

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

**July 17, 2017**

**Regular Meeting: 5:00 PM  
Council Chambers  
Hayden City Hall, 8930 N. Government Way, Hayden, ID 83835**

**CALL TO ORDER:**

Chairman Petersen called the meeting to order at 5:02 p.m.

**ROLL CALL OF COMMISSION MEMBERS:**

|                           |             |
|---------------------------|-------------|
| Brian Petersen, Chairman  | Present     |
| Corey Andersen            | Present     |
| Michael Cramer            | Present     |
| Chris Martin              | Present     |
| Alan Davis, Vice-Chairman | Not-Present |
| John Gentry               | Not-Present |

**STAFF PRESENT:**

Connie Krueger, Director  
John Cafferty, Legal Counsel  
Donna Phillips, Senior Planner  
Jamie Gardipe, Planner  
Heather McNulty, Commission Clerk

**FLAG SALUTE:**

Commissioner Cramer led the meeting with the Pledge of Allegiance.

**ADDITIONS OR CORRECTIONS TO THE AGENDA:**

None requested.

**CALL FOR CONFLICTS OF INTEREST:**

No conflicts reported.

**CONSENT CALENDAR:**

The consent calendar included the approval of the meeting minutes for June 27, 2017. The motion was made by Commissioner Martin, and seconded by Commissioner Anderson to approve the consent calendar. All were in favor, none were opposed.

**PUBLIC HEARING:**

**Case No. SUP 0043, a request by Advantage Technology Surveying and Engineering, representing the Human Bean and RTK Investments LLC**

**Staff Introduction:**

Jamie Gardipe, Planner, introduced the proposal for the Special Use Permit, approval to allow a drive-through coffee stand in the Central Business District at site address 8712 North Government Way.

**Applicants Presentation:**

Alicia Addy 12048 North Pine Tree Road Hayden and Jonathan Lannen 9212 North Reed Road Hayden described their proposal for the Special Use Permit. Ms. Addy stated they had a current drive-up coffee stand located at 380 East Neider Road in Coeur d' Alene then provided an overview of her vision for the Hayden location to be built with in the Central Business District. She stated that all building designs will meet the standards of approval within the Central Business District. Mr. Lannen reviewed the second approach off of Wayne Drive explaining that this is to help alleviate traffic entering and exiting Government Way. Ms. Addy stated Rob Wright, P.E. City Engineer, had reviewed the plan and found the location would met all City requirements in regards to traffic flow entering and exiting the property.

**Discussion:**

Commissioner Cramer asked for a review by the applicant of the foot and vehicle traffic flow throughout the parking lot including entrance to and exiting of the property. He also noted his concern in categorizing the proposal as a sit down restaurant. Ms. Addy reviewed the site plan stating that there is designated outside seating available and that food will be served from this location. She went on to say that with the surrounding businesses and local parks she predicts there will be plenty of foot traffic and as designed there is a safe pedestrian flow for the use of the walk-up window. Chairman Petersen asked about the peak hours and traffic flow that is experienced at the 380 East Neider, Coeur d' Alene location. Ms. Addy stated there is up to 250 people served a day at the Neider location and the peak hours of operation are from 6:30 a.m. to 9:30 a.m.

**Staff Presentation:**

Ms. Gardipe then gave her presentation, stating the location, legal description, background and the proposal for the special use permit. She reviewed the standards of approval that are in place for development in the Central Business District. Ms. Gardipe then stated that there is one staff recommended condition for approval for the Special Use Permit and that is that it be based upon the conceptual site plan identified in the record as Exhibit A-8. She explained that the applicant's building and site plan submittals are subject to City Code requirements, including architectural design and development standards for the Central Business District, and are subject to review and approval by the City. A review of City and Idaho State Code was given along with a comprehensive plan analysis and the standards of approval.

**Discussion;**

Commissioner Cramer asked for review from staff on pedestrian traffic in regards to how this meets the pedestrian activity that is predicted to occur at the location. Ms. Gardipe stated that usually at this type of business the foot traffic primarily comes from the surrounding businesses and traffic striping will be in place for pedestrian safety.

**Public Comments:**

None were received.

**Public Testimony:**

No public testimony was given.

**Applicants Rebuttal:**

Mr. Lannen wanted the Commission to know that if there is more foot traffic than first anticipated, they are willing to look into adding more outdoor setting.

**Questions:**

Commissioner Cramer voiced his concern of traffic exiting off and onto Government Way. He would like to see a condition added to the permit to not allow traffic to come back on to Government Way. Ms. Addy stated that the City Engineer had no issue with traffic coming on and off Government Way.

The Public Hearing closed at 5:43 p.m.

**Discussion:**

Commissioner Martin has no concerns with the application after seeing that here is another access off of Wayne Drive. Mr. Andersen stated the pedestrian traffic on the property has been adequately set up for the upcoming local business that are planned or under construction to use the coffee shop. Chairmen Petersen stated that the proposal is a pedestrian friendly design. Mr. Cramer is still concerned about the traffic coming on and off Government Way.

**Motion:**

Commissioner Martin made a motion in Case No. SUP 0043 to approve the Special Use Permit along with the staff recommended condition. Commissioner Andersen seconded the motion.

