

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

**MARCH 10, 2020**

**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:** Messina, Fleming, Ingalls, Luttrupp, Mandel, Rumpler, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.  
February 11, 2020

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**ENVISION CDA COMMITTEE UPDATES:**

**ADMINISTRATIVE:** \*\*\*ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.

1. Applicant: Parkwood Business Properties  
Request: A one year extension request for 1940 Riverstone Drive  
ADMINISTRATIVE, (SP-2-19)

**PUBLIC HEARINGS:**

1. Applicant: City of Coeur d'Alene  
Request: Proposed amendments to Title 17.09 of the Municipal Code, Zoning Ordinance  
LEGISLATIVE, (O-1-20c)
2. Applicant: Verizon Wireless c/o Rod Michaelis  
Location: 701 N. 15<sup>th</sup>, (Person Field)  
Request: A proposed Wireless Communications Facility special use permit in the R-12  
(Residential at 12 unit/acre) zoning district.  
QUASI-JUDICIAL, (SP-1-20)
3. Applicant: City of Coeur d'Alene  
Location: 2598 E. Seltice  
Request: A proposed modification to the "Atlas Mill PUD" and Interpretation  
QUASI-JUDICIAL, PUD-4-19m

**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 Stuhmiller at (208)769-2240 at least 72 hours in advance of the meeting date and time.*



# MINUTES



**PLANNING COMMISSION  
MINUTES  
FEBRUARY 11, 2020  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice-Chair  
Lynn Fleming  
Michael Ward  
Peter Luttrupp  
Brinnon Mandel

**STAFF MEMBERS PRESENT:**

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

**COMMISSIONERS ABSENT**

Lewis Rumpler

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES: \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

December 10, 2019

Motion by Fleming, seconded by Luttrupp, to approve the minutes of the Planning Commission meeting held on December 10, 2019. Motion approved.

**COMMISSION COMMENTS:**

Commissioner Luttrupp explained that last year they had a Planned Unit Development (PUD) that came before them that was different, and suggested that the commission revisit the entire PUD process.

**STAFF COMMENTS:**

Hilary Anderson, Community Planning Director, provided the following statements:

- There is one item scheduled on the March 10<sup>th</sup> Planning Commission agenda.
- She noted that on the agenda was a new item titled "Envision CDA Committee Updates" to give an opportunity for Envision Committee updates from any of the commission members who might have something to share from the committee they are assigned to.



## **ENVISION CDA COMMITTEE UPDATES:**

Sean Holms, Senior Planner, provided the following updates:

- Mr. Holm thanked the Planning Commission, audience and the people watching at home for an update on the Envision Coeur d'Alene project.
- He noted that he presented his last update to the commission on December 10<sup>th</sup> and would present an update as to where they are today.
- He explained that in December he discussed a number of meetings that were held, including the public kickoff, CAC/Focus Groups, stakeholders groups etc. He explained that the information for each of those meetings can be found online at: [Envisioncda.org](http://Envisioncda.org).
- He noted that they are working on website updates with an update added for the "Growing Better Places" game, where a total of 23 games were played with results available from those games played on the website. He added that if a citizen were to go to the website to look for those updates, they probably wouldn't make sense, so MIG will be providing a synopsis of the meaning of the games played.
- He explained that there have been some items added to the website, including a current document section which was there before, with existing condition reports including a transportation report. He noted that he is aware that transportation is a "hot" topic in Coeur d'Alene.
- He noted that they had a meeting on December 4<sup>th</sup> and 5<sup>th</sup> with MIG, Focus/CAC, CDA 2030 and staff, with information from those meetings being found online.
- He commented that they are currently working on Vision Statement Goals, and Policy and Action items including feedback from city staff which will be compiled in a survey and given to the public to get their feedback. He added that once they get that information back from the survey, it will be presented to the Planning Commission and public.
- They have scheduled a Leadership Briefing meeting with City Council, the Planning Commission, and representatives from CDA 2030 leadership, which will be held on February 26<sup>th</sup> starting at noon, with a meeting scheduled after that briefing with department heads to identify any additional elements that may be added.
- He noted that staff is currently in the process of identifying public engagement opportunities for the spring and summer.

Mr. Holm concluded his presentation.

Chairman Messina inquired if there was a timeline in regard to the Comprehensive Plan completion and if staff feels that they are on target for the end results. Mr. Holm answered that things are looking good and they might be a month behind where they thought they would be because of the holidays. He said they may have some catch up, but not much.

Chairman Messina commented that if any of the commissioners know that they will be gone in the upcoming year, to please let staff know ahead of time since they will be having a lot of meetings.

## **PUBLIC COMMENTS:**

None.

**ADMINISTRATIVE: \*\*\*ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.**

1. Applicant: Greenstone Kootenai II  
Request: Architectural Styles for Coeur d'Alene Place  
ADMINISTRATIVE (I-1-20)

Tami Stroud, Associate Planner, stated SCLU Schneidmiller Land Company is asking the Planning Commission for an interpretation to allow for flexibility in the approved architectural design concepts for the "Coeur d' Alene Place" Planned Unit Development,

Ms. Stroud provided the following statements:

- In January of 1994, the Planning Commission approved the request for a preliminary plat and Planned Unit Development known as "Coeur d' Alene Place" PUD, a 600-acre phased, multi-use development incorporating public and private open space, multi-family, cluster and single-family housing, mini-storage and commercial areas. The design concept submitted at that time was "Craftsman" style.
- Historically, "Craftsman" style homes have been built throughout the development. Most recently, as the market changes, there has been a desire to include a more "Modern" style elevation in the Coeur d'Alene Place PUD. The developer, Greenstone-Kootenai II, would like to include as an option the "Modern" style elevation, in addition to the "Craftsman" style home elevation as an option for future builders/homeowners.
- The applicant is requesting an interpretation from the Planning Commission in order to provide flexibility to future builders/homeowners and to allow the "Modern" style in addition to the "Craftsman" style in the future home designs.

Ms. Stroud concluded her presentation.

**Commission Comments:**

Commissioner Ingalls said that he is comfortable with the request but questioned the procedure. He explained that he lives in Coeur d'Alene Place where there are four houses built that are modern style, with one home located on Cornwall that has been there for six years.

Ms. Stroud explained that staff wanted to make sure they went through the correct procedure since they noticed a different building style when doing building permits and wanted to make sure they had it documented.

Commissioner Ingalls stated that when they see a PUD, the applicant usually has a rendering of the type of home in the staff report and he always thought those renderings were illustrative. He explained that when they approve a PUD there are normally conditions applied to the approval for setbacks, street sizes, street widths etc., and if any of those items were modified, he could understand the request. He asked if Coeur d'Alene Place originally requested a specific style of home to be built in the development and, if not, feels the request is "overreaching".

Ms. Stroud explained that in 1994 when the original PUD for Coeur d'Alene Place was approved, it looked like they didn't submit any specific home designs, and she added that in 2005 it was noted in the file that they had chosen a craftsman style design. She concurred that the style was "loose" and that they weren't held to any of those 3 specific designs. Staff felt that since this was a significant change in the design, they wanted to make sure it was on the record.

Commissioner Ingalls said that, for him, the request shouldn't have come back and he commented that he still didn't understand why the commission was hearing it.

Ms. Anderson explained that in the zoning code it specifically states for PUD projects that with the Final Development Plan the applicant would be required to submit the architectural details, and she added that Coeur d'Alene Place preceded some of those requirements and that is why they didn't have that level of detail originally when looking at recent building permits that were submitted for Coeur d'Alene Place. She referenced other building permits associated with other PUD's that had specified a certain look and a requirement that other homes have to look the same way. She suggested that if the commission wanted, they could discuss it at a later time.

Chairman Messina asked if the intent was to tie a developer to the illustration they present. Ms. Anderson explained that they don't hold a developer to the exact images that are presented in the staff report, but if they are different, it needs clarification.

Commissioner Fleming said that she feels it is up to the builder to decide what style of home they want to build since there is a Design Review panel.

**Motion by Fleming, seconded by Ingalls, to approve Item I-1-20. Motion approved.**

### **PUBLIC HEARINGS**

1. Applicant: City of Coeur d'Alene  
Request: Proposed amendments to Title 17.09 of the Municipal Code, Zoning Ordinance LEGISLATIVE, (O-1-20)
- A. Amendments to Title 17 under Chapter 17.06: VIII; Home Occupation Regulations related to Childcare Facilities

Ms. Anderson introduced Kelley Setters, Deputy City Clerk, who is the Liaison to the City's Childcare Commission.

Kelly Setters, Deputy City Clerk provided the following statements.

### **PERFORMANCE EVALUATION:**

In-home childcare facilities may have up to nine (9) children with one provider, and without an additional provider on-site it can put a provider in violation of the state requirement of being within sight and sound of children at all times (if a child needs to go to the restroom). The current home occupation code does not allow home occupations to have employees, unless they are a resident and a family member. The commission is seeking approval for in-home childcare facilities only to have the option of one (1) non-resident employee, and requested language be added to clarify an outdoor play area as required by the Childcare Code Section 5.68.030.

Ms. Setters said that it should be noted that the maximum number of children would not change with the code amendment. The maximum number of children in an in-home childcare facility would remain at nine (9), which is established by city code.

Ms. Setters said that allowing one (1) non-resident employee would generate two additional vehicular trips to/from the facility each day which would not have a significant impact on the neighborhood. Home occupations are limited to a maximum of twenty (20) trips per day per section 17.06.720:C. By allowing one non-resident employee, the total trips would still stay within that threshold.

The proposed changes to the Code would only apply to in-home childcare facilities. Other home occupations would not be allowed to have employees other than members of the resident family, except by special use permit as set forth in the existing code.

The proposed code amendment also clarifies that an outdoor play area must be provided for in-home childcare facilities. It is also a slight deviation from other home occupation businesses that are not allowed to operate outdoors, other than for agricultural uses where such uses are permitted.

The proposed code amendment also clarifies that in-home childcare facilities are not allowed to operate in an apartment building or condominium where there is common ownership, unless they obtain a special use permit.

**PURPOSE:**

The purpose of the proposed Home Occupation Code amendments is to come into compliance with the state requirement that all children always have to be within sight and sound of a provider and stay within the mandated ratio. Currently, a home-based provider may not always be able to be within sight and sound. By not allowing a home-based childcare facility the option for one (1) non-resident employee, this would result in a violation of the state requirement.

Ms. Setters concluded her presentation.

**COMMISSION COMMENTS:**

Commissioner Mandel said that she supports efforts to make early childhood care more available and accessible but if they change the code, how much of a burden is it to the providers to do the background checks for the new employee.

Ms. Setters explained that they are already required to do a background check on people who are living in the home and there would be an additional cost but it would be a benefit to be in compliance with the State.

Commissioner Ward asked about licensing requirements for the current day care provider and said that currently there is a licensing requirement for that person and the current process is to allow for family members or someone related to be the second person to help out. Ms. Setters explained that everyone who lives in the home has to have a background check and license, which is called a Non- Provider License. Commissioner Ward asked if the potential nonresident employee has to have the same licensing requirements. Ms. Setters said that is correct, and explained that they would be considered a teacher since they would be alone with the children.

**Public testimony open:**

Iris Siegler, Chairman of the Childcare Commission, said that she also owns a private/home preschool and was the first person to apply for Special Use Permit (SPU) and, at that hearing, asked for an employee. She commented that she is also an in-home caregiver, and that having an employee makes a difference just by having the extra help. She stated that she hoped the commission would vote to approve the request.

Keri Stark, Community Impact Director for United Way of North Idaho, explained that the childcare market in Idaho is estimated to have an impact of \$240 million dollars and over 11,000 jobs, with a decline in childcare by 27.5% and more significant for working families. She asked that the commission approve the request to help provide better care for our children.

Samantha Tuskan, Panhandle Health District, said that she runs the Childcare Resource Center and is also on the Childcare Commission and works with United Way. She commented that she has had the opportunity to work with childcare providers directly as the role of the resource center is to provide direct support with coaching and technical assistance for childcare providers to raise the quality of care and education. She stated that she hoped the commission would approve the request and commented that she has seen the way the childcare providers are suffering because they don't have the support, and that by having help, they can provide better care for children.

Commissioner Fleming asked if the request was approved would they encourage providers to get a backup for their business.

Ms. Tuskan explained that she has on staff a Resource Specialist who has been working on messaging and outreach ideas to support staff in what would be required if they had staff members to work with labor. She added that the State already allows home-based providers to have employees so they have the resources to spread the word to the providers in the Coeur d'Alene area. She added that when she brought the proposed code change to the Childcare Commission it was because they have had home-based providers say they want to be higher quality by having additional staff and are not able to under the current code.

Commissioner Luttrupp asked about the type of ongoing education that will be provided to providers if the code amendment is approved.

Ms. Tuskan explained that the city of Coeur d'Alene requires that childcare providers have ten hours a year of ongoing education. Five of those hours have to be face-to-face in a live class and five can be online. She commented that Idaho Stars, which the childcare resource program falls under, offers scholarships and education reimbursement for those programs.

**Public testimony closed.**

**Motion by Ward, seconded by Mandel, to approve Item O-1-20a. Amendments to Title 17 under Chapter 17.06: VIII; Home Occupation Regulations related to Childcare Facilities. Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion approved by a 5-0 vote.

- B. Amendments to Title 17 under Chapters 17.02, 17.03 and 17.44 related to Heavy Equipment Parking and Storage on Residential Properties

Ms. Anderson stated that she forgot to mention that on the March agenda they will have another zoning code amendment which will be for the Design Review Procedures.

Ms. Anderson provided the following statements:

**PERFORMANCE EVALUATION:**

The proposed code amendment clarifies that commercial and industrial uses, such as the parking and storage of heavy equipment as defined below, would not be permitted on residential properties. The amendment would fall within the Off Street Parking, Loading and Display section of the Municipal Code within Chapters 17.02, 17.03 and 17.44 of the Zoning Code.

The definition of "Heavy Equipment," as included in the proposed code amendment, reads as follows:

“Heavy Equipment” means heavy-duty vehicles or motorized machinery designed for industrial or construction uses, including but not limited to construction equipment, construction plant, earth movers, and engineering vehicles, usually comprised of five equipment systems: implement, traction, structure, power train, control, and information.

**PURPOSE:**

The purpose of the proposed code amendment is to preserve residential areas for residential uses. Heavy equipment is often large, imposing, and out of character for residential neighborhoods. A property used for heavy equipment storage can drive down the value of neighboring residential properties. Heavy equipment is used commercially and is not used for normal residential uses associated with residential properties, except in large construction projects.

Ms. Anderson concluded her presentation.

**COMMISSION COMMENTS:**

Commissioner Fleming asked how they get the “teeth” to get the proposed code amendment enforced.

Ms. Anderson said that getting it in the code is the first step so they have to be specific on what is/is not allowed. She noted that most code violations are complaint-based and then turned over to code enforcement. They have been recently been going after properties that are violating the code, such as living in an RV, hooking into the sewer, or cars parked over sidewalks.

Chairman Messina asked if the city already has an ordinance stating that they don’t allow heavy equipment on the street.

Ms. Anderson said they do have restrictions for the length of time for boats, trailers and vehicles not being used, so heavy equipment is already restricted unless its part of an active construction site.

Commissioner Luttrupp asked if the proposed ordinance includes boat and boat trailers. Ms. Anderson said it doesn’t and that is why the definition is specific.

**Public testimony closed.**

**Motion by Mandel, seconded by Ingalls, to approve Item O-1-20b Amendments to Title 17 under Chapters 17.02, 17.03 and 17.44 related to Heavy Equipment Parking and Storage on Residential Properties. Motion approved.**

**ROLL CALL:**

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion approved by a 5-0 vote.



2.     Applicant:     Greenstone Kootenai II  
       Location:     West of Ramsey, North of Canfield  
       Request:       A proposed 202-lot preliminary plat "Coeur d'Alene Place"  
                      QUASI-JUDICIAL, (S-1-20)

Ms. Stroud presented the staff report and stated that SCLU Schneidmiller Land Co. and Greenstone-Kootenai II are requesting approval of a 45.05-acre, 6 phase subdivision in the Coeur d'Alene Place PUD. As a part of the request, the applicant has proposed 189 single-family lots, and 13 townhome lots.

Ms. Stroud provided the following statements:

- The subject property is located west of Ramsey Road, east of W. Moselle Drive, south of Alps Street, and north of Hanley Avenue.
- The property is predominantly flat and currently being used for agriculture.
- The property is one of the last large parcels within the CDA Place PUD to be developed and is to be primarily single-family and townhomes.
- The existing CDA Place PUD will govern development including, but not limited to setbacks, open space, street development, etc. per the approvals and modifications as listed in the staff report, and as the Final Development Plan (FDP) allows.
- Ms. Stroud said that the staff report focuses on the subdivision request and provides general information for how the request will comply with the existing CDA Place PUD.
- She noted that Coeur d' Alene Place was annexed in 1992 in Item A-4-92.
- In 1994, the applicant applied for a PUD in Item PUD-2-94. The original PUD was approved and the overall development included a total of approximately 760 acres.
- The proposed subdivision consists of +/-45 acres and is part of the original 1994 PUD. It is consistent with the originally approved PUD.
- Ms. Stroud provided a list of the previous actions done for Coeur d'Alene Place, and provided a copy of the preliminary plat, phasing plan and utility plan.
- She noted the various staff comments located in the report.
- She explained the various findings for approval for the project.
- She listed the PUD site standards that the project will be subject to, if approved.
- She stated that, if approved, there are eight conditions that the commission will need to consider.

Ms. Stroud concluded her presentation.

**Commission Comments:**

Commissioner Fleming asked if Atlas would be widened to four lanes in the near future.

Ms. Stroud stated that Chris Bosley, City Engineer, was present at the meeting and would be available to answer the question.

**Public testimony open.**

Mr. Bosley said that the plan for Atlas Road is for three lanes, which will increase capacity because left turns move out of the way. He added that he is in the process of requesting a grant application for Atlas Road, which will be for a portion from Hanley down to Seltice Way.

Chairman Messina commented that at a recent meeting there was a discussion regarding a traffic light and who will be responsible for putting that traffic light in.

Mr. Bosley explained that they have hired an engineer to design the signal and he is working with Greenstone's engineer so that Greenstone can get the underground work done before the intersection is built.

Chairman Messina asked if there is a projected date when the light will be put in. Mr. Bosley explained that he approached Greenstone who will provide a timeline, but it would be hard to estimate in what year that will occur, so they will watch to see how many new homes are built and time it when that happens. Chairman Messina asked if the city would request when the light will be put in based upon more homes that are being built. Mr. Bosley explained that the determination is going to happen when traffic will go from Moselle to Ramsey.

Commissioner Luttrupp asked if the determination for a signal is up to the City Engineer to look at traffic counts and, if they reach a certain point, to make a recommendation for a traffic light. Mr. Bosley said that was correct, and they do have all that information; they just don't know the timing when it will happen.

Kevin Schneidmiller, Applicant, provided the following statements:

- He said that the project is estimated to be 45 acres, with lot sizes ranging between 20-70 feet. He explained that under the current PUD they are allowed to have 20-foot-wide lots.
- He said their objective for the proposal is to create single-family lots within the currently zoned R-17.
- He said they view the request as an entitlement of a portion of S-1-18, and if you overlay the C-17, C-17L and R-17 a majority of those 220 lots were platted as part of the 2018 request, and they will only be requesting an additional 118 lots over the 2018 approval.
- He added that the project is a reduction in density and they could, by right, build 400 units between the R-17 and the C-17 zoning district. He noted that most of Coeur d'Alene Place is entitled under an R-8 zoning designation and in the last 12 years they are averaging 3.74 units per acre. He commented that he feels the project is compatible with the existing Coeur d'Alene Place and views it as a reduction in density from what was approved.
- Mr. Schneidmiller said that they will provide a trail system along Ramsey Road with approximately of 45' feet of landscaping, with some to be in the right-of-way.
- The request for change south of Wilbur will be for an "empty nester community" that has been successful and Mr. Schneidmiller said that he thinks they fill a big need in the community. He explained that when the proposed phase is built out at 100 lots +/-, they will have constructed 375 "empty nester homes" in Coeur d'Alene Place. He added that that type of home will not impact the school district. He further explained that they don't designate those homes as 55+ legally because the type of home and size of lot drives to the demographic and will be maintenance free.
- He added that with the addition of townhomes, the project will be affordable.
- He said that the project completes the design of CDA Place PUD which was started in 1995 and they anticipate build out for the phase to be 5-6 years.
- He added that they feel the project is consistent with the goals and objectives of the PUD and will reduce the density from the previous entitlement action and reduce the burden on public infrastructure such as schools.

The applicant concluded his presentation.

Ed Stafford said that he lives south of the development in Lake Forest West. He said his concern is with the landscape requirements and public access walkways. He commented that he did get some answers from staff, who clarified that city code states that public access is required every 600 feet and because it is a PUD, that rule doesn't apply. He said that on the plat it doesn't show on Cholet Loop a pedestrian walkway on Ramsey. He commented about the traffic on Wilbur and when Wilbur connects to Atlas, and noted that when coming from the east/west and having to make a left turn on Ramsey, it is almost impossible to do and hopes this light comes in sooner.



Ms. Anderson explained on the pedestrian connection, it would be required as part of the conditions, that there will be a path from Cholet Loop to Ramsey trail and it is something the developer has agreed to but was not included in the packet and was added after reviewing the submittal. The pedestrian connection will be noted when the final plat is presented.

**Rebuttal:**

Mr. Schneidmiller commented that they agreed with all of the staff conditions and will continue to work with engineering on the intersection of Wilbur and Ramsey.

**Public testimony closed.**

**Discussion:**

**Motion by Ingalls, seconded by Fleming, to approve Item S-1-20. Motion approved.**

**ROLL CALL:**

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye


Motion to approve carried by a 6 to 0 vote.

**ADJOURNMENT:**

Motion by Fleming, seconded by Ingalls, to adjourn. Motion approved.

The meeting was adjourned at 6:49 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



# ADMINISTRATIVE

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** TAMI STROUD, PLANNER  
**DATE:** MARCH 10, 2020  
**SUBJECT:** EXTENSION OF PLANNING COMMISSION APPROVAL FOR SP-2-19 DENSITY INCREASE TO R-34 FOR A PROPOSED MULTI-FAMILY APARTMENT COMPLEX IN THE C-17 COMMERCIAL DISTRICT  
**LOCATION:** 2.4 ACRES LOCATED AT 1940 RIVERSTONE DRIVE WITHIN THE RIVERSTONE DEVELOPMENT

**DECISION POINT:**

Parkwood Business Properties DBA: Glacier 1940 Riverstone LLC is requesting a one (1) year extension of SP-2-19 (R-34 Density Increase Special Use Permit) approved April 9, 2019, which went into effect on **April 21, 2019**.

**GENERAL INFORMATION:**

The above-noted special use permit is set to expire on April 21, 2020. The developer has been actively researching material options, and making additional design and engineering modifications for the multi-family structure. The applicant is requesting an extension of the SUP approval for one (1) year to **April 21, 2021**.

**DISCUSSION:**

Section 17.09.230 of the city's code allows the Planning Commission to extend the Special Use Permit approval for one year, without public notice, upon written request filed at any time before the permit has expired.

**PROPERTY LOCATION MAP:**



**CITED CODE ITEMS:**

For SUP:

**17.09.230: ADHERENCE TO APPROVED PLANS:**

A special use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred, or if there is a cessation of use or occupancy for two (2) years. However, such period of time may be extended by the planning commission for one year, without public notice, upon written request filed at any time before the permit has expired and upon a showing of unusual hardship not caused by the owner or applicant. (Ord. 1691 §1(part), 1982)

**PRIOR CONDITIONS OF APPROVAL:**

**PARKS DEPARTMENT:**

1. Build a pedestrian connection from the south side of the apartment building connecting to the perimeter path around Riverstone Pond.

**WASTEWATER:**

2. This project will be required to connect to one the two existing public sewer connections in Riverstone.
3. This project will be required to the abandon the unused sewer lateral connection at the public sewer main in Riverstone.

**ENGINEERING/BUILDING:**

4. A geotechnical site evaluation will be required prior to building permit issuance.

**COMMISSION ALTERNATIVES:**

- The Planning Commission may, by motion, grant an additional one- year extension of Glacier 1940 Riverstone for the approved SUP for the R-34 Density Increase or;
- The Planning Commission may, by motion, deny the extension request.



2100 Northwest Blvd., Suite 350  
Coeur d'Alene, ID 83814  
phone 208-667-4086  
fax 208-667-5147

January 24, 2020

Tami Stroud  
City of Coeur d'Alene  
710 E. Mullan Avenue  
Coeur d'Alene, ID 83814

RE: SP-2-19 Extension

Dear Tami,

We request a one year extension for our 1940 Riverstone Dr. apartments special use permit (SP-2-19). Due to the size and scale of our project, two design review commission meetings are required so we may prove that our project complies with the adopted design standards and city guidelines.

We support this design review process and hope the City can understand additional design time and discussion are necessary to meet the DRC requirements. We enjoyed and appreciated the commission's feedback with our first meeting. This feedback, in addition to needing more time to study the economic feasibility of the project, required us to ask for a delay in scheduling the second DRC meeting.

This delay was important in the analysis of our project. We determined a five story wood structure was cost prohibitive due to additional code and structural requirements that are triggered by going from four stories to five stories. We also favored reducing the number of units to improve the site design including better parking and increased landscaping coverage.

As a result of the analysis, we are planning for a four story building. This decision change required additional time to update the building elevations prior to the second DRC meeting.

In addition to the elevation modifications, we needed to research and select exterior building materials and colors, develop a preliminary landscaping plan, and complete our carport design per the DRC's request from our first meeting.

We hope the Planning Commission understands that due to the scale, complexity, and requirements of our project, additional analysis and design time is required to ensure we have a quality and long lasting project that also meets the DRC process.

Thank you, and we greatly appreciate the Planning Commission's consideration of our extension request.

Sincerely,



Ryan Nipp  
Partner



# **PUBLIC HEARINGS**



# PLANNING COMMISSION STAFF REPORT

**DATE:** March 10, 2020

**FROM:** Tami Stroud, Associate Planner

**SUBJECT:** Proposed Code Amendments to the Design Review Procedures (Chapter 17.09, Article IV)) and Design Review Commission (Chapter 2.98)

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## **DECISION POINT:**

Staff is requesting a recommendation from the Planning Commission to the City Council for the proposed code amendments to Chapter 17.09 Article IV Design Review Procedures and Chapter 2.98 Design Review Commission.

## **BACKGROUND:**

The Design Review Commission (DRC) Procedures have been in need of an update for several years. The Planning Department, Administration, and the Design Review Commission discussed the required DRC requirements as it relates to projects within the City and how the process could be improved and streamlined. On June 6, 2017 the City Council adopted a Work Plan for the Planning Department that included modifying the Design Review Commission Procedures. Following the direction from City Council to better streamline the process, staff asked the Design Review Commission to participate in a survey providing feedback to staff with suggestions to help streamline the process and better serve the development community. Staff also held several workshops with the DRC and discussed the proposed amendments. The DRC provided comments and feedback through the survey which assisted staff in developing an informal process to test out the procedural streamlining for several DRC requests with support from Administration and Legal. The streamlining has had positive results for staff, the development community, and commission members. Based on successful feedback from developers and the commission, staff is bringing forward the proposed amendments, which we believe will formally expedite and simplify the process for all parties.

