

**MINUTES OF THE PLANNING AND ZONING COMMISSION
CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO**

May 21, 2019

**Regular Meeting: 5:00 PM
Atlas Elementary School
3000 West Honey Suckle Avenue, Hayden, ID 83835**

CALL TO ORDER

Chair Petersen called the meeting to order at 5:14 p.m.

ROLL CALL OF COMMISSION MEMBERS

Brian Petersen, Chair	Present
Michael Cramer, Vice-Chair	Present
Corey Andersen	Present
Alan Davis	Not-Present
Gavin Mabraten	Present
Benjamin Prickett	Present
Shawn Taylor	Present

STAFF PRESENT

Melissa Cleveland, Community Development Director
John Cafferty, Legal Counsel
Rob Wright, City Engineer
Michael Drobnock, IT System Admin/Support Tech
Donna Phillips, Senior Planner
Elizabeth Allen, Planner
Heather McNulty, Commission Clerk

Chair Peterson asked Melissa Cleveland, Community Development Director to introduce the Commissioners and Staff Present. He then went on to ask for cell-phones to be silenced, gave direction regarding microphones, and the location of the restrooms.

FLAG SALUTE

Chair Petersen lead the meeting in the Pledge of Allegiance

CALL FOR CONFLICTS OF INTEREST

No conflicts were reported.

CONSENT CALENDAR

The consent calendar included the approval of the meeting minutes for May 6, 2019 and May 13, 2019 and the written decision in Case # SUP 0057, Petersen Place Adult Home, Inc. The motion was made by Commissioner Taylor, and seconded by Commissioner Cramer to approve the consent calendar. All were in favor, none were opposed.

PUBLIC HEARING

Case No. ANNEX 0011, PUD 0007, and SUB 0028 is a request by Hayden Canyon Land, LLC

Chair Petersen stated that there were five separate agreements between the City and Developers that are requesting amendments, the Commission will be receiving testimony regarding the amendments.

John Cafferty, Legal Counsel, stated that the public hearing was to review the amendments that are being requested to the existing approved agreements. Mr. Cafferty continued by explaining the process of the request, the Commission will recommend to City Council to approve, not approve, or approve with conditions, he then explained to the audience the order of the meeting. Mr. Cafferty stated that the Commission determines whether the standards for approval have been met, the standards were given to the audience as they signed into the meeting, and that the recommendation to Council would not void any existing agreements between the City and the developer.

Staff Presentation:

Donna Phillips, Senior Planner, introduced the application to amend the conditions of approval for the project known as Hayden Canyon. She introduced the Development Team Glen Lanker the Project Manager, Artios Architecture Community Design and Clay Karwisch, Attorney, Holland and Hart LLP., and the engineer of record is Storhaug Engineering. The amendments that are being proposed within the Annexation Agreement, the Planned Unit Development (PUD) and the Subdivision are to address items related to but not limited to the following: boundary line adjustments; dedication of park land, school land, and open space; process to transfer ownership of phases; property owner's association(s); timing of Hayden Canyon Charter School construction, park land construction, and temporary or permanent infrastructure development; transportation impact analysis and possible mitigations; and determination of what is considered major and minor changes to the approval conditions. The project site is located east of North Government Way, to the north and south of East Lancaster Road, south of North Boekel Road, and west of North Strahorn Road. The existing approvals/ agreements were then reviewed by Ms. Phillips that included the Annexation of 610 acres, the Final PUD, and the Subdivision Phase IA Preliminary Plat Approval and that the project has until 2029 to be completed. Ms. Phillips continued by stating that the public comments should be directed to the proposed amendments to the approved conditions and not the approval itself.

