

PLANNING COMMISSION AGENDA
COEUR D'ALENE PUBLIC LIBRARY
LOWER LEVEL, COMMUNITY ROOM
702 E. FRONT AVENUE

DECEMBER 13, 2016

THE PLANNING COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY

The Planning Commission sees its role as the preparation and implementation of the Comprehensive Plan through which the Commission seeks to promote orderly growth, preserve the quality of Coeur d'Alene, protect the environment, promote economic prosperity and foster the safety of its residents.

5:30 P.M. CALL TO ORDER:

ROLL CALL: Jordan, Fleming, Ingalls, Luttrupp, Messina, Rumpler, Ward

APPROVAL OF MINUTES:

November 8, 2016

PUBLIC COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: Iron Legacy, LLC
Location: W. side of Atlas Rd. S. of Hanley Avenue
Request: A proposed 7.46 ac. annexation from County LI to City C-17.
LEGISLATIVE, (A-6-16)
2. Applicant: Lake Drive Apartments, LLC
Location: 315 E. CDA Lake Drive
Request: A proposed R-34 Density Increase special use permit in the C-17 zoning district.
QUASI-JUDICIAL, (SP-6-16)
3. Applicant: Lake City Engineering, Inc.
Location: Northern end of Victorian Drive
Request: A proposed 1.51 ac. annexation from County AS to City R-3
LEGISLATIVE, (A-7-16)

ADJOURNMENT/CONTINUATION:

Motion by _____, seconded by _____,
to continue meeting to _____, ____, at __ p.m.; motion carried unanimously.
Motion by _____, seconded by _____, to adjourn meeting; motion carried unanimously.

****The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhlmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



MINUTES



**PLANNING COMMISSION
MINUTES
NOVEMBER 8, 2016
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Lynn Fleming
Michael Ward
Peter Luttrupp
Tom Messina, Vice Chair
Lewis Rumpler

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Sean Holm, Planner
Mike Behary, Planner
Shana Stuhlmiller, Public Hearing Assistant
Randy Adams, Deputy City Attorney
Tami Stroud, Planner

COMMISSIONERS ABSENT:

Jon Ingalls

CALL TO ORDER:

The meeting was called to order by Chairman Jordan at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Fleming, seconded by Messina, to approve the minutes of the Planning Commission meeting on October 11, 2016. Motion approved.

COMMISSION COMMENTS:

There were none.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director, announced that we have three hearings scheduled for the December 13th Planning Commission meeting. An appeal was submitted on the Design Review's approval for item DR-4-16. This item is for the property across from City Hall. She stated that staff is working on scheduling a Vacation Rental Ordinance workshop with Council and Planning Commission sometime after Thanksgiving. She commented that earlier this month, staff reached out to the North Idaho Building Contractors Association (NIBCA) and received their feedback on the proposed repeal of the pocket housing ordinance.

PUBLIC COMMENTS:

There were none.

PUBLIC HEARINGS:

1. Applicant: Arvid Lundin
Location: 3202 and 3206 N. 4th
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to NC (Neighborhood Commercial) zoning district QUASI-JUDICIAL (ZC-3-16)

Tami Stroud, Planner, presented the staff report and answered questions from the Commission.

Commissioner Messina requested if staff could explain the history on the condition included in the staff report.

Ms. Stroud explained that there is an outstanding code violation on this property regarding an expansion to the back of the violin shop where a permit was never issued for that expansion. She stated if this is approved, the applicant will need to acquire a building permit for the work done on the expansion.

Public testimony open.

Arvid Lundin, applicant, explained that he would like to retire and feels the only way to sell the property is with the approval of this zone change. He explained he has had people interested in the property, but it was passed over as the property was not properly zoned for the intended use.

Brenny Ross stated that he wants to buy the property so he can use the existing house as an office and would need the zone change since the current zone will not allow this type of use.

Brian Donnell stated that he lives two doors down from this property and remembers a few years ago, that the Planning Commission denied a property zone change because of a lack of parking. He stated since that request, he has had police investigate problems with building violations and loitering. He commented that he intends to live in this area until he retires and feels that this zone change should not be granted. He commented that there are a lot of kids who live in this area and is concerned with their safety.

Deacon Easterly commented that he has lived in this area for 20 years and explained when the city put in a traffic light at the corner of Neider and 4th, traffic increased. He commented that he lives on Ichabod and throughout the year, he has witnessed people leaving this property and speeding down their street.

Chairman Jordan inquired how this type of use would generate additional traffic if the house is intended to be used as an office, as stated from the previous testimony by Mr. Ross.

Cheri Bronstein stated that she is an employee at Lundins Violin Shop and understands the neighbors' concerns regarding traffic. She explained that their customers don't park on Ichabod Street as they have a place to park on their property. She commented that Mr. Ross, who wants to buy the property, intends to use the property as an office and should not generate a lot of traffic. She stated if the neighborhood has concerns with traffic, perhaps they could speak with staff about putting in some traffic calming devices.

Mr. Donnell inquired if staff is going to accept the testimony from Ms. Bronstein, since she lives in Post Falls.

Randy Adams, Deputy City Attorney, stated that Ms. Bronstein's testimony is valid.

Public testimony closed.

Commissioner Luttrupp inquired if the house could be rebuilt if destroyed by fire.

Ms. Stroud stated that the property would have to meet the setbacks of the current zone.

Commissioner Messina stated that he remembers when this property came before the commission many years ago, and was denied because the Commercial zone requested was too intense, and advised the

applicant to apply again, because the commission was working on a new zoning designation that would allow less intense - to allow commercial business to locate within a residential neighborhood.

Chairman Jordan commented that he remembers when this property was a flower shop, and questioned if what is allowed in the Neighborhood Commercial (NC) zone is more obtrusive than what is allowed now.

Ms. Stroud explained what is allowed in the NC zone.

Commissioner Fleming commented if this zone change is approved they could still be allowed to build a 4000 sq.ft. building on the property and inquired if this is correct.

Ms. Anderson stated that within the NC zone, there is a restricted height of 32 feet.

Commissioner Messina stated they are limited to what they can put on this property based on that they would have to provide three parking spaces, which he feels they can't meet.

Commissioner Fleming feels that the current use should stay and it is not a great location for a commercial use.

Commissioner Rumpler stated that tonight's testimony has been compelling, and he realizes this is an area that is going to change and evolve. He concurs with Commissioner Fleming that granting this zone request right now may be premature.

Chairman Jordan commented that he can see both sides. He stated that if this request is not approved, the applicant can build apartments that might be a more intense use than what is proposed tonight.

Commissioner Messina commented that he is not comfortable with commercial on this side of the street.

Motion by Fleming, seconded by Rumpler, to deny without prejudice Item ZC-1-16. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	No
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve denial without prejudice carried by a 4 to 1 vote.

2. Applicant: Michael Kobold
Location: 1820 W. Prairie Avenue
Request: A proposed 2.78 ac. annexation from County Agricultural to City R-3 (Residential at 3 units/acre) zoning district.
LEGISLATIVE (A-5-16)

Ms. Stroud presented the staff report. There were no questions for staff.

Public testimony open.

Drew Dittman, applicant representative, stated that this is a 3 acre parcel and the applicant is requesting an R-3 zone. He commented that the applicant is aware of the connection issues and will further discuss the different options with the Wastewater Department, if approved.

Commissioner Fleming commented that she hopes the existing home remains on the property and feels that we are losing these lovely older homes within the city.

Mr. Dittman stated that the applicant intends to leave the existing house on the property.

Public testimony closed.

Motion by Rumpler, seconded by Fleming, to approve Item A-5-16. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

3. Applicant: SP Affordable Housing Group, III, LLC.
Location: 115 E. Anton Avenue
Request: A proposed R-34 Density Increase special use permit in the R-17(Residential at 17units/acre) zoning district.
QUASI-JUDICIAL (SP-3-16)

Mr. Behary presented the staff report. There were no questions for staff.

Public testimony open.

Sara Bready, applicant representative, stated that staff did a great presentation and that the intent of this request is to have the properties be in compliance with current zoning.

Chairman Jordan inquired if the applicant intends to increase the units on the property.

Ms. Bready responded no.

Public testimony closed.

Motion by Ward, seconded by Rumpler, to approve Item SP-3-16. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

4. Applicant: SP Affordable Housing Group, III, LLC.
Location: 3016 N. Government Way
Request: A proposed R-34 Density Increase special use permit in the R-17(Residential at 17units/acre) zoning district.
QUASI-JUDICIAL (SP-4-16)

Mr. Behary presented the staff report. There were no questions for staff.

Public testimony open.

Commissioner Rumpler commented the staff report states that per the code, this property is required to have 85 parking spaces, but is showing 46 parking spaces, and inquired if the applicant intends to provide more parking.

Commissioner Fleming commented that after looking at the site plan, there seems to be a lot of open space on the property.

Brandon Mussor, applicant representative, explained the difference between the two properties. To the south of the property there is two and three bedroom units where there is more traffic. To the north of the property is studio and senior housing units that don't produce a lot of traffic. He stated that they have visited the site many times throughout the year and parking has not been an issue.

Sara Bready, applicant representative, explained that the area with a lot of grass is where families with kids living in the two and three bedroom apartments play. She commented that the applicant intends to provide additional upgrades to the existing parking lot in 2017.

Chairman Jordan mentioned he has a friend that lives nearby and has never had an issue finding a parking place when visiting.

Public testimony closed.

Motion by Fleming, seconded by Ward, to approve Item SP-4-16. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

5. Applicant: Active West Builders
Location: 2426 W. John Loop
Request: A proposed 15-lot Pocket Housing preliminary plat "Riviera Place"
QUASI-JUDICIAL (S-7-16)

Sean Holm, Planner, presented the staff report. There were no questions for staff.

Public Testimony open.

Eric Olson, applicant representative, stated he was here a couple months ago requesting approval for a similar pocket-housing project named Riviera Court. He commented that staff did a great presentation and feels that he doesn't need to add anything, unless the commission has questions.

Dennis Cunningham, applicant, stated that, hopefully, this is the last pocket-housing project to be approved before the city changes the Pocket-Housing Ordinance. He commented that he hopes staff doesn't totally eliminate pocket-housing, since this has been a good tool to use in different infill areas within the city. He explained that he has been building homes for many years and that there has been high demand for this product.

Chairman Jordan commented that he has seen some infill developments that are good, and has also seen some that don't work.

Public testimony closed.

Motion by Rumpler, seconded by Fleming, to approve Item S-7-16. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

6. Applicant: Northwest Solutions Investment Group
Location: 3635 N. 17th Street
Request: A 2-unit Density Increase per Acre special use permit
QUASI-JUDICIAL (SP-5-16)

Sean Holm, Planner, presented the staff report. There were no questions for staff.

Public testimony open.

Brenny Ross, applicant, stated that his goal is to support and provide affordable workforce housing. He explained that when designing this project, he found there is a great need for one-bedroom units, especially ground floor units - that are particularly appealing to elderly or handicapped residents.

Commissioner Fleming commented that she drove by this property before the meeting and noticed ample greenspace. She described the homes on the property looking like portable buildings and feels that putting all the individual homes under one roof would look better and also eliminate waste. She commented that this development noticeably lacks amenities and suggested that the applicant needs to "raise the bar".

Commissioner Ward commented that he is aware the pipeline runs though the property, creating challenges to meet the building setbacks.

Mr. Holm stated that the easement on the property is very wide and concurs that it doesn't leave a lot of space for preferred designs.

Mr. Ross explained that when designing this project, he tried to preserve as much green space as possible. He stated that the customers he has talked with prefer the stand-alone units, since many have some type of disability preventing them from climbing stairs. Having a stand-alone house makes people feel like they are living in their own home.

Chairman Jordan stated his experience is that renters usually prefer stand-alone units without adjoining walls.

Mr. Ross commented that it's his intent to upgrade the homes with paint, siding, and clean-up the property.

Jenny Hathaway stated her home is on the corner located in a busy area that has traffic problems. She commented that recently, a cab company has moved in to the area resulting in more traffic. She doesn't see how the applicant intends to build six more units without taking out a small amount of greenspace that the kids play on. She commented that she had asked the previous owners if they would put speed bumps on the property to slow vehicles.

Bruce Hathway stated that these little houses don't fit the nature of the neighborhood, so he is opposed.

Mr. Ross explained that he is aware of the property mismanagement, and that the cab company is now gone. He explained that the one-bedroom units are not for kids and feels that by adding more units on the property, it should not be an impact, since the cab company is gone. The pipeline does go through the property and the proposed units will not interfere with the pipeline.

Commissioner Luttrupp feels that the original zone is appropriate and will not support this request.

Public testimony closed.

Motion by Messina, seconded by Ward, to approve Item ZC-1-16. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	No
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	No
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 2 vote.

ADJOURNMENT:

Motion by Luttrupp, seconded by Rumpler, to adjourn the meeting. Motion approved.

The meeting adjourned at 8:12 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



PUBLIC HEARINGS



**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: DECEMBER 13, 2016
SUBJECT: A-6-16 – ZONING PRIOR TO ANNEXATION OF +/-7.46 ACRES FROM COUNTY LIGHT INDUSTRIAL TO C-17.
LOCATION: +/- 7.46 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF ATLAS ROAD AND HANLEY AVENUE.

