

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

October 6, 2026

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room on October 6, 2026, at 6:00 p.m., there being present the following members:

Dan Gookin, Mayor

Amy Evans	) Members of Council Present
Kenny Gabriel	)
Dan Sheckler	)
Christie Wood	)
Kiki Miller	)

Dan English) Member of Council Absent

CALL TO ORDER: Mayor Gookin called the meeting to order.

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

PUBLIC COMMENTS:

Lee White, Rathdrum, announced himself as former Police Chief for the City of Coeur d'Alene and noted he wanted to speak regarding the amendment the budget for purchase of new Police Bearcat. Mr. White spoke about the timeline for purchasing the new Bearcat while he was still Police Chief. He noted that purchase was approved by former City Administrator.

Jeff Woehlert, Coeur d'Alene, spoke about a code issue regarding residential signs. Mr. Wahler noted there was a gap in the code and asked the Council to update the code regarding sign size for residential zones.

Paul Van Noy, Coeur d'Alene, spoke in support of continuing invocations at Council Meetings. He asked Council to consider the following options: to return responsibility to the Kootenai County Ministerial Association, appoint a City Chaplain, continue the lottery system that is in place, or substitute a moment of silence at the start of the City Council Meeting.

Matt Dean, Coeur d'Alene, spoke in support of keeping the invocation agenda and asked the Council to update the policy as needed.

ANNOUNCEMENTS:

Councilmember Miller wanted to share her appreciation to the Police Chief, Fire Chief, City Administrator, City Clerk, and City Planner for being able to attend the AIC District Meeting in Coeur d'Alene that happened earlier in the day.

Mayor Gookin announced the City is seeking applicants at the Historic Preservation Commission and applications are due by October 16, 2026. Other current Committee vacancies for the public include the Pedestrian and Bicycle Advisory Committee, Urban Forestry Committee, and Personnel Appeals Board. Applications can be found on the Volunteer Opportunities page of the city website www.cdaid.org/government/departments/municipal-services/volunteer-opportunities.

Mayor Gookin requested the appointment of Jacob Garringer to the Planning and Zoning Commission and Lindsey Morgan to the Library Board of Trustees.

MOTION: Motion by Evans, seconded by Miller, to confirm the appointments of Jacob Garringer to the Planning and Zoning Commission and Lindsey Morgan to the Library Board of Trustees.

Motion carried

CONSENT CALENDAR:

1. Approval of Council Minutes for the September 15, 2026, Council Meeting.
2. Approval of Bills as Submitted.
3. Setting of General Services Committee meeting October 12, 2026.
4. Approval of the transfer and repurchase of Cemetery Deeds:
 - a. Transfer of Niche 8, Section RIV, Block NCD, Forest Cemetery Annex (Riverview) from Linda Allen to Donna Edwards, \$40.00
 - b. Repurchase of Niche 12, Section RIV, Block NCD, Forest Cemetery Annex (Riverview) from Linda Allen, \$900.00
5. Final Plat SS-26-07; Aqua Avenue Commercial Park
6. **Resolution No. 26-076** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE DESTRUCTION OF RECORDS FOR THE FINANCE, FIRE, AND MUNICIPAL SERVICES DEPARTMENTS PURSUANT TO THE CITY'S RECORDS RETENTION SCHEDULE.

DISCUSSION: Councilmember Wood had a question regarding Resolution 26-076 specifically within Municipal Services regarding old meeting tapes and if they are digitized and captured in a specific place. Municipal Services Director Renata McLeod noted that they have audio tapes of Council Meetings, Public Hearings, and the Mayor show tapes and old videos are stored on hard drives in the studio.

MOTION: **Motion** by Evans, seconded by Gabriel, to approve the Consent Calendar as presented. **Motion Carried.**

MOTION: **Motion** by Wood, seconded by Sheckler, to approve **Resolution No. 26-076.**

ROLL CALL: Sheckler Aye; Miller Aye; Gabriel Aye; Evans Aye; Wood Aye. **Motion carried**

RESOLUTION NO. 26-077

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING POLICY # 26-077 FOR THE WATER DEPARTMENT REGARDING WATER SERVICE REPLACEMENT.

STAFF REPORT: Water Department Director Kyle Marine presented Policy No. 26-077 for Water Service Replacement, noting the policy is not expected to create a significant fiscal impact to the City. The policy reinforces the Water Department's existing standards and practices for replacing aging, outdated, or unused water services. The goal with this policy is to capture the replacement services that have been unused for over 40 years on vacant lots or new lots and have the developer or contractor replace those services. When a service is required to be replaced under this policy, the cost of replacing the service will be the responsibility of the property owner, customer, or developer. This will help reduce future service failures and maintenance costs to the Water Utility while ensuring that properties are served by water services that meet current City standards and provide adequate flow and pressure. By requiring these old services to be replaced with services that meet current City standards, the policy will help reduce service failures, maintenance issues, and potential flow and pressure concerns, and he recommended Council approval.

MOTION: Motion by Evans, seconded by Wood, to approve **Resolution No. 26-077** - approving Policy No. 26-077 for Water Service Replacement.

ROLL CALL: Miller Aye; Gabriel Aye; Evans Aye; Wood Aye; Sheckler Aye. **Motion carried.**

RESOLUTION NO. 26-078

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE ACCEPTANCE OF AN AQUIFER PROTECTION DISTRICT GRANT IN THE AMOUNT OF \$1,200.00.

STAFF REPORT: Water Department Director Kyle Marine presented a request to accept an Aquifer Protection District Grant in the amount of \$1,200.00. He noted the Water Department, along with several other entities, helps organize educational events and scheduled tours of our facilities to educate the public about the aquifer and promote water conservation and the protection of our water source. The Water Department currently has \$15,000 budgeted for conservation education, which we use to purchase materials and develop projects that educate the public about the aquifer, how to protect it, and how to use water wisely. An additional \$1,200 would help purchase the materials needed for the Department to build an interactive 3D model of the aquifer. The model would be used at our facility and transported to schools and other community events for educational purposes. The interactive 3D model would help educate the public on how the aquifer works, how water systems draw water from the aquifer, and how the aquifer is recharged. The Water Department would build the model for use at the water department facility and transport it to schools and other community events for educational purposes. The goal of the Aquifer Protection District in Kootenai County is to educate on the overall protection of the aquifer. This project supports the City's Comprehensive Plan goals for public education and aquifer protection.

by providing a hands-on tool to help residents better understand the importance of the aquifer and how their water use affects the resource. Increased public awareness can encourage more responsible water use and conservation, which helps protect the long-term sustainability of the aquifer. Conservation can also reduce peak water demand, which can help the City control operating costs and reduce the need for future infrastructure improvements associated with increasing water demand.