Applicants Presentation:

Clay Karwisch, Attorney, 984 East Ironside Drive Boise, Idaho 83706 is representing the proposal for the Applicant. Mr. Karwisch explained that the minor changes are to clarify process for the development to proceed, and that that the proposed changes to the layout of the Community Campus. Mr. Karwisch continued that Hayden Canyon will continue to meet all applicable Standards for Approval, establish process for phases and associated open spaces to accommodate ownership transfers, including the approval process of development. Mr. Karwisch gave a summary of the amendments:

1. Establish parcels and a boundary line adjustment process for phases and associated open space to accommodate ownership transfers, including the approval process of developers.
2. Clarifies the process for non-sequential development.
3. Clarifies that the Master Home Owners Association (HOA) may form sub-associations.
4. Specifies the process for Developers to identify a workforce housing program administrator.
5. Facilities dedication of the Community Park & public facilities land to the City and land for the public charter school to the Institute for Community.

Mr. Karwisch stated that the boundary line adjustments are small clarity changes that needed to happen in order for phases of the project to be purchased by different developers for future development. The amendment to the Home Owners Association gives the ability to have flexibility for instance the Commercial portion of the sub-phase could make separate HOA's that would be unique to the development as a whole. This would give each development their own unique features and will not force everyone to pay for the unique feature of that phase of the development.

Chair Petersen asked what is the evidence being presented that would prove that the developer is financially able to move forward with the phase he is purchasing. Mr. Karwisch stated that the threshold of a developer is their demonstration that he can build fifty homes in a year is substantial. Chair Petersen

asked why the developer wanted to not guarantee the certificate of performance. Mr. Karwisch stated that there are guarantees in place that are attached to the Master Development Agreement, to safe guard the City from not having the Developer finish the performance. With respect to the workforce housing; at any time the developer submits a plat -either the developer submits the name of the administrator to meet all conditions of work force housing to receive the density bonus, or the bonus shall be forfeited.

The two school districts in the development Lakeland School District and Coeur d'Alene School District had stated that the land is so close to the edge of their boundaries neither party was interested in taking over the school. Mr. Karwisch continued that the developer then looked into the option of the public charter school on site. The current agreement of the Annexation specifies that twenty two acres must be designated to community facilities use. The Institute at Hayden Canyon is a not for profit it is affiliated with a national organization called The Institute for Community who would own the land and then facilitate the development of the charter school. They would be entering into a share land use agreement so the property could be used or rented out after school hours for other events.

Chair Petersen noted that in the Staff Review there is not clarity of the conflict between Lakeland School District and The Institute for Community, would Mr. Karwisch clarify the information. Mr. Karwisch stated that the Developer did not have a position; however they would just like to have a school on the site. He could not comment between Lakeland and the Charter School. The Developer is just trying to fill the obligation of developing a school and the Charter School is the option they see working.

The amendment request would be good for the development. He continued by stating that other than minor clarifications, prior approvals remain as is including:

1. Final development plan and sub-phase configuration;
2. Forty percent open space and canyon preservation and minimum twenty two acres for community uses;
3. Density of development has not increased;
4. Required on and off -site infrastructure and mitigations remain;
5. Aviation standards are met.

Chair Petersen stated that on page five of the applicant's narrative 2.2.4.1 Traffic Mitigations. The applicant is asking to replace all references of "concurrency analysis" with the term of "traffic impact analysis". Why is that? Mr. Karwisch stated that there was clarification that needed to be made. The traffic engineering world uses that term and so it was for clarity.

Chair Petersen stated he is unable to accept Traffic Analysis so he finds it hard to accept the term. Ms. Cleveland then stated that this is a term the City of Hayden would like to see the term changed, they mean the same thing. Concurrency is not a term used anymore so that it is a definition clarification.

Staff Presentation:

Ms. Phillips continued the staff review with a review of the existing approvals for the Annexation, PUD Final Plat, and Subdivision Final Plat. Ms. Phillips continued that the amendments being proposed are related to many agreements that are for the same project. She stated that the staff review was so large due to the fact that the Commission needed the whole agreement in order to determine findings for each staff review.

