

**PLANNING & ZONING COMMISSION
MINUTES
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE
JULY 14, 2026**

COMMISSIONERS PRESENT:

Jon Ingalls, Vice Chair
Phil Ward
Kris Jamtaas
Sarah McCracken

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Sean Holm, Senior Planner
Randy Adams, City Attorney
Traci Clark, Administrative Assistant
Chris Bosley, City Engineer
Kyle Marine, Water Department Director
Mike Anderson, Wastewater Department Director
Adam Rouse, Parks & Recreation Director
Monte McCully, Urban Forester
Craig Etherton, Fire Marshal
Jared Reneau, Police Sergeant

COMMISSIONERS ABSENT:

Mark Coppess
Lynn Fleming
Tom Messina, Chairman

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Commissioner McCracken, seconded by Commissioner Jamtaas to approve the minutes of the Planning and Zoning Commission meeting on February 10, 2026. Motion carried.

PUBLIC COMMENTS:

Suzanne Knutson introduced herself and read the commission's duties from the City of Coeur d'Alene Planning and Zoning webpage. She then stated because planning is a public process, it is standard and completely acceptable for a commission to vote differently than what staff recommends, provided their decision is based on solid evidence and required findings of fact. She said that commissioners must listen to testimony, impartially evaluate community concerns and use public feedback to help shape their recommendations to the governing bodies, such as City Council.

STAFF COMMENTS:

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

- At the August 11th P&Z meeting, we will have two items. One is a public hearing, an annexation request, and the other is a subdivision extension for an item you approved last winter.

COMMISSIONER COMMENTS:

Vice Chair Ingalls stated this will be a public hearing, but first I want to take a minute and cover a couple of notes. There are quite a few comments that have been sent in. There is a development agreement that is in our packet and I'd like to just point out, mainly for everybody, that the agreement was entered into between the city and the developer in 2023, and it establishes the required roadway connections, and vests the property owner with development rights for the Coeur Terre project. I point this out because the commission cannot discuss amending the development agreement tonight or address roadway connections this evening. We have really no purview there. Secondly, the scope of the meeting tonight is on the subdivision aspects, which is the preliminary plat approval and four elements that we're looking at are whether the preliminary plat requirements have been met. This would include provisions for sidewalks and streets and utilities, stormwater, lighting, etc. to determine if those have been met. We look at code requirements such as typical design of the lots, lot frontages and sizes of things, as well as the zoning and density to determine if those have been met. Those are standard verifications of the subdivision requirements. Finally, I'm going to point out that this is a quasi-judicial hearing, and everyone that wishes to testify will be sworn in, and I'm going to do that as a big group later on. Public comment will be limited to three uninterrupted minutes, and again, the process here is that Sean Holm is going to do a staff report, followed by the applicant, and then I'll open it up for public testimony. I will poll the commission to see whether there are any conflicts of interest. Seeing none, thank you. And I'd also ask that we be respectful. We will be respectful tonight. I mean, there's I think some passion. We're all interested in this. Whether you're the presenter, the applicant, commenter, whoever, pro, con, whichever. I'd ask that you not go to applaud people. We're not going to boo people. Let's have some decorum and some basic respect.

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

1. Applicant: Connie Krueger, AICP
 Location: Property located in the southern portion of the Coeur Terre master
 planned community, north of W. Woodside Ave., south of the future W. Nez
 Perce Rd. extension, east of N. Huetter Rd., and West of N. Buckskin Rd.
 Request: A Preliminary Plat request to subdivide 202 acres into 284 single-family and 36
 multi-family lots, a public park, a public school site, and associated non-buildable
 tracts zoned R-3, R-8, & R-17, known as Coeur Terre 2 Subdivision QUASI-
 JUDICIAL (S-2-26)

Mr. Holm, Senior Planner provided the following statements

Mr. Holm stated I haven't seen you for a little bit, I just wanted to wish America a happy 250th birthday. The request this evening is for approval of a Preliminary Plat to subdivide approximately 202.01 gross acres of existing properties into 284 single-family and 36 multi-family lots, a public park, a public-school site, and associated non-buildable tracts, known as the Coeur Terre 2 Subdivision (S-2-26). Lakeside Companies, through their representative Connie Krueger, AICP, is requesting approval of the Coeur Terre 2 preliminary plat, a proposed subdivision that ends up being approximately 126.35 developable acres of the 202 total acres. The preliminary plat would create 320 residential lots with up to 213 multifamily dwelling units in the R-17 zoning districts, a park and the school site, plus the tracts.

The decision point is that the Planning Commission and Zoning Commission must determine whether the proposed preliminary plat meets the required subdivision findings, including applicable subdivision design standards, which are found in Chapter 16.15, and the subdivision improvement standards, which are found in Chapter 16.40.

Mr. Holm stated he put a slide in here for the presentation regarding the development agreement. This is between the city and the developer. Both of those parties would have to agree to any sort of change, because it has been signed and recorded. That means neither the Planning Commission nor the public have the authority to alter them at this level. We have also received a lot of comments about traffic

studies; I think there's some misconceptions out there about what a traffic study takes into account. Chris Bosley, the City Engineer, is here, and he can speak to that in depth. I am certainly not a traffic expert, but as I understand it, is that they take existing and proposed conditions into account, and increases to capacity are not based on full buildout, but rather incremental increases of the whole, so that's when it says that the whole area or the whole of Coeur Terre would be considered as they build this. It's incrementally as it grows, so that the roads are able to handle the traffic that would be generated by any sort of approval as they progress.

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

Finding B1 That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer. Chris Bosley, stated the preliminary plan submitted contains all of the general preliminary plat elements required by the Municipal Code.

Finding B2 That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate. Sidewalks are proposed on both sides of all local streets throughout the development, supplemented by perimeter multi-use paths and mid-block walkways where block lengths exceed 600 feet. The sidewalk system provides continuous pedestrian connectivity within the Coeur Terre 2 subdivision request and connections to the master plan trail network. For streets, the internal street network is designed to city street standards for alignment grade intersection geometry and surfacing. Collector streets include Coeur Terre Boulevard and Nez Perce Road. No frontage improvements are required on Huetter Road per the development agreement. That is also the edge of the city, where the city limits sit. Off-site transportation improvements include a roundabout at Huetter Road and Access A, and northbound left turn lane at Huetter and Mullan Roads, which is consistent with the traffic impact analysis. Stop-controlled intersections will be identified on construction plans. No alleys are proposed. Street rights-of-way, easements and intersection geometry are designed to city standards. The plat identifies all proposed rights-of-way consistent with the development agreement. Easements: the minimum of 20-foot easements are centered over water mains, and 30-foot for combined sewer water easements where they are required, as applicable. All utility easements for public sewer shall be dedicated to the city prior to building permits. Street lighting shall be installed to city standards, concurrent with each phase of the development agreement. The development agreement, Section 3.5, discusses that. Fire Protection, the water distribution mains are sized to meet fire flow standards and hydrant spacing standards. Fire department access roads meet minimum width requirements, which is 20 feet for buildings up to 30 feet, and 26 feet wide for buildings over 30 feet tall. Hydrant placement and spacing will be reviewed prior to final plat recordation. A secondary means of egress shall be constructed prior to building permits for more than 30 single-family dwellings or more than 200 multi-family dwelling units per the International Fire Code. I want to stop here just in case this gets glossed over or missed because it's not directly handled until fire's comments, and then there's also a condition. But the Woodside neighborhood to the south was originally constructed beyond the Fire Code requirements and it does not have a secondary access, and so the Fire Department has made a condition for an emergency access only, it is not for vehicular traffic for the public, so that they can bring that neighborhood up to code for fire protection. Planting, street trees and landscaping shall be installed to city standards concurrent with each phase at the time of permitting. Tree setbacks of 10 feet from water infrastructure are required. Sometimes those are also required at the time of building permit, depending if it's commercial or residential. Drainage and stormwater management is handled on site by on-site infiltration. All storm drainage shall be retained on individual lots. A stormwater management plan shall be submitted and approved prior to any construction activity. Pedestrian and bicycle facilities. The development agreement provides for perimeter trail systems, which are a 12-foot asphalt multi-use path on the eastern boundary and a 10-foot path along the southern boundary. Trail corridors will extend to the full length of the development. As development progresses by phase, they won't build the trail all in one big swoop. That'll happen as the phasing takes place. The applicant has agreed to develop and dedicate two traversing north-south trails and two traversing east-west trails to city standards. Water systems include distribution mains sized for fire flow demand, connecting to the municipal system. Sewer systems connect to the municipal systems via the Appaloosa trunk main, which shall be extended prior to the 454th equivalent residential unit per the development agreement, which is found in section 3.2.1.3, all utilities are designed to city standards. I want to point this

out for people in the audience that may not understand what this looks like. The R-8 development and then the R-3, which abuts the existing neighborhoods. The water and sewer utilities that are proposed for each lot will all have the standard connections.

Finding B3 That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40). The applicant has submitted a subdivision application checklist with responses addressing each applicable provision of Chapter 16.15. The checklist indicates compliance with all applicable standards. No design deviations have been requested. The street network and pedestrian connectivity are designed to the applicable design standards. Utilities are designed to City standards. Compliance with Chapter 16.40 improvement standards will be confirmed through engineering plan review and permitting for each phase. Chris Bosley, City Engineer, states the plan are compliant and the preliminary plans meet both subdivision design standards (Chapter 16.15) and improvement standards (Chapter 16.40).

Finding B4 The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district, including any deviations approved through the PUD process. The project has three zoning districts. Mr. Holm provided an overview of the zoning districts and project components.

- **R-3** (Residential at 3 units/acre): Single-Family homes
- **R-8** (Residential at 8 units/acre): Single-Family and public park
- **R-17** (Residential at 17 units/acre): Multi-Family and school site

Coeur Terre 2 Phasing:

- Addition 87 total lots
- 1st Addition 90 total lots
- 2nd Addition 47 total lots
- 3rd Addition 69 total lots
- 4th Addition Public park
- 5th Addition Public school
- 6th Addition 27 lots / 213 units

Proposed Lots/Units by zoning district:

- R-3: 48 single-family lots
- R-8: 236 single-family lots
 - 12.309-acre community park
- R-17: 36 lots (mix of single-family & multi-family)
 - 10.065-acre school site

Affordable Housing:

A minimum of 26 affordable/workforce housing units (approximately 5% of total units), distributed across phased additions as follows:

- Addition: 5 units (5.75%)
- 1st Addition: 4 units (5.08%)
- 2nd Addition: 4 units (5.80%)
- 3rd Addition: 2 units (5.12%)
- 6th Addition: 11 units (5.16%)

Mr. Holm provided an overview of the 31 conditions of approval.

Commissioner McCracken commented that she wanted to respond to some of the public comments about

the ability for the project to have an unlimited number of accessory dwelling units as a result of new legislation. They are allowed in any of these zones, but due to the lot sizes and setbacks, most of the lots probably will not have setbacks to actually fit an accessory dwelling unit.

Mr. Holm replied, an ADU is what you're speaking about. An accessory dwelling unit. That is a very good comment. The development agreement limits the property to have a total of 2,800 ERUs (equivalent residential units), and that is the maximum. I would look to our attorney and the developer to explain how they are going to handle that to ensure that counts towards the ERUs and keep the number current.

Commissioner McCracken asked, what if the homeowner wanted to build an ADU five years later and if the HOA would restrict that.

Mr. Holm replied he would have to defer to the applicant.

Commissioner McCracken asked about the 5% affordable housing and if that will be administered by addition. On the R-3 lots, it might be hard to make those fit in an affordable category.

Mr. Holm replied, yes, and that that is an excellent question. The way that the development agreement handles that is that they have to be different types of housing. They have to be different from each other in terms of number of bedrooms and whether they're owned or rented. What that is saying is the developer can't just take one corner of the development and put a bunch of one bedroom, one-bathroom units in there and have that meet their affordable housing requirement. It does allow for flexibility. That is not set in stone the way that it's shown. It's what they anticipate. So that may change. But staff will have oversight over that to make sure that they're meeting the minimum standard in the development agreement with each phase.

