

RATHDRUM
PLANNING AND ZONING

PLANNING AND ZONING COMMISSION MEETING

MEETING MINUTES

Tuesday – August 18, 2020

6:00 PM

Meeting held in the High School Common Area

PRESENT: Commissioner Munyer, Commissioner Carr, Commissioner Hatcher and
Commissioner Compton (New Commissioner)

ABSENT: Commissioner Shuman

STAFF: Planner Siess, Assistant Planner Davey, City Administrator Duce, City Attorney
Herrington and Associate Planner Agidius

PLEDGE OF ALLEGIANCE

MINUTES: Approval of the meeting minutes for July 15, 2020 as they are presented made in a motion by Commissioner Munyer and seconded by Commissioner Hatcher.
All in favor stating aye.

GENERAL BUSINESS:

Planner Siess introduced the new Planning Commissioner: Mike Compton
For the appointment of a New Chairman and Co-Chair, the Commissioners all agreed to postpone until Commissioner Shuman was present.

Acting Chairman for the meeting: Commissioner Munyer

Commissioner Munyer gave the procedure for the Public Hearing process.

Open the Public Hearing

PUBLIC HEARING: Comprehensive Plan Future Land Use Map Amendment

Planner Siess: The purpose of this amendment is to provide property, which is directly adjacent to Rathdrum City limits, near the southeast corner of the City within the shared tier. The land designation is “transformational” to address consistency with the Comprehensive Plan for a request for annexation and zoning. The future land use map is not a zoning map, but is a decision-making tool referred to, reviewed and referenced for the following: land use proposals,

zoning map updates or revisions, request of a zone change and when other land use issues are addressed. The area for which the map amendment is requested is located south of the Brookshire Subdivision approximately .5 miles south of the intersection of Meyer and Lancaster Road, north of Wyoming Avenue and on the east and west sides of Meyer Road.

The shared tier has been identified as the lands within the ACI overlapping between the cities of Post Falls and Hayden, Post Falls and Rathdrum, and Rathdrum and Hayden. These were not included within the previous comprehensive plan future land use mapping and appears to have been an oversight as these areas have been identified since 2004 as found in the Kootenai County Ordinance #339 in the County Coordinated Area of City Impact Agreement.

Public Testimony – None
Close the Public Hearing

Motion: "I move to recommend to the City Council that the proposal be approved, finding that it is compliant with the City of Rathdrum Comprehensive Plan and Rathdrum City Code as shown within the Code and Comprehensive Plan analysis found in the staff report. I further move that such recommendation be updated by staff to include findings of fact and conclusions of law for the Council reflective of this staff report, a summation of testimony provided by any citizens appearing and testifying in relation to this proposal and be provided to the Council as the Commission's formal recommendation within sixty days following tonight's public hearing." Made by Commissioner Carr and seconded by Commissioner Compton. All in favor stating aye.

PUBLIC HEARING: Hendrickson South Annexation and Zoning Request

Planner Siess: The applicant, Bluegrass Development, LLC is seeking approval of annexation and zoning of approximately 227.95 acres of real property – excluding rights-of-way, for the purpose of incorporating the property into the city limits of Rathdrum. The property is adjacent to existing city limits to the north. The annexation will include the adjoining public rights-of-way of Meyer Road and Wyoming Avenue. The total acreage, including the right-of-way of the Spokane International Railway is 238.08 acres. The parcel is located south of the Brookshire Subdivision and is approximately .5 miles south of the intersection of Meyer and Lancaster Road and north of Wyoming Avenue and on both sides of Meyer Road, east and west. The current zoning is Agriculture by Kootenai County and is currently farmland.

The proposed zoning is as follows: R-1 Residential - 165.9 acres; R-3 Residential multi-family – 43.49 acres.

City of Rathdrum Planning staff recommends to the Commission's approval of the annexation request if the Commissioner finds that the proposal is compliant with the Rathdrum Comprehensive Plan and Rathdrum City Code and is in the best interest of the City. The following conditions of approval are recommended to address consistency with the Comprehensive Plan:

1. Development within the annexed area shall not begin until the existing Brookshire development is 85% built/developed to ensure continuity in development, with the exception of the commercially zoned property. When development occurs, such shall be logically phased starting in the northern portion of the property and proceeding southward.
2. At the time of development, the developer shall provide noise reducing fencing/walling along the railroad rights-of-way. Such shall be subject to approval of the City Council upon subdivision approval or the Planning and Zoning Administrator as appropriate.