Annexation Amendment to 6.1:

- Clarifies that the amount of open space is equal to that identified with the Master Open Preservation Agreement

This amendment will read as follows 6.1 Under the Master Open Space Preservation Agreement recorded April 9, 2014 as instrument No. 2451905000 ("Preservation Agreement"), the Owner has designated 246.4 acres of the Property as "open space," including at least 22 acres of public space for public use. At

the time of platting of each portion of the Property, Owner will describe the portion of the preserved area that lies within such plat and otherwise comply with the requirements of the Preservation Agreement. "Open space" shall be defined for purpose of this Agreement to include all dedicated/deeded public facility lands, recreational fields, public park, non-jurisdictional wetlands, Greenway Park, wetlands and wildlife corridors, required landscape buffers, greenbelts and other parklands and open space dedicated or designated for common or public use as may be incorporated into a subsequent development proposal. For purposes of this Agreement, "open space" shall not include land dedicated by owner for public right-of-way, private streets and common parking areas, if any. The designated open space shall include but not be limited to the following uses:

(No proposed changes to section 6.1.1-6.1.3)

6.1.4 Other approved uses by the City proposed during the development process as set forth in the development agreement the parties to be negotiated in the future, including a public charter school, community center, and an emergency response facility.

Amendment to 6.2:

- Proposes to amend the entities to which the developer shall dedicate public park, public facilities and the proposed public charter school

The modifications are as follows:

6.2 Dedication of Public Park and Facilities Land:

6.2.1 Owner agrees to deed to the City fee simple title to the land identified for use as a public park and public facilities in the Preservation Agreement. Additionally, Owner agrees to deed to an approved entity fee simple title the land identified for use as a public charter school in the Preservation Agreement. This land is included as a portion of owner's requirement to preserve the required open space under the Preservation Agreement.

6.2.2 City Owner agree the Owner's dedication of the land described in section 6.2.1 and/or construction of Public Facilities, parks, and open space shall be applied toward any such development requirements as may be in effect at the time of receipt by the City of a completed application for development of the Property including park land and school impact mitigation.

Ms. Phillips reviewed the Hayden City Code 1-7-5(A) states:.....At the conclusion of its deliberations, the Planning and Zoning Commission shall submit a recommendation to the City Council regarding potential zoning of the lands under consideration for annexation of the subject lands in light of provisions of the Comprehensive Plan or other planning considerations. Such recommendations shall include the rationale employed and facts relied upon by the commission in reaching its recommendation. Ms. Phillips continued with the staff analysis of the PUD and Final PUD Plan amendments which will provide clarifying language to address areas of confusion between the various agreements and provide consistency throughout the phases and application of the overall project.

Condition 4:

- To be consistent with the proposed amendment to the to the annexation agreement
- To provide adequate assurance that a public school shall remain on this site in perpetuity;
- The transfer of the school site will be treated as a specific site plan and not with the extra requirements related to transfers to subdivision developers;
- By each final plat of each subdivision, the open space shall transfer by deed to the Property Owner's Association in accordance with the Master open Space Preservation Agreement.

Condition 5:

- To eliminate confusion related to fourth sub-phase of development versus phase I-D;

- To make the condition related to the fourth phase to be developed and that no phases can be developed and that no phase can be developed after this phases until the construction n of all fields and facilities is completed.

Condition 8:

- To allow for more than one property (and/or home) owner's association throughout the PUD.

Condition 9:

- To add clarifying language as to financial responsibility required as a result of the approval of the Amendment to condition number eight.

Conditions 11 and 15:

- To address the timing of sewer and water infrastructure should the PUD develop either sequentially or non-sequentially, as the Final PUD only contemplated sequential development.

Condition 18:

- To update the terminology to terms more commonly used in transportation engineering,
- To address the sequential versus non-sequential development pattern; and

Condition 19;

- To memorialize a minor revision that was made to the PUD during construction plan review of subdivision Phase IA.

Condition 27:

- To recognize that the PUD could develop sequentially or non-sequentially and that either way all sub-phases shall still be required to meet the regulations, standards, policies and agreements.