Decision Point:

Mr. Holm noted the action alternatives will need to consider the Subdivision request and make findings to approve, approve with conditions, deny, or deny without prejudice.

Mr. Holm concluded his presentation.

Commissioner Ward stated, he has read a lot of these reports. This is the most comprehensive report he has seen in any development. It detailed everything from the beginning to the current time. Thank you. It really makes it a lot easier to review what we need to do.

Mr. Holm replied, thank you, Ms. Patterson was instrumental in helping me rework it.

Commissioner McCracken commented on one of the conditions. The secondary means of egress to be constructed and accepted by the city prior to issuance of building permit of more than 30 single-family dwellings or more than 200 multi-family for the Fire Department condition. Do you know where those will be while construction is happening?

Mr. Holm replied, most likely it will be here at Woodside. That would be the emergency access, and then it will depend on what their phasing ultimately is. The Fire Department will pay attention to those numbers, and they can answer that better than I can. This (connection into Woodside) will be for emergency access for the Fire Department only and pedestrians.

Vice Chair Ingalls swore in the applicant team as a group.

Public testimony opened:

Melissa Wells introduced herself and stated she is the president of the Kootenai County Land Company and she will be presenting this evening. The request is for approval of the preliminary subdivision within the already annexed Coeur Terre Master Plan. The purpose of tonight's presentation is to walk through how this subdivision implements the zoning, development agreement and the city code standards that

were established through the annexation process. But before we begin, we wanted to take just a quick moment to address the public's comments. First and foremost, our comment is to thank you. We are fortunate to receive a great deal of feedback from the community. We often receive a lot of positive comments and strong support for our communities, and that means a great deal to us. Our team members all live here locally, and we're very proud of the work that we do in the communities that we help create. Now, I do understand that not every decision is favorable to everyone, and from my perspective, it is important that we understand all the opinions, both positive and negative, because public input is really an important part of this process. As you can imagine, many of the comments are emotional, and understandably so. Growth, traffic, neighborhood change, and development can be personal, but just note that these opinions are valued, and again, we fully agree that they're an important part of the process. At the same time, it's equally important to understand that these decisions have to be guided by accurate information and facts that are provided by qualified professionals. So today our goal is to provide very data-driven information supported by professional engineers, planners, and attorneys. And while we believe it's important for everyone to be heard, we also believe it's our responsibility to help clarify the record, correct inaccuracies, and provide factual context so that decisions can be made fairly and thoughtfully. We're going to start tonight hearing from Mischelle Fulgham. She's a land use attorney that will begin with a short legal and procedural overview, so that everyone is very clear about the process of this application and the standards that apply. For the past 34 years, she has represented property owners, developers, neighborhood groups, and municipalities in land use cases in both Idaho and Washington. She has successfully represented clients at all levels of judicial review in the state court and federal court, including prevailing in numerous land use cases before the Idaho Supreme Court.

Mischelle Fulgham introduced herself and said she will be addressing the legal and procedural matters tied to the subdivision application. In the past, much of the discussion about this property focused on whether the land should be annexed into the city and what conditions and what obligations should attach to that annexation, and those were made in the annexation and development agreement about three years ago. The annexation decision and the development agreement were implemented in March of 2023 when the property was brought into the city, and through that annexation approval, the city established the zoning for the property, and they entered into the contractually binding development agreement that defines the framework, the obligation, and the conditions for the development of the land. Now, that contractually binding development agreement was negotiated, debated, fully vetted, approved and signed by both parties, the city and the developer. It was then recorded against title for the property, and it became a binding encumbrance, establishing development rights on the real property. The agreement is legally binding and it vests the owner with established property development rights, and those rights are recorded and have permanently attached to the subject real property, as indicated in the staff report and also by Vice Chair Ingalls. The decisions in the development agreement are final, they're binding, they're recorded against title of the property, and they cannot be altered through this subdivision application process. Having gone through annexation, having implemented and recorded the development agreement, we're now here as planned, as anticipated, with a subdivision application, and this subdivision application is an outright permitted use. There are no deviations, waivers, conditions, or changes being sought because the application is for a residential subdivision. The city's subdivision code governs as the binding legal standard, and the development agreement that's been recorded as an encumbrance against the property and granting development rights governs. Those are the legal authorities, the parameters that warrant review. So long as this applicant complies with the applicable city code for subdivision requirements, and the applicant complies with the development agreement requirements, then as a matter of land use law and contract law, the applicant's entitled to subdivision approval and to move forward through the process, and that's precisely the factual and legal record you have before you tonight. The staff report indicates the application meets all the requirements. Both City Planner Sean Holm and City Engineer Chris Bosley have documented that the application fulfills the requirements for preliminary plat approval under both the Subdivision Code and the development agreement. The development agreement establishes road connectivity and the traffic study requirements. Under the development agreement, the subdivision is required to have the agreed-upon street connectivity plan, the connection at Appaloosa, and the connection at Nez Perce. The applicants also completed a traffic study as required through the concurrency analysis, and a licensed traffic engineer, Sean Messner with CivTech, will be here to talk through and explain that traffic impact analysis. But from my perspective as a land use attorney, it's important to point out the legally binding and applicable standards for analyzing the traffic

impact and the mitigation to be imposed based upon that traffic impact. It has to be demonstrated that there is a rational nexus between the impact of the development at issue in the application and the mitigation being imposed upon that development in the application. No mitigation is required for future development impacts that are outside the pending application. Under land use law and constitutional property rights law, an applicant is not required to mitigate traffic impacts that are created from other projects, from other developments, including a future phase of the Coeur Terre Master Plan, such as the commercial development that may or may not come forward in the future. That's not part of this application, so that's not part of the impact being created by this application to be mitigated as part of this application. The impact and mitigation analysis must be rationally related. We look at the average daily trips; that's the impact from the subdivision application and the mitigation turn lane on Huetter a roundabout and those have to be rationally related and proportionate in their analysis and comparison. If the mitigation imposed on the impacts is overreaching, then it's unlawful and it constitutes an unconstitutional taking, and it could be an exaction in violation of Idaho land use law. So, the rational nexus and the proportionality controls. In conclusion, with that legal framework in mind, the applicant team will now work through how Coeur Terre complies with all requirements, including the approved zoning, the density standards, the development agreement, subdivision standards, utilities, transportation, parks, trails-all phasing and concurrency requirements, all findings through B1 and B4 are met, and the subdivision application warrants approval.

Ms. Wells stated each subdivision within Coeur Terre will need to come forward for review and approval, and we just felt it was important to remind the public of this process. The fact that we're here tonight does not mean that there's an underlying land use change. It simply means that we're following the steps required by city code and the development agreement to move this forward project forward over time. Coeur Terre 2 is located on the south end of the property, and it includes about 126 developable acres. The subdivision is within the existing R-17, R-8 and R-3 zoning districts. We do not have any deviations proposed with this application, it's straightforward. This proposed subdivision fits within the zoning and development agreement already approved for on this property. On this slide, we just wanted to show all the various zoning districts that are in the application. In the R-8 zone, we have proposed 236 single family lots and a perimeter trail. We are including the community public park, and as was discussed, that will be dedicated to the city prior to the 199th acre of development. In the R-3 zone, there will be 48 single-family lots with a net density of 2.6 units an acre. There's also the perimeter trail. The R-17 zone will have a limited number of single-family and multifamily lots, along with the donated 10-acre elementary school site and the perimeter trail. We did want to point out that throughout the whole project, we will meet or exceed our affordable housing commitment. The proposed densities are well within the approved framework, and they certainly are going to help deliver the mix of housing, parks, trails, and public facilities that were contemplated during annexation. We just showed a sample here of a gathering area, and just wanted to point out that the Coeur Terre Master Plan is not simply a lot layout. It includes very meaningful public and private amenities. Our plan includes open space, perimeter trails, linear park areas, a community park, HOA maintained areas, and future school sites. These elements all help implement the broader Coeur Terre commitments for parks, trails, neighborhood connectivity, and community infrastructure, and just pointing out that they're not afterthoughts. We're everything has been integrated into the subdivision and are part of how the Coeur Terre meets both the code and the development agreement requirements. We did coordinate very closely with the city's water and wastewater Departments regarding the public utility infrastructure. We are consistent with the city's direction; this project has been designed to connect to and extend the existing public utility systems. The proposed water and sewer improvements are intended to serve this phase of the development, while also fitting into the broader utility framework established for Coeur Terre. For sewer, the project will be served by a gravity sewer main that connects to the existing mainline and Appaloosa Road, and the development agreement identifies when the future improvements to the Appaloosa sewer line are required. We coordinated the water with the city Water Department, and a water system study was completed to determine the appropriate main sizing and related improvements. And in addition, the project includes relocating an existing 12-inch water main and the associated PRV into the public street. Traffic has been one of the main topics raised in the public comments, and again, we very much take those concerns seriously. As part of this application, we have followed the city's concurrency analysis requirements, and we did, of course, complete the required traffic study for Coeur Terre 2. Sean Messner is a traffic engineer with CivTech, and we have him here tonight to walk through this process. He'll explain the

methodology used, summarize the findings, and talk about the recommended mitigation measures from the study. He is an experienced and licensed civil and traffic engineer with more than 24 years of experience preparing traffic studies and traffic design. He has prepared and reviewed over 1000 traffic studies, including master traffic studies for large multi-phase projects and their subsequent phase TIAs, and has served as a city traffic engineer for public communities implementing agency standards.

Sean Messner introduced himself he states we've already completed as part of the project over the years in terms of traffic studies, and then hone in on the specific Coeur Terre 2 traffic study and talk a little bit about the process that we used to go through that. The master traffic study was completed back in 2022 and brought forward through the development agreement in 2023. We coordinated with the KMPO and had Ali Marienau, Senior Transportation Planner, take our master site plan and plug it into the regional travel demand model. The reason that's really important is when you have a really large development like this, you want to plug it into a regional travel demand model to see how it interacts with other developments surrounding it, including development within Post Falls and to the north, and take a look from a high level to see and ensure that the facilities serving the area have adequate capacity. That's the purpose of that master traffic study to take that information and look at the roadways and see if the number of lanes is correct, determine what that capacity is, and if there are limitations, to make note of that. What we found with the KMPO model and what the city concurred with was there were adequate facilities to serve not only this development, but all future development within that regional travel demand model. As part of the master traffic study, and as part of our development agreement, we are required to do a traffic study for each one of these phases, or update the master traffic study every two years. Having said that, we did a traffic study for Coeur Terre 1 that went through the city review process, and we used national standards, the ITE traffic manual, traffic study manual, the ITE trip generation manual, highway capacity manual, and manual on uniform traffic control devices. All of these are national standards that apply to regional and local items as well in terms of developing traffic studies. We are in compliance with that. It also helps us determine what traffic data needs to be collected, how to analyze the site in terms of residential units and commercial, and then look at the study intersections for capacity constraints and for what improvements might be needed to serve the development. With Coeur Terre 1, the outcome of that were two things: project improvements and then system improvements. Project improvements are improvements that are the sole responsibility of Coeur Terre or the developer, whereas system improvements are improvements that we contribute to. But there's background traffic from other development or what's out there today, and the city collects transportation impact fees to address those. The table to the right here, in terms of system improvements, identifies what our percentage of contribution would be, and helps the city to allocate or direct where the traffic and or transportation impact fee funding might go to help improve the system. Skipping ahead to Coeur Terre 2. Let me go back. Coeur Terre 1 was the sub piece. The master study is this big, overarching analysis, and as each phase comes in, we hone in on each one of those developments and each one of the phases to look at. The improvements that correspond with the development at the time. These aren't done in isolation. Coeur Terre 1 was the first one. The Coeur Terre 2 (traffic study), which was recently approved by city staff, incorporated the traffic generated from Coeur Terre 1 that's already been approved. We're not discounting it; we're adding that to it and accounting for it. With Coeur Terre 2, much like Coeur Terre 1, there were both project improvements and system improvements. The improvements in the project, as you've heard, were the roundabout at Huetter and Access A, and a northbound left turn lane at Huetter and Mullan. But there's also system improvements that we identified in the traffic study, and those are to the right in the table, and it also shows the percent contribution that our site has to what is needed at each one of those study intersections. Again, the city collects transportation impact fees, and this table can be used to help guide where those fees go to help improvements where they're needed. We appreciate the public comment. We value that, and transportation and traffic is a concern for all people. I wanted to address the connections at Nez Perce and Appaloosa. Nez Perce today is a minor arterial as a classification, and we understand the city is trying to reclassify that as a collector roadway. But I wanted to share the capacities of roadways in terms of average daily trips or average daily traffic that each one of the types of facilities can accommodate. So, as a minor arterial, a roadway can be expected to accommodate up to 18,000 daily trips. As a collector, it can be expected to accommodate up to 15,000. When we collected the traffic count data, the existing volumes on Nez Perce are about 1,400 daily trips. We are adding traffic to it. We have a connection from Coeur Terre 2 into Nez Perce, and so we're increasing that traffic slightly to the total of about 5,000 daily trips. That's not overnight. That's when Coeur Terre 2 is fully constructed, which