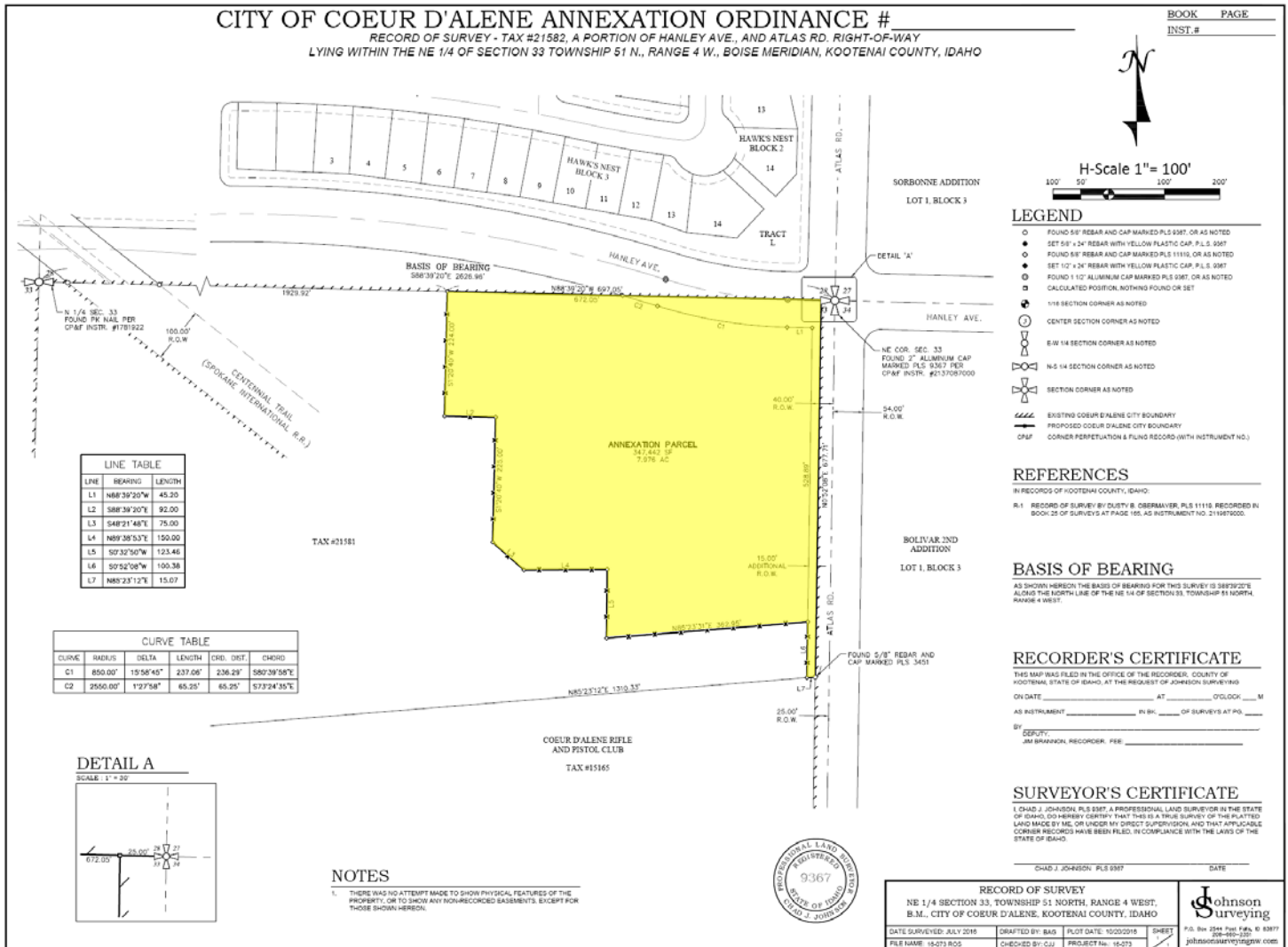
APPLICANT:
Owner: Iron Legacy, LLC
5077 N. Building Center Dr.
Coeur d’Alene, ID 83815

DECISION POINT:
Iron Legacy, LLC is requesting approval of a proposed +/- 7.46 acre annexation from Kootenai County Light Industrial to City C-17 zoning district (Commercial at 17 units/acre).

Area Map:



Annexation Map:



GENERAL INFORMATION:

Iron Legacy, LLC is proposing to annex +/- 7.46 acres as shown on the annexation map. The property is currently zoned County Light Industrial and the applicant is requesting city C-17 zoning district. Planning Commission makes a recommendation whether or not to annex a property into the city, and if so, what zoning designation City Council should consider.

Proposed C-17 Zoning District:

17.05.490: GENERALLY:

A. The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.

B. This district should be located adjacent to arterials; however, joint access developments are encouraged.

C. A variance may be granted to partially waive off street parking and/or lot coverage requirements for commercial developments utilizing common parking facilities.

D. Residential developments in this district are permitted as specified by the R-17 district.

E. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service, and industry uses, except residential uses for four (4) or fewer dwellings.

17.05.500: PERMITTED USES; PRINCIPAL:

Principal permitted uses in a C-17 district shall be as follows:

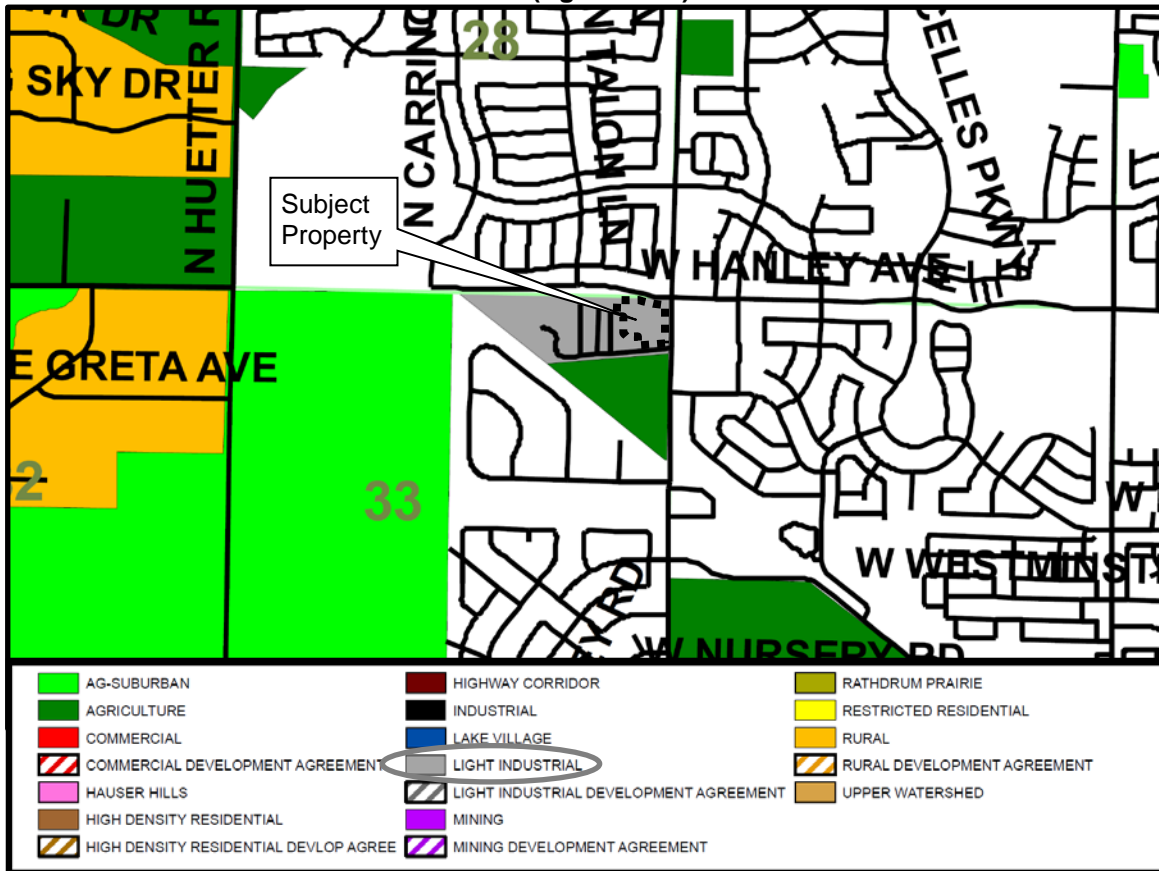
- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores, on/off site consumption.
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders facility.
- Laundry service.
- Ministorage facilities.
- Multiple-family housing (as specified by the R-17 district).

- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Pocket residential development (as specified by the R-17 district).
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office.

17.05.510: PERMITTED USES; ACCESSORY:

- Accessory permitted uses in a C-17 district shall be as follows:
- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district.

CURRENT KOOTENAI COUNTY ZONING (Agriculture):



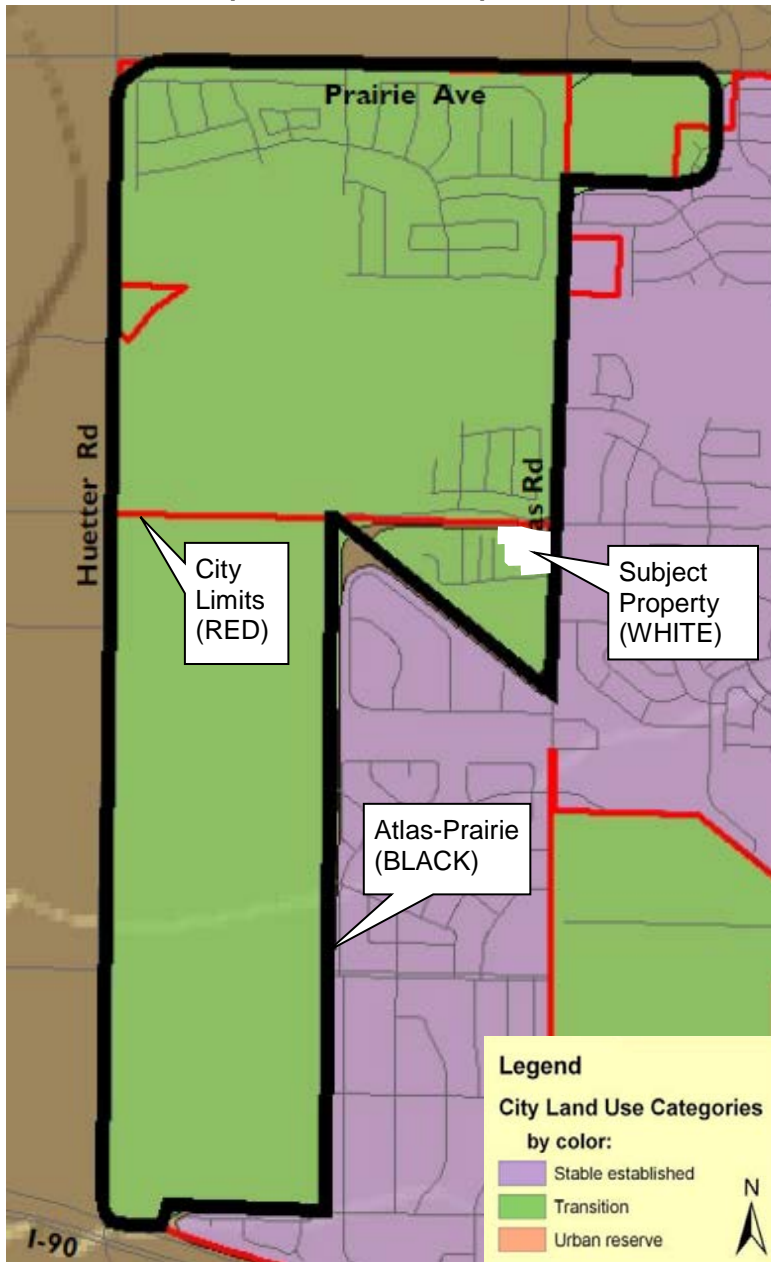
REQUIRED FINDINGS FOR ANNEXATION:

Finding #B8: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as: **Atlas-Prairie:**

Atlas-Prairie Comprehensive Plan Map:



Transition:

These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots and general land use are expected to change greatly within the planning period.

Land Use: Atlas-Prairie

Atlas-Prairie Today:

This area consists largely of prairie farmland and native conifer forest. The northern tier of the district contains a rapidly developing, suburban subdivision. This area lies over the Spokane Valley-Rathdrum Prairie Aquifer, and also holds the last, large tract of vacant land within the Area of City Impact (ACI).

Farmland is broken into parcels ranging from approximately 23 to 160+ acres. Subdivisions are developing with approximately three houses per acre (3:1). The remaining parcels provide opportunities for large-scale master planning.

Public infrastructure for development is not present in some locations and would require extensions from existing main lines.

Atlas-Prairie Tomorrow:

Generally, this area is envisioned to be a residential area, lower in density, that develops with interconnected neighborhoods providing a mix of housing choices.

The characteristics of Atlas-Prairie neighborhoods will be:

- That overall density may approach four to five residential units per acre (4-5:1), however, pockets of higher density housing and multi-family units are appropriate incompatible areas.
- Annexing requires careful evaluation of infrastructure needs.
- Open space, parks, and pedestrian and bicycle connections will be provided.
- Developments adjacent to the Area of City Impact (ACI) boundary will provide for a distinctive entrance to the city.
- Neighborhood service nodes where appropriate.
- The street network will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- A bypass study is underway to determine how traffic will be distributed to ease pressure from US 95.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

- **Objective 1.02 - Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.11- Community Design:**
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 - Community Design:**
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.13 - Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

- **Objective 1.16 - Connectivity:**
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- **Objective 2.02 - Economic & Workforce Development:**
Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.
- **Objective 2.05 - Pedestrian & Bicycle Environment:**
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.
- **Objective 3.01 - Managed Growth:**
Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population
- **Objective 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.10 - Affordable & Workforce Housing:**
Support efforts to preserve and provide affordable and workforce housing.
- **Objective 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **Objective 4.02 - City Services:**
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

Evaluation: *Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STORMWATER:

Stormwater will be addressed as the areas proposed for annexation develop. The area proposed for C-17 zoning applications will typically utilize curb adjacent drainage swales, while the proposed commercial areas will construct site specific drainage areas within any defined parking lots.