Condition 28: At the time of preliminary plat for a subdivision phase, a developer may propose

- To allow for different housing types than those identified in the Final PUD and
- To not be required to utilize exceptions with respect to setbacks; but to use setbacks per Hayden City Code currently in effect for that zone.

Chair Petersen asked if a Developer wanted to change the layout of phase does that allow for that. Ms. Phillips replied that it allows for the type of home to change. For instance from a town home to a bungalow, that is what is allowed.

Condition 30: At the time of preliminary plat for a subdivision phase, a developer may propose

- To identify who will administer the workforce housing to receive the density bonus; otherwise, no density bonus will be allowed.

Ms. Phillips then stated that staff had two recommendations for approval; these are being addressed at this time because the City is updating the comprehensive plan, transportation plans, sewer plan, and the parks plan. They are as follows:

Condition number 5

- To add language to identify that the currently adopted Parks Plan should be the document used and not one from 2007 in conjunction with the final PUD requirements

Condition 12:

- To provide clarifying language to identify the possible limitations of the availability of sewer capacity.

Ms. Phillips continued by stating that the nine standards for approval were included in the staff review, page eight. She then continued with the amendments proposed for the Subdivision Phase 1A Amendments Summarized

Condition 12:

- To create consistency between the Master Development Agreement subdivision requirements and the Master Open Space Preservation Agreement;

- To address the transfer of the open space at the time of the final plat to the HOA; and
- To provide consistency with the changes to Condition eight of the Final PUD.

Condition 13:

- To address the transfer by deed of the property to be dedicated to the City of Hayden and the timing of the construction of the park area to be consistent with the Final PUD.

Ms. Phillips reviewed then gave a summary of the proposed amendments to the Master Development Agreement (MDA)

New 2.1.5:

- To create legal descriptions for each sub-phase of the PUD and the associated required open space with each sub-phase. This is to facilitate the possible transfer of a sub-phase to a developer and still maintain the required open space area and follow the sub-phase of the PUD.

New 2.1.6:

- To identify the process to transfer property within the PUD by means of a special warranty deed subject to this agreement.

New 2.1.7:

- To allow for a Boundary Line Adjustment consistent with Kootenai County requirements, but that would still maintain the obligations of the Master Open Space Preservation Agreement.

Modify 4.8:

- To create consistency between the PUD and the SUB regarding property (home) owners associations.

Modify 6.0:

- To create consistency between the MDA & the master Open Space Preservation Agreement.

Modify 11.25: Release Upon Transfer:

- To eliminate providing surety to guarantee performance of whom the property is transferred to and adds language related to what is allowed in the approval process of the transferee.

New 11.3: Transferee Process:

- To include an assignment and assumption agreement, transferee approval, and release and acknowledgement of transfer. These documents as developer and City legal Counsel shall become part of the Master Development Agreement and be used as templates for future transfers of sub-phases.

Ms. Phillips stated that all Public Agencies were noticed as required. Hayden Canyon Charter School, is in favor. Idaho Department of Lands, Kootenai County Community Development, Avondale Irrigation District, and Hayden Area Regional Sewer Board all had no comments. Idaho Transportation District requested additional information with respect to Boekel connectivity, Coeur D'Alene Airport expressed concerns, and the Lakeland School District was opposed to the Annexation Amendment. Public comments that were received at the time of the staff report were one in favor, three neutral, and thirty two opposed the amendments. After the newspaper article that gave the wrong cutoff date for public comment there were sixteen in favor and thirty five opposed.

The Commission took a break at 6:52 p.m.

