

PLANNING COMMISSION AGENDA
VIRTUAL MEETING

APRIL 14, 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.

NOTE: A Proclamation by Governor Little, clarified the open meeting laws during this state of emergency, in which no more than 10 people shall physically gather at a time, includes an option for the community to hear the meeting timely through telecommunication devices.

UPDATED ZOOM LOGIN INFORMATION

THANK YOU FOR JOINING OUR VIRTUAL MEETING. PLEASE FOLLOW THE ZOOM INSTRUCTIONS BELOW TO PARTICIPATE AND MUTE YOUR MICROPHONE/PHONE.

Join by Computer: <https://zoom.us/j/341921993>

Join by Phone (Toll Free): 888 475 4499 or 877 853 5257

Meeting ID: 341 921 993

Password (New) 814314

Public Hearing Sign-Up Sheet: <https://www.cdaid.org/signinpublic/>

If you want to comment on a public hearing item, please sign up online using the link and make sure to select the correct hearing item. Enter your first and last name and the last 3 digits of your phone number. That way we can track participants who will be speaking. This includes applicants.

You will be called upon when it is your time to comment. Each person will have 5 minutes (applicants excluded). Please have your comments prepared. Zoom will mute your microphone at the time limit.

Everyone who has signed up to speak will be sworn in together during that public hearing item after the staff presentation. Please use the hand raising function in Zoom to indicate your desire to speak. We will use the sign-in sheet to track speakers for each item.

The public is encouraged to submit comments via email prior to the meeting and can request that they be read during the meeting. Please send emails to planningdiv@cdaid.org by 5:00pm the day prior to the hearing. If you would like for your comments to be read aloud at the meeting, please specify that in your email message and include the hearing item. Thank you.

5:30 P.M. CALL TO ORDER:

ROLL CALL: Messina, Fleming, Ingalls, Luttropp, Mandel, Rumpler, Ward

APPROVAL OF MINUTES: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.
March 10, 2020

STAFF COMMENTS:

PUBLIC HEARINGS: *ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.**

Reminder: Please use the virtual meeting sign-up sheets for public hearing items.

<https://www.cdaid.org/signinpublic/>

1. Applicant: Drew Dittman with Lake City Engineering on behalf of Zanetti Bros., INC
Location: 4301 N. Crown Avenue
Request: A proposed zone change from C-17L to C-17
QUASI-JUDICIAL, (ZC-1-20)

- Presented by: Mike Behary, Associate Planner

2. Applicant: Dave Shrontz with ETD Enterprises, LLC
Location: Lots 1-2 Block 1 Bunker Park
Request: A proposed Commercial Recreation/Sales special use permit in the
LM (Light Manufacturing) zoning district
QUASI-JUDICIAL, (SP-3-20)

- Presented by: Tami Stroud, Associate Planner, and Jake Plagerman, Planning
Technician

3. Applicant: Connie Krueger with Stonehenge on behalf of Lakeside Real Estate Holdings
Location: W. of Atlas Rd., N. of the future ext of Hanley Ave at N. Downing Ln & W.
Andesite Way

Request:
 - A. A proposed PUD known at "Enclave at the Trails"
QUASI-JUDICIAL, (PUD-1-20)
 - B. A proposed 76-lot preliminary plat know at "Enclave at the Trials"
QUASI-JUDICIAL, (S-2-20)
- Presented by: Tami Stroud, Associate Planner

4. Applicant: Nancy Sears with Smart Link, LLC on behalf of AT&T
Location: 215 W. Anton
Request: A proposed Wireless Communication Facility Tower special use permit
QUASI-JUDICIAL, (SP-2-20)

- Presented by: Mike Behary, Associate Planner

COMMISSION COMMENTS:

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.

Given the COVID-19 guidance and emergency proclamation from Governor Little, the Commission meeting and public hearings will take place virtually using the Zoom online meeting network. They will also be broadcast live on Facebook and will be posted on the City's YouTube channel.



MINUTES



**PLANNING COMMISSION
MINUTES
MARCH 10, 2020
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Lewis Rumpler
Brinnon Mandel

CALL TO ORDER:

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

APPROVAL OF MINUTES: *ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS.**

Motion by Luttrupp, seconded by Ward, to approve the minutes of the Planning Commission meeting on February 11, 2020. Motion approved.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

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

- She stated that on March 17th at the City Council meeting they will be recognizing George Ives for serving on the Design Review Commission for 16 years.
- She said that scheduled on the next Planning Commission meeting on April 14th they have four items: a zone change, two special use permits and a combination Planned Unit Development (PUD) and Subdivision.
- They have scheduled their first Infill/Missing Middle Housing Committee meeting with help from the same group that helped them last year on the Accessory Dwelling Unit Code. As the process is developing, they will be posting updates on the website.
- She thanked the commission on their attendance at the recent leadership briefing for the Envision CDA Project and added that staff is working on posting the meeting summaries, so all the information is available for the public.
- She announced that they have a survey available online and encouraged everyone to take it. The deadline for survey completion is March 11th in order to be eligible for a \$40.00 gift card.

- She said that next week they have scheduled their Focus Group and Community Advisory Committee meetings as part of the Envision Coeur d'Alene project and look forward to some great discussions in moving this forward. She added that next week they have scheduled workshops with the Coeur d'Alene Area Economic Development Corporation, MIG and Bridge Economic.

ENVISION CDA COMMITTEE UPDATES:

There were no additional updates.

PUBLIC COMMENTS:

None.

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)

Tami Stroud, Associate Planner, stated that 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**.

Ms. Stroud provided the following statements:

Parkwood Business Properties is requesting the extension because of the scale and size of the project, and the need for two Design Review Commission (DRC) meetings. The required extra time to study the economic feasibility of the project, which delayed the second DRC meeting.

She stated that if the extension is approved, the following conditions still apply.

- **PRIOR CONDITIONS OF APPROVAL:**

PARKS DEPARTMENT:

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

WASTEWATER:

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

ENGINEERING/BUILDING:

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

Ms. Stroud concluded her presentation

Commission Comments:

Commissioner Fleming asked if they have to break ground by the expiration date. Ms. Anderson stated that the applicant will have to break ground to look like they are making an attempt.

Motion by Ward, seconded by Ingalls, to approve Item SP-2-19. 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-1-20c)

- Tami Stroud, Associate Planner, said that staff is requesting a recommendation from the Planning Commission to the City Council for proposed code amendments to Chapter 17.09, Article IV, Design Review Procedures and Chapter 2.98, Design Review Commission.

Ms. Stroud provided the following statements:

- The Design Review Commission (DRC) Procedures have been in need of an update for several years.
- 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.
- 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 they 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 the 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 a quorum, specify the DRC meeting date, and clarify public notices and comments on proposed projects.

Ms. Stroud concluded her presentation.

Commission Comments:

Commissioner Ingalls said that he appreciated the amount of time staff has put in to streamlining the Design Review process and believes by providing these changes, it will make the City better. He added that the Design Review criteria isn't always firm and that is why he likes the process. He commented that he has seen many times when an applicant first presents a project and during that meeting, while working

through the process with the applicant and by giving critique, the applicant comes back with a better project. He thanked staff again for doing a great job.

Commissioner Messina said that concurred and also thanked staff.

Motion by Ingalls, seconded by Fleming, to approve Item 0-1-20c. Motion approved

2. Applicant: Verizon Wireless c/o Rod Michaelis
Location: 701 N. 15th, (Person Field)
Request: A proposed Wireless Communications Facility special use permit in the R-1 (Residential at 1 unit/acre) zoning district. QUASI-JUDICIAL, (SP-1-20)

Mike Behary, Associate Planner, presented the staff report and stated that the applicant is requesting approval for a special use permit to allow a wireless communications (Cell Tower) facility in the R-12 Zoning District.

Mr. Behary provided the following statements;

- The City owns Person Field and it is maintained and operated by the Parks and Recreation Department.
- Prior to the applicant making application for the 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 a cell tower on Person Field.
- 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.
- The applicant has indicated that the proposed cell tower will be constructed to look like a faux evergreen tree
- Mr. Behary provided a copy of the following maps: Property Location Map, Aerial Photo, site plan, cell tower elevation.
- Mr. Behary provided an illustration showing cell coverage without the proposed tower, and another one showing cell coverage with the proposed tower.
- He provided a copy of the zoning map and explained the various findings required for the project.
- He stated that the Comprehensive Plan designates the area as Stable Established-Historical Heart District Tomorrow.
- He noted the various Comprehensive Plan Goals and Objectives that apply.
- He provided an illustration showing the surrounding approved special use permits in the area.
- He provided a generalized land use map and various site photos of the area.
- He provided renderings provided by the applicant showing the location of the Tower on the property
- He noted the various staff comments in the staff report.
- He explained that since it is a cell tower and the code was changed a few years ago, they added at the end of the findings a worksheet as added criteria with twelve questions for the approval/denial for a Wireless Communication Facility.
- He stated that there are no proposed conditions.

Mr. Behary concluded his presentation.

Commission Comments:

Chairman Messina said that in their packet it states, "No existing towers or structures are located within the geographic area which meets the applicant's engineering requirements and no existing structure or towers were found in the area that meet the engineering requirements for Verizon Wireless." He asked if staff could define geographic area.

Mr. Behary stated that that the applicant was present and could address that question to get a better definition.

Commissioner Luttrupp asked where in the City do they have cell towers on residential (zoned) property. Mr. Behary answered that there is a tower on East Mullan and another tower located downtown on 4th Street located next to a residential neighborhood.

Commissioner Luttrupp said that at a recent city council meeting a presentation was done regarding placing cell towers on power poles, and asked if staff could explain the process. Mr. Behary answered that it would be a good question for the applicant. Commissioner Luttrupp asked about the tower located by Michael D's and whether it was the same company making the present request. Mr. Behary replied that he is not sure who the owner was on that request since it happened a while back. Commissioner Luttrupp referenced another cell tower request where the company lost their lease and asked if the lease this company has will have the same provisions.

Ms. Anderson said that Bill Greenwood was present and would be able to answer those questions.

Mr. Greenwood explained that their lands are restricted by federal use and they build their parks with federal monies, and those monies restrict what they can and can't do. He explained that they have had a couple areas in the City where other companies besides Verizon have inquired about putting cell towers in various locations, and that the federal authorities say that they are not allowed to have cell towers at those locations. He explained how that is determined and stated that the federal government is not allowed to have their towers on federal land. He commented a few years back that there was a request to put a tower at the Canfield Sport Complex and that the City owned a piece of land next to a dumpster that could not be used for anything and the installation of the tower would have been a benefit to the Park Department as revenue but the federal government said no. He explained that Person Field is not restricted by federal funds, so it is City property and they can make that decision.

Public testimony open.

Rod Michaelis, applicant, provided the following statements:

- He represents Verizon and been in business for 22 years.
- He explained that in the past he has seen a huge increase for services provided by various carriers and demand from the public for better service.
- He noted that 50% of the population does not have a land line and 80% of 9-1-1 calls are done with a cell phone.
- He explained that Verizon wants to place a new facility at Person Field to serve a growing gap in service.
- They are looking to put in at Person field a 75-foot mono Fir Pine that is a Pine Stealth Design with outdoor cabinets and underground cabling between the tree and the cabinets. It will be designed as clean as possible.
- He stated that there won't be any fencing around the site as he has seen this similar unit at other parks where people climb over the fence to retrieve their stuff and so they won't put up a fence at this site.
- He stated that the 75-foot mono pine will be located next to trees that are 83 feet, 124 feet and

119 feet and that the engineering company who prepares their reports surveyed the existing trees so they feel it is accurate.

- He commented that many people are concerned that by putting a cell tower at the park it will look awful and interfere with activities. He said that they are trying to be good neighbors and will try and design the tower so it blends with the surrounding trees.
- He explained on a map the amount of cell coverage in the area and that a big problem now is with capacity call drops which is why they need to fill the gaps. He noted that the engineers thought that Person Field was the best site for the most coverage.
- He talked about lighting and how there won't be any lights on the unit so it will not impact the neighborhood.
- He commented that the project was previously approved by the Parks and Recreation Commission.
- He addressed the current wireless code that states they are required to provide an inventory of the Verizon sites, with a site $\frac{3}{4}$ of a mile on East Coeur d'Alene Lake Drive.
- The color of the antennas will match the mono Fir and the visual impact will be mitigated by a fake tree.
- He explained that landscaping around the tower will be 4-5 arborvitae between the main field so in case something went over to that site, it could easily be retrieved.
- He addressed preferred tower locations and noted that since this is City- owned property the money will go back to the City.

The applicant concluded his presentation.

Commission Comments:

Commissioner Luttrupp recalled that there was an agreement that the City had regarding distance between cell towers. Mr. Behary said that the distance between cell towers is $\frac{3}{4}$ mile. Commissioner Luttrupp asked when the requirement changed. Mr. Behary answered that it was changed when the new wireless code was adopted in 2018.

Commissioner Luttrupp said that recently Council passed an ordinance giving authority for wireless companies to cohabit on other suppliers' towers.

Jason Verduzco, Verizon Community and Government Affairs Director for Idaho and Eastern Washington, explained that he has been working with staff on the small cell agreements and also the wireless safety standards, and asked the commissioners to think of wireless as an information highway and the macro sites a freeways, and the small cells that are attached to utility poles or city light poles could be considered on/off ramps for data users. He said they need the macro towers because they are the back bone to the wireless network

Commissioner Luttrupp asked if small cells could be used for the project instead of a tower. Mr. Verduzco explained they could not in the area because they would have to put many of the small cells in the area to supply coverage compared to one macro site.

Commissioner Luttrupp asked if Verizon had any data confirming the number of calls being dropped because of the lack of a bigger tower. Mr. Verduzco explained that Verizon does keep that data and Verizon is not going to want to build or invest in infrastructure if a tower is not needed.

Commissioner Luttrupp said that sometimes it's good to get a second opinion from a qualified certified individual to confirm data. He said he has concerns about the cell tower being big. He questioned how big the small cell towers are compared to the larger towers.

Mr. Verduzco stated small towers range from 4 feet to 8 feet tall. Commissioner Luttrupp inquired if it is something the City Council approved. Mr. Verduzco said that was correct and approved the small cell agreement that was placed in the right-of-way.

Commissioner Fleming commented that the public has concerns regarding how radio waves affect them and asked Mr. Verduzco to provide an explanation of the contents. Mr. Verduzco explained in 2013 that there was a notice of inquiry opened to the Federal Communications Commission (FCC) requesting that wireless carrier spectrums be re-reviewed, and in 2019 the FCC upheld the safety standards and stated that all carriers have to comply. The FCC set the safety limits for all of Verizon's macros and small cells and they have to adhere to those safety limits. He added that public safety is a top priority for them.

Commissioner Ingalls said that it was mentioned that a percentage of calls go to 9-1-1 calls and that most of us don't have land lines. He commented that to him there seems to be a community need and that he understood that the commission is trying to find the best spot to place a tower. He questioned the impact to the community if the project was not approved.