## **PURPOSE:**

The purpose of the proposed DRC Procedure amendments will do several things: Remove the 1st meeting with the DRC and replace it with a meeting with staff and the applicant, identify projects that should be reviewed administratively, and provide clarification for the developer for timelines and required submittal items. By eliminating the preliminary meeting with the DRC, it saves time and money for applicant, reduces staff time spent on additional commission meetings and staff reports, and makes better use of the commission's time. There are also some minor "housekeeping" items included in the proposed amendment. Addressing the code amendments will streamline the process for staff and developers, and also saves valuable time of the volunteer commissioners. The proposed amendments to Chapter 2.98 Design Review Commission remove the standing alternates, clarify quorum, specify the DRC meeting date, and clarify public notices and comments on proposed projects.

## **DECISION POINT/RECOMMENDATION:**

To make a recommendation to the City Council to approve the proposed code amendments.

## **Attachments:**

- Proposed Design Review Procedures Amendments at a Glance
- Draft Ordinance: Proposed Amendments to the Design Review Procedures (Chapter 17.09, Article IV) and Design Review Commission (Chapter 2.98)



### Proposed Design Review Procedures Amendments at a Glance:

- Amendments to Chapter 17.09 Article IV. Design Review Procedures to expedite the process and make more reviews administrative
- Clarify which projects within the DC, Infill Districts and C-17/C-17L, R-34 and R-17 zones who meet the threshold need to be reviewed by the DRC.
- Expansion/additions “facing” a street with or without street frontage:
  - Any side of a structure, with the exception of the alley side, that can be viewed from the right-of-way must be approved by the DRC unless waived by the Planning Director.
  - Require that at least 2 of the criteria be met and demonstrated for expansions.
  - Remove 1st meeting with the Design Review Commission (DRC) and replace with meeting with staff.
  - Identify projects that should be reviewed administratively.
- Application And Submittal:
  - Application Deadline Consistent with Planning Commission Deadlines. The proposed code amendment specifies the first working day of the month as the deadline to schedule the DRC meeting the following month and specifies the date for resubmittal for subsequent meeting(s) to allow adequate time for processing and review by DRC.
- Initial meeting with Planning Staff:
  - Verification and approval of Floor Area Ratio (FAR) bonuses and proposed parking for the project is required following a Project Review meeting and prior to the first DRC meeting.
  - Material Submittal Requirements: Additional items have been added (see proposed code language).
  - For the first meeting, the applicant will need to clearly include in the written narrative how their project meets all design guidelines (or if any departures are requested) and respond to in writing how the resubmittal responds to commission feedback and the DRC motion, including images.
- Second Meeting/ and optional Third Meeting:
  - Clarifies the Material Submittal Requirements.
  - All required materials for subsequent meetings must be submitted no later than 15 days prior to the schedule meeting date.
  - The Planning Director **or DRC** shall determine whether the review of a project would benefit from a Third Meeting.
- Amendments to Chapter 2.98 Design Review Commission:
  - Membership, Terms; Vacancies
    - Removed “standing alternates.”
  - Modification to the Quorum And Meetings
    - Meetings to be held on the fourth Thursdays of each month at noon, unless otherwise directed by the Commission or Director.
  - Clarification of Public Notice and Comment On Proposed Projects
    - Maximum of 3 Minutes for Public Comments.

If you have any questions, please contact Tami Stroud, Planner at [tstroud@cdaid.org](mailto:tstroud@cdaid.org) or by calling (208) 666-5740.

ORDINANCE NO. \_\_\_\_  
COUNCIL BILL NO. 20-\_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 2.98.020 AND 2.98.050 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO CLARIFY THE PROCESS FOR APPOINTING AND REMOVING MEMBERS OF THE DESIGN REVIEW COMMISSION, ELIMINATING ALTERNATE MEMBERS, AMENDING THE COMPOSITION OF THE COMMISSION, AND DELETING CERTAIN PROCEDURES; REPEALING CHAPTER 17.09, ARTICLE IV, MUNICIPAL CODE, ENTITLED "DESIGN REVIEW PROCEDURES;" ADDING A NEW CHAPTER 17.09, ARTICLE IV, MUNICIPAL CODE, ENTITLED "DESIGN REVIEW PROCEDURES," ESTABLISHING PROCEDURES FOR THE DESIGN REVIEW COMMISSION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

**SECTION 1.** *That Coeur d'Alene Municipal Code section 2.98.020 is amended to read as follows:*

**2.98.020: MEMBERSHIP; TERMS; VACANCIES; COMPENSATION:**

A. The ~~d~~Design ~~r~~Review ~~e~~Commission of the City shall consist of seven (7) members. The members shall be appointed by the Mayor and confirmed by the ~~e~~City ~~e~~Council. The Commission membership shall be made up of:

1. ~~Two (2) members of the planning commission; At least one (1) member, and no more than two (2) members, of the Planning Commission;~~
2. ~~One person who resides within any of the districts under the purview of the design review commission.~~
3. One (1) resident of Coeur d'Alene;
- 3.4 ~~At least o~~One (1) registered architect licensed in the state of Idaho;
- 4.5. ~~At least o~~One (1) person licensed in building or site design (~~i.e., landscape architecture~~);

~~5.6.~~ At least ~~One~~ (1) person who is or has been employed in the a real estate or development ~~industry professional.~~

~~6.~~ At least one (1) person, and no more than two (2) persons who resides within any of the districts under the purview of the Design Review Commission;

~~In addition, there shall be at least two (2) “standing alternates,” possessing any of the attributes above, who are available in the event that one of the regular members is absent or is recused from the review process due to a conflict of interest.~~

~~B.~~ The term of office for each member shall be for four (4) years. ~~or until his successor is appointed and qualified. A member’s term may extend past the expiration of that term until his or her successor is appointed and takes office.~~ The terms shall be staggered so that no more than three (3) terms shall expire on May 1, every two (2) years.

~~B,C.~~ Vacancies occurring otherwise than through the expiration of terms shall be filled by the ~~m~~Mayor and confirmed by the ~~e~~City ~~e~~Council ~~and members may, in like manner, be removed.~~

~~D.~~ A member may be removed prior to the expiration of his or her term upon recommendation by the Mayor, confirmed by the City Council.

~~E.~~ Members of the ~~e~~Commission shall be selected without respect to political affiliations and shall serve without compensation.

**SECTION 2.** *That Coeur d'Alene Municipal Code section 2.98.050 is amended to read as follows:*

**2.98.050: QUORUM AND MEETINGS:**

A. Quorum Requirement: A quorum of four (4) members, ~~which may include one or more of the “standing alternates”~~, is required to render any decision.

B. Meeting Schedule: The ~~e~~Commission shall meet on the fourth Thursday at noon unless otherwise directed by the Commission or Director and duly noticed for another date or time. ~~have a standing meeting twice a month, but.~~ ~~a~~Any meetings may be canceled if there is no ~~subject~~ matter to discuss.

C. Conduct Of Meetings: For any given project in any given meeting, the ~~e~~Commission shall strive to maintain meetings that are expeditious and orderly, with an objective of conducting its review of any individual project within ninety (90) minutes, including ~~both~~ presentation by both the applicant and public comment. ~~The char of the commission is empowered to keep the meeting progressing expeditiously, including cutting off debate, determining appropriate comments by either the applicant or the public, and ensuring that all direction from the commission is arrived at collectively, rather than from individual members.~~

**SECTION 3.** *That Chapter 17.09, Article IV, Coeur d'Alene Municipal Code, entitled "Design Review Procedures," is repealed.*

**SECTION 4.** *That a new Chapter 17.09, Article IV, Coeur d'Alene Municipal Code, entitled "Design Review Procedures," is adopted as follows:*

**17.09.305: TITLE AND PURPOSE:**

This Article shall be known as the DESIGN REVIEW PROCEDURES. The purpose of this Article is to prescribe the procedures for Design Review Commission review of all projects, including requests for design departures, falling within its authority.

**17.09.310: DEFINITIONS:**

For purposes of this Article, the following definitions shall apply.

- A. Commission - the Design Review Commission.
- B. Council - the City Council of the City of Coeur d'Alene.
- C. Director - the Community Planning Director and, unless otherwise indicated, his or her designee.

**17.09.315: PUBLIC NOTICE AND COMMENT ON PROPOSED PROJECTS:**

- A. Public Notice: Not less than fifteen (15) days prior to the date of the Initial Meeting, notice shall be published once in the official newspaper of the City and mailed, first class postage prepaid, to the owners of property within three hundred feet (300') of the external boundaries of the property which is the site of the project ("subject property"). Notice shall also be posted on the subject property not less than one week prior to the meeting. Notice of the Initial Meeting before the Commission shall contain:
  - 1. the legal description and street address of the subject property;
  - 2. a summary of the proposed project;
  - 3. the date, time, and place of the meeting; and
  - 4. any other information deemed necessary by the Director.

Notice of all subsequent meetings shall be posted on the subject property not less than one week prior to the meeting. No notice by publication is required for subsequent meetings.

Notices and decisions regarding the project, including those related to an appeal, shall be mailed to all persons requesting notice in a writing filed with the Director.

- B. Public Comment: Meetings of the Commission shall include a period of time for public comment on proposed projects. Each person who wishes to comment shall be allowed a maximum of three (3) minutes. Any public comment on a proposed project shall only be on matters related to the adopted design standards and guidelines. No comment shall be taken on matters which cannot be modified by the Commission, including, but not limited to, basic zoning requirements, FAR, building height, density, or use. The chair of the Commission is empowered to conduct the meeting in an orderly manner, including reasonably limiting debate, determining whether comments by either the applicant or the public are appropriate or within the purview of the Commission, and ensuring that any decision of the Commission is arrived at collectively.

**17.09.320: DEVELOPMENT PROJECTS REQUIRING COMMISSION REVIEW:**

- A. Projects Subject to Commission Review: Commission review is required as follows:

	District	New Construction	Street Facade Alterations <sup>1</sup>	Exterior Expansion
Areas where design guidelines and standards exist with trigger points for DRC review	DC district downtown core	All exterior projects south of midblock Lakeside/Coeur d'Alene	All <sup>2</sup>	All <sup>2</sup>
	Infill overlay * DO-N * DO-E * MO	Any project over 2 stories and/or 4 dwelling units	No	No
	C-17 and C-17L districts	Any project larger than 50,000 square feet or located on a site 5 acres or larger or with more than 2 departures	Any project with more than 2 departures	No
	R-17	Multi-family Residential projects over 100 units (on a single lot or adjacent and abutting lots if part of the same project).	No	No
	R-34	Any project	No	No

Notes:

1. Painting, window and awning replacement, or other minor repairs are not required to go through design review where the Director determines that the repair does not constitute a substantial change to the facade or that the replacement windows or awnings are substantially similar to those being replaced. Placement of a new awning on an existing facade is subject to design review by the Director. The applicant for a new awning placement must submit the items referenced in § 17.09.325(E) to the Director for review.
  2. When an expansion/addition “faces” a street with or without street frontage:
    - a. Any side of a structure, with the exception of the alley side, that can be viewed from the right-of-way must be approved by the DRC unless waived by the Director.
    - b. Require that at least 2 of the criteria be met and demonstrated for expansions.
- B. Director's Determination of Commission Review: The Director is authorized to require Commission review of other projects subject to design regulations and standards in the DC, C-17, or C-17L districts, R-17, R-34 or the DO-N, DO-E, or MO overlay districts, where the location, size, layout, or design of the project creates unusual sensitivity or context issues.

**17.09.325: APPLICATION AND SUBMITTAL:**

- A. Purpose of Application Submittals: A development applicant shall participate in the design review process as required by this Article before substantive design decisions are fixed and difficult or expensive to alter. The City will work with the applicant in a collaborative fashion so that the goals of both the City and the applicant can be met to the greatest degree possible, and to address the concerns of neighbors and the community.

In order for this process to work effectively, the applicant must be willing to consider options for the project’s basic form, orientation, massing, relationships to existing sites and structures, surrounding street and sidewalks, and appearance from a distance.

- B. Project Review: Each applicant shall comply with the Project Review Procedure set out in Chapter 17.09, Article VI, Municipal Code, prior to meeting with the Commission. Prior to a Project Review application submittal, all Floor Area Ratio (F.A.R.) development bonuses must be approved by the Community Planning Director, or his or her designee.
- C. Design Review: A complete application and applicable fee for design review under this Article shall be made on a form prescribed by, and filed with, the Director. The completed application must be filed not later than the first working day of the month ~~if~~ and the Initial Meeting with the Commission will be held on the fourth Thursday of ~~that~~ the following month, unless otherwise directed by the Commission or Director and duly noticed. The Director shall schedule the Initial Meeting before the Commission upon receipt of the completed application in accordance with this subsection.

D. Initial Meeting with Planning Staff: Not later than fifteen (15) days before the Initial Meeting with staff, the applicant must submit the supplemental and updated information required by this subsection to the Director. If all required items are not submitted two weeks prior to the scheduled meeting, the Director may postpone the Initial Meeting to a later date. Prior to the First Meeting, all Floor Area Ratio (F.A.R.) development bonuses must be approved by the Community Planning Director, or his or her designee. After the Initial Meeting, the Director shall schedule the Second Meeting with the Commission for a date not less than thirty (30) days after the Initial Meeting. In the Director's discretion, any meeting may be scheduled at an earlier or later date if it is in the best interests of the Commission, the applicant, or staff.

1. A complete application (including the applicable fee); and
2. A site map, showing property lines, rights of way, easements, topography, existing and proposed building footprints (if applicable), major landscaped areas, parking, access, sidewalks amenities and public areas; and
3. A context map, showing building footprints and uses of parcels within three hundred feet (300'); and
4. A written narrative including: A summary of the development plan including the areas for each use, number of floors, ~~etc.~~ total square footage and total acreage, and any information that will clarify the proposed project; and; a detailed description of how the project meets each applicable design guideline and design standards, including images/exhibits, and any design departures, and all revisions to the project made as a result of the initial meeting with staff. The narrative shall also include a description and photos detailing proximity to major roads, view corridors, and neighborhood context.
5. General parking information including the number of stalls, dimensions of the parking stalls, access point(s), circulation plan, any covered parking areas, bicycle parking (included enclosed bike storage areas), and whether the parking will be surface or structured parking; and
6. An ownership list prepared by a title insurance company, listing the owners of property within a three hundred foot (300') radius of the external boundaries of the subject property. The list shall include the last known name and address of such owners as shown on the latest adopted tax roll of the county; and
7. Photographs of nearby buildings that are visible from the site, from different vantage points with a key map; and
8. Views of the site, with a key map; and
9. A generalized massing, bulk and orientation study of the proposal; and

10. Elevations of the conceptual design for all sides of the proposal and an elevation along the block, showing massing of the proposal; and
  11. An exhibit showing existing and proposed grade; and
  12. Project inspiration images.
  13. Sample of materials and colors, both physically and an electronic copy; and
  14. A PowerPoint presentation that includes a detailed description of how the project meets each finding and any design departures, and addressing all of the items required in the narrative.
- E. First Meeting with the DRC: Not later than the first working day of the month, the DRC Meeting, the applicant must submit the items required by this subsection to the Director. If all required items are not submitted in a timely manner, the Director may postpone the Meeting to a later date.
1. All items required for the first meeting with staff with any changes; and
  2. A narrative demonstrating all revisions to the project made as a result of the meeting with staff, and referencing the project's compliance with the applicable design guidelines, including images/exhibits, and design departures.
  3. A refined site plan with major landscaped areas, parking, access, circulation, sidewalks and public/private amenities; and
  4. Refined elevations; and
  5. Perspective sketches (but not finished renderings); and
  6. A conceptual model is strongly suggested (this can be a computer model).
- F. Optional Second Meeting with the DRC: At the time of the First Meeting with the DRC, the Commission shall determine whether the review of the project would benefit from ~~a~~ and additional DRC Meeting to review project changes in response to the first DRC Meeting or is necessary based on all the circumstances. If the Commission decides that a subsequent Meeting will be beneficial or necessary, the Director or his/her designee shall schedule such meeting in accordance is § 17.09.325(C). Not later than fifteen (15) days before the subsequent Meeting, the applicant must submit the items required by this subsection to the Director. If all required items are not submitted two weeks prior to the scheduled meeting, the Director may postpone the subsequent Meeting to a later date.
1. Refined site plan and elevations for all sides of the proposal; and
  2. Large scale drawings of entry, street level facade, site amenities; and



3. Samples of materials and colors, electronic copy of materials and colors, and physical samples of the materials will need to be brought to the meeting; and
4. Finished perspective rendering(s) for all sides; and
5. Elevations; and
6. A narrative demonstrating all revisions to the project made as a result of the previous Meeting.

**17.09.330: COMPLIANCE WITH STANDARDS AND GUIDELINES:**

The applicant has the obligation to prove that the project complies with the adopted design standards and guidelines. The Commission may not substitute criteria of its own choosing for the adopted standards and guidelines nor base its decision on an individual commissioner’s personal opinions about the project and its merits. The Commission shall apply the collective judgment of its members to determine how well a project comports with the adopted standards and guidelines, and it may impose reasonable fact-based conditions to ensure better or more effective compliance with those standards and guidelines. The Commission may also exercise discretion to reconcile the adopted standards and guidelines with site specific conditions in order to meet the intent of the Zoning Code. During the design review process, the Commission is authorized to give direction to an applicant to modify aspects of the project design for the purpose of assuring compliance with the standards and guidelines. At any meeting, the applicant shall be allowed up to fifteen (15) minutes to present to the Commission. Response to questions from commissioners shall not be counted against the fifteen (15) minutes. The chair of the Commission has the discretion to grant the applicant additional time to present.

**17.09.335: FINAL DECISION BY THE COMMISSION:**

- A. Record Of Decision: The Commission may grant or deny the application, or grant the application with such conditions as are, in its judgment, necessary to ensure conformity to the adopted standards and guidelines. The Commission shall make written findings to support its decision, specifically stating how the project conforms to the adopted design standards and guidelines or how it does not. A copy of the Commission’s decision shall be mailed to the applicant and the Director shall make the commission’s decision available for public inspection. The Commission has the power to table a decision to a later date and request an additional meeting.
- B. The final decision by the commission shall be provided to anyone seeking information or a building permit for said property.

**17.09.340: APPEALS OF A DECISION OF THE DESIGN REVIEW COMMISSION:**

- A. Perfecting Appeal: A final decision of the Commission may be appealed to the Council. The appeal shall be in the form of a written Notice of Appeal filed with the Director within ten (10) days after the decision has been mailed to the applicant. The appeal shall

be accompanied by the appeal fee established by resolution of the Council. Upon receipt of an appeal, the Director shall notify the City Clerk, who shall set an appeal hearing before the City Council.

- B. Appeal on The Record: The Council's review of the decision of the Commission shall be based on the record developed before the Commission. No new evidence or materials shall be allowed by any party in the appeals proceedings.
- C. Hearing: Only the applicant, City staff, the appellant, and their representatives may participate in the appeals hearing. Although the hearing is open to the public, no general public testimony will be taken. Any participant in the appeal may provide comments and argument, based on the established record, concerning the decision of the Commission.
- D. Burden Of Proof: The appellant must establish by a preponderance of evidence that an error was made in the decision or that design standards or guidelines were ignored or incorrectly applied, and that the appellant was prejudiced thereby. Objections to the development, its height, intensity, parking, or traffic impacts are not grounds for redress on appeal because they are not design review criteria. Basic zoning standards and allowances embodied within the code shall be presumed to be correct and are not subject to the appeal. Factual findings by the Commission will be accepted by the Council if they are supported by substantial evidence.
- E. Council Action: The Council may affirm or reverse the Commission decision, or refer the project back to the Commission for further action or clarification. The Council shall issue its decision within fifteen (15) days of the appeal hearing. If the project is referred back to the Commission, the Commission shall hold a public meeting to consider the referral and shall render a report to the Council within forty (40) days of such referral. The City Council shall then reconvene the appeal hearing to consider the report and render a final decision as prescribed in this section.

**17.09.345: ADHERENCE TO APPROVED PLANS:**

- A. Adherence to and Modification of Approved Plan: The project must be developed in accordance with the terms of the Commission's approval. If the developer or applicant desires to modify the project with regard to the approved design related to adopted standards and guidelines, including the submission of an application for permit approval that does not incorporate all of the substantive elements of the approved design, the developer or applicant must submit a revised plan to the Director.
- B. Determination Of Compliance: The Director shall determine if the revised plan substantially complies with the approved design and conditions. If it does not, the Director shall determine at which point in the design review process the developer or applicant must commence in order to obtain Commission approval of the revised plan. The appropriate point in the design review process is that point at which the extent of the proposed modifications can be best addressed.

- C. Lapse Of Approval: Unless a different termination date is prescribed by the Commission, the design approval shall terminate one year from the date of mailing of the decision unless substantial development or actual commencement of authorized activities has occurred. The termination date may be extended by the Commission for up to one year, without public notice, upon written request filed at any time before the approval has expired and upon a showing of undue hardship not caused by the developer or applicant.
  
- D. Denied Projects: In the event that a submitted design has been denied and the applicant seeks approval of a new design, the Director shall determine at which point in the design review process the developer or applicant must commence in order to obtain Commission approval of the new plan. The appropriate point in the design review process is that point at which the extent of the new plan can be best addressed.

**SECTION 5.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 6.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

**SECTION 7.** After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on \_\_\_\_\_, 2020*

APPROVED, ADOPTED and SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Steve Widmyer, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Amending Municipal Code Section 2.98.020, and Amending Article IV, Chapter 17.09,  
Entitled Design Review Procedures

AN ORDINANCE AMENDING SECTIONS 2.98.020 AND 2.98.050 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO CLARIFY THE PROCESS FOR APPOINTING AND REMOVING MEMBERS OF THE DESIGN REVIEW COMMISSION, ELIMINATING ALTERNATE MEMBERS, AMENDING THE COMPOSITION OF THE COMMISSION, AND DELETING CERTAIN PROCEDURES; REPEALING CHAPTER 17.09, ARTICLE IV, MUNICIPAL CODE, ENTITLED "DESIGN REVIEW PROCEDURES;" ADDING A NEW CHAPTER 17.09, ARTICLE IV, MUNICIPAL CODE, ENTITLED "DESIGN REVIEW PROCEDURES," ESTABLISHING PROCEDURES FOR THE DESIGN REVIEW COMMISSION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. \_\_\_\_\_ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

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Renata McLeod, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, Amending Municipal Code Sections 2.98.020 and 2.98.050, Repealing Chapter 17.09, Article IV, and Adopting a new Chapter 17.09, Article IV, Entitled "Design Review Procedures," and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Randall R. Adams, Chief Civil Deputy City Attorney

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** MIKE BEHARY, ASSOCIATE PLANNER

**DATE:** MARCH 10, 2020

**SUBJECT:** SP-1-20, REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A WIRELESS COMMUNICATION FACILITY (CELL TOWER) IN THE R-12 ZONING DISTRICT

**LOCATION:** A +/- 3.76 ACRE PARCEL LOCATED AT 701 N 15<sup>th</sup> STREET (PERSON FIELD)

**APPLICANT:**  
Verizon Wireless  
c/o Rod Michaelis  
P.O. BOX 8436  
Spokane, WA 99203

**OWNER:**  
City of Coeur d'Alene  
c/o Bill Greenwood, Parks & Rec. Director  
710 E Mullan Avenue  
Coeur d'Alene, ID 83814

**DECISION POINT:**

The applicant is requesting approval for a special use permit to allow a wireless communications (Cell Tower) facility in the R-12 Zoning District.

**BACKGROUND INFORMATION:**

The City owns Person Field and it is maintained and operated by the Parks and Recreation Department. Prior to the applicant making application for this special use permit, they approached the Parks Department to see if it was feasible to be allowed to build a cell tower on Person Field. On November 18, 2019 the Director of the Parks and Recreation Department brought forth the request by Verizon to the Parks and Recreation Commission for their review and approval that would allow Verizon the right to build of a cell tower on Person Field.

The Parks and Recreation Commission heard the request and made an approval for allowing Verizon the right to build a cell tower in the northwest portion of Person Field provided the applicant obtains approval of a special use permit. See the Parks Department Staff Report and The Parks and Recreation Commission's minutes from the November 18, 2019 meeting in Attachments 2 and 3 at the end of this report.

If the proposed special use is approved, the applicant will need to enter into a lease agreement with the City in order to build and operate a cell tower from the subject site. The applicant is proposing to locate a 75 foot cell tower in the northwest corner of the park. It is proposed to be located immediately east of the existing maintenance building. (see Site Plan on page 3)

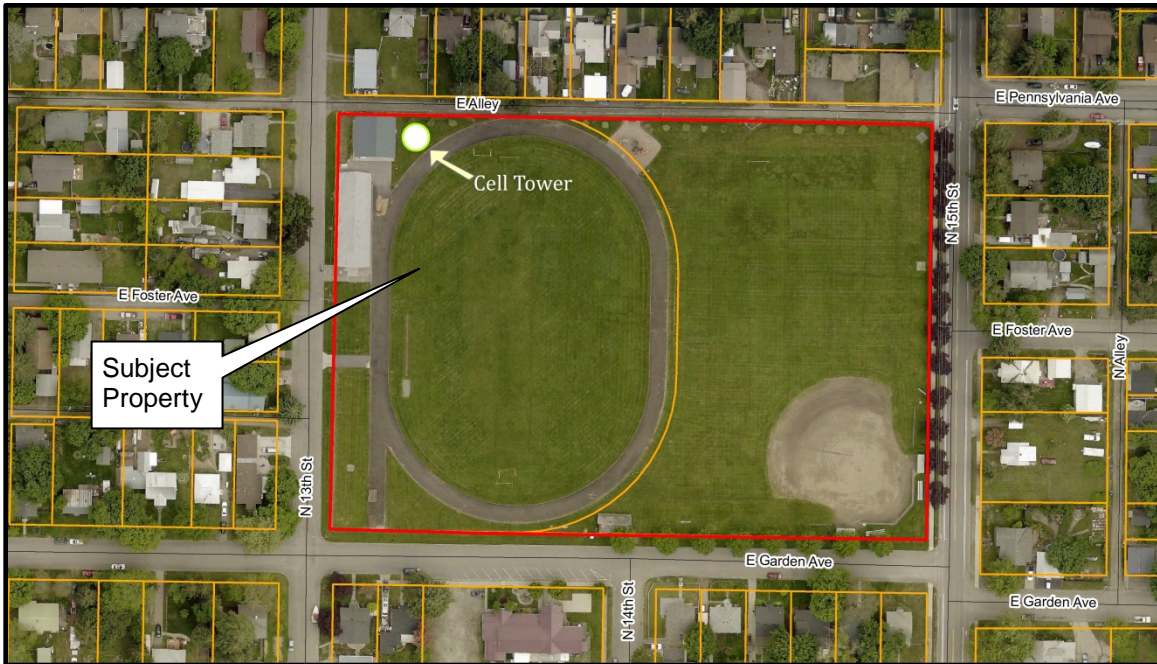
The applicant has indicated that the proposed cell tower will be stealth in design and will be constructed to look like a faux evergreen tree (see tower elevation on page 4). The applicant has

also provided a map illustrating the coverage area that the proposed cell tower will serve (see cell coverage map on page 5).

