
- RL - RESIDENTIAL LOBBY
- S - STAIRWAY
- TC - COMMERCIAL TRASH ROOM
- TR - RESIDENTIAL TRASH ROOM
- WD - WATER DEVICES
- [Hatched Box] - RESIDENTIAL EXCLUSIVE USE COMMON AREA



Alta Land Surveying
 5517 CROSSMOUNT SUMMIT DR.
 BOONVILLE, IDAHO 83410
 PHONE: (208) 619-5779-2382
 FAX: (208) 619-5779-2382
 H1202-CAT JAN 02-110 DTD: 02/25/08



BUILDING "C" - 1ST FLOOR COMMERCIAL UNITS
 CEILING HEIGHT = 2113.63'
 FINISHED FLOOR = 2105.63'

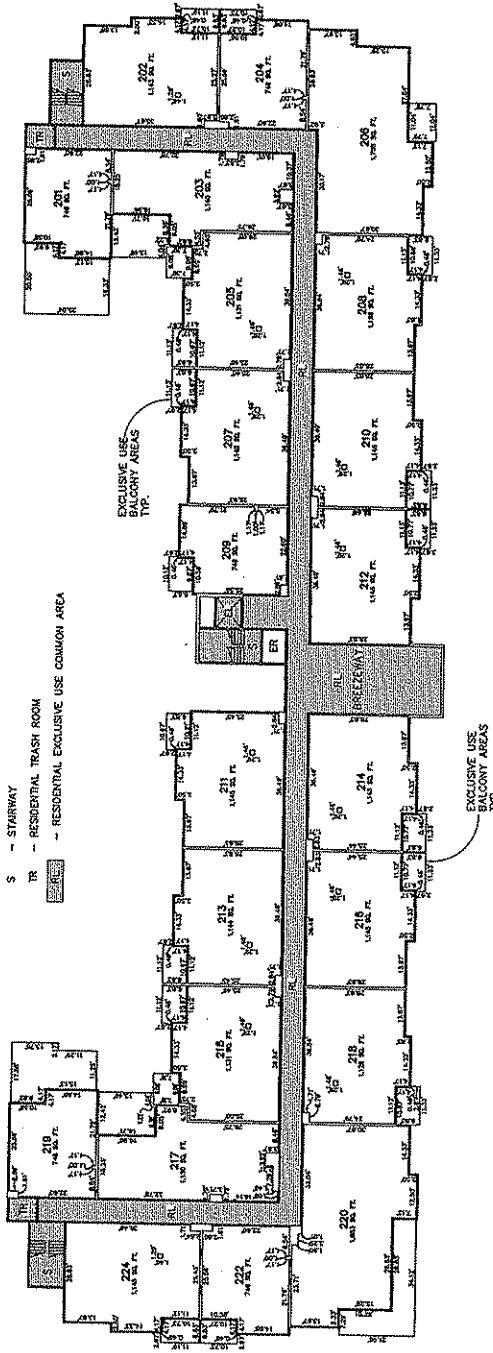
VILLAGE AT RIVERSTONE CONDOMINIUMS B

SHEET 4 OF 6 SHEETS

LOT 5, BLOCK 1, VILLAGE AT RIVERSTONE, LOCATED IN SECTION 10 & 11,
TOWNSHIP 34N, RANGE 12E, MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

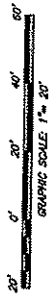
LEGEND

- EL - ELEVATOR
- ER - ELECTRICAL ROOM
- S - STAIRWAY
- TR - RESIDENTIAL TRASH ROOM
- [Hatched Box] - RESIDENTIAL EXCLUSIVE USE COMMON AREA



BUILDING "B" - 2ND FLOOR RESIDENTIAL UNITS

CEILING HEIGHT = 2,184.50'
FINISHED FLOOR = 2,183.00'



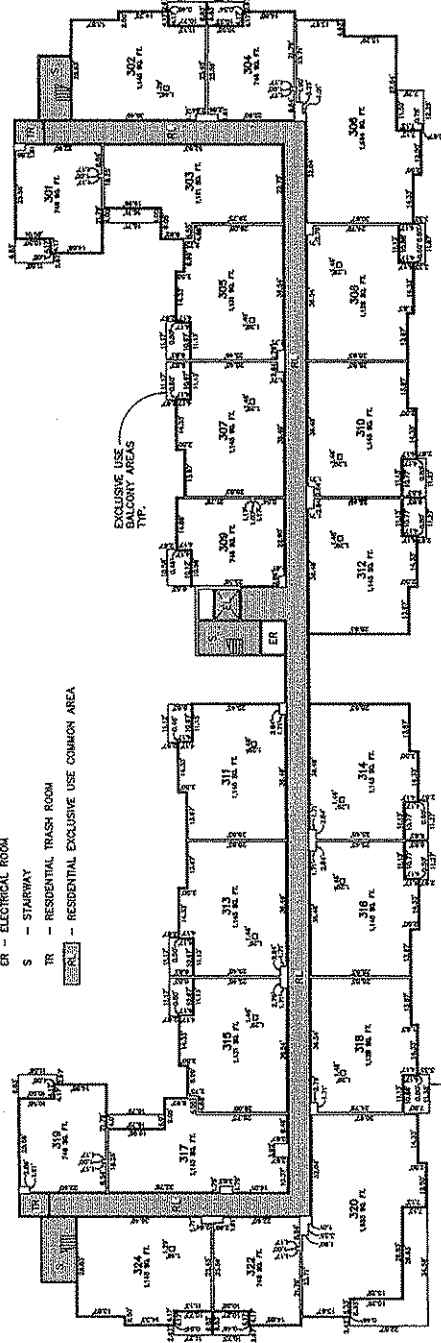
Alta Land Surveying
5517 CROSSCOTT BLVD. DR.
BOISE, IDAHO 83725
PHONE / FAX: (619) 578-2552
14500-804 J.A. 07-1410 DATE: 02/25/28

VILLAGE AT RIVERSTONE CONDOMINIUMS B

LOT 5, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
T80N, 14W, B05E MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

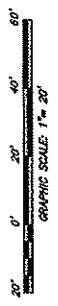
LEGEND

- EL - ELEVATOR
- ER - ELECTRICAL ROOM
- S - STAIRWAY
- TR - RESIDENTIAL TRASH ROOM
- RES - RESIDENTIAL EXCLUSIVE USE COMMON AREA



BUILDING "B" - 3RD FLOOR RESIDENTIAL UNITS

CEILING HEIGHT - 2.204.83'
FINISHED FLOOR - 2.181.83'



Alpha Land Surveying
 6017 W. BASSA DRIVE SUITE 201
 LA MEKA, IDAHO 83401
 PHONE / FAX: (919) 379-2362
 14525-555 JLC 07-1410 DATE: 02/25/08

VILLAGE AT RIVERSTONE CONDOMINIUMS B

SHEET 6 OF 6 SHEETS

LOT 5, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
T20N, R4W, B0SE, MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

OWNER'S CERTIFICATE.

BE IT KNOWN BY THESE PRESENT THAT RIVERSTONE CENTER EAST, LLC, HEREBY CERTIFIES THAT IT OWNS AND HAS LAND EMBRACED IN THE WITHIN PLAT KNOWN AS VILLAGE AT RIVERSTONE CONDOMINIUMS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 5, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, T20N, R4W, B0SE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK N, PAGE 53, AS INSTRUMENT NO. 2121438060.

WATER AND SEWER SERVICE WILL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

THE EASEMENTS SHOWN ON THIS PLAT ARE RESERVED FOR THE BENEFIT AS INDICATED HEREON.

RIVERSTONE CENTER EAST, LLC
BY: STONE RIVARD MCCONIGLE DEVELOPMENT, LLC, A WASHINGTON LIMITED LIABILITY COMPANY,
MANAGER

BY: BRYAN P. STONE, MEMBER

NOTARY PUBLIC CERTIFICATE.

STATE OF _____ SS.
COUNTY OF _____

ON THIS _____ DAY OF _____, 2008, BEFORE ME,
KNOW OR IDENTIFIED TO ME TO BE THE MANAGER OR A MEMBER OF THE LIMITED
LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT ON THE PERSON WHO EXECUTED
THE INSTRUMENT, I HAVE EXAMINED THE INSTRUMENT AND ACKNOWLEDGED
TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

MY COMMISSION EXPIRES ON _____, 2008.
NOTARY PUBLIC _____

CONSENT OF RECORDATION.

IN WITNESS WHEREOF, THE UNDERSIGNED BENEFICIARY UNDER THAT
CERTAIN DEED OF TRUST COVERING THE REAL PROPERTY SHOWN HEREON
DATED DECEMBER 14, 2007, RECORDED DECEMBER 31, 2007, IN KOOTENAI COUNTY, IDAHO,
AS INSTRUMENT NO. 2121438060, HAVE HEREBY GIVEN MY CONSENT
TO THE SUBDIVISION OF THE SUBJECT PROPERTY AND TO THE RECORDATION
OF THIS PLAT.

THIS _____ DAY OF _____, 2008.
INSTITUTION NAME: ZIONS FIRST NATIONAL BANK

BY: _____
ITS: _____

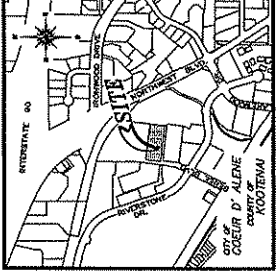
ACKNOWLEDGEMENT / CORPORATE.

STATE OF _____ SS.
COUNTY OF _____

ON THIS _____ DAY OF _____, 2008, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE,
PERSONALLY APPEARED _____, KNOWN OR
IDENTIFIED TO ME TO BE THE _____
OF THE CORPORATION THAT EXECUTED THE INSTRUMENT ON THE PERSON WHO EXECUTED
THE INSTRUMENT, AND I HAVE EXAMINED THE INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH
CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC OF _____
RESIDING AT: _____
COMMISSION EXPIRES: _____

Alta Land Surveying
5217 W. 52nd Street, Suite 101
LA MEZA, CA 91951
PHONE / FAX: (619) 579-2962
141025-006 J.N. 01-1410 DATE: 02/25/08



VICINITY MAP
NO SCALE

STATE OF IDAHO
KOOTENAI COUNTY RECORDER.
THIS PLAT WAS FILED FOR RECORD REQUEST OF
FELIC ENGINEERING, INC. AND REGISTERED CENTER EAST, LLC.

THIS _____ DAY OF _____, 2008.
AT _____ O'CLOCK _____
INSTRUMENT NO. _____ PAGE _____
AND DULY RECORDED IN PLAT BOOK _____ FE _____

KOOTENAI COUNTY RECORDER _____ DEPUTY CLERK _____

KOOTENAI COUNTY TREASURER.

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE
OWNER'S CERTIFICATE AND DEDICATION HAVE BEEN PAID THRU
DATED THIS _____ DAY OF _____, 2008.

KOOTENAI COUNTY TREASURER _____

SURVEYOR'S CERTIFICATE.

I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND
SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS SHOWN
HEREON WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY
SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED HEREON, AND IS IN
CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF IDAHO
NO. 8076
MICHAEL MARTINEZ
DATE: _____

PANHANDLE HEALTH DISTRICT.

A SANITARY RESTRICTION, ACCORDING TO IDAHO CODE 64-1226 TO
THE EFFECT THAT THE SANITARY RESTRICTIONS, OR
REQUIREMENTS SHALL BE EXECUTED UNTIL SANITARY RESTRICTION
REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS _____ DAY OF _____, 2008.

PANHANDLE HEALTH DISTRICT 1 _____

SANITARY RESTRICTION SATISFIED AND LIFTED THIS _____ DAY OF _____, 2008.

PANHANDLE HEALTH DISTRICT 1 _____

COUNTY SURVEYOR'S CERTIFICATE.

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREN PLAT AND
APPROVE THE SAME FOR THE FILING THIS _____ DAY OF _____, 2008.



BRUCE ANDERSON, LS 989 KOOTENAI COUNTY SURVEYOR

CITY COUNCIL.

THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE CITY
COUNCIL OF COEUR D'ALENE, IDAHO
ON THE _____ DAY OF _____, 2008.

CITY CLERK _____ MAYOR _____


CITY ENGINEER CERTIFICATE.

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED
THIS PLAT DATED THIS _____ DAY OF _____, 2008.