DISCUSSION: Mayor Gookin noted he received a letter from the City of Hayden regarding a study they are doing regarding the Rathdrum Prairie Aquifer and asked Mr. Marine if he was aware of this study. Water Department Director Kyle Marine stated he is aware of this study. Mayor Gookin asked if there is a concern regarding the capacity of the aquifer. Mr. Marine stated that he knows of the study and the overall goal is education on protection of the aquifer.

Mayor Gookin asked if there is a concern regarding capacity. Mr. Marine responded that at this current time there are not, but the Spokane Joint Aquifer Board is doing studies on the capacity and looking for grants to upgrade those studies.

MOTION: Motion by Wood, seconded by Sheckler, to approve **Resolution No. 26-078**, authorizing the acceptance of an Aquifer Protection District Grant in the amount of \$1,200.00.

ROLL CALL: Miller Aye; Gabriel Aye; Evans Aye; Wood Aye; Sheckler Aye. **Motion carried.**

RESOLUTION NO. 26-079

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS, INC., FOR ENGINEERING SERVICES RELATED TO THE 2026–2027 WASTEWATER COLLECTION SYSTEM CAPITAL IMPROVEMENT PROJECTS IN THE AMOUNT OF \$252,976.00.

STAFF REPORT: Wastewater Department Director Mike Anderson presented a Professional Services Agreement with J-U-B Engineers, Inc., for engineering services related to the 2026–2027 Wastewater Collection System Capital Improvement Projects in the amount of \$252,976.00. Each year, the Wastewater Utility prioritizes and budgets for the replacement and/or rehabilitation (R&R) of the City's aging sewer collection infrastructure. At the top of this year's list is continuing progress for Open Trench Rehabilitation and Replacement projects. This project will continue the sewer main replacement in the alleyways between 17th and 18th Streets, and 18th and 19th Streets, North of Young Avenue. The project will consist of replacement of approximately 1050 linear feet total between both alleyways. Pursuant to Idaho Code § 67-2320, the Wastewater Utility solicited firms for ongoing Professional Engineering Services through the request for qualifications process. J-U-B Engineers, Inc., was selected from the list of preapproved providers. Wastewater Utility has determined that J-U-B will provide the best services based on qualifications and demonstrated competence. Therefore, it is proposed that a contract be awarded to J-U-B for the 2026/2027 Wastewater Collection System Capital Improvements Projects. Construction will start in the summer of 2027 and noted that will disturb individuals who live in the area due to the construction that will be on going.

DISCUSSION: Councilmember Miller asked if the price that is presented tonight includes JUB creating an engineer's estimate of the project as well coordinating putting it out to bid. Mr. Anderson replied that those items are included in this project.

MOTION: Motion by Gabriel, seconded by Evans, to approve **Resolution No. 26-079**, approving a Professional Services Agreement with J-U-B Engineers, Inc., for the 2026–2027 Wastewater Collection System Capital Improvement Projects engineering services in the amount of \$252,976.00.

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

RESOLUTION NO. 26-080

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN AMENDMENT TO INCREASE THE FISCAL YEAR 2026-2027 BUDGET BY THE AMOUNT OF \$382,432.00 FOR THE REPLACEMENT OF A VEHICLE AND EQUIPMENT DESTROYED IN 2024 DURING THE POLICE DEPARTMENT SUPPORT SERVICES BUILDING FIRE, \$178,000.00 OF WHICH AMOUNT IS FROM THE REMAINING INSURANCE PROCEEDS AND \$204,432.00 OF WHICH AMOUNT WILL COME FROM THE GENERAL FUND BALANCE.

STAFF REPORT: Police Chief Greg Yeager introduced Brett Nelson, the Police Departments new Captain. Mr. Nelson previously served as undersheriff for Kootenai County and has approximately 34 years of law enforcement experience.

Chief Yeager requested a proposed amendment increasing the Fiscal Year 2026–2027 budget by \$444,432.00 for the replacement of a vehicle and equipment destroyed in the 2024 Police Department Support Services Building fire. This request is to use \$178,000 in remaining insurance proceeds and \$266,432 from the General Fund balance. It was noted that insurance proceeds had been spent on other related equipment lost in the fire which led to insufficient funds to pay for the BearCat (armored rescue vehicle). He noted that there was a decision to order a BearCat due to it taking many years to build this vehicle and agency leadership in 2024 wanted to order right away after the fire. The SWAT Commander notified the Police Chief that the BearCat was completed, and they asked for payment within 30 days of delivery. Chief Yeager said the Police Department had prioritized the BearCat due to it providing officers with substantial protection during high-risk incidents and described the operational purpose of it, the motorcycles, UTV, and protective equipment. Chief Yeager noted that in addition to the purchase of the BearCat, he would like to purchase two new motorcycles for the Police Department due to three motorcycles being lost within the fire. He pointed out a spreadsheet in the packet that listed many items lost in the fire that the Police Department would not seek to replace or would replace through existing funding sources. Chief Yeager explained that \$178,000.00 would be funded through remaining insurance proceeds and \$266,432.00 would be paid from General Fund balance to fund the armored rescue vehicle, a UTV, two motorcycles, and protective equipment for civil disturbances.

DISCUSSION: Councilmember Wood asked Police Chief Greg Yeager how the insurance fund got spent and where were they spent. Chief Yeager replied that he was not present for some prior discussions that were had, but once he learned about this needed expense, he dug into the records and spoke to one of the former employees who was a part of the purchasing agreement. He explained the former employee used their E-mail account as a filing system. The former employee told him the BearCat specifically was going to come from the insurance money and they believed they had documentation showing a price reasonableness form and other forms too. Chief Yeager asked to be walked through their files to help find documentation, in order to gain better understanding of the situation. Chief Yeager noted that the former employee was unable to direct him to certain documents and he was unable to see where the Police Department clearly communicated with the Finance Department, that they placed the BearCat order. Though the chief and several employees looked through many emails and files, they did not find official notifications to Finance. Ms. Wood asked another question regarding if the former employee identified where the money was, and if it was earmarked and if it was approved, with Chief Yeager replying that the former employee told him the funds had been dedicated by the agency and Finance had been told. He believed the internal documentation he saw from the Police Department was consistent with a belief that the BearCat was going to be purchased with insurance money. He stated that he believed the department and Finance both believed the other was watching the balance, the expended funds had been used for fire losses, but they just passed the mark of having money left for the BearCat.

Councilmember Wood raised concerned about the purchasing of two motorcycles, noting that the previous Chief and previous City Administrator had agreed the motorcycle program was not going to be brought back. She explained Council likes to see that in a budget request with data that supports the need for the item. Councilmember Wood expressed concern about a budget shortfall. Chief Yeager explained that he was asked to bring all losses forward in the report and that he'd gladly work with staff to bring the motorcycles forward later as part of a community safety focus to decrease traffic violations and collisions.