**PROPERTY LOCATION MAP:**



**AERIAL PHOTO:**

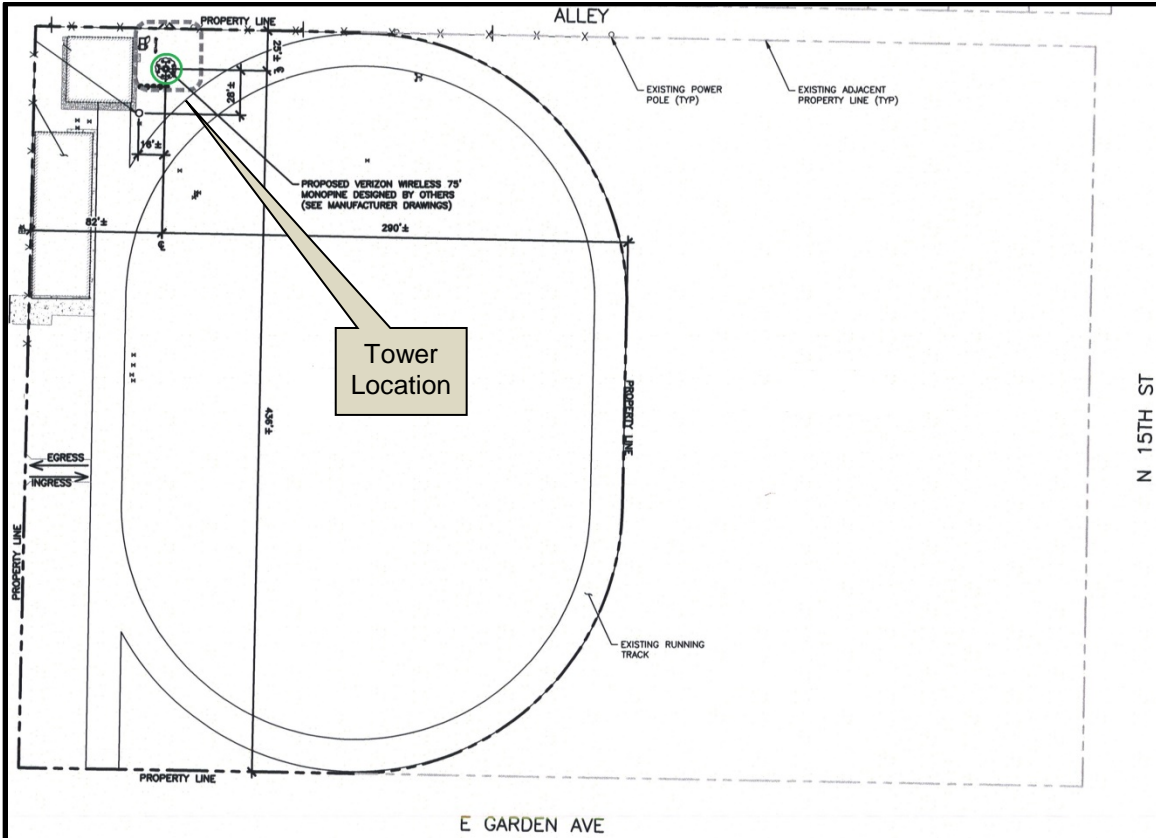




**BIRDSEYE VIEW AERIAL PHOTO:**

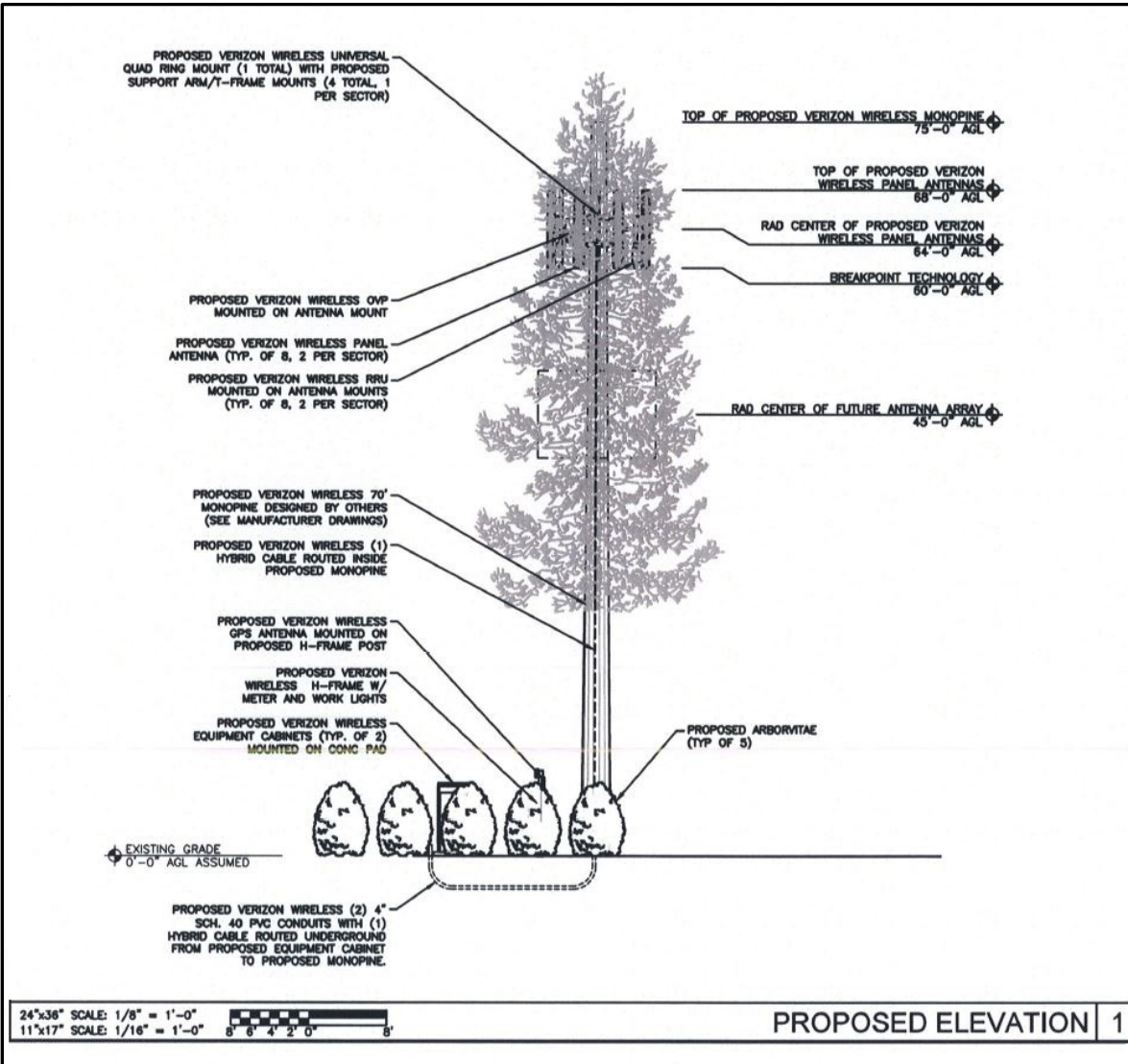


**SITE PLAN:**

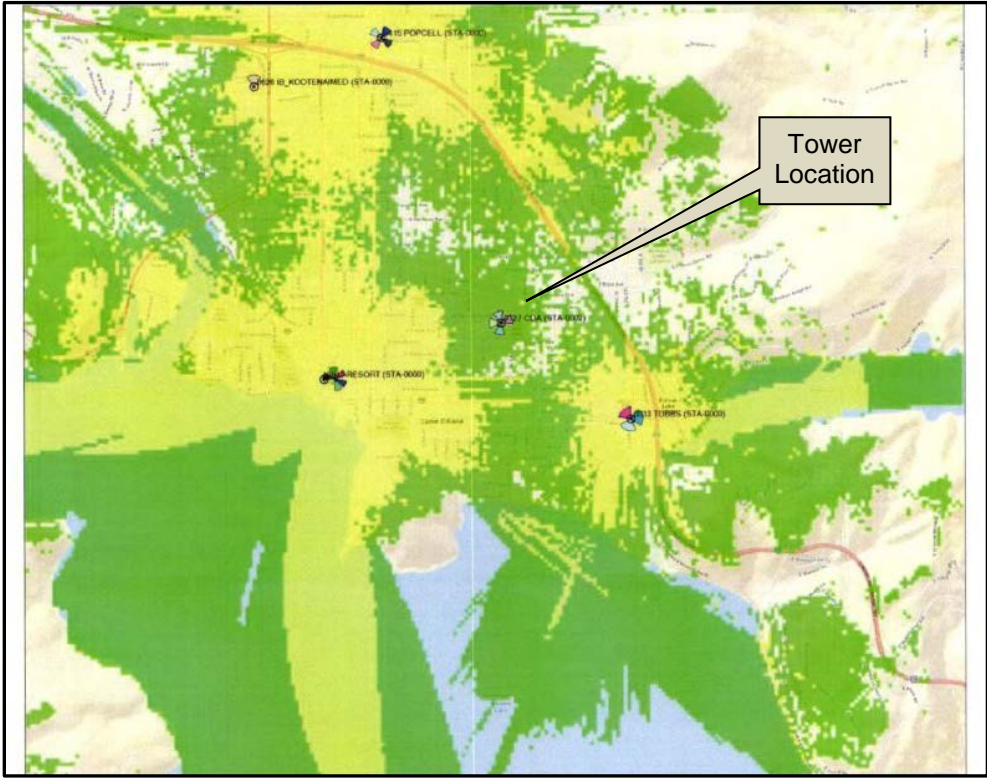




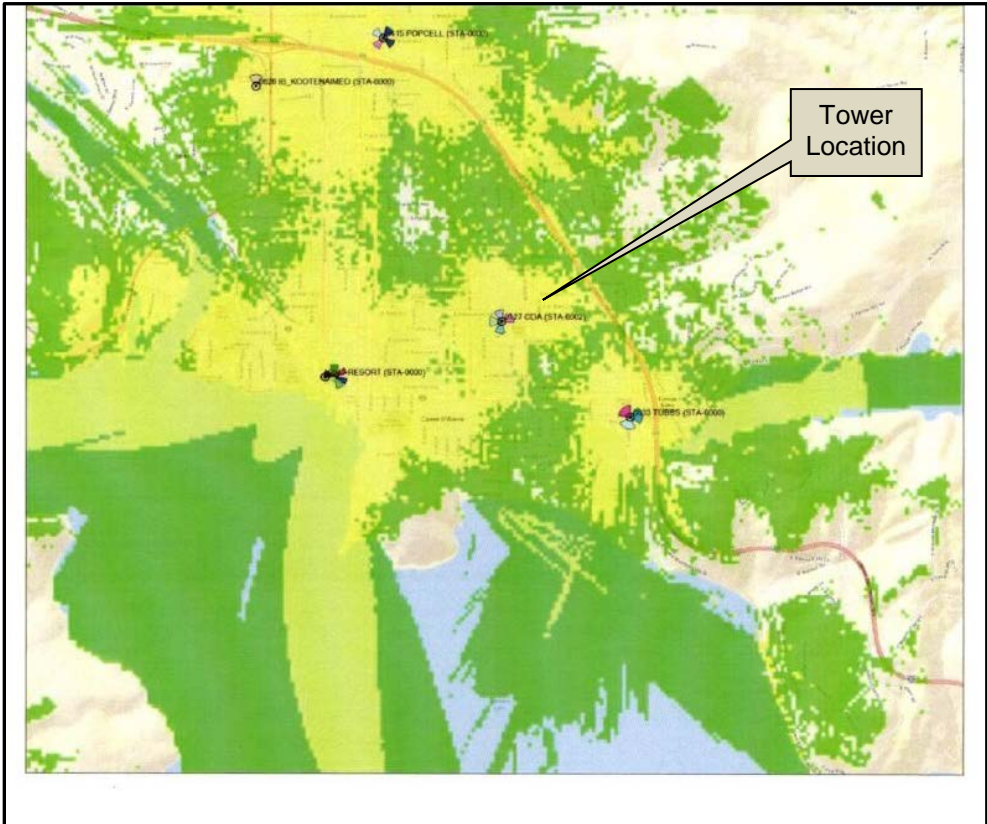
**CELL TOWER ELEVATION:**



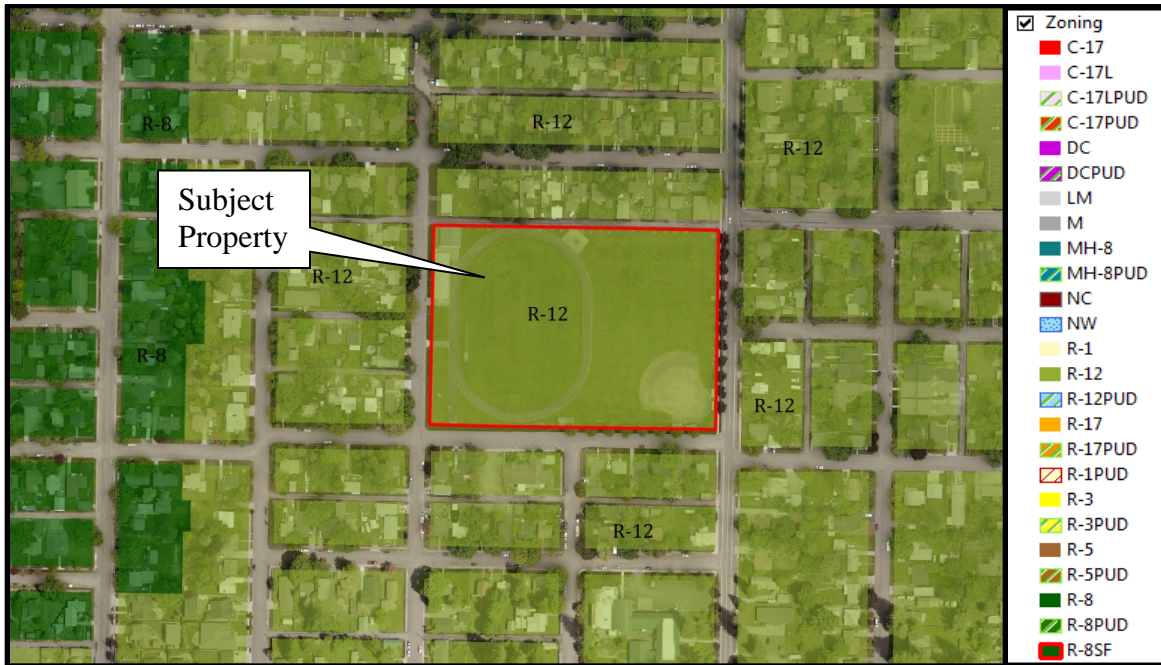
**CELL COVERAGE WITHOUT PROPOSED TOWER:**



**CELL COVERAGE WITH PROPOSED TOWER:**



**ZONING MAP:**



**R-12 RESIDENTIAL ZONING DISTRICT:**

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

**17.05.180: PERMITTED USES; PRINCIPAL:**

Principal permitted uses in an R-12 district shall be as follows:

- Civic Administrative Offices
- Duplex housing
- Essential service
- "Home occupation", as defined in this title
- Neighborhood recreation
- Public recreation
- Single-family detached housing as specified by the R-8 district

**17.05.200: PERMITTED USES; SPECIAL USE PERMIT:**

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service – ( Cell Tower )
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

**17.05.190: PERMITTED USES; ACCESSORY:**

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling units
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).



**17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

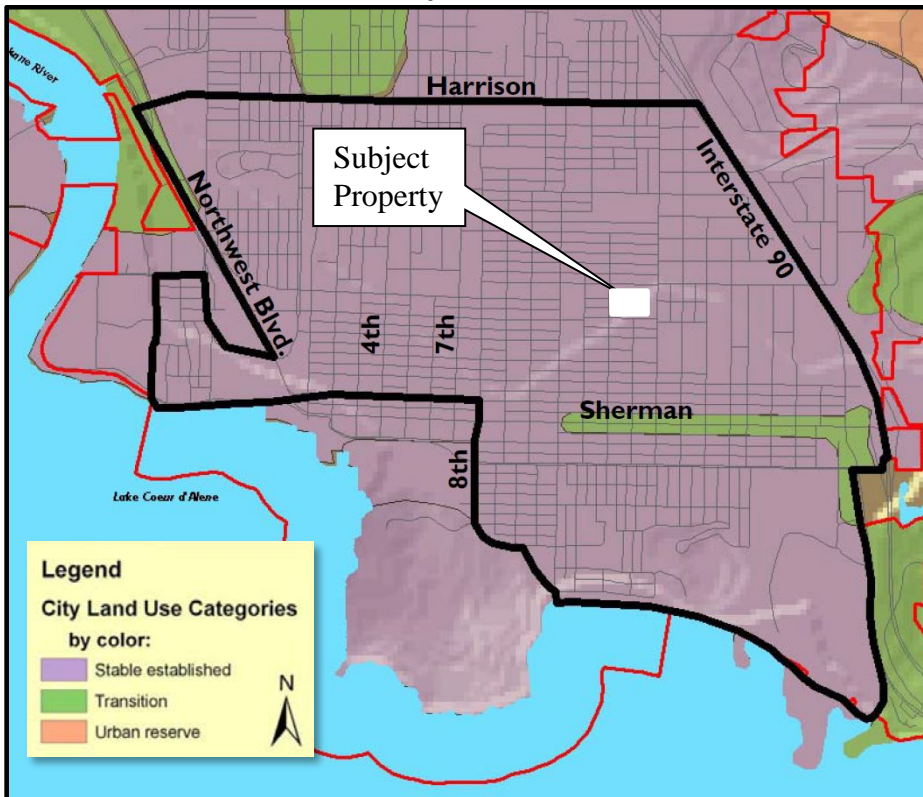
- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space.

**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 in the Historical Heart District, Stable Established.

**COMPREHENSIVE PLAN MAP: Spokane River District**



**Stable Established:**  
*These areas are where the character of neighborhoods has largely been established, and in general, should be maintained. The street network, the number of building lots, and general land uses are not expected to change greatly within the planning period*

### **Historical Heart District 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 the Historical Heart District neighborhoods will be:**

- That infill regulations providing opportunities and incentives for redevelopment and mixed use development will reflect the scale of 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.

### **NEIGHBORHOOD CHARACTER:**

#### 2007 Comprehensive Plan: Historic Heart District 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 homes and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

## **2007 COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:**

### **Objective 1.14 - Efficiency:**

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

### **Objective 1.18 – Night Sky:**

Minimize glare, obtrusive light, and artificial sky glow by limiting outdoor lighting that is misdirected, excessive, or unnecessary.

### **Goal #2: Economic Environment:**

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

### **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 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 2.06 Cooperative Partnerships:**

Encourage public/private partnerships to procure open space for the community while enhancing business opportunities.

### **Goal #3: Economic Environment:**

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

### **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 for properties in development.

### **Goal #4: Administration Environment:**

Our Comprehensive Plan preserves and enables efficiency and good management.

### **Objective 4.03 Project Financing:**

Manage in-house finances (and appropriate outside funding, when necessary).

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

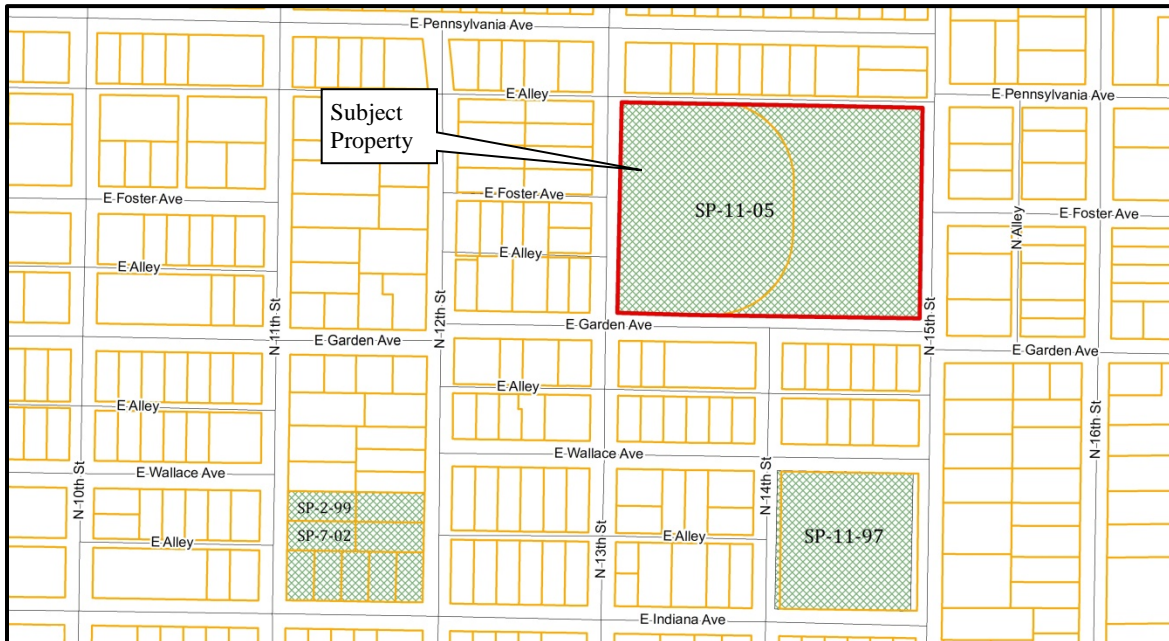
There is an existing softball field, track area, soccer field, and two parks department maintenance sheds are located on the subject site. Located to the north, south, east, and west of the subject site have single family dwellings located on them. The surrounding properties all have residential uses located on them. (See Land Use Map on page 11)

The subject site has frontage on 15<sup>th</sup> Street, which is an arterial road. The properties to the north, south, east, and west of the subject site are zoned R-12. (See Zoning Map on page 4)

On the subject site there was a special use request in 2005 for a community education facility (Lakes Middle School) that was denied in item SP-11-05. To the south, in 1997 there was a special use request by NIC for a community education facility that was approved in item SP-11-97

To the southwest of the subject property, a special use request for a community education facility was approved in 1999 that allowed for portable classrooms in item SP-2-99, which then expired. On that same property in 2002, a special use request for an extension was applied for in item SP-7-2002. That item expired as well and the portable classrooms were never built. (See Special Use Map below)

**SURROUNDING SPECIAL USE LOCATIONS:**

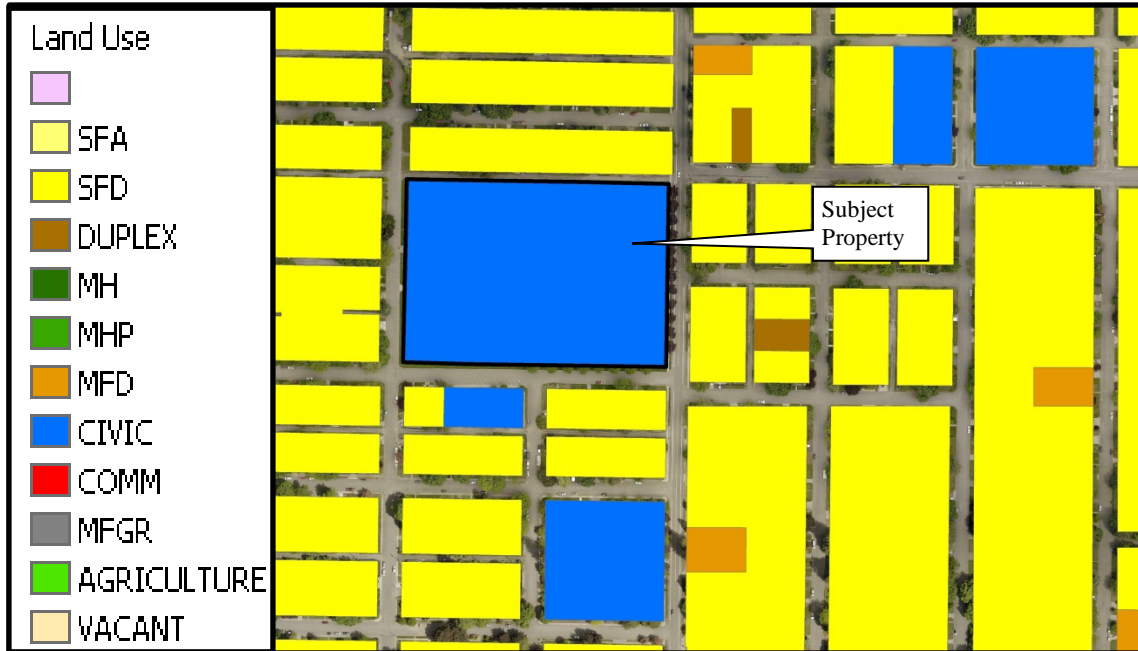


**Special Use Permits:**

SP-11-97	Community Education (NIC)	1-5-1998	Approved
SP-2-99	Community Education	2-9-1999	Approved
SP-7-02	Community Education (Extension)	6-11-2002	Approved
SP-11-05	Community Education	11-8-2005	Denied



**GENERALIZED LAND USE MAP:**



**SITE PHOTO - 1:** View from the center of property looking east.





**SITE PHOTO - 2:** View from the west central part of property looking west.



**SITE PHOT- 3:** View from the west central part of property looking north toward proposed tower site.





**SITE PHOTO-4:**View from the central part of property looking northwest toward proposed tower site.



**SITE PHOTO - 5:** View from the north part of property looking west toward proposed tower site.



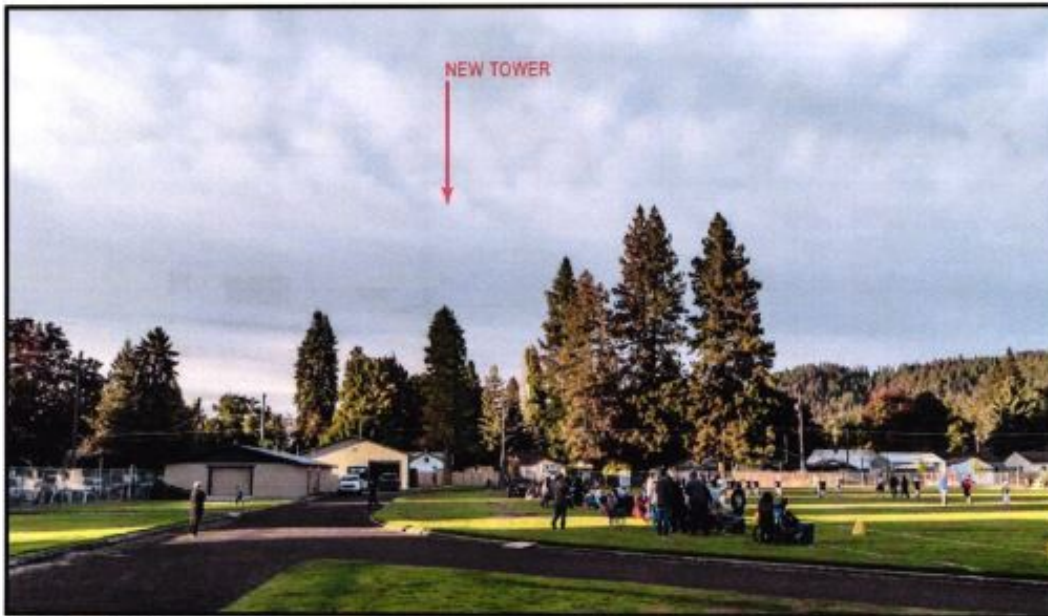


APPLICANT'S STEALTH TOWER RENDERING - 1:



CURRENT

VIEW #1 LOOKING NORTH  
IN THE PARK



PROPOSED

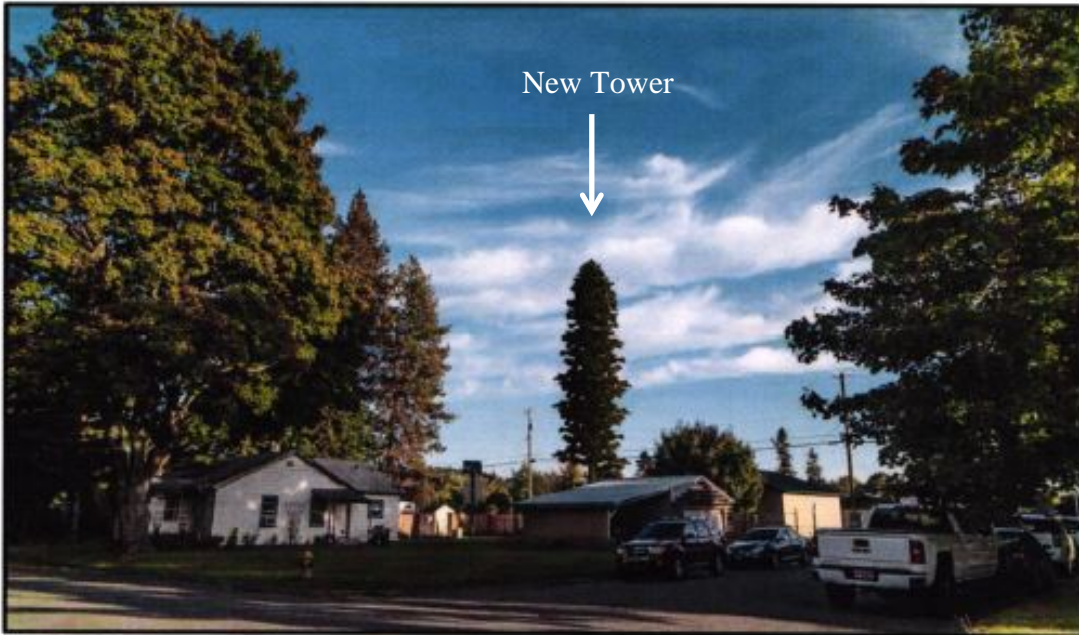
TIM BRADLEY IMAGING

**APPLICANT'S STEALTH TOWER RENDERING – 2:**



**CURRENT**

**VIEW #4 LOOKING SOUTHEAST  
ON 13TH STREET**



**PROPOSED**

TIM BRADLEY IMAGING

**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 construction on the subject property. City Code requires stormwater to remain on site and for a stormwater management plan to be submitted and approved prior to any construction activity on the site.