we're assuming will happen by 2035, so nine years. That is still about a third of the capacity of what a collector can accommodate. With Appaloosa, it will remain as a local roadway. We've gone through site plan exercises and internal roadway network configurations to really make it so that traffic will want to go to Huetter or want to go north and away from the neighborhood, rather than through Appaloosa. Gabe will talk a little bit more about that in the coming slides. But a local roadway capacity is about 3,000 daily trips. The daily volume that's there today is very similar to Nez Perce. It's about 1,200 daily trips, and we're only adding about 600 daily trips more, and that's partly because of how we're designing Coeur Terre 2 and the roadway network. With that, the total ADT (average daily trip) in 2035 will be about 1,800 vehicles per day, which is about just over half of the capacity that the road can handle. Gabe Gallinger will talk a little bit more about some of the traffic calming and what we've done with the roadways internally and we've taken great strides through the site plan and the plat to show how that can be accommodated and where we are accommodating that. Regarding construction traffic, that was also a major comment, and we agree 100% with that. We will be posting very large signs on Appaloosa and Nez Perce during construction that states residential traffic only, no thru construction traffic. We're also going to direct our contractor to make sure that they don't have any deliveries, and all the construction workers come in from Huetter and not through Appaloosa or through Nez Perce.

Gabe Gallinger introduced himself and stated he is a licensed civil engineer with Kootenai County Land Company. He will be addressing the internal street connections and layout of Coeur Terre 2 and the connections to the existing neighborhoods. He said he wanted to begin by revisiting a key part of the annexation process during the City Council hearings. City Council specifically asked us to demonstrate how the proposed roadway network would direct traffic toward Huetter Road and reduce reliance on the Nez Perce and Appaloosa neighborhood connections. The information on the next few slides was presented to the City Council in March of 2023. We thought it would be helpful to revisit this discussion because this roadway approach was an important factor in the Council's decision to approve the annexation. We proposed removing the two mid-block connections to Nez Perce on both the north and south sides by eliminating these connections. Traffic generated in Coeur Terre 2 is now naturally directed south and west toward Huetter Road, instead of traveling north onto Nez Perce and east through the existing neighborhood. Now moving to the south side of the site, we first eliminated the two prohibited street connections at Woodside and Arrowhead, as required by the development agreement. Next, we incorporated the required connection to Appaloosa Road and proposed reconfiguring it to a three-way stop-controlled intersection. This requires that traffic leaving Coeur Terre 2 must stop and make a left turn onto Appaloosa, rather than providing a straight-through, uninterrupted connection. To further discourage neighborhood cut-through traffic, we disconnected the two easternmost north-south streets and redirected them to the west. We also extended the east-west local access street all the way to Huetter and created a direct route to the arterial system through the new roundabout that's been discussed. The result of this street network, that naturally encourages residents to access Huetter rather than relying on the existing neighborhood connections to the east. Now this exhibit shows the overall street connections for Coeur Terre 2. As you can see, the subdivision includes the required street connections, while intentionally directing traffic west toward Huetter Road, while minimizing reliance on the Nez Perce and Appaloosa connections. In conclusion, the application before you this evening is very straightforward. We're not requesting any modifications, exceptions, or deviations from the city's standards or the development agreement, and as confirmed in the staff report, the proposed preliminary subdivision complies with all applicable city requirements. We appreciate your time and consideration and respectfully request your approval of the application as presented.

Vice Chair Ingalls asked for clarification on the timing of the roundabout in relation to the seven phases.

Mr. Gallinger replied that phase one, which is what we call the Addition.

Vice Chair Ingalls stated, it certainly showed the data that Nez Perce, even with the added traffic, that you're at a third of the capacity, and half of the capacity on Appaloosa. That said, he likes the calming features, the three-way and the reconfiguration. That's going to make a big difference, and that's new information. The question he has is on the construction traffic. So even though the ultimate buildout is within capacities or whatnot during construction, that could really be ugly, cement mixers and all this and that. It sounded like there's going to be some effort put into making sure the construction traffic comes via

Huetter. Help us understand what you would do to really make that happen.

Mr. Gallinger replied we will be putting up very large no construction signs on both sides of Appaloosa, and both ends of Nez Perce for the duration of construction. If you're on Atlas Road turning onto either one of those streets, you would see this sign. Same if you're leaving Coeur Terre and you want to head east, you would see that sign, and you would not go that way. Now, in addition to that, all the contractors that we hire, we will specify that they are not to go east through the residential subdivision. They are to access Coeur Terre for the duration of construction through Huetter Road, and that's one of the reasons that we're building the roundabout construction with the first phase of the development, so we have a permanent open access to Huetter Road to facilitate construction traffic.

Commissioner McCracken asked Mr. Gallinger to walk them through the plan on which roads will be developed when the trails are going to be built and when you are going to connect to Huetter in the first addition.

Mr. Gallinger replied that the connection to Huetter would be in the first phase, the Addition, that's the legal term that will be on the final plat. We try to keep that consistent because it does get confusing because the numbers don't line up, but it goes up to this point down. It's south of the school property, comes back and includes the connection at Appaloosa, and then along the southern boundary of the property. Really in that first phase, we will get the permanent connection to Huetter. We will get the emergency access connection at Woodside, and we will get the permanent connection and reconfiguration at Appaloosa.

Commissioner McCracken asked if the southern trail would be developed at the same time.

Mr. Gallinger replied yes, the southern trail and then the east perimeter up to the north boundary of that phase.

Commissioner McCracken asked for clarification on the timing of the roads and if they would follow the additions as they go. She also asked if there would be any painting or beacons at the trail crossings.

Mr. Gallinger stated the north south trail along the east boundary, it's going to be in a common area tract owned by the HOA, and it is within Coeur Terre 2. It won't cross any streets. The north or the east west trail will cross this Appaloosa connection. I think we'll work with Chris Bosley and the city staff to determine what is appropriate for pedestrian and bicycle safety. Most likely it would be crosswalks for the trail crossings. We'll see what level of facilities are needed for those. But we do anticipate a lot of utilization on these.

Commissioner McCracken said she lives in Indian Meadows, full disclosure. When it comes up to Nez Perce, when you're going to be coming behind homes, just to make sure that if someone is crossing up there, that there landscaped in a way that, or if there's a way to calm the traffic, maybe with beacons, because Nez Perce is going to be a straight shot all the way to Atlas, and that while the trail is super nice, when you get onto Nez Perce and you don't have a trail to connect into the trail on Atlas or other systems, she was kind of wondering if there was anything planned for sidewalks or trail connectivity on to Appaloosa or Nez Perce to get to the Atlas Trail? Or how about the intersection for the pedestrians and cars that that could be looked at?

Mr. Gallinger stated that's a design level discussion that we really haven't had yet. We're certainly amenable to provide whatever is necessary for public safety. I think curb bump outs are typically done at high volume trails for crossings to shorten the distance that you're in the street. This is certainly something we can look at.

Commissioner McCracken said there is concern with the trail crossings on Atlas. When you come up to those stop signs at trail crossings, it's easy for a bike to just go straight through, and then you're likely going to have more bike riders to the school. She wants to make sure that those intersections of pedestrian and cars are kind of thought about throughout the process, and she doesn't know if the

developer would be amenable to have a condition for that, especially with the school site.

Mr. Gallinger stated we do trails and pathways in a lot of our communities and coordinate with city staff during the civil design review process on all of those and take staff comments. Staff have the ability to give us those conditions at that time based on the particulars and specifics of the trails and the street crossings.

Commissioner McCracken asked if Mr. Gallinger could explain the plan for landscaping along the perimeter of the neighborhood and if there would be any fencing.

Mr. Gallinger stated we don't have a finalized landscape plan at this point, but we have talked to our landscape architect about providing more natural grasses along that corridor that doesn't require daily watering and weekly mowing and fertilization and heavy maintenance. We will have more dryland grasses that grow six to 12 inches and maybe get mowed down once or twice a year just to kind of keep them from getting unruly, but more of a natural scape with trees and you know little landscape pockets. Something like you would see on the Prairie Trail.

Commissioner McCracken asked if there will be perimeter fencing.

Mr. Gallinger replied there will be fences on the back lot line of the lots that are adjacent to the west side on the north south and the north side on the east-west trail, we really haven't decided if there's going to be fencing at the back of the existing lots that will be next to the perimeter trail. I know during the annexation, public comment was a little mixed on a perimeter fence. Some residents would prefer a perimeter fence, and some wouldn't.

Commissioner Ward commented there are only two east roads, either Nez Perce or Appaloosa, and they talked about the distribution of traffic. He asked for clarification on the distribution of traffic going east and how someone would connect to Nez Perce or Appaloosa if they were traveling east.

Mr. Gallinger replied that if you live somewhere in this area and pointed to the middle of the screen of Coeur Terre 2. If you wanted to go east on Appaloosa, you could go south on this street, and then you would head east, go down to the stopped controlled intersection, take a left on Appaloosa, and continue east to Atlas. If you wanted to use Nez Perce, you would come down, go west, head north, turn right on Coeur Terre Boulevard, which is the main central collector for the whole master plan. Go north, take a right, and head east on Nez Perce. The portion of Nez Perce and Coeur Terre 2 has no direct lot access or street access from the neighborhood.

Commissioner Ward asked if Coeur Terre Boulevard is intended to go due north at some point.

Mr. Gallinger stated yes. I can scroll back to the overall master plan, but that goes all the way up and connects into Hanley, and with a future signalized intersection that we're currently designing now and will construct in the next couple of years.

Commissioner Ward stated if anyone chooses to go to Nez Perce or Appaloosa winds up at Atlas, but there's not a whole lot there. There's not a grocery store or gas station. They're almost forced to come back to Huetter, or when the Coeur Terre is finished, will this eventually go north. Right now, and after this particular subdivision is completed. What is the level of service on Huetter and Atlas now, and what will it be after the subdivision is completed?

Ms. Patterson stated I think it might be helpful to explain what the average daily trips and what does that mean. To explain, those trips that are from the house and out and back to the house. My understanding is it includes trips that are taken beyond your first point, for example it might be an Amazon driver. If you could explain that, it might be helpful for everyone to understand.