Mr. Verduzco explained that the project is driven by the customer and if not approved they would try to go back to the drawing board and reach out to the City for other options.

Commissioner Ward noted that the commission received a written public comment that the person could not attend the hearing and had a question about maintenance on the tower and if it needs to be done how it would impact the neighborhood.

Mr. Michaelis explained that they will have someone look at the tower every two months after construction and if work needs to be done, the service will be done during the daytime which is safer, and easier to see things and to get around.

Chairman Messina said he had a couple questions about design and commented that from looking at the pictures the tower, it looks like a tree and he asked if there will be any panels on the outside in the front of the tree. He added that some of the comments they received from the public wanted to know if the tower would be used by other providers. He commented that he understands benefits of having cell coverage when there is an emergency but questioned what the benefit was to the neighborhood for having the tower in that area.

Mr. Michaelis explained that all the antennas are hidden and are painted a dark green or brown color, and if the antennas are showing too much Verizon has "socks" which are put on the fake branches which can be painted to blend with the tower. He added that they don't get a lot of complaints about the design of their trees and that a couple of years ago Verizon came out with a design for big antennas to make sure the design of the tree is wide enough to cover the antennas. He noted that a benefit to the neighborhood for the tower would be to provide enhanced cell phone coverage especially needed for emergencies.

Commissioner Fleming commented that as a city they need to take an audit of where all cell towers are located so they can see where each carrier is located in the City. She explained that the information would have been nice to have before the meeting and without that information they need to make a decision on an unknown.

Commissioner Luttrupp said he is confused from looking at the renderings in the staff report that show two maps: one with coverage and another without coverage. He asked if one tower covers an area as noted on the map. Mr. Michaelis explained the maps were showing the closest towers by Verizon. Commissioner Luttrupp inquired if the map was showing just Verizon towers. Mr. Michaelis stated that the maps in the staff report were showing all cell tower carriers in the area closest to Person Field. Commissioner Luttrupp said that, compared to the other areas for cell towers, the site seems small. Mr. Michaelis explained that the tower for the site is just 75 feet because there are a lot of trees and trees absorb signals. Commissioner Luttrupp asked if the cell tower located at Michael D's would look like the one proposed for the site. Mr. Michaelis commented that he has not seen the tree at Michael D's, but feels the tree will look similar.

Ms. Anderson explained that when they worked on the code there was a discussion with their consultant

and a small cell came before the City and that the cell tower located by Michael D's is old technology for the Mono Pine and that the design has been improved to look more like a tree.

Public testimony open.

Sam Mann said that the commission needed to check its records and noted that three years ago when they wanted to build the Boys and Girls Club on that site the City Council voted that there could be no commercial or residential built on that site. He added that parents go to the area where they want to place the tower when it's raining to put up shelter to watch the game. He said that he lives in the area and doesn't want to look at a tower in his backyard.

Bill Wolfe questioned how the City will limit the use of another supplier based on testimony from the applicant stating that the tower would be big enough to have another supplier on the tower. He asked if there was a limit to the number of cell towers in the City. Mr. Behary replied that they limit the use by a special use permit, which is an application that requires a hearing with the Planning Commission. Mr. Wolfe asked how long the Special Use is good for, if approved. Mr. Behary explained that, if approved, the special use permit is good for one year and, if not used after one year, it will expire.

Mr. Wolfe asked if the City would say no if AT & T wanted to place a tower in the City. Mr. Behary asked if he was specifically talking about City property, or anywhere in the City and, if it was a park, Mr. Greenwood would be able to answer that question.

Mr. Greenwood explained that he believes that the Parks and Recreation Commission would allow more than one cell tower on the property but that is not going to happen. He said that the Parks Department is about preserving green space based on the many parks that have been built in the city. He added if the request is approved, there would never be another tower allowed at that location, but it is not to say that maybe a tower would be allowed in another park at another location at another time if someone came forward with an application. He explained that the Parks and Recreation Commission felt the project had a small footprint and was acceptable, because it doesn't disturb any activity going on in the park. He commented that when people are at the park watching an activity, they usually watching on the sidelines.

Commissioner Luttrupp asked if there is a process that the City follows for the location of towers so the City can limit the number of towers in the same place.

Ms. Anderson explained that within the Wireless Communication Code there are several sections that talk about the location and that a location analysis is required and there are 12 findings that the commission has to make before a decision is made if it is reasonable. She added that if they get more requests for the park, they can implement an independent RF Technical review process so they could have another provider go through the process and the City would select an RF provider to do an analysis which could be brought forward and used as part of the staff report.

Jay Troy said that he received the notice and talked to staff, who told him the tower would be 75 feet tall, which is better than a building. He added that he was told that the tower would be 67 feet to the closest house and questioned where he would want the tower next to his house if he lived in the area. He added that it would have been nice for Verizon to submit better pictures showing how big the tower would be if you lived across the street.

Dan Franks said that he is the senior manager for Junior Tackle football and has been a coach for 12 years. He explained that they have around 600 kids who use the field throughout the year. He noted that the building to the left of the proposed tower is their field house that the City owns, and which was paid for by the association to use with an agreement with the City for the structure to be on the property. He added that there are various ages of kids that use the field and he has concerns about the radiation from the cell tower and how those signals can affect the kids. He commented that he doesn't like the location because

it will be on the east side of the building next to the door, which is the main entry and used as a staging area for the kids. He said that he spoke with the other board members and they don't want the tower at the field and if they could choose another location to place the tower, it would be the northeast corner of the field.

Kelly Stelzberger said that she helps with the Junior Tackle football league and used the field growing up. She commented that she has concerns about where the tower will be located and said that the area is located in a very small location where children do different training exercises. She said that she is also concerned about how the RF frequencies associated with 5G can break down the cellular levels in bodies. She commented that she would like to get a copy of the information submitted by the applicant to the City Council addressing those health concerns.

Jared McFarland said the project is not a good fit for the neighborhood and that he took a trip to the park to download some videos and other things to see if there was any problem with coverage and didn't have any issues. He commented that he doesn't feel there is a need for the tower and is afraid that once the City allows the tower to go in the park, he fears it might open possibilities for other uses at the park.

Michelle Dial said that the cell tower by Michael D's is not attractive. She suggested that they make the new tower look like a clump of trees so that when it is surrounded by existing trees, it won't make the tower look so obvious. She asked if the tower would have a camera on it.

Rebuttal:

Mr. Verduzco said that radio frequencies have been studied for the last 100 years and explained those findings.

Mr. Michalis said that the height of a tower is 75 feet per the code and the top 8 feet will be branches. He responded to a question regarding co-location and explained that the tower will have space for another carrier, if needed. Coverage depends on time of day and what activities are going on. One day there may be great coverage, and on another day with maybe a big event going on at the field, there may not be coverage. He said that they will not have any cameras on the tower. He addressed the question about whether property taxes would be affected, which is not part of the code, and noted that studies years ago indicated that there has not been any impact to property values.

Commissioner Fleming asked about the diameter of the trunk of the tree. Mr. Michalis explained that it has to be strong enough to support a lot of heavy branches.

Commissioner Fleming commented that in previous testimony the coach of the football league didn't like the location because he felt it impacted the use of their facility and asked if the applicant had looked at the possibility of relocating the tower to the northeast corner. Mr. Greenwood said that the northeast corner was not considered. He explained that he thought he gave plenty of space for the tower to fit in the triangle piece so as not to impede what they suggested would happen.

Chairman Messina said that the commission had a copy of the minutes from the Park and Recreation Commission meeting and that there was not a lot of discussion during that meeting or input from the public. Mr. Greenwood explained that the Parks and Recreation Commission looked at the request and whether the tower would work in the space at Person Field. He also added that if the football league feels there could be access issues to the storage shed, they could move the tower to the east.

Commissioner Luttrupp said it would have been more helpful for the applicant to have been prepared.

Mr. Michalis commented that he appreciated all the comments but feels the project meets all code requirements and that the tower will meet the needs to provide the additional coverage in the area.

Public testimony closed.

Discussion:

Commissioner Ingalls said that it is a tough decision, especially when the commission receives a lot of negative feedback. He commented that the proposed project was vetted by the Parks and Recreation Commission, who supported the request. He further commented that the cell tower on Ramsey Road really looks like a tree and that the Parks Department will be able to do a lot of good things for the parks with the \$12,000. He also commended Verizon for thinking ahead to providing extended coverage. He noted that the City needs to get ahead and that he is not unsympathetic to the comments from the public, but they have to trust the Park and Recreation Commission that they are doing the right thing.

Commissioner Ward asked about the statement that was made earlier regarding the purchase of Person Field and whether staff could provide some clarity on what the purchase agreement stated. Ms. Anderson replied that Mr. Greenwood would be the one who might have that information regarding Person Field.

Mr. Greenwood explained that the city bought Person field twice in order to not lose the use of the property to the Boys and Girls Club and commented that it would be nice to get the revenue to replace the restrooms and that the Parks master plan shows additional parking at Person Field so the money would help achieve those items.

Commissioner Luttrupp questioned there were any conditions placed by the City at the time of purchase when the city bought Person Field for the second time. Mr. Greenwood commented that there were no conditions added at the time of the purchase. He explained that he is always trying to look for a way to increase the City parks with the use of a vendor. For example, he noted that the vendor at the Harbor House pays the City to be at that location and that money goes to the Parks Capital Fund to be used to maintain parks.

Commissioner Luttrupp commented that the services mentioned by Mr. Greenwood are seasonal and he respects the Park and Recreation Commission who try and make the best decisions. If the City Council said no cell towers on city property, he supports that decision. He said that a few years ago guided tours on Tubb's Hill were turned down by City Council. Mr. Greenwood said that is correct, because the Council said no to commercial activity on Tubb's Hill because of the nature of that site and the danger of overcrowding.

Commissioner Luttrupp asked why Tubb's Hill was different. Mr. Greenwood said that the Tubb's Hill Foundation knows how sensitive Tubb's Hill is to the public and that is why there are a lot of restrictions. He explained that Person Field is not purchased with Land and Water Conversation funding and that is why he went to the Parks and Recreations Commission to ask if they thought the cell tower could work at Person Field since it doesn't have the restrictions that other parks do.

Commissioner Luttrupp asked what other parks in the City meet criteria similar to Person Field. Mr. Greenwood said that City Park at Independence Point has a vendor on the beach, commercial docks and they are always looking at opportunities to create some revenue. He added that Sprint approached the City many years ago and asked about the site at Canfield Park to place a tower and he thought that area would be a great area for a tower but, after discussing the request with the Land and Water Conversation, they said no because the land has restrictions. He explained that most of the City's parks can't have permanent commercial activity.

Ms. Anderson listed the parks that do have commercial activity, which are McEuen Park, Independence Point, and Atlas.

Chairman Messina commented that he believed there are no other cell towers on a baseball or soccer field. Mr. Greenwood said that was correct.

Commissioner Fleming commented that they have to remember that there will be more people living in the area and they need to buy the best “tree” that money can buy. She commented that she was working in Memphis, Tennessee when they had a major emergency happen and there was not enough cell coverage available. She said that the City needs to make sure they have adequate coverage.

Commissioner Luttrupp commented that the park is for the public use and not commercial activity so he can't support the request.

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

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Luttrupp	Voted	No
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 1 vote.

The commission took a 10-minute break at 8:23 p.m. The meeting reconvened at 8:33 p.m.

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

Hilary Anderson, Community Planning Director, stated the request was for an approval of minor amendments to the Planned Unit Development to clarify allowed uses within Areas 12 and 13 of the project, and to add clarification on development standards such as fencing and gated road restrictions and 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.

Ms. Anderson provided the following statements:

She stated the following is what is included with the PUD modification and Interpretation:

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 high-water 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 it is 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 the PUD amendment or interpretation. Ms. Anderson commented that it 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.*

Ms. Anderson concluded her presentation.

Commission Comments:

Commissioner Ingalls said the reason why the City is involved is to provide public access and public waterfront for the community to enjoy. He commented that he is in favor of not having gates and a fence is a good thing. He noted that Area 12 could be a place for homes and if they allow more mixed use there would be a potential for people to go into a business like at Riverstone. Ms. Anderson explained that Area 12 was always intended for residential and after discussing it with staff, they agreed that it would be better to provide more flexibility if it was mixed use.

Chairman Messina asked if a gate and fencing would be allowed for the property. Ms. Anderson said that fencing is intended for the whole site. Chairman Messina commented that he understands that the development will only allow 688 units and asked if height restrictions would be established in those areas. Ms. Anderson said that the heights would not change.

Commissioner Fleming asked how they would keep it from being "front end heavy loaded," making the other back end sites less desirable to become all single-family homes because there is not enough density. Ms. Anderson stated that something the committee has discussed and she agreed they do need some balance across the site.

Chairman Messina asked how the discussion on fences came up and asked if the development community had some input. Ms. Anderson explained that it was it came about after hearing comments from the commission, and a desire to protect the view corridors for the public without looking like everything is restricted. She clarified that the only area that would have a change to the height is in Area 12.

Commissioner Luttrupp commented that it is a very fluid project and everyone should be congratulated, and that they should make sure they get revenue to pay back the commitments. Ms. Anderson explained that that was why they brought forward the amendment because it will help with the land values.

Public testimony open.

Phil Boyd of Welch Comer Engineers representing the City and ignite cda as the applicant, provided the following statements:

- He said they are asking for mixed use in Areas 12 and 13 to make the property balanced.
- He noted on the map the areas where mixed use is allowed, with the addition of Area 9 and 11 that came in at the last minute.

- He said the proposed changes would be minimal impact.
- He addressed the areas with the least and most density.
- He noted that the fencing requirement would still be the same with the height set at 3 feet in the front yards.

The applicant concluded his presentation.

Commission Comments:

Commissioner Messina asked what the next steps are to do the Request for Proposals (RFP's). Mr. Boyd said that it depends on the decision of the commission and, if approved, an RFP could be submitted in the next month to 6 weeks for Areas 12 and 13.

Tony Berns, Executive Director of ignite cda, provided the following statements:

- He explained that if the commission approves the changes to Areas 12 and 13, they will get the ignite Board approved to get the RFP's out next week.
- He commented that they didn't have a lot of excitement from developers for Area 13 and that was why the proposal was presented.

Mr. Boyd explained the RFP process and different product types submitted by different developers and said that the selection committee evaluated the submittals on the merit of the product and economics. He noted that the same selection committee will continue forward with any new submittals, so they can continue with the similar process.

Elizabeth Middlewood said that she lives in the area and asked if they have developers that are going to build houses in the area. Ms. Anderson explained that the project has a number of mixed uses that are approved and the different types of development depend on which area of the project. They will see some stacked flats and maybe some hotels

Public testimony closed.

Motion by Ingalls, seconded by Luttrupp, to approve the interpretation.

Motion by Ingalls, seconded by Fleming, to approve Item PUD-4-19. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT

Motion by Luttrupp, seconded by Ingalls, to adjourn the meeting.