Mayor Gookin noted that the purchase of a BearCat was an issue and the City has now been made aware of the issue. This has never happened to Council and the City where we had a building fire and had to authorize the City for emergency expenditures. Normally there is a process that takes place when purchasing higher priced items and that was not followed due to the declaration of an emergency. Mayor Gookin addressed Councilmember Wood and advised her that Finance is working on a purchase policy that will make sure this will not happen again.

Councilmember Sheckler asked how it would affect the department if motorcycles were not approved at tonight's meeting rather than put into the budget for future years. Chief Yeager responded that it would affect them in traffic safety areas but going into the wintertime and when motorcycle's are not used as much is a good time to have the discussion. He noted that waiting for motorcycles would not be a detrimental halt for the winter.

Councilmember Gabriel noted how important the UTV is to the Police and Fire department especially in the summertime in the downtown area of the City. It was asked if the original

motorcycles were leased, with Chief Yeager confirming that the original motorcycles were leased and the initial opinion of the Traffic Sergeant was that purchase may be better for this different make. Councilmember Gabriel asked that if the Department was going to purchase equipment surrounding civil disturbance. Chief Yeager stated that in many Police Department models there is a core team that is trained for disturbances (usually called field force). This team is specifically trained and gets more training than average officers to deal with civil disturbances, but usually the rest of the Police Department will have some of this equipment. He mentioned that the Police Department formerly had such a unit and this was a small start to having the necessary equipment for any officers to safely manage an incident.

Councilmember Miller noted she wanted to be clear that the Police Department could not find clear documentation in the purchase of the BearCat, with Chief Yeager confirming that he, and staff members, could not find official documents that showed that the Police Department had informed Finance of the purchase of the BearCat.

Councilmember Miller asked Finance Director Katie Ebner to speak regarding the procedures of purchasing after the fire. Ms. Ebner responded there was a Declaration of Emergency for spending and noted that when she was informed of the purchase of a BearCat, she was surprised. If a price reasonable form was used in this scenario it would alleviate this issue. Councilmember Miller asked if the new purchase policy will come back to Council for approval, with Ms. Ebner noted that the City has moved to a centralized system for purchases to ensure procedure are followed prior to purchasing items.

Councilmember Wood asked to remove the motorcycles from the motion to approved, and asked the Police Department to come back through the normal budget process.

MOTION: Motion by Sheckler, seconded by Wood, to approve **Resolution No. 26-080**, approving an amendment to increase the fiscal year 2026-2027 budget by the amount of \$382,432.00 for the replacement of a vehicle and equipment destroyed in 2024 during the Police Department support services fire, \$178,000.00 of which amount is from the remaining insurance proceeds and \$204,432.00 of which amount will come from the General Fund Balance.

ROLL CALL: Gabriel Aye; Evans Aye; Wood Aye; Sheckler Aye; Miller Aye. **Motion carried.**

DISCUSSION REGARDING INVOCATION POLICY

STAFF REPORT: Ms. McLeod noted that the Mayor had requested this item be brought forward before the next lottery round of seeking people to fill the invocation spot. She noted that the tradition of doing an invocation at a Council meeting appears to have begun in June of 1970. The Council created guidelines through a motion in 2022, which limited those providing the invocation have a religious facility within the city limits. In 2025 the Council opened the guidelines to including any non-profit, faith-based organization located within Kootenai County. This year she noted that only twelve participants registered to fill the 24 Council meetings, so many provided the invocation more than once. She requested Council to provide direction to staff to either continue with the lottery, amend the guidelines, no longer hold invocation, or provide for a moment of silence at the beginning of the meetings.

DISCUSSION: Mayor Gookin asked Ms. McLeod if Pastor Van Noy's suggestions in public comment regarding the Ministerial Association managing the invocation could be used even if it is not one of the selections listed on the agenda. Ms. McLeod responded that Council is able to make that decision and give direction to staff.

Councilmember Wood noted that staff have been doing an excellent job and having a variety of pastors have been coming to the meeting has been refreshing.

Councilmember Miller asked Ms. McLeod what brought this item forward, with Ms. McLeod responding that the lottery will open next month for invocations and there was a discussion with the Mayor to bring this back up to Council. Mayor Gookin noted that last year Councilmember Miller requested it be brought back for discussion.

Councilmember Shekler asked City Attorney Randy Adams if he had any concern regarding the first amendment if they were to move the invocations back to the ministerial group. Mr. Adams responded that it depends on how they run it. Mr. Adams noted that the Supreme Court has said that invocations cannot show bias toward minority religions so we would have to make sure that does not happen.

MOTION: Motion by Miller seconded by Wood to continue with the invocation policy.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; Gabriel Aye; Sheckler Nay. **Motion carried.**

Mayor Gookin called for recess at 7:24 p.m. The Council meeting resumed at 7:35 p.m.

QUASI-JUDICIAL: A-2-26 - A PROPOSED 9.32-ACRE ANNEXATION IN CONJUNCTION WITH ZONING FROM COUNTY AGRICULTURE TO CITY R-17 (RESIDENTIAL AT 17 UNITS PER ACRE); LOCATED AT 3050 W. PRAIRIE AVENUE AND 7790 N. ATLAS ROAD; APPLICANT IS ENDURA DEVELOPMENT ON BEHALF OF DAVID SWENSON.

STAFF REPORT: Barbara Barker, Associate Planner, noted that Endura Development on behalf of David Swenson requested for annexation of 9.32-acre in conjunction with zoning approval from County Agricultural to R-17 (Residential at 17 units per acre) zoning district, and approval of an Annexation. The subject property is located at 3050 W. Prairie Avenue and 7790 N. Atlas Road, which is in the unincorporated area of the County and consists of single-family home and farmland located on it. Ms. Barker clarified the decision is only for the annexation in R-17 zoning. The applicant has not come forward with any subdivision or PUD at this time, the 161 multifamily unit count that has stated in this report and in the presentation is not what has been proposed for development. The parcels are currently in Kootenai County and R-17 has been requested. The property would be connected to City sewer, and the water provider would be Hayden Lake Irrigation District. Existing uses are to remain until development occurs, and Planning and Zoning Commission hearing did not result in a recommendation to Council for zoning. There have been some changes since the prior hearing with the Planning and Zoning Commission and tonight, the

applicant has changed to Endura Development, and changed to Whipple Engineering, Atlas Road has become the primary access, the Fire Department has defined a second access criteria, the applicant has added larger setbacks for three-story multifamily development. Engineering has defined the traffic study criteria, and Garden Grove development, which is a development to the east. This is comprised of two different parcels. This is the one at 3050 Prairie and one at 7790 Atlas. Both of those parcels add up to the 9.32. R-8 has been built next to this location and around it too. Ms. Barker wanted to make a note that the area was identified in the Comprehensive Plan as urban neighborhood which does list R-17 as the compatible zone. R-17 zoning allows for multifamily, duplexes, or single-family dwellings. Additionally, it allows for administrative offices, childcare facilities, community education, and public neighborhood recreation, which is not an exhaustive list. R-17 zoning allows for the following heights; multi-family apartments can be up to forty-five feet, duplexes up to thirty-two, single-family thirty-two, and then all the other commercial type uses can be as high as forty-five feet.