Mr. Messner stated for the average daily trips, a single-family household would typically generate about 10 trips per day, and so that's me going to and from work, my wife going to and from the grocery store, an

Amazon driver coming, dropping things off, my oldest son going to and from work, going to and from the gym, things like that. That would add up to our total trips throughout the day from our house going to whether it's employment or commercial or activity. Typically, a single-family household will generate that. It's total trips throughout the day over a 24-hour period, AM peak hour, PM peak hour, and then throughout the day. What the levels of service are determined by are two things. There's a capacity from a roadway perspective, the daily capacities that was shown before, and then level of service at intersections are typically based off of the a.m. and PM peak hours. Those are the two worst hours typically for intersections on the roadways. Regarding trip distribution, we were showing that about 13% of the traffic from Coeur Terre would use Appaloosa and about 37% would use Nez Perce, and the remaining traffic would go back over to Huetter because it's a more direct connection, and it'll be a faster way to get to and from Coeur d'Alene or Post Falls and Spokane. The second question was about level of service. At the intersection of Atlas and Nez Perce before our site comes on board, the northbound left is an A. The eastbound approach is a level of service C at the worst condition, so that'd be the PM peak hour. With our site, because it's residential, the morning traffic generates more delays, and so it'll be a level of service D at Atlas and Nez Perce. At Atlas and Appaloosa, the worst condition is the eastbound direction. There, in the morning time, before our site would be a level of service C. After our site, because we're not adding that many more trips, it's still a level of service C. But the delay does increase. At Huetter, before our site, there's no intersection, so our access point at Huetter works just fine. Everybody just drives straight through it. With the roundabout, there's ample capacity with a single lane roundabout, the levels of service after our site is implemented and the roundabout is constructed is a level of service B.

Commissioner McCracken said that the commission received copies of the traffic study and there are a lot of calculations. She asked Mr. Messner to help explain if the traffic counts in the traffic study were based on the "ropes" that you might see stretched across a roadway and if each time a car drives over the "rope" that the trip would be counted.

Mr. Messner replied that they typically do two types of traffic counts. There'll be the segment counts, which are the tubes that you're talking about. If you see two tubes out there, it's collecting both traffic count data and then weight and speed. We can determine the number of trucks, and we can determine the speed of the vehicles traveling along the roadway. Then at intersections, we typically use either manual traffic counters, people out there actually counting the cars, making the lefts, throughs, and the rights, or sometimes there'll be cameras or radar units that collect that data.

Commissioner McCracken asked if the trip count information might include the same vehicle multiple times in a system as you drive down a street.

Mr. Messner replied, yes.

Commissioner Ward asked if it is possible to estimate the traffic generated by the future school, particularly incoming traffic in the morning.

Mr. Messner replied it's typically hard to do, mostly because it relies on the number of students and such. But yes the school has been factored into the study.

Commissioner McCracken asked if there was an estimation for the school.

Mr. Messner replied the reason it's hard to determine is because it's typically reliant on the number of students. We know this is going to be a public school, but the number of students help determine the number of school buses, and then thereby the number of people that are likely going to be dropping kids off and picking them up. But we did assume that this elementary school would have 415 students, and that traffic is incorporated within our traffic study. Admittedly, some of that traffic that's generated by the school will all be from internal trips. Somebody that lives up at the northwest might not want to walk there, but they'll drive their drop their kid off and then heads on to work. But we did account for the school within the traffic study. The one thing we did not account for was the 12-acre park. Typically the size of the park and the facilities that are provided will determine whether we need to account for that in a traffic study.

Because it's a 12-acre park, if we looked at just the trips that would be generated using ITE land use codes, it would be about six trips during the peak hour, and so with that said, a lot of the traffic that's going to be using the park because we haven't determined the facilities yet. There's not likely going to be playing fields per se. It's an attraction from the internal subdivision and by those that are living adjacent to it that want to walk to it. That while you might not see that within the traffic study, the purpose of or the reason for that was the number of trips generated are so low, and it's likely to be mostly used by the internal community.

Commissioner McCracken asked why a traffic signal at Nez Perce and Atlas wasn't included in the list of improvements. She understands that part of that is because it is in our capital improvement plan for the impact fees, but it isn't suggested that it is signalized. Even maybe adding a right turn lane could be a system improvement. You said the intersection would be a level of service D after the study. Could that come at a later date with an additional phase?

Mr. Messner commented it likely will show up as a later improvement through a different phase. The master traffic study that was talked about at the beginning noted that Nez Perce and Atlas would need to be signalized in the future, so we're keeping an eye on that intersection. Before you install any kind of traffic signal, you want to make sure that you have adequate traffic, that it warrants a traffic signal, and that the operations are such that you need a traffic signal to help it. Level of service D is still a fairly good operation for a stop-controlled intersection, but it's likely with the next study that we do when we get updated traffic counts because the time limits of our traffic counts are ending. The next study we do will have new traffic counts. We'll take a closer look at that at that time, and it's possible that with the next study, depending on which phase it is, that it could generate the need for a traffic signal.

Commissioner McCracken asked what letter generates a traffic signal.

Mr. Messner stated if a stop controlled is required for lower than level service E, so we're right there.

Commissioner Jamtaas commented out of the 480 students or potential students, has it been estimated how many of those would be coming from existing communities, or how many would be coming from Coeur Terre 2?

Mr. Messner stated, no, typically we'll use the same type of trip distribution that we use for the overall site. We would think about 13% or 15% might come from the adjacent community, and then others will come from within the community. There will be some trips but it's really hard to do that until we get more information from the school.

Vice Chair Ingalls swore in the public in as a group.

There was a five-minute recess.

Maggie Lyons introduced herself and stated she serves as the executive director of Panhandle Affordable Housing Alliance, or PAHA. "Tonight, I'm speaking specifically about Coeur Terre's commitment to workforce housing. As part of its development agreement with the city, Coeur Terre made a specific commitment to provide dedicated workforce housing, and I'm here to tell you tonight that commitment is real. We are encouraged to be working with the Coeur Terre team as they designate 5% of the homes as deed restricted, keeping them permanently affordable for local workers earning between 80% and 130% of AMI per the development agreement, and just as we do at Miracle on Britton, PAHA will manage the deed restrictions that preserve the affordability of these homes every time they sell. The homeowner will build equity, but through a resale formula, the homes will never price to market. This model works. We've proven it with 28 homes in Miracle on Britton in Post Falls. Our Britton homeowners are the people we need to live here. They're nurses, firemen, law enforcement officers, teachers. We have an electrician. We have two welders. We have small business owners. We have an IT specialist and computer technician's, and the list goes on. They are young and hardworking. Many are starting families. Most grew up right here in Kootenai County. With the median home price in Kootenai County now at an all-time high of \$565,000. What Coeur Terre and the City of Coeur d'Alene are doing here is critically important. You

are setting a brilliant template for what can happen when a city, a developer, and a certified organization like PAHA work together to create homes our workforce can actually afford and preserving that affordability in perpetuity. The Britton model for home ownership works, and Coeur Terre is committed to making it work in this development. This is what workforce housing can look like when we stop talking about the problem, actually start implementing solutions. I believe in this partnership. I'm absolutely convinced this partnership will become a model for other builders and other cities to follow."

Pat Taylor introduced herself and stated she lives on Queen Anne which is the first block south of Nez Perce. She said she has lived there and owned her home since '94. Her comment would probably be that Nez Perce is already a problem accessing Atlas Road, and the heavy traffic isn't just AM and PM; it is also school dismissal time, and that creates a lot of backlogs, in which traffic is already blocked from traffic at Kathleen northbound, and it's backing up beyond Abbey, and almost to the dog park, at times, at that time of day, and so if the level of service is going to be a D for Nez Perce to Atlas traffic. It's already so bad that at times she needs to come out of my street, access Nez Perce and meander through Northshire to get to the light at Kathleen as a means to turn left. She is impressed with the level of care and concern and effectiveness for planning everybody's shown.

Tim Bushman introduced himself and stated that he lives right close to the intersection of Atlas and Appaloosa. When he goes out there in the morning at 8 o'clock to make his right to get to Atlas to either turn north or south, it's as many as two minutes to two and a half minutes, and he's the first car in the line because you get the traffic from Kathleen coming down, and that light hits, and everybody's 110 feet apart. You can't get in anywhere, and then all the roundabouts coming from Seltice going north, same thing. With all those cars come through, it is difficult to get through there. Are they doing anything about Atlas to put a center lane in? He doesn't know if there's enough room or not to put a left turn lane. If traffic backs up on Appaloosa, it's difficult to make a right out of his driveway. There'll be so many cars, it could potentially take 10, 15, 20 minutes just to get to Atlas, because each of these cars are going to have to wait their turn when the traffic's bad, and that's in the morning, and when school's in, somewhere around 2:30 to 3:30 and anything 4:30 to 5:30 is a nightmare. It's parking lot. There are cars that stretch all the way down, cars coming from the traffic light. The other concern he has is there are a lot of children that play in this area. On his street, the kids are always out riding around. And of course, they'll get out on the street once in a while to visit the kid across the street or whatever. He's concerned. One, they're not as attentive that a driver of a car would be, obviously. But he's concerned about their safety. The final thing he wants to comment on is real estate values. According to what he's read on AI and research, is that when you have a community back there like that's currently there, where there's really only one way out, pretty much, and you open it up to allow access from another large community to come through, your real estate values go down anywhere from 3 to 15% depending on the area. Even if it was 5%, on a \$700,000 home, that's \$30-35,000 that he could be upside down now because of traffic. He expressed concern trying to show a house that is listed for sale during peak hour traffic and the challenge getting to his own home. You could go out of that, go the other direction, and go west to Huetter, turn left and go to Seltice. That's a quarter of a mile. It takes 25 seconds. If you came out of that on Appaloosa to Atlas, it takes 25 seconds. Except you have a traffic light to control if you're going to Seltice, whereas there you're stuck at Atlas. You're waiting for people back and forth constantly.

Pam Holcomb introduced herself along with Carol Root and said they both live on Nez Perce Road. She stated she has lived there for 34 years, and what she wants to focus on tonight is the impact that Coeur Terre traffic will have on their neighborhood. If you review some of the discussions from the last Planning and Zoning meeting in December of 2025, and discuss solutions for east-west traffic from Atlas to Coeur Terre. She is requesting that Phase Two of Coeur Terre be denied tonight and brought up to City Council. She requests that Phase Two of Coeur Terre be denied until using Industrial Loop as an arterial is approved. She requests that Phase Two of Coeur Terre be denied until there is a plan for pedestrian safety for our roads, and she requests that Phase two of Coeur Terre be denied until the developers are financially responsible for the road improvements needed for Nez Perce and Appaloosa roads. They are both aging and deteriorating roads, but they can handle our current traffic. They can't handle the increased Coeur Terre traffic from 1,100 to 11,000 cars per day on Nez Perce. We as taxpayers should not be responsible for the road improvements caused by Coeur Terre traffic. In the current 2026 traffic impact analysis, Nez Perce Road is designated as an arterial road. Arterial roads are not compatible with

neighborhood roads that have driveway approaches, as this creates unsafe conditions. Our driveway is one of 16 driveways that exit directly onto Nez Perce Road, and in addition, there are two driveways from the children's park and the pickleball courts onto Nez Perce, examples of other arterial streets in Coeur d'Alene are Seltice, Government Way, Atlas, and Kathleen. Our rural road should not be in this category. Using Appaloosa and Nez Perce as connecting streets to Coeur Terre affects our neighborhood safety, quality of life and property values, as the last speaker really told us, and any road upgrades needed due to increased Coeur Terre traffic are not covered in the developer's agreement. There are also five school bus routes traveling through Indian Meadows, making a total of 24 daily stops on our streets. Most of these children walk to these bus stops, and she's concerned about their safety if traffic is diverted into our neighborhood. The Kootenai Metropolitan Planning Organization projected that Nez Perce will have an increase from 1,100 cars per day to 11,000 cars per day. Now this was based on the master traffic study in 2022. This was not limited to the phase 2 numbers that were given tonight. The TIA at that time showed that 85% of the vehicles on our street speed, so when Nez Perce is connected to Coeur Terre, the number of speeding vehicles will increase from 935 to 9,350 per day. Nez Perce does not have any sidewalks. In the Coeur Terre development, sidewalks are proposed on both sides of all local streets to meet safety requirements. So, where is our pedestrian safety? How can the safety rules for the subdivision not apply for our existing neighborhoods? Increasing the distribution of traffic by using Industrial Loop is part of the solution. At the December meeting, we learned that in December 2022, the developer purchased the parcel of land which was privately owned to connect Industrial Loop to the Coeur Terre development. The purpose stated by their engineer was to improve traffic distribution and emergency response times. We also learned at the last Planning & Zoning meeting that Industrial Loop is not classified in the federal functional classification system, where Nez Perce is classified as an arterial. Industrial loop was never studied or considered by our city planners with the master traffic study because at that time there wasn't a connection. After Phase One of Coeur Terre was approved, Chris Bosley stated that Industrial Loop could be classified in the future as an arterial or collector. One factor for us not appealing the approval of Coeur Terre Phase 1 was the understanding that Industrial Loop could be reclassified later, so the main factor for not using Industrial Loop is money for road repair, because Industrial Loop doesn't have a classification. The city cannot apply for grant funds. She and her husband had a meeting on July 8 with Chris Bosley and Todd Feusier where they learned that the Water Department is replacing old water lines on Industrial Loop, the Water Department and the Street Department are splitting the costs of repaving after the water lines are replaced. This will occur somewhere in the range of 2027 to 2028. In conclusion, Industrial Loop will now be repaved, funded by the Water Department and the Street Department. Classifying Industrial Loop will make it eligible in the future for grant funds, which would decrease the cost to us taxpayers. Atlas is especially congested south of Kathleen, and if Industrial Loop is used as a main east-west connector, it will reduce some of that congestion. As the developer's engineer said, Industrial Loop will improve traffic distribution and emergency response times. So once again, she requests that Phase 2 of Coeur Terre be denied tonight and brought up to City Council. She requests that it's denied until using Industrial Loop is approved as an arterial, she requests that Phase 2 of Coeur Terre be denied until there is a plan for pedestrian safety for our roads, and she also requests that Phase Two of Coeur Terre be denied until the developers are financially responsible for the road improvements needed. And she realizes that this committee is a voluntary position, and wants to thank the commission for their time and service.