CITY ENGINEER- CITY OF COEUR D'ALENE _____

**CITY COUNCIL
STAFF REPORT**

DATE: October 21, 2008
FROM: Christopher H. Bates, Engineering Project Manager
SUBJECT: Village at Riverstone Condominiums C, Final Plat Approval



DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a 1 lot, two (2) building residential/commercial condominium development.

HISTORY

- a. Applicant: Riverstone Center East
104 S. Division Street
Spokane, WA 99202

- b. Location: North of Riverstone Drive, adjacent to the Riverstone Cinema complex.

FINANCIAL ANALYSIS

There are no financial agreements associated with this final plat approval.

PERFORMANCE ANALYSIS

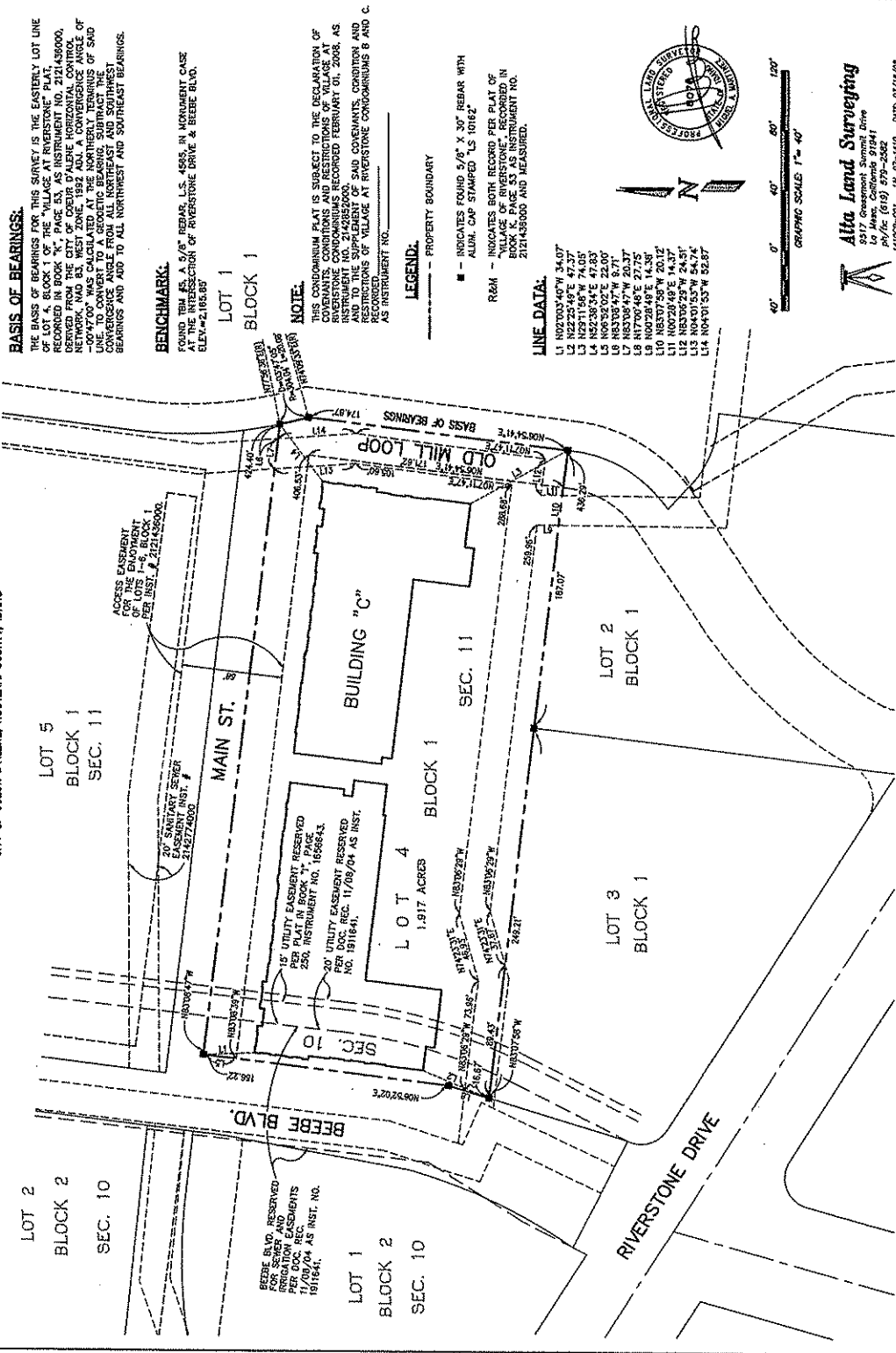
There are no platting issues related to the subject property and the final plat document is ready for recordation. All development related issues are addressed through the building permit process for the subject property. The ground floor of the development is the commercial/retail component, and, there are forty eight (46) residential condominium units in the 2nd and 3rd stories.

DECISION POINT RECOMMENDATION

1. Approve the final plat document.

VILLAGE AT RIVERSTONE CONDOMINIUMS C

LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
TOWN, 14th, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



BASIS OF BEARINGS.

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE EASTERLY LOT LINE OF LOT 4, BLOCK 1 OF THE "VILLAGE AT RIVERSTONE" PLAT, RECORDED IN BOOK "C", PAGE 53, AS INSTRUMENT NO. 2121435000, DERIVED FROM THE CITY OF COEUR D'ALENE HORIZONTAL CONTROL, WHICH IS A SECOND-ORDER CONTROL POINT. THE BEARING OF SAID LOT LINE TO BEARINGS WAS CALCULATED AT THE NORTHERLY TERMINUS OF SAID CONVERGENCE ANGLE FROM ALL NORTHEAST AND SOUTHWEST BEARINGS AND ADJ TO ALL NORTHEAST AND SOUTHWEST BEARINGS.

BENCHMARK.

FOUND THE 5/8" X 5/8" REBAR, L.S. 4685, IN MONUMENT CASE RECORD OF RIVERSTONE DRIVE & BEEBE BLVD. ELEV. 42,165.89

NOTE.

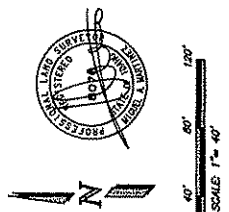
THIS CONDOMINIUM PLAT IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS RECORDED FEBRUARY 01, 2008, AS INSTRUMENT NO. 2121435000 AND TO THE SUPPLEMENT OF SAID COVENANTS, CONDITION AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS 9 AND C, AS INSTRUMENT NO. 2121435000 AND MEASURED.

LEGEND:

- PROPERTY BOUNDARY
- - INDICATES FOUND 5/8" X 3/8" REBAR WITH ALUM. CAP STAMPED "LS 10162"
- R&M - INDICATES BOTH RECORD PER PLAT OF BLOCK DATA AND RECORD RECORDED IN BOOK DATA AS INSTRUMENT NO. 2121435000 AND MEASURED.

LINE DATA:

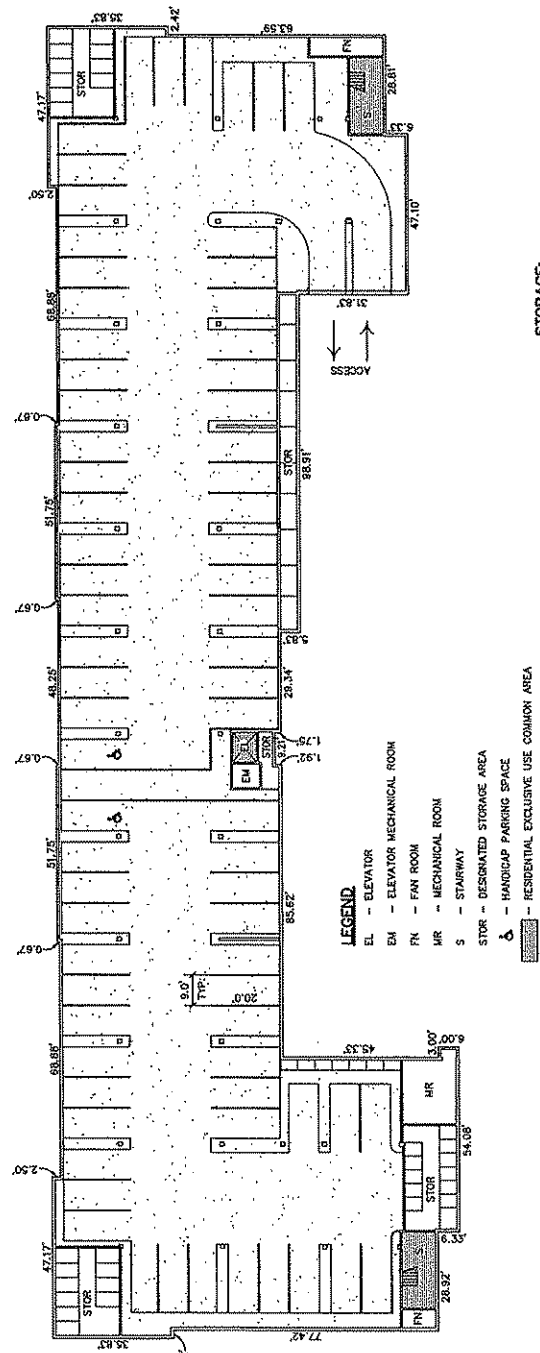
L1	N020037.07W	34.07
L2	N02111.56W	74.00
L3	N02238.54E	47.83
L4	N09532.02E	22.00
L5	N85339.47W	8.71
L6	N020037.07W	34.07
L7	N17007.46E	27.25
L8	N00228.49E	14.38
L9	N85339.47W	8.71
L10	N85339.47W	20.12
L11	N00228.49E	14.38
L12	N17007.46E	27.25
L13	N04301.53W	54.74
L14	N04301.53W	52.87



Alta Land Surveying
 9317 Government Summit Blvd
 La Mer, Colorado 81241
 PH/FC (616) 879-3582
 41009-001 JK 01-110 DHS 07/14/08

VILLAGE AT RIVERSTONE CONDOMINIUMS C

LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
T50N, R4W, B05E MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



- LEGEND**
- EL - ELEVATOR
 - EM - ELEVATOR MECHANICAL ROOM
 - FK - FAN ROOM
 - MR - MECHANICAL ROOM
 - S - STAIRWAY
 - STOR - DESIGNATED STORAGE AREA
 - ♿ - HANDICAP PARKING SPACE
 - ▨ - RESIDENTIAL EXCLUSIVE USE COMMON AREA

STORAGE:
EXCLUSIVE USE STORAGE AS ASSIGNED PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS RECORDED FEBRUARY 01, 2008, AND TO THE SUPPLEMENT OF SAID COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS B AND C, AS INSTRUMENT NO. _____

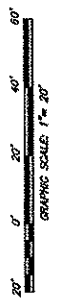
PARKING:
PARKING SPACES ARE ASSIGNED PER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS RECORDED FEBRUARY 01, 2008, AND TO THE SUPPLEMENT OF SAID COVENANTS, CONDITIONS AND RESTRICTIONS OF VILLAGE AT RIVERSTONE CONDOMINIUMS B AND C, AS INSTRUMENT NO. _____

BUILDING "C" - RESIDENTIAL UNITS GARAGE & STORAGE

CEILING HEIGHT = 2.165.00'
FINISHED FLOOR = 2.192.18'



Alta Land Surveying
5917 CROSSCANT SUMMIT DR.
LA MEZA, CA 91754
PH: (916) 579-2582
FAX: (916) 579-1110 DATE: 02/25/08
141000P-008