Public Comments:

Public Testimony – In Favor

Joshua Dahlstrom 2467 West Palaic Drive, Coeur d'Alene Idaho 83815 representing the Hayden Canyon Charter School (HCC) recited the mission statement which is as follows: "Achieving breakthroughs in academic excellence and charter development by inspiring passion for inquiry and life-long learning- utilizing hands on discovery, real world application, collaboration and community; preparing each student

for engagement in productive, thoughtful citizenship.” Mr. Dahlstrom then stated that expeditionary learning offers accommodating a variety of learning styles, mastery of skills and knowledge. high quality work, project-based, multi-disciplinary learning, character development, relationship building resulting in collaboration and mentoring, and Community service. This type of learning out performs standard education testing throughout the state. He gave a description of the schools proposed location, and stated that the HCC would have full access to the many acres for the expeditionary learning. The Interim Facility would consist of Stock twenty-eight by sixty four double class room with restrooms. The Institute for Community (IFC) will then help fiancé the school to build the permit buildings after three years. He then showed the HCC Permanent Facilities site plan he stated that they could speed up the phases as needed for growth it will start as a K-8 and can be built into a High School.

The Current Status is as follows:

- Charter approved and authorized by Lakeland School District in September of 2017.
- Currently enrollment is two hundred sixty nine for opening this Fall with a waiting list of one hundred twelve which is growing almost daily.
- Administrator has been hired and in the process of hiring other staff.
- Site conveyance to IFC needed to provide required security for financing infrastructure and later permanent building.
- Local contractor had committed to installing needed infrastructure in required timeframe.
- Portables classroom and office units are lined up for delivery set-up.

Mr. Dahlstrom continued by stating that unlike conventional public schools, public Charter Schools in Idaho do not have the ability to levy property owners for funding for land and buildings and must generate the needed resources through community support and partnerships. The Charter Petition Narrative and Appendices included in the Performance Certificate approved by Lakeland School district, the IFC is designated to receive the land donation and use it to secure financing for the shared-use facilities including the building leased by HCC and a future YMCA Community Center. He continued that if only the three acres of land were to be donated to the HCC, it would be insufficient collateral for financing the infrastructure and permanent buildings.

- Commissioner Cramer asked what the conflict between Lakeland School District and HCC. Mr. Dahlstrom replied that the performance certificate stated that the school will be built on donated land. It does not state who it will be donated to. Lakeland School District has taken the position that the land be donated to the school district.
- Commissioner Taylor asked if there is a guarantee that if the school fails the school would then revert back to the Lakeland School District. . Mr. Dahlstrom replied that in the deed it will be shown as specifically a use for public schools, it could be any public school.

Jennifer Vest, 6148 La Rochelle Drive, Coeur D Alene, ID 83815 is a board member of Hayden Canyon Charter and has been on the Coeur D’Alene Charter since 1999. She wanted to review the benefits of a Charter School this will provide the opportunity for hands on education and the development will be allowed to use other facilities within the development.

Merlin Thykeson, 13630 North McCormiek Trail, Hayden, ID 83835 he is excited to see a development like this proposal the planned community would put priority to walking, biking, and recreational activity. He believes it would reduce car traffic that can create a live, work, and play. He is in favor of the common spaces being divided among the development phases.

Erik Schmidt, was not present.

Patrick Jones, 401 West Reston Court Coeur d'Alene, Idaho he is a member on the Hayden Canyon Board, he is excited about the Charter school and expeditionary learning is an exciting alternative to the Lakeland School District's format and full of possibilities. He would advise not doing a Sub-homeowners Association, he has seen that become a legal challenge. It may be beneficial for the Commercial corridor to be different from residential. Not from residential to residential phases.

Tamara Sines-Kermelis, 8007 North Stonehaven For, the Charter School she has been attending the HCC meetings. Both of her kids would benefit for development of the exploration of the learning they are different educational needs and they would both be met with this type of learning. Ms. Sines-Kermelis continued that the community has so much growth coming and the community needs another school.

Public Testimony- Neutral

Lance Barnes, neutral not present.

Scott Welgarth, not present.