The meeting was adjourned at 9:00 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



PUBLIC HEARINGS



**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, PLANNER

DATE: APRIL 14, 2020

SUBJECT: ZC-1-20 ZONE CHANGE FROM C-17L TO C-17

LOCATION: +/- 6.2 ACRE PORTION OF A PARCEL LOCATED AT 4301 N. CROWN AVENUE

APPLICANT/OWNER:
Zanetti Bros, Inc.
PO Box 928
Osburn, ID 83849

ENGINEER:
Lake City Engineering, Inc.
126 E. Poplar Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

The applicant is requesting approval of a zone change from C-17L (C-17 Commercial Limited) to C-17 (C-17 Commercial) zoning district.

BACKGROUND INFORMATION:

The property is located between US Highway 95 and Crown Avenue. There is an existing auto dealership sales facility on the southern portion of the subject site and the property has been used for retail sales of vehicles and RV's for many years. The northern portion of the property is vacant and currently undeveloped. The prior use on the vacant portion of the lot was RV sales.

Prior to 1982, the subject site was located within the unincorporated area of the County. In 1982, the City of Coeur d'Alene applied for a large area of land to be annexed into the City in conjunction with zoning in Item ZC-7-82A. The total land area that was annexed at that time consisted of 638 acres and included the subject property. The annexation and zoning request was approved by City Council on November 1, 1982. Through this action the subject property was zoned R-12.

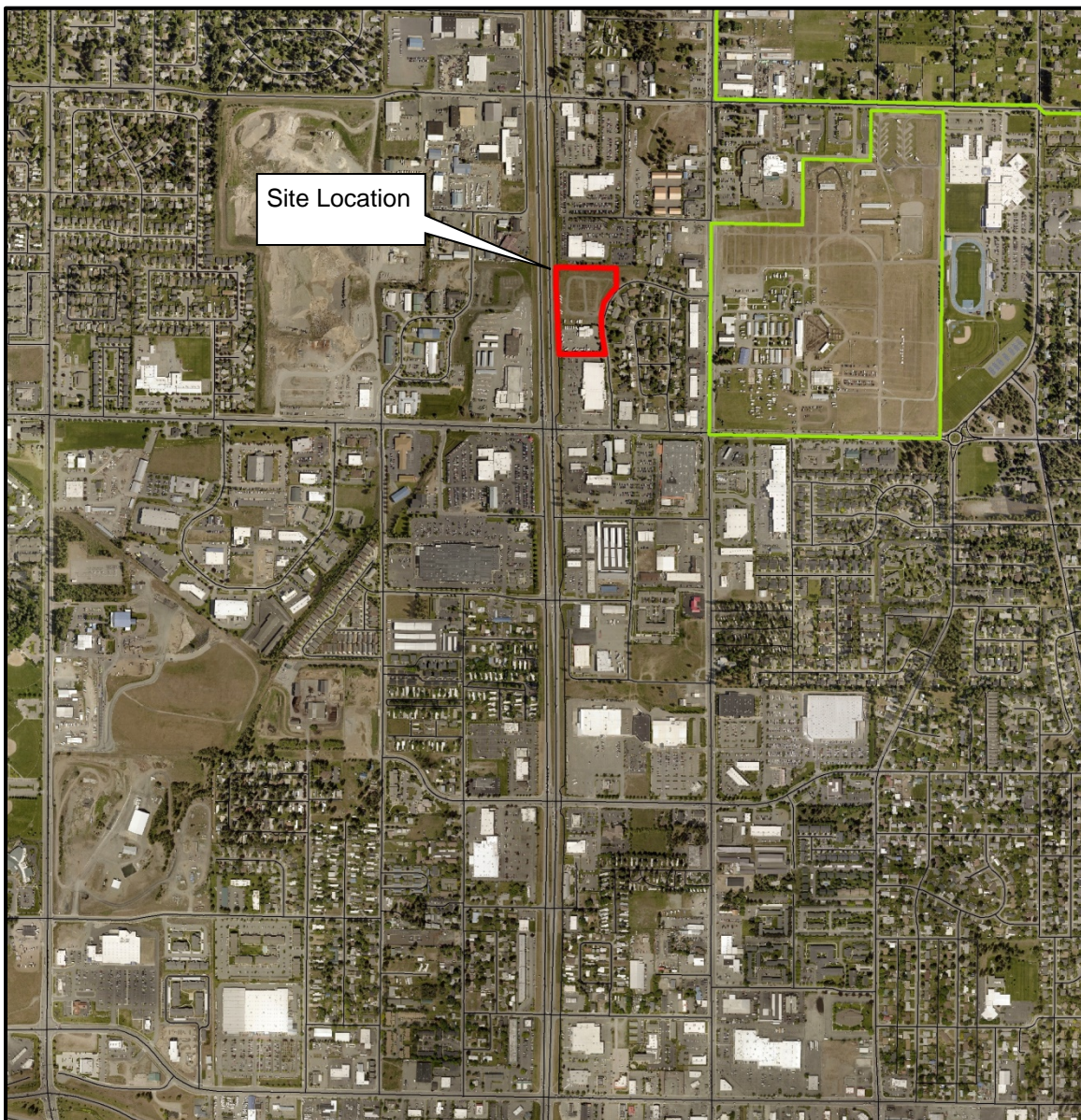
In 1984 a request to change the zoning classification from R-12 to C-17L on the southern portion of the subject property was made in item ZC-12-84SP and was subsequently approved. In 1998 a request to change the zoning classification from R-12 to C-17L on the northern portion of the subject property was made in item ZC-9-98SP that was also subsequently approved. (see Prior Land Use Actions Map on page 5)

The zoning ordinance requires auto dealerships that want to locate in the C-17L Zoning District to be approved by a special use permit. In the C-17 Zoning District, auto dealerships are allowed as a permitted use (see C-17L and C-17 Zoning District Information on pages 14 & 15). All uses located in the C-17L and the C-17 zoning districts are required to meet the City's Commercial Design standards.

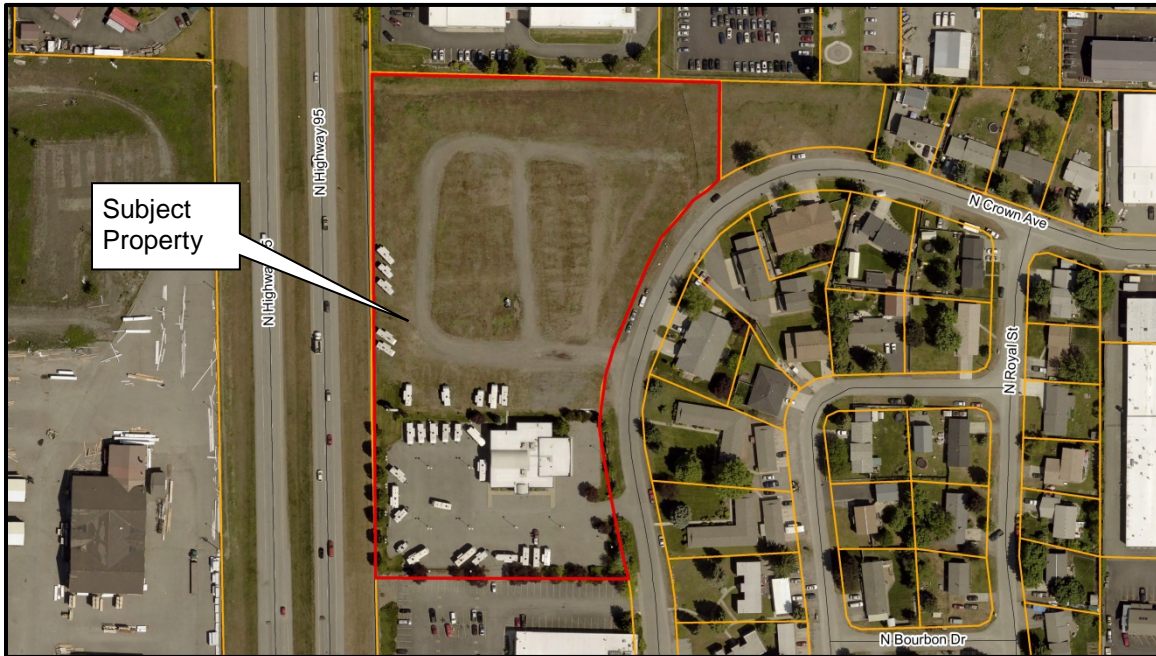
The applicant has indicated that they would like to expand the existing auto dealership into the vacant northern portion of the subject property. The applicant is aware that site improvements, commercial design standards, and paving of display lots and maneuvering areas are required in order to expand into the vacant portion of the property.

However, it should be noted that the applicant's proposed auto sales use of the property is not tied to the requested zone change. If the subject site is approved to be changed to the C-17 Commercial District, then all permitted uses in the C-17 Commercial District would be allowed on this site.

LOCATION MAP:



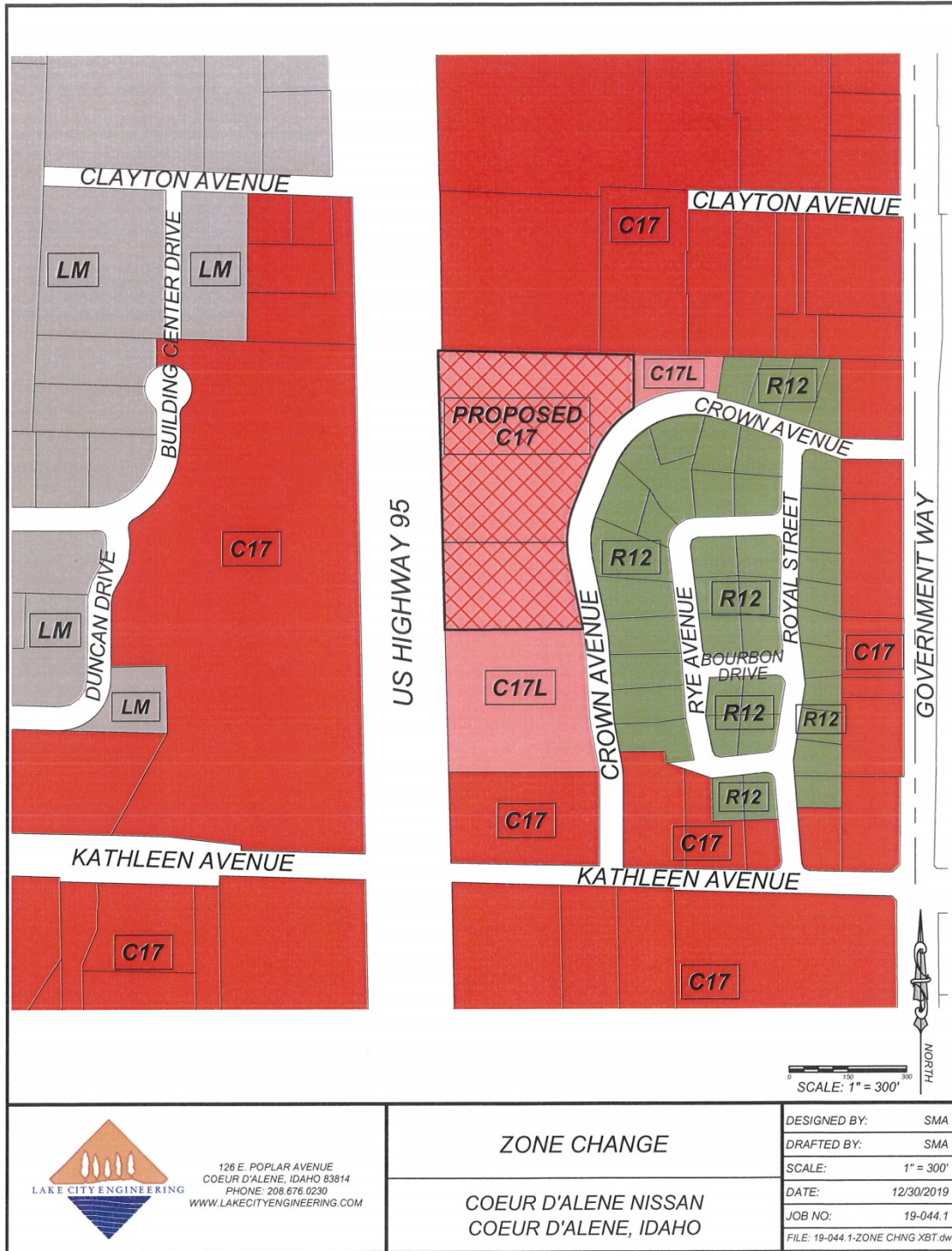
AERIAL PHOTO:



BIRDS EYE AERIAL PHOTO - 1:



APPLICANT'S EXHIBIT OF PROPOSED ZONE CHANGE:



126 E. POPLAR AVENUE
 COEUR D'ALENE, IDAHO 83814
 PHONE: 208.676.0230
 WWW.LAKECITYENGINEERING.COM

ZONE CHANGE

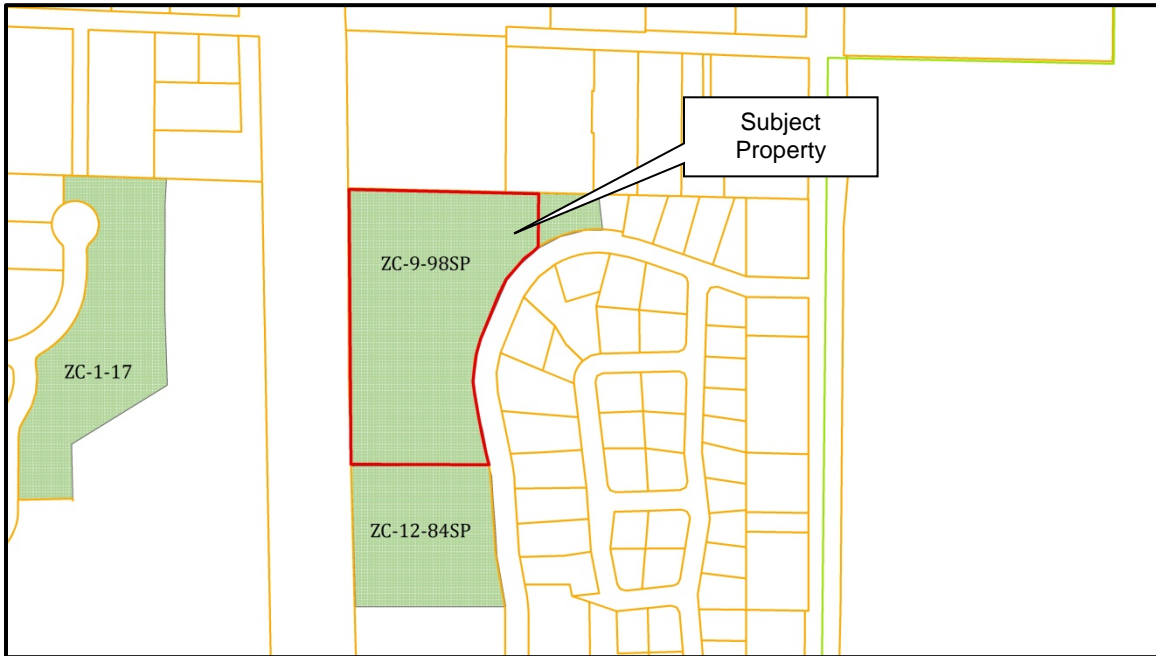
COEUR D'ALENE NISSAN
 COEUR D'ALENE, IDAHO

DESIGNED BY:	SMA
DRAFTED BY:	SMA
SCALE:	1" = 300'
DATE:	12/30/2019
JOB NO:	19-044.1
FILE:	19-044.1-ZONE CHNG XBT.dwg

PRIOR LAND USE ACTIONS:

Planning Commission and City Council approved a zone change request in items ZC-12-84SP and ZC-9-98SP that is south and also part of the subject property from R-12 to C-17L in 1984 and in 1998 respectively. A zone change was also approved by the Planning Commission and City Council in 2017 to change the zoning from LM to C-17 on the property to the west of the subject property in item ZC-1-17. As seen in the map provided below, the area is in transition with a multitude of approved zone changes in the vicinity of the subject property.

