

SIGNING
MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
March 24, 2022

Case Number: MSF22-0002

Case Name: Hoodoo Valley North – Phase I

Commissioners Present: Commissioner Duncan, Commissioner Brooks, Chairman Fillios

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: Pat Braden (teleconference), David Callahan, Ben Tarbutton, Vlad Finkel, Betsy Anderson

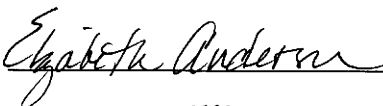
Case No. MSF22-0001 Hoodoo Valley North – Phase I Final subdivision approval of Hoodoo Valley North (Phase I) consisting of 11 residential lots on 335.89 acres, of a preliminarily approved 66 lot residential subdivision in Case No. MSP20-0002 in the Rural zone. Proposed Lot 3, Block 4 will be utilized for platting of future phases. The Board deliberated on this case on March 17, 2022 and approved the request.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the signing of **Case No. MSF22-0002, Hoodoo Valley North – Phase I**

Chair Fillios:	Aye
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature:
March 24, 2022



DELIBERATIONS
MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
March 24, 2022

Case Number: **CUP21-0010**

Case Name: **Blackwell Booster Station (City of Cda)**

Commissioners Present: Chair Fillios, Commissioner Duncan, Commissioner Brooks

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: Pat Braden (teleconference), David Callahan, Ben Tarbutton, Vlad Finkel, Betsy Anderson

- A. **CUP21-0010 – Blackwell Booster Station (City of CdA)** to establish a Conditional Use Permit (CUP) for a Public Utility Complex Facility on a 0.275 acre split-zoned parcel in the Agricultural Suburban and Restricted Residential zones. The City of Coeur d’Alene has recently acquired the subject property with the intent to establish and operate a booster pumping station on it. Due to the steepness of the site (*slopes exceeding 35%*) and in order to minimize the amount of excavation, extensive retaining walls and create an adequate vehicular access, the Applicant is requesting a 25 ft. variance to the 25 ft. front yard setback requirement in the Restricted Residential zone. The parcel number 0477000003E and described as: Lakeview Terrace, Tax #26171 in Lot 3 in Sections 14 & 15, Township 50 North, Range 04 West, Boise Meridian, Kootenai County, Idaho. The Hearing Examiner heard this case March 3, 2022 and recommended approval.

Vlad Finkel, Planner III, introduced the case with a power point presentation. The Public Utility Complex Facility would be a replacement for the current, failing facility. Mr. Finkel states the parcel is located within the Area of City Impact of the City of Coeur d’Alene, steeply-sloped and heavily vegetated. According to the Narrative, the structure on-site will be about 900 square feet and will contain a booster station and a back-up generator. Public agencies were asked to provide comment and only the Department of Environmental Quality may require further review once building permits are under review. No public comments were received from surrounding neighbors

Motion by Commissioner Duncan, seconded by Bill Brooks to approve Case No. CUP21-0010, Blackwell Booster Station by the City of Coeur d’Alene for a Public Utility Complex Facility on a .275 acre split-zoned parcel in the Agricultural-Suburban and Restricted Residential zones.

Chair Fillios:	Aye
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Case Number: **MSF22-0002**

Case Name: **Lone Mountain Estates 7th Addition – Phase II**

- B. **MSF22-0002 - Lone Mountain Estates 7th Addition – Phase II** Final subdivision approval of Lone Mountain Estates 7th Addition. (Phase II) consisting of 16 residential lots on 94 acres, of a preliminarily approved 41 lot residential subdivision in Case No. MSP19-0008 on approximately 247 acres in the Rural zone.

Vlad Finkel, Planner III presented the case, explaining that the request is to review, assess and confirm that all the preliminary conditions of approval set in case MSP19-0008 have been met or will be met through appropriate measures such as bonding with the County or other agencies with jurisdiction. The property is located north of Chilco

Road and east of Ramsey Road in the northern portion of the County. The applicant has submitted a completion bond with Lakes Highway District and a completion bond with the County for the water system.