-Submitted by Shane Roberts, Public Works Inspector

STREETS:

The area proposed for annexation is bordered by two arterial roadways, Atlas Road (N/S) and Hanley Avenue (E/W) which is within the City of Coeur d'Alene's jurisdictional boundary.

The frontage along Atlas Road is partially developed. Any necessary improvements would be addressed at the time the site is developed. Ingress/egress will be allowed per the discretion of the City Engineer, on Hanley Avenue. The Atlas/Hanley intersection is fully signalized. Access restrictions may be utilized within 300' of the intersection to reduce/avoid designated turn lane conflicts.

-Submitted by Shane Roberts, Public Works Inspector

WATER:

The property for proposed annexation lies within the City of Coeur d'Alene water service area. There are water mains adjacent to the property on both Atlas and Hanley. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel under the proposed C17 zoning. Proposed development of the parcel will require extension of the public water utilities at the owner/developer's expense.

-Submitted by Terry Pickel, Water Superintendent

WASTEWATER:

The Wastewater Utility has no objections to Annexation A-6-16, and based on the public sewer availability, the Wastewater Utility presently has the wastewater system capacity and willingness to serve this project as proposed. Public sewer is available within the Hanley Avenue Right-of-Way which borders the subject property's northerly property line.

The subject property is required to connect to the public sewer prior to the Wastewater Utility signing off on building permits. Recorded "As-built" Drawings do not show a sewer lateral was extended to the subject property.

All developments that discharge sewer into the Hawks Nest Lift Station are required to financially contribute the future Huetter Interceptor with regards to their respective capacity. At the time of building permit, this development will be required to pay the Huetter Interceptor Fee (\$650.00/ERU).

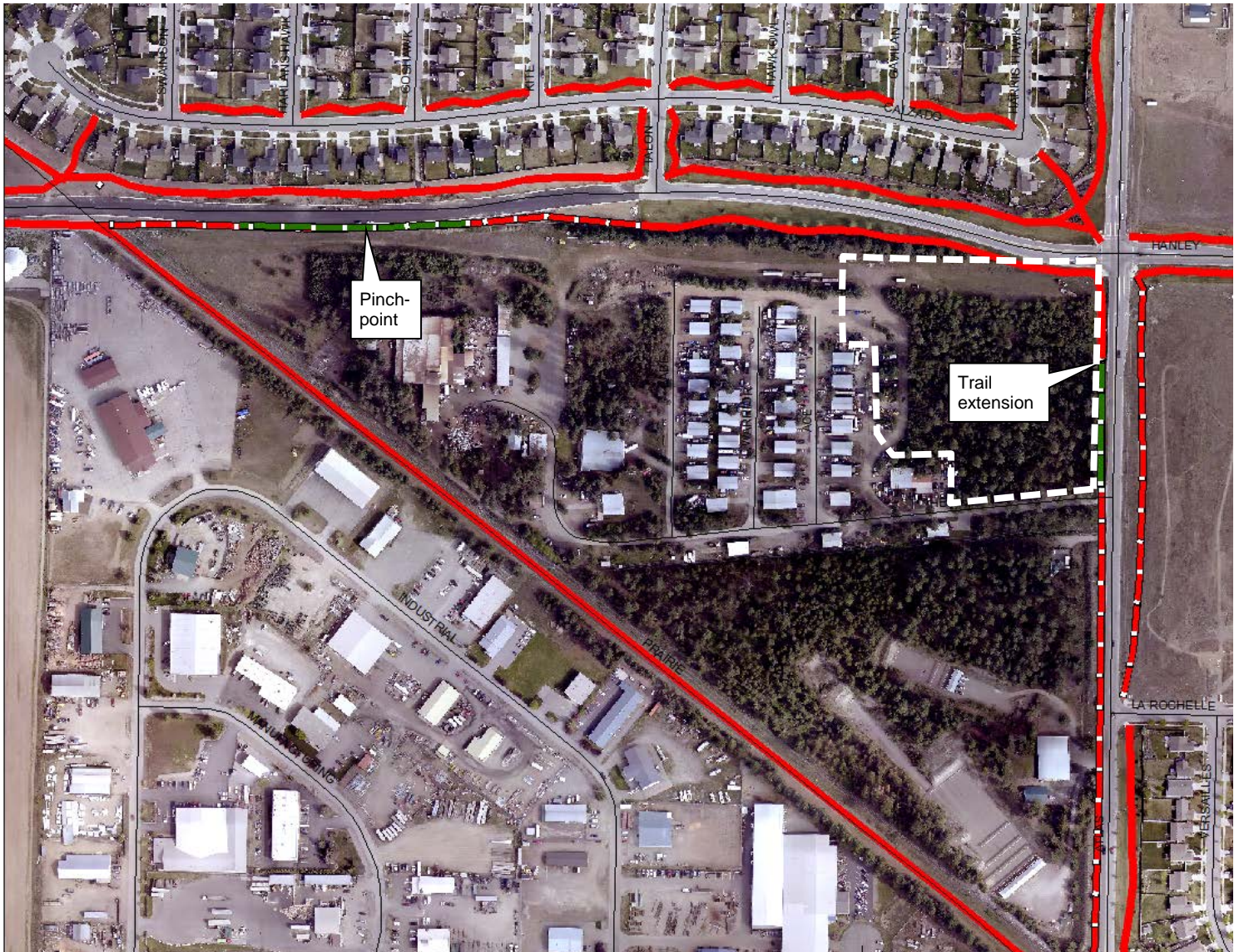
-Submitted by Mike Becker, Utility Project Manager

PARKS (TRAILS & STREET TREES):

The Trails and Bikeways Masterplan calls for a paved 10' to 12' shared-use asphalt path to be built along the east side of the development in either the private property or the right of way along the west side of Atlas Road. This trail would be built instead of a sidewalk. Our preferred width is 12' but 10' is allowed if there are property constraints.

The City is also requesting the ability to connect the shared use path along the south side of Hanley near the subject property with the Prairie Trail to the west. There is a "pinch-point" where the existing fence is too close to Hanley to allow a trail to be built for connectivity to the current trail along Hanley and to the Prairie Trail (see map below). A 20' easement or dedication of right-of-way to allow for a future trail along the south of Hanley Road curb line has been suggested to be included in an annexation agreement or to be completed prior to the agreement. An easement or dedication of the right-of-way would allow a trail to be built next to the road to give pedestrians and bicyclists a safe path.

-Submitted by Monte McCully, Trails Coordinator



There is an existing row of native trees and shrubs within the area that appears to be the public right-of-way along Hanley Avenue (see map below). The City would like for these trees to be retained as they provide many benefits including providing a natural buffer between the residential neighborhood and commercial lots.

Any trees within the public right-of-way are considered street trees and require a permit to prune or remove. Planting of new street trees along street frontages will also be required as site development and/or building permits are approved.

-Submitted by Katie Kosanke, Urban Forestry Coordinator



FIRE:

The Fire Department works with the Engineering, Water, and Building Departments, to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire Department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation, or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CDA FD will address all concerns at site development and building permit submittals.

-Submitted by Bobby Gonder, Fire Inspector

Evaluation: *Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

Finding #B10: **That the physical characteristics of the site (make) (do not make) it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The subject property is relatively flat with Atlas Road to the east. The site has been recently cleared as shown in the following pictures.

Directly north is Hanley Avenue. A portion of the Hanley Ave. frontage has been improved and includes landscaping and trees, a ten foot (dead end) asphalt trail, and a mature buffer backdrop of evergreen trees to mitigate the existing industrial type uses from the subdivision known as "Hawks Nest".

Due to the nature of the area being surrounded by existing city limits, along with the availability of city utilities near the site, it is the opinion of staff that the subject property is suitable for annexation and development at this time.

PHOTOS OF SUBJECT PROPERTY:

Looking east from Hern Ave (in county) with subject property to the north (left):



Corner of Hern Ave and Atlas Rd looking north toward Hawk's Nest:



Subject property from Hern Ave looking north:



"Pinch point" along Hanley Ave.:



Trail along Hanley Ave. near terminus looking east:



Corner of Atlas Rd and Hanley Ave looking north toward the subject property:



Evaluation: Planning Commission must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.

Finding #B11: That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

TRAFFIC:

The requested commercial zones total 7.46 acres, however, without defined uses, traffic volumes cannot be estimated. Traffic estimates vary considerably with the type of use, and, since the proposed C-17 zone is the broadest use zoning designation utilized in the City, volumes cannot be determined until site specific uses have been proposed.

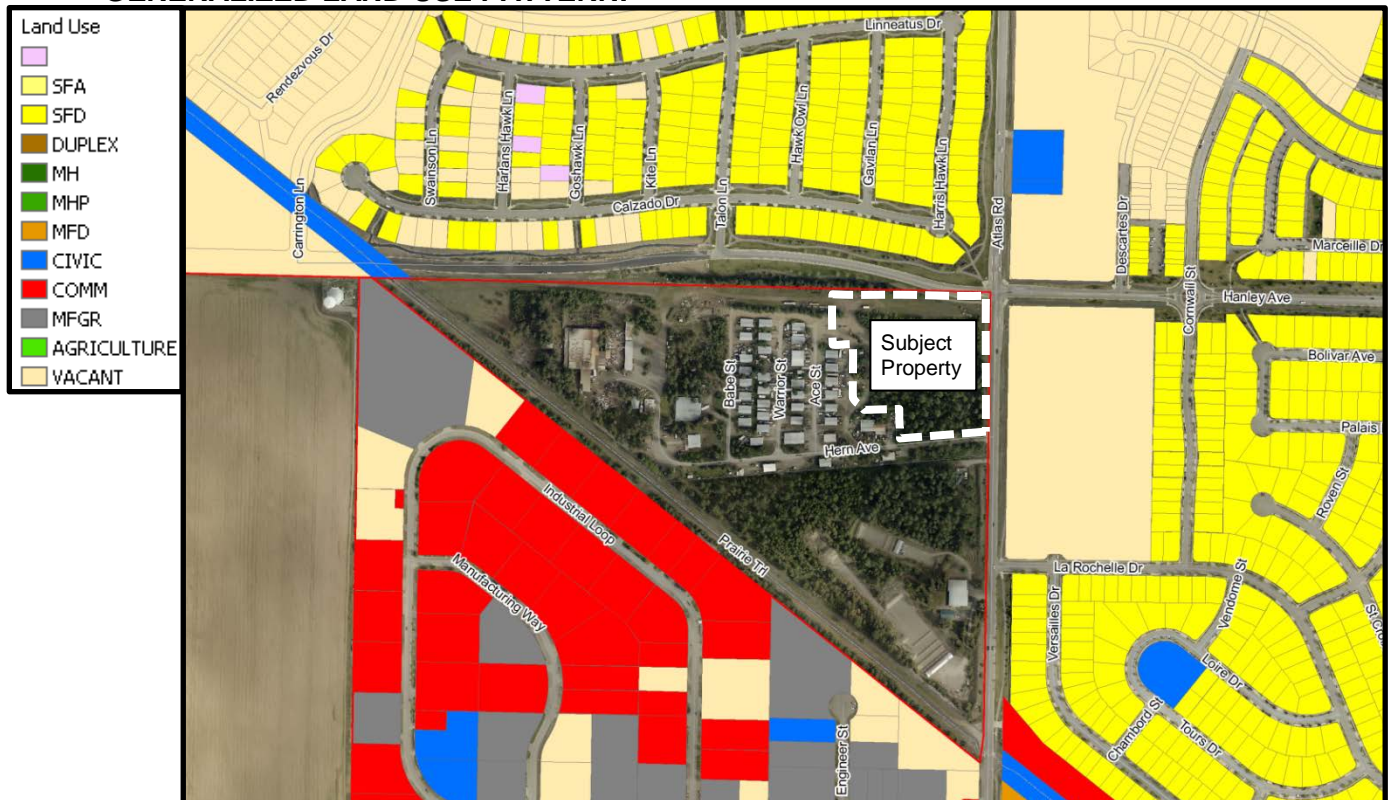
Any related traffic impacts are evaluated prior to issuance of building permits. The Development Impact Fee Ordinance requires any extraordinary traffic impacts to be mitigated by the applicant as a condition of permit issuance. Therefore potential traffic impacts need not be addressed at this time.

-Submitted by Shane Roberts, Public Works Inspector

NEIGHBORHOOD CHARACTER:

See the "Atlas-Prairie" descriptions from the 2007 Comprehensive Plan listed in Finding #B8 as well as the photos of subject property. A land use and zoning map are provided below to assist in depicting the context of the area.

GENERALIZED LAND USE PATTERN:



EXISTING ZONING:



Evaluation: Planning Commission must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.

STAFF COMMENTS TO CONSIDER FOR ANNEXATION AGREEMENT:

Parks: Provide 20' in the form of an easement or dedication of right-of-way from southern curb for a future trail along Hanley Ave. where there is a "pinch-point" (see map on page 9 of staff report).

ORDINANCES & STANDARDS USED FOR EVALUATION:

- 2007 Comprehensive Plan
- Transportation Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2010 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

Planning Commission must consider this request and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S
NARRATIVE**



JUSTIFICATION

The subject property has been considered part of the Hern Industrial Park for many years and this particular area is the undeveloped parcel that fronts N. Atlas Road and W. Hanley Avenue. Per the 2007 Comprehensive Plan Category it is considered “Transitional” which seems logical in this area of the City. With the large amount of housing developments that surround the subject property to the north (Hawks Nest, The Trails and The Landings) and east (Coeur d’Alene Place), a commercial development in this area is an improvement that is much needed and can support these neighborhoods.

We are located in the Ramsey – Woodland neighborhood area and, as previously mentioned, there is a large number of homes in this immediate area which could utilize the services provided within our development plan.


This property does not appear to be identified with any Special Areas for consideration during planning.