Ethan Holcomb introduced himself and stated his only concern is on construction and the restrictions for construction going through our neighborhood. He would like this to be denied until the City Council can look at this because there is no enforcement for construction traffic. Putting a sign at the end of the street and the developer asking their contractors not to is not going to apply in five years. A semi from Ziggy's with a load of lumber is not going to drive all the way around. He's going to come down Nez Perce or Appaloosa, and he would like an enforcement clause put into this development deal that there is some form of enforcement to keep the semis, the cement trucks, the dump trucks off our street. Our street can't handle it. It is not stable enough for that. It wasn't built for that kind of traffic in the first place. It doesn't have the bed underneath it to handle that. He would like this to be denied until there is some form of enforcement to keep the contractors coming through our neighborhoods because with the traffic that's going out right now, contractors are going to have the same problem that that we do getting out. You got to cut down on Tamarac. You got to cut down Buckskin to get down to somewhere else to get out. There's going to be contractors going up and down all the side streets, not the big semis, maybe, but all

the electricians, all the painters, all of those folks are going to be in. It's going to take years of this build out when all this construction is going on, so he would for the safety of the people that is up and down those streets and the kids walking getting to school, it is not safe for the semis and all the big equipment coming in and out of there. He thinks we need some kind of enforcement that the city can use. It's our tax money that's going to fix our roads when they screw them up. He thinks there needs to be some kind of enforcement applied.

Will Cushman introduced himself and stated that the planning and zoning here deny their request for Phase One and Phase Two in 2022 and 2023. They, Coeur Terre, had stated that they were going to start building their layout on the north end of the property, and they wouldn't hit the southern end of the property for approximately 20 years, which he thought was okay. Well, we can live with it till then. That'll be fine. This added traffic is going to be a nightmare. You can't get out on Appaloosa. You can't get out to Atlas Road at all from any of the corresponding intersections associated with Indian Meadows and Nez Perce. It's just a nightmare. There's been times where he has to sit for 10-15 minutes to get out onto Atlas because the traffic has backed up so far. The roundabout at Seltice failed. Traffic backs up there constantly. How long is it going to be until somebody gets run over on one of the bike paths because they don't stop like they're supposed to? All the vehicles have to stop. There's stop signs on all those pathways, and nobody stops. They just keep going. They don't care. They take their life in their own hands. Well, how long is it going to be till one of them gets hit by this added congestion, this added traffic that they're adding to our existing neighborhood that the roads can't handle that, and also because it's going to drop my property value too much. That just absolutely disgusts me. Thank you.

Bill Todd introduced himself and stated he lives on Appaloosa. He lives directly across the street from where they're going to be putting the three stop signs. He concurs with everything people say. The traffic on Atlas has gotten worse. Heading north, if you come down Appaloosa and you want to go north, it's very difficult to get out. You have people barreling up off of Seltice up the hill there, and it's hard to get out. It's just going to create a big dangerous situation there when you add all the additional traffic there. He's a little disappointed with the traffic analysis. Nothing's been said about Atlas. What are we going to do with Atlas? Nothing's been said about Appaloosa that has clear coats over the street, is not made for the traffic that is going to happen there. It's just a little bit disappointing there. The other thing he wanted to talk about is the summary of facts for the subdivision on A13 it states that the proposed street system is designed to align with the master plan and the development agreement. The internal street network avoids creating a direct route through the subdivision to discourage through traffic. That's exactly what it says. He pointed to the map and said that's straight through. You're going to put stop signs in there and some calming things to slow people down. Well, it's not going to. Thirteen percent (13%) of the people are not going to be coming down to Appaloosa. It's going to be much greater than that. Nobody looked at it. He knows that's not in that stage yet, but nobody's looked at when you add that school in there, how many more trips are going to be going down Appaloosa. He said he can guarantee you that people are going to take Huetter as a shortcut to come right down, and it's there's the straight path to Appaloosa Road, and then on to Appaloosa they go and down. He would like to have this denied and have it go to council. He doesn't feel like the development itself is great. He has no problems with the development. Archterra is a great builder. He thinks they're going to build great homes there.

Jack Daughery introduced himself and said he would like to look at this from a different angle. He is a resident of Post Falls and apologized to the people that live in these communities for taking three minutes of their time. He wants to know how much of this traffic is going to get pushed down Mullan towards the golf course that's just been bought by the developer. Have any studies been made when they start building in all those alfalfa fields (west of Huetter). He used to drive these routes to get to the specialty hospital and Walmart and doctors and all of that and the fastest way is to run up Mullan and shoot through Inverness down the hill to connect to Highway 41.

Kevin McClelland introduced himself and said he was reading this traffic study. He reached out to Mr. Bosley and had a conversation with him the other day. He thinks the traffic study, even though it was only 15 months ago, seems a little bit out to date. He understands the KMPO has a model to try to grow whatever that data was from 2025 to make up for what we've seen is recent congestion, but he asks the commission to use their own eyes and take a look. He referenced the exhibit on page 161 of the packet

that shows the buildout of the plan. The amount of traffic that's going to flow to Nez Perce is a problem, and he think it's a safety problem for pedestrians. If you just look at what's happened to Hanley and Poleline in the last year and a half when that's open. This city is starved for east-west corridors and as soon as Nez Perce and Appaloosa have an outlet to Huetter, they're going to explode. That's just a fact, not even Coeur Terre's fault. Just other people, other neighborhoods that are accessing those roads to get through. That's what the Hanley Poleline corridor has shown us. He thinks it's fine to review the traffic study, but also use your own eyes and say, well, maybe these models could be wrong, and what we know to be true is likely going to be true. He's concerned with traffic, but really, it's safety. We need housing, and he's glad that the developer has accommodated some traffic calming measures. You've talked about driving up and down Atlas. You guys ever see what's going on with pickleball? It's crazy, right? For three days a week. There's like 40 cars in Nez Perce, and it's great. It's welcoming. We've got the new Faith Park there. All that means more pedestrian traffic, people walking through. What we don't see in this submittal is a pedestrian impact analysis, and I would ask that you deny or delay approval of this phase until that is complete. It's part of the comprehensive plan that we are thinking forward, thinking about the safety of our residents. Be a good neighbor. Let's work together on asking for accountability from the developer for solving pedestrian problems before they become an issue.

Nate Dyk introduced himself and stated he lives on Appaloosa Road in Coeur d'Alene. Thank you for hearing from us out here. When Coeur Terre was annexed, the City Council approved it under a critical condition. Traffic was to be directed away from existing neighborhoods. That protection was enshrined in Section 4.3 of the development agreement. Traffic must be directed to Huetter and Hanley, and through traffic discouraged to the greatest extent reasonably possible. However, this mandate does not align with their road network. The traffic study projects 50% will go through Huetter and 50% will go through our neighborhoods. This proves it is not discouraging neighborhood traffic; it is sending it through by design. Beyond the street issues, phase two has more problems. First, the traffic study, 2030 build-out timeline is unrealistic. By shortening the build-out date, it reduces background traffic values, making failing intersections pass on paper. This effectively reduces the fair share of infrastructure costs and shifts those burdens onto the public. If the data shows 50% is directed on our streets, in the best-case scenario, what happens when the 20-year buildout is complete? KMPO projections show that Appaloosa will exceed 3,000 trips a day with regional development. Second, phase two has been segmented to hide commercial impacts. The application strategically ignores the commercial area, which is to project it, which is projected to produce another 11,000 trips a day. They assume that avoiding a direct connection to the commercial area will limit through traffic, but the C-17 zone is specifically excluded from the traffic model, so we don't know that. This assumption also ignores the elephants in the room: the extension of Coeur Terre Boulevard that will connect Nez Perce to Huetter, and the developer's other 600 acres, which could have even more apartments and commercial land uses. You can't claim through traffic will be discouraged when Phase Two lays the groundwork for cut-through routes from Atlas to the commercial hubs on Huetter. Once the roads are built, you can't change this. In conclusion, the 50/50 split shown in the traffic study is proof of failure, not compliance. As a result, this subdivision clearly does not fulfill the contract's promise to direct traffic away from our neighborhood. The subdivision findings, specifically B2 and B3, have not been met. Additionally, ADUs have not been counted in the concurrency analysis nor the TIA. This application must be deemed incomplete. Thank you.

Rob Knutson introduced himself and stated he has redrafted his thoughts tonight. He wants to go on the record in a complaint about the process that we're going through. You've probably heard of the butterfly effect, where a butterfly in South America will flap its wings, and a hurricane will form in Texas. This is not on that scale, obviously, and there have to be certain limits, boundaries that can be drawn around a problem that's trying to be solved. Take that into account. However, he said he finds it troubling that with the emphasis that's been placed on the development agreement has to be completely removed from the discussion that's happening tonight. For example, the project proponents have mentioned how the development agreement overlays and casts this umbrella over this particular phase of the development, and that's true. But at the same time, through the education that has been given tonight, this process is almost by mandate has to ignore the development agreement. The reason he thinks this is a problem is because the findings don't give any sway to the development agreement. In other words, the problem before you, the one that you're trying to solve, you're trying to decide whether or not to approve this particular phase. You don't get to consider this overarching umbrella. Just by way of example, we've

heard from several of my neighbors about the issues associated with traffic. That's been a constant theme. The transportation safety and so forth, but the question he wants to pose is if this body is not equipped to speak to the development agreement, which body is? In approving the subdivision tonight, in ignorance of the development agreement and the requirements of the development agreement, he's concerned that a certain part, a very important part of the process, gets left out. He just wants to call out section or condition 6.4 of the development agreement, which requires that the city, each phase of the subdivision request, shall be accompanied by a concurrency analysis of the development as a whole, as well as the phase, and we're hearing about the phase tonight, but we can't consider the whole. He thinks that's a problem that perhaps the city and municipal code in the future can look to resolve. Thank you for the time.