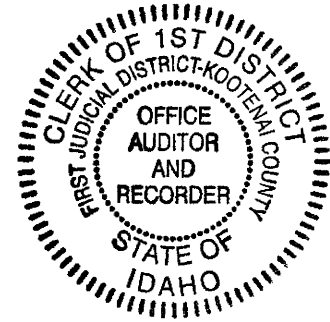
Motion by Commissioner Duncan, seconded by Bill Brooks to approve Case No. MSF22-0002, Lone Mountains Estates 7th Addition – Phase II, consisting of 16 residential lots on 94 acres in the Rural zone.

Chair Fillios:	Aye
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature:
March 24, 2022

Elizabeth Anderson



BOARD OF COUNTY COMMISSIONERS
MINUTES OF PUBLIC HEARING
March 24, 2022
Gozzer Ranch Golf and Lake Club PUD Amendment

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

Commissioner Absent: None

Staff Present: David Callahan, Pat Braden (teleconference), Ben Tarbutton, Vlad Finkel, Betsy Anderson

The purpose of the meeting was for the Board to conduct a public hearing as advertised in the *Coeur d'Alene Press*. Chair Fillios called the hearing to order at 9:19 A.M following the signing of an order of decision and deliberations.

CONFLICT(S): The members were polled for conflicts of interest. Both Chair Fillios and Commissioner Brooks stated they had spoken with Bev Twillmann over the phone regarding the hearing process but not the case itself.

CHANGES: None

Case No. PUD21-0003 Gozzer Ranch Golf and Lake Club Planned Unit Development (PUD), a request by Discovery Coeur d'Alene Investors, LLC, for approval of an amendment to the existing PUD with the following considerations: 1) Combine Lot C15 (AIN 310422) with the current "*Clubhouse Facility*" located on golf course recreational parcel (AIN 310424) and utilize the area for a Spa and Med Facility; and 2) Add three (3) additional parcels (AINs 233190, 133725 and 192995) to the overall boundary of the PUD. The PUD was originally approved in 2005 with a total of 375 dwelling units on 662 acres. To date, the unit count within the PUD is 335, excluding any Lot Consolidations that have occurred. This request would not increase the overall approved density of the PUD. The proposed request is to add a total of twenty-eight (28) acres. Therefore, should the request be approved, the overall acreage of the PUD would increase from 662 acres to 692 acres. The parcel numbers to be added to the existing PUD boundary are as follows: 0-1795-001-003-0, 49N03W-05-9200 and 49N03W-05-9600. The parcels are described as: Parcel #1: Drake Addition to Echo Bay, Lot 3, Block 1 in Section 6, Township 49 North, Range 03 West, B.M., Kootenai County, Idaho. Parcel #2: Tax # 20573 [in SE-SE] in Section 5, Township 49 North, Range 03 West, B.M., Kootenai County, Idaho. Parcel #3: Tax # 20572 [in SE-SE] in Section 5, Township 49 North, Range 03 West, B.M., Kootenai County, Idaho. The PUD original description is described as: west and a portion of the east half of Section 5; a portion of the northeast ¼ and the southeast quarter of Section 6; a portion of the southeast quarter of Section 7; and a portion of the north ½ and the north ½ of the southwest quarter of Section 8 in Township 49 North, Range 3 West, Boise Meridian, Kootenai County, Idaho. The site sits on the bluff of Arrow Point, and is bisected by Gozzer Road and located south of Arrow Point, east of State Highway 97; west of Usdrowski Addition and north of Camp Easton. The Hearing Examiner heard this case on January 20, 2022 and recommended approval. At the request of the public, the Board granted a second public hearing.

Staff Presentation: Vlad Finkel, Planner III, presented the case to the Commissioners with an explanation of why this case was coming before the Board. Gozzer has had several minor amendments since the Planned Unit Development was originally approved in 2005. These amendments have resulted in an increase in approximately 2 acres to the overall geographical boundary of the project. This particular amendment however, will be increasing the overall acreage of the PUD by 28 acres with no increase to the density. Mr. Finkel stated Staff determined the amendment should go before hearing bodies rather than handled administratively as in the past. The Applicant is asking to annex three parcels of land totaling 28 acres into the geographical boundary of the PUD. The request also includes combining a residential lot with an open area containing a portion of the golf course in order to create a spa and med facility. Public Agencies with jurisdiction were contacted for input and only North Kootenai

Water District had restrictions as they currently have a moratorium on additional water connections. A total of 50 public comments were received from both property owners within the PUD and year round residents of the east side of Lake Coeur d'Alene.