GOALS AND POLICIES


Goal #2: Economic Environment – this goal mentions the desire to preserve the city’s quality workplaces and encourages economic growth per objective 2.02. This parcel, along with our development plan, shall create jobs and provide a service not only for the local neighbors but for the entire city.

Goal #3: Home Environment – With residential neighbors surrounding the subject property to the north and east, we feel that per objective 3.06 we can provide a service to them that is within walking/biking distance or on the way home for that fill up of gas or loaf of bread. Additional commercial/retail capacity is envisioned here as well to support these existing neighborhoods.





FINDINGS



**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on December 13, 2016, and there being present a person requesting approval of ITEM A-6-16, a request for zoning prior to annexation from County LI to City C-17.

APPLICANT: IRON LEGACY, LLC

LOCATION: +/- 7.46 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF ATLAS RD AND HANLEY AVE.

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential and commercial.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County LI.
- B4. That the notice of public hearing was published on December 3, 2016, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on December 13, 2016.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available to the property?

B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

Criteria to consider for B10:

1. Topography.
2. Streams.
3. Wetlands.
4. Rock outcroppings, etc.
5. vegetative cover.

B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

1. Traffic congestion.
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **IRON LEGACY, LLC** for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Suggested provisions for inclusion in an Annexation Agreement are as follows:

Parks:

Provide 20' in the form of an easement or dedication of right-of-way from southern curb for a future trail along Hanley Ave. where there is a "pinch-point" (see map on page 9 of staff report).

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

PLANNING COMMISSION STAFF REPORT

FROM: MIKE BEHARY, PLANNER

DATE: DECEMBER 13, 2016

SUBJECT: SP-6-16, REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A DENSITY INCREASE TO R-34 FOR A PROPOSED MULTI-FAMILY APARTMENT COMPLEX IN THE C-17 COMMERCIAL DISTRICT

LOCATION: A .9 ACRE PARCEL LOCATED AT 315 E COEUR D'ALENE LAKE DRIVE

APPLICANT/OWNER:

Lake Drive Apartments, LLC
c/o Ben Widmyer
PO Box 136
Coeur d'Alene, ID 83814

DECISION POINT:

Lake Drive Apartments, LLC is requesting approval of a special use permit to allow a density increase to R-34 density that will allow a proposed 30 unit multi-family apartment building in the C-17 Commercial Zoning District.

BACKGROUND INFORMATION:

The applicant is proposing to allow a total of 30 residential units on the subject site. The current zoning allows for a total of 15 residential units on this size of a parcel. The applicant has indicated that there will also be a commercial component on the first floor of the development. The applicant has indicated that the commercial use will most likely be a coffee shop. The C-17 zoning allows for the proposed commercial activity as a permitted use.

The proposed structure is five stories tall and will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for multi-family structures. The applicant has submitted two building elevations of the proposed building indicating how it will look from two different vantage points. (See building elevations on pages 3 and 4 of the staff report)

The subject property is vacant and has been for many years. There are some mature ponderosa pine trees on the property and the applicant has indicated that they intend to save as many of them as possible within the proposed development. The applicant has submitted a site plan that shows the trees, proposed parking, and building location on the subject site. (See site plan on page 3 of the staff report)

East Sherman and this area are currently being studied to encompass a new redevelopment plan and strategy for this part of the city. The applicant has indicated that the proposed development may kick start and help in the process of the revitalizing this area of the city.

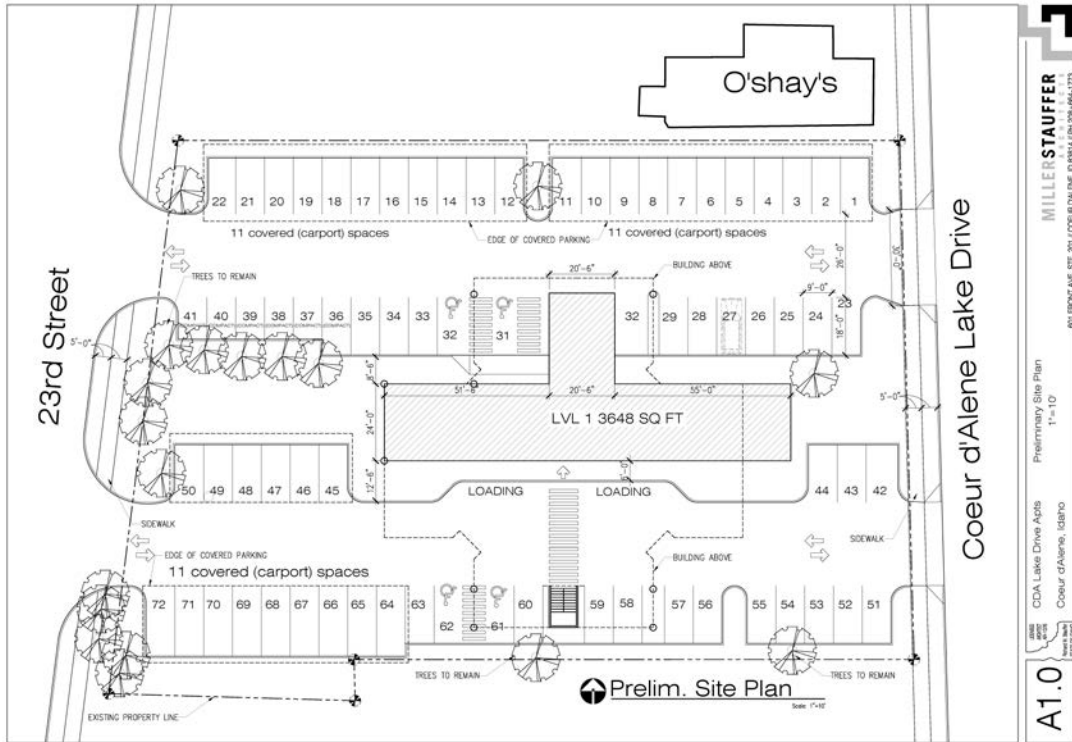
PROPERTY LOCATION MAP:



AERIAL PHOTO:



APPLICANT'S SITE PLAN:



MILLERSTAUFFER
 801 FRONT AVE. STE. 201 COEUR D'ALENE, ID 83814 PH: 208-864-1773
 CDA Lake Drive Apts Preliminary Site Plan
 1"=10'
 Coeur d'Alene, ID8380
A1.0

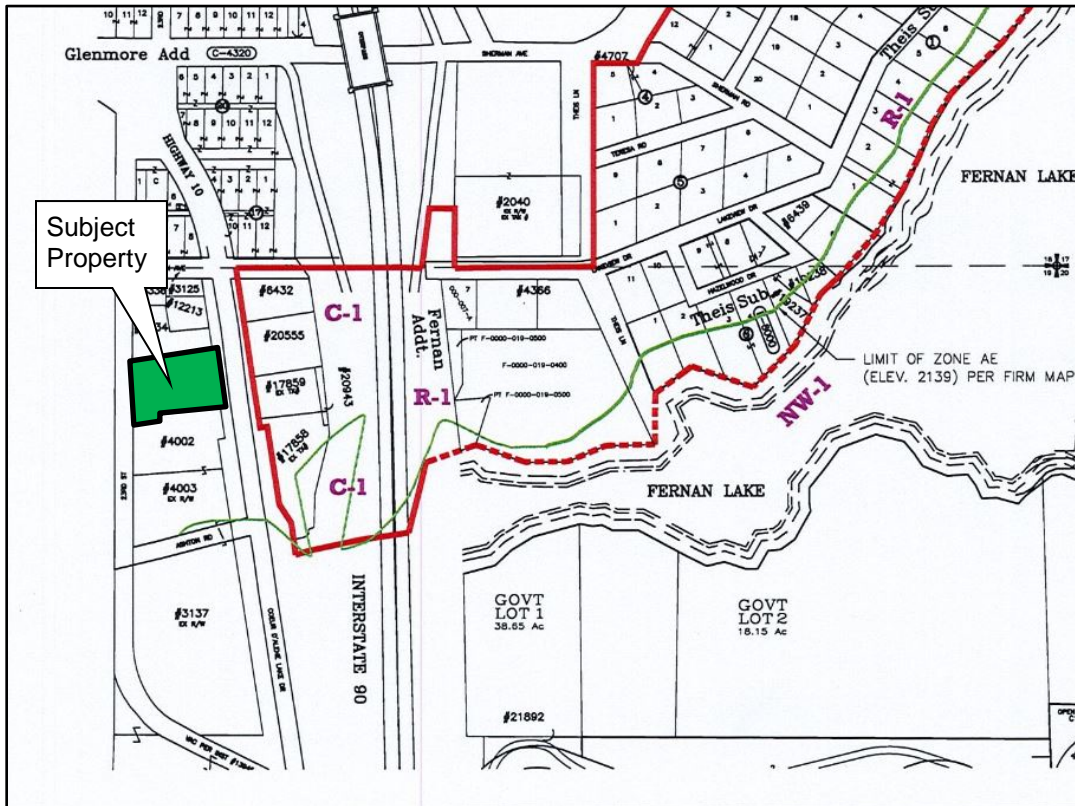
APPLICANT'S BUILDING ELEVATION - 1:



APPLICANT'S BUILDING ELEVATION - 2:



ZONING MAP – CITY OF FERNAN LAKE VILLAGE:



ZONING MAP:



C-17 COMMERCIAL ZONING DISTRICT:

The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre. This district should be located adjacent to arterials; however, joint access developments are encouraged.

17.05.500: PERMITTED USES; PRINCIPAL

Principal permitted uses in a C-17 district shall be as follows:

- Administrative offices
- Agricultural supplies and commodity sales
- Automobile and accessory sales
- Automobile parking when serving an adjacent business or apartment
- Automobile renting
- Automobile repair and cleaning
- Automotive fleet storage
- Automotive parking
- Banks and financial institutions
- Boarding house
- Building maintenance service
- Business supply retail sales
- Business support service
- Childcare facility
- Commercial film production
- Commercial kennel
- Commercial recreation
- Communication service
- Community assembly
- Community education
- Community organization
- Construction retail sales
- Consumer repair service
- Convenience sales
- Convenience service
- Department stores
- Duplex housing (as specified by the R-12 district)
- Essential service
- Farm equipment sales
- Finished goods wholesale
- Food and beverage stores, on/off site consumption
- Funeral service
- General construction service
- Group assembly
- Group dwelling - detached housing
- Handicapped or minimal care facility

- Home furnishing retail sales
- Home occupations
- Hospitals/healthcare
- Hotel/motel
- Juvenile offenders facility
- Laundry service
- Ministorage facilities
- Multiple-family housing (as specified by the R-17 district)
- Neighborhood recreation
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Personal service establishments
- Pocket residential development (as specified by the R-17 district)
- Professional offices
- Public recreation
- Rehabilitative facility
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

17.05.510: PERMITTED USES; ACCESSORY

Accessory permitted uses in a C-17 district shall be as follows:

- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district

17.05.520: PERMITTED USES; SPECIAL USE PERMIT

Permitted uses by special use permit in a C-17 district shall be as follows:

- Adult entertainment sales and service
- Auto camp
- Criminal transitional facility
- Custom manufacturing
- Extensive impact
- Residential density of the R-34 district as specified
- Underground bulk liquid fuel storage - wholesale
- Veterinary hospital
- Warehouse/storage
- Wireless communication facility

R-34 RESIDENTIAL ZONING DISTRICT:

The R-34 district is intended as a high density residential district, permitting thirty four (34) units per gross acre that the city has the option of granting, through the special use permit procedure, to any property zoned R-17, C-17, C-17L or LM. To warrant consideration, the property must in addition to having the R-17, C-17, C-17L or LM designation meet the following requirements:

1. Be in close proximity to an arterial, as defined in the Coeur d'Alene transportation plan, sufficient to handle the amount of traffic generated by the request in addition to that of the surrounding neighborhood; and the project and accessing street must be designed in such a way so as to minimize vehicular traffic through adjacent residential neighborhoods.
2. Be in close proximity to shopping, schools and park areas (if it is an adult only apartment complex proximity to schools and parks is not required).

This district is appropriate as a transition between R-17 and commercial/industrial. Single-family detached and duplex housing are not permitted in this district. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses except residential uses for four (4) or fewer dwellings

17.05.340: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-34 district shall be as follows:

- Essential service.
- Multiple-family housing.
- Neighborhood recreation.
- Pocket residential developments as specified by the R-17 district.
- Public recreation.

17.05.350: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-34 district shall be as follows:

- Accessory dwelling units.
- Garage or carport (attached or detached).
- Mailroom or common use room for pocket residential or multiple-family development.
- Outside area or building for storage when incidental to the principal use.
- Private recreation facility

17.05.360: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-34 district shall be as follows:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles.
- Commercial recreation.
- Community assembly.
- Community education.
- Convenience sales.
- Four (4) unit per gross acre density increase.
- Group dwelling - detached housing.
- Hotel/motel.
- Noncommercial kennel.
- Religious assembly.

17.05.370: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-34 district shall be as follows:

- 63 feet for multiple-family and nonresidential structures.

17.05.370: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for multi-family housing in an R-17 district are as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').

4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

17.06.425: MINIMUM SETBACK AT REAR AND SIDE LOT LINES:

All accessory structures must be set back at least five feet (5') from side and rear yard lot lines unless the structure's roof slopes toward the interior of the lot or is otherwise constructed in a manner that prevents snow and runoff from crossing the property line.