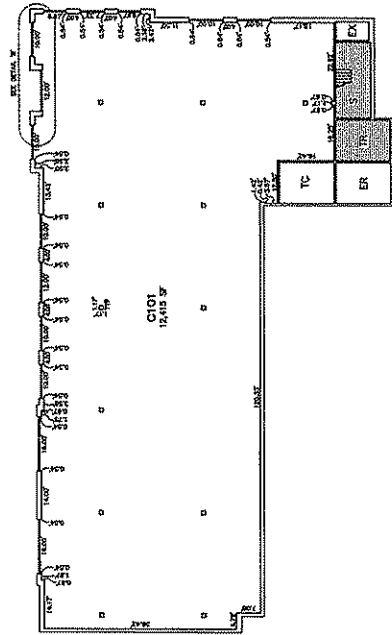
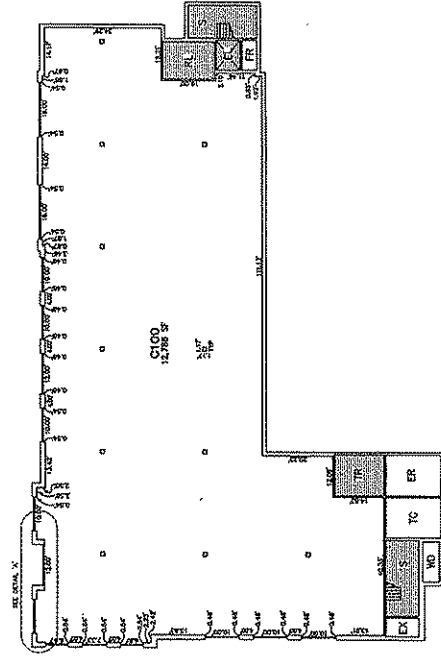
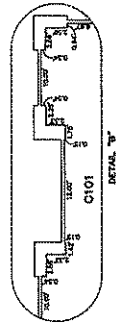
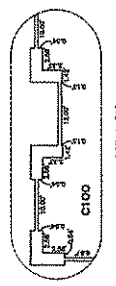


VILLAGE AT RIVERSTONE CONDOMINIUMS C

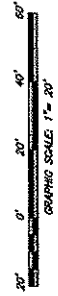
LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
T80N, R4W, B03E MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

LEGEND

- EL - ELEVATOR
- ER - ELECTRICAL ROOM
- EX - EXHAUST FROM BELOW
- FR - FIRE RISER
- RL - RESIDENTIAL LOBBY
- S - STAIRWAY
- TC - COMMERCIAL TRASH ROOM
- TR - RESIDENTIAL TRASH ROOM
- WD - WATER DEVICES
- [Hatched Box] - RESIDENTIAL EXCLUSIVE USE COMMON AREA



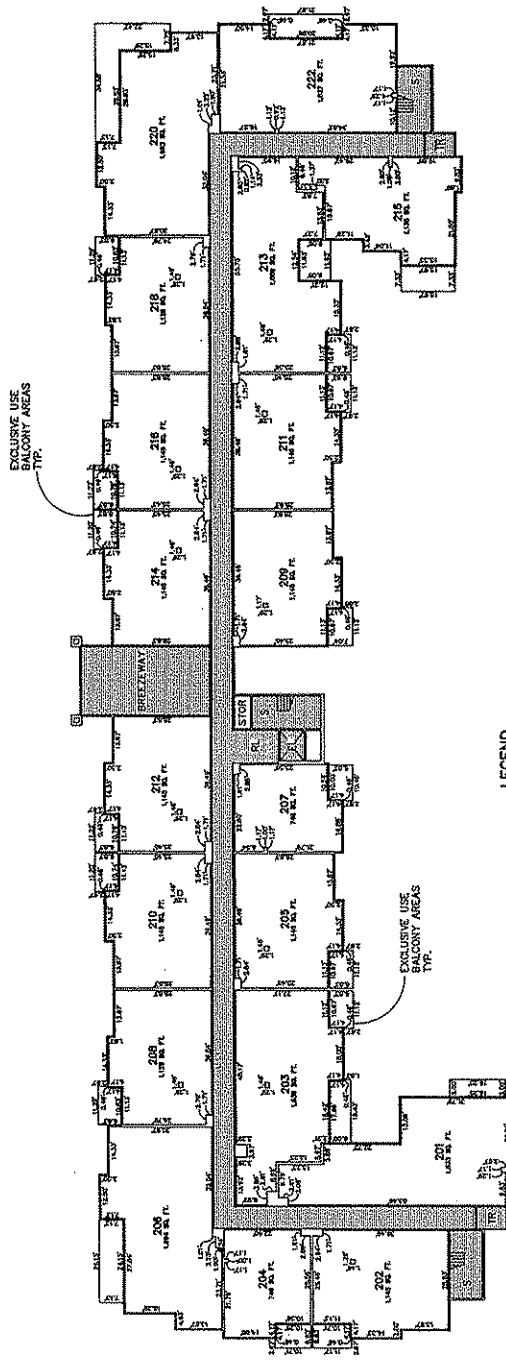
Alta Land Surveying
5517 GROSSMONT SUMMIT DR.
BOISE, IDAHO 83725
PHONE: (208) 375-2282
FAX: (208) 375-2282
141007-003 JUL 07-1110 DATE 02/25/09



BUILDING "C" - 1ST FLOOR COMMERCIAL UNITS
CEILING HEIGHT = 2,183.53'
FINISHED FLOOR = 2,163.93'

VILLAGE AT RIVERSTONE CONDOMINIUMS C

LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
 T20N, R4W, B05E, MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

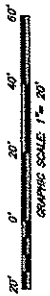


LEGEND

- EL - ELEVATOR
- RL - RESIDENTIAL LOBBY
- S - STAIRWAY
- STOR - STORAGE
- TR - RESIDENTIAL TRASH ROOM
- [Hatched Box] - RESIDENTIAL EXCLUSIVE USE COMMON AREA

BUILDING "C" - 2ND FLOOR RESIDENTIAL UNITS

CEILING HEIGHT = 2.183.34'
 FINISHED FLOOR = 2.183.83'



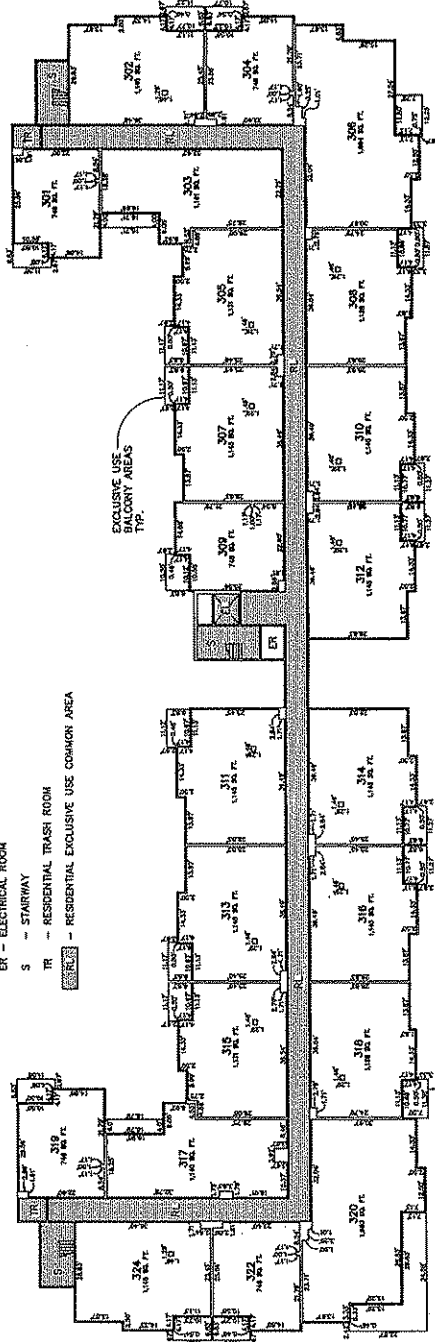
Alta Land Surveying
 5317 CROSSCOTT SUMMIT DR.
 BOISE, IDAHO 83725
 PHONE (208) 333-2582
 FAX (208) 333-2582
 14100P-204 JUL 07-1110 DWD: 02/25/08

VILLAGE AT RIVERSTONE CONDOMINIUMS B

LOT 5, BLOCK 4, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
T50N, R44W, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

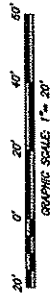
LEGEND

- EL - ELEVATOR
- ER - ELECTRICAL ROOM
- S - STAIRWAY
- TR - RESIDENTIAL TRASH ROOM
- [Hatched Box] - RESIDENTIAL EXCLUSIVE USE COMMON AREA



BUILDING "B" - 3RD FLOOR RESIDENTIAL UNITS

CEILING HEIGHT = 2.204.83'
FINISHED FLOOR = 2.195.83'



Atta Land Surveying
 6517 CROSSWAY SUMMIT DR.
 BOISE, IDAHO 83714
 PHONE / FAX (818) 579-2582
 14100P-805 J.N. 07-1410 DTD: 02/22/08

VILLAGE AT RIVERSTONE CONDOMINIUMS C

LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN SECTION 10 & 11,
T80N, 34W, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

OWNER'S CERTIFICATE.

BE IT KNOWN BY THESE PRESENTS THAT RIVERSTONE CENTER EAST, LL, HEREBY CERTIFIES THAT THE INSTRUMENT HAS BEEN EXECUTED BY THE PERSONS WHOSE NAMES IN RIVERSTONE CONDOMINIUMS, HAVE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 4, BLOCK 1, VILLAGE AT RIVERSTONE LOCATED IN THE EAST HALF OF SECTION 10, T80N, 34W, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, AS INSTRUMENT NO. 2121438600.

WATER AND SEWER SERVICE WILL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

RIVERSTONE CENTER EAST, LL
2007 WASHINGTON LIMITED LIABILITY COMPANY, MANAGER

BY: BRYAN P. STONE, MEMBER

NOTARY PUBLIC CERTIFICATE.

STATE OF _____ SS.
COUNTY OF _____

ON THIS _____ DAY OF _____ IN THE YEAR 2008, BEFORE ME, KNOWN OR IDENTIFIED TO ME TO BE _____ MEMBER OF THE LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES ON _____ 2008.

CONSENT OF RECORDATION:

IN WITNESS WHEREOF, THE UNDERSIGNED BENEFICIARY, UNDER THAT INSTRUMENT, HAVE CAUSED THIS INSTRUMENT TO BE RECORDED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, AS INSTRUMENT NUMBER 2121438600, RECORDS OF KOOTENAI COUNTY, IDAHO, AND I HAVE SUBMITTED THEIR SIGNATURES AS EVIDENCE OF THE CONSENT TO THE SUBROGATION OF THE SUBJECT PROPERTY AND TO THE RECORDATION OF THIS PLAT.

THIS _____ DAY OF _____ 2008.

INSTITUTION NAME: ZION FIRST NATIONAL BANK

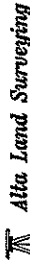
BY: _____

ACKNOWLEDGMENT / CORPORATE.

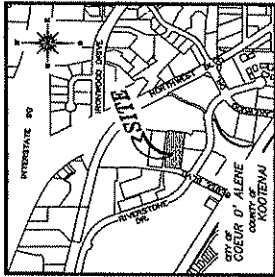
STATE OF _____ SS.
COUNTY OF _____)

ON THIS _____ DAY OF _____ 2008, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____ KNOWN OR IDENTIFIED TO ME TO BE _____ MEMBER OF THE CORPORATION THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC OF _____
COUNTY OF _____
COMMISSION EXPIRES: _____



Alta Land Surveying
1111 W. WASHINGTON, SUITE 101
COEUR D'ALENE, IDAHO 83814
PHONE / FAX: (208) 575-2582
11100P-006 J.N. 07-1410 DATE: 02/25/08



VICINITY MAP
NO SCALE

STATE OF IDAHO
KOOTENAI COUNTY RECORDER.
THIS PLAT WAS FILED FOR RECORD AT REQUEST OF
CELTIC ENGINEERING, IN AND RIVERSTONE CENTER EAST, LL,
THIS _____ DAY OF _____ 2008.

AT _____ O'CLOCK _____ M
INSTRUMENT NO. _____ PAGE _____
AND DULY RECORDED IN PLAT BOOK _____
KOOTENAI COUNTY RECORDER DEPUTY CLERK

KOOTENAI COUNTY TREASURER.
I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE
OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THRU _____
DATED THIS _____ DAY OF _____ 2008.

KOOTENAI COUNTY RECORDER

SURVEYOR'S CERTIFICATE.

I, MOSEL A. MARTENS, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS SHOWN ON THE ATTACHED INSTRUMENT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



Mosel A. Martens
DATE: _____
PLS. 9076

PANHANDLE HEALTH DISTRICT.

A SANITARY RESTRICTION, ACCORDING TO IDAHO CODE 50-1328 TO 50-1329, IS IMPOSED ON THIS PLAT. NO BUILDINGS, DWELLINGS, OR OTHER STRUCTURES ARE PERMITTED ON THIS PLAT UNLESS THE REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS _____ DAY OF _____ 2008.

PANHANDLE HEALTH DISTRICT I _____

SANITARY RESTRICTION SATISFIED AND LIFTED THIS _____ DAY OF _____ 2008.