**STREETS:**

The subject property is bordered by Garden Ave to the south, 13<sup>th</sup> Street to the west, and 15<sup>th</sup> Street to the east. All streets meet City Standards. Access is proposed from 13<sup>th</sup> Street.

**TRAFFIC:**

The proposed project is expected to have negligible impacts on the adjacent transportation network. Streets and Engineering has no objections to the proposed special use permit.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

The Water has no comments or condition for the proposed special use permit. The Water Department has no objection to this special use permit as proposed.

*-Submitted by Kyle Marine Assistant Water Superintendent*

**SEWER:**

Wastewater has no issues with this project. The Wastewater Utility no objection to this special use permit as proposed.

*-Submitted by Larry Parsons, Utility Project Manager*

**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 during the Site Development and Building Permit, 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*

**PARKS:**

The Parks & Recreation Commission endorses the placement of a cell tower at Persons Field with all generated revenues placed in the Parks Capital improvement Fund. The Park and Recreation Department has no objection to this special use permit as proposed.

*-Submitted by Bill Greenwood, Parks & Recreation Director*

**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.*

## **Article VIII: Wireless Communication Facilities Regulations**

### **17.08.825.C**

#### **Factors Considered in Granting Special Use Permits for Towers:**

In addition to any standards for consideration of special use permit applications pursuant to this Code, the Planning Commission shall consider the following factors in determining whether to issue a special use permit, although the commission may waive or reduce the burden on the applicant of one or more of these criteria if the commission concludes that the goals of this article are better served thereby.

The applicant has indicated the following responses to each of the 12 factors for consideration in granting of a special use permit for a cell tower:

1. Height of the proposed tower. Towers exceeding a height of seventy five feet (75') shall be able to accommodate collocation of one additional provider. Additional height to accommodate additional collocation may be approved if the applicant submits information certifying the tower has capacity for at least two (2) additional providers. The applicant shall provide a letter indicating their good faith intent to encourage collocation on the tower.

*Answer: The mono-pine will be 75'and will be able to accommodate collocation by one additional provider.*

2. Proximity of the tower to residential structures and residential district boundaries.

*Answer: The closest residence is approximately 86' to the north. The project is in the residential area it is designed to serve.*

3. Nature of uses on adjacent and nearby properties.

*Answer: The proposed project is set at Person Field and for the most part is surrounded by residential properties. The exceptions are The Lake City Playhouse to the south, and N 15th Street arterial is to the east.*

4. Surrounding topography.

*Answer: The land in the immediate area is mostly flat with numerous trees.*

5. Surrounding tree coverage and foliage.

*Answer: The tree coverage is notable with a mix of evergreen, pine and deciduous trees.*

6. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

*Answer: The tower is designed to resemble an evergreen tree which will have the effect of reducing visual obtrusiveness.*

7. Proposed ingress and egress.

*Answer: During construction some vehicles may access the site via Person Field off of N 13th Street. After construction access is planned from the alley.*

8. No existing structures are located within the geographic area which meet the applicant's engineering requirements.

*Answer: No existing structures or towers were found in the area that met the engineering requirements for Verizon Wireless. (see RF justification letter)*

9. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

*Answer: No towers or structures were found in the area.*

10. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

*Answer: Not Applicable.*

11. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

*Answer: Not Applicable.*

12. The applicant demonstrates that there are other limiting factors not enumerated herein that render existing towers and structures unsuitable.

*Answer: No suitable structures were found in the area.*

*The proposed WCF is located on city owned property in a residential zone. The nearest non-residentially zoned property to the proposed WCF is as follows:*

- To the South; the nearest C-17 zone is approximately 1,866' south to Sherman Ave. Most of the commercially zoned property along Sherman is within 200' of a residential zone. Moving the proposed CDA site to Sherman Ave would be closer to Verizon's existing "Tubbs" site and would overlap coverage in that area and still leave a gap in coverage near Person Field.*
- To the west; the nearest commercially zoned property is approximately 3,300' to 4<sup>th</sup> Street. Moving the site to the west would also double coverage in that area and leave a gap in coverage near Person Field.*
- To the east; no commercially zoned/developed property was found.*
- To the north, the nearest commercially zoned property is approximately 4,400' and north of I-90 (too far from search ring and near an existing Verizon site - Pop Cell). There are two (2) NC zoned properties to the north; TAJ Groceries at 15th and Hastings, across the street from Lakes Middle School and Jordon's Grocery at 15th and Elm. There isn't enough ground space to put a WCF at Jordon's Grocery, and placing a site at TAJ Groceries would be very visible because it would be in an open as compared to Person Field.*

*The nearest LM or M zone is located at Ramsey and West Golf Course Road - 2.5 miles from the proposed project. These higher zones are also too far away to serve the area near Person Field.*

*We found no higher preferred tower locations within a reasonable distance to Person Field.*

**Evaluation:** *Planning Commission must determine if the 12 factors for consideration in granting of a special use permit for a cell tower have or have not been adequately met. However, the Planning Commission may waive or reduce the burden on the applicant of one or more of these criteria if the commission concludes that the goals of this article are better served thereby.*



**PROPOSED CONDITIONS:**

- There are no proposed conditions.

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
- 2017 Trails & Bikeways Master Plan

**ACTION ALTERNATIVES:**

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

**Attachments:**

- 1 – Applicant’s Narrative
- 2 – Parks and Recreation Department’s Staff Report from the November 18, 2019 meeting
- 3 – The Parks and Recreation Commission’s minutes from the November 18, 2019 meeting
- 4 – Applicant’s RF justification letter



**APPLICANT'S  
NARRATIVE**

## **Narrative for proposed stealth wireless communication facility at Person Field.**

**Date:** January 6, 2020

**Applicant:** Verizon Wireless represented by Rod Michaelis

**Project Name:** ID-CDA

**Project Description:** A Verizon Wireless communication facility consisting of a 75' tall mono-pine, outdoor cabinets with underground cabling to the tower. No fencing or backup emergency generator is proposed. More detail is shown on the attached zoning drawings.

**Location of project:** The NW corner of Person Field next to an existing maintenance building.

**Address of project:** 701 N 15<sup>th</sup> Street, CDA, ID 83814

**Parcel number:** C-7348-001-001-0

### **Special Use Permit Criteria: 17.09.220**

- A. *The proposed project is in conformance with the comprehensive plan in the following ways:*

#### **2007 Comprehensive Plan:**

##### **Goal #1 Natural Environment:**

The proposed project supports the natural beauty of Coeur d Alene in the following ways:

- The wireless facility (WF) will be designed and constructed to look similar to an evergreen tree. No trees will be removed, and the mono-pine will be placed near existing trees to make it look more natural. Photo-sims are attached.
- The WF doesn't create pollution, noise or litter. It is environmentally friendly.
- The WF is set in a portion of the play field that is rarely used so the impact on the park is minimal. This project is supported by the Park and Recreation Commission.
- Fencing is not proposed. The Applicant believes that open concept is more consistent with the parks open spaces.

##### **Goal #2 Economic Development:**

The proposed project supports the economic growth of Coeur d Alene by providing reliable communications for business, tourism, and personal use. Many businesses do a significant amount of commerce on modern wireless phones. Making arrangement for dining, transportation, and hotel rooms are often completed over our modern phones.

##### **Goal #3 Home Environment:**

The proposed WF is set in a park/play field near an existing building and alley. The location will be partially obscured by the existing building and be separated from existing houses by an alley. The WF will bring excellent wireless service to people visiting Person Field and those that live in the surrounding neighborhoods. Modern wireless phones allow people to work, order food clothing, or even have a video chat with their doctor while staying in their home. This is especially nice for people who aren't able to easily leave their home environment.

Goal #4 Administrative Environment:

Public Safety – according to the FCC; approximately 80% of all 911 calls are now made from wireless phones. The proposed facility will strongly support communications between residents and city services including 911.

- B. *The design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

The mono-pine stealth technology design is compatible with and will visually blend in with the trees to the north. The ground equipment will be next to an existing building and totally screened from view by those living to the west of the project. To the south, Person Field runs approximately 450' to E Garden Ave.; to the east, Person Field runs approximately 580' to 15<sup>th</sup> Street; to the north, the mono-pine will be located 25' from the property line and the 20' wide alley. The setting maximizes the use of the play field by putting the facility in a corner next to a building. Additionally, the facility will be significant distance from residences except to the north. The residences to the north are separated by an existing alley and row of trees.

- C. *The location, design, and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services.*

The proposed WF is served by streets, an alley, and all utilities.

**7.08.820: General Requirements:**

- A. Inventory of existing sites: Verizon Wireless currently has one (1) site that is within  $\frac{3}{4}$  of a mile of the proposed project at Person Field. The site noted as "Tubbs" in the RF Justification letter is located at E. Mullan Ave. and E Coeur d Alene Lake Drive. It is located about 4,000 feet from the proposed CDA project at Person Field. Verizon's other sites are noted in the RF Justification letter.
- B. Color: the antennas will be painted to match the mono-pine.
- C. Lighting: The only lighting will be directed to the outdoor cabinets when a technician is working at the site. No FAA lighting is required
- D. State or Federal Requirements: the tower and antennas will meet or exceed all standards.
- E. Site Development Permit: Verizon Wireless will obtain all necessary permits before constructing the facility.
- F. Building Codes: The project will be designed and built according to all current building codes.
- G. Notice: List of abutting property owners from Kootenai Title is attached.
- H. Signs: only those required for safety and to identify the site
- I. Visual Impact: The proposed WF will be designed and constructed as a mono-pine so that it resembles a tree and blends with the existing trees in the area.
- J. Use of Stealth Technology: The WF will be built with stealth technology in order to resemble a tree.

Q. General Standards and Construction Provisions:

1. Construction: The proposed structures shall be constructed and installed to manufacture's specifications to withstand the minimum wind speed as required by the City's currently adopted International Building Code, as amended.

2. Building Code Compliance: Structures shall be permitted and constructed to meet current, adopted City Building Code requirements.

3. FCC and FAA Regulations: The proposed project design meets all FCC and FAA regulations.

4. Setback or Buffer-yard: The Applicant is requesting that the tower setback be approved as drawn on the plans. The proposed WCF will be designed and built with "break point technology" and meets the setback requirements as noted in Section 17.08.830 A-2. Additionally, siting the WCF next to the existing building and towards the alley makes it less visible than moving it towards the middle of the play field. Moving it towards the middle of the field would make it more visible and potentially interfere with sports activities at Person Field.

The siting of this WCF, as drawn, is consistent with Section 7.08.820 "I" Visual Impact. It is sited and designed to minimize adverse visual impacts on surrounding properties and the traveling public to the greatest extent reasonably possible.

5. Landscaping, Screening and Fencing: is shown on the attached drawings. The Applicants goal for the proposed landscaping is to screen the equipment but also leave access to the area in the event balls, freebies, etc. are thrown into the area near the tower. The Applicant believes, that in this case, it is best to have open access vs. fencing that might be climbed. If someone climbs the fencing to retrieve a ball it creates the risk that the climber could get hurt in the process. We are proposing landscaping that will screen the ground equipment but leave access open.

With the Park Departments permission, the Applicant would add sight obscuring slates to the existing 8' tall chain link fence that is on the north property line. Specifically, the area that borders the WFC. The climbing pegs on the mono-pine will be set 15' above ground level to discourage unauthorized people from climbing the tree. We believe that setting the climbing pegs at 15' AGL is more effective in stopping climbers than an 8' fence.

6. New Poles: The new pole will be designed as a mono-pine which we think will fit better at Person Field than other concealment methods, such as a light standard. There are no other poles or light fixtures in the immediate area.

**17.08.825 Sharing of Support Towers and Collocation of Facilities:**

A. Policy: It is Verizon Wireless's practice to allow collocation on its towers and to collocate whenever possible. In this case there are no towers available to collocate VZW's antennas.

B. Provisions: This section prohibits new towers within  $\frac{3}{4}$  of a mile of any existing towers: There are no existing towers within  $\frac{3}{4}$  of a mile of this proposed tower, except for "Tubbs" and Verizon Wireless is already on that specific tower. (see RF Justification letter)

This specific location is required to adequately meet the growing demand and fill a significant gap in coverage/capacity. Many people work, order products and services from their homes and want faster, reliable wireless service. The proposed site will serve people visiting Person Field, residents of the area and the travelling public. And, as stated earlier, provide reliable 911 service. This is the least intrusive means to fill the gap in coverage and capacity.

C. Factors Considered in Granting Special Use Permits for Towers:

1. Height of the Tower: The mono-pine will be 75' and will be able to accommodate collocation by one additional provider.
2. Proximity of the tower to residential structures and district boundaries: the closest residence is approximately 86' to the north. The project is in the residential area it is designed to serve.
3. Nature of uses on adjacent and nearby properties: The proposed project is set at Person Field and for the most part is surrounded by residential properties. The exceptions are The Lake City Playhouse to the south, and N 15<sup>th</sup> Street arterial is to the east.
4. Surrounding topography: The land in the immediate area is mostly flat with numerous trees.
5. Surrounding tree coverage and foliage: The tree coverage is notable with a mix of evergreen, pine and deciduous trees.
6. Design of the tower: The tower is designed to resemble an evergreen tree which will have the effect of reducing visual obtrusiveness.
7. Proposed ingress and egress: During construction some vehicles may access the site via Person Field off of N 13<sup>th</sup> Street. After construction access is planned from the alley.
8. No existing towers or structures are located within the geographic area which meet applicant's engineering requirements: No existing structures or towers were found in the area that met the engineering requirements for Verizon Wireless. (see RF justification letter)
9. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment: No towers or structures were found in the area.
10. N/A
11. N/A
12. No suitable structures were found in the area.

D. Placement Provisions – Towers: The proposed tower meets the Preferred Tower Location described in Section 17.08.835. City owned property.



17.08.830: Setback Requirements:

A-2: The tower will be constructed with breakpoint technology at the 60' level of the proposed 75' mono-pine.

B: All equipment meets the setback requirement of the zone.

17.08.835: Preferred Tower Locations:

The proposed WCF is located on city owned property in a residential zone. The nearest non-residentially zoned property to the proposed WCF is as follows:

- To the South; the nearest C17 zone is approximately 1,866' south to Sherman Ave. Most of the commercially zoned property along Sherman is within 200' of a residential zone. Moving the proposed CDA site to Sherman Ave would be closer to Verizon's existing "Tubbs" site and would overlap coverage in that area and still leave a gap in coverage near Person Field.
- To the west; the nearest commercially zoned property is approximately 3,300' to 4<sup>th</sup> Street. Moving the site to the west would also double coverage in that area and leave a gap in coverage near Person Field.
- To the east; no commercially zoned/developed property was found.
- To the north, the nearest commercially zoned property is approximately 4,400' and north of I-90 (too far from search ring and near an existing Verizon site – Pop Cell). There are two (2) NC zoned properties to the north; TAJ Groceries at 15<sup>th</sup> and Hastings, across the street from Lakes Middle School and Jordon's Grocery at 15<sup>th</sup> and Elm. There isn't enough ground space to put a WCF at Jordon's Grocery, and placing a site at TAJ Groceries would be very visible because it would be in an open as compared to Person Field.

The nearest LM or M zone is located at Ramsey and West Golf Course Road – 2.5 miles from the proposed project. These higher zones are also too far away to serve the area near Person Field.

We found no higher preferred tower locations within a reasonable distance to Person Field.

17.08.840: Submittal Requirements:

**A. Alternative Sites Analysis:**

The proposed WCF is to be located in a residentially zoned area.

The proposed site is located in the middle of a fairly large residential area. The majority of wireless phone users want excellent wireless access from their homes, but also don't want to see towers in their neighborhoods. Understanding this dilemma Verizon is proposing a mono-pine at Person Field to cover portions of the residential area. This solution will provide coverage and also help to significantly mitigate the visual impact of a tower and antennas.

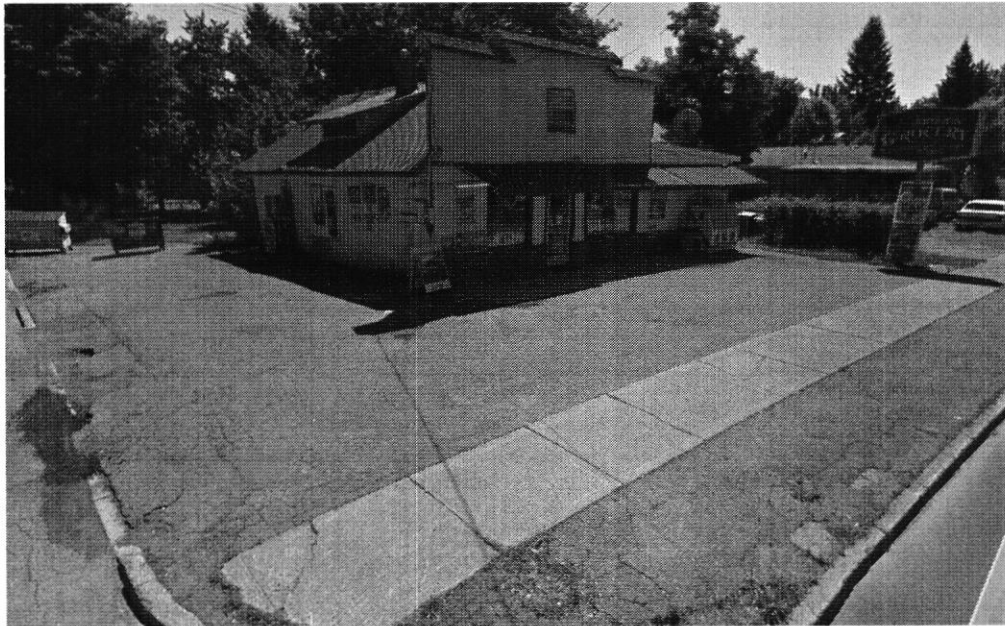
Viabile alternatives with a higher zone were not plentiful as discussed in 17.08.835 above.

Existing towers: there are no existing towers near Person Field

Higher zoned properties:

**To the north:** There are two properties zoned NC, located 1,500' and 1,700' north of the proposed mono-pine. Both are located just north of Lake Middle School on 15<sup>th</sup> Street. Both properties are within 200' of residentially zoned properties.

**Jordan's Grocery**, pictured below, is at 15<sup>th</sup> and Elm and has no ground space available for a new WCF.



The other alternative site is located directly across the street from Lake Middle School at **TAJ Groceries (see below)**. It is also surrounded by residentially zoned properties. It does have ground space but the 35' by 35' lease area for the WCF would take up 4+ parking stalls and possibly trigger additional landscaping for the store. Additional landscaping could include 10' wide planting strips and a tree for every 8 parking stalls. In addition to the cost of landscaping and loss of parking stalls, the WCF would be much more visible than at Person Field. A mono-pine would be out of place in the parking lot so a 70' parking lot light standard would probably be a better choice. The antennas would be visible on a light standard. The Applicant believes that the TAJ Groceries location would be a worse choice because the entire WCF would be more visible, it is a non-city owned property, and it won't meet the Verizon RF Objective.



The Radio Frequency Objective is severely compromised by this location over the Person Field site. Moving the proposed site to the NC zoned locations would leave a gap in coverage to the south and require yet another WCF.

**To the South:** the nearest C17 zone is approximately 1,866' south to Sherman Ave. Most of the commercially zoned property along Sherman is within 200' of a residential zone. Moving the proposed CDA site from Person Field towards Sherman Ave would overlap coverage from the existing "Tubbs" site and leave a gap in coverage to the north. (see RF letter)

**To the West:** The nearest higher zoned property is 3,300' away from Person Field and would not meet the RF objective. Moving the site to 3,300' to the west would cause overlapping coverage in that area and leave a gap in coverage at Person Field.

**To the East:** No commercially zoned/developed properties were found.

Summary:

The RF objective:

RF Maps showing existing coverage and proposed coverage with new WF.

No viable alternative sites are available that are of a higher zoning preference.

B. Collocation Consent: attached letter from Verizon Wireless

C. Documentation:

1. FCC license attached – Call Signs assigned to Verizon Wireless – Kootenai County
2. Visual Analysis – photo simulations are attached
3. Design Justification – The mono-pine stealth design fits in residential areas and city parks where there are other trees in the immediate area. Other stealth designs, such as, parking lot lights with antennas, windmills with antennas, or

faux water tanks would look out of place and be much more visible than the faux tree.

4. Noise Study – no backup generator or large air conditioning units will be used at this location. There will be some small quiet cooling fans in the cabinets, but the noise level is negligible.
  5. Additional Information
    - a. A scaled site plan is attached
    - b. Legal description of the parent tract and leased parcel are attached
    - c. The setback distance between the proposed WF and nearest residential unit is approximately 86' to the north. The entire area is zoned residential.
    - d. Existing towers are shown on attached maps provided by Verizon Wireless
    - e. Landscaping plan is shown on the site plans
    - f. New additional fencing is not planned for this project
    - g. Verizon Wireless is in compliance with all Federal, State and local laws
    - h. Backhaul will be provided on a bid basis after the project receives its SUP from the city.
    - i. Unclear
    - j. The RF objective including the service area and signal propagation maps are provided by Raza Faisal, RF Engineer-Verizon Wireless
- D. Radio Frequency (FR) Emissions Compliance Report is provided by Raza Faisal, RF Engineer for Verizon Wireless.

Respectively submitted by



Rod Michaelis

Representing Verizon Wireless



Verizon Wireless  
3245 158<sup>th</sup> Avenue SE – M/S 231  
Bellevue, WA 98008

December 17, 2019

City of Coeur D Alene  
710 E Mullan Ave.  
Idaho, 83814

### **Site Analysis - Verizon Wireless – CDA**

#### **Overview:**

Verizon Wireless strives to provide excellent wireless service with a network of cell sites that allows our customers to reliably place and receive mobile phone calls. In this particular case, we are trying to remedy coverage and capacity challenges in the city of Coeur D Alene. Specifically, the CDA site will link up coverage on the main roads. This site will add needed capacity to this area so that customers will receive better service and faster data speeds. Construction of the proposed site entails installing eight (8) antennas, auxiliary equipment, and the supporting base station equipment in the shelter at site.

#### **Coverage:**

In order to provide excellent Cellular service, which Verizon Wireless defines as  $-80$  dBm or better, the antenna height and site location need to provide a line of sight to the roads, offices, and homes where our customers work and reside. Eight (8) multi-frequency antennas are being proposed in order to provide the necessary radio frequencies supporting all of Verizon Wireless voice and data services. The proposed antenna height of 65' is the minimum height needed for the effective functioning of the proposed antennas.

#### **Capacity:**

An additional function of some wireless sites, such as the subject CDA site, is to provide additional capacity in the area. The capacity of wireless networks is limited by the spectrum availability, the number of available antennas, and the radios and amplifiers associated with those antennas and spectrum. When a mobile user attempts to make a call on a wireless network where capacity is limited by these factors, the resulting delay and busy signal can be very frustrating. To remedy capacity issues, additional sites and or spectrum, which are directly correlated to the number of antennas at the site as outlined below, are added to an area to provide additional calling capacity for Verizon Wireless customers. Thus for new site/cell capacity solutions to work, site placement and height are critical factors and must be chosen carefully.