Suzanne Knutson introduced herself and she states she lives on Appaloosa Road. Just a little bit of history from this project. October 11, 2022, the application for annexation and zoning was heard before Planning and Zoning Commission. The commission voted unanimously 6-0 to recommend approval of the annexation, zoning, and development agreement as presented at the public hearing, originally at 5,000 homes. We were then told it would go to City Council. We were not told that we could appeal the Planning and Zoning Commission's decision, we were told to wait for council, which was incorrect information, and then in February 2023, the public hearing with the City Council and the council took place, and the council disagreed with the commissioner's unanimous decision and voted to table the annexation until they could back down on that density, and they backed it down to 2,800, so that was that was a big difference from 5,000 to 2,800. March 21st, 2023, under a questionable and possibly illegal hearing process, council approved a lower density from 5,000 to 2,800. It's not as simple and clear as the packet portrayed tonight. Continuing with what Rob was saying about section 6.4, it states that future approvals must be accompanied by a concurrency analysis addressing both the individual phase and the development as a whole. She would think that that would include the commercial, but we heard tonight that it doesn't. The three minutes that we're allowed doesn't allow us time to give you all of our credentials. We're not allowed to have a land attorney. We're not allowed to have our own private traffic study entered, and but these things matter to us because whether the roads and the public a concurrency analysis explains that whether roads and other public infrastructure can support development without reducing services below acceptable standards, and this will reduce the acceptable standards. The traffic study that was presented tonight I didn't see all of that before said 18,000 car trips are expected on Nez Perce. That's a lot of car trips, and there's not 1400 car trips a day on Nez Perce right now, and there's not 1100 or 1200 on Atlas or on Appaloosa right now. If that 18,000 car trips is over 24 hours period, we're looking at one car every five to six seconds, and if it's over 18 hours, when people are actually sleeping for a few hours at home, that's one car trip every five seconds. So, or every one second. So that's a lot of cars. And if there's no way to get out onto Atlas. Where are those cars going to stack up in front of our homes, in front of our driveways? So, this matters because traffic impacts can't be accurately understood one phase at a time. Every phase contributes to cumulative impacts on Appaloosa and Nez Perce, Atlas Road and surrounding neighborhoods. Reviewing each phase in isolation risks understating those impacts and not considering them is faulty at best. Thanks.

Madelyn Knutson introduced herself and stated she lives on West Appaloosa Road. She said she wants to lend her voice to all of the great points and evidence her neighbors have brought forth tonight. She would like to bring forth an additional piece of information about this plan here, specifically towards traffic. The traffic impact analysis in the phase 2 documents assumes full buildout at the year 2030. Yet it does not evaluate road network for additions one through four with only Appaloosa connected. It only looks at the development with Nez Perce and Appaloosa both connected. It doesn't account for ADU development based on new Idaho state legislation, Senate Bill 1354, which went into effect on July 1st of this year. That anyone in a city of 10,000 or more people, no matter their lot size, has the right to build an ADU on their property. They did say it counts zero trips to the park. She won't go over and rehash everything her neighbors have stated already, but she does want to say that there have been no other internal road options explored, ignoring Industrial Way when we were ignoring the development agreements in phase one regarding looking at traffic as a whole in each phase. She urged the commission to look closely at all of this being presented tonight. She would like this to be denied and taken to City Council for all of the reasons her neighbors have stated. Phase 2 is not following the City Council's direction and the development agreement requirement to discourage through traffic and consider traffic as a whole in each

phase. It is really nice that phase 2 provides adequate sidewalks and streets and pedestrian and bicycle facilities for Coeur Terre, but it sucks that if this phase is approved without following City Council's direction and the development agreement's requirement, you are sacrificing the adequacy of our neighborhood streets and the sidewalk-less safety of our pedestrians, the kids who are already waiting on the bus route, the kids who will be going to the school. She would agree that a pedestrian impact analysis would be fantastic. There are some things that might not be required by law but are required by decency. Thank you for your time.

Mike Fitzsimmons introduced himself and stated he lives in the Indian Meadows area. Statistics, human nature, and the 800-pound gorilla in the living room. We heard a lot about statistics. He is reminded about the statistician who drowned in the river because he thought statistically it was only three feet deep. We have got to be careful about those numbers. The human nature part. He watches cars go up and down in front of his house on Broken Arrow all the time. He has a camera that captures them, and he's done a little bit of a study over the last few years since we started this discussion and came to the conclusion that the one element that none of this process even addresses is human nature. He is concerned because a lot of kids in my neighborhood that somebody's going to get killed and soon on those roadways now, and that will only be aggravated in the future because we have not solved the traffic problem. That's the 800-pound gorilla in the living room, and the 800+ pound gorilla's name is Atlas Road. All problems exist on Atlas Road. That is, as we speak, that is an obsolete thoroughfare, and we're putting lipstick on a pig to try to figure out how to make it look like we're providing safety and mitigation issues. We're not doing that at all. We really aren't, and we're going to just kick the can through phase, until once eventually we're going to have to realize that we got to fix Atlas Road. It's not just because of this development; it's because of a lot of development that's going on that is affecting it. But the very first time it effaced itself was when we finished the mill project down here, and then we put the rotary up there. The traffic has just gone through the roof. Statistically, we can handle almost twice as much as there is. We both know that's not true. We cannot do that. That's just an asinine punt because we haven't got the ability to fix it. I remember statistics are about never having to say you're certain. Let's go back and stop doing this process until we fix the 800-ton gorilla. He thinks the City Council needs to deny any further phased development of this operation until such time as the traffic issues are truly resolved, instead of kicking the can down the road. Thanks.

David Cloe introduced himself and stated he lives in Coeur d'Alene. Even though he knows a lot of this is kind of a dog and pony show, he's going through the paces because we have to do this to approve anything through Planning and Zoning, and congratulations on your presentation it was very good. But as Mr. Messner put it in his traffic study, that 1,500 to 5,000 cars on Nez Perce is just a slight increase. If my math is right, that's close to triple the amount of cars coming down Nez Perce. My neighbors have all said things. He lives on Nez Perce at the corner of Tamarac and Abbey, facing the new Faith Walk Park, pickleball court, and the playground right there. His office is there. He's a disabled veteran that works from home instead of going to an office. His office faces the road, and he looks right at the sign that says Nez Perce and Abbey. He sees the people and the kids walking across the street all day long, taking their dogs to the park, playing on the playground, or going to New Faith Walk. It's not a matter of when; it's a matter of how soon it'll be before some kid is killed. We already have speeders going up and down that road on a ridiculous amount. He sits at his desk for 8 to 10 hours a day, looking out the window on Nez Perce. He has a front row seat to everything that happens. You know the study says a lot of things, and like Mr. Holcomb said, you know we're not counting for all the plumbers, electricians, and all the other construction guys, and not counting the big cement trucks and all the lumber trucks. We're talking about all the little guys that work in construction that are going to be on site. The foreman's everybody else. That's added to traffic that's not counted. The study, the two schools that are proposed are not added to any traffic for those either, so the numbers don't add up. Atlas, we know, can't handle it. There's no way to get in and out. There's no turn lane to get in, and it's right. Sometimes it's backed up to the dog park just to get through Kathleen. The roads can't handle it. My biggest concern is safety. There're no sidewalks because the sidewalk ends at my property line on Nez Perce. There's not a sidewalk on the other side; it ends right where Abbey Street is. The kids have a bus stop on Nez Perce. They get off and walk down Nez Perce to go to their adjoining roads or to their homes. There's nobody protecting them. Nobody protects the hundreds of people walking through neighborhood to play pickleball, take their kids to the park, or going to the new faith walk. That burden does not belong to the dream team over here.

Their phase of their presentation was brilliant, loved it, and they did a great job, no doubt about it. And this is eventually going to be approved, but he asks that it be denied until that that impact study is actually completed. He has not seen a traffic counter. He has not seen any hoses across the road counting how many vehicles are going across. He's been there three years and hasn't seen any of that. And having a traffic study done by the developers is like hiring your uncle to appraise your home. It's a little bit of a conflict of interest. He thinks a third party inspection or a report should be done. Thank you for listening.

Roger Ruddick introduced himself he states he lives in Coeur d'Alene. We've heard a lot from people who aren't experts tonight, but they're also wise. Their residents can see what's going on, and they can anticipate what will happen with a development like this. It's not just Indian Meadows that would be impacted. Any community that had a development next door, where traffic was going to pass through and affect the surrounding streets would be impacted just like Indian Meadows. We're no different. He noticed you have a mission or vision statement on the agenda here tonight, and it says that you seek to promote orderly growth. We're kind of getting the cart before the horse. You hear people talking about the safety risks. You hear people talking about traffic problems. Why don't we fix those, address those issues before we build the houses and put the residents there that caused the problem? He's asking that the commission would delay this and reconsider until we address the issues that have been laid out very articulately by the people here tonight. Thank you.

Bridget Sundahl introduced herself and said she lives in Coeur d'Alene. Thank you for your service. Thank you, neighbors. A couple of key things. It's a beautiful development. You know we got some calming features. We have trails. We have things that we will eventually enjoy, but what we don't have is that was pretty and colorful, and then our neighborhood was all gray. There's nothing calming anything. How about that westward traffic barreling down to get back to Coeur Terre. What's going to happen with that part or the right turn off of the arterial of Nez Perce or Moccasin? Every street is open for business. There's nothing to protect this historic neighborhood. We don't have sidewalks. We're okay with it, and the roads are crumbling, and we've heard over the years we'll deal with that. We know when the Audubon was opened up, when Hanley opened up, and Post Falls and Coeur d'Alene joined together in the fastest, most popular road right now, and Atlas is there for the taking. When the roads are bad and the snow is falling, and you're trying to go right, left, north, south, you're in trouble. We're talking about fire trucks, police trucks. If you want to get to and from our neighborhood in bad weather and traffic's there, it is impossible. We all know it, and anyone who lives in that area knows it. So, to your point, Huetter has no traffic right now. You will be barreling through in this beautiful development, but there's nothing. It's like yeah, it will work itself out. We said in the plan you're supposed to work it out before you start building. Let's work it out and figure out what to do. We have a beautiful community. We are welcoming our arms to everyone who should be here. It's wonderful. We want housing, but we want to have it be safe. If you can't ride your bike on Atlas and you can't, and God help you if you're on the trail stopping at every street and how many times? How many times have you almost hit a cyclist, or have a cyclist almost hit you? You can't bike on Atlas. You can't go on the road. There's no ditch. There's nothing. It's an outdated model. Let's wait and figure out everything and then give them the green light because it's going to be beautiful. But let's plan for it, please. Thank you.

Renae Scott introduced herself and said she is coming as a supportive neighbor. Honestly, everything she has heard tonight has been wonderful, great plan, beautiful community, and all the passion from the neighbors. She lives on Evergreen Drive, which is in Fairway Hills. Moved to Fairway Hills as a teenager 50 years ago with my parents. They picked it. It was a beautiful, calm neighborhood around the golf course. She moved back 23 years. Traffic races down Evergreen. There's no way to get from Atlas to Ramsey except cutting through Fairway. She would prefer Seltice or Kathleen or one of those. The best laid plans. You put some materials in, and you hope people will use them. They don't. We've called about putting in speed bumps and speed dips and all that because Evergreen is the only one. It's the one with the island in it off Atlas. It's the only one that goes straight through to Fairway to get to Kathleen or Ramsey, and people use it all the time. She has counted as many as 350-400 a day on her security camera racing down. That's a concern to me. She works at a hospital and drives on Atlas. She wants to turn left and go down to Seltice, which is the quickest way to get to work. She can't turn left in the morning, so she has to go through the whole entire neighborhood to get out. Not only can she not turn left, people are cutting quickly onto Evergreen to cut through, and it's not the Coeur Terre problem, but

she would agree with everything that everybody said to date, and would also say that Atlas is dilapidated. It's an old road. It's narrow. There're not a lot of room. It should be expanded. She would really hope the commission denies or delays until that can really be looked at because we always do infrastructure last in Coeur d'Alene. She has been a resident here for a long time. Our infrastructure never keeps up with what we need. Afterwards, we can't stop growth. It's a beautiful place. People will keep coming. It will grow and grow, and we will develop, but what we can do as a community is guide it so that it is the most functional and most community, so people don't start turning and hating Coeur d'Alene because of bad access. And right now, there's not a really good way. It does back up quite a way down between Seltice and Kathleen; it's a problem. She had to raise her kids in her backyard. They couldn't be on the street on their bikes and that's because Evergreen was too fast. There were too many cars coming down too fast, and mainly because they were non-residents using it as a cut through. Thanks for your service.