Public Testimony -Against

Tammy Bateson, 3125 East Lancaster Road, Hayden, Idaho 83835 Ms. Bateson stated that the traffic would be detrimental to the area. She stated that the wildlife and wet land would be negatively affected. She continued by stating that the boundary line adjustments would take over peoples land causing eminent domain she feels it is not beneficial. Ms. Bateson stated the IFC has a liberal agenda wanting gun control, anti-second amendment. Condition twenty eight she is opposed to the developer having choice of the structure as she does not want low income housing or condos in the development even if the setbacks are met. She feels the developer should pay for all infrastructures needed not the community pay a share. She continued that she does not want to pay for snow removal, the school, and infrastructure none of the development. Ms. Bateson continued that she would be going to the Planning Commission, and the City about the possibility of de-annexation of the property. She would like the elected officials recalled.

Brian Wallace, 15506 Washington Street, Rathdrum, Idaho 83835 he is representing the Lakeland School District. The Lakeland School Board feels that the intent of the land agreement was to have the school be a public entity not a private.

- Chair Petersen asked what would happen with the Hayden Charter School if the Amendments are approved. Mr. Wallace replied the Performance Certificate language that was given to the Commission by the HCC was not the updated or newest version. The newest version is not in the certificate. The assumption is that it would be for a Public School. The Lakeland School district is the insurer.
- Vice-Chair Cramer asked how the IFC influences the curriculum of the HCC. Mr. Wallace replied that as far as he knew they wouldn't. However he is a Chief Financial Advisor for Lakeland School District so I would not be the person to talk about curriculum. Vice-chair Cramer asked if the only issue between Lakeland and HCC is the ownership of property. Mr. Wallace replied yes it was to go to a public school; the original agreement was that the School would become a magnet school under the umbrella of the Lakeland School District. Vice-Chair Cramer then asked if Lakeland School District was able to purchase the property. Mr. Wallace stated that after the five years when it became a magnet school Lakeland would take over the responsibilities.

Tracey Tipps, 15161 North Jake Pine Trail, Hayden would like to know how a charter school would benefit the City of Hayden. You would have to apply to get into the school. She stated that when she purchased the property four years ago she was not told about the development. Ms. Tipps stated that the

boundary line adjustments will cause eminent domain. All of the nature will be misplaced do to crowds there will be noise and traffic.

Tom Shoemaker, 4174 East English Point Road Hayden, Idaho he does not believe the traffic impact studies are correct. The intersection at Hayden Avenue and Government Way are crowded now without the business, schools, and residential. The numbers are not adding up.

Kenny Winston, 13206 North West Wood Drive, Hayden, Idaho 83835 He is against the project due to safety issues, he walks every day, there will be too many cars, he left California for this same reason.

Daniel Owsley, 37593 East Hayden Lake Road, Hayden, Idaho 83835 He would not like to see the ability to minor revisions Northern Lakes [Fire Protection District] does not have the ability to service the development, he feels this does not meet standard 3A. Mr. Owsley continued, do not give up the surety agreement requirement, as the City needs these tools to hold the Developers feet to the fire. Mr. Owsley continued with processing concerns he stated that there was almost no information available to the public prior to the deadline of written response before the hearing. Final suggestion would be the traffic studies address all phases, not parts of the phase.

Chair Petersen stated that there were comments written on the Public Hearing Comment Forms and the public marked that they did not wish to speak. The forms will be distributed to the Commission before deliberations for this hearing.

Ken Heinle, 10543 West Barcelona Street Hayden, Idaho 83835 did not wish to speak.

Mr. & Mrs. Norman Schmidt, 5762 East Cortland Road Hayden, Idaho 83835 did not wish to speak.

Elsa Owsley, 37593 East Hayden Lake Road Hayden, Idaho 83835 did not wish to speak.

Jerry Niehoff, did not wish to speak.

Debra Yadow, 736 East Round Up Circle Hayden, Idaho 83835 did not wish to speak.

Ann King, 8233 North Tartan Drive Hayden, Idaho 83835 did not wish to speak.

Julie Bartlett, 13155 North Ferndale Drive Hayden, Idaho 83835 did not to speak.