Applicant Presentation: Stephanie Blalack, Land Use Planner with Verdis representing Gozzer Ranch Golf and Lake Club introduced the project with a Power Point presentation. She provided historical reference for the original PUD application as well as the two recent minor amendments. Ms. Blalack stated the western parcel will be used for recreational purposes only such as a zip line, hiking trails and restrooms associated with recreational activities. The two parcels on the east side will eventually be developed, but within the confines of the original approved density. Ms. Blalack stated there was no opposition from public agencies and when development occurs within the PUD, the agencies have their standard requirements that must be met.

Exhibits:

- B-1000 – Presentation submitted by Vlad Finkel
- B-1001 – Boundary Line Adjustment Deed – V. Finkel
- B-1002 – Presentation submitted by Stephanie Blalack
- B-1003 – Assessor Parcels Maps submitted by Deborah Stone
- B-1004 – North Kootenai Water District Resolution submitted by Jackie McNamara

Public Testimony: Numerous year round residents from the east side of Lake Coeur d'Alene offered testimony in opposition to the proposal. Concerns reflected the proposal not being in compliance with the County Comprehensive Plan, the degradation of State Highway 97, incidents involving large construction vehicles on the road, increase in traffic along a scenic byway, trash along the roadside, the amount of water drawn from the lake for swimming pools, and landscaping and subsequent run off of nitrates and phosphates back into the lake, reduction of access to the lake for locals, damage to wildlife corridors and an increase in utility fees. Comments sheets submitted: Applicant, 3. In favor, 1. Neutral, 0. Opposed, 21. The names and addresses of the individuals speaking or submitting comments are part of the record.

Applicant Rebuttal: Stephanie Blalack, representing Gozzer, offered a brief rebuttal stating the 40 dwelling units left within the Gozzer PUD will be built with or without this amendment. If approved, amendment will bring in more open space and takes away the ability to develop the 3 lots independently.

Motion by Commissioner Duncan, seconded by Bill Brooks to end public testimony, close the public hearing and enter into deliberation.

Commissioner Brooks	Aye
Commissioner Duncan:	Aye
Chair Fillios:	Aye

The Board entered into deliberation at 10:20 A.M. Chair Fillios asked if other Board members had questions of Staff. Commissioner Brooks stated although the comment was brought up several times during the hearing, the County has no jurisdiction over Highway 97. Rather, Idaho Transportation Department is the entity with jurisdiction. Planner Vlad Finkel mentioned that the 40 dwelling units within the PUD that have not been platted will still have to go through some sort of process with Community Development, as a condominium plats, a minor subdivision or a major subdivision. With each process, public agency review as well as public comment will be required.

Motion by Commissioner Brooks, seconded by Commissioner Duncan to approve Case No. PUD21-0003 Gozzer Ranch Golf and Lake Club Amendment.

Commissioner Brooks	Nay
Commissioner Duncan:	Aye
Chair Fillios:	Nay

Commissioner Duncan argued the denial of this case effectively would allow Gozzer to develop the three parcels according to the underlying zoning classification which is Restricted Residential. If developed, the 28 acres could be subdivided with approximately 100 additional homes. Following the Board's vote, Legal Counsel Pat Braden provided a legal opinion that the Board enter to reconsider.

Motion by Commissioner Duncan, seconded by Chair Fillios to move to reconsider.

Commissioner Brooks Nay
Commissioner Duncan: Aye
Chair Fillios: Aye

The Board entered back into deliberations. Commissioner Duncan explained by approving the case before them, the Board is effectively reducing the development rights of the PUD, limiting the number of allowed units to 40. If the case is denied, the developer has the right to subdivide the three parcels, creating as many as 100 lots in addition to the 40 allowed units within the Gozzer Ranch PUD.

Motion by Commissioner Duncan, seconded by Chair Fillios to approve Case No. PUD21-0003 Gozzer Ranch golf and Lake Club PUD Amendment.

Commissioner Brooks Nay
Commissioner Duncan: Aye
Chair Fillios: Aye

Decision: Approved.

Chairman Fillios adjourned the meeting at 10:38 A.M.

Deputy Clerk's Signature: *Elizabeth Anderson*
March 24, 2022