**Alternative Sites Reviewed:**

When designing an existing or new coverage expansion area(s), Verizon Wireless will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or not attainable because of space constraints or unreliable structural design, Verizon Wireless will propose a new tower or installation on an existing structure that is not a collocation.

**Propagation Maps:**

There are several methods for determining where coverage gaps exist within a given network of wireless sites. One of these is through the use of propagation maps. The propagation map is a computer simulation of the strength of Verizon Wireless signals at a given height and location in the context of the network. Propagation maps are one tool for determining whether a proposed site will meet the coverage objective and what antenna height is needed to provide robust service for Verizon Wireless customers. The radio propagation tool is designed to take factors such as terrain, tree coverage, and existing buildings into account, so that it depicts a reliable estimate of coverage that would be provided by a proposed site.

The propagation maps that follow show three levels of service, designated as the following colors:

Yellow  $\geq$  -80 dBm, a level of service adequate for providing reliable coverage inside a building

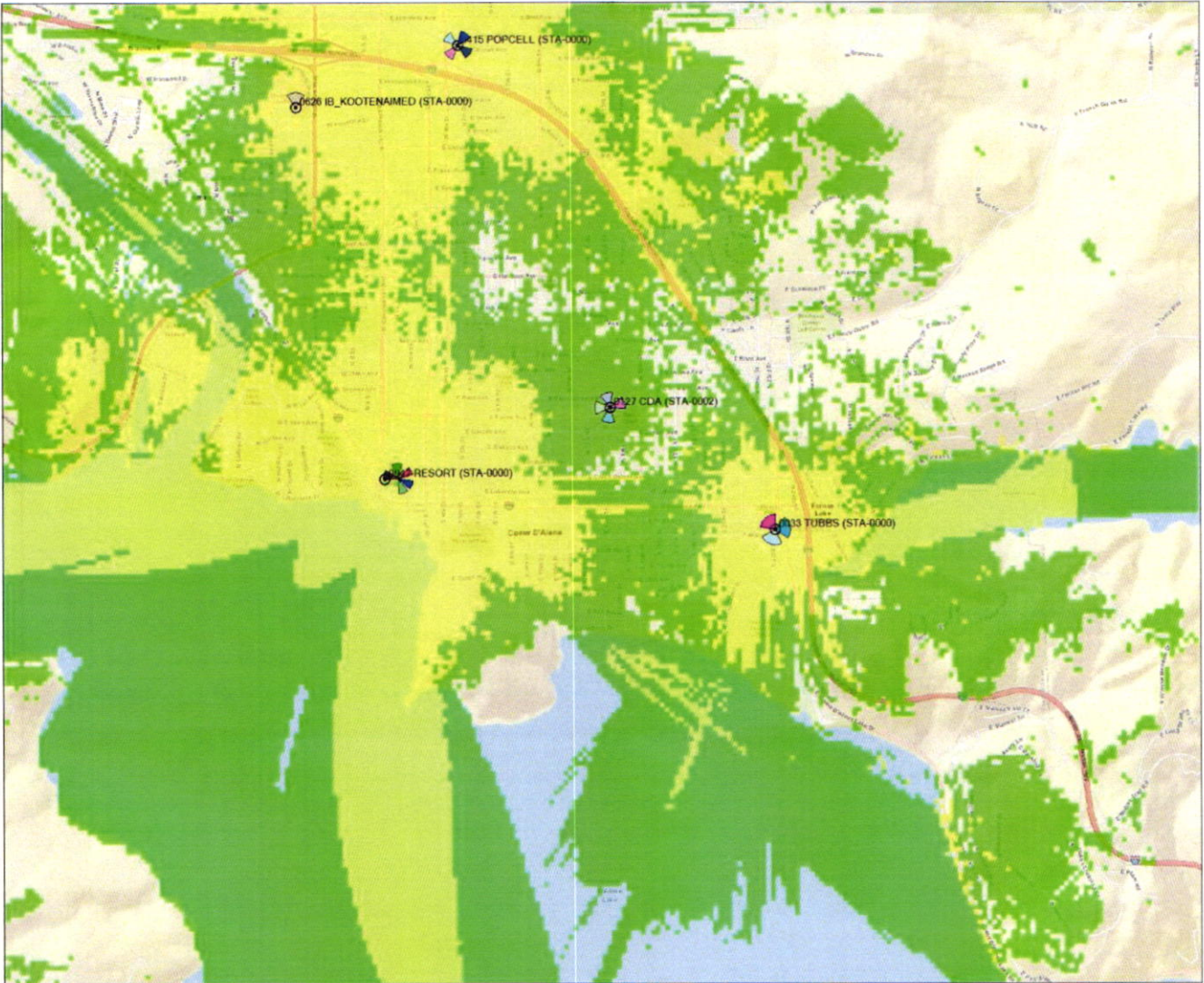
Green  $\geq$  -90 dBm, a level of service adequate for providing reliable coverage outdoors or inside a car

White  $\leq$  -90 dBm, unreliable signal strength, may not be not capable of reliably making and holding a call depending on environment

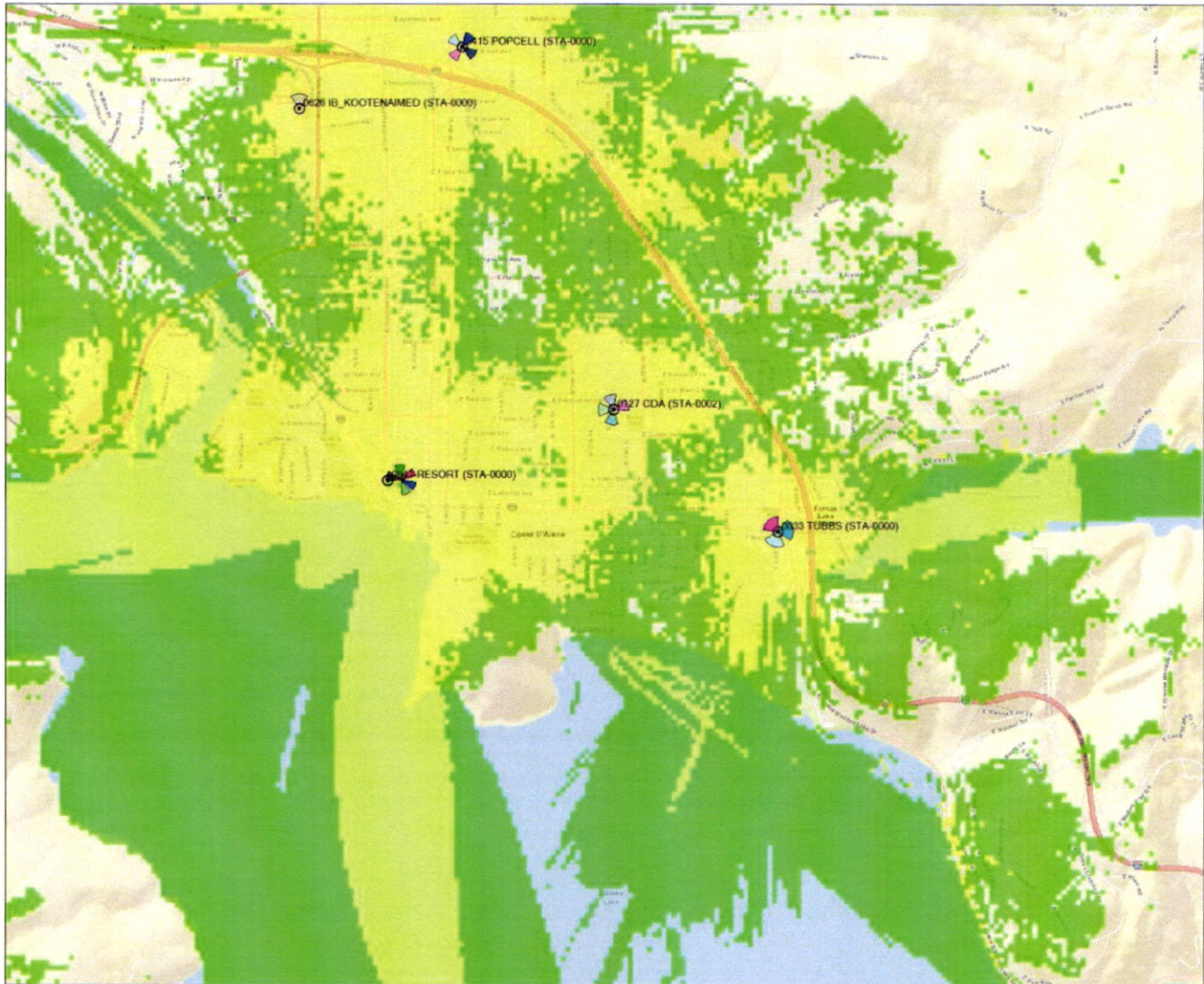
The proposed site will offload the existing sites to provide additional capacity in the Verizon Wireless network as well as add needed coverage between existing sites in our target service area.



**Without CDA**





**With CDA****Site Location:**

The location of the subject site has been selected based on its relationship with surrounding Verizon Wireless sites in the city. The code requires that applicants provide justification for construction of new facilities and demonstrate that the proposed facility is the minimum height for needed for effective antenna functioning and that the antennas have been consolidated as much as feasible.

The antennas have been consolidated as much as possible and still meet coverage objectives. These antennas need line of site to the desired service area. They must be faced to the coverage area with nothing directly between the coverage area and the antenna so that beam is not blocked.



Verizon Wireless  
3245 158<sup>th</sup> Avenue SE – M/S 231  
Bellevue, WA 98008

### **Spectrum:**

The CDA site will utilize our spectrum like 700 MHz Upper C Block, AWS B 2120-2130 MHz and other frequencies. It will basically be 5 wireless facilities located in the same physical equipment area. The proposed technologies are 700 LTE 4G MIMO, AWS LTE 4G MIMO, PCS LTE 4G MIMO, AWS3 LTE 4G MIMO and 850 LTE 4G MIMO.

### **Design:**

Each licensed frequency has specific propagation characteristics further influenced by hardware power limitations. The 750 MHz band has better propagation characteristics than other frequency bands. The lower frequency bands received signal will be stronger at the mobile phone than the higher frequency signal if all are transmitted from the same base station with the same output power and same coding scheme.

With the addition of the new LTE bands, and recognizing jurisdictional need to minimize the number of antennas per sector/site Verizon Wireless has made the design decision to utilize Cross pole multi band antennas for all frequencies. The Cross pole antennas can be thought of as eight vertically stacked antennas in the same physical package. Ideally an optimal design would utilize physically separated antennas per frequency per sector. Design has made a conscious decision to minimize the antenna requirements at this location.

CDA has been designed with eight (8) antennas. This is the minimum antenna requirement for this three sector site to get the best possible service from each of our transmit frequencies and add the needed service capacity to the area.

### **Wireless E- 911**

Approximately 400,000 Wireless 911 calls are made every day nationwide, and this number continues to increase. (source: CTIA, the Wireless Association) Wireless E-911 service depends on reliable signal strength and a fairly dense network of antenna sites in order to function effectively. Because of our federally-mandated obligation to provide wireless E-911 service, signal reliability is paramount.



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**Summary:**

In summary, the proposed site would meet the RF coverage objective of the subject site. The height of the eight (8) antenna array is the minimum required for the effective functioning of the proposed minor Communication utility.

**Sincerely,**

*Faisal Raza*

**Faisal Raza  
RF Engineer  
Spokane**

## STAFF REPORT

**Date:** November 18, 2019  
**From:** Bill Greenwood Parks & Recreation Director  
**SUBJECT:** Cell Tower at Persons Field (*Planning Commission Action Required*)

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### **DECISION POINT:**

Does the Parks & Recreation Commission what to approve the location of a Verizon cell tower in the northwest portion of Persons Field?

### **HISTORY:**

The Parks & Recreation department has received inquiries for cell towers in the past for this site and others that have not come to fruition. The City's Water department does have cellar agreements with cell phone providers for the use of the water tanks to place equipment to use as a cell tower.

### **FINANCIAL ANALYSIS:**

Per the agreement Verizon will pay the City of Coeur d Alene Parks department \$12,000 per year for the use of this space and the revenues generated shall be place into the Parks Capital Improvement Fund. The agreement is a renewable 5 year term with an increase of 7.5 % for each 5 year extension

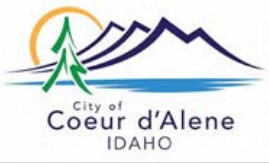
### **PERFORMANCE ANALYSIS:**

The propose location of the tower is in an area that will not affect any of the communities recreational use of this public space. The total area that would be used is only 1567 square feet. The Parks Commission is authorizing the location and is in harmony with the agreement in order for the Planning Commission to conduct a hearing to authorize the agreement and construction of the tower

### **DECISION POINT / RECOMMENDATION:**

Does the Parks & Recreation Commission what to approve the location of a Verizon cell tower in the northwest portion of Persons Field?





# CITY OF COEUR D'ALENE

PARKS & RECREATION DEPARTMENT

CITY HALL, 710 E. MULLAN AVENUE  
COEUR D'ALENE, IDAHO 83816-3964  
208-769-2252 – FAX 208-769-2383

## PARKS & RECREATION COMMISSION MINUTES

November 18, 2019 – 5:30 p.m.  
COMMUNITY ROOM - LIBRARY

### **MEMBERS PRESENT:**

Scott Cranston, Chair  
Mike McDowell  
Jim Lien  
Christie Wood  
Bridget Hill  
Parker Drechsel, Student Rep (*sat in audience*)  
Grace Couture-Ishihara, Alt Student Rep

### **MEMBERS ABSENT:**

Ginny Tate  
Ron Edinger

### **STAFF PRESENT:**

Bill Greenwood, Parks & Recreation Director  
Nick Goodwin, Urban Forester  
Mike Kempton, Lead Worker  
Monte McCully, Trail Coordinator

### **GUESTS:**

Rob McCayless, Verizon Representative

**CALL TO ORDER:** Commissioner Cranston called the meeting to order at 5:30 p.m.

### **1. ROLL CALL**

Six members present, resulting in a quorum.

### **2. PLEDGE OF ALLEGIANCE**

Commissioner Hill led the Pledge of Allegiance.

### **3. CONFLICT OF INTEREST**

None.

### **4. APPROVAL OF MINUTES** – *Action Item*

Commissioner McDowell made a motion to approve the minutes of August 19, 2019. Commissioner Wood seconded the motion, there being no discussion and all being in favor, motion passed unanimously.

### **5. STAFF COMMENTS**

Director Greenwood: Along Northwest Blvd enhancements from River to Hubbard, the work is completed with help from the Street Department including installation of a path that ties in with the trail there, everything is done except the seeding that will be done in the spring. The City manages and we work with NIC's maintenance crew to make sure the piece is easy to maintain. This area will be part of our snow removal, they will maintain the grass and trimming. Grandstands are moving along, weather has been good this week they are installing a drywell at the home dugout, the roof is being worked on off site. They will continue to work through the winter, the painter will do some of the painting inside and put the sheeting back on after painting. Atlas site work



has started, started to find some savings, sifted out some of the soils that can be used that will help save some money by using materials already on site. There are meetings every week to go over the project as it comes along.

Commissioner Wood: Thank you Bill and your staff for your work on the BLM piece along River to Hubbard, financially supported by NIC as well, an incredible gateway, a wonderful partnership. That area will be part of an educational component at NIC. Regarding the grandstands, we know there would be no restroom put there, do we know what will happen in the future with restrooms? Greenwood: We are working to get a CXT building there and will be bringing the drawings forward. These buildings can be worked on during the winter at their factory, we hope to get this opened and onsite by spring when NIC starts their ball programs. We may have to do sole source provider for the building. The funding for the restroom has been set aside.

Commissioner Wood: Very familiar with CXT, they do good work, concerned if they can meet budget. Commissioner Greenwood: You can now customize the building and we are working with NIC to customize their need for changing rooms.

Commissioner Cranston: How is the winterization process going? We have buttoned everything up, pretty much completed by the end of September, into mid-October.

Commissioner Hill: Amazing work the city does picking up leaves. The street department does great work. Not many city's offer this service.

## **6. COMMISSIONER COMMENTS**

None.

## **7. PUBLIC COMMENTS**

None.

## **8. WELCOME STUDENT REPRESENTATIVES** – *Information Item*

Parker Drechsel and Grace Couture-Ishihara were introduced at the meeting as the Student Representative and Alternate Student Representative.

## **9. DEMO OF BATTERY OPERATED EQUIPMENT** – *Information Item*

Greenwood: Robert Cooper who runs our cemetery is going to demonstrate the equipment. At a conference we learned of this equipment and how quiet they are and how we could start as early as 6 a.m., because the equipment is so quiet. We also have golf carts purchased that are quiet, don't use diesel or gas, no fumes, no noise, can be used at events with little impact to public. Cooper: The mowers are very quiet, the mower and blower uses the same batteries, they run 3 hours for the mower and about an hour for the backpack blower. We are using two different brands, of blowers and weed eaters. We are front loading our purchase with batteries, but reducing our fuel expenses. We can also purchase hedge trimmers, tillers, brooms, etc., as add-ons. This equipment is easier on our staff with reduced vibration, light weight, and the public will enjoy less noise.

Commissioner Wood: Where do you purchase these? Cooper: Stihl we purchased from Ragan Equipment and the Greenworks equipment was purchased at FMI in Spokane.

Greenwood: This technology has increased and was the idea to look into it by Jeff Erickson our superintendent specifically because of McEuen and the noise factor for our neighbors. We have checked into the equipment to ensure we are getting the most powerful for the money spent.

Commissioner Cranston: Have you been using this equipment now? Commissioner Cooper: We picked up the trimmer set and blower last spring and have put 200 hours on them both.

Commissioner McDowell: Very impressive, nice equipment. Any idea of the life expectancy for this equipment compared to gas? Cooper: This equipment has a 3-year warranty and should last at least until then. About the same expectancy as some of our fuel operated equipment.

#### **10. FINALE VERSUS ROUNDUP – Information Item**

Greenwood: Mike Kempton will give a presentation on what we are doing, chemical-wise, in the parks. Recently Monsanto has been in the news for lawsuit settlements regarding Round-Up chemicals. All our staff are certified applicators, they know how to apply the chemicals safely. We have had the public ask about what we are using concerned about this chemical. Mike puts together our chemical and fertilizer orders each season. Kempton: We have been working on a new Parks Department Master Plan, while doing this work, we have adding verbiage for using greener products to ensure public safety and use safer alternatives. The comparison with Roundup. Roundup has been on the market since 1974, it is very effective, works very well, and it is controversial regarding the main ingredient. It remains in the soil for many years after use. We have switched to a product called Finale. The main ingredient is safe, been on the market since 1984, much safer, quick results, application window is wider in any season, breaks down quickly and doesn't stay in the soil. It is more expensive. We are on track to use it in all the parks. We are looking for safer chemicals. There is a product out there called Agriculture Vinegar, organic compound, inexpensive and ineffective, no long-term effect, and it is much more hazardous to the applicator. Greenwood: We were pretty excited about this product until we looked into it and found it to be very hazardous. Kempton: We will be using a low phosphorus fertilizer in all our waterfront locations, lower phosphorus means the grass may look yellow quicker than traditional fertilizer, but the turf will adjust and be healthier for the waterfront.

Commissioner Wood: Are we going to put something out to the public to let them know how the City is going green? Greenwood: Yes, we probably will, my thought was this presentation would help get the work out and if City Council would like a presentation we can attend one of their meetings to educate the public.

Commissioner Couture-Ishihara: Include something on Instagram to reach teenagers who are interested in green issues.

#### **11. CEMETERY NICHE WALL – Information Item**

Greenwood: Robert Cooper will talk to this item as well. Robert will show you the process of the installation of the last niche wall and how we are going to continue to add niche walls. Cooper: We use pre-cast forms from Wilbert out of Spokane. Staff set the foundation and completed all the site-prep, the wall was able to be set quickly. We will be adding up to approximately 10 walls over the next 20 years. This new wall has 100-unit niches and is the same size of the one that was placed 2-3 years ago. That wall was 60% purchased when we started the purchase process on this wall and that wall is now at 85% and the new wall

already has sold niches and people interred. Everyone wants to be in Forest Cemetery. That is also why we have dropped the rates on the niches available at Riverview.

Commissioner Cranston: When we held our workshop at the cemetery last summer this is a paved road that had been closed off due to little use. Cooper: Yes, this is a good location there is lighting for the public. Greenwood: There is still a road for public use, we closed this access road for two years with signage to make sure the public was aware of the change. We have only had one comment in those two years and have permanently closed the road. This gives us a future for Forest Cemetery. Cranston: This development will be ongoing? Greenwood: Yes, as each wall is sold out, we will have another built to continue the perpetual care fund. Cranston: Any other projects? Cooper: We are looking at replacing some fencing near the Old Post area with black chain link with privacy slats, will be easy to maintain and blends well with the nice fencing we have in place. In Riverview we are planting a lot of trees, we planted 6 this summer and will add more in the easement.

## **12. NAME CHANGE – Action Item**

*Commissioner Cranston read the staff report for the record.*

Greenwood: Ron has dedicated 50 years to the City of Coeur d'Alene and at his recent retirement from council party there were more than 250 people in attendance. He has provided contributions to the parks system and to me personally. We want to say thank you to him for his many years of service.

Commissioner Wood: The service he has brought to this community this recognition is well deserved. How long has he been a part of this commission? Cranston: Cumulative it has to be 25 or 26 years. Greenwood: We have kept this from Ron so it would be a surprise and it won't be a secret anymore as this will go on to City Council.

Commissioner McDowell: Have always admired him and he has always had the best interests of the citizens, very generous and very giving. He will be missed.

*Commissioner Wood made a motion to recommend to General Services the naming of an area within Person Field as Ron Edinger Park, Commissioner Hill seconded the motion, there being no further discussion and all being in favor, motion passed unanimously.*

## **13. URBAN FORESTRY CODE CHANGES – Action Item**

*Commissioner Cranston read the staff report for the record.*

Commissioner Cranston: The Parks & Recreation Commission is not a quasi-judicial committee. As far as the ultimate appeal process for a citizen, what is the legality of it ending at the Parks & Recreation Commission? Greenwood: Our city attorney says this commission does have the authority. You can be the final authority.

Commissioner Hill: Would this be the only item we have authority over? Greenwood: We are trying to streamline this process, and we are okay with this authority.

Commissioner Cranston: If a citizen's appeal is denied by the Parks & Recreation Commission, their avenue ends there. Greenwood: Yes, if it doesn't stop here, it would drag

the process out further. Goodwin: The code change would go to Council, which would make this commission the final decision on an appeal.

Commissioner Lien: How often do these appeals come forward? Goodwin: Not very common, maybe one out of every 10 are appealed. On average we do about three removal requests at each of our Urban Forestry meetings. One to three per year may get appealed.

Commissioner Cranston: Is there a common theme for removal requests? Goodwin: Most of the requests are for older trees downtown that are pushing up sidewalks. Sometimes these requests come along with a sidewalk reconstruction. If a sidewalk requires removal, that goes under a different guideline than code and wouldn't need review.

Commissioner Wood: Will you provide us with the code so we are familiar? Greenwood: The code is pretty clear just removes Council as final authority for decision and gives this commission that authority. The Urban Forestry Committee goes through these requests and weighs the criteria, code requirement would be stated at the time of an appeal process as to how their request falls in line. Goodwin: Should we have an appeal, a staff report with all the pertinent information regarding the request, inspection information, and the reason for denial will be provided to the commission.

Commissioner Cranston: Have any Council members weighed in on this? Greenwood: It is my understanding they are in support of this change.

Commissioner Hill: What other decisions do we make that are final? We are an advisory commission, this feels different, I appreciate the effort to streamline, need more clarification. Greenwood: It is a different circumstance, the question about authority or quasi-judicial is this is why we are talking about changing the code. This gives this commission authority. Years past we had legal representation present at our meetings, that has changed, the commissions' processes may change more down the road due to growth and necessity.

Commissioner Wood: City Council has the authority to delegate their authority. Greenwood: Yes, that is correct. The current code does not give you the authority, but with this one change, authority is being given to the commission.

Goodwin: Urban Forestry came up with this change as the best way to streamline the process. The other option we discussed was to form a hearing board, and realized the best hearing board we could have would be this commission who is already involved in parks and recreation issues. The Urban Forestry Committee supports this change.

*Commissioner Wood made a motion that the Parks & Recreation Commission is in favor of changing city code to make the Parks & Recreation Commission the authority on hearing tree removal request decision appeals, Commissioner Lien seconded the motion. No further discussion. Commissioners Lien, McDowell, Wood, and Couture-Ishihara were in favor, Commissioner Hill opposed. The recommendation will move forward to General Services.*

#### **14. RIVIERA WALK MOU – Action Item**

*Commissioner Cranston read the staff report for the record.*

McCully: We have a lot of property on either side of the Centennial Trail and here it would be the Prairie Trail and Centennial Trail area. Some areas are 100 feet wide some are 5 feet wide. We mow these areas once a month during summer. The HOA approached us, and it

was indicated in the annexation agreement, to install irrigation and plant fescue grass, lower maintenance and they would maintain. This area is near Riverstone Park and would have planting from their fence to the trail with irrigation and landscaping.

Commissioner Wood: That will be a wonderful addition, glad the HOA wants to do it and partnership with the City. Understand their motivation.

*Commissioner Lien made a motion to recommend to General Services the approval of a Memorandum of Understanding between the City of Coeur d'Alene and the Riviera Walk at Riverstone Home Owner's Association for the purpose of installing irrigation lines and maintaining a beautification area in city property, Commissioner McDowell seconded the motion, there being no further discussion, and all being in favor, motion passed unanimously.*

## **15. CELL TOWER – Action Item**

*Commissioner Cranston read the staff report for the record.*

Greenwood: This location is just east of the Junior Tackle building in the northwest corner. The area isn't being used for any programs, just a piece of green on the outside edge of the track.

Commissioner Cranston: The tower is disguised as a tree? Greenwood: Yes, it blends in very well.

Greenwood: There is one along the shooting range along Atlas, it blends in nicely. This will go to Planning Commission instead of City Council, there will be a hearing, and they want the commissions' agreement with this idea. The revenue will be nice, it's a piece of property that won't interfere with any programs. Rod from Verizon is here to answer any questions you may have. Rod McCayless, independent contractor in the industry for 24 years. Verizon is interested in this area because cell phone use and people working at home will use it for uploading and downloading, demand is increasing significantly to provide coverage in residential areas. This location fits very well. At first glance it will look like a tree, antennas are inside the branches. Equipment would be outdoor cabinets and would be up against the building. No fencing if there is a fence near a playfield, balls and frisbees get inside the fencing area, leaving it open is best so they aren't climbing the fences and hurting themselves. Climbing pegs start 15 feet up.

Commissioner Lien: Will the residents have an opportunity to give input? McCayless: Yes, they will be given an opportunity to give input.