3. The project proponent shall enter into an Annexation Agreement with the City of Rathdrum to address infrastructure and transportation needs, as well as transfer of water rights and other requirements. Such Agreement shall be approved by the Rathdrum City Council

Applicant:

Drew Dittman of Lake City Engineering
126 E Popular Avenue
Coeur d'Alene, ID 83814

Representing Bluegrass Development, LLC and Hendrickson Family Holdings, LLC
Mr Dittman began by thanking the commissioners for their time and gave a history and background of the developers being that they have lived in this area their entire lives and have invested their time here. Location of the parcel being just south of the Brookshire Subdivision, north of Wyoming Avenue and .5 miles from the intersection of Meyer and Lancaster Road. The proposed zoning will have C-1 Commercial at Meyer Road and Wyoming Avenue, R-1 Residential, R-3 Residential Multi-family and they have donated to the City six acres for park land which is located in the middle of the R-1 zoned parcel and south of the railroad tracks. He also stated that this annexation application is in compliance with all of the six criterias of the Rathdrum City code for annexation. The city's comprehensive plan goals and policies; population, land use, natural resources, housing and transportation have all been met. Several key points made; they plan to place larger lots along the railway tracks in the R-1 zoning, fencing around the perimeter will be similar to that of the Brookshire Subdivision and the new sewer lift station that was installed in the Brookshire Subdivision will accommodate this annexed property sufficiently.

Tom Andrel of Big Creek Land Company made a brief statement to the Commissioners that the intent of the R-3 zoning was to accommodate small families, younger people just starting a family and retirees that want to down scale their homes.

Public Testimony – In favor

Erick Hendrickson
6128 N Wall Street
Spokane, WA 99205

Mr Hendrickson is part owner of the parcel with other siblings and stated that it is no longer feasible to farm his property to make any sort profit and asked the commissioners to please consider the approval of this annexation request.

Kirk Schwab

Representing the Rathdrum Chamber of Commerce

Mr Schwab stated they are in favor of the annexation and commented that we need to control our destiny for the growth of Rathdrum.

Don Jacklin – In favor but choose not to speak during the meeting.

Neutral – None

Opposed

Michael Fox
13403 N Grand Canyon
Rathdrum, ID 83858

Mr Fox began by stating he could not find the agenda on the City's website and he feels that this proposal does not comply with Rathdrum's Comprehensive Plan at all. Asked the Commissioners if they have read the mission statement pointing out "managing growth". He also commented that the railroad running right thru this annexation made not sense at all and does not want to see urban sprawl in our town.

Rebuttal

Drew Dittman confirmed to the Commissioners that they are following the cities comprehensive plan and in compliance with Rathdrum City Code with this annexation application. Mr Dittman was asked if the applicant would develop this property if not annexed into the city, his reply was yes, but they would have to comply with Kootenai County regulations.

Close the Public Hearing

Commissioners open discussion with stating that this application is a good fit and beneficial for the City of Rathdrum, in favor of the fencing along the perimeter of the parcel for noise and security. Also commented that farming this area has been dying off for the past few years.

Motion to approve, "I move to recommend to the City Council that the proposal be approved with the recommended Conditions of Approval. Finding that it is compliant with the City of Rathdrum Comprehensive Plan and Rathdrum City Code as shown within the Code and Comprehensive Plan analysis found in the staff report. I further move that such recommendation be updated by staff to include Findings of Fact and Conclusion of Law for the Council reflective of this staff report, a summation of testimony provided by any citizens appearing and testifying in relation to this proposal and be provided to the Council as the Commission's formal recommendation within sixty days following tonight's public hearing" made by Commissioner Hatcher and seconded by Commissioner Carr.

All in favor stating aye.

PUBLIC HEARING: Buck Conditional Use Permit

Planner Siess: Applicant at 15457 N Highway 41, Rathdrum, ID 83858 submitted an application for a Conditional Use Permit (CUP) to allow for a home occupation use to occur on residentially zoned property to allow a home occupation/nail salon, currently zoned R-2. The nail salon is to consist of one nail station, one pedicure station, assorted counter and storage space within an area of approximately 320 square feet.

Recommendations by city staff are as follows: 1. Business to be limited to a single employee as indicated by the CUP Application for this home occupation. 2. On site parking shall be revised, allowing for two off street parking sites a required by RCC 11-5-2C-5, and a single ADA compliant parking site, as required by RCC Title 9 and federal and state law, together with marked access lane and ADA signage, providing for vehicle turn around on site, and with out backing into the right-of-way of State Highway 41. 3. Property owner/operator shall remove the existing carport to allow for required vehicular turn around.

Open the public hearing

Public Testimony:

In favor – None

Neutral – None

Opposed – None

Close the public hearing

Commissioners open discussion stating it is a good fit for the area being right off the highway and would like to see new businesses in town.

Motion to approve, “I move to recommend to the City Council that the proposal be approved, finding that it is in accord with the City of Rathdrum Comprehensive Plan and Rathdrum City Code as discussed within the staff report for this proposal and subject to the conditions of approval as found therein. I further move that such recommendation be updated by staff to include findings of fact and conclusions of law for the Council reflective of this staff report, a summation of testimony provided by any citizens appearing and testifying in relation to this proposal and be provided to the Council as the Commission’s formal recommendation within sixty days following tonight’s public hearing.” Made by Commissioner Munyer and seconded by Commissioner Compton.