Mayor Gookin asked what the front setback would be with Ms. Barker replying that the setbacks are defined in the code, but would not know what the frontage is until development plans are developed. She wanted to make sure to pay attention to condition four which has to do with increasing setbacks and the way that it has worded. It is defined at the eastern edge, and this is the setback they tried to take care of in the proposed road access and has changed from the last hearing. Developers are now proposing Atlas Road would be the primary access to this development when the development happens, and then the secondary access would be at the Daylily Drive. In the previous hearing Daylily Drive was the primary instead of Atlas Road.

Ms. Barker explained that there are four findings that should be met for a zone change request to be approved: the proposal is in conformance with the Comprehensive Plan policies; public facilities and utilities are available and adequate for the proposed use; the physical characteristics of the site do make it suitable for the request at this time; and the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and/or existing land uses. Ms. Barker outlined several findings necessary for annexation. The first finding is whether the proposal aligns with the comprehensive plan, which designates the area for mixed-use low development without a commercial component. The comprehensive plan serves as a guide, and minor deviations do not require changes. The proposal includes townhomes and multifamily housing, aligning with the plan's transportation and policy elements. Public facilities and utilities are adequate, with no significant concerns from relevant city departments. The site is suitable for the proposed use, being flat and well-documented. There are twenty-one conditions that were recommended by City staff to be included in an annexation agreement.

The dead end at Daylily Drive would be the quickest way to go down to that street and up Celebration Parkway to get to Prairie. Ms. Barker noted that Post Falls Highway District has told the developers they will not allow direct access onto Prairie from the property, and there have been discussions about it as a fire access only.

Councilmember Wood asked if there has been consideration for traffic to go onto Atlas Road rather than the small neighborhood sitting next to this land. Ms. Barker stated there has been consideration and main access will be out Atlas Road and secondary access will only be out to Daylily Drive. The traffic study will determine how big the street should be, how much traffic it can take, and it's going to define the width of what that access has to look like onto Atlas Road. Councilmember Wood asked where the access would be onto Atlas Road if a traffic study would

determine an access point. Ms. Barker responded that an access point would be near the pumpkin patch located on Atlas Road pushing this point as far south as they can. Councilmember Wood asked if this would push all the way through the subdivision as a city street. Ms. Barker noted that it is undetermined if it is going to be a city street or private because it would depend on what they develop.

Ms. Barker noted that the dead end at Daylily Drive has always been shown as a future connection point for adjacent land development and the Planned Unit Development (PUD) was designed and platted for access to western development. This extra access will help dispersing traffic and not to force all traffic to Atlas, although this is unknown until the traffic study is done. The PUD was meant for bicycle and pedestrian connectivity to the western development as a method to get over to Atlas Road. Ms. Barker stated that City Engineer Chris Bosley spoke about this as development was unknown at the prior hearing, annexing itself does not create any additional traffic. Once the applicants come forward with something in terms of a subdivision or building permits, a traffic study can be requested and be able to figure what to do with these streets. The potential 161 multifamily homes are based on the maximum amount that could be created for this size of a property if it is fully developed as multifamily. Though it is unknown if that is what the developers are proposing.

Mayor Gookin asked if the applicants applied for a PUD, can that number increase. Ms. Barker responded that one of the conditions is that it can never go more than seventeen units per acre, which is where the 161 number cap came from.

Ms. Barker spoke on the neighborhood, single family dwellings and commercial auto repair that are located around this property, noting they will remain in the County. The Landings neighborhood is listed at R-8 zoning and the Garden Grove at R-8 PUD. However; multifamily in the Landings is zoned at R-17 and then Landings also has single-family two-story show what is in the area around this proposed annexation. Ms. Barker noted that there is multifamily around the area; however, the majority of dwelling units are single family homes, and this would add a pocket of higher density living. An added note from staff if there is an early stage of development that is intensified that there will be a buffer and required to have five feet. Staff has presented 21 recommendations, at the best interest of the City, the Planning Director has recommended that Council direct staff and the applicant to negotiate a Development Agreement, which would come forward with the Annexation Agreement at a future hearing for future development. One recommendation is that all of the access from these residences has to be through a major access rather than a bunch of separate driveways. Housing development will have internal circulation and that development on the subject property is suggested to be R-17. Any multifamily development along the property lines abutting Garden Groves, would be limited to two story building height with an increased setback of 25 feet for principal buildings, 10 feet for accessory, and in the event a three story multifamily development comes forward the setback would be increased to a 50 foot property line. The existing use of 790 Atlas for the pumpkin patch is going to require a non-conforming use certificate in which would have to apply and get approved.

Councilmember Wood asked if there was a carve out for the pumpkin patch due to staying in business. Ms. Barker confirmed that is the case, but they have included that property in this agreement for annexations, which would be zoned R-17; although they are using it as a single home, with the intention to keep it as a single house and pumpkin patch.

Mayor Gookin asked if carving out the pumpkin patch would increase the density of the remaining acreage. Ms. Barker noted it could be larger potentially and that with condition six there would be approximately twenty feet of right of way along Atlas Road dedicated to the City to achieve the required right-of-way width. Atlas Road frontage will be improved to city standards. That connection to Atlas is going to have a 10-foot multimodal path next to it too. The traffic impact analysis will be required prior to issuance of any building permits or subdivision of the property. The analysis will determine internal circulation connectivity for vehicles, bicycles, and pedestrians, and the requirement for secondary or emergency access to Daly Drive and Prairie Avenue. Additionally, it will address traffic impacts and mitigation improvements required at the Atlas Road and Prairie Avenue intersection, and the Celebration Way Prairie Avenue intersection. An independent review of the traffic impact analysis by a consultant chosen by the City will be paid for by the developer.

Councilmember Sheckler asked about the requirement for secondary or emergency access with Ms. Barker stating if it is developed into multifamily there is going to have to be a second access. The Fire Department will determine the access needs, but Council can also add conditions. Councilmember Sheckler noted that he is concerned about boxing this in and wants to make sure this is open for engineer to say what they think is best for this development for connectivity and flow through that neighborhood.