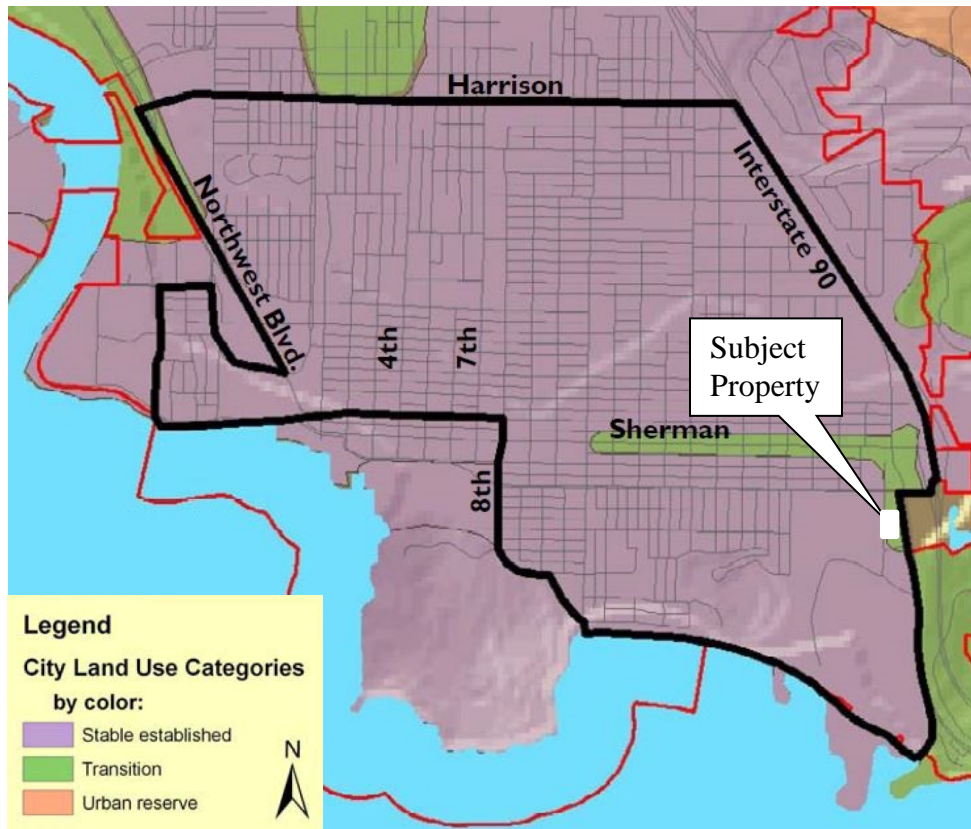
REQUIRED FINDINGS FOR SPECIAL USE PERMITS:

Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

A. Finding #B8A: The proposal (is) (is not) in conformance with the Comprehensive Plan.

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Historical Heart, Transition:

COMPREHENSIVE PLAN MAP: HISTORICAL HEART



Transition Areas:

These areas are where the character of neighborhoods is in transition and should be developed with care. The street network, the number of building lots and general land use are expected to change greatly within the planning period.

Historical Heart Today:

The historical heart of Coeur d' Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come. Numerous residential homes in this area are vintage and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

Historical Heart Tomorrow:

Increased property values near Lake Coeur d'Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential, and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard, and I-90 are gateways to our community and should reflect a welcoming atmosphere.

Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

The characteristics of Historical Heart neighborhoods will be:

- That infill regulations providing opportunities and incentives for redevelopment and mixed use development will reflect the scale of the existing neighborhoods while allowing for an increase in density.
- Encouraging growth that complements and strengthens existing neighborhoods, public open spaces, parks, and schools while providing pedestrian connectivity.
- Increasing numbers of, and retaining existing street trees.
- That commercial building sizes will remain lower in scale than in the downtown core.

2007 Comprehensive Plan Goals and Objectives that apply:**Objective 1.06****Urban Forests:**

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.12**Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14**Efficiency:**

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 2.01

Business Image & Diversity:

Welcome and support a diverse mix of quality professional, trade, business, and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 3.01

Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.05

Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 4.01

City Services:

Make decisions based on the needs and desires of the citizenry.

Evaluation: *The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

B. Finding #B8B: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

The proposed building will have to meet all the required building setbacks and maximum building height requirements that are required for multi-family structures. The property to the north of the subject site has a restaurant use located on it. To the east across Coeur d'Alene Lake Drive there are hotel uses and vacant properties. To the south is vacant, however in the recent past was used as an RV park. To the west is a golf course.

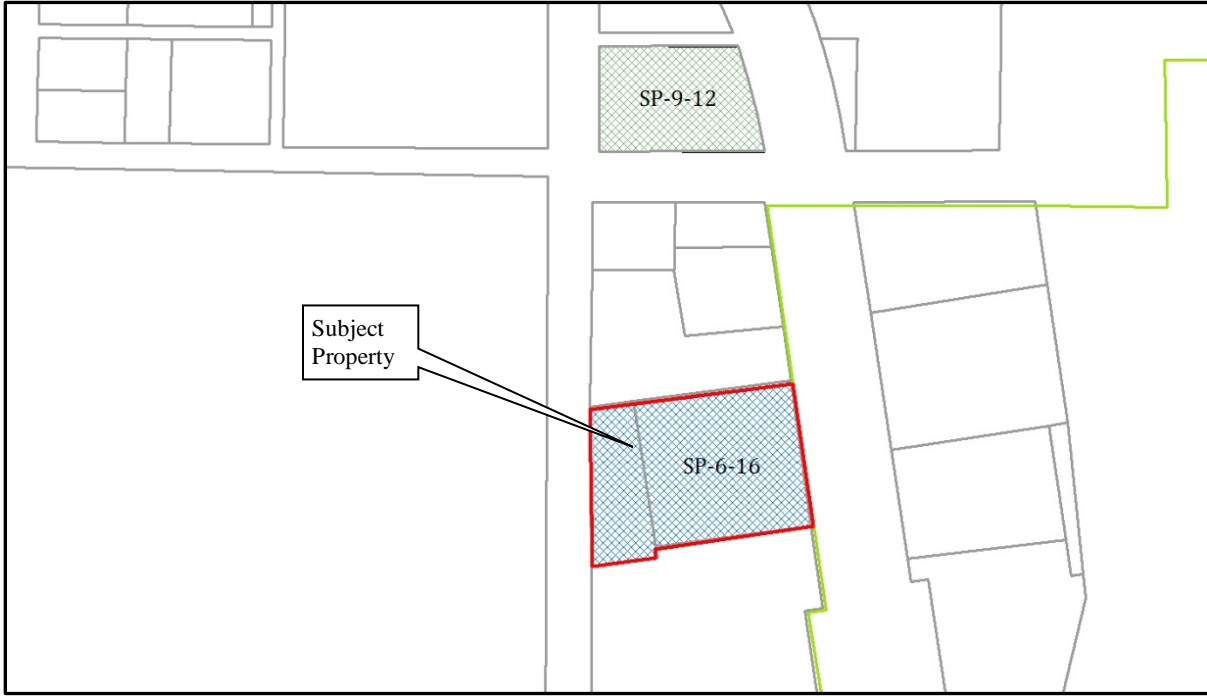
The property to the north and south of the subject site are zoned Commercial (C-17). The properties to the east are located in the City of Fernan Lake Village and are zoned C-1 Commercial. The golf course located to the west is zoned C-17PUD (as shown on the zoning map on page 4).

There is one special use permit in the vicinity of the subject property. The Planning Commission approved a special use request for a cell tower (SP-9-12) north of the subject property in 2012 as shown in the map provided below. (See page 11 of the staff report)

The subject site is adjacent to Coeur d'Alene Lake Drive, which is an Arterial Road. The subject site also has frontage along 23rd Street and the site plan indicates that there will be two access points onto 23rd Street.

The property is located two blocks south of Sherman Avenue, which offers a variety of shopping opportunities. Fernan Elementary is located approximately 6 blocks to the north of the subject property and Centennial Trail is located adjacent to the property along Coeur d'Alene Lake Drive.

SURROUNDING SPECIAL USE LOCATIONS:



GENERALIZED LAND USE MAP:



SITE PHOTO - 1: View from the southeast part of property looking north



SITE PHOTO - 2: View from the center part of property looking east



SITE PHOTO - 3: View from the center part of property looking south



SITE PHOTO - 4: View from the center part of property looking west



Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses and is designed appropriately to blend in with the area.

- C. **Finding #B8C:** The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities, and services.

STORMWATER:

Stormwater treatment and containment will be addressed during development and constructed on the subject property. The City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

STREETS:

The subject property is bordered by E. Coeur d'Alene Lake Drive on the East and 23rd Street on the West. The current right-of-way width's meet the City standards. No alterations to the street sections will be required.

TRAFFIC:

With the proposal of 30 units on the subject property, if it were developed to the maximum density, utilizing average peak hour ADT's of 0.90, the ITE Trip Generation Manual estimates that approximately 25.2 ADT's at peak hours may be generated. The roadway fronting the subject property has the capacity to handle the traffic from the proposed development. The Engineering Department has no objection to the proposed special use permit as proposed.

-Submitted by Shane Roberts, Public Works Inspector

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed density increase to R-34 for 315 E. Coeur d'Alene Lake Drive. There is an existing 8" water main in the right-of-way along the west side of Coeur d'Alene Lake Drive. There are no public water utilities on the west side of the subject parcel along S 23rd Street.

There are no water services currently stubbed to the subject parcel. If additional utilities are required per a proposed development, it will be the responsibility of the owner/developer to provide them at their expense. The Water Department has no objection to the proposed special use permit as proposed.

-Submitted by Terry Pickel, Water Superintendent

SEWER:

The subject property was modeled within the 2013 Sewer Master Plan. The nearest public sewer with available capacity is the 8" sewer main within the 23rd Street Right-of-Way which borders the subject property's westerly property line. Sewer Policy #719 prohibits structures of any kind to be erected over public sewer mains and/or easements. The Wastewater Utility has no objections to SP-6-16, and based on the public sewer availability, the Wastewater Utility presently has the wastewater system capacity and willingness to serve this project as proposed.

-Submitted by Mike Becker, Utility Project Manager

PARKS:

The Parks Department has no requirements for this development. Since it is adjacent to the Centennial Trail the developer may want to consider trading public parking for an enclosed bike rack. The preferred style of bike rack is the inverted U shape racks and not the wavy racks. The Parks Department has no objection to the proposed special use permit as proposed.

-Submitted by Monte McCully, Trails Coordinator

FIRE:

The Fire Department works with the Engineering and Water Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (road widths, surfacing, maximum grade, and turning radiuses), in addition to, fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to building permit or site development, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to this special use permit as proposed.

-Submitted by Bobby Gonder, Fire Inspector

Evaluation: *Planning Commission must determine if the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services.*

PROPOSED CONDITIONS:

Wastewater:

1. The applicant will not be allowed to build the proposed carport over an existing public sewer main along the northerly property line.
2. The subject property will be required to connect to the 8" public sewer main within the 23rd Street Right-of-Way.

Planning:

3. Prior to issuance of any building permits, the two parcels will need to be consolidated through the City's lot consolidation process to allow the building(s) to be built over the existing property line.

The Planning Commission may, as a condition of approval, establish reasonable requirements to mitigate any impacts that would adversely affect the surrounding neighborhood. Please be specific, when adding conditions to the motion.

ORDINANCES AND STANDARDS USED IN EVALUATION:

- 2007 Comprehensive Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make appropriate findings to approve, deny, or deny without prejudice. The findings worksheet is attached.

A decorative border composed of a grid of purple diamonds in various shades, surrounding a central light purple rectangular area.

**APPLICANT'S
NARRATIVE**

10-13-2016

Coeur d'Alene Lake Drive Apartments – Special use permit Narrative

Request

The Owners of the subject property are requesting a special use permit to allow a 34 unit/acre density designation within the commercially zoned .9-acre parcel adjacent to O'Shay's Tavern.

Location/Description

The general area could best be described as transitional commercial.

Adjacent land uses include the Coeur d'Alene resort golf course, to the west. Vacant land to the South, abandoned commercial buildings (within the city of Fernan) to the east and O'Shay's Tavern/Café to the North.

The almost square site is largely flat with 200' of frontage on Coeur d'Alene Lake Drive on the east and 200' of frontage on 23rd Street to the west.

The site is currently served by a full complement of public utilities adequately sized to meet the proposed use.

There are fifteen 100' tall ponderosa pines along the west edge of the property most of which would be retained within the proposed development proposal.

Proposed Development

If granted a special use permit the Owner/Developer proposes to construct a 5 story upscale apartment building with a total of 30 units and a small commercial component. The site and the general neighborhood (east Sherman) have been the topic of recent discussions surrounding strategies and incentives that might foster and encourage development and renewal, within this corridor. This would be an infill project taking full advantage of existing infrastructure while providing a catalyst for adjacent properties. The subject property lends itself to multifamily development for the following reasons:

1. No adjacent single family development
2. Arterial frontage with easy freeway access
3. Frontage on centennial trail
4. Long term open space (CDA Resort Golf course) along western frontage

Comprehensive Plan Conformance

The comprehensive plan identifies this area as transitional. The following comprehensive plan policies support a residential development in this location.


1.06 Urban Forests – The proposed project would benefit from retaining most of the trees, a commercial project might not.

1.14 Efficiency – The proposed development is an infill project and would take full advantage of existing infrastructure.


1.16 Connectivity – The proposed residential units would have frontage on the Centennial Trail. Promoting pedestrian and bicycle activity.

2.05 Pedestrian and Bicycle – The location would encourage pedestrian and bicycle movements to the lake and to downtown via the adjacent Centennial Trail.

3.01 Managed Growth – The development would offer diversity in housing opportunities.



FINDINGS



**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on December 13, 2016, and there being present a person requesting approval of ITEM:SP-6-16 A request for an R-34 Density Increase Special Use Permit in the C-17 zoning district.

APPLICANT: LAKE DRIVE APARTMENTS, LLC

LOCATION: A .9 ACRE PARCEL LOCATED AT 315 E COEUR D'ALENE LAKE DRIVE

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1 to B7.)