PANHANDLE HEALTH DISTRICT I _____

COUNTY SURVEYOR'S CERTIFICATE.

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HESEN PLAT AND APPROVE THE SAME FOR THE PLING THIS _____ DAY OF _____ 2008.



BRUCE ANDERSON, LS
KOOTENAI COUNTY SURVEYOR

CITY COUNCIL.

THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE CITY COUNCIL OF COEUR D'ALENE, IDAHO
ON THE _____ DAY OF _____ 2008.

CITY CLERK _____ MAYOR _____

CITY ENGINEER CERTIFICATE.

I HEREBY CERTIFY THAT I HAVE EXAMINED, ACCEPTED AND APPROVED THIS PLAT DATED THIS _____ DAY OF _____ 2008.

CITY ENGINEER- CITY OF COEUR D'ALENE _____

ANNOUNCEMENTS

OTHER COMMITTEE MINUTES
(Requiring Council Action)

October 13, 2008
**GENERAL SERVICES COMMITTEE
MINUTES**

COMMITTEE MEMBERS PRESENT

Deanna Goodlander, Chairperson
Ron Edinger - ABSENT
John Bruning

CITIZENS PRESENT

Shelly Servick, Parking Commission

STAFF PRESENT

Warren Wilson, Deputy City Attorney
Dave Yadon, Planning Director
Troy Tymesen, Finance Director
Susan Weathers, City Clerk
Jon Ingalls, Deputy City Administrator
Kathy Lewis, Deputy City Clerk

Item 1. Council Bill No. 08-1019 / Amending Childcare Code.

PULLED FROM THE AGENDA AS DIRECTED BY THE LEGAL DEPARTMENT

**Item 2. Council Bill No. 08-1020 / Amending Sign Code.
(Agenda Item)**

Kathy Lewis stated that the Sign Board would like to make a recommendation to allow small banners less than 20 square feet as a type of permanent signage in the city. Ms. Lewis reported that many businesses are requesting the use of small fabric banners attached to light poles, or other pole structures, as an alternative type of permanent sign. Ms. Lewis noted that the banners are colorful, less expensive, easy to mount, and easy to replace. The limit on the size of any one banner would be 20 square feet with spacing relevant to the size of the banners. The banners would be required to be placed on private property only, with no use of public property.

Councilman Bruning asked about banners that are attached by a string/rope. Ms. Lewis responded that these are temporary banners that are allowed by permit only.

Councilman Goodlander asked about the number of banners that would be allowed. Ms. Lewis responded that banners 9 square feet or larger in size may be spaced no closer than 40 feet on center or 40 feet from any other freestanding sign. Banners less than 9 square feet in size may be spaced no closer than 20 feet on center of 20 feet from any other freestanding sign.

MOTION: by Councilman Bruning, seconded by Councilman Goodlander, that Council adopt Council Bill No. 08-1020 amending the Sign Code to allow banners as permanent signage as proposed.

**Item 3. Parking Commission Request / In-Lieu-of-Parking Proposal.
(Agenda Item)**

Troy Tymesen presented a recommendation from the Parking Commission regarding fees in lieu of parking. The plan is to move this forward to the City Council to inform them of the work, amend the city code in regard to in lieu parking as well as bring forward to the Planning and Zoning Commission a city code amendment to include mid-town as an available area for in lieu. Mr. Tymesen stated that the city currently has an in lieu parking fee established in 1993 which has generated \$15,000 in income. What the Parking Commission is proposing is that they modify the existing in lieu, modify the fee, and put some limitations on the number of car

parks that are allowed for in lieu. They are using the analysis done by the parking consultant, Rich and Associates, from January 2007. Mr. Tymesen went on to explain the proposals as outlined in his staff report.

Dave Yadon stated that the buildings in mid town are basically wall-to-wall. If they want to change the land use, they are stuck. They cannot make a change due to parking constraints. So how do you get around this? In lieu of parking fees or exempt parking for x-amount of square ft. The committee found that in lieu was a reasonable way to do it as it would generate funds that could be used, for example, a central parking system.

Shelly Servick provided structure site drawings examples to the Council Members and also explained each one.

Councilman Goodlander asked about the construction costs of the parking structure at the Hospital and Riverstone. Ms. Servick responded that the Hospital's structure was estimated at \$13,000 per stall and the Riverstone structure was estimated at \$8,600 per stall. She also spoke with 3 different contractors who estimated the cost of a structure to be between \$8,000 and \$15,000 per stall. It varies depending on the type of structure.

Mr. Tymesen stated that Ms. Servick has done a tremendous amount of work on this issue and he thanked her as well as the entire Parking Commission for their work on this issue.

MOTION: by Councilman Bruning, seconded by Councilman Goodlander, that the Council authorize staff to move forward with the recommendation of the Parking Commission regarding fees in lieu of parking, include mid town, modify the fee, and placing limits on the parking spaces.

The meeting adjourned at 12:20 p.m.

Respectfully submitted,

Juanita Van Cleave
Recording Secretary

To: General Services Committee and City Council
Date: October 06, 2008
From: Kathy Lewis, Deputy City Clerk
Re: Sign Board recommendation to add permanent banners to approved signs

Decision Point: Should the City Council allow small banners less than 20 square feet mounted to poles as a permanent type of allowed signage?

History: The Sign Code allows poles signs, ground monuments, wall signs, and projecting signs attached to a building structure as the only types of allowed signs on a permanent basis. As different types of signs have evolved, many businesses are requesting the use of small fabric banners attached to their light poles, or other pole structures, as an alternative type of permanent sign. They are colorful, less expensive, easy to mount, easy to replace. The businesses using these types of signage usually maintain these more often as they are less expensive to replace. The limit on the size of any one banner would be 20 square feet with spacing relevant to the size of the banners. The banners would be required to be placed on private property only, with no use of public property. The permanent banners would be required to be used in commercial zoned property only.

Financial Analysis: The Business would be required to obtain a sign permit just as they do for any other type of exterior advertising. They would be required to supply documentation that that supporting structure can support the additional weight, along with a depiction of mounting hardware. There would be no additional cost to the City, rather than normal sign review as it currently occurs. Some car dealers have currently installed this type of signage without permit, which does require a permit and would increase revenue slightly, and reduce code enforcement cost slightly.

Performance: The banners add another method of signage available to businesses that is colorful and better maintained. By adding spacing requirements tied with the size of the banners, the impact is regulated to limit the congestion if larger banners are used rather than smaller. The Sign Code does not allow any private signs on public property excluding A-Frame signs.

Quality of Life: The banners add colorful additions to light poles and other obstructions. They are less expensive so easy to maintain. The City can require the banners to be replaced or taken down if maintenance is needed. Businesses are requesting the use as a permanent method of signage, rather than just temporary.

Decision Point: Should the City Council recommend adoption of small banners less than 20 square feet as a type of permanent signage in the City?

SIGNS BY TYPE

PROPOSED NEW SECTION TO PERMANENT SIGNAGE -

15.???.??? : BANNERS

Permanent on site banners may be permitted under the following conditions:

- A. The area of banners will be included in the total of the freestanding signage allowance for the specific street frontage.
- B. The maximum size for any one banner will be 20 square feet. Maximum dimensions are to be no greater than 30" wide or 96" tall.
- C. Banners 9 square feet or larger in size may be spaced no closer than 40 feet on center or 40 feet from any other freestanding sign. Banners less than 9 square feet in size may be spaced no closer than 20 feet on center or 20 feet from any other freestanding sign.
- D. Banners and horizontal supports may be no closer than:
 1. 8 feet vertically to ground or any walking surface;
 2. 14 feet vertically to any driving surface.
- E. If the banner is to be attached to an existing structure, the sign owner will provide supporting documentation to the Building Official which will prove that the supporting structure can safely support the banner and any other existing attachments.

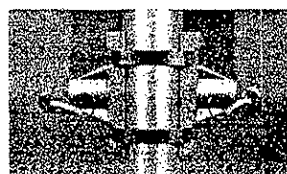
BOULEVARD BRACKETS - VERSATILE

VERSATILE BANNER BRACKET SYSTEM

This state-of-the-art system is designed to withstand the elements. The base is made of rust-free cast aluminum with fiberglass arms. The fiberglass arms flex in strong winds transferring some of the wind load off the banner.

Product Features:

- Maximum banner size recommended is 24 square feet
- Cast aluminum base will not rust
- Unique base design will fit square, round or multi-sided poles
- A 1° cant has been engineered into the base, top and bottom to keep the banner taut
- Fiberglass arms for strength and reduction of wind load on the banner are available in 18", 24", 30" & 36" lengths
- Stainless steel bands for easy installation!



Double Banner Brackets



Let Creative Banner print your Custom Boulevard Banner.
Call (800) 522-3046



Fiberglass Arms

Item#	Style	18"	24"	30"	36"
KPBAS	Single	\$47.00	\$48.00	\$49.00	\$55.00
KPBAD	Double	80.00	82.00	86.00	95.00

Item#	Description	Qty 1	Qty 25	Qty 50	Qty 100
PBBS1	31" Stainless Steel Bands	\$2.99	\$2.69	\$2.49	\$2.19
PBBS4	40" Stainless Steel Bands	3.69	3.19	2.80	2.55

UPS Ground
Tie Wraps

Cast Aluminum Bracket

End Caps

Pin & Ring

40" Stainless Steel Bands

Call for Quantity Discounts shipping - \$23.90

AVENUE FLAG INSERT

Show off a flag and a banner. This insert works with both Boulevard and Wall Mount Bracket Systems.

Item#	Qty 1	Qty 25	Qty 50	Qty 100
KPBAI	\$18.99	\$17.99	\$16.99	\$14.99



ACORN END CAPS

Our sign end caps feature a unique touch by adding an acorn finish. Available in solid brass or a sturdy gold plastic. Fits 2" diameter rod.



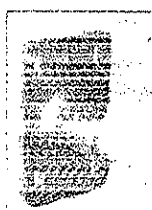
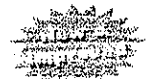
Gold Plastic



Solid Brass

Item#	Description	Weight	Qty 1	Qty 4
PBAAP	Gold Plastic	2"	\$1.95	\$1.85
PBAAP1	Solid Brass	2"	3.25	2.99

WALL MOUNT BRACKET



3" x 5" Wall Bracket in Cast Aluminum

Another great way to display the Boulevard banner.



A Vertical Wall Mount Bracket to install banners on walls and other flat surfaces. This cast aluminum bracket does not corrode or rust from being outdoors. It also uses many of the components of our Boulevard Bracket System.

Description	Item#	Length*	Weight	Qty 1	Qty 10	Qty 100
wall bracket set	KWMB	Up to 36"	4 lbs	\$59.99	\$37.50	\$30.00

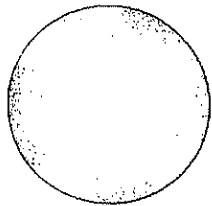
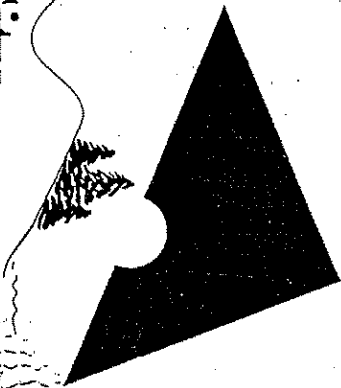
*Specify Rod Length - 18", 24", 30", 36"

Maximum banner size recommended is 24 square feet.

toll free 800-522-3046 or order online www.creativebanner.com

Trinitique

Lake City Community Church



To: General Services Committee and City Council
Date: October 06, 2008
From: Kathy Lewis, Deputy City Clerk
Re: Sign Board recommendation to add permanent banners to approved signs

Decision Point: Should the City Council allow small banners less than 20 square feet mounted to poles as a permanent type of allowed signage?

History: The Sign Code allows poles signs, ground monuments, wall signs, and projecting signs attached to a building structure as the only types of allowed signs on a permanent basis. As different types of signs have evolved, many businesses are requesting the use of small fabric banners attached to their light poles, or other pole structures, as an alternative type of permanent sign. They are colorful, less expensive, easy to mount, easy to replace. The businesses using these types of signage usually maintain these more often as they are less expensive to replace. The limit on the size of any one banner would be 20 square feet with spacing relevant to the size of the banners. The banners would be required to be placed on private property only, with no use of public property. The permanent banners would be required to be used in commercial zoned property only.