All in favor stating aye.

PUBLIC HEARING: Majestic Villas 1st Addition Preliminary Plat

Planner Siess: The applicant; Big Creek Land Company, LLC is asking for final approval of the Majestic Villas subdivision consisting of eleven residential lots on approximately 6.08 acres. This is a change from the approved preliminary plat which consisted of seventeen residential lots on approximately 6.08 acres of an approximately 13.2- acre property with average lot size of 14,503 square feet in size, ranging from 10,675 to 15,579 square feet in size.

The change between the preliminary plat and this final plat is due, in part, to the re-alignment of Deadwood Avenue at the southern end of the subdivision. New lot six which incorporates seven of the preliminarily platted lots, together with the remaining lot acreage of the 13.2-acre parcel is to be separately platted in the future Majestic Villas 1st Addition. The parcel is zoned R-3 Residential Multi-family. The property is currently vacant and undeveloped.

Applicant:

Drew Dittman representing Big Creek Land Company

126 E Popular Avenue

Coeur d’Alene, ID 83814

Mr Dittman stated this is a standard subdivision submittal with duplex lots, current zoning is R-3 Multi-Family Residential with lot sizes ranging from 10,675 square feet to 15,579 square feet, 32 total lots on approximately 13 acres. Harmony Street which is currently located west of Meyer Road will continue through into this subdivision.

Public testimony

In favor – none

Neutral – none

Opposed – none

Close the public hearing

Commissioners open discussion:

Good location for a project like this being by the city park, impressed by these builders producing a nice home and good fit for the area.

Motion: “I move to recommend to the City Council that the proposal be approved, finding that it is in accord with the applicable City Code as identified within the findings and conclusions of the staff report. I further move that the Planning and Zoning Administrator provide a written report to the Council as soon as possible and include the recommendation of this commission and the facts that provide a basis for the decision.” made by Commissioner Hatcher and seconded by Commissioner Carr.

All in favor stating aye

NEW BUSINESS: Majestic Villas Final Plat

Planner Siess: The preliminary plat has already been approved and this meeting is just a formality to approve the final plat. This consists of ten residential lots and one lot just south north of Deadwood Avenue and east of Railway Avenue.

Motion to approve: “I move to recommend to the City Council that the proposal be approved, finding that it is in accord with the applicable City Code as identified within the Findings and Conclusions of the staff report. I further move that the Planning and Zoning Administrator provide a written report to the Council as soon as possible and include the recommendation of this Commission and the facts that provide a basis for the decision.” made by Commissioner Hatcher and seconded by Commissioner Compton.

NEW BUSINESS: Brookshire 2nd Addition Final Plat

Planner Siess: The applicant Bluegrass Development, LLC with the approved preliminary subdivision consisted of 461 residential lots and one ten-acre lot on approximately 152.45 acres. The project was to be developed in phases, subject to market conditions. The applicant is now requesting final approval of the second addition of the subdivision consisting of 74 single family residential lots on the 19-acre lot platted with the first addition for the purpose of plat phasing. The property within this plat is zoned R-2S residential.

Motion: “I move to recommend to the City Council that the proposal be approved, finding that it is in accord with the applicable City Code as identified within the findings and conclusions of the staff report. I further move that the Planning and Zoning Administrator provide a written report to the Council as soon as possible and include the recommendation of this Commission and the facts that provide a basis for the decision.” made by Commissioner Munyer and seconded by Commissioner Car.

All in favor stating aye

NEW BUSINESS: Rathdrum Creek (Willow Creek Re-plat / PUD) Final Plat

Planner Siess: A replat and planned unit development of a portion of Willow Creek subdivision submitted by Seneca Capital Partners. The preliminary subdivision consisted of re-plat of the 135 lots of Willow Creek subdivision owned by Idaho Contractors with a Planned Unit Development (PUD) overlay by removing the underlying individual lot lines and consolidating the property into eight new lots – not including the five lots in separate ownership. This will include multiple mobile and manufactured homes on each lot. The project area is approximately 28.78 acres, including existing rights-of-way, or 22.01 acres *excluding* the rights-of-way area. The proposed replat is located to the southwest of Coeur d’Alene Street, southeast of the BNSF railroad tracks and north of Pine Street. The property is a portion of Willow Creek Subdivision with 135 of the 140 original platted subdivision. The parcel is zoned R-2S residential.

Motion: “I move to recommend to the City Council that the proposal be approved, finding that it is in accord with the applicable City Code as identified within the findings and conclusions of the staff report. I further move that the Planning and Zoning Administrator provide a written report to the Council as soon as possible and include the recommendation of this Commission and the facts that provide a basis for the decision.” made by Commissioner Carr and seconded by Commissioner Munyer.
All in favor stating aye

Special Meeting Scheduled:

Commissioner Munyer announced a special meeting for the update of Multi-Family code; August 25, 2020 in the City Council Chambers at City Hall @ 6:00pm.