PRIOR LAND USE ACTIONS MAP:



Zone Changes:

ZC-12-84SP	R-12 to C-17L	Approved
ZC-9-98SP	R-12 to C-17L	Approved
ZC-1-17	LM to C-17	Approved

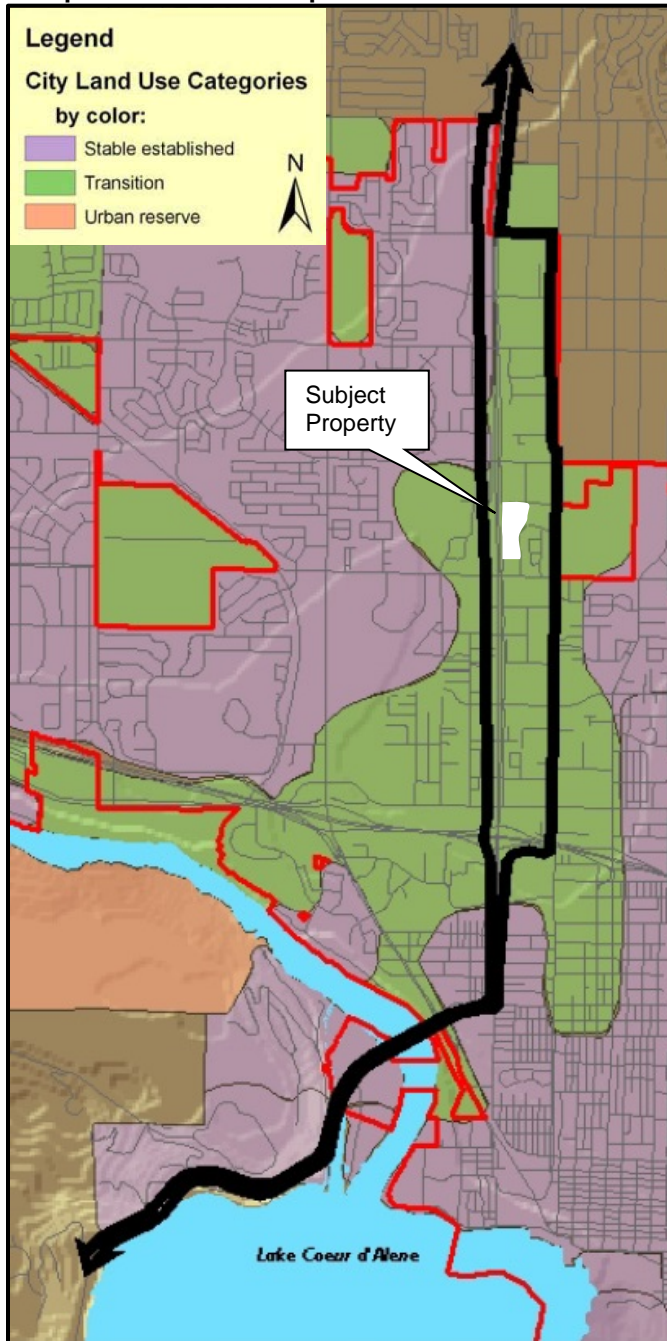
REQUIRED FINDINGS:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates this area in the US 95 Corridor

Comprehensive Plan Map: US 95 Corridor



Transition Areas:

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

US 95 Corridor Tomorrow:

The City of Coeur d'Alene will be working during the next planning period until the year 2027 with the Idaho Department of Transportation (IDT) to design an efficient transportation system through the city.

The characteristics of the US 95 Corridor neighborhoods will be:

- Ensuring that access to businesses along the highway corridor is protected.
- Ensuring the city is not divided by this highway.
- Designing a system for the safe and efficient traffic flow through the city with a separate

- arterial for through traffic.
- Encouraging retention and planting of native variety, evergreen trees.
- Anticipating that US 95 traffic will be possibly diverted to a future bypass.
- Careful planning is needed to the south of Coeur d'Alene due to the continued development of Blackwell Island.
- Careful planning is needed to the south of Coeur d'Alene because access to these areas is limited to the US 95 bridge over the Spokane River.
- Retaining and expanding landscaping along both I-90 and US 95.
- Provide for pedestrian and bicycle traffic.

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 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14 - Efficiency:

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

Goal #2: Economic Environment

Our Comprehensive Plan preserves the city's quality workplaces and encourages economic growth.

Objective 2.01 – Business Image & Diversity:

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

Goal #3: Home 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: 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.*

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

STORMWATER:

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property. Street-side swales and drywells will be required with construction.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by US-95 to the west and Crown Avenue to the east. Crown Avenue must be improved to City standards along the entire frontage including sidewalk, swales, curb, and gutter with any construction on the property. The Streets & Engineering Department has no objection to the zone change as proposed.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed zone change. The Water Department has no objections to the zone change as proposed.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

There is an existing sewer stub servicing the existing building at 4301 Crown Avenue. Also there is an existing eight inch sewer stub service to this property at manhole # GOV1-18C. If this property is subdivided the "One Parcel, One Lateral" rule will be followed.

-Submitted by Larry Parsons, Wastewater Utility Project Manager

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector

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

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

PHYSICAL CHARACTERISTICS:

The site is generally flat with a slight drop in elevation towards the north and west part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from C-17L to C-17.

TOPOGRAPHIC MAP:



SITE PHOTO 1: Northeast part of property looking west.



SITE PHOTO 2: North center part of property looking south.



SITE PHOTO 3: Northwest corner of property looking south.



SITE PHOTO 4: Southwest part of property looking east.



SITE PHOTO 5: East central part of property looking north.



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

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

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The ITE Trip Generation Manual has limited data for Recreational Vehicle (RV) sales facilities, providing only a PM peak hour estimate based on only two studies. This estimates that 2.54 PM peak hour trips would be generated per 1000 square feet of retail floor area. If an RV retail space is constructed similar in size to the Blue Dog RV sales in Post Falls at approximately 16,000 square feet, it can be expected that approximately 41 additional trips would be generated during the PM peak hour. The nearby Kathleen Ave and Government Way have the available capacity to accommodate additional traffic generated from the subject site, but access in and out of Crown Ave could be slightly more congested during peak hours and could be challenging for left turns. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

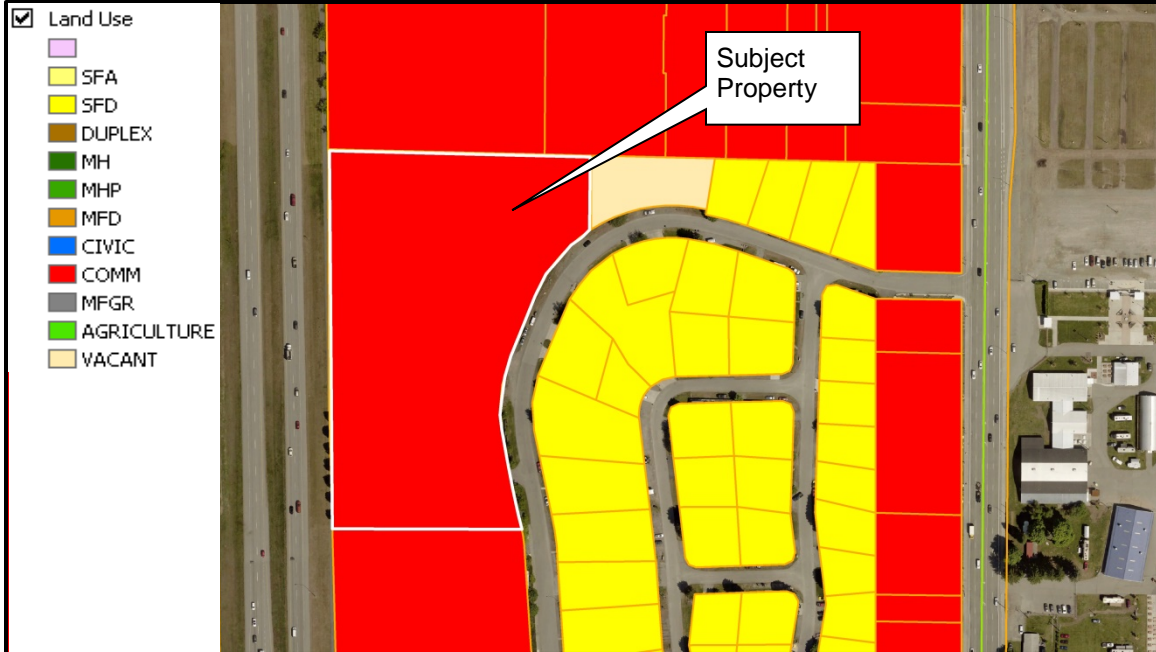
NEIGHBORHOOD CHARACTER: 2007 Comprehensive Plan: US 95 Corridor Today US Highway 95 has become a high impact gateway into the community as well as the major north-south highway through north Idaho. It is also the main arterial that connects communities to the north of Coeur d'Alene to I-90 and is the state's principal route to Canada. Northwest Boulevard and I-90 are major intersections within city limits. Large scale native trees along this corridor help to offset the negative impacts associated with a major thoroughfare. Presently the highway is a bottleneck for both local and through traffic.

SURROUNDING LAND USES AND ZONING:

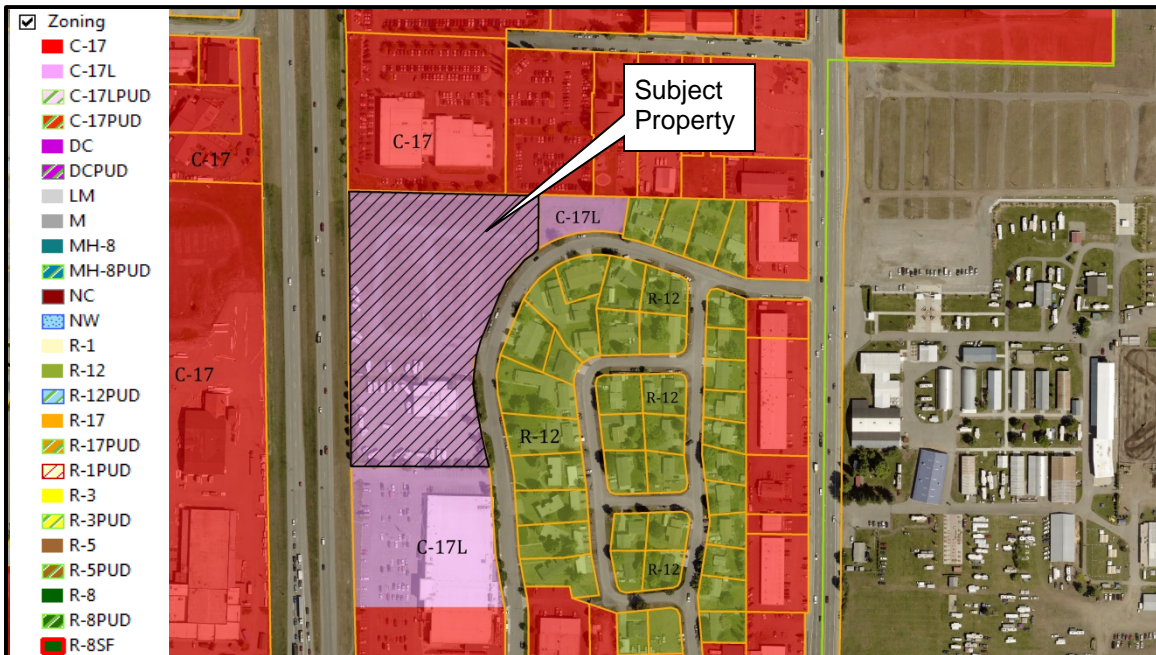
The properties to the north of the subject site are commercial land uses with an auto dealership located on them. The property to the west is a commercial land use with a lumber and building materials retail facility located on it. The property to the south is a commercial land use with a grocery store located on it. The properties to the east are residential land uses with duplex and single family dwellings located on them. (See Land Use Map on page 13)

The properties to the north of the subject site are zoned C-17 Commercial. The properties to the west of the subject site, across US 95, are zoned C-17 Commercial. The properties to the east are zoned R-12 Residential and the property to the south is zoned C-17L Commercial. (See Zoning Map on page 13)

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from C17L uses to C-17 uses (as listed below).

Existing C-17L Zoning District:

The C-17L district is intended as a low density commercial and residential mixed district. This district permits residential development at a density of seventeen (17) units per gross acre as specified in the R-17 district and limited service commercial businesses whose primary emphasis is on providing a personal service.

17.05.580: PERMITTED USES; PRINCIPAL

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

- Administrative offices
- Automobile parking when serving an adjacent business or apartment
- Banks and financial institutions
- Boarding house
- Childcare facility
- Commercial film production
- Community assembly
- Community education
- Duplex housing (as specified by the R-12 district)
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Hospitals/healthcare
- Juvenile offenders facility
- Multiple-family housing (as specified by the R-17 district)
- Neighborhood recreation
- Nursing/convalescent/rest homes for the aged
- Personal service establishments
- Professional offices
- Public recreation
- Rehabilitative facility
- Religious assembly
- Single-family detached housing (as specified by the R-8 district)

17.05.590: PERMITTED USES; ACCESSORY

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

- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outdoor storage or building when incidental to the principal use
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district

17.05.600: PERMITTED USES; SPECIAL USE PERMIT

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

- Commercial kennel
- Commercial recreation
- Community organization
- Convenience sales
- Criminal transitional facility
- Food and beverage stores for off/on site consumption
- Hotel/motel
- Mobile food court
- Noncommercial kennel
- Remaining uses, not already herein permitted, of the C-17 district principal permitted uses
- Residential density of the R-34 district as specified
- Veterinary hospital
- Wireless communication facility

Proposed C-17 Zoning District:

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

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

- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders facility.
- Laundry service.
- Ministorage facilities.
- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Pocket residential development (as specified by the R-17 district).
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office

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

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

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

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.