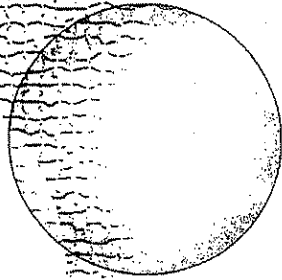
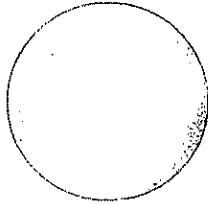
Financial Analysis: The Business would be required to obtain a sign permit just as they do for any other type of exterior advertising. They would be required to supply documentation that that supporting structure can support the additional weight, along with a depiction of mounting hardware. There would be no additional cost to the City, rather than normal sign review as it currently occurs. Some car dealers have currently installed this type of signage without permit, which does require a permit and would increase revenue slightly, and reduce code enforcement cost slightly.

Performance: The banners add another method of signage available to businesses that is colorful and better maintained. By adding spacing requirements tied with the size of the banners, the impact is regulated to limit the congestion if larger banners are used rather than smaller. The Sign Code does not allow any private signs on public property excluding A-Frame signs.

Quality of Life: The banners add colorful additions to light poles and other obstructions. They are less expensive so easy to maintain. The City can require the banners to be replaced or taken down if maintenance is needed. Businesses are requesting the use as a permanent method of signage, rather than just temporary.

Decision Point: Should the City Council recommend adoption of small banners less than 20 square feet as a type of permanent signage in the City?

L
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N
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S



Thriftique



COUNCIL BILL NO. 08-1020
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 15.24.090 TO AUTHORIZE ON SITE BANNERS WITH CERTAIN RESTRICTIONS AS A TYPE OF PERMANENT SIGNAGE ON PRIVATE PROPERTY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after recommendation by the General Services Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1 . *That Municipal Code Section 15.24.090, is hereby amended as follows:*

15.24.090: BANNERS ~~OVER PUBLIC RIGHTS OF WAY:~~

A. Permanent On Site Banners: Permanent on site banners may be permitted under the following conditions:

1. The area of banners will be included in the total of the freestanding signage allowance for the specific street frontage.
2. The maximum size for any one banner will be 20 square feet. Maximum dimensions are to be no greater than 30" wide or 96" tall.
3. Banners 9 square feet or larger in size may be spaced no closer than 40 feet on center or 40 feet from any other freestanding sign. Banners less than 9 square feet in size may be spaced no closer than 20 feet on center or 20 feet from any other freestanding sign.
4. Banners and horizontal supports may be no closer than:
 - a. 8 feet vertically to ground or any walking surface;
 - b. 14 feet vertically to any driving surface.

5. If the banner is to be attached to an existing structure, the sign owner will provide supporting documentation to the Building Official which will prove that the supporting structure can safely support the banner and any other existing attachments.

B. Banners Over Public Rights of Way: Banners may be installed over public rights-of-way by nonprofit entities by permit granted by the City Council. No other entities may place banners over any public rights-of-way within the City limits. The permit shall be granted under the following conditions:

A.1. Banners must advertise a nonprofit community or nonprofit seasonal theme or are for the sole purpose of beautification of a commercially zoned area.

B.2. Banners shall be installed per permit for no more than one-hundred twenty (120) days unless the banners are maintained by a business improvement district in which case the permit shall be for two (2) years.

C.3. The application for permit to install such banners:

1.a. Describes the theme or event to be advertised and the size and shape of the banners to be installed.

2.b. Indicates the location(s), number, and days during which the banner(s) shall be displayed, and the method of installation.

3.c. Is accompanied by a permit fee as set by resolution of the City Council.

4.d. Is accompanied by an agreement to hold the City harmless against any liability to persons or property resulting from installation, maintenance, or dismantling of such banners, and a certificate of liability insurance insuring the City and the applicant against such loss. The liability insurance shall be in the amount and form approved by the City and in no event less than the minimum liability limits provided in chapter 9, title 6, of the Idaho Code.

5.e. Is accompanied by the written consent of the owners of the property to which supports for the banners are attached.

6.f. Is accompanied by evidence that approval has been secured from the Idaho State Highway Department, when required.

D.4. The organization making application for the permit shall erect and maintain in a clean and good condition or state of repair the banners and shall be responsible for dismantling the banners when the permit expires.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

APPROVED, ADOPTED and SIGNED this 21ST day of October, 2008.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Title 15 Chapter 24 - SIGN CODE

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 15.24.090 TO AUTHORIZE ON SITE BANNERS WITH CERTAIN RESTRICTIONS AS A TYPE OF PERMANENT SIGNAGE ON PRIVATE PROPERTY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Susan K. Weathers, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending Title 15 Chapter 24 - SIGN CODE, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of October, 2008.

Warren J. Wilson, Chief Deputy City Attorney

Finance Department Staff Report

Date: October 13, 2008
From: Troy Tymesen, Finance Director
Subject: Modifications to the fees in lieu of parking resolution

Decision Point: To discuss and move forward the recommendations of the parking commission regarding fees in lieu of parking: include mid town, modify the fee and place limits on the parking spaces.

History: The in lieu parking fees were established in 1993 for the Central business district only. The fee was for one to twenty-five spaces at \$1,000.00 per space and twenty-six to fifty spaces at \$1,500.00 per space.

Financial Analysis: In the past 10 years the fees in lieu of parking ordinance has generated \$15,000.00 in income. The new proposal is designed to reflect the cost of the land for a parking space in the fee and provide a mechanism to accommodate economic development without over burdening the existing public parking spaces.

Performance Analysis: The parking consultants, Rich and Associates, recommend the City adopt one of the following options regarding fees in lieu of parking:

- \$10,000.00 per stall (updated periodically to match inflation).
- 75% of the cost of building a parking stall in a structure (revised annually to reflect actual costs).
- Current land value times 350 square feet per stall needed.

The parking commission created a subcommittee to research and bring forward a recommendation. The following recommendations were approved by the commission on Tuesday the 7th of October.

Fees in lieu of parking features:

- Implementation of Rich and Associates (parking consultant) recommendation.
- The fee is designed to be within 20% of the market value of the land. Property value per square foot multiplied by 350 square feet (the size of a parking stall and a portion of the access drive).
- Proposed Downtown fee to be \$10,000.00 per parking space (Public Hearing on December 2, 2008)

Downtown property valuation analysis: $\$33.45/\text{sf} \times 350\text{sf} = \$11,707.50$
Property valuation determined by reviewing tax assessed valuations

- Proposed Midtown fee to be \$5,000.00 per parking space (Public Hearing on December 2, 2008 to establish the fee, Planning and Zoning Commission will also do a public hearing to modify the code)

Midtown property valuation analysis $\$14.79/\text{sf} \times 350\text{sf} = \$5,176.50$

- **Downtown fees in lieu recommendations:**

One (1) to eight (8) parking spaces required may be met by paying for all spaces in lieu.

Nine (9) to twenty (20) parking spaces required may be met by paying for 60% (rounded up to the next space) in lieu.

Twenty-one (21) to forty (40) parking spaces required may be met by paying for 50% (rounded up to the next space) in lieu.

- **Midtown fees in lieu recommendation: (Planning and Zoning Commission public hearing will need to occur)**


One (1) to eight (8) parking spaces required may be met by paying for all spaces in lieu.

Nine (9) to twenty (20) parking spaces required may be met by paying for 60% (rounded up to the next space) in lieu.

Decision Point/Recommendation: To discuss and move forward the recommendations of the parking commission regarding fees in lieu of parking: include mid town, modify the fee and place limits on the parking spaces.

PUBLIC HEARINGS

CITY COUNCIL
STAFF REPORT

DATE: October 21, 2008
FROM: Christopher H. Bates, Engineering Project Manager 
SUBJECT: Vacation of a Portion of the N/S Alley in Block 10, Aresvik Addition

DECISION POINT

The applicant, Dave Rucker, is requesting the vacation of a portion of public alley in Block 10 of the Aresvik Addition that is located under the newly constructed retail complex and parking lot at the northeast corner of 4th Street and Best Avenue.

HISTORY

The subject public alley was dedicated on the Aresvik Addition plat in 1949. The previous retail structure that was situated on the site was destroyed by fire (2007) and a new retail structure has been constructed on the site. Previous vacation actions in 1982 and 1984 vacated the east/west alley that separated Lots 5-8 from Lots 3 and 4 in Block 10, but not any portion of the north/south alley.

FINANCIAL ANALYSIS

There are no financial impacts to the City with the requested vacation.

PERFORMANCE ANALYSIS

The original site plan that was approved for the newly constructed project on the subject property was in error in relation to the new structure, and therefore, the conflict with the alley r/w and the building was not identified at the onset of the project. The original layout showed the alley ending prior to the new structure, however, the alley actually was located under the building. When this came to light, the new structure was already under construction. The developer has dedicated an easement to the public (which the City has previously accepted and recorded) along the rear of the new retail center that provides access to both 4th and 5th Streets, and the north/south alley in the subdivision block. With the easement being installed, there are no access issues for the vehicular traffic that utilizes the alley.

SUMMARY

The applicant, Dave Rucker, is requesting the vacation of a portion of public alley that is situated under the newly constructed retail facility at the northeast corner of 4th Street and Best Avenue. Mr. Rucker has previously dedicated an ingress/egress easement at the rear of the facility to the City that provides for public access to both 4th and 5th Streets, and, to the north/south alley adjoining the rear. There are no restrictions to public access or to any of the private utilities that utilize the alley. The Public Committee carried the motion to proceed to the City Council with this request at the August 25, 2008 PWC meeting.

h Add (C-1666)

#17320

#17319

#5027

#3594
EX TAX #

#3007
EX TAX #
EX S 150'

#3122
EX R/W

#5050
EX R/W

Payne
Sub 1
(C-7300)

2

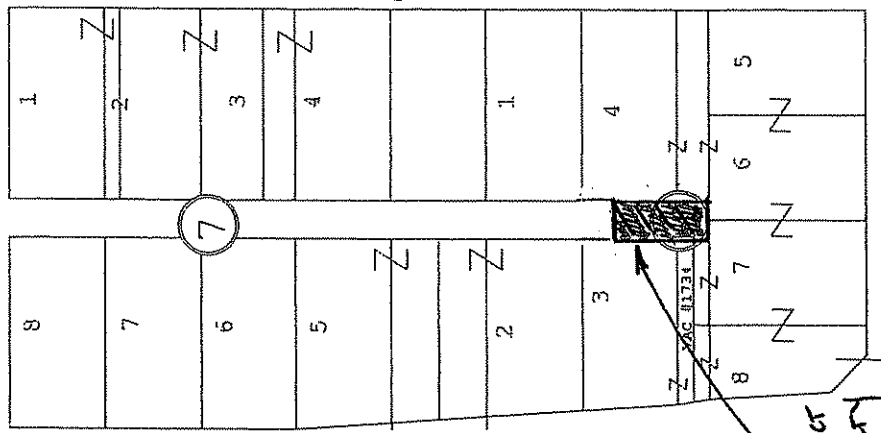
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EX R/W

34

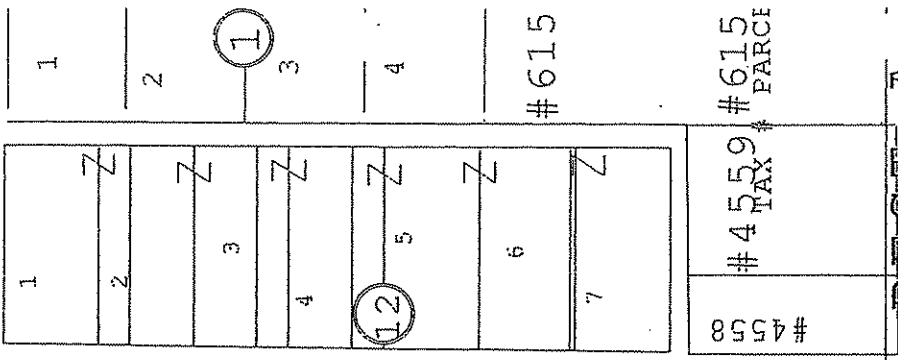
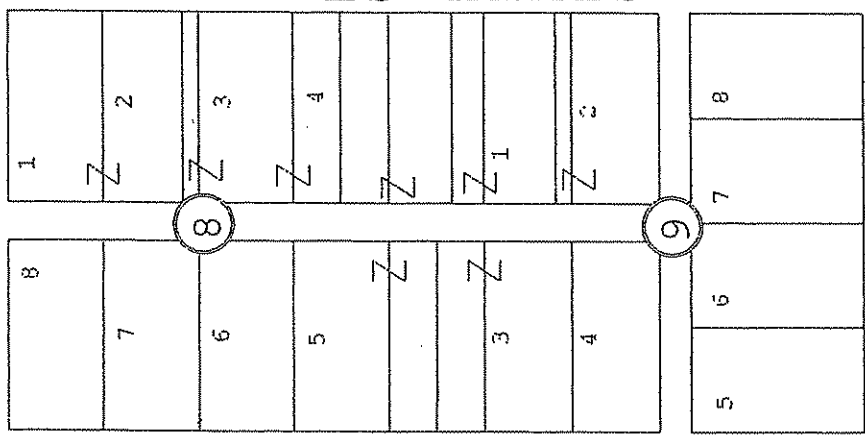
HAYCRAFT AVE