- B1. That the existing land uses are commercial and residential.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on, December 3, 2016, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on December 5, 2016, which fulfills the proper legal requirement.
- B6. That the notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on December 13, 2016.
- B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

B8B. The design and planning of the site **(is) (is not)** compatible with the location, setting, and existing uses on adjacent properties. This is based on

Criteria to consider for B8B:

1. Does the density or intensity of the project "fit " the surrounding area?
2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

Criteria to consider B8C:

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can police and fire provide reasonable service to the property?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that LAKE DRIVE APARTMENTS, LLC for a special use permit, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

Wastewater:

1. The applicant will not be allowed to build the proposed carport over an existing public sewer main along the northerly property line.
2. The subject property will be required to connect to the 8" public sewer main within the 23rd Street Right-of-Way.

Planning:

3. Prior to issuance of any building permits, the two parcels will need to be consolidated through the City's lot consolidation process to allow the building(s) to be built over the existing property line.

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rumppler	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, PLANNER

DATE: DECEMBER 13, 2016

SUBJECT: A-7-16 – ZONING PRIOR TO ANNEXATION OF 1.51 ACRES FROM COUNTY AGRICULTURAL SUBURBAN TO R-3 (RESIDENTIAL AT 3 UNITS/ACRE)

LOCATION: PROPERTY LOCATED NORTH OF AND ADJACENT TO 993 VICTORIAN DRIVE, COEUR D'ALENE

APPLICANT:

Lake City Engineering
3909 N Schreiber Way
Suite 4
Coeur d'Alene, ID 83815

OWNER:

Brown Living trust
c/o Clarence Brown
993 Victorian Drive
Coeur d'Alene, ID 83814

DECISION POINT:

The applicant is requesting approval of an annexation of 1.51 acres in conjunction with zoning approval from county Agricultural Suburban (Ag-Suburban) Zone to city R-3 (Residential at 3 units/acre) zoning district.

BACKGROUND INFORMATION:

The subject parcel was subdivided improperly in Kootenai County approximately 13 years ago. At that time this split occurred the County required a five acre parcel as a minimum lot size in the Ag-Suburban zone. The County has since adopted new zoning regulations requiring a minimum lot size of two acres in the Ag-Suburban Zone, and this parcel is 1.51 acres.

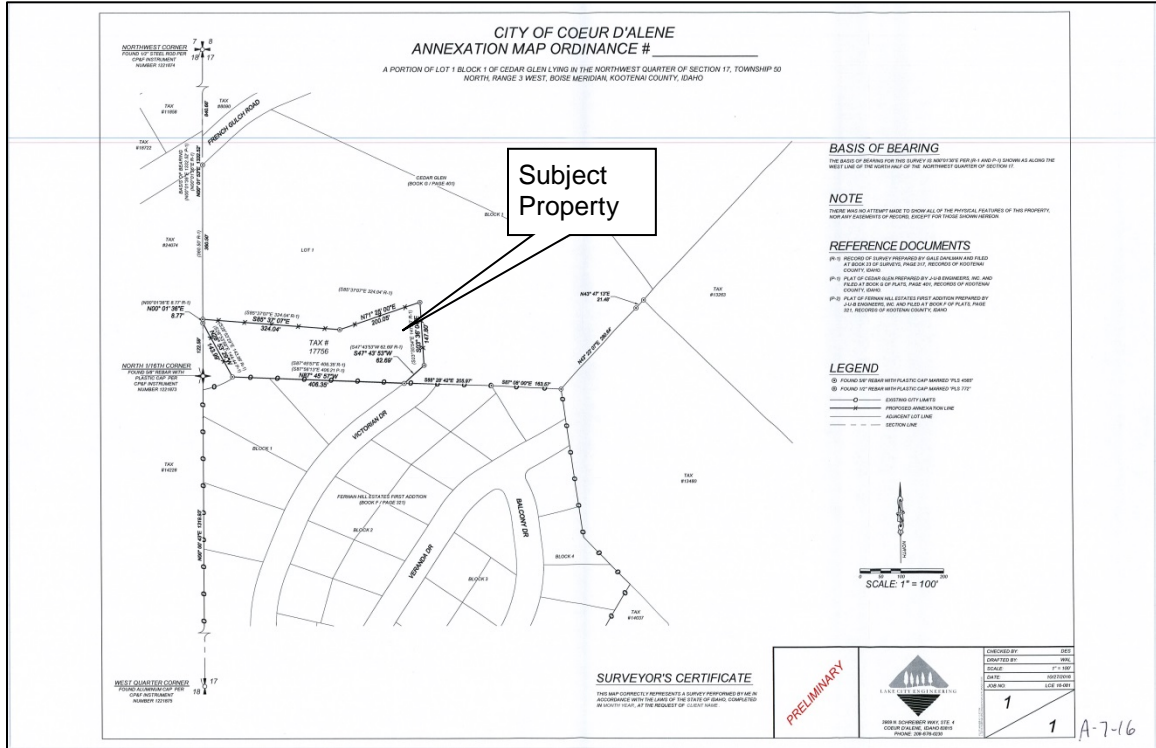
The owner that originally purchased this property 1.51 ace piece of property is now deceased. The current owner of the property also owns the adjoining single family residence property to the south of this site and has indicated that they intend to combine this property with their house property to the south of this site.

The owners currently use this property as an extension of their residential lot. The owner currently has the property landscaped with grass and trees. The subject property has been used as part of the property owner's residential yard for over 13 years.

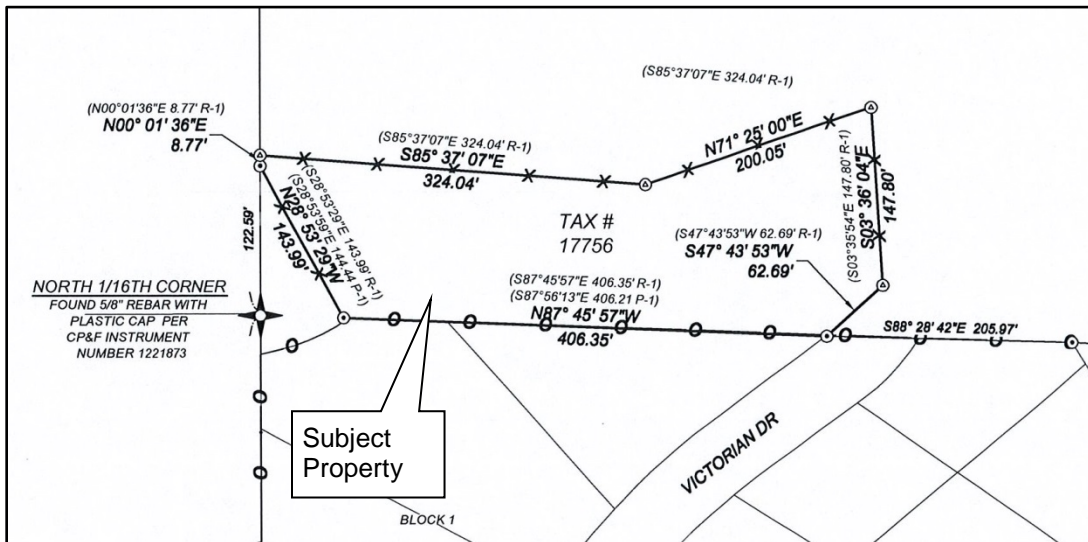
It should also be noted that this annexation request will be done in conjunction with a short plat to legally subdivide the properties. If the request is approved, City staff will coordinate with County staff on processing the short plat, which will encompass properties both within and outside of city

limits. The proposed annexation and short plat has been discussed with the County's Community Development Director, David Callahan, who is in support of this request.

ANNEXATION MAP:



ANNEXATION ZOOM IN MAP:



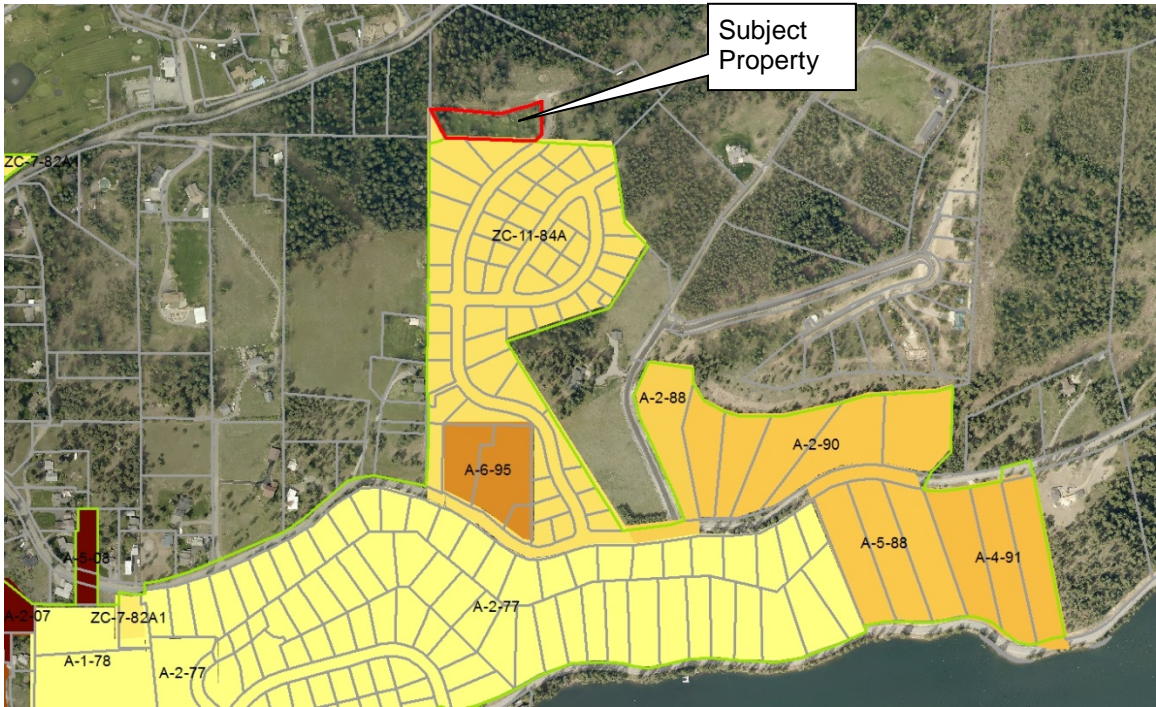
PROPERTY LOCATION MAP:



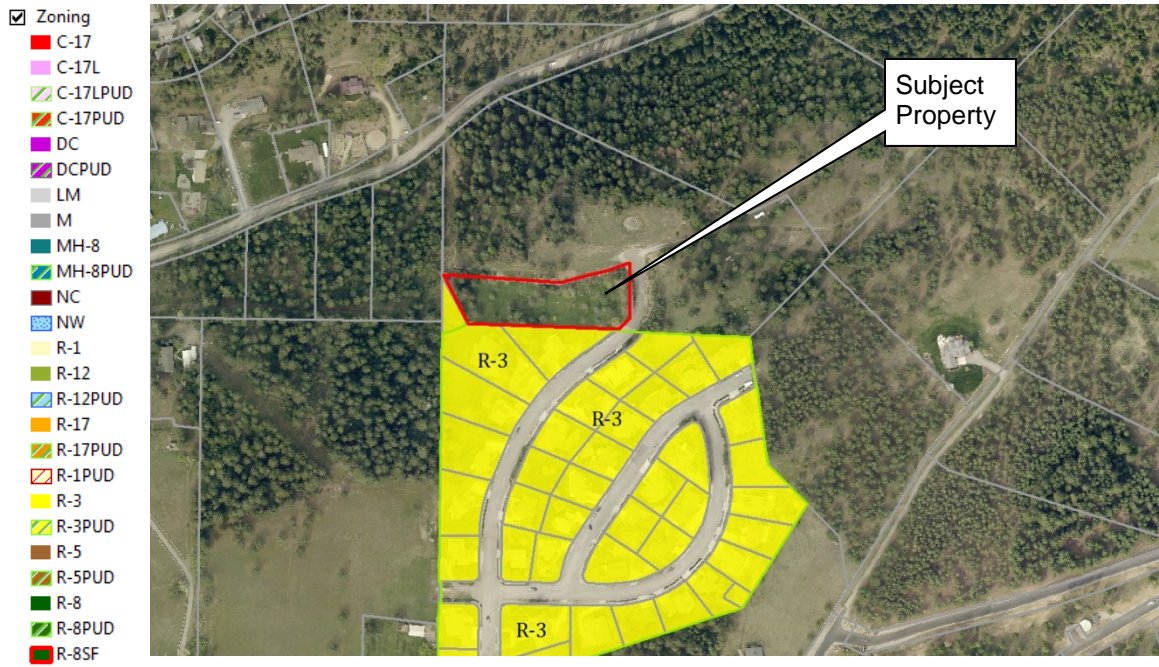
AERIAL PHOTO:



ANNEXATION HISTORY MAP:



ZONING MAP:



Approval of the zone change request would allow the following potential uses of the property.

17.05.090: GENERALLY: Residential R-3

This district is intended as a residential area that permits single family detached housing at a density of 3 dwelling units per gross acre.