STREETS:

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

7. 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.

PLANNING:

8. All site improvements and construction must adhere to the City's Commercial Design Guidelines that are required for commercial development in the C-17 Zoning District.
9. All site improvements must meet the site performance standards of the C-17 Zoning District

PROPOSED CONDITIONS:

None

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 Trails & Bikeways Master Plan

ACTION ALTERNATIVES:

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

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

**APPLICANT'S
NARRATIVE**

Coeur d'Alene Nissan

ZONE CHANGE

PROJECT NARRATIVE

Coeur d'Alene, Idaho
January 24, 2020



126 E. Poplar Avenue
Coeur d'Alene, Idaho 83814
Phone: 208-676-0230

INTRODUCTION

Zanetti Bros, Inc., as the Owner, is hereby requesting the zoning designation of approximately 6.2 acres of property be amended from the City to C-17 Commercial. The subject property is located near the northeast corner of the intersection of Kathleen Avenue and US Highway 95 accessed from Crown Avenue to the East. Currently, there is an existing autosales dealership on one of the subject lots; however, the majority of the land is vacant.

SUBJECT PARCELS

The property being requested for annexation is as follows:

Parcel #: C-1685-001-003-A
Address: 4301 N. Crown Avenue
Coeur d'Alene, ID 83815
Area: 6.2 acres
Current Zoning: C-17L Commercial Limited
Proposed Zoning: C-17 Commercial
Legal Description: Lots 3 and 4, Block 1 of Coeur First Addition

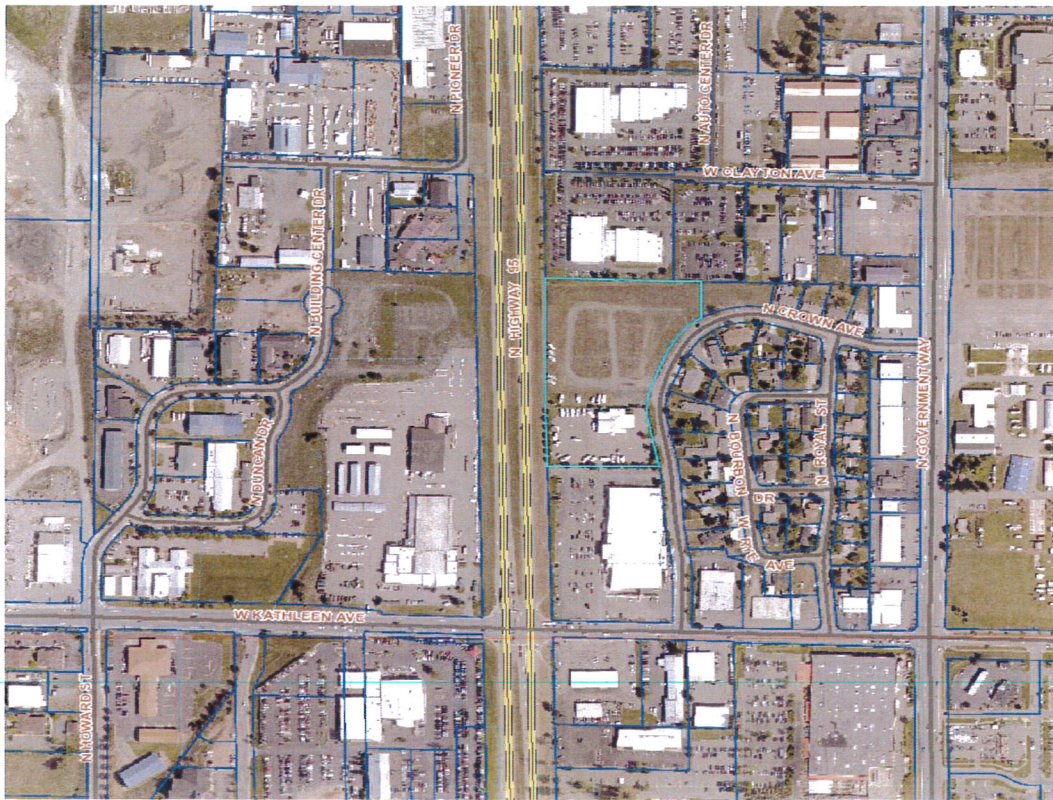


Figure 1: Vicinity Map

ZONING CLASSIFICATION

The parcel is currently zoned C-17L Commercial Limited and is located within the boundary of the City of Coeur d'Alene City Limits. The surrounding property consists of residentially zoned parcels to the East (R-12) and commercially zoned parcels to the South, North and West (C-17). The project proponent is requesting a zoning classification of C-17 for the subject property to allow for the development of an autosales dealership project in coordination with the previous uses of the property.

COMPREHENSIVE PLAN ANALYSIS

The property lies in the *Transition* area along the eastern boundary of the US 95 Corridor land use area per the City of Coeur d'Alene Comprehensive Plan. Neighborhood characteristics for this land use tend to be commercial in nature due to the large traffic volume on US Highway 95. Neighborhood service nodes and commercial uses should be placed where appropriate. The proposed zoning is consistent with the Comprehensive Plan and is located near the intersection of a major highway and a minor arterial and is located within a major commercial corridor.

The City of Coeur d'Alene Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet, or exceed, the goals, policies and objectives as outlined in the Comprehensive Plan. The project proponent believes that this proposal is in accordance with the goals and policies of the comprehensive plan, as the zone change is of a minor nature from "Light" commercial to general commercial.

PRE-DEVELOPMENT CONDITIONS

The subject property currently contains a commercial building that is being utilized for autosales. Access to the commercial building is currently off Crown Avenue. There are no other structures located on the property.

The Crown Avenue frontage improvements are not complete adjoining the subject property. These missing improvements include curb and gutter, swales and sidewalks and will need to be completed during development of the property. Water and sewer are currently stubbed into the property and are of adequate size and have capacity for the proposed uses.

Figure 2 below shows the existing site conditions.



Figure 2: Existing Site Conditions

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**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, ASSOCIATE PLANNER & JAKE PLAGERMAN,
PLANNING TECHNICIAN

DATE: APRIL 14, 2020

SUBJECT: SP-3-20 – REQUEST FOR SPECIAL USE PERMITS (MULTIPLE USES)
IN A LIGHT MANUFACTURING (LM) DISTRICT

LOCATION: FORMERLY: COMMERCE PARK OF CDA - LOT 3, BLOCK 4.
REPLATTED AS BUNKER PARK, LOTS 1 & 2, BLOCK 1

APPLICANT:
David Shrontz, Architect
21 Commerce Drive, Suite A
Hayden, ID 83835

Owner:
ETD Enterprises, LLC
11146 N Rocking R Rd.
Hayden, ID 83835

DECISION POINT:

David Shrontz, Architect, is requesting approval of a total of six (6) activity uses; three (3) service activities and three (3) commercial activities, via the Special Use Permit process, to allow for the following uses in a Light Manufacturing (LM) zone. Note: This applicant has made this request for two (2) separate parcels as described by the Bunker Park legal description under LOCATION above and are mapped below under finding #B8B. The requested activities for this special use permit are listed below.

Service Activities

1. Commercial Recreation
Activities that include profit-oriented sports activities performed either indoors or outdoors, which require a facility for conducting the recreational activity; such activities are typical of swimming centers, tennis courts, racquetball courts, golf courses, etc.
2. Personal Service Establishment
Activities that include the provision of informational, instructional, and similar services of a personal but nonprofessional nature, such as driving schools, travel bureaus, and photography studios.
3. Professional & Administrative Offices
Activities that include managerial, clerical, consultation and professional, including medical, services for therapeutic, preventative or corrective personal treatment, typically performed by the following:
 1. Insurance and real estate offices.
 2. Architects, engineers, lawyers and accounting offices.
 3. Planning and educational research service.

4. Doctors, dentists and other health care practitioners.
5. Medical testing and analysis services.
6. Corporate headquarters, branch offices and data storage centers.

Commercial Activities

4. Business Supply Retail Sales

Activities that include the retail sale or rental from the premises of the office equipment and supplies and similar goods primarily to individuals, firms and other organizations utilizing the goods; they exclude the sale or rental of motor vehicles and the sale of materials used in construction of buildings or other structures; such activities are typical of barber equipment and supply firms, and hotel or office equipment and supply firms.

5. Food & Beverage Stores (on/off site consumption)

(On-Site Consumption) Activities that include the retail sale from the premises of food or beverages prepared for on-premises consumption; such activities are typical of restaurants and bars.

(Off-Site Consumption) Activities that include the retail sales from the premises of food and beverages for off-premises consumption; such activities are typical of groceries, markets, liquor stores and retail bakeries. On-site consumption seating areas of up to fifteen percent (15%) of the gross floor area may be provided.

6. Specialty Retail Sales

Activities that include the sale or rental from the premises of particular or predominant types of goods and merchandise primarily for personal or household use; they exclude the sale or rental of motor vehicles, parts and accessories, furniture and major appliances, and materials used in the construction of buildings or other structures; such activities are typical of apparel, antique, camera and flower stores.

GENERAL INFORMATION:

The Light Manufacturing District is intended for a variety of manufacturing, warehousing, and industry uses that are primarily conducted indoors. This district should be located close to major or principal arterials and is suitable as a buffer zone for heavy industry. In this district, development of manufacturing land uses in an industrial park and away from residential or sensitive areas is encouraged. In addition to permitting light manufacturing uses, this district permits all commercial activities (primarily through special use), while not permitting residential or heavy manufacturing uses. For any industrial or manufacturing use permitted in the zoning district, the following site performance standards will apply:

II. PERFORMANCE STANDARDS REGULATIONS

17.07.105: TITLE AND PURPOSE:

The provisions of this article shall be known as the PERFORMANCE STANDARDS REGULATIONS. The purpose of these provisions is to promote the health, safety and general welfare of the residents of the city through limitations on certain nuisance

generating characteristics of various activities, including vibration, noise, odor, humidity, heat, cold, glare, dust and/or smoke. (Ord. 1691 §1(part), 1982)

17.07.110: APPLICABILITY:

Any use of property that violates these regulations is prohibited even where it is otherwise permitted by the applicable zone regulations. Uses permitted by special use permit shall conform to these regulations as one component of their conditions. (Ord. 1691 §1(part), 1982)

17.07.115: RESTRICTIONS ON OPERATIONS:

The operation of any use established after the effective date hereof shall comply with the performance standards herein set forth for the zone in which such activity shall be located. No use already established on the effective date hereof shall be so altered or modified as to conflict with, or further conflict with, the performance standards herein established for the zone in which such use is located. A conforming use that is in compliance with existing zoning ordinances or a legal nonconforming use may be continued and maintained regardless of subsequent zoning changes on surrounding properties that otherwise would change the manner in which the requirements of this article apply to the preexisting use. (Ord. 3335 §4, 2008: Ord. 1691 §1(part), 1982)

17.07.120: VIBRATION AND NOISE:

A. In all zoning districts, any use creating intense earthshaking vibrations or noise such as are created by heavy drop forges or heavy hydraulic surges, shall be set back at least three hundred feet (300') from an abutting residential or commercial zoning district or at least one hundred fifty feet (150') from an abutting manufacturing zoning district, unless such operation is controlled to prevent transmission beyond the lot lines of earthshaking vibrations perceptible to a person of normal sensitivities.

17.07.125: ODOR:

A. In Manufacturing Zoning District: In a manufacturing zoning district the emission of any noxious, odorous matter which produces a public nuisance or hazard beyond lot lines is prohibited.

17.07.130: HUMIDITY, HEAT, COLD, GLARE, DUST, AND SMOKE:

A. In Manufacturing Zoning District: In a manufacturing zoning district any excessive humidity in the form of steam or moist air, intense heat, intense cold, intense glare, intense dust, or intense smoke produced by an activity within the district shall not be detrimental beyond the boundary of the district.

Light Manufacturing District (LM):

The light manufacturing district is intended to include manufacturing, warehousing and industry that is conducted indoors with minimal impact on the environment. Residential uses and heavy manufacturing uses are not permitted.

In addition to permitting light manufacturing uses, this district permits all commercial activities. A special use permit is required for certain civic, service, sales, and industrial activities. This district should be located close to major or principal arterials and is suitable as a buffer zone for heavy industry. In this district, development of manufacturing land uses in an industrial park and away from residential or sensitive areas is encouraged.

17.05.740: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an LM district shall be as follows:

- Agricultural supplies and commodity sales
- Auto and accessory sales
- Automobile parking
- Automobile parking when serving an adjacent business
- Automobile renting
- Automotive fleet storage
- Automotive repair and cleaning
- Building maintenance service
- Commercial film production
- Commercial kennel
- Construction retail sales
- Custom manufacture
- Essential service
- Farm equipment sales
- Finished goods wholesale
- General construction services
- Laundry service
- Light manufacture
- Mini-storage facilities
- Unfinished goods wholesale
- Veterinary hospital
- Warehouse/storage
- Wholesale bulk liquid fuel storage
- Wireless communication facilities

17.05.760: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an LM district shall be as follows

- Administrative offices
- Adult entertainment
- Banks and financial establishments
- Business supply retail sales
- Business support service
- Commercial recreation
- Communication service
- Consumer repair service
- Convenience sales
- Convenience service
- Criminal transitional facility
- Department store
- Extractive industry
- Finished goods retail
- Food and beverage stores for on/off site consumption
- Funeral service
- Group assembly
- Home furnishing retail sales
- Hotel/motel
- Mobile food court
- Personal service establishments
- Professional offices
- Retail gasoline sales
- Specialty retail sales
- Veterinary office or clinic

17.05.800: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements in an LM district shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20') except, when abutting along the side or across the street from a residential district. The front setback shall be equal to the most restrictive front setback thereof.
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

17.05.770: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

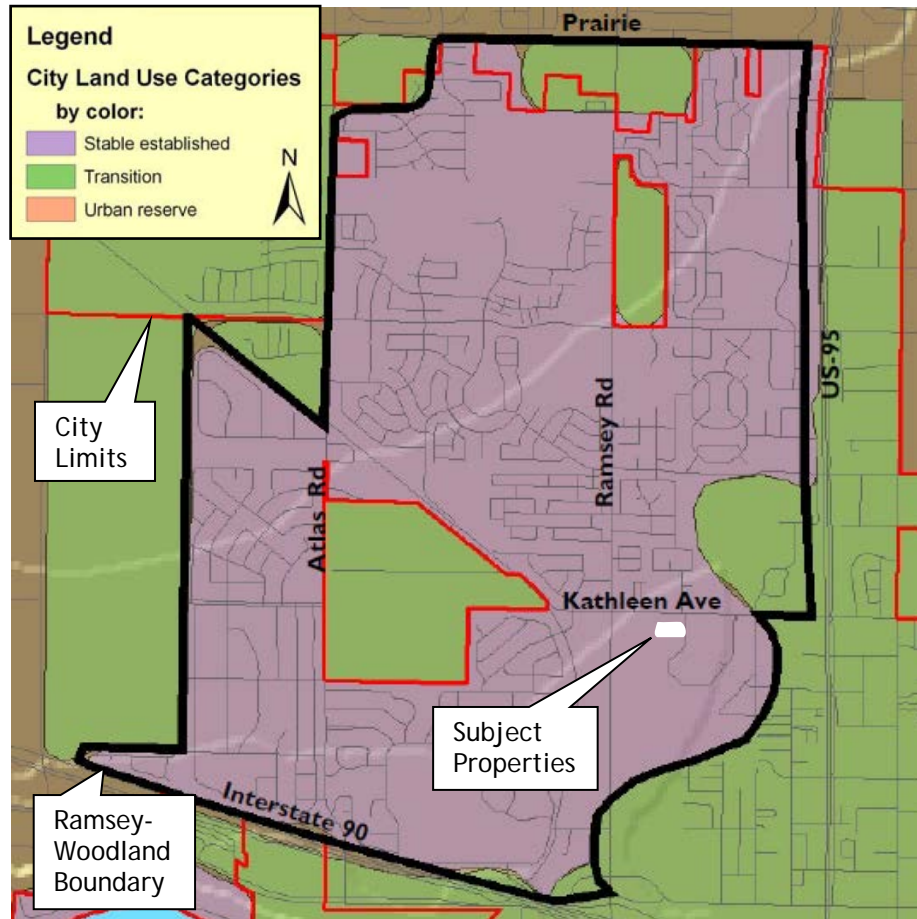
Maximum height requirements in an LM district shall be as follows: In Buildable area for Principal Facilities For All Uses — 63 Feet

REQUIRED FINDINGS:

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:

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Ramsey –Woodland (Stable Established):



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 use are not expected to change greatly within the planning period.