Commissioner Cranston: Any emergency equipment on this site? McCayless: No, an emergency generator could be brought in if there is a long outage.

Commissioner Hill: What are the concerns most residents have? McCayless: Some people may not like the way it looks. Others feel it will hurt their property values, generally that is not the case. The money that is raised from this will go to the greater good. The last item would be health concerns. Verizon takes matters regarding RF safety and operates well within the safety limits. CTIA is an organization by the wireless industry that promotes safety and standards for building and climbing towers and RF safety. FCC has more information as well. The towers are considered safe.

Commissioner Hill: Are there other towers in residential areas? Commissioner Wood: Yes, there is one near my house. Commissioner Lien: There is one being built on Sherman.

Commissioner Wood: We are being asked to approve the concept, correct? Greenwood: Yes, there will be a public hearing with the public having an opportunity to voice how they feel about the tower. May not be for another month or two.

Commissioner Cranston: We are asking to weigh in on the park location and the activities that occur there. Greenwood: Yes. Commissioner Cranston: Any other stakeholders weigh in? Greenwood: No, I have not reached out to them, will do so.

*Commissioner Wood made a motion to approve the concept of the location of a Verizon cell tower in the northwest portion of Person Field, Commissioner McDowell seconded the motion with the comment that this will be moved to public hearing for final approval, there being no further discussion, and all being in favor, motion passed unanimously.*

## **16. MEETINGS / ADJOURNMENT**

Commissioner Cranston asked for any additional comments.

Commissioner Lien: Thank you to your staff for their presentations and sticking it out to the end.

Upcoming meeting dates:

- Tuesday, December 3, 2019: 11:30 a.m., Workshop; Caruso's Deli, Coeur d'Alene
- Monday, December 16, 2019: 5:30 p.m., Meeting; Library Community Room

*Commissioner Wood made a motion to adjourn the meeting with Commissioner McDowell seconding the motion. There being no further discussion, motion passed unanimously. Meeting adjourned at 7 pm.*





# **PUBLIC COMMENTS**



## SP-1-20 COMMENT

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:

**To:** PLAGERMAN, JACOB <[JPLAGERMAN@cdaid.org](mailto:JPLAGERMAN@cdaid.org)>

**Subject:** Verizon tower on Person Field

Hi Jake,

My wife Valerie and I met with you concerning the proposed tower on Person Field. We have some concerns and comments which we want to make and have the planning commission address.

1. The proposed commercial tower does not fit in with the existing use which is residential. I live nearby, but would not want the tower that close to my property as neighbors who live in the immediate vicinity would have it. Shade will fall on some homes which may be a positive or negative depending on the occupants perspective. Homeowner values could be adversely affected.

2. How many users will eventually be at the sight and what will be its size at that time?. Will AT&T, Spectrum, TDS, Sprint or other providers want space on the proposed tower or their own towers in the future? Will the city be able to limit the use in that area?

3. Will there be any interference with nearby homeowner electronic devices?

4. Will Verizon be allowed to work on the tower (maintenance, repair or installation) at hours other than 9AM to 5PM weekdays? Work on the tower at night with lights and other equipment will be disrupting to neighbors.

5. Will this tower and the accompanying use interfere with existing uses at the playfield?

My wife and I want to attend the meeting on March 10th but if we can't make it we would like to have the planning commission address our concerns. Until then we are opposed to the proposed tower.

Thank You, Bill & Val Wolfe  
1221 E. Wallace  
208-819-9848

## **SP-1-20 PUBLIC COMMENT**

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I received an invitation to participate in the special use permit meeting regarding Verizon Wireless company building a facility in the park at Persons Field on 15<sup>th</sup> St.

Is there any information that shows how the public will benefit from this facility? On the surface it looks like the facility would benefit Verizon Wireless and there would **no benefit to the public**. The public would only lose public space in one of the few downtown parks. If Verizon needs to build a facility, they should have to purchase land to build on, or find a parcel of land that is not as valuable to the public. I have four properties in the neighborhood that will lose value because of the loss of public space.

For this reason I am strongly against allowing Verizon to have a special use permit for this property.

I will do what I can to be at the meeting.

Thank you for your time and consideration.

**Jared McFarland**  
**CRS Certified Residential Specialist**  
**2019 CDA MLS President**

Century 21 Beutler and Associates

1836 Northwest Blvd

Coeur d'Alene, ID 83814

Fax - 208-765-5808

Cell - 208-771-1454

[www.JaredMcFarland.com](http://www.JaredMcFarland.com)

# PLANNING COMMISSION STAFF REPORT

**FROM:** HILARY ANDERSON, COMMUNITY PLANNING DIRECTOR

**DATE:** MARCH 10, 2020

**SUBJECT:** PUD-4-19m, ATLAS WATERFRONT PUD AMENDMENT & INTERPRETATION

**LOCATION:** 60.9 ACRES LOCATED AT 2598 E SELTICE WAY. THE SUBJECT PROPERTY IS ALSO DESCRIBED AS: IMMEDIATELY SOUTH OF SELTICE WAY AND WEST OF THE CENTENNIAL TRAIL AND NORTH OF THE SPOKANE RIVER. THE SUBJECT SITE IS COMMONLY KNOWN AS 3074 W. SELTICE WAY AND IS REFERRED TO AS THE ATLAS MILL SITE.

**APPLICANT/OWNER:**  
City of Coeur d'Alene  
710 E. Mullan Avenue  
Coeur d'Alene, ID 83814

**PROJECT ENGINEER:**  
Phil Boyd, P.E.  
330 E. Lakeside Avenue  
Coeur d'Alene, ID 83814

## DECISION POINTS:

Approval of minor amendments to the Planned Unit Development to clarify allowed uses within Areas 12 and 13 of the project, and add clarification on development standards such as fencing and gated road restrictions.

Approval of an interpretation to allow for the number of residential units to be moved between development areas within the project so long as the total count and density is not exceeded.

## PUD AMENDMENT OVERVIEW & INTERPRETATION REQUEST:

### PUD Amendment

The PUD Amendment for the Atlas Waterfront project would revise the final Development Standards for the project related to Areas 12 and 13, and address fencing and gated road restrictions throughout the project.

- **Area 12:** Allow Mixed Use, with optional upper floor residential and ground floor retail/food and beverage/office uses, and increase the building height on the northern portion to 45' in the area that is +/- 450' north of the ordinary highwater mark (OHWM).

Justification: This is consistent with the original PUD justifications.

- **Area 13:** Allow Mixed Use, with optional upper floor residential or office and ground floor uses consistent with the original PUD and development standards, and allow hotel use.

Justification: This is consistent with the original PUD justifications.

- **All:** Add fencing and gated road restrictions.

Justification: Minimize visual barriers to maximize views and vistas.

#### Interpretation Request

The interpretation being requested is confirmation that the density and total unit count can be interchanged between development areas so long as it doesn't exceed the overall site approved density and total residential count, and if consistent with the overall project.

**Note:** *The total unit count anticipated by the approved PUD is 668 residential units, which is not being changed with this PUD amendment or interpretation. This is well below the number of units that the project could have supported under the C-17 zoning district at 17 units per acre, which would have allowed as many as 1,035. See exhibit on page 23 of this staff report for the total unit count and number of units anticipated per phase.*

#### **READER'S NOTE:**

This staff report is largely unchanged from the version that went to the Planning Commission in November 2019 in order to provide the full analysis required for the commission to make findings. It is noted below where there are changes or no changes to the information, analysis and/or conditions.

#### **HISTORY:**

In 2018, the City of Coeur d'Alene, in collaboration with ignite cda, purchased the Atlas Mill site which had operated as a lumber mill for more than 100 years and which had closed in 2005. The mill site was annexed into the City in 2017 and assigned as a C-17 (Commercial at 17 units/acre) zoning district. In 2017/18 the mill site was master planned to determine the financial feasibility of the property being included in an urban renewal district (URD). Considerable public input was solicited for the public spaces. The intent of the City and ignite cda is to transfer blocks of development in phases over the next couple years as site development efforts progress, instead of selling the property all at once.

The Atlas Waterfront project is intended to create a unique and desirable neighborhood with a significant waterfront public open space. The City acquired the parcel to achieve two objectives: 1. Preserve the waterfront for the community; and 2. Stimulate private investment on a former mill site that has been vacant for more than a decade. The PUD will allow the higher densities necessary to make the project financially feasible, while protecting the most valuable real-estate, the waterfront, from development and preserving it for the public.

#### **BACKGROUND INFORMATION:**

The subject site is located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River with the River's Edge development bordering the property to the west. The 60.9-acre site is currently vacant and undeveloped, and the acquisition opens the door for economic development and public access to the river. The former railroad right-of-way that runs through the property was acquired by and annexed into the City in 2015 to provide opportunities for parkland, a trail, and public access through to the waterfront. The project will be developed under the C-17 (Commercial at 17 units/acre) zoning district with the "Atlas Waterfront Neighborhood Development Standards" in place for the development of residential uses including single-family dwellings, townhomes, commercial, and multi-family units. The Atlas Waterfront

project will be primarily residential with opportunities for office/retail on the western edge and near Seltice Way. In addition, two “commercial only” nodes are located adjacent to the waterfront park as both locations are desirable restaurant locations.

The Atlas Waterfront PUD development will include three different frontage types: Residential fronting Riverfront Drive (rear-loaded); Residential fronting interior streets (rear-loaded); and Residential fronting interior streets (front-loaded), with additional frontage options based upon lot circumstances, as noted in the Development Standards.

The “Development Areas Key Plan” notes the area of development on the Atlas Mill Site property and the standards that apply to each of those areas including the use, building types, lots (width, depth, area) for the townhouses and duplexes, setbacks, and building height showing different ways that buildings and lots can be configured to meet the design intent and development standards.

The development will include 25-acres of open space including a 12-acre waterfront park, and upland open spaces to provide pedestrian circulation routes in addition to sidewalks. The waterfront park provides a grassy open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The very northeast area of the site is a 7.7-acre public space with a use that will be determined by the City Parks and Recreation Department. See Attachment 1 for the Narrative/Justification for a complete overview of the project. Details of the open space are provided in Attachment 2.

The project will be developed in phases as shown on the Phasing Map (page 17) over an 8 to 10-year schedule, depending on market conditions. The property will be sold by ignite CDA, the urban renewal district, through a request for proposal (RFP) process, in partnership with the City of Coeur d’Alene.

**CHANGED – UPDATED TEXT**

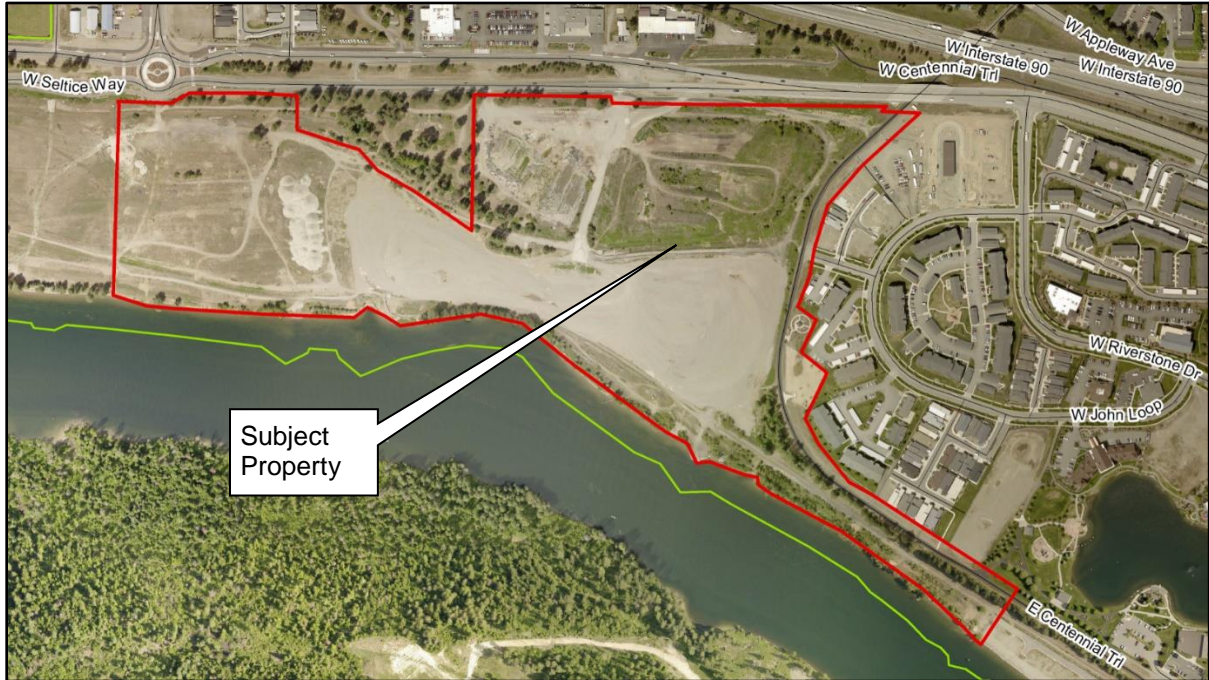
The Planning Commission approved the PUD and Preliminary Plat in November 2019. Ignite cda contracted with T. LaRiviere for Waterfront Park and work has been underway through the winter to do earthwork and shoreline stabilization. A Request for Proposals for Phase 1 development was released on November 15 with responses due by December 20, 2019. Five developers submitted development proposals. Areas 1, 2, 6, 8, 10 and 12 received proposals. The developers also expressed interest in areas associated with future phases. No proposals were received for Area 13. A proposal review/scoring committee comprised of one City Council member, two city staff, two ignite cda Board Members (one of which is also a Planning Commissioner), the ignite cda Executive Director, and the consultants reviewed the development proposals and made recommendations for Areas 1, 2, 6, 8 and 10. It was determined that Area 12 wouldn’t be awarded to a mixed-use proposal that included multifamily residential, which was not anticipated in the Development Standards and an offer that was below the land value as determined by Heartland consultants. At a special call meeting on February 20, 2020, the ignite cda board accepted recommendations from a subcommittee who reviewed development proposals for phase 1. The board directed Tony Berns to reissue an RFP for Area 12 and to further engage Heartland Consulting will now begin the negotiation process with developers for Areas 1, 2, 6, 8 and 10.

Development of Phase 1 is anticipated to begin in 2020 and 2021. Development proposals for Area 12 anticipated a mix of uses including multifamily residential that wasn’t anticipated or allowed in the original Development Standards. As a result, the consultant team and staff are recommending an amendment to the PUD to clarify additional uses and standards for Areas 12

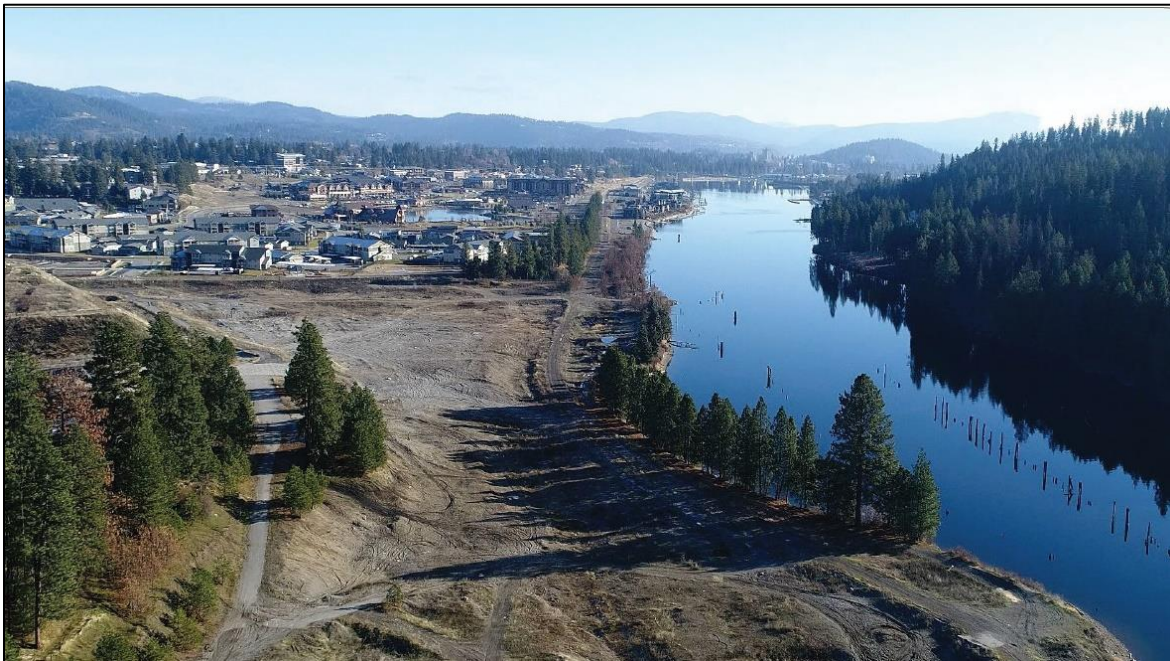


and 13 and clarify the types of fencing allowed and prohibited, as well fence heights and locations, and clarify that gates are not allowed for roads servicing a development area (block). The requested interpretation would allow flexibility in how the areas are developed so long as the overall density and total unit count are not exceeded.

**AERIAL MAP:**



**DRONE PHOTO LOOKING TOWARD RIVERSTONE AND THE LAKE:**



**DRONE PHOTO FROM ATLAS ROAD & SELTICE WAY ROUNDABOUT**



**PLANNED UNIT DEVELOPMENT REQUESTS:**

**CHANGED – UPDATED TEXT**

The PUD for the Atlas Waterfront project included the following deviations as noted in the “Deviation Table,” which were approved by the Planning Commission in November 2019. Noted in black are the current standards in the C-17 zoning district. Noted in **red** are the requested deviations to the standards in within C-17 zone.

The proposed amendment to the PUD and interpretation would not change the number of stories or heights. It should be noted, however, that Area 13 would have a more restrictive maximum height of 35’ even if the use is office or multifamily/mixed use.

**FENCES: CHANGED**

Fences	C-17	<b>Proposed for Atlas Neighborhood</b> <i>(italicized text indicates a proposed deviation from the City Standard. Bold text indicates a voluntary more restrictive standard).</i>
Remaining Uses	Front yard area: 4 feet  Side & rear yard area: 6 feet All fences must be on or within the property lines.  Fences within the buildable area may be as high as the height limit for principal use.  Higher fence height for game areas may be granted by Special Use Permit.	<b>Front yard area: 3 feet</b> Side & rear yard area: 6 feet All fences must be on or within the property lines.



As noted in the PUD Amendment letter request, the following Fencing and Gate standards would apply. The fencing language is consistent with standards in the Infill districts.

## FENCING

Per City Code 17.06.815 Fencing Regulations with the following modifications:

A. FENCES NEXT TO SIDEWALKS If fences are used to provide privacy, control circulation, provide security, and emphasize entryways next to sidewalks, the following guidelines must be met:

1. Visual Impact of Fences: If fences are used, they must be more visually transparent than opaque when located adjacent to public streets.
2. Stepped Fences Required: Fences shall be "stepped" rather than sloping with the grade.
3. Wire/Industrial Fences Prohibited: Wire fences constructed of "industrial" type materials such as chain link are not allowed when located adjacent to public streets.

## B. FENCE HEIGHT

1. Residential and Non-Residential uses: Front yard no more than 4 feet and 6 feet for side/rear yard.

## GATES

No road gates are allowed for roads servicing a development area (block).

## UPDATE:

During the Planning Commission's Special Call Meeting on November 6, 2019, the Planning Commission provided input to the project design team and recommended the following changes to the "Atlas Waterfront Neighborhood Development Standards":

- Page 10, add old mill district "precedent images"
- Page 30, Area 4. Add Hotel to use and building type
- Page 34, Area 5. Add Hotel to use and building type
- Page 44, Area 9. Add Hotel to use and building type.
- Page 48, Area 10. Add office, retail, mixed used and hotel to use and building type.
- Page 50, Area 11. Add administrative and professional office and hotel to use and building type.

These changes are reflected in the approved Atlas Waterfront Neighborhood Development Standards dated November 7, 2019 (see Attachment 3, online version).

## CHANGED – UPDATED TEXT AND EXHIBITS

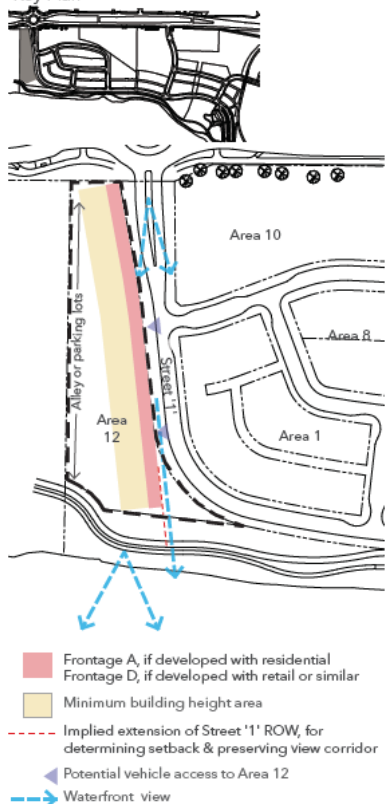
As noted above, the PUD Amendment for the Atlas Waterfront project would revise the final Development Standards for the project related to Areas 12 and 13, and address fencing and gated road restrictions throughout the project. See tables and Development Standards excerpts on the next few pages. These are also included in Attachment 1.

It should be noted that the Hotel use was discussed by the Planning Commission at the November 6, 2019 meeting and supported by the commission, but the change was not made to the document at that time.

Development Area	Current PUD Allowed Land Uses	Proposed additional land use	Proposed additional changes	Justification
Area 12	<ul style="list-style-type: none"> <li>Residential</li> <li>Retail</li> <li>On site food and beverage</li> <li>Office</li> <li>Hospitality</li> </ul>	<ul style="list-style-type: none"> <li>Mixed Use: Upper floor residential allowed with ground floor retail/food and beverage/office.</li> </ul>	Increase building height to 45 feet +/-450 feet north from the ordinary highwater mark (OHWM).	Consistent with original PUD justifications.
Area 13	<ul style="list-style-type: none"> <li>Specialty retail sales</li> <li>On-site food and beverage</li> </ul>	<ul style="list-style-type: none"> <li>Mixed Use: Upper floor residential or office allowed with ground floor original PUD allowed land uses.</li> <li>Hotel</li> </ul>	None	Consistent with original PUD justifications.
All	n/a	n/a	Add fencing and gated road restrictions	Minimize visual barriers to maximize views and vistas

## DEVELOPMENT AREA 12 | STANDARDS

Key Plan



### Introduction

- Area 12 lies at the western edge of the site and helps define the western entrance into the neighborhood.
- Buildings along Street '1' are intended to create a streetwall that complements the overall design of the street.
- To achieve this goal, rear parking lots and/or an alley are required on Area 12.

### Uses

- Residential
- Specialty retail sales
- Food & beverage sales (on-site consumption)
- Real estate/leasing office
- Hospitality
- Mixed Use-Upper floor residential allowed with ground floor retail/food and beverage/office**

### Building Types

- Single family rear-loaded
- Duplex rear-loaded
- Townhouse rear-loaded
- Hotel
- Free-standing retail
- Mixed Use**
- Office**

### Lots - Townhouses and Duplexes

- Width: 20' min. - 36' max.
- Depth: 80' min.
- Area: 1600 sf min.

### Lots - Single Family

- Width: 32' min. - 75' max.
- Depth: 80' min.
- Area: 2500 sf min.

### Lots - Non-Residential Uses

- No minimum or maximum size requirements

### Setbacks (Minimum Yard)

#### Residential - Frontage Type A

- Front - to primary building wall: 15' min. - 20' max.
- Front - to porches and projections: 9' min.
- Side: 6' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 2' min. (from alley, which would be required for vehicular access to garages or parking stalls)

#### Setbacks (Minimum Yard)

#### Retail **Mixed Use** or Similar Uses - Frontage Type D

- Front: 6' min. - 9' max. (Accommodates the creation of a wider sidewalk along Street '1', extending to the building wall, for street furnishing or other features, consistent with Frontage Type D)
- Side: 0' min.

### Building Height

- Minimum: 20' (Applies to all buildings within the minimum building height area, for the purpose of creating a street wall along Street '1'.)
- Maximum: 35' **within 450 ft. of Ordinary High Water Mark (OHWM)**
- Maximum: 45' **greater than 450 ft. OHWM**

### Off-Street Parking - Quantity and Dimensions

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
  - minimum quantity = 1 space per 250 sf of floor area
  - upto 50% of required parking may be provided in the public realm, which includes:
    - public streets,
    - the parking lot associated with the waterfront park,
    - other public spaces that may be built as part of this development

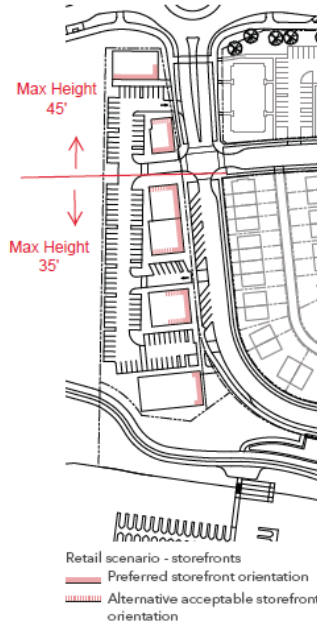
### Perimeter Streets

- On-street parking is allowed Street '1', adjacent to Area 12

## DEVELOPMENT AREA 12 | POTENTIAL CONFIGURATIONS

These diagrams show different uses and how they can be configured to meet the intent and development standards for this block. Developers may propose other layouts and use mixes that comply.

1. All retail, including waterfront restaurant or retail



2. Residential (townhouses) and waterfront restaurant or retail

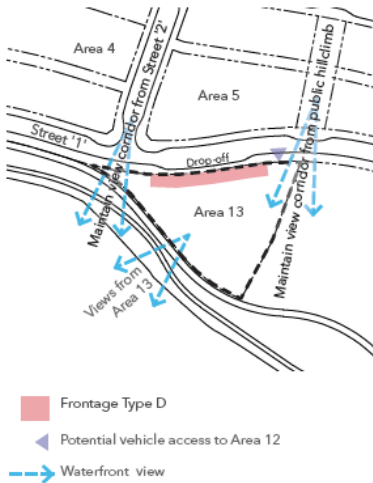
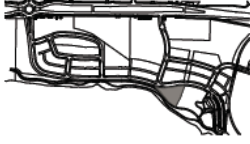


3. All residential (duplexes and single family)



## DEVELOPMENT AREA 13 | STANDARDS

### Key Plan



### Introduction

- Area 13 lies at the western edge of the waterfront park and is intended to help create the commercial heart the neighborhood.
- Buildings within Area 13 should address Street '1' in a way that's consistent with Frontage Type D.

### Uses

- Specialty retail sales
- **Hotel**
- Food & beverage sales (on-site consumption)
- **Mixed Use: Upper floor residential or office allowed with ground floor original PUD allowed land uses.**

### Building Types

- Free-standing retail / restaurant
- **Hotel**
- **Mixed Use**

### Lots

- No minimum or maximum size requirements.