This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

R-3 Zoning District:

Principal permitted uses in an R-3 district shall be as follows:

- single family housing
- home occupations as defined in Sec. 17.06.705
- essential services (underground)
- civic administrative offices
- neighborhood recreation
- public recreation

Permitted uses by special use permit in an R-3 district shall be as follows:

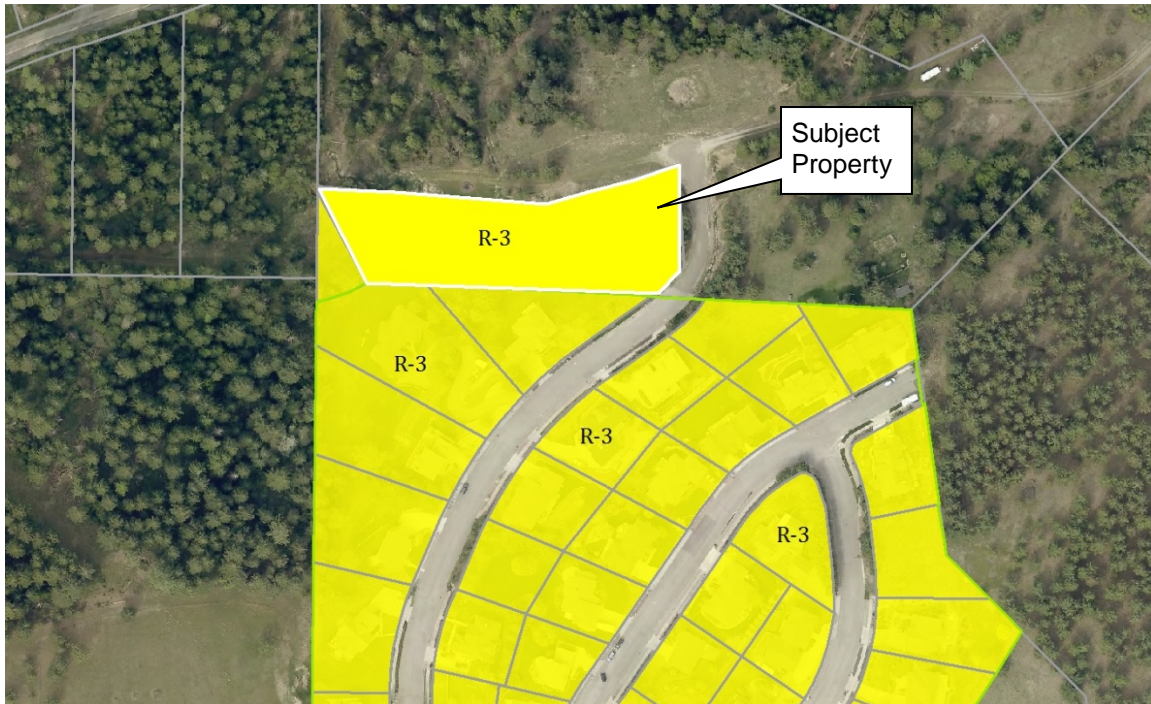
- community assembly
- community education
- community organization
- convenience sales
- essential service (above ground)
- noncommercial kennel
- religious assembly
- bed & breakfast facility
- per. 17.08.500
- commercial film production

Accessory Uses:

- carport, garage and storage structures (attached or detached)
- private recreation facility (enclosed or unenclosed)
- outside storage when incidental to the principal use.
- temporary construction yard.
- 5 .temporary real estate office.
- accessory dwelling unit

The proposed zoning is shown on the map below.

PROPOSED ZONING MAP:



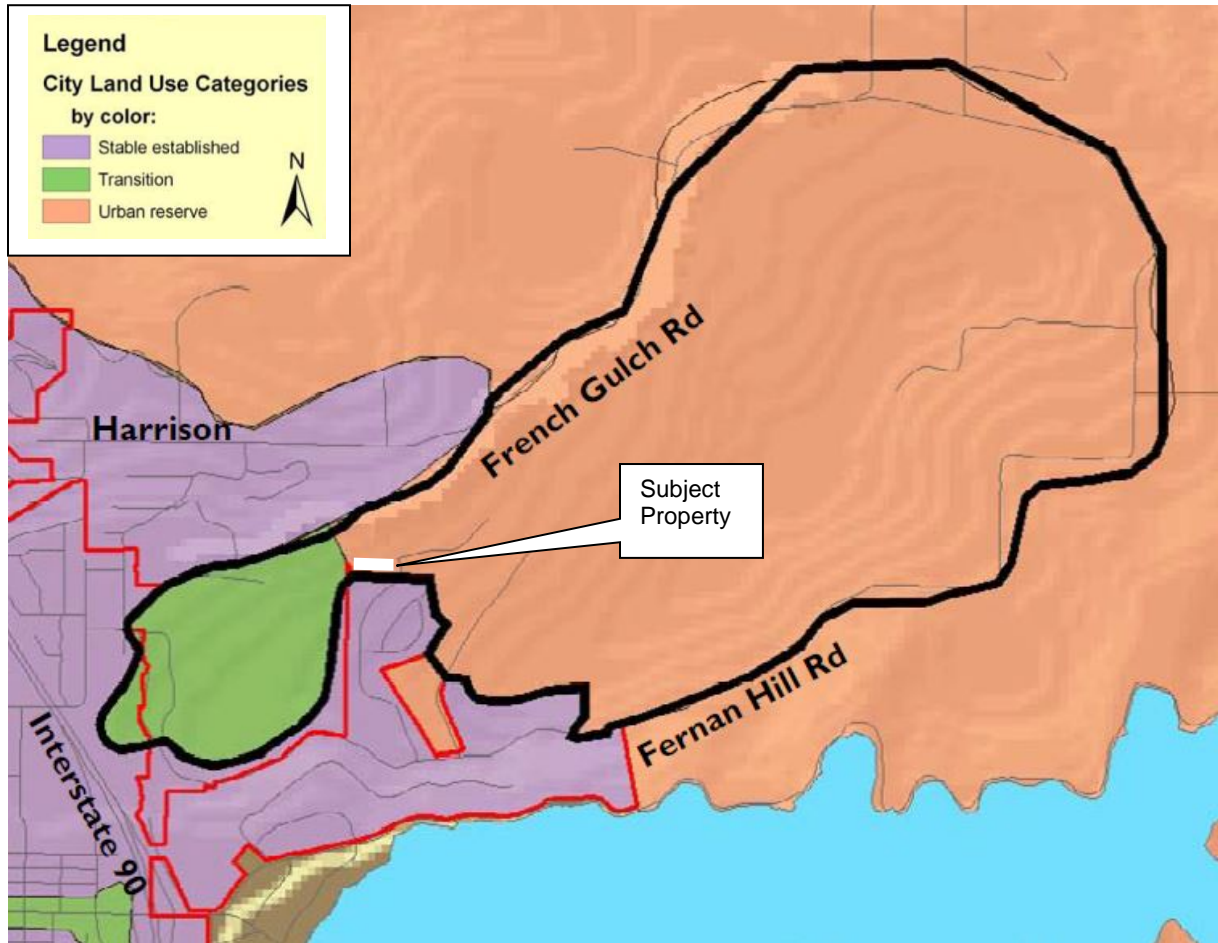
REQUIRED FINDINGS FOR ANNEXATION:

- A. **Finding #B8:** That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

2007 COMPREHENSIVE PLAN LAND USE CATEGORY:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this area within the Spokane River District and the Coeur D'Alene Lake Shoreline District.

COMPREHENSIVE PLAN MAP: Fernan Hill Bench:



URBAN RESERVE:

These areas represent lower priorities for city growth due to natural constraints such as topography, soils, and wetlands. They also have city service constraints such as water, sewer, and police and fire protection.

Fernan Hill Bench Today:

This area is generally located between French Gulch and Fernan Hill roads and extends from Interstate 90 approaching the Area of City Impact (ACI) boundary. The area is sparsely developed with single-family dwellings on lots ranging in size from two acres to several hundred acres.

The Fernan Hill Bench consists of gently rolling terrain with adjacent, increasingly steep slopes. Coniferous forest dominates a majority of this area.

Fernan Hill Bench Tomorrow:

Future development will require infrastructure and hillside development, and will present tree and open space preservation challenges. The area is generally envisioned to continue to develop as lower density, single-family area with care taken to preserve the natural vegetation, views, and open space on steeper slopes.

The characteristics of Fernan Hill Bench area will be:

- That overall density in this area will be approximately one dwelling unit per five acres (1:5). However, in any given development, higher densities up to three (3:1) are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- As the area grows, parcels not suitable for development will not significantly impact views and vistas.
- As the area grows, parcels not suitable for development should be preserved for open space through conservation easements, clustering, acquisitions, etc.
- Provision of infrastructure to this area will make development difficult because of a significant increase in topographical extremes east of Fernan Hill Estates subdivision.
- Potential traffic issues must be addressed prior to development as “downstream” neighborhoods will be impacted. Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

Objective 1.05

Vistas:

Protect the key vistas and view corridors of the hillside and water fronts that make Coeur d’Alene unique.

Objective 1.06

Vistas:

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.11

Community Design:

Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.13

Open Space:

Encourage all participants to make open space a priority with every development and annexation.

Objective 1.14

Efficiency:

Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Objective 1.16

Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks and trail systems.

Objective 2.05

Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Objective 3.02

Managed Growth:

Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.

Objective 3.04

Neighborhoods:

Encourage the formation of active neighborhood associations and advocate their participation in the public process.

Objective 3.05

Neighborhoods:

Protect and preserve existing neighborhoods from incompatible land uses and developments.

Objective 3.16

Capital Improvements:

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

Objective 4.01

City Services:

Make decisions based on the needs and desires of the citizenry.

Objective 4.02

City Services:

Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

Objective 4.06

Public Participation:

Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision-making process.

Evaluation: *The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

- B. **Finding #B9:** That public facilities and utilities (are) (are not) available and adequate for the proposed use.

STORMWATER:

City code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Stormwater issues will be addressed at the time of development on the subject property.

-Submitted by Dennis Grant, Engineering Project Manager

STREETS:

The area proposed for annexation, according to the annexation map has no public right-of-way (ROW) access to the property. The closest access is Victorian Drive. Victorian Drive is a fully developed thirty-six-foot wide street section and could manage the traffic flow from the adjoining development. Any necessary improvements would be addressed at the time of development of the site.

-Submitted by Dennis Grant, Engineering Project Manager

WATER:

The property for proposed annexation lies within the City of Coeur d'Alene water service area. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel. Any proposed development of the parcel will require extension of the public water utilities at the owner/developer's expense.

-Submitted by Terry Pickel, Water Superintendent

SEWER:

Public sewer is available within an adjacent utility easement along the subject property's northerly and easterly property line. A sewer lateral is extended to the property. The wastewater Utility has no objections to Annexation A-7-16, and based on the public sewer availability, the Wastewater Utility presently has the wastewater system capacity and willingness to serve this project as proposed.

-Submitted by Mike Becker, Utility Project Manager

PARKS:

The Parks Department has no requirements and has no objection to the proposed annexation.

-Submitted by Monte McCully, Trails Coordinator

FIRE:

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

The Fire Department works with the Engineering and Water Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

The Fire Department has adequate access and service to respond to the existing uses on the site. The Fire Department has no objection to this Annexation request as proposed.

-Submitted by Bobby Gonder, Fire Inspector

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

- C. **Finding #B10:** **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site is higher on the southeast corner of the property and then slopes downward to the northwest part of the property. There is approximately a 45 foot elevation drop on the subject property. (See topography map on page 13 of this staff report) There are no topographical or other physical constraints that would make the subject property unsuitable for the annexation request. Site photos are provided on the next few pages.

SITE PHOTO - 1: View from the central part of property looking south



SITE PHOTO - 2: View from the central part of property looking east



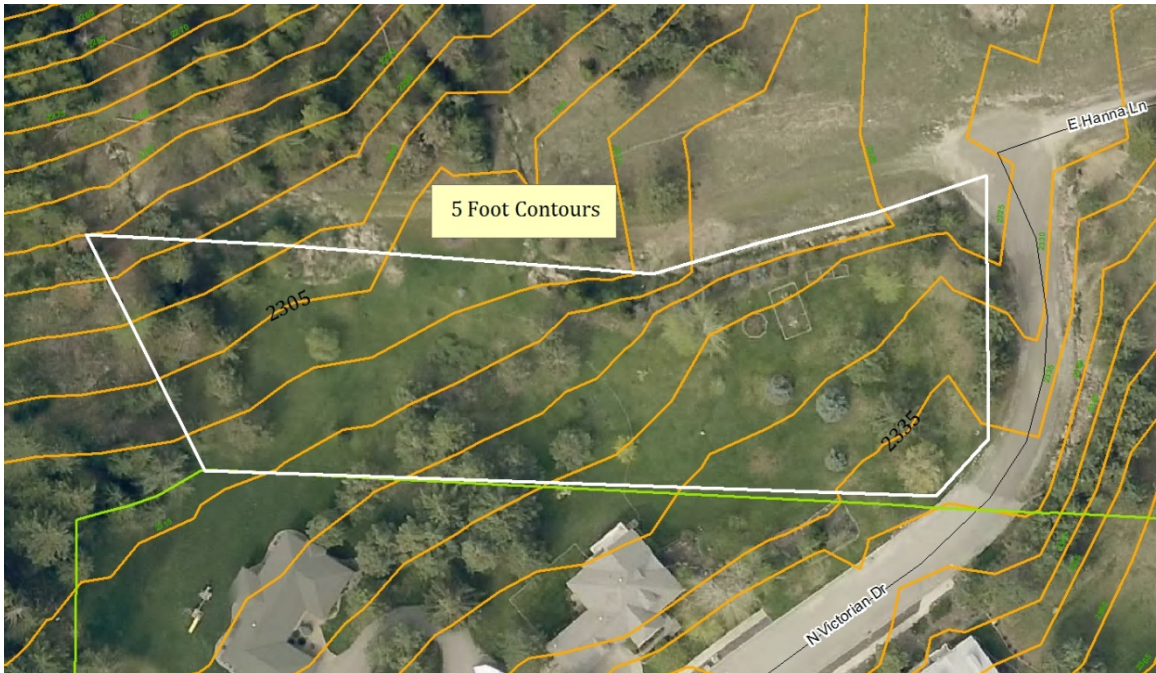
SITE PHOTO - 3: View from the central part of property looking south



SITE PHOTO - 4: View from the northern part of property looking south



TOPOGRAPHIC MAP:



Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

- D. **Finding #B11:** That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

TRAFFIC:

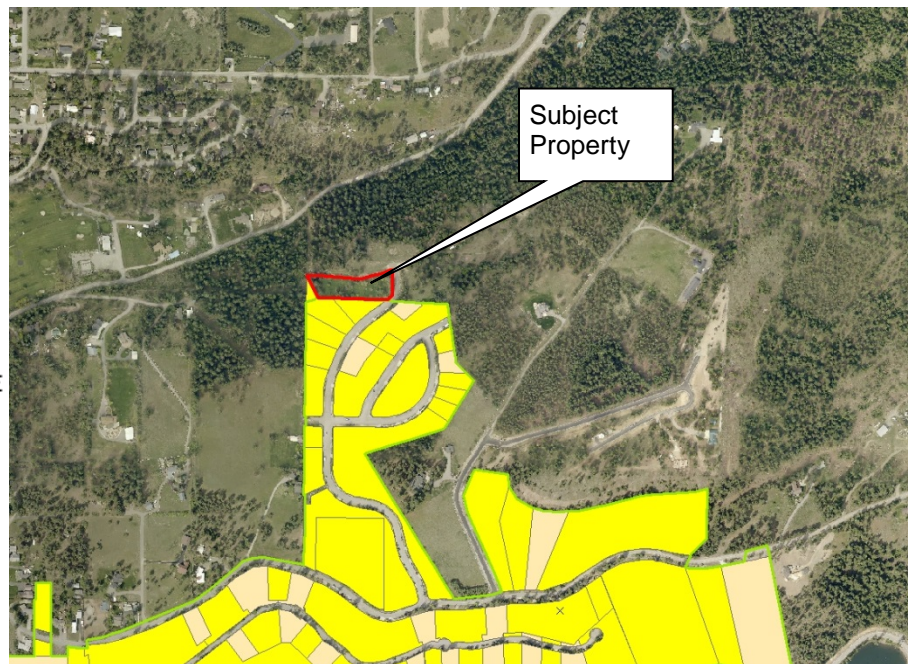
Utilizing the stated area of 1.51 acres and the requested R-3 zoning, it may be possible to place 4 residential units on the subject property if it were developed to maximize density. Utilizing average peak hour ADT's of .90, the ITE Trip Generation Manual estimates that proximately 4 ADT's at peak hour may be generated. Traffic volumes from the site would be easily accommodated by the adjacent roadways.

-Submitted by Dennis Grant, Engineering Project Manager

The subject property is currently vacant and single family residences are located to the south. The surrounding properties to the west, north, and east are natural wooded areas with mature trees located on them.

GENERALIZED LAND USE PATTERN:

- Land Use
- SFA
- SFD
- DUPLEX
- MH
- MHP
- MFD
- CIVIC
- COMM
- MFGR
- AGRICULTURE
- VACANT



Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2010 Coeur d'Alene Trails Master Plan

RECOMMENDATIONS FOR ITEMS TO INCLUDE ANNEXATION AGREEMENT:

1. A Short Plat must be completed and processed concurrently with Annexation Agreement and Ordinance.
2. All water rights associated with the parcel to be annexed shall be transferred to the City at the owner's expense.

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make separate findings to approve, deny, or deny without prejudice. The findings worksheet is attached.



**APPLICANT'S
NARRATIVE**

BROWN
ANNEXATION
PROJECT NARRATIVE

Coeur d'Alene, Idaho

November 1, 2016



*3909 N. Schreiber Way, Suite 4
Coeur d'Alene, Idaho 83815
Phone/Fax: 208-676-0230*

INTRODUCTION

The project proponent, Brown Living Trust, is requesting the annexation of approximately 1.5 acres of property into the City of Coeur d'Alene. The subject property is located at the end of Victorian Drive just North of Fernan Hill Estates. The subject property is currently vacant.

SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel No.: 0-1255-001-001-B
Area: 1.51 acres
Legal: TN 17756 in Lot 1 Block 1 of Cedar Glen



Figure 1: Vicinity Map

ZONING CLASSIFICATION

The property is currently zoned Agricultural in Kootenai County and is located in the Fernan Hill Bench Neighborhood Area of the City of Coeur d'Alene Comprehensive Plan. The surrounding properties consist of residential uses both in the City and County. The project proponent is requesting a zoning classification of R-3 to allow for this parcel to be joined to the parcel to the South, which the proponent presently owns and is inside the City of Coeur d'Alene. As can be seen from Figure 2, the subject property is bordered by R-3 Residential zones to the South, by Agriculture zones within the County to the North and East, and by Commercial property to the West. The requested zoning classification is in conformance with the goals of the Comprehensive Plan and is compatible with the surrounding land uses.



Figure 2: Proposed Zoning Map

COMPREHENSIVE PLAN ANALYSIS

The property lies in the *Urban Reserve and Fernan Hill Bench Land Use* designation per the City of Coeur d'Alene Comprehensive Plan. Neighborhood characteristics for this land use tend to be sparsely developed single-family residential dwellings on larger lots. The proposed zoning would be consistent with the Comprehensive Plan.

The City of Coeur d'Alene Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet or exceed the goals, policies and objectives as outlined in the Comprehensive Plan. The project proponent believes that the following Goals and Objectives (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

Objective 1.12 – Community Design: Support the enhancement of existing urbanized areas and discourage sprawl.

The subject property is currently within the County and is adjacent to an existing single-family residence owned by the proponent. This annexation will allow for the development of this property to match that of the surrounding land uses.

Objective 1.14 – Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Existing utilities including sanitary sewer and domestic water are extended to this property and are readily available and have the capacity to serve future development.


Objective 3.01 – Managed Growth: Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.04 – Neighborhoods: Encourage the formation of active neighborhoods and associations and advocate their participation in the public process.


Objective 3.05 – Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.

PRE-DEVELOPMENT CONDITIONS

The subject property is currently vacant. The general slope of the land is towards the South. The property is covered by fir and pine trees and underbrush. Access to the property is from Victorian Drive. There are no topographical limitations or constraints to the residential development of this property.



FINDINGS



**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on December 13, 2016, and there being present a person requesting approval of ITEM A-7-16, a request for zoning prior to annexation from County AS to City R-3.

APPLICANT: LAKE CITY ENGINEERING, INC.

LOCATION: PROPERTY LOCATED NORTH OF AND ADJACENT TO 993 VICTORIAN DRIVE,
COEUR D'ALENE

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS
RELIED UPON**

(The Planning Commission may adopt Items B1-through 7.)

- B1. That the existing land uses are residential and commercial.
- B2. That the Comprehensive Plan Map designation is Urban Reserve.
- B3. That the zoning is County Agricultural Suburban.
- B4. That the notice of public hearing was published on December 3, 2016, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on December 13, 2016.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

- B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
This is based on

Criteria to consider for B9:

1. **Can water be provided or extended to serve the property?**
2. **Can sewer service be provided or extended to serve the property?**
3. **Does the existing street system provide adequate access to the property?**
4. **Is police and fire service available to the property?**

- B10. That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time because

Criteria to consider for B10:

1. **Topography.**
2. **Streams.**
3. **Wetlands.**
4. **Rock outcroppings, etc.**
5. **vegetative cover.**

- B11. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses because

Criteria to consider for B11:

- 1. Traffic congestion.
- 2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?
- 3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of LAKE CITY ENGINEERING, INC. for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Suggested provisions for inclusion in an Annexation Agreement are as follows:

- 1. A Short Plat must be completed and processed concurrently with Annexation Agreement and Ordinance.
- 2. All water rights associated with the parcel to be annexed shall be transferred to the City at the owner's expense.

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN



PUBLIC COMMENTS



PUBLIC COMMENT FOR ITEM: A-6-16

To Planning Department:

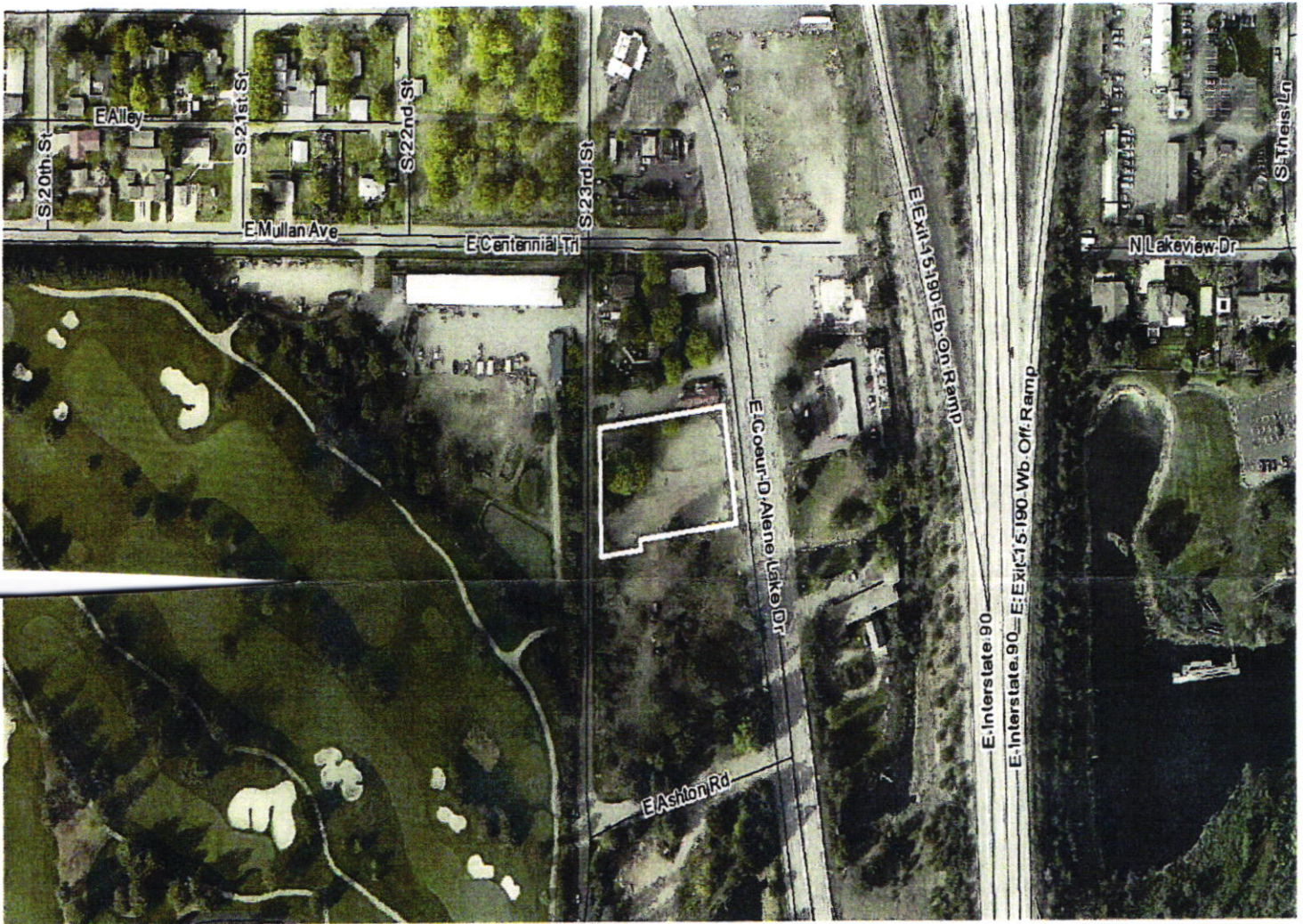
I represent a property in the Hawks Nest subdivision adjacent to Hanley. I have no objection to annexation of the subject 7.46 acres as long as certain certain conditions are met. I understand that the metal recycling facility, the shooting range and the subject property in a county island and pre-exist the residential neighborhoods that now surround the property. However, the fact that the property IS surrounded by residential property necessarily mandates that the safety and peace of the neighboring residents be protected. Therefore, any consideration to annex the property must take into account the proposed use of the subject property, the current condition of that property, and preservation of the safety and peace of its neighbors. Annexation should not be allowed until all of these issues are resolved by the City and agreed upon by the surrounding residential communities.

Regarding the current condition of the subject property. As you know, the property has been cleared of the evergreen forest that was there prior. The forest served as a physical safety barrier between the shooting range and the residential areas. It also served to dampen the noise of firearms used at the shooting range. The property owner has demonstrated a disregard for the residential areas by cutting down the trees which in turn increased the noise and at least the perceived danger of the shooting range. Any proposed use of the subject property should address the following issues:

1. Traffic impacts on Atlas and Hanley
2. Pedestrian safety. Many families and children cross Hanley and Atlas to get to church, the parks and school on a regular basis. Increased traffic for a convenience mart or other commercial use will negatively impact pedestrian safety unless proper controls are first installed.
3. Signage and lighting. Residential areas should be protected from area lighting and signage that diminish use of the residential properties.
4. Noise. Any proposed new activity that increases noise in the area should be carefully reviewed with and by the residential occupants. Any approval of annexation should require additional controls on existing noise from the shooting range and recycling facility. Noise barriers, such as tall evergreens would be helpful.
5. Visual pollution. Replacement of some of the large evergreens that were cut down may be needed to mitigate the visual impact of new development on subject property. Deciduous trees are not acceptable because they lose foliage in winter, and therefore do not serve the intended purpose.

Sincerely,

Mike Neher



This sketch furnished for informational purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the city assumes no liability for any loss occurring by reason of reliance thereon.

The hearing will be held in a facility that is accessible to persons with disabilities. Special accommodations will be available upon request, five (5) days prior to the hearing. For more information, contact the Planning Department at (208)769-2240.

Require more information?

Planning Department at 769-2240 or www.cdavid.org by clicking on agendas/planning commission. Staff reports will be posted on the web the Friday before the meeting.

Coeur d'Alene Planning Department
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814

Comments

As the adjoining property owners we think this would be an excellent use of the property and a real plus for Coeur d'Alene.

[Handwritten signature]
Jerry Jaeger
667-3431