AR

FIFTH ST
ARESVIK ADD



FOURTH ST



BEST AV

#4558

#4559
TAX #

#615
PARCE

#615

#7832

#3638

#10367

#3638

#5475

#15597

#78

**CITY COUNCIL
STAFF REPORT**

FROM: JOHN J. STAMOS, SENIOR PLANNER
DATE: OCTOBER 21, 2008
SUBJECT: A-5-08 – ZONING IN CONJUNCTION WITH ANNEXATION FROM COUNTY RESTRICTED RESIDENTIAL TO R-3
LOCATION: +/- 43,301 SQ. FT. PARCEL AT 2735 FERNAN HILL ROAD

DECISION POINT:

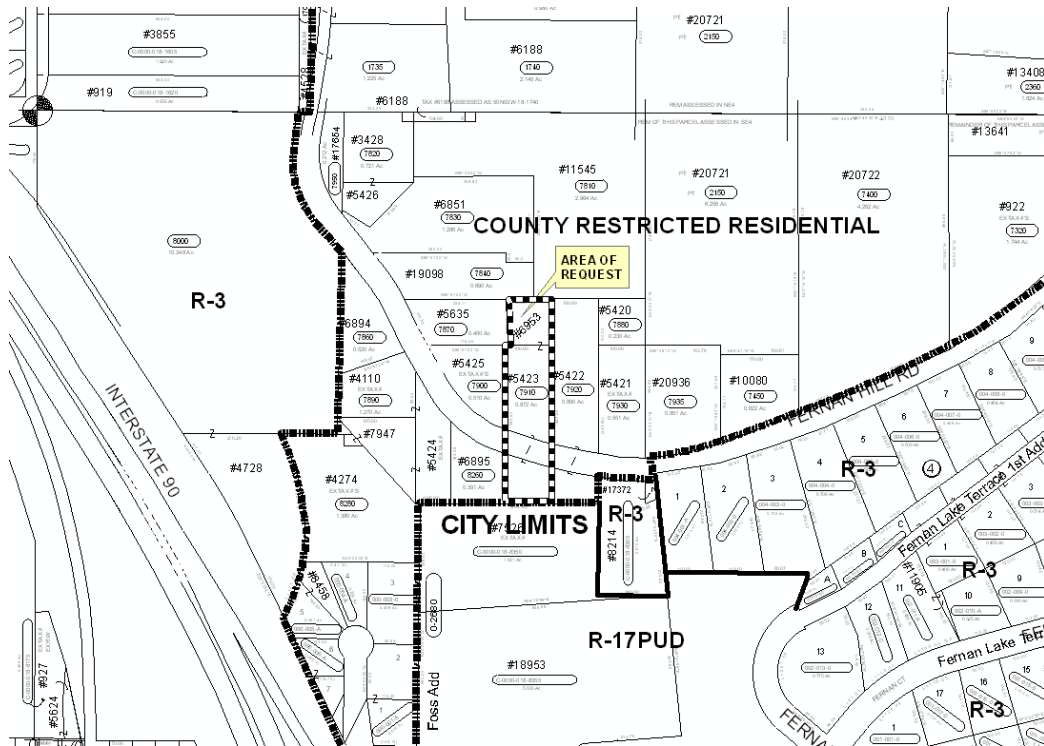
Stephen B. Meyer is requesting Zoning in Conjunction with Annexation from County Restricted Residential to City R-3 (Residential at 3 units/acre) for a +/- .989 acre parcel.

GENERAL INFORMATION:

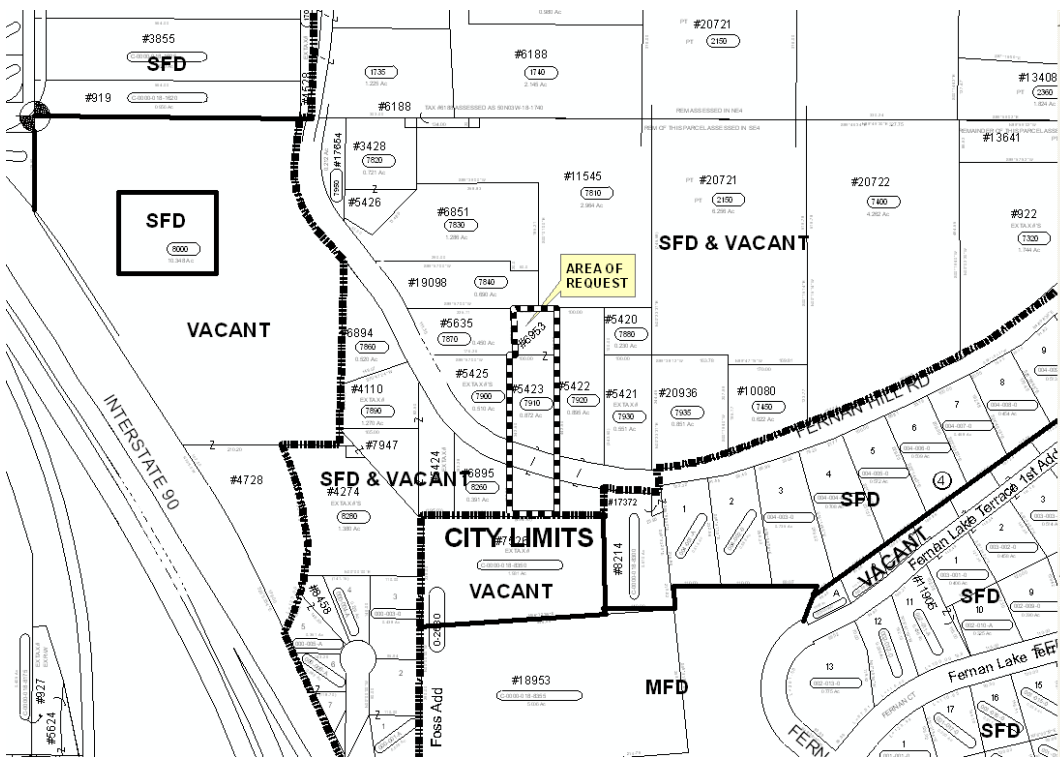
- A. Site photo



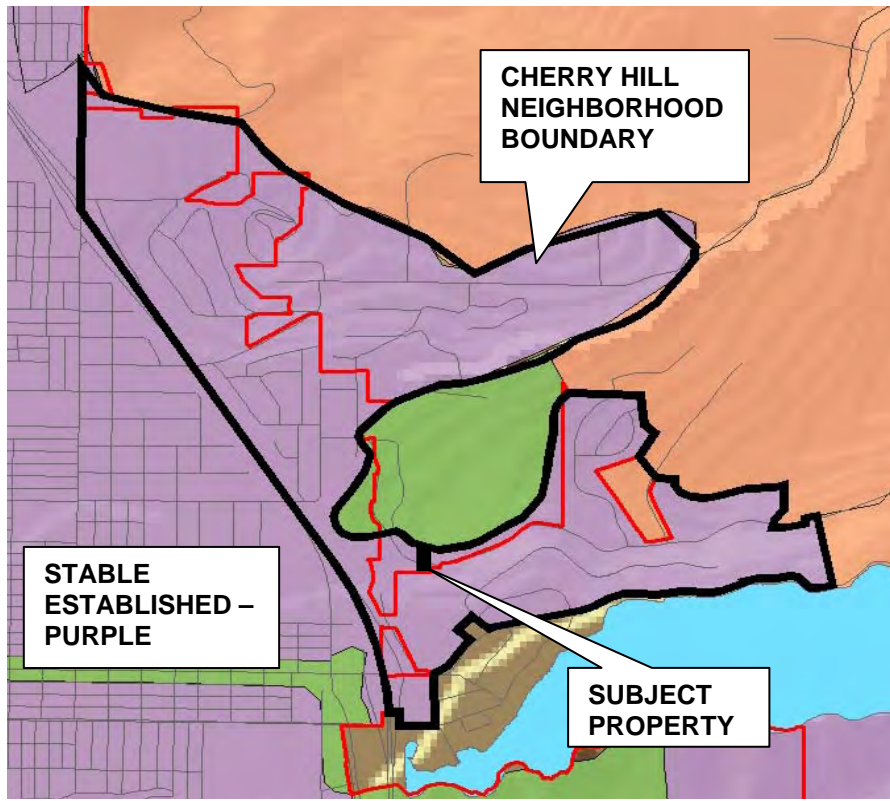
B. Zoning.



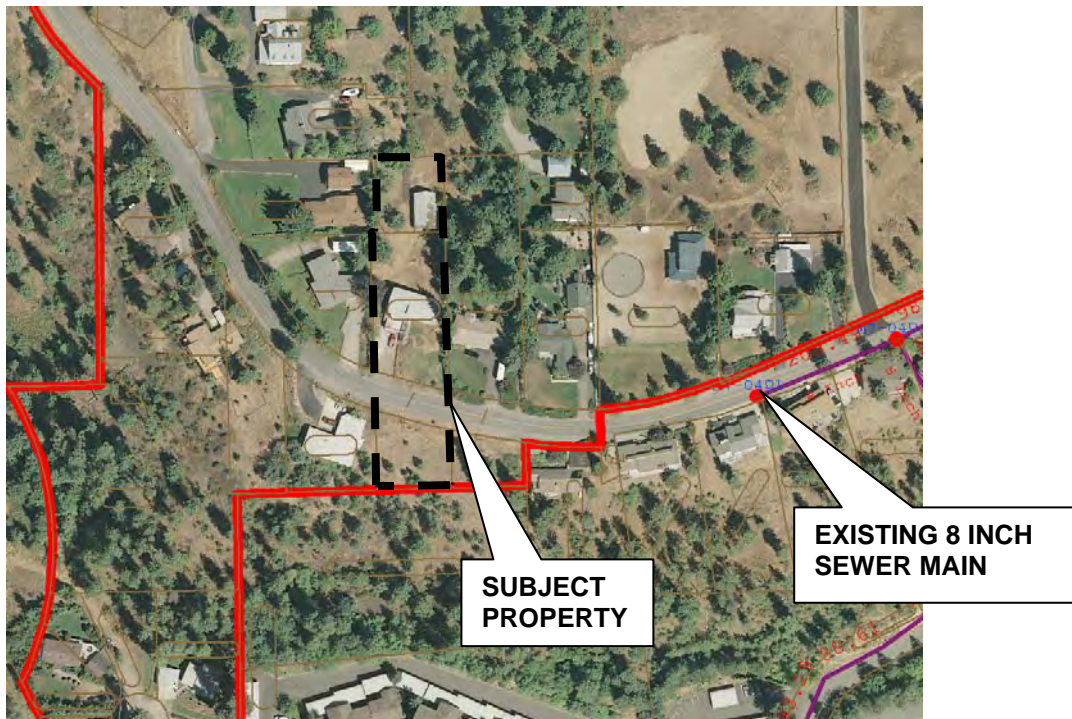
C. Generalized land use.



D. 2007 Comprehensive Plan - Stable Established – Cherry Hill Neighborhood:



E. Sewer availability.



E. Applicant/: Stephen B. Meyer
Owner 1130 East Skyline Drive
Cœur d'Alene, ID 83814

F. The subject property is occupied by a single-family dwelling.

G. Land uses in the area include single-family and multi-family residential and vacant land.

H. The City Council recently approved an agreement with the applicant to allow them to hook up to the sewer system because their septic system had failed. The agreement allowed the applicants to immediately hook up to the sewer system but required that they complete the annexation process at the City's request. The Panhandle Health District required that they hook up to the sewer.