### Setbacks (Minimum Yard)

- **Retail Mixed Use or Similar Uses - Frontage Type D**
- Front: 6' min. - 9' max. (Accommodates the creation of a wider sidewalk along Street '1', extending to the building wall, for street furnishing or other features, consistent with Frontage Type D)
- Side: 10' min.
- Rear: 10' min.

### Building Height

- Maximum: 35'

### Off-Street Parking - Quantity and Dimensions

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
  - minimum quantity = 1 space per 250 sf of floor area
  - upto 50% of required parking may be provided in the public realm, which includes:
    - public streets,
    - the parking lot associated with the waterfront park,
    - other public spaces that may be built as part of this development

### Perimeter Streets

- One curb cut is allowed on Street '1' for access to off-street parking.
- On-street parking is accommodated on the north side of Street '1'.
- To the east of Area 13, on-street parking is also provided on the south side of Street '1' and in the surface lot associated with the waterfront park.



The proposed amendments and interpretation, if approved, would be integrated into the Development Standards and a new version would be incorporated into the project approval.



## PUD-2-19: PLANNED UNIT DEVELOPMENT FINDINGS:

### 17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

A planned unit development may be approved only if the proposal conforms to the following criteria, to the satisfaction of the commission:

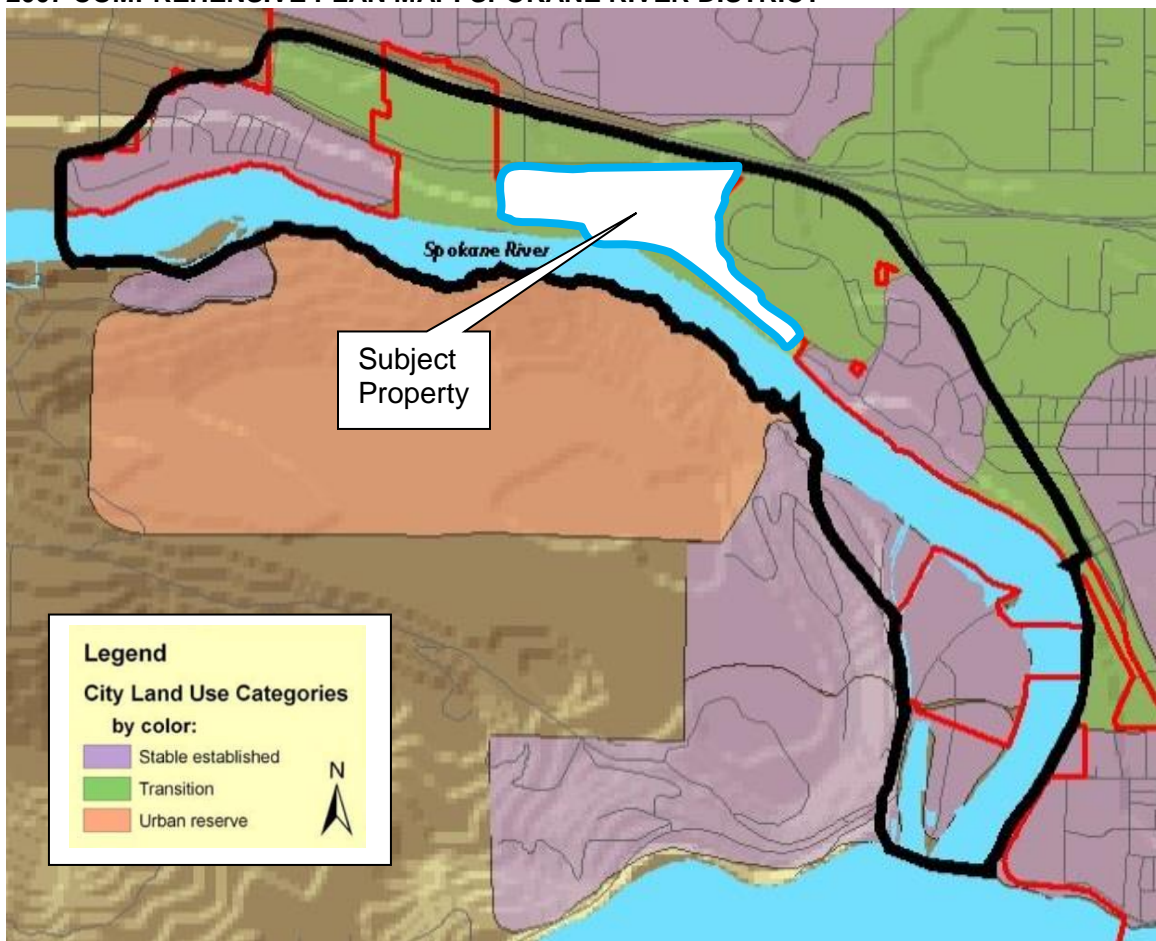
#### REQUIRED FINDINGS (PUD):

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

#### 2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property and portion of the Spokane River are both within the City of Coeur d'Alene's Area of City Impact Boundary.
- The City's 2007 Comprehensive Plan designates this area as the Spokane River District.
- The subject property falls within the "Transition" Land Use Category as described below.
- The subject property is also within the Shoreline boundary, which is a special area.

#### 2007 COMPREHENSIVE PLAN MAP: SPOKANE RIVER DISTRICT



### **Transition Areas:**

These are areas where the character of the 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.

### **Spokane River District Tomorrow**

This area is going through a multitude of changes and this trend will continue for many years. Generally, the Spokane River District is envisioned to be mixed-use neighborhoods consisting of housing, and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. As the mills are removed to make way for new development, the Spokane River shoreline is sure to change dramatically.

### **The characteristics of the Spokane River District neighborhoods will be:**





- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.
- That overall density may approach ten to sixteen dwelling units per acre, but pockets of denser housing are appropriate and encouraged.
- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.
- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees.

### **NEIGHBORHOOD CHARACTER:**

#### 2007 Comprehensive Plan: Spokane River District Today

This Spokane River District is in a state of flux from its historic past use as a site of four major water front sawmills and other industrial uses. In place of sawmills, recently subdivided property in this area along portions of the shoreline is developing into commercial, luxury residential units, and mixed use structures. Recent subdivisions aside, large ownership patterns ranging from approximately 23 acres to 160+ acres provide opportunities for large scale master planning.

## Special Areas: Areas of Coeur d'Alene Requiring Unique Planning

Comprehensive Plan (2007-2027)		Page 27
<h3>Special Areas: Areas of Coeur d'Alene Requiring Unique Planning</h3>		
<p><b>Shorelines</b></p> <p>The City of Coeur d'Alene is known for its shorelines. They are an asset and provide a multitude of benefits. Community pride, economic advantages, transportation, recreation, and tourism are just a few examples of how shorelines affect the use and perception of our city.</p> <p>Public access to and enhancement of our shorelines is a priority. Shorelines are a positive feature for a community and they must be protected. To ensure preservation, the city has an ordinance that protects, preserves, and enhances our visual resources and public access by establishing limitations and restrictions on specifically defined shoreline property located within city limits.</p> <p>To increase desired uses and access to this finite resource, the city will provide incentives for enhancement. Efficient use of adjacent land, including mixed use and shared parking where appropriate, are just a few tools we employ to reach this goal.</p> <p><b>Policy:</b></p> <ul style="list-style-type: none"> <li>• Make public access to river and lake shorelines a priority.</li> </ul> <p><b>Methods:</b></p> <ul style="list-style-type: none"> <li>• Shoreline ordinance will govern appropriate development in designated areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure scale, use, and intensity are suitable with location.</li> <li>• Promote protection and connectivity along shorelines.</li> </ul> <p><b>Related Objectives:</b></p> <ul style="list-style-type: none"> <li>• 1.01, 1.02, 1.03, 1.04, 1.05, 1.17, 3.14</li> </ul>	 <p style="text-align: center;">Coeur d'Alene Lake &amp; Spokane River shorelines</p>
 <p style="text-align: center;">Shoreline</p>	 <p style="text-align: center;">Independence Point</p>	 <p style="text-align: center;">Coeur d'Alene Ironman starting line</p>
		<p><b>Special Point of Interest</b></p> <ul style="list-style-type: none"> <li>• The Coeur d'Alene shoreline, measuring 5.16 miles within city limits, contains 2.36 public shoreline miles.</li> </ul>

### 2007 COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

#### Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

**Objective 1.01 Environmental Quality:**

Minimize potential pollution problems such as air, land, water, or hazardous materials.

**Objective 1.02 Water Quality:**

Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.

**Objective 1.03 Waterfront Development:**

Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.

**Objective 1.04 Waterfront Development:**

Provide strict protective requirements for all public and private waterfront developments.

**Objective 1.05 Vistas:**

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

**Objective 1.09 Parks:**

Provide an ample supply of urbanized open space in the form of squares, beaches, greens, and parks whose frequent use is encouraged by placement, design, and access.

**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 1.15 Natural Terrain:**

Wherever possible, the natural terrain, drainage, vegetation should be preserved with superior examples featured within parks and open space.

**Objective 1.16 Connectivity:**

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

**Objective 1.17 Hazardous Areas:**

Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.

**Goal #2: Economic Environment**

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

**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 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 2.06 Cooperative Partnerships:**

Encourage public/private partnerships to procure open space for the community while enhancing business opportunities.

### **Goal #3: Home Environment**

Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

#### **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 3.02 Managed Growth:**

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

#### **Objective 3.05 Neighborhoods:**

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

#### **Objective 3.06 Neighborhoods:**

Protect the residential character of neighborhoods by allowing residential/commercial /industrial transition boundaries at alleyways or along back lot lines if possible.

#### **Objective 3.08 Housing:**

Design new housing areas to meet the city's need for all income and family status categories.

#### **Objective 3.13 Parks:**

Support the development acquisition and maintenance of property and facilities for current and future use, as described in the Parks Master Plan.

#### **Objective 3.14 Recreation:**

Encourage city-sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space, passive parks, and water access for people and boats.

#### **Objective 3.16 Capital Improvements:**

Ensure infrastructure and essential services are available for properties in 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.

### **Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

#### **Objective 4.01 City Services:**

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

#### **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.*

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

**To the South:**

The subject site is adjacent to the Spokane River on its southern boundary. The Spokane River is primarily used for recreational activities and has the Navigable Water Zoning District designation.

**To the North:**

The subject site is adjacent to Seltice Way on its northern boundary. Seltice Way is an arterial road that has been recently rebuilt as a complete street. The site plan indicates that there will be two access points onto Seltice Way. The properties along the north side of Seltice Way have residential and commercial uses on them with commercial zoning that is in the County.

**To the East:**

To the east of the subject site are the Riverstone and the Bellerive subdivisions, as well as the Centennial Trail and an existing dog park. Uses within Riverstone include multi-family apartments, a retirement community, single family dwellings, restaurants, a mixed use village with retail uses, and other commercial and professional office uses.

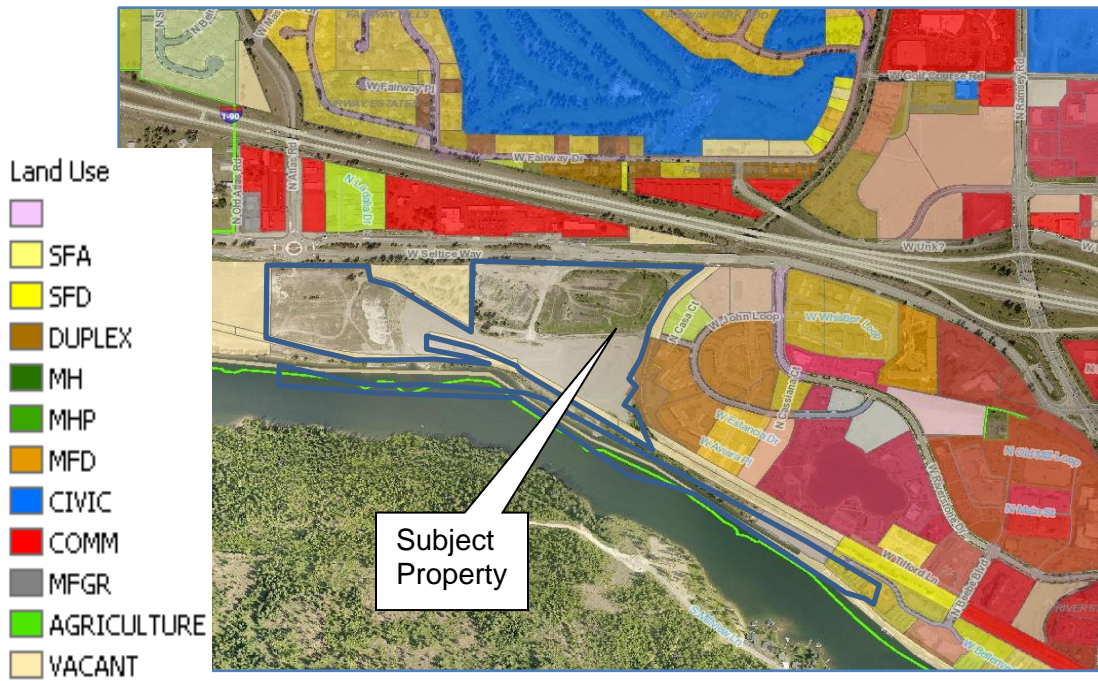
**To the West:**

To the west of the subject site is the 22 acre site owned by Lanzce Douglass which is currently vacant. A PUD and Preliminary plat was recently approved for a PUD to allow a 250 unit apartment facility, a mini-storage facility and a private gated residential community for the 29-lot preliminary plat to be known as "Rivers Edge".

Further to the west beyond the recently approved PUD and subdivision are single family dwellings and a commercial office space that is used as a call center. The properties to the west that have single family dwellings on them are zoned R-8PUD. The commercial call center property is zoned C-17LPUD. There is also a vacant undeveloped property, formerly a railroad right-of-way, owned by the City that will be developed with a 12-foot wide multi-use trail. *See Generalized Land Use Map on the next page.*



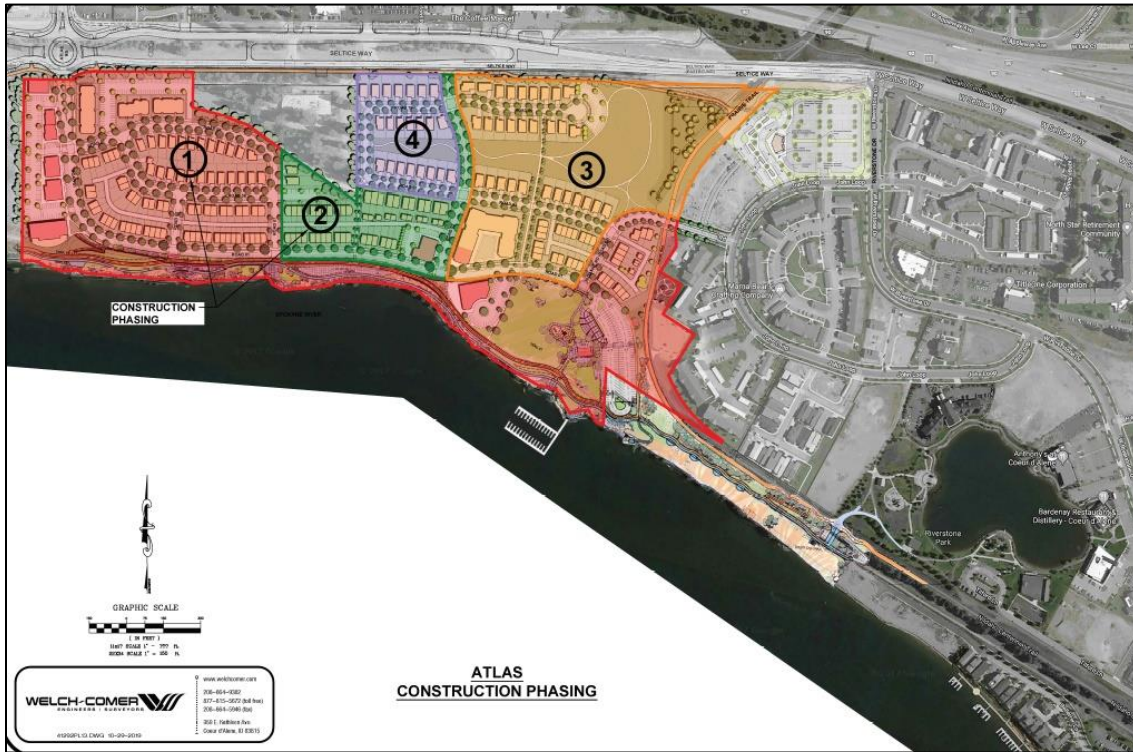
**GENERALIZED LAND USE MAP:**



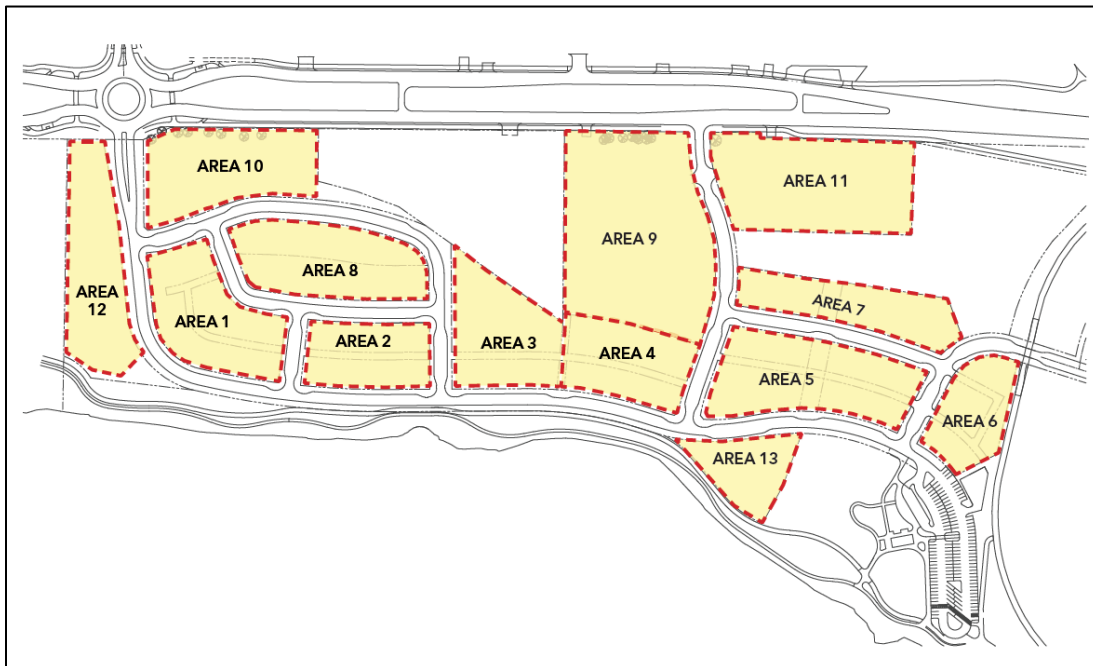
**ATLAS MILL SITE ILLUSTRATIVE PLAN:**



**PHASING PLAN:**



**DEVELOPMENT AREAS KEY PLAN:**





**CHANGED – UPDATED TEXT**

The proposed amendments would apply to Areas 12 and 13 as noted above. Area 12 would add Mixed Use with upper floor residential allowed with ground floor retail/food and beverage/office uses as an allowable use and increase the permitted maximum building height to 45' on the northern portion of the property at +/- 450' north of the ordinary high water mark (OHWM). Area 13 would add Mixed Use with upper floor residential or office as an allowable use with ground floor uses as permitted with the original PUD and Development Standards, and allow Hotel as an additional allowable use. The fencing and gated road restrictions would apply throughout the project and are being proposed to minimize visual barriers to maximize views and vistas.

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

**Finding #B8C:** **The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The subject property is higher along Seltice Way and slopes downward toward the Spokane River to the south. The pre-existing grade had an approximately forty-five foot (45') elevation drop on the subject site as shown on the Topographic Map. Some grading work has been done on the site to prepare it for development and remove pits that existed from the previous mill operations. The grade changes across the site will be advantageous to providing more views of the river and shoreline. There are no topographical or other physical constraints that would make the subject property unsuitable for the PUD request.

**TOPOGRAPHIC MAP:**





**CHANGED – UPDATED PHOTOS TO SHOW RECENT PROGRESS**

**SITE PHOTO 1:**



**SITE PHOTO 2:**





**SITE PHOTO 3:**



**SITE PHOTO 4:**





**SITE PHOTO 5:**



**SITE PHOTO 6:**





**SITE PHOTO 7:**



**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties.*

**Finding #B8D:** **The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

**STORMWATER: NO CHANGES**

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Development of the subject property will require that all new storm drainage be retained on site. This issue will be addressed at the time of plan review and site development of the subject property.

*-Submitted by Chris Bosley, City Engineer*

**STREETS: NO CHANGES**

The subject property is bordered by Seltice Way to the north. The existing street was recently redeveloped to City standards and no alterations will be required. All internal streets within the development will be constructed to City approved standards. Streets and Engineering has no objections to the PUD. The alleys will be 16' wide and paved, exceeding the City standard.

*-Submitted by Chris Bosley, City Engineer*

**TRAFFIC: NO CHANGES**

A traffic study was completed for this property by Welch Comer and Associates in January, 2019. The results of that study indicate that at full buildout, this project could generate approximately 548 trips in the PM peak hour. The additional traffic generated will likely result in increases to congestion on the surrounding streets, particularly Seltice Way and Northwest Boulevard. However, a recommended mitigation measure proposed in the traffic study is to optimize traffic signal timing on the Northwest Boulevard/Ramsey Road corridor near I-90. The City recently approved an MOU with the Idaho Transportation Department to upgrade those six traffic signals in the corridor and give control to the City. Work has begun on that project and is expected to be completed by Memorial Day weekend in 2020. These signal improvements are expected to greatly improve traffic flow in the corridor. Streets and Engineering has no objections to the PUD.

*-Submitted by Chris Bosley, City Engineer*

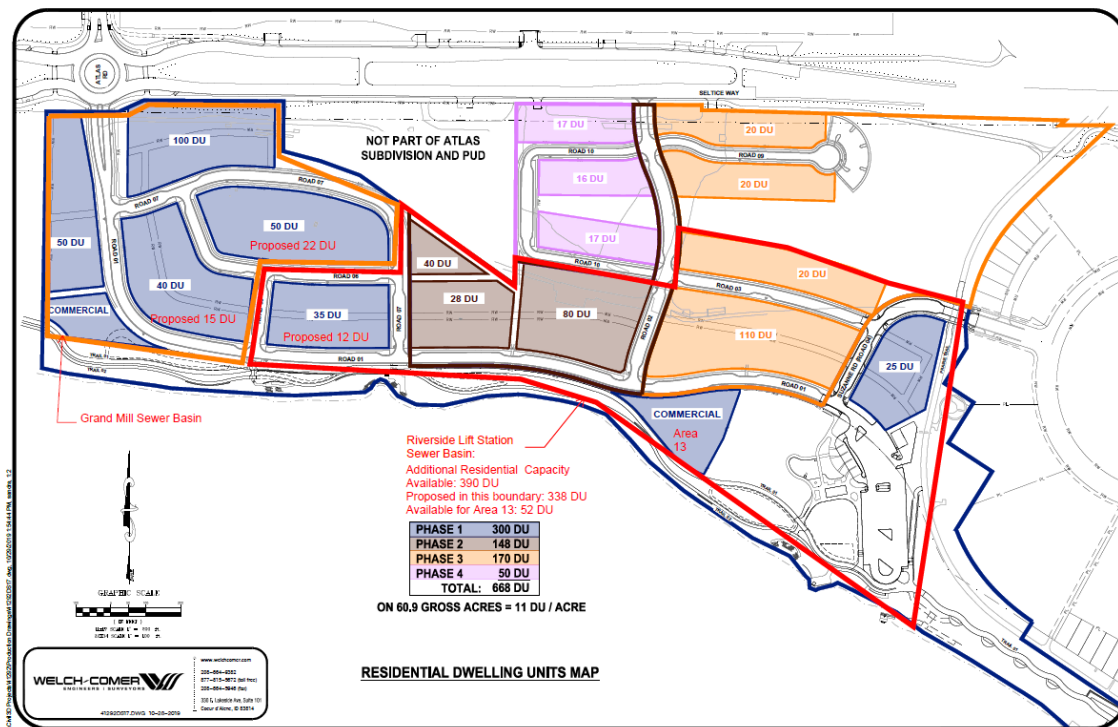
**WATER: NO CHANGES**

There is adequate capacity in the public water system as a whole to support domestic, irrigation and fire flow for the 60-acre PUD & 415 lot preliminary plat known as "Atlas Waterfront 1<sup>st</sup> Addition." A thorough review of the recently supplied hydraulic study will likely confirm that current and planned improvements should support the project.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**WASTEWATER: CHANGED – UPDATED TEXT AND EXHIBITS**

Phil Boyd of Welch-Comer Engineers provided a letter dated March 2, 2020 addressing how the proposed amendments noted above could impact the Riverside Sewer Lift Station. See excerpt on the next page and attached documentation in Attachment 1. The City's Wastewater Department has reviewed this information and has updated the analysis and conditions accordingly.



Excerpt from Welch-Comer dated March 2, 2020

As you requested, we are providing additional information regarding sewer service for the proposed additional density at Areas 12 and 13. Attached, please find the dwelling unit map with the Riverside Lift Station and Grand Mill Lift station basins overlaid.

We previously provided to the City an analysis of Riverside Sewer Lift Station which indicates the facility has excess capacity to serve 390 Atlas dwelling units (DU). We understand the Grand Mill Lift Station has excess capacity to serve the 240 DU's proposed in the original Atlas PUD. We will address each area below demonstrating that the additional DU's proposed by this PUD amendment do not exceed available sewer capacity.

The Riverside Lift Station Sewer Basin shown in the attachment has a maximum density of 338 DU's, which leaves an extra 52 DU's available from the Riverside Lift Station to serve Area 13 (or other areas). Area 13 parking will be the limiting factor that controls the final density and we estimate that based on the lot size, the maximum amount of parking that can be constructed is 45 spaces. Assuming a 5,000 SF ground level restaurant, the parking required for the restaurant, with the original PUD, would be 10 spaces on site and 10 offsite within 650 feet. If we start with 45 total spaces, use 10 for the ground floor restaurant, that leaves 35 for upper floor residential. Assuming all one-bedroom units (1.5 spaces/unit), that would allow 23 DU's to be constructed. The 52 extra DU's for the Riverside Lift Station Basin exceeds the 23 required for Area 13.

Area 12 will be served by the Grand Mill Lift Station which, as noted above, appears to have capacity to service 240 DU's. The proposals recently received from developers will use an estimated 137 DU's leaving 103 DU's available for Area 12. Like Area 13, Area 12 density will be limited by parking and it will not be possible to provide enough parking to serve more than 103 DU. Therefore, the original PUD 240 DU's is sufficient for the proposed uses, including expanding Area 12's land use types.