Councilmember Wood asked why planning does not require traffic analysis prior to annexation. Ms. Barker responded that staff doesn't know how they might subdivide, or how they might use the property, but a traffic study could be done now. Ms. Barker noted that water will come from Hayden Lake Irrigation District (HLID) since the City is not providing water. Any improvements suggested must be installed and accepted prior to recordation of any subdivision or issuance of any building permit. Failure to provide required improvements in the time frame noted by the HLID will move the City to de-annex the subject properties. Council may direct staff to put together a development agreement, if there are things Council would like to include they could add them tonight. Wastewater sewer policy 719, is a standard that requires a thirty feet easement right-of-way. If further subdivided, 7790 Atlas will be required to connect to city sewer. 3050 Prairie Road will be required to connect to a sewer manhole at Daly Drive. 3050 Prairie Avenue will be required to show planned connection to sewer, and then connection to sewer within 365 days. Wastewater noted that no individual water wells will be allowed and must adhere to water service agreement between the City and HLID dated 2003. Any connection of other single family dwellings would require agreement by HLID to provide the City with actual meter reading data. Urban forestry added the 10-foot-wide path on the south side of Prairie Avenue where the current sidewalk is located. Also add the 10-foot-wide path on Atlas Road at the time of development. Add the five-foot sidewalk to connect that Garden Grove dead-end sidewalk. Street trees would be required on Prairie Avenue and making a point if the Post Falls Highway District has restrictions regarding street trees, the trees will be required to be put inside on the property. She reiterated that they are requesting R-17 zoning, but we do not know where they are developing. The request is to annex 9.32 acres at R-17 zoning; if the City does not feel like R-17 is appropriate you can make the condition to change that to an alternative. City Council must evaluate the annexation request in conjunction with R-17, make findings to approve, deny, or deny without prejudice. If the annexation is approved, the Annexation and Development Agreement will be negotiated at the direction of Council by staff and the applicant, with the recommended conditions as determined by the council.

The Clerk swore in the applicant and all members of the public who would be providing testimony during the hearing.

APPLICANT PRESENTATION: Ray Kimbrel, Coeur d' Alene, noted he works for Whipple Consulting Engineers who is collaborating with the applicant regarding the annexation. The presentation showed a time lapse of photos regarding the land that is being talked about and housing built around it. The neighborhood next to the requested annexation is R-8. The owner of this land decided it was time to annex the land in conformance with the comprehensive plan. Mr. Kimbrel noted that the 2022 comprehensive plan is a foundational document for zoning in the City or a zone change request. This specific property is Urban Neighborhood, and it shows that in the comprehensive plan on the future land use map. Mr. Kimbrel talked upon what Urban Neighborhood could be and the compatible zoning which are R-17, R-34, SUP, neighborhood commercial, community commercial, C-17, and C-17L. The R-17 zone is the least intense out of all those zonings. He noted that he believes the Comprehensive Plan states that if the land is annexed, it is envisioned to come in as one of those what six zones, and his client is asking for the least intense of those six. R-17 zoning next to R-8 zoning is a common type of transitional zoning, so from single family to apartment that then transitions to sometimes to a higher density uses like a C-17. Examples within the City were shown of current R-17 zoning locations next to R-8 built already.

Mr. Kimbrel believed that the proposed annexation met the conformance with the comprehensive plan policies and is a 100% aligned. The next goal is to provide safe, efficient traffic circulation for motorized, bicycle, pedestrian modes of transportation. Annexation when along an arterial-like Atlas rarely happens, the dedication of the right-of-way is not born. It is a gift to the City, the City does not have to buy it, additionally the debt and the improvements on the frontage are on the development. The improvements are built by the developer, and they are gifted to the City. It increases the capacity of the roadway out in front. If there is a traffic study associated with a development and there's mitigation required, that mitigation must be done. If there are traffic impact; fees that are paid goes into the City coffers that fund regional impacts and regional infrastructure.

R-17 zoning provides densities that support affordable housing stock. It allows for an increase in the inventory of housing, which drives down, or at least stabilizes, the cost of housing. City sewer is available on Atlas Road, which will be extended up Atlas and into the property. Hayden Lake Irrigation District water is available on site and will be extended from Daylily into the site as necessary per their master plan and all their requirements.

Mr. Kimbrel stated that there are not physical characteristics that make this unsuitable for annexation. R-17 development next to R-8 single family is quite common, and he presented multiple locations in the City where this happens and explain the design aspect where apartments are abutting next to single family. This design choice was one of the reasons that the developer offered an additional setback for any three-story apartment. The properties in Garden Grove are part of their PUD reduced the setback, their rear yard setback from twenty-five feet to ten feet. They do not have a lot of backyards with six-foot fence all the way along there. He noted that they heard at the Planning Commission hearing that that the separation was especially important. Twenty-five feet from two-story, which is the same as it would be for a single-family house. Single-

family house, two-story, twenty-five feet normal rear yard setback, fifty feet for three-story the developer is doubling that in an effort to mitigate the concerns of the neighbors. Mr. Kimbrel presented an example of what the development could look like noting his client does not know what kind of zoning they will be able to get. He noted that with firm belief that for something like this, if it were to develop as multifamily, a single access point onto Atlas Road for the daily ins and outs is the absolute most important thing, and the most appropriate thing for this is fire code may say that we have to have a second access due to amount of potential units on developed on the land.

Councilmember Sheckler raised a concern that the Comprehensive Plan talks about connectivity and if you do not have a neighborhood connected to the adjoining neighborhood it can cause issue. Councilmember Sheckler followed up with a question asking about the benefit of not having the secondary connection. Mr. Kimbrel responded that if this were to develop as a single-family neighborhood the road off Daylily would connect the neighborhoods, when it comes to single ownership apartment providing the pedestrian connectivity is incredibly important. Providing pedestrian connectivity allows people who lives within the development to walk throughout the development including ADA routes of travel out to the public ways throughout the development.

Councilmember Wood raised concern regarding reading the entire packet and questions by the Planning Commissioners and comments by the public. Councilmember Wood then asked why there would not be a city street off Atlas next to the pumpkin patch that connects with Daylily. Mr. Kimbrel said the concept did not show a vehicle road connecting through to Daylily because neighbors had opposed additional traffic through their neighborhood. He favored pedestrian access and gated emergency access for fire vehicles, but not a general vehicle connection, which he felt could encourage drivers to cut through the neighborhood and create safety concerns for residents and children.

Mr. Kimbrel noted that all this information ties back to these conditions regarding primary access and vehicular access onto Atlas. We also have offered a minimum of 50-foot setback from the eastern property line for three story, and we thought that was appropriate in this case, especially given the reduced setback that the adjoining properties have.

Councilmember Miller asked if the fifty feet would become one of the conditions of the annexation. Mr. Kimbrel confirmed it would and believes that its one of the conditions already put into place.