This agreement led to the applicant starting the annexation process by filing a request to Consider Annexation (RCA-12-08) which was approved by the City Council on July 1, 2008 and formerly applying for annexation with this request.

I. The Planning Commission heard this request on September 9, 2008 and approved it by a 4 to 1 vote.

PERFORMANCE ANALYSIS:

A. Zoning:

The R-3 district is intended as a residential area that permits single-family detached housing at a density of three units per gross acre.

Permitted uses:

1. Administrative.
2. Essential service (underground).
3. "Home occupation" as defined in this title.
4. Single-family, detached housing.

Uses allowed by special use permit:

1. Commercial film production.
2. Community assembly.
3. Community education.
4. Community organization.
5. Convenience sales.
6. Essential service (aboveground).
7. Noncommercial kennel.
8. Religious assembly.

The zoning pattern (see zoning map on page 3) in the surrounding area shows Restricted Residential zoning in the County and R-3 and R-17PUD zoning in the City.

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

1. The subject property is within the Area of City Impact Boundary.
2. The subject property has a land use designation of Stable Established and is within the, as follows:

Stable Established Areas:

These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots and general land use are not expected to change greatly within the planning period.

Cherry Hill:

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

The characteristics of Cherry Hill neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per acre (1:1). However, in any given development, higher densities, up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- Limited opportunity for future development.
- Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

3. Significant policies:

➤ Objective 1.01 - Environmental Quality:

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

➤ Objective 1.02 - Water Quality:

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

- Objective 1.12 - Community Design:
Support the enhancement of existing urbanized areas and discourage sprawl.
- Objective 1.13 - Open Space:
Encourage all participants to make open space a priority with every development and annexation.
- Objective 1.14 - Efficiency:
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- Objective 3.02 - Managed Growth:
Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.
- Objective 3.16 - Capital Improvements:
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- Objective 4.02 - City Services:
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

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

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

SEWER:

Public sewer will be available with extension of the existing sewer main in Fernan Hill Road.
(See map on page 3)

Evaluation: The applicant has a failed septic system and his site conditions were such that the Panhandle Health Department indicated that this applicant had no other option than to hook up to public sewer in order to continue to occupy his home. This applicant can extend public sewer to his property under details worked out in the recently approved agreement between The City and the applicant. This extension of public sewer shall be at no cost to the City of Coeur d'Alene and meet all current City standards and practices. Additionally, as the proposed public sewer will be a force main, each lot fronting this proposed public sewer will require a private sewer pump installation, if they annex into the City of Coeur d'Alene.

Comments submitted by Don Keil, Assistant Wastewater Superintendent

WATER:

The subject property is currently served by city water.

Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

TRAFFIC:

No comments.

STREETS:

The roadway that divides the subject property is multi-jurisdictional in maintenance with the duties being portioned between the City of Coeur d'Alene and the East Side Highway District, and enforcement between the City of Coeur d'Alene and the Kootenai County Sheriff's Office. The roadway is an older road, approximately twenty two (22') wide and constructed to County rural road standards. The right-of-way is +/- 51' which is below the City standard of 60' for a local roadway.

Evaluation: Dedication of additional right-of-way should be a component of any annexation agreement that is completed with the applicant. A dedication from the uphill side of the road that will bring the total right-of-way to a minimum of 60 feet is the least amount that would be required.

STORMWATER:

No comments.

Submitted by Chris Bates, Engineering Project Manager

FIRE:

No comments.

Submitted by Glenn Lauper, Deputy Fire Chief

POLICE:

No comments.

Submitted by Steve Childers, Captain, Police Department

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

The subject property is relatively flat on the north side of Fernan Hill Road and quite steep on the remainder parcel on the south side of the road. Average slope for Hillside Ordinance purposes is measured by determining the increase in elevation over the length of the parcel measured at the midpoint of the parcel. The average slope for this parcel is determined to be a +/- 10% slope, which does not meet the required 15% slope requirement for triggering The City's Hillside Ordinance Regulations.

Evaluation: The physical characteristics of the site are suitable for the request at this time.

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

The subject property is in an area of single-family residential development that is zoned R-3 or County Restricted Residential.

Evaluation: The requested R-3 zoning would be compatible with the single-family development and residential character of the surrounding area.

- F. Items recommended for an Annexation Agreement.

1. The applicant grant sufficient right-of-way on the north side of Fernan Hill Road to make a 60 foot wide right-of-way.

- G. Ordinances and Standards Used In Evaluation:
Comprehensive Plan - Amended 1995.
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.

ACTION ALTERNATIVES:

Staff recommends the City Council take the following action:

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

If the Council approves the request, they may adopt the Planning Commission findings, create their own findings or use some of the Planning Commission findings and some of their own findings.

If the Council denies the request, a new set of findings must be made.

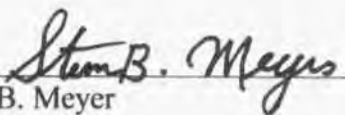
City of Coeur d'Alene
Annexation Request
Explanation Statement

05-14-08

City of Coeur d'Alene

As per city protocol, this letter is being forwarded with the attached application. Reasons for request are a matter of public record, re: City Attorney, Panhandle Health & City planning offices. Re: Failed septic drain field requiring the, residence to be incorporated into the city sewer system.

Respectfully Submitted,



Steven B. Meyer

Applicant: Steven B. Meyer
Location: 2735 Fernan Hill Road
Request: Proposed annexation from County Rural Residential to
City R-3 (Residential at 3 units/acre)
QUASI-JUDICIAL (A-5-08)

Senior Planner Stamosos presented the staff report, gave the mailing tally as 0 in favor, 3 opposed, and 2 neutral and answered questions from the Commission.

Commissioner Luttrupp commented that he does not understand why Panhandle Health would deny the applicant's request for service.

Jim Dunn, City Waste Water Project Manager, explained that Panhandle Health denied the request, because of a problem with high-water and adding a drain field would affect the high-water problem for other neighbors on that street.

Commissioner Luttrupp inquired since this property was in the County, why the city was involved, and not the county.

Mr. Dunn explained that a sewer line is located near the applicant's property making a connection to that line the best solution to the problem. He continued that Panhandle Health District issues septic tank permits in the county and when a septic tank fails they look at all options to resolve the problem and in this case the best solution was for the property owner to approach the City about hooking up to the existing sewer line in Fernan Hill Road a short distance from the subject property rather than rehabilitating the septic tank and drain field on the subject property. In order to do this, annexation into the City is required.

Public testimony open.

Bob Redfearn, Applicant representative, 2735 Fernan Hill Road, commented that the applicant's drain field failed and contacted Panhandle Health for permission to repair the existing drain field, which was denied. He explained the reason for the failure was because of the amount of snowfall last year that was excessive. He contacted Panhandle Health and suggested since their drain field could not be repaired, to contact the City since a sewer line is located close to the applicant's property. He contacted the City and was told they would be able to connect to the sewer with the understanding they would have to go through the formal process of annexation as part of the agreement an agreement between the property owner and the City that spells out the conditions for hooking up to the sewer.

Commissioner Rasor inquired if the applicant knew of other properties in the area where their drain fields have failed.

Mr. Redfearn commented that he knows of a few and feels if this year's snow fall is like last year's others will follow.

Stan Schedler, 2675 Fernan Hill Road, commented that his property is located west of the applicant's property and explained that he is not opposed to the annexation, but concerned with the amount of standing water from last years snow fall that came from Mr. Meyers property. He added that because of the amount of run-off, his drain field has also failed, and that the applicant was nice enough to offer him to connect to his pipe with no fee. He commented that he has heard rumors that the applicant intends to open a bed and breakfast and feels that type of use will not fit this area. He also would have the applicant consider an R-1 zone rather than an R-3 zone, since the R-1 zone fits with the other homes in the area.

Ed Leland, 2700 Fernan Hill Road, commented he is not opposed to annexation and would rather have an R-1 zoning.

Jim Dunn, Wastewater Superintendent, suggested installing a pipe large enough to accommodate other property owners if they end up happening to be in the same situation as the applicant. He added that a manhole will be located at the end of the city limits and later moved closer to the applicant's property, if other property's need to hook up in the future.

Commissioner Luttrupp inquired how many homes would the sewer line service if other drain fields fail.

Mr. Dunn answered that the standard 6 inch line would accommodate 15 homes.

REBUTTAL:

Mr. Redfearn commented that the applicant does not intend to build three homes on his property, but plans to renovate his existing home. He explained that in the past there was a discussion to build a bed and breakfast, but the decision was eliminated, because of how construction costs have increased. He commented that he is surprised to hear a few of his neighbors complaining, and if they would have contacted him, he would have answered any questions they had regarding this request.

Commissioner Luttrupp inquired the number of homes that can be built on the lot.

Senior Planner Stamos explained that there are two lots in this request and that the most northerly lot is land locked and considered a legal non-conforming lot because it was created in 1968, before any subdivision code was adopted in the city or county. Because of this, the City's Zoning code would classify it as a legal non-conforming lot and allow one-single family dwelling to be built provided they meet set backs.

Chairman Jordan inquired if a bed and breakfast was allowed in the R- 3 zone.

Senior Planner Stamos explained that a special use permit is required for that use.

Public testimony closed.

DISCUSSION:

Commissioner Bowlby commented that she agrees with the applicant's choice for an R-3 zone, because the surrounding lots are consistent with the R-3 zoning requirements.

Commissioner Luttrupp feels that by approving this request, it would be an intrusion into the character of other lots.

Commissioner Bowlby disagrees and explained the property in the county is similar to an R-5 zone and by approving an R-3, it would be considered a down zone.

Senior Planner Stamos commented that Fernan Hill Estates is zoned R-3.

Commissioner Luttrupp commented that he disagrees and is opposed to the requested R-3 zoning.

Motion by Bowlby, seconded by Rasor, to approve Item A-5-08. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Evans	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Luttrupp	Voted	Nay

Motion to approve carried by a 4 to 1 vote.

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

A. INTRODUCTION

This matter having come before the Planning Commission on September 9, 2008, and there being present a person requesting approval of ITEM A-5-08, a request for zoning prior to annexation from County Restricted Residential to City R-3 (Residential at 3 units/acre).

LOCATION: +/- 43,301 sq. ft. parcel at 2735 Fernan Hill Road

APPLICANT: Stephen B. Meyer

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

- B1. That the existing land uses are single-family and multi-family residential and vacant land.
- B2. That the Comprehensive Plan Map designation is Stable Established
- B3. That the zoning is County Restricted Residential
- B4. That the notice of public hearing was published on August 23, 2008, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 24 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on August 22, 2008 and 5 responses were received: 0 in favor, 3 opposed, and 2 neutral.
- B7. That public testimony was heard on September 9, 2008. Bob Redfern, representing the applicant explained that the septic tank and drain field had failed on the subject property and that Panhandle Health District would not issue a new septic tank permit. The health district suggested that the applicant contact the City of Coeur d'Alene to determine if hooking up to the city sewer located in Fernan Hill Road to the east of the subject property was possible. It was and the city approved an emergency agreement with the applicant to allow him to hook up provided he pay for the extension and annex to the city.

Stan Schedler, 2675 Fernan Hill Road indicated that he was an adjoining neighbor who was adversely affected by surface drainage from the applicant's lot and was in favor of the annexation request but would like to see R-1 zoning.

Ed Lehan, 2700 Fernan Hill Road indicated that he was in favor of the annexation request and would also like to see R-1 zoning.

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

Stable Established Areas:

These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots and general land use are not expected to change greatly within the planning period.

Areas in the city, adjacent to the subject property, are zoned R-3 and the development in the area is single-family similar to development in the Cherry Hill area with a maximum of two homes per parcel.

Objective 1.14 - Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Connecting to the sewer would protect the environment in this area and solve the problem of sewer water run-off that is now going on to adjoining properties.

B9. That public facilities and utilities are available and adequate for the proposed use.

Sewer will be available and adequate with the sewer extension, the subject property is on City water and, with the street right-of-way added, and there will be adequate right-of-way width for Fernan Hill Road.

B10. That the physical characteristics of the site do make it suitable for the request at this time because the topography is relatively flat on the north side of Fernan Hill Road and overall the average slope is +/- 10%.