**Roll Call:**

|                        |     |
|------------------------|-----|
| Commissioner Andersen: | Yes |
| Commissioner Cramer    | Yes |
| Commissioner Martin:   | Yes |
| Chairman Peterson:     | Yes |

All were in favor none opposed. Motion passes.

**PUBLIC HEARING:**

**Case No. ANNEX 0009, a request by Scott McArthur of H2 Surveying & Engineering on behalf of the owner McCarthy Capital, Inc.**

**Staff Introduction:**

Donna Phillips, Senior Planner, introduced the proposal for the Annexation, of the approximately 11 acres at the northeast corner of Government Way and Wyoming Avenue, Hayden, Idaho. The two (2) lots are currently within the unincorporated Kootenai County. The Developer is requesting that upon annexation that the lots are zoned Commercial (C) and Residential (R-1) to allow for future development.

**Applicants Presentation:**

Scott McCarthy, H2O Surveying and Engineering, Hayden, detailed the infrastructure that is currently available and gave a brief property description. He then asked if the Commission had any questions. Chairmen Petersen asked if the proposal met all the standards for approval. Mr. McCarthy then listed all standards for approval and how he had met each standard. It will be consistent with zoning, he stated sanitary sewer would be the biggest financial hit, but there is access to extend the sewer. Traffic flow and infrastructure has been annualized and he feels that any proposed development would be harmonious with its neighboring zones.

**Staff Presentation:**

Ms. Phillips then gave her presentation. She reviewed current zoning and land use and the proposed use of the property and went on to review the sewer infrastructure, and explained the fail or sale ordinance that is currently attached to the property. Ms. Phillips stated there will be right-of-way dedications given to the City along Government Way in order to have a safe and user-friendly environment for pedestrian, bicycle and vehicular traffic. She went over all public noticing with any comments that came back to the City. Ms. Phillips provided the five staff recommended conditions of approval and standards for a zone map amendment as part of an annexation per Idaho Code and Hayden City Code.

**Public Testimony:**

Jim Cultra 300 East Wyoming Avenue, Hayden was neutral to the proposed Annexation. Mr. Cultra stated he had questions about zoning on Government Way and he has questions about sewer coming

down Wyoming. Chairman Petersen stated the Commission hears testimony and then makes a decision on the case before them, he then asked Mr. Cultra what he would like to see the property zoned as. Mr. Cultra replied he would like to see R-1 not multi-family zoning.

Linn Worthington 11319 North Meadow View Lane Hayden, Idaho spoke against the proposed annexation. Ms. Worthington would like to stay in the County and not in the City. She explained that more development or traffic will change the landscape of her property. Her husband is a retired disabled veteran and enjoys the quite atmosphere around her neighborhood. She would like her voice to be heard in regards to a wide buffer zone being in place if development does occur to in order to keep the current rural feel.

Angelica Thomas 11319 North Meadow View Lane, Hayden spoke against the proposed annexation testifying that her father enjoys the view around his home and so do other veterans that come to their home to visit and watch the wildlife. She stated that she would like to see the land preserved for her family.

**Applicants Rebuttal:**

Mr. McCarthy stated although he does not disagree with the public testimony he just heard, development is going on everywhere and the proposal is consistent with City zoning. The hearing before the Commission tonight is about annexation not future development on the property.

**Discussion:**

Commissioners all stated that the applicant has met all standards of approval for the annexation and proposed zoning also falls in line with the City's Comprehensive Plan. Ms. Kruger discussed buffer zones for the proposed properties under each zone presented. The Commission stated there was adequate buffering between parcels.

**Motion:**

Commissioner Cramer made a motion for ANNEX 0009, McCarthy Annexation, to recommend to City Council to approve this request, with staff recommendations of approval. Commissioner Martin seconded the motion.

**Roll Call:**

|                        |     |
|------------------------|-----|
| Commissioner Andersen: | Yes |
| Commissioner Cramer    | Yes |
| Commissioner Martin:   | Yes |
| Chairman Peterson:     | Yes |

All were in favor, none opposed.

**Discussion:**

Chairmen Petersen thanked the public in attendance for their testimony, and their father/husband for his service. Ms. Kruger announced there are two public hearings for the annexation and that the next would be before the City Council for the approval of Case No. Annex 0009.

**Next Meeting:**

August 7, 2017

- Consent Calendar
- Case No. FPUD 0006 and SUB 0022, a request by David Pearson, for final Planned Unit Development and preliminary subdivision approval for The Reserve at Hayden.

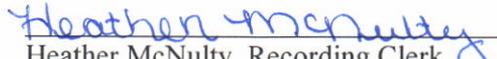
August 21, 2017

- Consent Calendar

- SUB 0023, a request by Lake City Engineering, Public Hearing SUP 0044, a request by Yates Funeral Homes Co., ZC 0022, a request by Lake City Engineering, Inc.

**Adjournment:** The motion to adjourn was made by Chairmen Petersen and seconded by Commissioner Cramer.

The meeting adjourned at 6:42 p.m.

  
Heather McNulty, Recording Clerk