When looking at the key conditions traffic impact analysis and associated mitigation will be required for development zoning. There will be no change of traffic until there is a development application. The traffic analysis requirement would give the City assurance that any traffic mitigation from any development is dealt with and paid for by the developer. It is important there is pedestrian connectivity due to its neighborhood design and the maximum density of seventeen units per acre with no increases allowed. If there is three acres that the pumpkin patch is on, and seven acres that an apartment is on, then it would be seven times seventeen. Atlas Road right-of-way dedication and street widening that happens on the follow-on development. It adds capacity to the street network in the area at no cost to the City, and a 25-foot setback for two-story primary structures from the eastern property line, and a 50-foot for three-story.

PUBLIC TESTIMONY:

Laura Tipton, Coeur d'Alene, spoke on her opposition on the type of development surrounding the R-17 zone. Ms. Tipton understands that R-17 has been developed against R-8 has happened in the City of Coeur d'Alene; however, does not believe this is the case in this scenario. She asked to approve the annexation to R-8 to match the neighborhoods it surrounds.

Curt Vitalie, Coeur d'Alene, spoke in opposition of the annexation, due to issues regarding traffic.

Jim Lechner, Coeur d'Alene, is in opposition of the annexation and knew there would be some sort of housing put into the land that sits behind his backyard. He noted that he hopes if development of houses does happen for it to be R-8 zoning rather than R-17.

Mary Rateliff, Coeur d'Alene, is not opposed to land being developed; however, asked the land to be developed with smaller single-family homes.

Jack Gannon, Coeur d'Alene, is in support of this annexation due to R-17 allowing different town house units to be built.

Trevor Beeching, Coeur d'Alene, is in support for this annexation as he has lived in the City all his life and believes in more affordable housing for younger individuals to able to obtain and believes this annexation could help with that issue.

Stan Pulsipher, Coeur d'Alene, spoke on his opposition of this annexation due to traffic issues that have risen in the neighborhood next to the proposed annexation. Mr. Pulsipher does not agree R-17 is a smart choice regarding this annexation.

Dave Swenson, Coeur d'Alene, spoke in his favor of this annexation. He explained he had purchased this land decades ago and has seen the growth happen all around the land and wants to retire and no longer take care of the land.

Connor Guinn, Coeur d'Alene, spoke in favor of this annexation as it would bring more affordable housing to the City and individuals who have not purchased homes before 2021 do not have the financial flexibility of individuals who bought before 2021.

Josie Kraw, Coeur d'Alene, spoke in opposition because she believes it is too high density for the area it is proposed. Ms. Kraw noted that no one is walking on Prairie Avenue due to the high-speed traffic.

Jayme Duma, Coeur d'Alene, is in opposition to this proposed annexation. Mr. Duma noted that R-17 is not the right zoning for that segment of land.

Bouwina Nelson, Coeur d'Alene, noted she is in opposition of this annexation due to the amount of traffic on Atlas and felt it will only make it worse.

Linda Cehr, Coeur d'Alene, is in opposition of this proposed annexation due to the amount of traffic and noise happening on Atlas Road. Ms. Cehr noted that traffic and noise has increased over the years since she has occupied her home.

Sandra Molten, Coeur d'Alene, is in opposition of this proposed annexation because she lives on a corner lot of the abutting neighborhood and noted her house would see increase in traffic if R-17 is approved.

Wayne Strickland, Coeur d'Alene, is in opposition of this proposed annexation due to the impact of traffic on Atlas Road. Mr. Strickland suggested R-8 would be better suited compared to R-17 zoning.

Dennis Tanner, Coeur d'Alene, is in the opposition due to R-17 proposed and not R-8 for this proposed annexation.

Bob Zurn, Coeur d'Alene, spoke in opposition due to his concerns for traffic in the intersection of Atlas Road and Prairie Avenue. Mr. Zurn noted that if multifamily units get created it will create strain on the community he lives in.

Jeff Leishman, Coeur d'Alene, spoke in opposition of the proposed annexation due to the amount of proposed housing units. Mr. Leishman noted that R-17 would not do well and should be reviewed.

Stacey Numa, Coeur d'Alene, spoke in opposition due to the developers have not given any detail in what is going to be built in the proposed annexation and asked for more clarification on the proposed building on the annexation.

APPLICANT REBUTTAL: Ray Kimbrel of Whipple Consulting Engineer noted the goal is to do R-17 zoning on this land. Owners of this land would like to put the entry way onto Atlas and not put cars into the adjoining neighborhood. They have collaborated with staff to put together guardrails within the conditions for a Development Agreement that ensures that we do all these correct and could develop as an R-17. Traffic on Atlas is an issue and will not get better in the future. This property, in accordance with the Comprehensive Plan and the future land use map, calls for higher density development pattern. The Comprehensive Plan was like that when these people bought their homes in Garden Grove. If they had the opportunity and if they had the knowledge to go to the Comprehensive Plan to see what it said for the property right next to them, they would see that the plan was for higher density development, and the future land use map and the Comprehensive Plan very specifically says that for this area it should be R-17, R-34 SUP, neighborhood commercial, community commercial, commercial at 17 units per acre or C-17 limited, which is a limited commercial.

Mr. Kimbrel noted a potential fix to traffic is to widen Atlas Road and dedicating a right-of-way that is free to the City. The developer has agreed to a condition of approval that says when developed, they will do a traffic impact study and will mitigate any additional impacts, which is more than the building permits for the adjoining single-family homes ever had to do. I think the most important thing to remember if we talk about impact fees at the current rate, 160 units, the multifamily is just shy of \$300,000 in impact fees. Annexation fees are \$181,000, and if we are talking about affordability and doing more R-8 development because that is what's next door, that ship sailed, as R-8 development in the City of Coeur d'Alene are single family homes priced at \$700,000, and that is not tackling affordability. Tackling affordability is about putting inventory on the market that may be different. The development has met all the criteria for R-17, and has established guardrails within the conditions, and asked that the Council to approve the R-17 zoning as conditioned.

DISCUSSION:

Councilmember Wood noted that annexation is entirely up to City Council, based on if it is right for the City and what are positives or negatives. A long-term landowner finally wanted to sell, and

we all can be grateful for that. Being the last person to sell does impact the surrounding neighborhoods, and that does have to be considered. Councilmember Wood questioned how this benefits the City due to what has been heard the traffic impact is extremely negative, and the City already has Coeur Terre coming up on Atlas Road that is not built yet, so we do not benefit in that aspect. She felt the City would be mitigating traffic for decades for this piece of property. The impact with the density to those neighborhoods is already there and it is a significant impact. The Council does not have to annex right now, they can come back with another plan that has less density. I agree with property rights but also look at the bigger picture of what the impact to the current neighborhood and the City dealing with traffic forever.