B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character or existing land uses because the surrounding area is single-family development, the zoning is City R-3 and County Restricted Residential and the existing single-family development on the property is compatible with the area.

C. ORDER: CONCLUSION AND DECISION

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

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

1. The applicant grant sufficient right-of-way on the north side of Fernan Hill Road to make a 60 foot wide right-of-way.

Motion by Bowlby, seconded by Rasor to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted Aye
Commissioner Evans	Voted Aye
Commissioner Luttrupp	Voted Nay
Commissioner Messina	Voted Aye
Commissioner Rasor	Voted Aye

Motion to approve carried by a 4 to 1 vote.



CHAIRMAN BRAD JORDAN

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

A. INTRODUCTION

This matter having come before the City Council on, October 21, 2008, and there being present a person requesting approval of ITEM A-5-08, a request for zoning in conjunction with annexation from County Restricted Residential to City R-3 (Residential at 3 units/acre).

LOCATION: +/- 43,301 sq. ft. parcel at 2735 Fernan Hill Road

APPLICANT: Stephen B. Meyer

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

(The City Council may adopt Items B1-through7.)

- B1. That the existing land uses are single-family and multi-family residential and vacant land

- B2. That the Comprehensive Plan Map designation is Stable Established

- B3. That the zoning is County Restricted Residential

- B4. That the notice of public hearing was published on, October 4, 2008, which fulfills the proper legal requirement.

- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.

- B6. That 24 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 3, 2008, and _____ responses were received: _____ in favor, _____ opposed, and _____ neutral.

- B7. That public testimony was heard on October 21, 2008.

- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available to the property?

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

Criteria to consider for B10:

1. Topography.
2. Streams.
3. Wetlands.
4. Rock outcroppings, etc.
5. vegetative cover.

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

Criteria to consider for B11:

1. Traffic congestion.
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The City Council, pursuant to the aforementioned, finds that the request of **STEPHEN B. MEYER** for zoning in conjunction with annexation, as described in the application should be **(approved)** **(denied)** **(denied without prejudice)**.

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

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

ROLL CALL:

Council Member Hassell	Voted _____
Council Member Edinger	Voted _____
Council Member Goodlander	Voted _____
Council Member McEvers	Voted _____
Council Member Bruning	Voted _____
Council Member Kennedy	Voted _____

Mayor Bloem Voted _____ (tie breaker)

Council Member(s) _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

MAYOR SANDI BLOEM

INFORMATION SECTION

Including

Correspondence

Board, Commission, Committee Minutes

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

FUND	BALANCE 8/31/08	RECEIPTS	DISBURSE- MENTS	BALANCE 9/30/08
General-Designated	\$511,825	\$13,759	\$84,968	\$440,616
General-Undesignated	3,521,964	2,679,516	4,092,378	2,109,102
<u>Special Revenue:</u>				
Library	123,663	11,466	84,467	50,662
Cemetery	(15,193)	123,470	30,741	77,536
Parks Capital Improvements	547,085	167,261	69,301	645,045
Impact Fees	3,508,141	22,828	129,632	3,401,337
Annexation Fees	466,280	916	118	467,078
Insurance	1,978,541	32,020	88,327	1,922,234
<u>Debt Service:</u>				
2000, 2002 & 2006 G.O. Bonds	681,582	130,141	126,497	685,226
LID Guarantee	267,610	712	68	268,254
LID 124 Northshire/Queen Anne/Indian Meadows	21,828	4,846	214	26,460
LID 127 Fairway / Howard Francis	26,210		386	25,824
LID 129 Septic Tank Abatement	195,904		729	195,175
LID 130 Lakeside / Ramsey / Industrial Park	95,465		873	94,592
LID 133 E Sherman/Gravel Sts/Forest Prk Paving	332		332	-
LID 143 Lunceford / Neider	6,936		248	6,688
LID 145 Government Way	49,200	85	49,285	-
LID 146 Northwest Boulevard	177,098		2,294	174,804
LID 148 Fruitland Lane Sewer Cap Fees	17,549		17,549	-
<u>Capital Projects:</u>				
Street Projects	422,520	21,265	235	443,550
2006 GO Bond Capital Projects	612,853	41,490	44,048	610,295
<u>Enterprise:</u>				
Street Lights	164,558	40,046	61,593	143,011
Water	316,799	654,637	526,690	444,746
Water Capitalization Fees	888,373	94,170	5,786	976,757
Wastewater	15,302,487	645,027	1,267,385	14,680,129
Wastewater-Reserved	1,526,185	26,500		1,552,685
WWTP Capitalization Fees	3,104,543	94,687	2,521	3,196,709
WW Property Mgmt	60,668			60,668
Sanitation	104,726	269,262	286,101	87,887
Public Parking	585,079	23,261	16,795	591,545
Stormwater Mgmt	531,992	111,926	207,761	436,157
Water Debt Service	-			-
Wastewater Debt Service	70			70
<u>Trust and Agency:</u>				
Kootenai County Solid Waste Billing	188,007	206,517	394,524	-
LID Advance Payments	767	75	116	726
Police Retirement	1,355,378	19,851	39,894	1,335,335
Cemetery P/C	2,091,157	26,226	122,209	1,995,174
Sales Tax	1,509	1,133	1,509	1,133
Fort Sherman Playground	3,119	6	1	3,124
Jewett House	19,255	726	12,166	7,815
KCATT	3,372	7	1	3,378
Reforestation	(576)	923	347	-
Street Trees	191,737	2,776	1,448	193,065
Community Canopy	989	122	345	766
CdA Arts Commission	1,286	3	88	1,201
Public Art Fund	62,126	22,238	1,215	83,149
Public Art Fund - LCDC	110,049	76,584	8,983	177,650
Public Art Fund - Maintenance	103,754	7,502	105	111,151
KMPO - Kootenai Metro Planning Org	27,190	95,367	103,572	18,985
BID	132,119	13,752	1,032	144,839
Homeless Trust Fund	262	329	591	-
GRAND TOTAL	\$40,094,374	\$5,683,428	\$7,885,468	\$37,892,334

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
TWELVE MONTHS ENDED
30-Sep-2008

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 9/30/2008	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$177,165	\$161,158	91%
	Services/Supplies	19,184	17,904	93%
Administration	Personnel Services	471,791	455,725	97%
	Services/Supplies	315,561	35,013	11%
Finance	Personnel Services	597,890	588,814	98%
	Services/Supplies	173,480	143,911	83%
Municipal Services	Personnel Services	719,968	699,175	97%
	Services/Supplies	520,023	489,110	94%
	Capital Outlay	14,000	13,643	97%
Human Resources	Personnel Services	196,632	194,115	99%
	Services/Supplies	48,000	31,720	66%
Legal	Personnel Services	1,122,598	1,106,864	99%
	Services/Supplies	103,921	88,852	85%
	Capital Outlay			
Planning	Personnel Services	465,106	448,353	96%
	Services/Supplies	75,300	41,475	55%
Building Maintenance	Personnel Services	256,516	220,895	86%
	Services/Supplies	227,120	248,894	110%
	Capital Outlay	18,000	12,835	71%
Police	Personnel Services	7,682,206	7,716,198	100%
	Services/Supplies	902,434	677,935	75%
	Capital Outlay	147,612	146,837	99%
Fire	Personnel Services	5,579,301	5,503,619	99%
	Services/Supplies	400,633	394,233	98%
	Capital Outlay			
General Government	Personnel Services	38,400	6,778	18%
	Services/Supplies	1,744,713	1,746,346	100%
Byrne Grant (Federal)	Services/Supplies	136,392	45,178	33%
COPS Grant	Services/Supplies	58,061	35,640	61%
CdA Drug Task Force	Services/Supplies	149,340	134,094	90%
	Capital Outlay			
Streets	Personnel Services	1,745,131	1,707,632	98%
	Services/Supplies	594,382	572,565	96%
	Capital Outlay	122,000	80,549	66%
Engineering Services	Personnel Services	413,072	405,642	98%
	Services/Supplies	1,078,096	989,808	92%
	Capital Outlay			

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
TWELVE MONTHS ENDED
30-Sep-2008

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 9/30/2008	PERCENT EXPENDED
Parks	Personnel Services	1,137,525	1,052,544	93%
	Services/Supplies	373,291	320,308	86%
	Capital Outlay	150,200	126,461	84%
Recreation	Personnel Services	542,957	500,754	92%
	Services/Supplies	151,127	112,270	74%
	Capital Outlay	114,433	64,574	56%
Building Inspection	Personnel Services	783,216	779,259	99%
	Services/Supplies	51,105	45,258	89%
Total General Fund		<u>29,617,882</u>	<u>28,162,938</u>	<u>95%</u>
Library	Personnel Services	839,559	824,077	98%
	Services/Supplies	170,553	174,089	102%
	Capital Outlay	75,000	69,752	93%
Cemetery	Personnel Services	167,483	158,009	94%
	Services/Supplies	111,255	93,848	84%
	Capital Outlay	115,000	34,296	30%
Impact Fees	Services/Supplies	585,000	512,620	88%
Annexation Fees	Services/Supplies	230,000	230,000	100%
Parks Capital Improvements	Capital Outlay	813,500	606,893	75%
Insurance	Services/Supplies	350,500	404,238	115%
Total Special Revenue		<u>3,457,850</u>	<u>3,107,822</u>	<u>90%</u>
Debt Service Fund		<u>2,379,079</u>	<u>2,522,205</u>	<u>106%</u>
Ramsey Road	Capital Outlay			
Govt Way - Dalton to Hanley	Capital Outlay	75,000	20,000	27%
Ped Ramps	Capital Outlay			
Atlas Road	Capital Outlay			
4th St - Anton to Timber	Capital Outlay		681	
Ironwood	Capital Outlay			
15th Street - Best to Dalton	Capital Outlay	250,000		
Seltice Way	Capital Outlay			
Atlas Signals	Capital Outlay			
Front Street	Capital Outlay			
GO Bond - Refunding & Misc	Capital Outlay	11,900	11,900	
Library Building	Capital Outlay	677,000	658,383	97%
Fire Dept GO Bond Expenditure	Capital Outlay	2,940,015	1,468,022	50%
Total Capital Projects Funds		<u>3,953,915</u>	<u>2,158,986</u>	<u>55%</u>

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
TWELVE MONTHS ENDED
30-Sep-2008

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 9/30/2008	PERCENT EXPENDED
Street Lights	Services/Supplies	560,203	474,733	85%
Water	Personnel Services	1,379,833	1,287,374	93%
	Services/Supplies	3,328,071	1,996,039	60%
	Capital Outlay	1,660,000	1,435,158	86%
	Debt Service	320,000	320,727	100%
Water Capitalization Fees	Services/Supplies	960,000	1,268,589	132%
Wastewater	Personnel Services	1,887,548	1,737,602	92%
	Services/Supplies	3,740,921	1,643,692	44%
	Capital Outlay	7,443,386	2,197,826	30%
	Debt Service	1,498,881	955,696	64%
WW Capitalization	Services/Supplies	2,482,683		
Sanitation	Services/Supplies	3,050,984	3,054,181	100%
Public Parking	Services/Supplies	240,982	184,507	77%
	Capital Outlay			
Stormwater Mgmt	Personnel Services	377,365	341,734	91%
	Services/Supplies	634,804	474,071	75%
	Capital Outlay	492,000	195,295	40%
Total Enterprise Funds		<u>30,057,661</u>	<u>17,567,224</u>	<u>58%</u>
Kootenai County Solid Waste		2,290,000	2,250,427	98%
Police Retirement		249,170	229,789	92%
Cemetery Perpetual Care		101,500	200,024	197%
Jewett House		35,338	30,969	88%
Reforestation		54,000	8,042	15%
Street Trees			67,818	
Community Canopy			720	
CdA Arts Commission		5,700	6,817	120%
Public Art Fund		25,000	20,204	81%
Public Art Fund - LCDC		61,000	10,684	18%
Public Art Fund - Maintenance		4,000	3,535	88%
Fort Sherman Playground		2,000	1,939	97%
KMPO		480,000	346,971	72%
Business Improvement District		126,000	116,000	92%
Homeless Trust Fund		4,000	3,765	94%
Total Trust & Agency		<u>3,437,708</u>	<u>3,297,704</u>	<u>96%</u>
TOTALS:		<u><u>\$72,904,095</u></u>	<u><u>\$56,816,879</u></u>	<u><u>78%</u></u>