Jim Bartlett, 13155 North Ferndale Drive Hayden, Idaho 83835 did not wish to speak.

Sharon L. Bruner, 1819 Misty Meadows Court Hayden, Idaho 83835 did not wish to speak.

Mark Villagomez, 1683 East Dodd Road Hayden, Idaho 83835 did not wish to speak.

Rebuttal:

Clay Karwisch, Attorney, 984 East Ironside Drive Boise, Idaho 83706 stated that he felt there needed to be clarification on two big issues the opposition would like addressed. One being the school the other is the overall development. The developer will abide by whomever the Commission thinks is the best choice to donate the land to. He then answered the question raised by Mr. Dahlstrom. If the school fails the land can only be used for the specific purpose of community uses that have already been decided upon. The second overall issue is the traffic concerns. The Development has not proposed anything new that would change the traffic patterns or impact the development as a whole. He does not see how the Commission could find that the proposed changes would change the development not meeting the standards of

approval. He continued by stating that the zoning is R-1 and that low density has not changed with the proposed amendments, the proposal is an even lower density than what could be approved in the development. The concern with the boundary line adjustment process needs to be clarified, there is confusion. The development is changing boundaries within the property; there is no desire or possibility of eminent domain on surrounding property owners. The setback clarification would not change the lot layout, it is meant to have the ability to have more of a setback to be less obtrusive. He continued by stating the development has always been publicly available for people to look at and nothing has been hidden from the public. The clarification on minor amendment is to establish that the City Staff and City Engineer would be the best parties to solve engineering issues such as roadways and plat design so that it meets City standards they may not need Public Hearings. To address comment that the amendments do not address adequate public safety such as fire department the conditions of approval require that there are adequate before final plat. The removal of surety is addressed through City process, the developer cannot build or sell a lot within the City without infrastructure being approved, that step "hold the developers feet to the fire." The developer is obligated to meet all criteria to the agreements. The Parks Plan strategic Plans is being updated for the City, the developer would like clarification before moving forward, the owners are worried this can be a moving target to finish the last phase of development, if possible we would like to know what they will be budgeting for.

Glen Lanker, 1029 East Shadow Wood Lane, Coeur D'Alene, Idaho 83815 wanted to address the comments towards the Institute For Community he referred the Commission to their website at ifcinstitute.org., it is not about liberal agendas, like gun control they help communities grow. He then thanked the Commission and Staff for their time.

Mr. Karwisch, then addressed the Sub-Home Owner Association, he stated that this process will be needed as the PUD will contain both Residential and Commercial properties, and that the HOA's would be disclosed to property owners before they purchase in any development portion of the Subdivision.

Vice-Chair Cramer asked if the Master Home Owners Association is an overseeing body over any sub HOA.

Mr. Karwisch stated yes. The Master HOA would be in charge of the open spaces.

Mr. Lanker stated that a Sub-HOA is really beneficial in order to maintain each space as zoned and not double charge home owners on the development for things that may not pertain to them. Mr. Lanker continued by stating that each Association will be unique to its zoning and/or phase area and will keep the surrounding homeowners from paying dues that do not pertain to their portion of the development.

The Commission agreed that they would like time to read through the testimony before they deliberate. The Commission felt they did not need further testimony or evidence presented for deliberation.

The Public Hearing Closed.

REVIEW OF UPCOMING MEETING CALENDER

Planning and Zoning Commission

Monday, June 3, 2019

- Consent Calendar
- Case No. SUP 0059, a request by Hayden Lake Irrigation District for a water storage tank

Wednesday, June 5, 2019 at City Hall, Council Chambers

- Case No. ANNEX 0011, PUD 0007, and SUB 0028, is a request by Hayden Canyon Land, LLC- Continued Hearing - Closed no Public Testimony.

ADJOURNMENT

The meeting adjourned at 8:34 p.m.


Heather McNulty, Commission Clerk