Patricia Martin introduced herself and said she lives on Broken Arrow. There's one house between me and Nez Perce. The traffic on Atlas, getting in and out, is also a great concern of mine. She left home early tonight to come to this meeting. She got here late because she couldn't get down to the traffic circle from Atlas to Seltice. She waited for over a dozen cars to get to the circle and then had to wait for a couple dozen more coming down Seltice before she could get out to come up here. Also, she believes this traffic study was done last March, which was before the Faith Walk Park opened, which also has generated more traffic on Atlas. She has waited three of four times for the light to turn green trying to get onto Atlas from Nez Perce to turn left to go up to Kathleen. There's a playground for the kids, there's a pickleball court, there's a dog park on the corner, and now the Faith Walk Park. People who play pickleball don't have enough places to park, so they are in the median down the middle of Nez Perce. She doesn't know where they're going to go or what's going to happen in terms of safety. The traffic is scary and it's completely disrupting our neighborhood. Speaking about 30% of the traffic coming from Coeur Terre to come down Nez Perce, that's 1/3 of their traffic coming through our neighborhood, coming down our street, coming through our front yards and our backyards. We have quite a few new neighbors with children down the street from me. There are two families now: one with five kids, one with six. They're out on their bikes. They're out on their scooters. She has a 10-year-old grandson that lives with her. She doesn't let him go to the playground by himself anymore already because of traffic that's coming down there.

Chris Housick introduced himself and said everything's been covered that's been on his sheet. He believes our mandate as a community is clear. Future growth must be managed proactively through rigorous planning, comprehensive traffic analysis, and robust financial mechanisms like impact fees. This is essential to ensure that our existing neighborhoods are protected. We must treat traffic infrastructure as a prerequisite for growth and not an afterthought to be dealt with later.

Applicant Rebuttal:

Ms. Wells stated, as discussed earlier this evening, planning and zoning's decision tonight should focus on whether or not our subdivision complies with the city's adopted codes, which already take into account things like public safety and also, of course, the development agreement established through our annexation. Through very, very thoughtful planning and supported by factual analysis from an independent third-party engineer, who, by the way, is not employed by our organization, we have definitely responsibly designated road networks to direct traffic away from the existing neighborhoods and towards Huetter. The new connections, in fact, within our development will help provide additional routes to Huetter, giving direct alternatives to traveling east, and you know from the people that are currently going east on Atlas. These new connections are going to help. They're going to definitely help distribute traffic across the roadway network, rather than carrying it out on the existing routes. We have followed the roadway connection requirements specifically directed to us by the city's fire and emergency service professionals. We are required to connect Nez Perce and Appaloosa Road. These locations were not selected by us, and they're not arbitrary. The city designated that these two connections take place. Not one connection, not three, not five connections, but these specific two, based on the access, connectivity, and emergency response needs identified for public safety by public safety professionals. We have developed a clear plan, supported by signage and contractor negotiations, to discourage traffic from construction through the nearby neighborhoods, as the traffic engineer explained, the traffic volumes they

are expected to increase over the next nine years, but even with that projected growth, the roadway system will continue to operate within acceptable level of service. With average daily trips below capacity, and again, please, we've stated, traffic conditions will not be simply evaluated once and then forgotten. With each phase of development or with the two-year requirement, we will update traffic studies, and as they identify necessary improvements, we will be required to address the appropriate needs in mitigation. We're not requesting any modifications, exceptions, or deviations from the plans and commitments that were presented at annexation. The city staff report confirms that the subdivision complies with all the applicable standards and satisfies the conditions, and for these reasons, we are respectfully requesting that you approve our application as presented.

Ms. Fulgham the applicant's land use attorney said your decision has to be based on and supported by substantive evidence. That's what land use law requires, and the substantive evidence as presented by the licensed professionals, by the traffic engineer, indicates that the traffic impact analysis is being mitigated. That's the substantive, credentialed, licensed traffic engineers' data. People want to talk about their personal experience and their personal opinions, but when they ignore the numbers or be suspicious of the data, that's contrary to relying upon substantive evidence to support a land use quasi-judicial ruling, and so the substantive evidence in the record is really un rebutted. The staff report indicates the application meets all of the legal standards and all of the requirements. Sean Holm and the city engineer Chris Bosley have documented in their staff report that the application fulfills preliminary plat requirements under city code and the development agreement. And if we look at the staff report on page 15, category A8, the project meets the density requirements. Category A9, the project meets lot size, zoning frontage. Category A10, no design deviations are being requested. It meets the legal requirements. Category A11 subdivision design standard checklist indicates compliance with each applicable standard, including street and path conformance, continuity of street network, local street design, pedestrian connectivity. connectivity and all other applicable design standards. It is being addressed. It's being met, and that evidence is documented in the report, page 16 of the staff report checklist. Items A12 through A21 are fulfilled. It states, "The matrix confirms each term is satisfied for Coeur Terre 2 consistent with the development agreement." All of the categories A12 through A21 public utilities, pedestrian and bicycle facilities, the community park, phasing, affordable housing, concurrency- all of those the staff has analyzed and indicate they meet the standards. So that substantive evidence really weighs and supports a land use decision by a quasi-judicial ruling for approval. On page 17 of the staff report, Chris Bosley, the city engineer, wrote, "The preliminary plans submitted contain all of the preliminary elements required by the municipal code." It's met. On page 23 of the staff report, Chris Bosley documents that engineering has vetted the plans for compliance, and the preliminary plans meet both. Subdivision design standards, City Code 16.15, and improvement standards, City Code 16.40. On page 28 of the staff report, City Engineer Chris Bosley wrote, "All proposed roadway sections meet or exceed city design standards." People have opinions and personal views that they don't like some of the traffic issues, but it's uncontested based on the substantive evidence that they meet the design standards set out in city code. On page 28, city staff senior planner Sean Holm documented what you've heard numerous times, which is that the development agreement requires the connections be Appaloosa and Nez Perce. Previously, the applicant had proposed numerous other connections, and that was rejected because the neighborhood didn't want seven other connections. Those were taken away to protect the neighborhood, so we're following through with what we've been trying to respect the neighborhood, eliminate the seven previous connections that were proposed, follow the two connections that are binding in the development agreement. Also in the staff report it indicates that the additional vehicular connection to and through the Industrial Park in Coeur Terre 1 will not replace and does not allow for removal of the access for Appaloosa or Nez Perce roads. The signed development agreement specifically governs these as allowed, and they cannot be altered by the subdivision request. Finally, on page 29, Chris Bosley indicates under traffic, the streets and engineering department agrees with the mitigation measures identified in the traffic impact analysis. There you have it. That's the substantive evidence that supports approval. The traffic impact analysis sets out the impact, sets out the mitigation that helps the city avoid an unlawful regulatory taking by trying to impose a mitigation that exceeds the rational relationship and the proportionality of the impact of that application. The traffic impact analysis looked at the impacts. It came up with mitigation. It's scientifically sound, and the city engineer agrees with those traffic impact mitigation measures. So there really is no basis to deny, to delay, or not follow the city subdivision code or the staff report recommendations.

Commissioner McCracken said she has heard 11,000 or 8,000 or 10,000 cars on Appaloosa and Nez Perce. Do you have the number of current without the development daily trips on those two streets?

Mr. Messner stated on Nez Perce there will be 1,400 daily trips approximately, and this can fluctuate daily. Then, with the development looking into the future, in the year 2035, that was going to go from 1,400 to 5,000. On Appaloosa, it's about 1,200. Again, with some daily fluctuations. Then in the future, with our site, again, nine years into the future, it is projected at 1,800 trips.

Commissioner McCracken thanked Mr. Messner and said she wanted to clarify those because we have heard lots of different numbers. And then with the Nez Perce connection in the future, and we've already talked about this, eventually there will be a light at Atlas and Nez Perce, and right now we're at a (level of service) D. She asked Mr. Messner if he could explain how far we are from an E, because the traffic study is about 15 months old, and if we're really close to an E, she might propose an additional condition that when Nez Perce connects with the project that the traffic signal be done at that point. It looks like the 4th Addition when that road would pop through. She feels like the traffic study is over a year old and it sounds like we're hovering between that (level of service) D and E, and she's wondering if that's a reasonable ask, a good faith effort to calm that traffic.

Mr. Messner responded and said he will start with the traffic study that was just submitted this year. The date of the counts were from 2025. And we grew those with the growth rates. So typically, traffic counts have a shelf life of about two years and no more than two years, and that's what you can use the traffic counts from a previous year as long as you're growing those up by the by typical growth rate. How we determine that is taking those counts at this point in time and looking backwards at what the growth trends are, and using that growth rate to apply it. Accounting for some of that residual growth that has happened due to development surrounding the area. In the future the city already has an improvement project for Atlas to add a turn lane on it, and so that was accounted for within our study, knowing that in the future in 2035 there would be a turn lane, a left turn lane, a two-way left turn lane included on Atlas. The other part on Atlas and how we've heard today about additional traffic backups and such. Part of our improvements in that table was Atlas signal timing coordination, and so that's something that cities often don't have staff to go out there and do it constantly. It's usually a couple of years in between looking at signal timing and making changes. It's just purely staff time. It takes a lot of data to collect it and adjust signal timing, but that's something that we've included as those mitigations that need to happen as development continues to occur. With the signal timing adjustments, that'll help traffic flow for both Atlas and for the side streets that come in.

Commissioner McCracken asked how close we are to that (level of service) E and how do some of the improvements planned for Atlas line up on the timing? She has lived off Atlas for 20 years. She is wondering if there's a way to communicate those improvements together with the improvements on Atlas and kind of time where it makes sense. Is there a deadline or has funding been allocated yet? One question that I have is the timing of the Atlas and Nez Perce intersection and if the signal timing could line up with the timing of the road punching through. It looks like the 4th Addition is when that road will come through. The next question is about sidewalks on Appaloosa and Nez Perce. She knows that is not a requirement, but with the schools, and you're connecting multiple parks, so you're connecting a trail system, she thinks it would be a benefit to your neighborhood as well that they could access the pickleball courts and the dog park and those type of things. Connecting trails or a sidewalk on those roads would make the safety of Indian Meadows better. That's a total flat out ask. She knows it's not required, and then she would like a condition that the crossing of the North-South Trail and the two connections on Appaloosa and Nez Perce have some mitigation measures or striping or flashing for safety. Maybe the applicant can address if something's a hard no or if they would consider it.

Mr. Messner responded to Commissioner McCracken's question about the timing of Atlas changing from level of service D to E. If we use the same growth rate, it would be probably four years, going from 2035 to 2039, so there's some buffer in there from the D to the E.

Commissioner McCracken asked if that is when the project would be getting to the 4th Addition.

Mr. Messner replied possibly.

Ms. Wells stated at this point in time, things like addressing the striping and flashing or whatnot that we would do for pedestrian safety, that's certainly something that we would definitely take into consideration. In terms of front loading a signal or whatnot, she doesn't think that's really an appropriate action to do at this point in time. With every phase of construction, we are going to be looking at the traffic and the mitigation, and it's the traffic doesn't warrant it now. She doesn't think it's an appropriate ask, and so we wouldn't necessarily agree, at least at this point on the spot, to front load something because it wouldn't be normal protocol.

Commissioner McCracken asked if the commission could make a condition that the intersection is to be evaluated before the roadway connection is opened up, maybe four years from now, to just spot check that for signal timing.

Mr. Gallinger stated we will be doing a concurrency analysis as required in the development agreement every two years, or with every subdivision or application that comes forward, whichever sooner. So in four years from now, at a minimum, there would be two more concurrencies analyses that would look at the study intersections and evaluate how they are functioning versus what's been proposed or shown in the in the current study.

Commissioner McCracken asked if she could propose it as if before the intersection of Atlas and Nez Perce is open to go through, the latest concurrency analysis be reviewed, and if you've migrated from a D to an E, that a signal be put in. Would that be a reasonable ask?

Mr. Gallinger stated a signal at that intersection at Atlas and Nez Perce would end up being a system improvement in the traffic study, meaning that we would have a proportionate share, the proportion of the traffic from the actual improvement, the signal installation, would be a city project utilizing traffic impact fees from Coeur Terre as a proportion.