Councilmember Gabriel noted that if he was asking to annex nine acres of land in the City, he would ask for R-17. He felt they should look at the bigger picture; affordability is something that needs to be attainable and something that the City has been struggling with for some time. Councilmember Gabriel believes if this came back to R-8 zoning he could support it and be more comfortable compared to R-17.

Councilmember Miller noted she was weighing the need for housing and limited infill opportunities against traffic and neighborhood concerns. Councilmember Miller noted that higher density had been planned for this area before the current comprehensive plan and said a traffic study would be difficult to assess without knowing what would be built. She also questioned whether the Council could deny the annexation due to being bound by laws to say the reason they are denying this annexation.

Councilmember Evans asked Ms. Barker for clarity regarding the 45-foot setbacks and how many stories each building could be. Ms. Barker stated that it would be three stories.

Councilmember Evans asked City Attorney Randy Adams if he could talk about the annexation process coming forward without knowing what is going to be built there. Mr. Adams noted that the annexation process is a mechanism for the orderly development of the City including the efficient and economically viable provision of tax-supported, fee-supported municipal services, and equitably allocate costs of public services.

Councilmember Evans asked City Engineer Chris Bosley about the traffic concerns and the traffic studies happening in that area. Mr. Bosley confirmed that Atlas Road will not be widened any further than it is. He noted that they already have signals planned on Prairie Avenue that will help alleviate a bit of traffic in that area. No other signals would be preferred on Atlas due to the concern it will slow down traffic. In regards to R-17 zoning, the biggest impact for the development would be getting people in and out.

Councilmember Sheckler noted that when he looks at the Comprehensive Plan, it identified this as an area of higher density use for future city growth. It is located near the intersection of two major roads, Atlas and Prairie. He saw that the applicant was seeking the lowest density option identified for the area rather than higher uses allowed by the Comprehensive Plan and that the request has met the plans standards.

Councilmember Wood said she agreed with Councilmember Gabriel, the Council was not required to approve the annexation just because the owner requested it. She viewed the Comprehensive Plan as guidance, not a mandate, and said the Council could consider the traffic and neighborhood impacts, as well as the long-term costs to taxpayers. She favored sending the proposal back or

denying it without prejudice so the applicant could return with a proposal that would have less impact.

Councilmember Evans asked Mr. Adams that a statement show the proposed annexation itself would not adversely affect the surrounding area regarding traffic, even though the Streets and Engineering Department has no objection to the annexation request but will require a traffic impact analysis at the developer's expense prior to issuance of building permits or subdivision of the property. So, when they do the traffic impact analysis, and it comes back that the traffic will be as predicted, could it be even more problems. Mr. Adams responded that there is a reason why a traffic study is done, and if it comes back in a way that traffic or the existing roads cannot handle the traffic, Council can deny the subdivision request until that condition is removed.

Councilmember Wood stated that she believed they could require the traffic impact analysis right now rather than later in the process. She noted that a traffic study with all the information, including the amount of traffic that is already happening in this location rather than just approving the annexation.

Mayor Gookin asked City Engineer Chris Bosley if he had the level of service at Prairie and Atlas. Mr. Bosley responded he does not have this information but could work with Kootenai Metropolitan Planning Organization (KMPO) and look at the model for that in the near future.

Councilmember Miller asked Mr. Bosley what the time frame would be to do this study. Mr. Bosley responded that it is not a huge exercise for KMPO to do the traffic analysis and could do it in a few hours if they have the time to do it.

Councilmember Miller asked that if Council says they would be more comfortable with a R-8, zone but the traffic analysis comes back and says it is not able to feed a R-8 could they come back with a PUD. Mayor Gookin confirmed that could happen. Councilmember Miller wanted to discuss with Council the thought about denying without prejudice because they can come back at any time until we have more information on the traffic issue.

MOTION: Motion by Miller, seconded by Wood, to deny without prejudice the Annexation request by Endura Development on behalf of David Swenson for 9.32-acres in conjunction with zoning from County Agriculture to City R-17, located at 3050 W. Prairie Avenue and 7790 N. Atlas Road, based on the attached findings and conclusions, which are established by the undisputed evidence set forth in the staff report, during staff presentations, and the testimony of the applicant.

ROLL CALL: Evans Aye; Miller Aye; Gabriel Aye; Sheckler Aye; Wood Aye. **Motion carried**

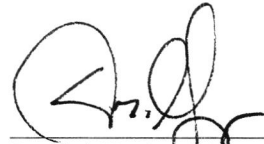
EXECUTIVE SESSION: MOTION: Motion by Evans, seconded by Miller, to enter Executive Session Pursuant to Idaho Code § 74-206A (1) (a) to consider a labor contract offer or to formulate a counteroffer and § 74-206A(1)(f), to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

ROLL CALL: Gabriel Aye; Sheckler Aye; Wood Aye; Evans Aye; Miller Aye. **Motion carried.**

The Council entered Executive Session at 10:33 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, Finance Director, and Human Resources Director. Council exited Executive Session at 11:19 p.m.

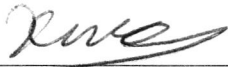
ADJOURNMENT: Motion by Miller, seconded by Evans, that there being no other business this meeting be adjourned. **Motion carried.**

The meeting ended at 11:20 p.m.



Daniel K. Gookin, Mayor

ATTEST:



Konner Petticolas, Executive Assistant

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

A-2-26

INTRODUCTION

This matter came before the City Council on October 6, 2026, to consider A-2-26, a request for a 9.32-acre Annexation in conjunction with zoning from County Ag-Suburban to City R-17 (Residential at 17 units per acre).

CONSULTANT: Whipple Engineering

APPLICANT/OWNER: Endura Development on behalf of David Swenson

LOCATION: 3050 W. Prairie Ave. and 7790 N. Atlas Rd., Coeur d'Alene, ID 83815

A. FINDINGS OF FACT:

The City Council finds that the following facts, A1 through A11, are undisputed and, therefore, are established for purposes of this application:

- A1.** All public hearing notice requirements have been met for item A-2-26.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on September 19, 2026, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on September 29, 2026, seven days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred feet (300') of the external boundaries of the land being considered per Idaho Code § 67-6511(2)(b). One hundred-Two (102) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on September 18, 2026.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction on September 18, 2026, eighteen days prior to the hearing.
 - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies on September 18, 2026.
- A2.** City Council received public testimony at the public hearing for A-2-26 on October 6, 2026.
- A3.** The subject property is relatively flat and located in an unincorporated area of Kootenai County, adjacent to City limits and within Coeur d'Alene's Area of Impact (AOI). The total area of the subject

property measures 9.32 acres. It is zoned County AG and currently has three (3) single family dwellings with accessory structures as well as agricultural uses. Those uses will remain until the time of development.