Land Use:

Ramsey - Woodland Today:

The development pattern in this area is mixed with established subdivisions, such as Coeur d’Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue.

Neighborhood service nodes can be found throughout the Ramsey-Woodland area.

Ramsey - Woodland Tomorrow

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.

The characteristics of Ramsey – Woodland neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

2007 Comprehensive Plan Goals and 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 1.11

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 1.14

Efficiency:

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

Goal #2: Economic Environment Our Comprehensive Plan preserves the city's quality workplaces and encourages 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.

Goal #4: Administrative Environment Our Comprehensive Plan advocates efficiency and quality management in city government

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.**

The area surrounding the request is relatively flat. The vicinity yields differing zoning districts, from Manufacturing (M), Light Manufacturing (LM), and Commercial Limited (C-17L) immediately adjacent to the property, to Residential-12 and Mobile Home-8 across Kathleen Avenue (as shown on the zoning map on page 8).

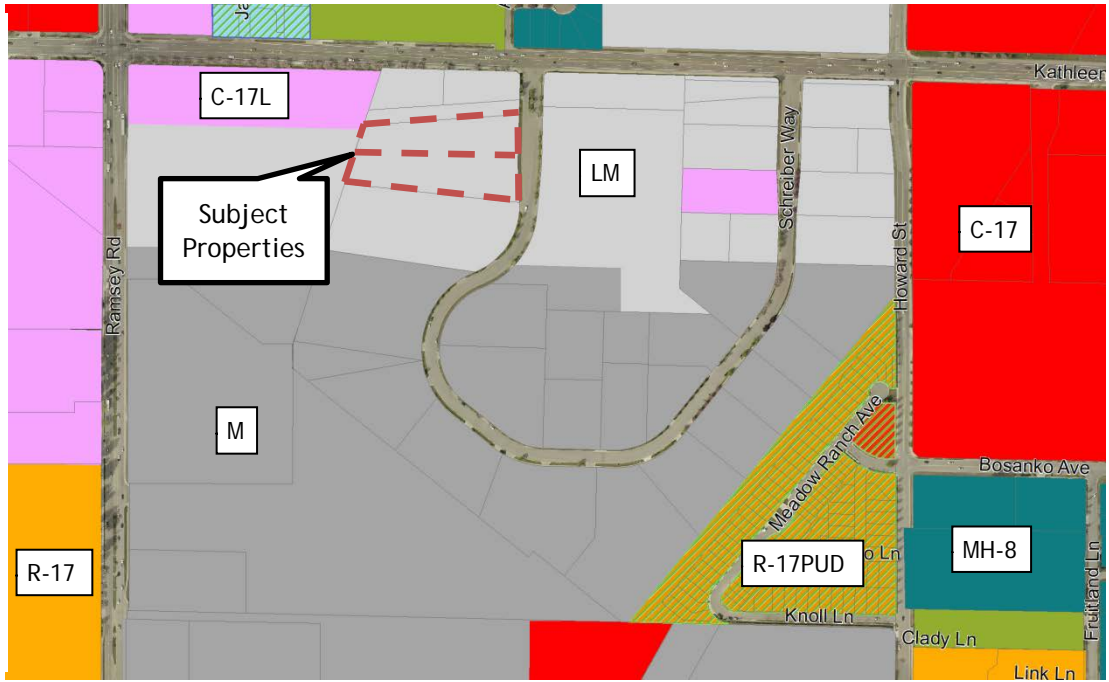
A variety of uses are located in the area of Schreiber Way: The BLM office, an insurance agency, the CDA Police Dept., optometrist office, Tricksters Brewing, hardware sales, Beverage distributorship, USPS, a tax solutions office and construction services are examples of businesses operating in the immediate vicinity of this request.

Aerial Photo:



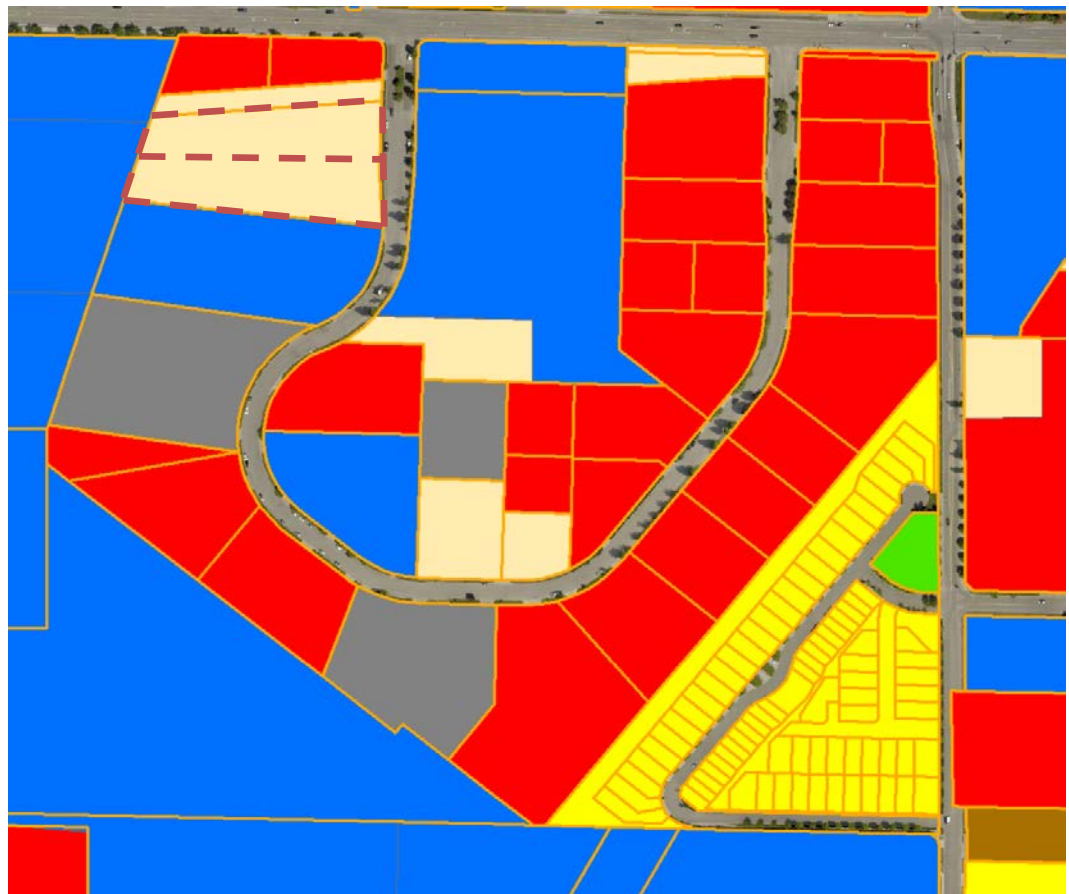
Zoning:

- zoning
- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-85F

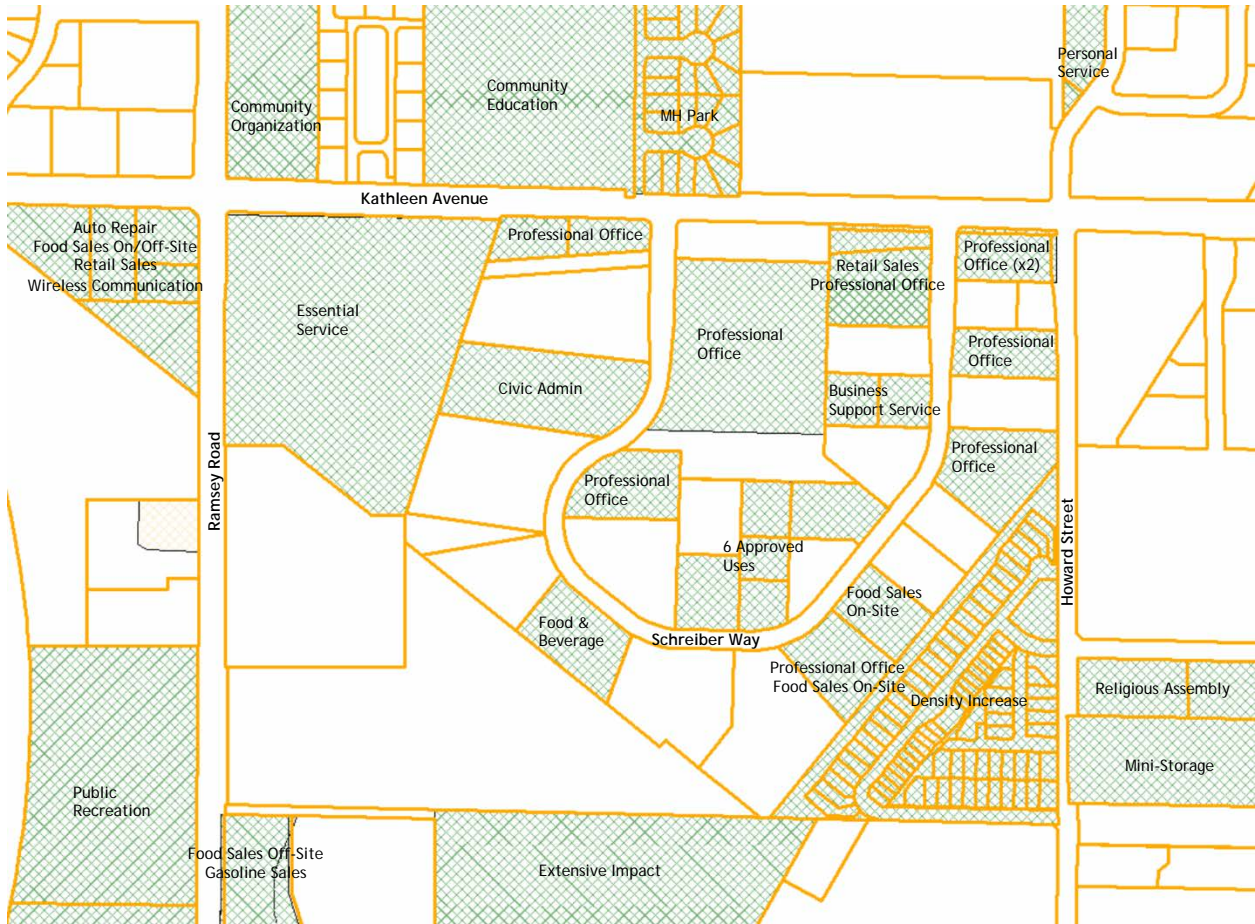


Generalized Land Use Pattern:

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



Special Use Permits in Area:



Photos of Site:

Northwest corner of subject properties facing east:



Northwest corner of subject properties facing south:



East side of subject properties (along Schreiber) facing west:



East side of subject properties (along Schreiber) facing west:

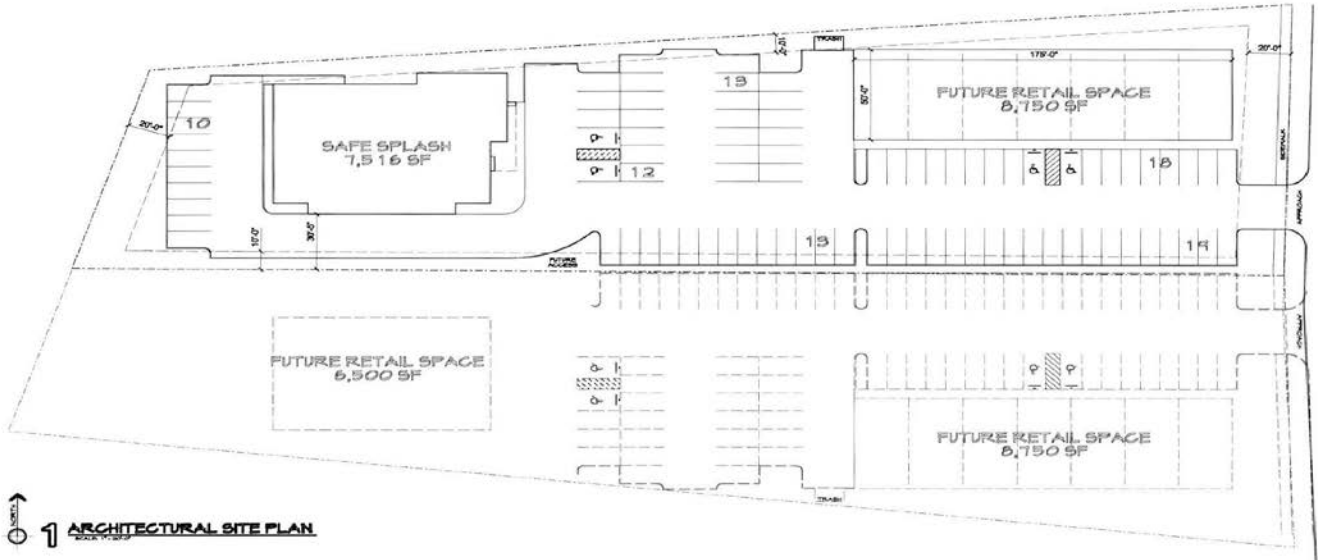


Evaluation: *Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses and is designed appropriately to blend in with the area.*

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.

