

**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**JUNE 17, 2021
KOOTENAI COUNTY ADMINISTRATION BLDG.
THIRD FLOOR BOARDROOM**

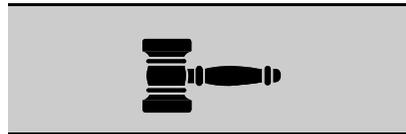
**HEARING EXAMINER
JOAN WOODARD**

**STAFF PRESENT
ZACH TREVINO
LEVI BASINGER
DAVID CALLAHAN
MARY SHAW
BETSY ANDERSON
SANDI GILBERTSON**



**MINUTES
PREPARED BY:**

BETSY ANDERSON
Recording Secretary



**MINUTES
REVIEWED BY:**

LEVI BASINGER
Planner

A handwritten signature in blue ink, appearing to read "Joan C. Woodard".

JOAN WOODARD
Hearing Examiner

The Official Record of Public Hearing is available on-line at
www.kcgov.us

Joan Woodard called the meeting to order at 6:00 p.m.

The Hearing Examiner explained that the purpose of the public hearing is to take testimony on the items that appear on the agenda.

The Hearing Examiner will review the testimony presented and make a written recommendation to the Board of County Commissioners, who will make the final decision.

The hearing was adjourned at 6:29 p.m.

HEARING EXAMINER MINUTES

JUNE 17, 2021

CASE NO. CUP20-0015

Type: Conditional Use Permit, a request by Wesley and Laura Johnson Living Trust for a Conditional Use Permit to establish and operate a Preschool on an approximately 5-acre lot in the Agricultural Suburban zone. The subject parcel is developed with a single-family residence and accessory shop building. The proposed private Preschool will provide pre-kindergarten and kindergarten instruction to children ages four through six, utilizing the garage of the existing residence and outdoor areas. School year operations will take place Monday through Friday from the first Monday after Labor Day until the Friday before Memorial Day, with classes split into morning and afternoon classes. Additionally, a morning-only class will be offered for up to four weeks during the summer. A maximum of six students would be present at the school at any one time. An existing parking area in front of the residence will provide space for pickup and drop-off of students, as well as emergency vehicle turnaround. Access to the subject parcel is gained directly from Cougar Estates Road, a public road maintained by Worley Highway District. The parcel number is 0-1530-001-001-0, described as: COUGAR MEADOWS, LT 1 BLK 1 in Section 29, Township 50 North, Range 04 West, Boise Meridian, Kootenai County, State of Idaho. The Assessor's Identification Number (AIN) is 153542. The existing residence is located at address 5253 W. Cougar Estates Road. (*Zach Trevino/Levi Basinger – Planners*)

Staff Presentation: Levi Basinger, Planner II, introduced the application providing an overview referencing a presentation stating the request is a conditional use permit to establish and operate a Preschool on an approximately 5 acre lot in the Cougar Meadows subdivision. Mr. Basinger presented the proposed site plan, including the classroom and drop-off/pick up area. He noted public agencies had been contacted regarding the proposed pre-school. The County Building Department will require a change of use permit, however the building use classification will remain R-3, single family dwelling, rather than the Group E occupancy per IBC Sec. 305. Those improvements that would have been necessary for a Class E occupancy under the 2018 IBC are no longer required. Panhandle Health District commented that the septic system will not need upgrades as long as no more than 6 children will be on-site at any one time. Kootenai County Fire & Rescue will require improvements to meet fire code and evacuation plans. Mr. Basinger stated two public comments were received prior to the hearing, both in support of the project.

Applicant Presentation: Laura Johnson, Applicant, introduced her proposal with a Power Point presentation, stating she hopes to provide a benefit to the community. The pre-school will be held Monday through Thursday, and will only have one session per day with no more than 6 children on site. The curriculum will include outdoor activities for 50% of the time, regardless of the weather conditions. Mrs. Johnson proposes the Preschool will be child-led, play-based, hands-on learning, serving children ages 4-6. She says the pre-school uses their property's forest, garden and converted garage and will address a critical shortage of quality childcare options in the area. The project is local, low-impact and of minimal impact on resources. Mrs. Johnson also noted they will also voluntarily become licensed with the State of Idaho.

Exhibits: HE 1000 – Staff Presentation submitted by Levi Basinger and Zach Trevino.
HE 1001 – Applicant Presentation submitted by Laura Johnson.

Public Testimony: Comment Sheets submitted: 2. Applicant – 1; In Favor – 0, Neutral – 1, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record.

One person spoke about concerns, including traffic, the curriculum provided and emergency vehicle response times.

Applicant Rebuttal: The Applicant stated the curriculum will be a combination of Natural Start and Montessori methods. Mrs. Johnson stated she has some medical training for wilderness first aid. Any staff member will require a background check prior to working with children.

There being no further comments from the public, testimony was closed on this item at 6:29pm. The Hearing Examiner, Joan Woodard will review this case and submit her written report addressing the remand to the Board of County Commissioners within two weeks.

Submitted by,

Betsy Anderson, Recording Secretary