- A4. If approved for annexation with City R-17 zoning, the project could potentially include 161 multifamily dwelling units. The applicant has not yet determined what housing types will be offered in the development. Properties within city limits in the vicinity of the subject property are residential of lower density, zoned R-3 to the west and R-8 to the east and south. Property directly to the south is County zoned Agriculture with one (1) residential dwelling and one (1) commercial enterprise. Property to the north is located within the City of Hayden and zoned Single Family Residential with a density similar to the City's R-8 zoning district.
- A5. The Comprehensive Plan Future Land Use Map designation is the Urban Neighborhood Place Type with higher residential densities. Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared green spaces and parking areas. They are typically served with gridded street patterns, and for larger developments may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development. Compatible Zoning is listed as R-17, R-34SUP, NC, CC, C-17, and C-17L.
- A6. The Comprehensive Plan includes transportation maps showing Existing and Planned Bicycle Networks, Existing and Planned Walking Networks, and Existing Transit Networks.
- A7. This matter came before the Planning and Zoning Commission on August 11, 2026, to consider the requested R-17 zoning prior to annexation. After hearing from the applicant team and receiving public testimony with concerns about the uncertainty of a roadway connection to Atlas Road, potential impacts to the Garden Grove neighborhood from increased traffic, building setbacks, and considering the Comprehensive Plan Future Land Use Plan and Urban Neighborhood Place Type identifies R-17 as a compatible zoning district, the commission with four (4) commission members present and three (3) members absent rejected a motion to recommend adopting the R-17 zoning with an additional condition requiring a full roadway access to Atlas Road with pedestrian and bicycle facilities to be dedicated to the public. Two voted in favor and two against. The Commission did not make any other motion. Therefore, no recommendation on zoning was forwarded to Council for consideration with the annexation request.
- A8. The subject property is within the Hayden Lake Irrigation District (HLID) coverage area. The applicant has provided a will-serve letter from HLID and a hydraulic evaluation by Keller Associates.
- A9. Public testimony was received at both public hearings, primarily from neighbors in the adjacent Garden Grove and Landings neighborhoods. The public notices also resulted in written feedback from neighboring residents. Concerns that were raised included the potential for increased traffic and congestion on Atlas Road and Prairie Avenue, traffic on Daylily Drive and within the Garden Grove neighborhood, usage of the private park, privacy concerns due to building heights and setbacks associated with multifamily residential that is allowed in R-17 that they felt may be incompatible with the single-family residential uses in Garden Grove that have very small backyards due to the reduced rear yard setbacks that were approved for Garden Grove through the PUD process, potential for losing views of Canfield, impacts to nesting hawks, concern that backyards will be torn up for connections to an existing 4-inch water line, delays in emergency response, and concern that the "Pumpkin Patch" may be going away. There was also concern that if R-17 is approved the owner could then request R-34 density in the future. Mitigation measures were requested such as traffic signals, road improvements, taxes for schools, police and fire.
- A10. The Coeur d'Alene airport has requested that the applicant sign a "Grant of Avigation Easement". The document is not required for Annexation.

- A11.** The continued use of the "Pumpkin Patch" at 7790 N. Atlas Road will require a Non-Conforming Use Certificate.

The following facts, A12 through A18, are disputed at least to some degree. The City Council determines that the more credible and convincing evidence, as shown on the record before it and on the testimony presented at the public hearing, establishes the following on a more probable than not basis:

- A12.** The City Council identified the following Comprehensive Plan Goals and Objectives as being applicable to this matter.

Community & Identity

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

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

Growth & Development

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

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

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

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

Health & Safety

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

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

- A13.** The project will connect with existing streets, facilities and services, with exception of water as noted below. This finding is supported by the City departments which have provided comments and findings on this application. Staff provided conditions of annexation for consideration by the City Council.
- A14.** The primary access to the property will be a new roadway onto Atlas Road with secondary access to the dead-end at Daylily Drive. This is based on the testimony of the applicant. Any testimony to the contrary was based solely on opinion and lacked corroboration by facts.
- A15.** The applicant has provided one condition for consideration by City Council related to imposing a greater building setback if future development would result in multifamily residential abutting the single-family residential homes in the Garden Grove PUD to address potential concerns with compatibility. This condition is deemed adequate protection for abutting properties and is customary for such developments. No substantial relevant evidence was provided regarding the sufficiency of the protection or the availability of other protections. The condition #4 is included in the list of recommended conditions.
- A16.** The applicant's consultant, Mr. Kimball with Whipple Engineering, focused on compatibility with the Comprehensive Plan Future Land Use Map and the requested R-17 zoning. Mr. Kimball presented various R-17 development scenarios and shared how traffic on Atlas Road and Prairie Avenue could be addressed with new development. He indicated that the traffic problems could be addressed by widening the road and dedicating right-of-way, paying impact fees, and doing the traffic study and mitigating any additional impacts of the project.

- A17.** However, traffic counts and level of service data for the Atlas Road and Prairie Avenue intersection

were not available as part of the public hearing. Atlas Road is not capable of further widening because of insufficient right-of-way. New traffic signals would not be feasible in this location.

- A18.** The request, as presented, would not constitute orderly development, it would not provide economic and efficient provision of municipal services, and it does not equitably allocate the cost of public services. This is based on the lack of traffic data, potential traffic impacts associated with the annexation request and other projects such as Coeur Terre, how R-17 density could adversely affect the adjacent neighborhoods, and the lack of reasonably specific plans for the property.

B. CONCLUSIONS OF LAW:

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

- B1.** This proposal is in conformance with the Comprehensive Plan policies.
- B2.** The public facilities and utilities are available and adequate for the proposed use.
- B3.** The property is contiguous to the City.
- B4.** This proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses based on the lack of traffic data, existing traffic conditions along Atlas Road and Prairie Avenue, the proposed density for the project, and unknown project details that could adversely affect surrounding neighborhoods, and, therefore, does not further the orderly development of the City.

C. DECISION

The City Council, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested annexation in conjunction with R-17 zoning **does not** further the orderly development of the City, and **denies the request without prejudice**.

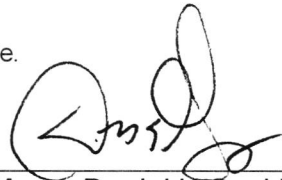
Motion by Councilmember Miller, seconded by Councilmember Wood, to **Deny Without Prejudice** the requested annexation in conjunction with R-17 zoning.

ROLL CALL:

EVANS	Voted	Aye
MILLER	Voted	Aye
WOOD	Voted	Aye
GABRIEL	Voted	Aye
SHECKLER	Voted	Aye

COUNCILMEMBER ENGLISH ABSENT

Motion to deny without prejudice carried by a 5 to 0 vote.



Mayor Daniel K Gookin