Proposed Site Plan:

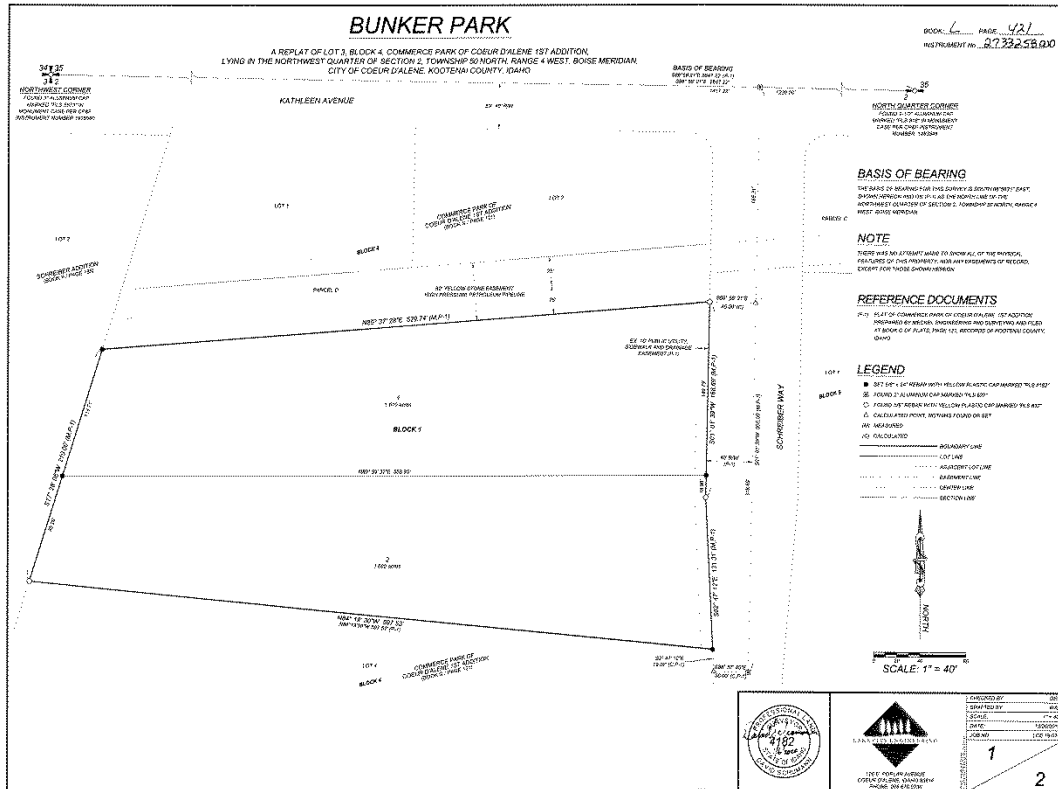


d'Zign group

Building Rendering:



Recently Approved Short Subdivision Splitting the Lots:



WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed special use permit.

-Submitted by Kyle Marine, Assistant Superintendent

WASTEWATER:

Sewer is available to Lot #2 in the southeast corner. Public sewer will need to be extended to lot #1 to service this facility. There may be pretreatment requirements for pool chemical storage.

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI

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

PROPOSED CONDITIONS:

PLANNING:

1. NEW CONSTRUCTION ONLY: Provide an accessible paved pedestrian connection from the entrances of proposed building(s) to the existing sidewalk along Schreiber Way.
2. Design pedestrian connections to abutting parcels where feasible. Painted asphalt would be acceptable to cross vehicle lanes when no opportunity exists to provide separated pathways. These pathways are not intended to be accessible routes and are envisioned to help motorists see potential pedestrians in the area.

WATER:

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.

WASTEWATER:

1. Sewer Policy 716 also requires each lot to have its own sewer lateral connection to the public sewer (One Lot – One Lateral Rule).
2. Separate water meters for domestic and irrigation uses are recommended for sewer billing purposes. Monthly Sewer Rates will be initially set to Commercial Low Classification.
3. There are no known storm water inflow issues located on this property. Presently, there are no downstream capacity issues within the public sewer.

FIRE:

1. Single dead-end fire apparatus access over 150 feet requires a FD approved turn-around. Turning radiuses for FD is 25' interior and 50' exterior.
2. Temporary Street signs and Address's shall be installed until permanent signs/address are installed.
3. FD access designed to hold an imposed load of 75,000 lbs.
4. One (1) fire hydrant is required to be installed in the area of Safe Splash and the adjacent Future Retail Space building.
5. Drive aisles minimum width is 20'.
6. A Project Review may be required due to the updated plan.

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

ORDINANCES AND STANDARDS USED IN EVALUATION:

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

ACTION ALTERNATIVES:

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

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

**APPLICANT'S
NARRATIVE**

Special Use Permit Application

The request is to allow Commercial Recreation and retail sales in the current existing LM – Light Manufacturing Zone. The property was very recently split into 2 parcels and the applicant owns both. We are seeking a special use permit for both parcels simultaneously.

This property is located on Schreiber Way to the north of the Police Department and is designated in the Comprehensive Plan as an area containing a mix of commercial, manufacturing and residential uses. The new occupant will maintain the mixed use character of the neighborhood by adding a Commercial Recreation facility to an area containing Industrial, Warehouse, retail and office buildings.

The design and planning of the proposed building will be compatible with the existing adjacent uses through its architectural character, ample parking and overall site and landscape design. The single story building will be similar in size and height to multiple adjacent buildings and its architectural style will blend well with the existing buildings on Schreiber Way. The site and landscape design will allow for ample parking, limiting overflow on to Schreiber Way.

The project will be completed in several phases. First will be the construction of approximately 7,500 SF for the purposes of Commercial Recreation. The remaining phases will consist of retail space suitable for Retail Sales or Business and Administrative space, all of which is an allowed use under the current zoning via special use permit.

The location, design and size of this proposed use is ideal for the immediate area in which the building is located. There is adequate parking on site and access from Kathleen Ave to Schreiber way for vehicles, pedestrians and bicycles will not represent a significant impact to the area.



KT **KOOTENAI TITLE**
MAKE A REQUEST FOR THE BEST

1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814
Phone: (208)667-9431 Fax: (208)208-666-0410

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

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PLANNING COMMISSION STAFF REPORT

FROM: TAMI STROUD, ASSOCIATE PLANNER

DATE: APRIL 14, 2020

SUBJECT: PUD-1-20 "ENCLAVE AT THE TRAILS" PLANNED UNIT DEVELOPMENT

S-2-20: 76 LOTS AND 10 TRACT PRELIMINARY PLAT REQUEST FOR
"ENCLAVE AT THE TRAILS"

LOCATION: 19.4 ACRES LOCATED WEST OF ATLAS ROAD AND NORTH OF THE FUTURE
EXTENSION OF HANLEY AVENUE

APPLICANT/OWNER:

Lakeside Real Estate Holdings, LLC
1859 N Lakewood Drive #201
Coeur d'Alene, ID 83814

REPRESENTATIVE/ENGINEER:

Connie Krueger, Stonehenge
1859 N Lakewood
Coeur d Alene, ID 83814

TWO DECISION POINTS:

Lakeside Real Estate Holdings, LLC is requesting approval of a gated residential Planned Unit Development.

AND;

A 76 lot, 10 tract, preliminary plat to be known as "Enclave at the Trails" within the Trails 4th Addition.

BACKGROUND INFORMATION:

The existing 19.4-acre site is currently vacant and within the "Trails 4th Addition". The proposed Planned Unit Development (PUD) will comprise of 76 residential lots with private open space areas for residents of the development. The PUD is proposed as a private gated community with private roads. In addition to the proposed gate for vehicle access there are also two proposed pedestrian gated access points.

The applicant is proposing to install the streets and the subdivision infrastructure for this project in one phase. The applicant has indicated that construction of the PUD/subdivision infrastructure is anticipated to commence and be completed in 2020 with home construction beginning in the third or fourth quarter of 2020.

The proposed PUD will have a density of 3.91 units per acre. The property is currently zoned R-8 and the current zoning allows for a density at 8 units per acre.

The proposed PUD will have two proposed lot types, Type A and B. Type A is 6,000 sq. ft. with average dimensions of 50' x 120' and is a rear-loaded lot. There are 50 Type A lots proposed. Type B is 7,920 sq. ft. with average dimensions of 72' x 110' and is a front-loaded lot. There are 26 Type B lots proposed within the development. (See graphic on page 8 depicting Type A lots.

LOCATION MAP:



PUD-1-19: 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:

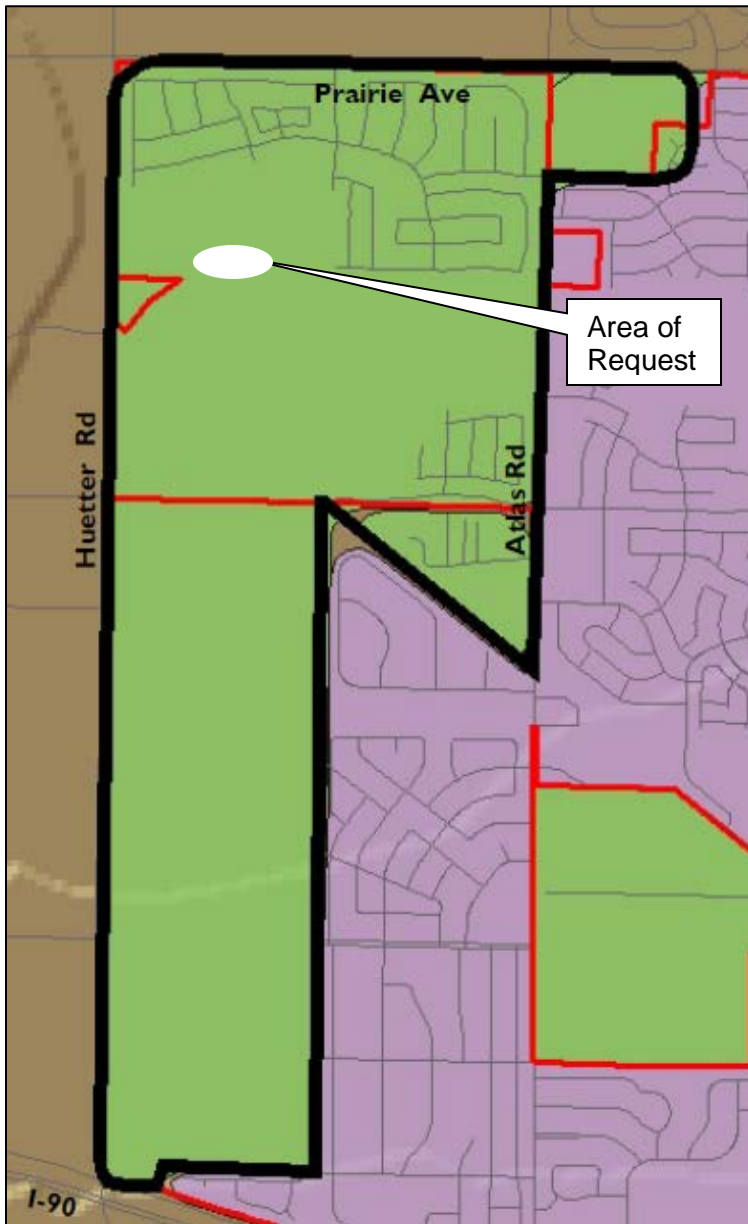
REQUIRED FINDINGS (PUD):

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as: Atlas-Prairie District
- The subject property is located in the City's Area of Impact

2007 COMPREHENSIVE PLAN MAP: ATLAS-PRAIRIE- Transition



Land Use: Atlas-Prairie

Atlas-Prairie Today:

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

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

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



Atlas-Prairie District Tomorrow

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

Transition Areas:

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

The characteristics of the Atlas-Prairie District neighborhoods will be:

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

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 1.02 – Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.05 – Vistas:**
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.
- **Objective 1.09 – Parks:**
Provide an ample supply of urbanized open space in the form of beaches, squares, 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 1.16 - Connectivity:**
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trails systems.

Goal #2: Economic Environment

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

- **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.

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 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.14 – 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 prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

- **Objective 4.02 - City Services:**
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

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

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

LOCATION, SETTING, AND EXISTING USES:

The site is generally flat, sloping very slightly to the northwest. The property is currently being used for agricultural production and contains soil stockpiles from adjacent land clearing activity related to residential subdivision construction. There are no topographical or other physical constraints that would make the subject property unsuitable for the proposed subdivision and Planned Unit Development.

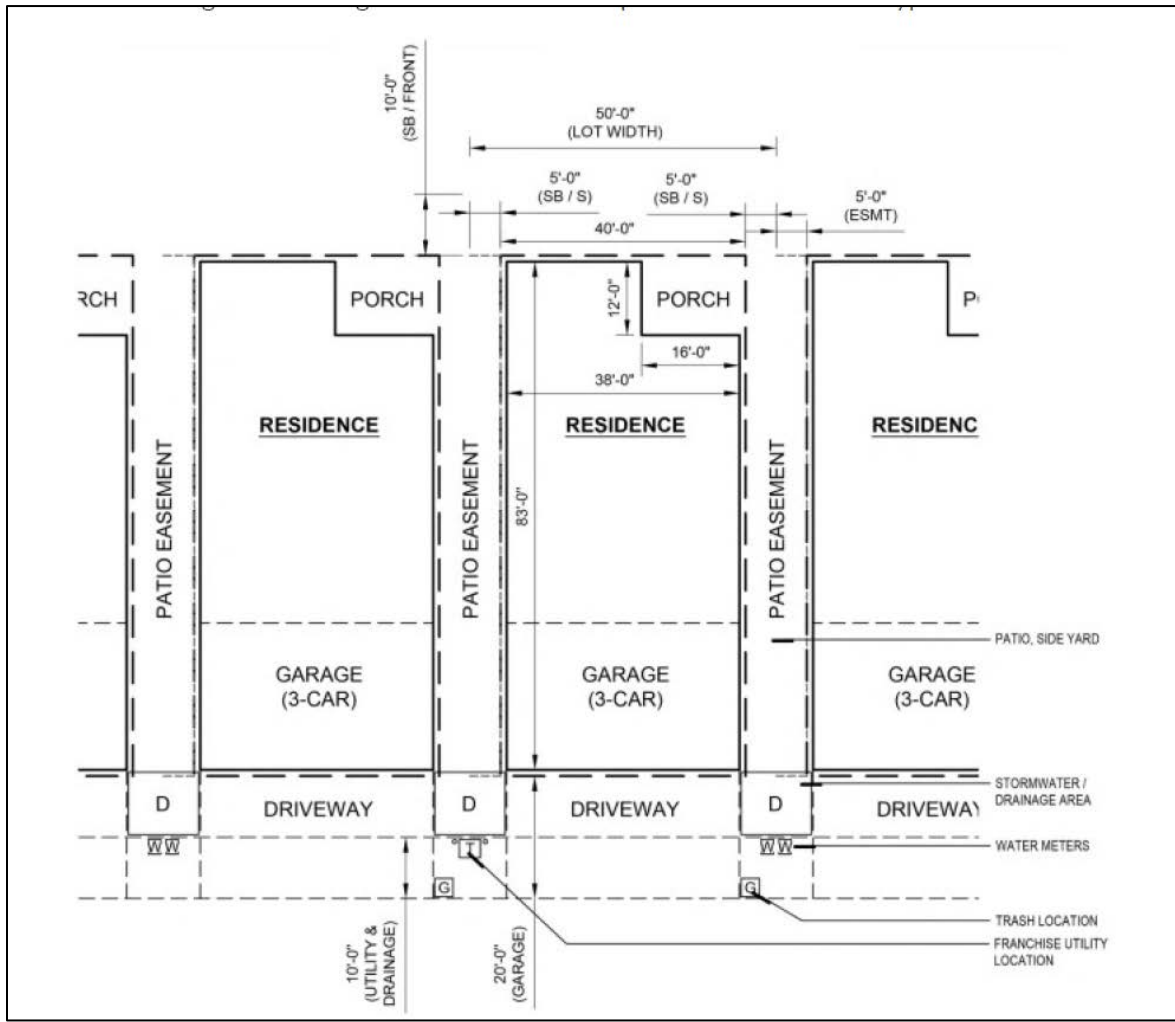
There are existing residential uses to the north east, and south of the subject property.