Commissioner McCracken stated, but it would be expediated if you move from a D to an E before it.

Mr. Gallinger responded and said that would be the city's decision to do that based on available funding and other priorities that they have within the city. So you could talk to Mr. Bosley more about that. The sidewalks would be beyond the scope at this point, without knowing what is the right-of-way, what are the impacts, what does the construction look like, and how much sidewalk are we talking about.

Vice Chair Ingalls stated a gentleman earlier stated there is an 800 pound gorilla in the room. He lives off of Atlas and drives Atlas all the time. He knows it's not perfect. There are times, like in the previous hearing, where we talked about a future right turn lane that would maybe benefit northbound traffic onto eastbound Kathleen, and you'd mentioned there's a grant in works for at least getting a center turn lane. Atlas functions very nicely from Kathleen north and we might see something like that in the future. He asked City Engineer Chris Bosley to share a little bit of his view and vision for Atlas going forward.

Mr. Bosley stated we have Atlas Road as a project on the State Transportation Improvement Program. We were awarded \$4.8 million to reconstruct that roadway from southeast Kathleen. It is to include one lane in each direction, a center turn lane, bike lanes, pathway improvements, and a couple rectangular rapid flashing beacon crosswalk areas to get pedestrians over to the west side from the Fairways subdivision. With that, we would look at putting in a signal at Nez Perce because it'll probably be warranted by then. We do have traffic impact fees that would cover that. We've also identified improvements that could be made to the roundabout at Atlas and Seltice with a right turn lane going southbound that's been identified in at least one, maybe two traffic impact analyses that have been completed over the last couple years. We would also look at putting in right turn lanes, like you suggest, and in areas where it would be warranted. With federal funding, of course, it takes a while for all this to happen. The design is planned for 2029. So, three years from now, we'd be getting into the design on that. The construction year right now is 2033 or 2034. These things often move ahead as funding

becomes available. For instance, Ramsey Road project that we're going to be starting. It's going to go to bid soon, where we'll be upgrading signals from Hanley to Prairie, including a new signal at Wilbur. That one was slated for next year. It's going to bid this year. It'll be spring when that actually gets started. But they moved money forward because it became available as another project didn't make it. Then, as Mr. Messner mentioned there would be signal improvements in coordination between the signals that we can incorporate into that project at that time as well. We do have plans. It just takes time.

Commissioner McCracken asked if we do have funding for the light there.

Mr. Bosley replied we do have traffic impact fees that we've accumulated over the years, and we have not spent yet. But that is one thing that we certainly can spend it on.

Commissioner McCracken stated on Nez Perce and Northshire and Indian Meadows, connections in the middle don't line up with the streets, so some people have to go take a U turn or go the wrong way for a little bit, which is very common. A lot of people have said on Saturdays when there's pickleball, they're all parked in the middle. Has there been thought of improving that chunk of Nez Perce line the streets up a little better, because it'll be more used and not have people park in the middle?

Mr. Bosley replied that has not been looked at. But it's something we can certainly look at related to safety.

Commissioner McCracken stated there are some homeowners that live on that street that park in the middle, and then especially people using the dog park or the pickleball park in the middle. Recognizing the roadway connection is a few years out, maybe this is something that the city could put on the radar.

Mr. Bosley stated we certainly can. There is some benefit to having those things offset sometimes, like on Seltice Way, where there's no direct left turn across. There's a couple cut-throughs on Seltice Way, and it's so that you turn around and come back the other way and make a right turn. It's not really a left turn across traffic. It's safer, often referred to as a Michigan left. But that is something we can look at.

Commissioner Jamtaas asked Mr. Bosley if he could enlighten the commission if there are plans ahead already thought about and funding in place to do any improvements along Appaloosa and Nez Perce that would address the safety issues that had been much of the conversation tonight.

Mr. Bosely stated there have not been any plans set yet for either of those roads, other than the fact that when the developer has to upgrade the sewer on Appaloosa when that time comes, that'll be an opportunity where we could look at further improvements there, whether it's widening the pavement or whatever to give people more room. Appaloosa is a tough one because there isn't much shoulder; it drops off into people's yards pretty steeply in some areas. Nez Perce has a lot more right of way and the ability to do that, even in the median. But that definitely needs to be looked at in the future.

Vice Chair Ingalls stated we anticipate Nez Perce will take more share than Appaloosa.

Mr. Bosley replied yes, like was mentioned earlier, it is it has been classified as an arterial long ago in the federal functional classification system. It was identified as an arterial that is going through revisions right now, and I had requested to downgrade that to a collector because I don't see it moving that much traffic. But for example, looking at a roadway and knowing whether it's an arterial or a collector isn't so easy because 15th Street south of I-90 is an arterial, but then north of it, where it's wider, it's a collector, which is counterintuitive.

Commissioner McCracken said it'd be nice to evaluate those or even put curbing. She has heard from Ms. Patterson that no trees will be removed, which has been a concern of some neighbors.

Ms. Fulgham commented that as she was listening to the city engineer, she remembered in the development agreement that the developer paid a \$2 million annexation fee, and that annexation fee, the parties agreed, the annexation fee was for city services, including but not limited to public safety and

similar services. So there's \$2 million that we don't know what the city has used it for or where it's gone, but that \$2 million annexation fee is in addition to the impact fees that will be paid. Because the \$2 million annexation fee was paid a couple years ago, and City Engineer Bosley was indicating that part of the improvements is delayed because of federal funding, or because as funding becomes available, that \$2 million has been with the city for two years, and maybe that is a funding source.

Commissioner McCracken stated it sounds like Mr. Bosley concurred that there is funding there for that traffic light.

Ms. Fulgham stated those funds that were given to the city could be used for sidewalks and for you know whatever they want to do with that money.

Mr. Adams, City attorney stated Council indicated, the exact language in paragraph 5.1 of the annexation agreement says the negotiated \$2 million fee, as provided for in this agreement, is deemed by the parties to be a reasonable annexation fee for city benefits and services provided to the owner's property, including but not limited to public safety and other services, so it was not designated to make public safety off-site.

Public testimony is closed.

Commissioner Discussion:

Commissioner Ward commented that it's important to understand we have a good developer here. Now that's not a reason to approve the site, but it lets you know that going forward, that there are people who are trying to do what is right. Now they've given a school site, trailways, provided affordable housing. Probably the most important thing any community can you can do right now, and they're doing it voluntarily. Now, beyond that, at any public hearing across this country, when you have a zoning application, you can generally figure 60% of the attendees will be in opposition to the application, even though the same 60% may say we really need more housing. He understands the issue that people have. If he was living on Nez Perce, he'd be a little apprehensive as well, but knowing that he can, to the extent possible, trust the developer to know it's right, is really important. When you look at the site plan, the developers have done everything possible in planning to minimize any type of cut through to Nez Perce and Appaloosa. In fact, the streets within their own development are designed to eliminate anyone cutting through to Huetter to Atlas, and that's really important. It's hard to develop a plan that lets your own people's traffic circulate and get where they need to go, but they're doing that, and that's really important too. Prior to this, the Industrial Loop road they put through to get access off the northern part of the property over to Atlas, but close to Prairie. It brings the traffic north, not further south on Atlas. A couple of times it has been brought up about accessory dwelling units. Well, there's a covenant on this property limiting the number of dwelling units. He knows what the state law said, but there's a covenant that must be abided by, and we're looking at development that is probably what 20 years before it's even close to being built out. It was approved four years ago. He hasn't seen anything built lately. The commission works hard to look out for the interest of your community, and he thinks we're doing that tonight.

Commissioner Jamtaas agreed that it seems like a great developer. They have built and designed a very functional plan. They've listened to the City Council and are saying they are doing everything they can to prevent any adverse impacts for the existing communities. He thinks the work that they did in designing the roads and adding the stop signs is commendable. He thinks the developer has done what they need to do. He thinks the problem is a city problem, and that problem being that we've got Appaloosa and Nez Perce roads that have a lot of traffic today. They're going to have a lot more traffic in the future. Even though we know the capacity of the roads will handle that, it's already unsafe. So there's a problem, and it's not the developer's problem. He thinks it's the city's problem to solve in the future, and we should be talking about that as we talk about future phases of what is the city going to do to help mitigate the additional usage of those two pretty rural roads that are going to be connected to a beautiful community that is going to be of great value to our city. We just got that kind of a dilemma. In the future, we should talk about what we can do to solve the safety issue.

Commissioner Ingalls said he agreed with Commissioner Ward. He thinks it's a good developer that's done well. That's immaterial. We're getting a park and a school, and we certainly need the housing, especially affordable housing. The density of this thing is less than they could push for. We see that. At the end of the day, this comes down to what we heard here. Some hard evidence. This is a permitted use. We heard that it's really permitted by right, as long as a few conditions are met. The plat elements and such, and the utilities are there and whatnot. Largely, this effort here is to check and make sure that those requirements have been met. As Sean Holm pointed out, findings B1 through B4 have been met completely and the facts in this matter support the findings. We live here too. It's good to hear that you know help is on the way. It's the city, and we're going to get help from development in the form of impact fees and such, and grant money from the feds and everything else. There will be a day not too far out there that south Atlas from Kathleen to the freeway, will approximate what you see from Kathleen north to Prairie and beyond, and that part functions pretty decently. With respect to this construction traffic, he would really emphasize that you work with the city on that.

Commissioner McCracken said she was wondering if we could put load limits on the roads but then realized it could impact construction in Indian Meadows. She would echo what a lot of my commissioners said. There's been a lot of thought in this. She is very familiar with this area because she lives on Buckskin. But when she opened her packet, she was like, "Oh, like I can see how the traffic would be moving. You know, you're already 80% of the way to Huetter. Why would you turn around and go all the way back to Atlas?" She sees the intention with the roads. We are required to have two connections for fire safety, and if you're unfortunately in the situation where minutes matter, you will appreciate having quicker response time. She thinks we're doing what we can here. She wants to remind her fellow neighbors that that there is R-3 zoning along the fence and the perimeter. That's a big win that we got with the first round of public comment. Instead of having multiple neighbors along your back fence line, most of them have some only have one, some have, you know, two and a little bit. Instead of having six neighbors on your back fence line, you know those are nice big lots there. She really appreciates the trails to Huetter and north. When one of her neighbors put a heat map in their comments, I was like, "Oh, Buckskin's the busiest street because it was one of the darker ones. But then I realized that was the trail that was darker than Buckskin." She knows how many people walk that and enjoy that trail. She is super glad the developer kept it. She's putting the ball in Mr. Bosley's court to really hone in on that pedestrian safety piece at the trail crossings. It sounds like there's funding for a light and it sounds like it's on the radar. That's also great. They have met the conditions of it.

Motion by Commissioner McCracken, seconded by Commissioner Jamtaas, to approve item S-2-26 with 33 conditions. Motion carried.

The following two conditions were added:

32. At the perimeter and north-south trails where they intersect with Appaloosa Road and Nez Perce Road, the developer will work with the City on trail crossing mitigation and calming measures to address pedestrian and bike safety.

33. The developer will work in good faith with the City, to the greatest extent reasonably possible, to coordinate the opening of Nez Perce Road into Coeur Terre 2 with the installation of the future traffic signal at the intersection of Atlas Road and Nez Perce Road.

ROLL CALL:

Commissioner Ward	Voted Aye
Commissioner Jamtaas	Voted Aye
Commissioner McCracken	Voted Aye
Vice Chair Ingalls	Voted Aye

Motion to approve carried by a 4 to 0 vote. Commissioners Messina, Coppess and Fleming were absent.

Vice Chair Ingalls stated this is a final decision of the Planning and Zoning Commission, and please note that this decision is appealable within 15 days of the decision, pursuant to sections 17.09.705 through

17.09.715 of Title 17 of the zoning code.

ADJOURNMENT:

Motion by Commissioner McCracken, seconded by Commissioner Jamtaas, to adjourn. Motion carried.

The meeting was adjourned at 9:09 p.m.

Prepared by Traci Clark, Administrative Assistant