Wastewater Department Comments:

1. Sewer Policy #719 requires an "All-Weather" surface permitting unobstructed O&M access to the public sewer.
2. City Resolution 14-025 requires all EDUs discharging wastewater within the Mill River Lift Station Sewer Service Area to pay into the capacity system upgrades to the Mill River Lift Station.
3. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
4. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
5. As stated in the March 2, 2020 Atlas Proposed PUD Amendment No. 1, the Wastewater Department concurs that the Riverside Pump Station has the potential capacity to serve up to 390 Atlas Dwelling Units (DU's). However, per Welch Comer's February 10, 2020 Riverside Pump Station Capacity Report, the build-out sewer flows from the aforementioned 390 Atlas DU's when combined with the Bellerive Development flows will exceed the City's mandatory standby storage response time. In the event the Riverside Pump Station experiences a power outage, an emergency standby generator with automatic transfer switch and related operational controls will be necessary operate the

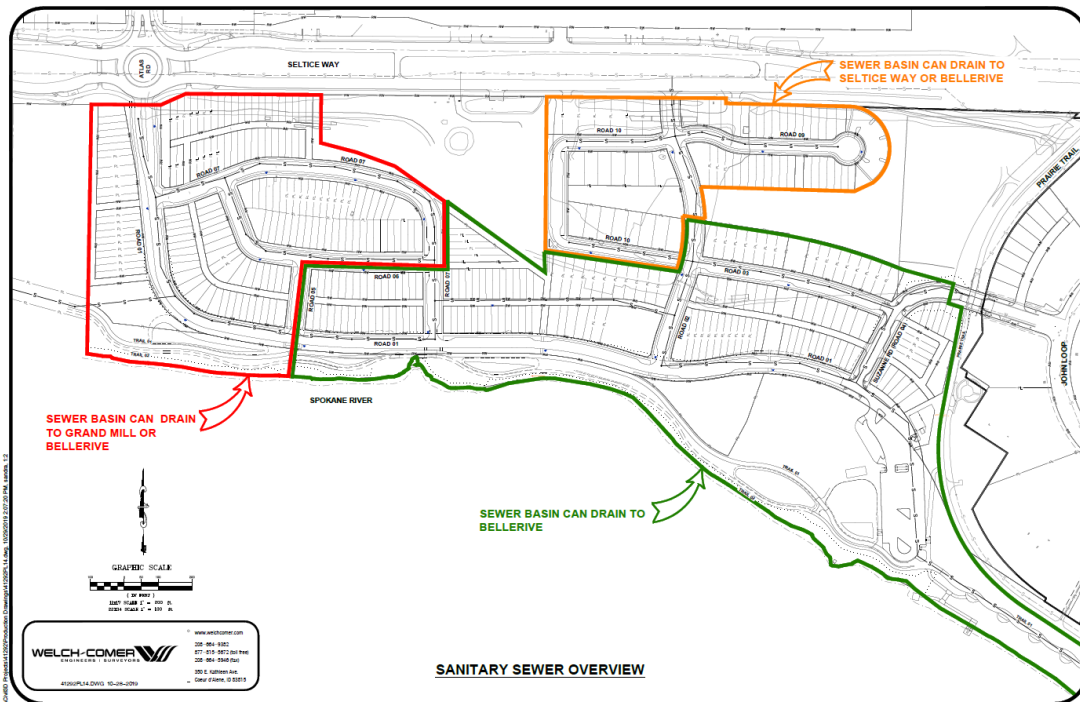


pump station during power outages until the City crews arrive. As stated in the report, installation of this equipment should be contingent upon the Atlas Mill Phase 2 plat.

- Presently, the current pumps have reached their useful life and the Wastewater Department has scheduled for their replacement this fiscal year (2019/2020). The new pumps, rated at 300 gallons per minute (gpm), will pump into the existing 4" force main at nearly 7.4 feet per second (fps). Due to the abrasive nature of sewer, higher velocities tend to shorten the life of the force mains. Typically, design velocities range 4 to 5 fps. As flows from Atlas Mill Project increase, these pumps will operate at greater intervals. To extend the life of the Riverside Force main, the Wastewater Department recommends upsizing this pipe to a 6" diameter force main. Rather than replacing the existing 586' of 4" force main, a new 6" force main could discharge into Sanitary Sewer Manhole RIV1-20 which is approximately 140 feet north of the pump station. Construction of this 6" force main should be contingent upon the Atlas Mill Phase 2 plat where this Project is responsible the incremental cost of upsizing of the force main from 4" to 6" diameter pipe.
- The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan and the aforementioned evaluation; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 1 as proposed. Any further increase in density may require additional hydraulic modeling the sewer flows acceptable to the Wastewater Utility and upsizing of public sewer.

*-Submitted by Mike Becker, Capital Program Manager*

### SANITARY SEWER OVERVIEW:



**FIRE: NO CHANGES**

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, turning radiuses, no parking-fire lanes, snow storage and gate access), 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 process, utilizing the currently adopted International Fire Code (IFC) for compliance.

There is a need for a +/- 1-acre lot close to Seltice Way for CD'A Fire Department's future fire station #5. If there is an opportunity as part of this project or nearby development projects, the Fire Department would like to be involved in discussions about a future fire station.

*-Submitted by Bobby Gonder, Fire Inspector / IAAI – CFI*

**PARKS: NO CHANGES**

The Parks Department requires a 12-foot wide shared-use path, with sections up to 16 feet wide at the Southeast end, and an 8-foot wide gravel walking path along the waterfront for this development.

The asphalt mix used in the trail should have 3/8-inch rock instead of the typical 3/4-inch. This is referred to as driveway mix and provides a smoother surface for bicycles, wheelchairs, skateboards, rollerblades and strollers. Our standards require 4 inches of compacted gravel and 2 inches of asphalt. It is also helpful to sterilize the surface under where the trail will go to prevent weeds from growing through and damaging the trail.

*-Submitted by Monte McCully, Trails Coordinator*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.*

**Finding #B8E:** **The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

**NO CHANGES**

The project will have a total of 39% of open space. The open space will consist of 25-acres of public open space areas. The project will include 12 acres of open space along the waterfront to include a waterfront park, and upland open spaces to provide pedestrian circulation routes in addition to sidewalks. The waterfront park provides a grass open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The very northeast area of the site is a 7.7-acre public space with a use that will be determined by the City Parks and Recreation Department. See Attachment 2 for the Open Space Improvements.

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets,*

*driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.*

**Finding #B8F:**            **Off-street parking (does) (does not) provide parking sufficient for users of the development.**

**NO CHANGES**

The Atlas Waterfront PUD is consistent with all of the City Code parking requirements for land uses in the project with the exception of one requested deviation.

This PUD is requesting a deviation to the City's off-street parking requirements only for the commercial restaurant use (Primary Food Sales/ On-Site Consumption). The current parking requirement for this type of use is as follows:

- 1 space for every 330 square feet of floor area for facilities under 1,000 square feet or 1 space for every 200 square feet of floor area for facilities over 1,000 square feet.

The requested parking deviation for the restaurant use over 1,000 square feet is as follows:

- 1 paved off-street space per 250 gsf (gross square footage). Allow up to 50% of the required parking to be provided on-street.

Single family and duplex homes will be required to provide two (2) off-street paved parking spaces per unit, which is consistent with code requirements for single-family/duplex residential. Parking for multi-family units is based on the total number of bedrooms in each unit.

**Evaluation:**    *The Planning Commission must determine, based on the information before them, whether or not the off-street parking provides parking sufficient for users of the development.*

**Finding #B8G:**            **That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.**

**NO CHANGES**

The common, privately owned property will be maintained by a Master Association controlled by the City/ignite CDA until such time that the ignite cda districts sunset (River District 2027 and Atlas District 2038) and/or the private land ownership exceeds 80% of the for sale land area, at which time the private property owners will assume control of the Master Association. The City/ignite CDA will have the ability, at their sole discretion, to transfer the Master Association control to private party(s) if they determine it is the best interest of the City/ignite CDA.

**Evaluation:**    *The Planning Commission must determine, based on the information before them, whether or not the proposal provides for an acceptable method for the perpetual maintenance of all common property.*



## APPLICABLE CODES AND POLICIES:

### Utilities:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
4. All required utility easements shall be dedicated on the final plat.

### Streets:

5. All new streets shall be dedicated and constructed to City of Coeur d'Alene standards.
6. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
7. All required street improvements shall be constructed prior to issuance of building permits.
8. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

### Stormwater:

9. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

### Fire Protection:

10. Fire hydrant(s) shall be installed at all locations as determined by the City Fire Inspectors.

### General:

11. The final plat shall conform to the requirements of the City.
12. Prior to approval of the final plat, all required improvements must be installed and accepted by the City. The developer may enter into an agreement with the City guaranteeing installation of the improvements and shall provide security acceptable to the City in an amount equal to 150 percent of the cost of installation of the improvements as determined by the City Engineer. The agreement and security shall be approved by the City Council prior to recording the final plat.

## CONDITIONS: **CHANGED – UPDATED TEXT (noted with strikethroughs and underlines)**

- 1) Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permits.
- 2) An unobstructed City approved “all-weather” access shall be required over all public sewers.
- 3) Mill River Lift Station Surcharge Fees will be required on all EDUs discharging sewer into the Mill River Service Area during the building permit process.
- 4) This Project shall be required to comply with the City’s One Lot-One Lateral Rule.
- 5) All public sewer plans require IDEQ or QLPE Approval prior to construction.
- 6) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to install an emergency standby generator with automatic transfer switch and related operational controls at the Riverside Pump Station.

~~This Project shall complete an analysis of the sewer system and Riverside Pump Station's capacity to accept additional rerouted sewer flows.~~

- 7) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to pay for the incremental cost of upsizing of the Riverside Pump Station force main from a 4" to 6" diameter pipe.

~~The City of Coeur d'Alene Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this PUD and Subdivision Request as proposed. **(see note below)**~~

- 8) Single access road over 150 feet requires a FD approved turn-around.
- 9) Turning radiuses for FD is 25' interior and 50' exterior.
- 10) Minimum street width for FD access is 20' with no parking allowed on both sides of the street. 20' to 26' width – no parking on one side of the street.
- 11) Fire hydrant placement based on required fire flow will be determined during each phase.
- 12) Over 30 single family residents on a single fire department access road requires a secondary FD egress road (20' minimum).
- 13) Build a 12-foot shared-use path and an adjacent 8-foot gravel path along the waterfront.
- 14) Use 'Driveway Mix' asphalt in the construction of the paved trail.
- 15) Sterilize the ground with herbicide before laying down gravel and asphalt.

**NOTE:** With the aforementioned improvements outlined in the conditions above, the City of Coeur d'Alene Wastewater Department presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 1 as proposed.

**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  
2017 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

The Planning Commission will need to consider the PUD amendment request and make findings to approve, deny, or deny without prejudice. The findings worksheet is attached.

The Planning Commission will also need to approve or deny the interpretation request.

**Attachments:**

- Attachment 1 – Applicant’s Narrative: Letters from Phil Boyd, Welch-Comer Engineers
- Atlas Proposed PUD Amendment No. 1 dated February 28, 2020 (PUD amendment revisions to development standards and request for interpretation)
  - Atlas Proposed PUD Amendment No. 1 dated March 2, 2020 (sewer service)
- Attachment 2 – Approved Atlas Waterfront Neighborhood Development Standards, dated November 7, 2019 (*ONLINE VERSION*)

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

**APPLICANT'S  
NARRATIVE**

February 28, 2020

Ms. Hilary Anderson  
City of Coeur d'Alene  
710 E. Mullan  
Coeur d'Alene, ID 83814

Re: Atlas Proposed PUD Amendment No. 1

Dear Hilary:

Enclosed, please find development standards revisions (shown in red text) for development Areas 12 and 13 that reflect proposed PUD Amendment #1, which is summarized in the following table:

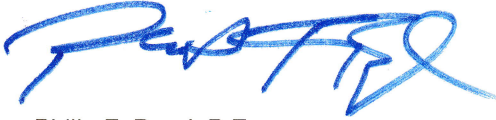
Development Area	Current PUD Allowed Land Uses	Proposed additional land use	Proposed additional changes	Justification
Area 12	<ul style="list-style-type: none"> <li>Residential</li> <li>Retail</li> <li>On site food and beverage</li> <li>Office</li> <li>Hospitality</li> </ul>	<ul style="list-style-type: none"> <li>Mixed Use: Upper floor residential allowed with ground floor retail/food and beverage/office.</li> </ul>	Increase building height to 45 feet +/-450 feet north from the ordinary highwater mark (OHWM).	Consistent with original PUD justifications.
Area 13	<ul style="list-style-type: none"> <li>Specialty retail sales</li> <li>On-site food and beverage</li> </ul>	<ul style="list-style-type: none"> <li>Mixed Use: Upper floor residential or office allowed with ground floor original PUD allowed land uses.</li> <li>Hotel</li> </ul>	None	Consistent with original PUD justifications.
All	n/a	n/a	Add fencing and gated road restrictions	Minimize visual barriers to maximize views and vistas



In addition to the PUD Amendment, we are requesting the commission provide us a PUD interpretation and confirm we are allowed to interchange density between development areas, while not exceeding the overall site approved density.

Both ignite CDA and City representatives believe these PUD amendments will provide for a more desirable neighborhood, while meeting the original PUD objectives.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. F. Boyd', with a stylized flourish at the end.

Philip F. Boyd, P.E.  
President / Principal Engineer

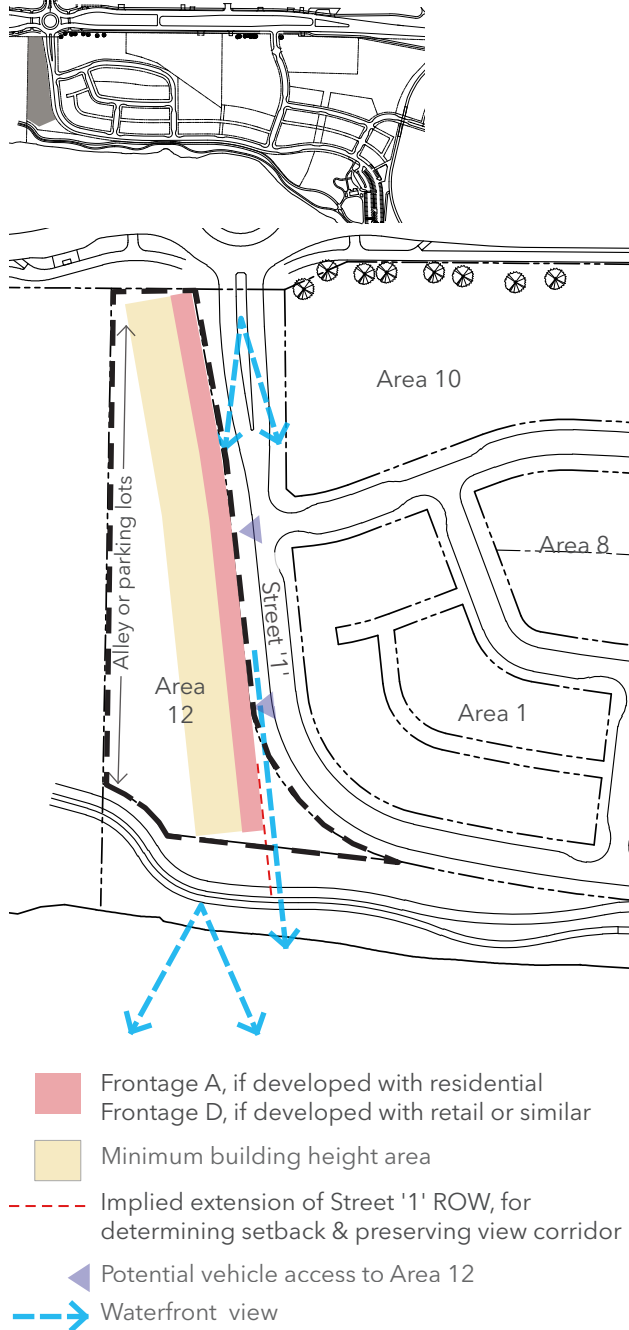
PFB/lmt

Enclosure

cc: Tony Berns – ignite cda

# DEVELOPMENT AREA 12 | STANDARDS

## Key Plan



### Introduction

- Area 12 lies at the western edge of the site and helps define the western entrance into the neighborhood.
- Buildings along Street '1' are intended to create a streetwall that compliments the overall design of the street.
- To achieve this goal, rear parking lots and/or an alley are required on Area 12.

### Uses

- Residential
- Specialty retail sales
- Food & beverage sales (on-site consumption)
- Real estate/leasing office
- Hospitality
- **Mixed Use-Upper floor residential allowed with ground floor retail/food and beverage/office**

### Building Types

- Single family rear-loaded
- Duplex rear-loaded
- Townhouse rear-loaded
- **Hotel**
- Free-standing retail
- **Mixed Use**
- **Office**

### Lots - Townhouses and Duplexes

- Width: 20' min. - 36' max.
- Depth: 80' min.
- Area: 1600 sf min.

### Lots - Single Family

- Width: 32' min. - 75' max.
- Depth: 80' min.
- Area: 2500 sf min.

### Lots - Non-Residential Uses

- No minimum or maximum size requirements

### Setbacks (Minimum Yard)

#### Residential - Frontage Type A

- Front - to primary building wall: 15' min. - 20' max.
- Front - to porches and projections: 9' min.
- Side: 6' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 2' min. (from alley, which would be required for vehicular access to garages or parking stalls)

### Setbacks (Minimum Yard)

#### Retail Mixed Use or Similar Uses - Frontage Type D

- Front: 6' min. - 9' max. (Accommodates the creation of a wider sidewalk along Street '1', extending to the building wall, for street furnishing or other features, consistent with Frontage Type D)
- Side: 0' min.

### Building Height

- Minimum: 20' (Applies to all buildings within the minimum building height area, for the purpose of creating a street wall along Street '1'.)
- Maximum: 35' **within 450 ft. of Ordinary High Water Mark (OHWM)**
- **Maximum: 45' greater than 450 ft. OHWM**

### Off-Street Parking - Quantity and Dimensions

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
  - minimum quantity = 1 space per 250 sf of floor area
  - upto 50% of required parking may be provided in the public realm, which includes:
    - public streets,
    - the parking lot associated with the waterfront park,
    - other public spaces that may be built as part of this development

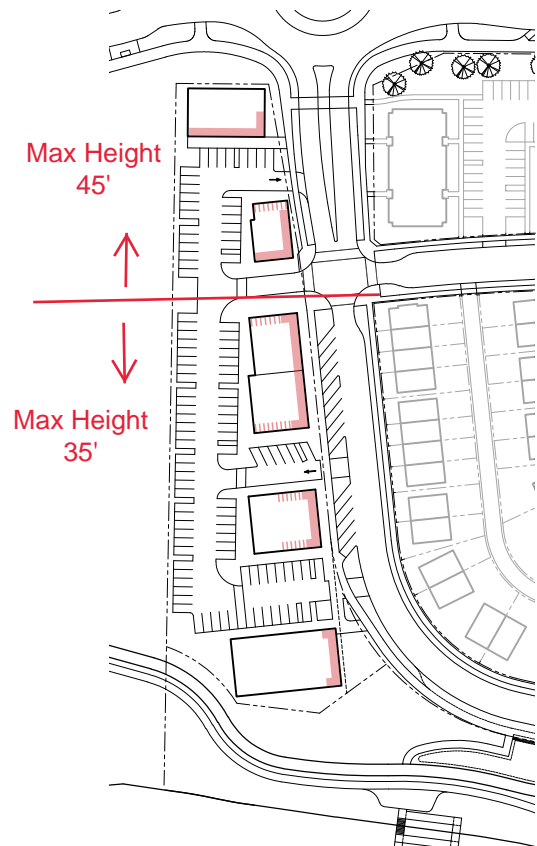
### Perimeter Streets

- On-street parking is allowed Street '1', adjacent to Area 12

# DEVELOPMENT AREA 12 | POTENTIAL CONFIGURATIONS

These diagrams show different uses and how they can be configured to meet the intent and development standards for this block. Developers may propose other layouts and use mixes that comply.

1. All retail, including waterfront restaurant or retail



2. Residential (townhouses) and waterfront restaurant or retail



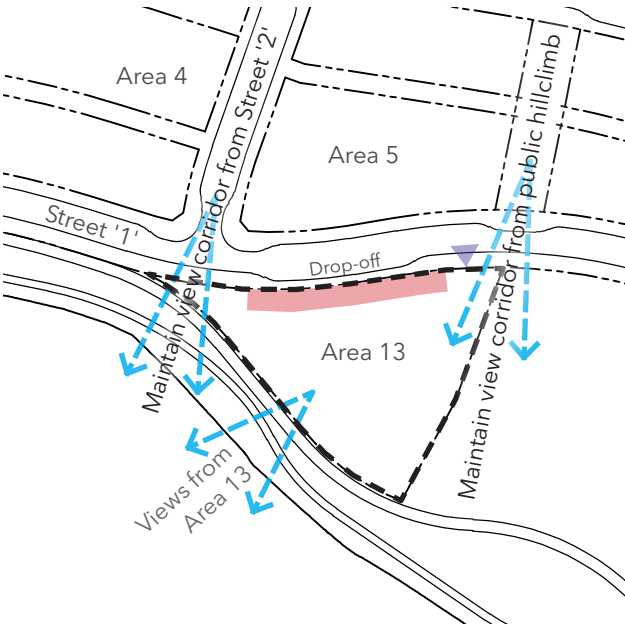
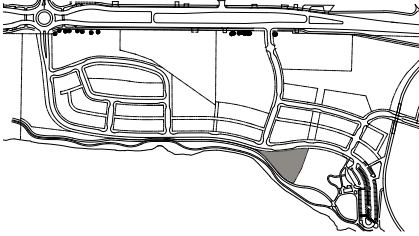
3. All residential (duplexes and single family)



Retail scenario - storefronts  
 — Preferred storefront orientation  
 - - - Alternative acceptable storefront orientation

# DEVELOPMENT AREA 13 | STANDARDS

## Key Plan



Frontage Type D

Potential vehicle access to Area 12

Waterfront view

## Introduction

- Area 13 lies at the western edge of the waterfront park and is intended to help create the commercial heart the neighborhood.
- Buildings within Area 13 should address Street '1' in a way that's consistent with Frontage Type D.

## Uses

- Specialty retail sales
- **Hotel**
- Food & beverage sales (on-site consumption)
- **Mixed Use: Upper floor residential or office allowed with ground floor original PUD allowed land uses.**

## Building Types

- Free-standing retail / restaurant
- **Hotel**
- **Mixed Use**

## Lots

- No minimum or maximum size requirements.

## Setbacks (Minimum Yard)

### Retail **Mixed Use** or Similar Uses - Frontage Type D

- Front: 6' min. - 9' max. (Accommodates the creation of a wider sidewalk along Street '1', extending to the building wall, for street furnishing or other features, consistent with Frontage Type D)
- Side: 10' min.
- Rear: 10' min.

## Building Height

- Maximum: 35'

## Off-Street Parking - Quantity and Dimensions

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
  - minimum quantity = 1 space per 250 sf of floor area
  - upto 50% of required parking may be provided in the public realm, which includes:
    - public streets,
    - the parking lot associated with the waterfront park,
    - other public spaces that may be built as part of this development

## Perimeter Streets

- One curb cut is allowed on Street '1' for access to off-street parking.
- On-street parking is accommodated on the north side of Street '1'.
- To the east of Area 13, on-street parking is also provided on the south side of Street '1' and in the surface lot associated with the waterfront park.

# FENCING

Per City Code 17.06.815 Fencing Regulations with the following modifications:

- A. FENCES NEXT TO SIDEWALKS If fences are used to provide privacy, control circulation, provide security, and emphasize entryways next to sidewalks, the following guidelines must be met:
1. Visual Impact of Fences: If fences are used, they must be more visually transparent than opaque when located adjacent to public streets.
  2. Stepped Fences Required: Fences shall be "stepped" rather than sloping with the grade.
  3. Wire/Industrial Fences Prohibited: Wire fences constructed of "industrial" type materials such as chain link are not allowed when located adjacent to public streets.
- B. FENCE HEIGHT
1. Residential and Non-Residential uses: Front yard no more than 4 feet and 6 feet for side/rear yard.

No road gates are allowed for roads servicing a development area (block).



March 2, 2020

Ms. Hilary Anderson  
City of Coeur d'Alene  
710 E. Mullan  
Coeur d'Alene, ID 83814

Re: Atlas Proposed PUD Amendment No. 1

Dear Hilary:

As you requested, we are providing additional information regarding sewer service for the proposed additional density at Areas 12 and 13. Attached, please find the dwelling unit map with the Riverside Lift Station and Grand Mill Lift station basins overlaid.

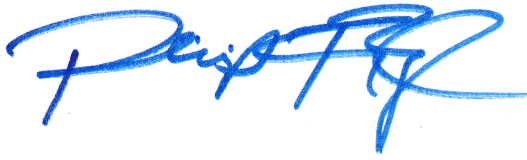
We previously provided to the City an analysis of Riverside Sewer Lift Station which indicates the facility has excess capacity to serve 390 Atlas dwelling units (DU). We understand the Grand Mill Lift Station has excess capacity to serve the 240 DU's proposed in the original Atlas PUD. We will address each area below demonstrating that the additional DU's proposed by this PUD amendment do not exceed available sewer capacity.

The Riverside Lift Station Sewer Basin shown in the attachment has a maximum density of 338 DU's, which leaves an extra 52 DU's available from the Riverside Lift Station to serve Area 13 (or other areas). Area 13 parking will be the limiting factor that controls the final density and we estimate that based on the lot size, the maximum amount of parking that can be constructed is 45 spaces. Assuming a 5,000 SF ground level restaurant, the parking required for the restaurant, with the original PUD, would be 10 spaces on site and 10 offsite within 650 feet. If we start with 45 total spaces, use 10 for the ground floor restaurant, that leaves 35 for upper floor residential. Assuming all one-bedroom units (1.5 spaces/unit), that would allow 23 DU's to be constructed. The 52 extra DU's for the Riverside Lift Station Basin exceeds the 23 required for Area 13.

Area 12 will be served by the Grand Mill Lift Station which, as noted above, appears to have capacity to service 240 DU's. The proposals recently received from developers will use an estimated 137 DU's leaving 103 DU's available for Area 12. Like Area 13, Area 12 density will be limited by parking and it will not be possible to provide enough parking to serve more than 103 DU. Therefore, the original PUD 240 DU's is sufficient for the proposed uses, including expanding Area 12's land use types.

Hilary, we trust that this information satisfactorily addresses the sewer capacity question. Please contact me if additional information is required.

Sincerely,



Philip F. Boyd, P.E.  
President / Principal Engineer

PFB/lmt  
Enclosure

cc: Tony Berns – ignite cda

