

DELIBERATIONS
MINUTES OF MEETING
July 23, 2020

Case Number: CUP20-0002

Case Name: Basin Properties, LLC

Commissioners Present: Chair Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Mary Shaw, Zach Trevino, Kathryn Ford

STAFF VIA TELECONFERENCE: Pat Braden

Case No. CUP20-0002, a request by Basin Properties, LLC for a Conditional Use Permit to operate a Restricted Surface Mine on a parcel in the Agricultural zone. The site is located at 32280 State Highway 3. The parcel number is 47N02W-04-4900, described as: PTN GOVT LT 5 LYING S OF HWY & E OF CO RD EX E 200 FT & EX TX#24059, NE-SW & GOVT LT 8 LYING NE OF CO RD in Section 4, Township 47 North, Range 02 West, Boise Meridian, Kootenai County, State of Idaho. The subject parcel is located along the south side of State Highway 3 and along the east side of Willow Creek Road, a public road maintained by East Side Highway District. Access to the subject site is via an existing driveway extending from State Highway 3, with supplementary access via Willow Creek Road. The parcel consists of approximately 37.5 acres, of which 6 acres are currently utilized for mining activities. The Hearing Examiner held a public hearing on July 2, 2020 and recommended approval. *(Zach Trevino-Planner)*

Zach Trevino, Planner, provided a brief overview stating the request is located on a site that was previously utilized for mining activities. The current request for a Conditional Use Permit to allow the operation of a Restricted Surface Mine on 37.5 acres in the Agricultural zone on south side of State Highway 3 and along the east side of Willow Creek Road. There was no opposition regarding this application.

Board discussion during deliberations expressed support of the request

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve adopting the Hearing Examiner's Recommendation, Comprehensive Plan Analysis, Conclusions of Law and Conditions of Approval for Case No. **CUP20-0002 Basin Properties, LLC.**

Chair Fillios: Aye

Commissioner Duncan: Aye

Commissioner Brooks: Aye

Decision: Approved

Deputy Clerk's Signature: _____
July 23, 2020

DELIBERATIONS
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: July 23, 2020

Case Name: Heatherly Living Trust

Case Number: VAR19-0008

Commissioners Present: Chair Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Mary Shaw, Vlad Finkel, Kathryn Ford

STAFF VIA TELECONFERENCE: Pat Braden

Case No. VAR19-0008, a request by Heatherly Living Trust for a 15' variance to the 25' front yard setback from E Hayden Lake Road and a 20' variance to the 25' rear yard setback from the rear property line for construction of an Accessory Living Unit (ALU) on a 0.513 acre parcel of land in the Restricted Residential zone. There is an existing residence on the waterfront portion of the property (west of E. Hayden Lake Road), while the upland portion of the property (east of E. Hayden Lake Road) where the Applicant intends to construct an ALU is currently undeveloped. Said portion of the property has very steep slopes and limited area for construction of any structures. Access to the property is via E. Hayden Lake Road, a public road which bisects the subject parcel of land. The parcel number is 03520000049A and described as: H L Honeysuckle Hills Building Sites, Lot 49 EX TAX # 17811, Lot 50 BLK 1 in Section 20, Township 51 North, Range 03 West, B.M., Kootenai County, Idaho. The subject site is located at 4513 E. Hayden Lake Road. The Hearing Examiner held a public hearing on February 20, 2020 and recommended approval. The Board held deliberations on July 16, 2020 and approved the request. *(Vlad Finkel-Planner)*

Vlad Finkel, Planner, stated the order was before the Board for signature as approved.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to execute signing the Order of Decision for Case No. **VAR19-0008 Heatherly Living Trust.**

Chair Fillios: Aye
Commissioner Duncan: Aye
Commissioner Brooks: Aye

Decision: Approved

Deputy Clerk's Signature: _____
July 23, 2020

Community Development Update
Minutes of Meeting
June 23, 2020, 9:00 a.m.

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chair Fillios, Commissioner Duncan and Commissioner Brooks were present. In attendance were Director David Callahan and Deputy Clerk Kathryn Ford. Civil Deputy Prosecuting Attorney Pat Braden and Director Nick Snyder participated via teleconference.

I. Call to Order: Chair Fillios called the meeting to order at 9:06 a.m.

II. Changes to the Agenda: None

III. Business

1. Centennial Trail/Landmark Place emergency access. (Action Item)

Director Callahan stated this item is before the Board due to a City of Post Falls development requesting access across the Centennial Trail. Pat Braden, Attorney, stated there are two adjacent large parcels planned to be developed within the City of Post Falls. The same owner is on both sides of the trail. The access is for emergency access only for the new subdivision. Typically there is a keyed gate for access by emergency vehicles only. Nick Snyder, Director of Parks and Waterways, expressed concerns on ensuring only emergency access use, safety issues to cyclists, trail damage due to heavy vehicles and crossing ability since the trail is set higher than the surrounding ground level. Mr. Braden stated it would be reasonable to require the developer to upgrade the crossing. Mr. Callahan added the easement can be granted contingent upon the concerns being address to a specific standard.

Motion by Commissioner Leslie Duncan to authorize Pat Braden to draft an easement for signature allowing emergency vehicles access to cross the Centennial Trail with contingencies and to include the trail approach to be upgraded for access, second by Commissioner Bill Brooks.

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

2. Conveyance of County-owned property to City of Coeur d'Alene (AIN 244728) – Strip of alley behind 1141 N. 3rd Street. (Action Item)

Director Callahan stated City of Coeur d'Alene engineers have requested a strip of alley owned by the county to be conveyed to the City.

Motion by Commissioner Bill Brooks to authorize conveyance of county AIN 244728 to the City of Coeur d'Alene, second by Commissioner Leslie Duncan.

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

IV. ADJOURNMENT

There being no further discussion, Chair Fillios adjourned the meeting at 9:29 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chair