Snow removal and storage will be internal to the PUD and be located within the stormwater and park tracts.

PUD SITE PLAN MAP:

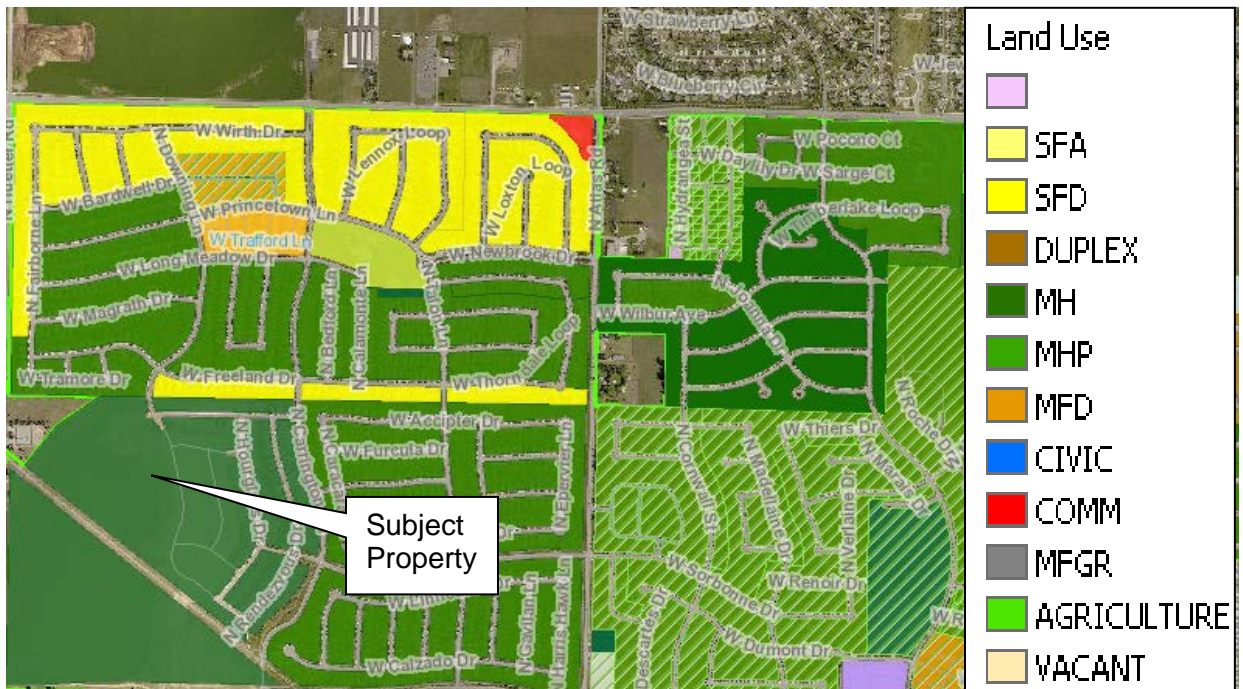


PUD LOTS – Typical Lot Layout with Setbacks-Type A



The proposed PUD will have two proposed lot types, Type A and B. Type A is 6,000 sq. ft. with average dimensions of 50' x 120' and is a rear-loaded lot. There are 50 Type A lots proposed. Type B is 7,920 sq. ft. with average dimensions of 72' x 110' and is a front-loaded lot. There are 26 Type B lots proposed within the development.

GENERALIZED LAND USE MAP:



EXISTING ZONING:



SITE PHOTO 1: View from Homeward Bound Blvd. looking south toward Hanley Avenue.



SITE PHOTO 2: View from N. Downing Ln./W. Homeward Bound Blvd. looking north toward the Landings development.



SITE PHOTO 3: View from the W. Homeward Bound Blvd. looking northwest toward the Landings development.



SITE PHOTO 4: View from the N. Downing Ln. looking southeast toward Huetter Road.



SITE PHOTO 5: View looking north from Downing Ln. toward the Landings development.



SITE PHOTO 6: View from the W. Homeward Bound Blvd. looking west toward the proposed PUD.



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 relatively flat with W. Homeward Bound Blvd. to the north and Downing Ln. to the east. The natural features of the site are consistent with the natural features of the surrounding properties, including the residential subdivision to the north (Landings at Waterford) and to the east (Hawks Nest). The following images reflect the proposed building elevations.

APPLICANT'S BUILDING ELEVATION 1:



Alley loaded

APPLICANT'S BUILDING ELEVATION 2:



Street loaded

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.**

See staff comments which can be found in finding #B7B (Subdivision: page. 17-20) below.

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.**

The applicant is proposing 3.44 acres (17.7%) open space that can be accessed by residences of the proposed development. The applicant has indicated that the open space will contain a large park area with walking paths, landscaping and a variety of use amenities; sidewalk connections to the Prairie-Trail and adjacent subdivision path system on N. Downing Lane; overflow parking areas; group mailbox location; vehicle and pedestrian gate systems.

OPEN SPACE- SITE PLAN MAP:



SITE PLAN LEGEND:

- | | |
|---|--|
| 1. Entry Monument/Gate (Vehicular) | 12. Community Seating Area (Optional) |
| 2. Entry Gate (Pedestrian) | 13. Community Garden (Raised Planter Beds) |
| 3. Regional Trail Access | 14. Community Recycle/Refuse (Possible Location) |
| 4. Auxiliary Parking | 15. Community Mail Station |
| 5. 8' Pedestrian Walkway | 16. Individual Seating Area (Optional) |
| 6. 5' Concrete Walkway | 17. Overhead Structure (Optional) |
| 7. Active Recreation Lawn | 18. Bike Rack |
| 8. Pickleball Court | 19. Integrated Stormwater Area |
| 9. Bocci Court/Shuffle Board | 20. Existing Right-Of-Way Landscape to Remain |
| 10. Community Event Plaza (optional) | |
| 11. Community Event Pavilion (Optional) | |

In February of 2016, the Planning Commission held a workshop to discuss and better define the intent, functionality, use, types, required improvements, and other components of open space that is part of Planned Unit Development (PUD) projects. The workshop discussion was necessary due to a number of requested PUD's and the Planning Commission being asked to approve "usable" open space within a proposed development.

Per the Planning Commission Interpretation (Workshop Item I-1-16 Open Space) the below list outlines what qualifies as Open Space.

- ≥ 15 FT wide, landscaped, improved, irrigated, maintained, accessible, usable, and include amenities
- Passive and Active Parks (including dog parks)
- Community Gardens
- Natural ok if enhanced and in addition to 10% improved
- Local trails

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.**

There was no request made to change the City's off-street parking requirements through the PUD process. Single family homes would be required to provide two (2) off-street paved parking spaces per unit, which is consistent with code requirements for single-family residential.

The owner is proposing to provide three garage spaces per unit and three exterior spaces per unit on each lot. The owner is also proposing a variety of parking areas throughout the PUD that provide 22 additional off-street spaces.

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.**

From the applicant's narrative:

The owner is proposing the following infrastructure will be maintained by the Homeowner's Association:

- Stormwater systems
- Streets (street surface, curb/gutters, sidewalks, crosswalk markings, signage and gates)
- Paths/sidewalks for internal recreation and external connections
- Structures within common areas
- Auxiliary parking areas
- Snow removal and storage
- Irrigation (stormwater infrastructure, street and common area landscaping)
- Mailbox station

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.*

S-1-19 SUBDIVISION FINDINGS:

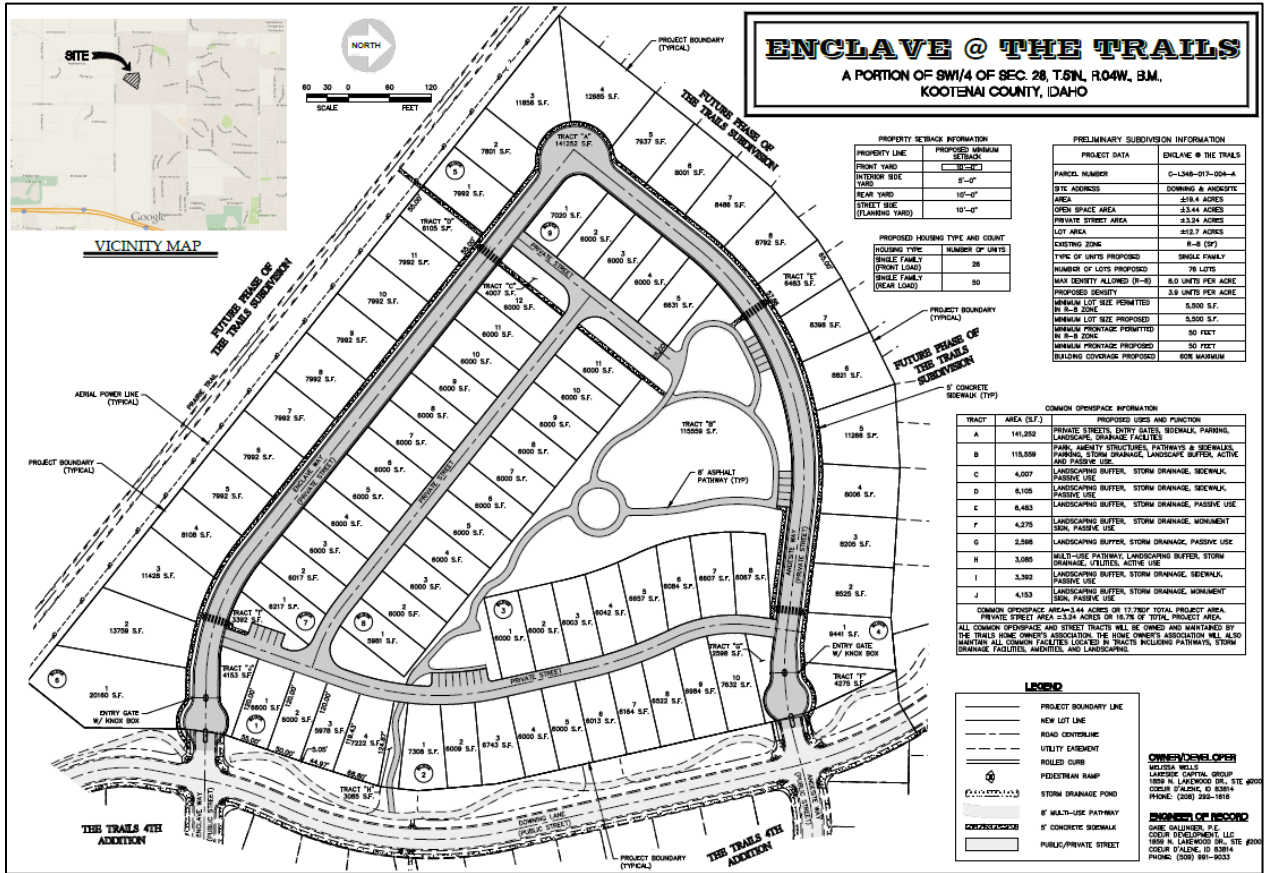
REQUIRED FINDINGS (Subdivision):

Finding #B7A: **That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.**

Per Chris Bosley, City Engineer, the preliminary plat submitted contains all of the general preliminary plat elements required by the Municipal Code.

- Deviations from the required subdivision standards have been requested through the Planned Unit Development process as noted in the PUD portion of the staff report.
- Deviations include: reduction of required street width
- Sidewalk on ONLY one side of the street.

PRELIMINARY PLAT FOR "ENCLAVE AT THE TRAILS":



Evaluation: The Planning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.

Finding #B7B: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

STORMWATER: 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:

The subject property is connected by Downing Lane to the east. Downing Lane meets City standards.

-Submitted by Chris Bosley, City Engineer

Typical Street Section A: Serving front-loaded lots (w/parking, landscaping, and sidewalk on one side)

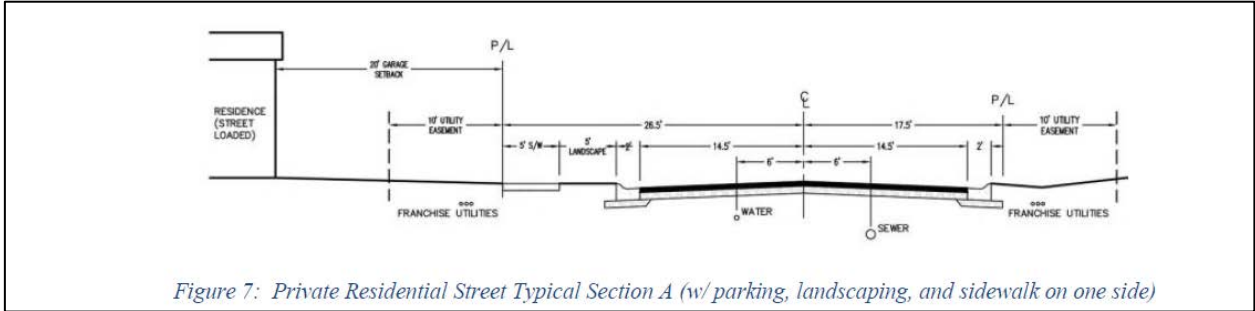


Figure 7: Private Residential Street Typical Section A (w/ parking, landscaping, and sidewalk on one side)

Typical Street Section B: Serving rear-loaded lots (w/no parking lanes, sidewalks, or curbs)

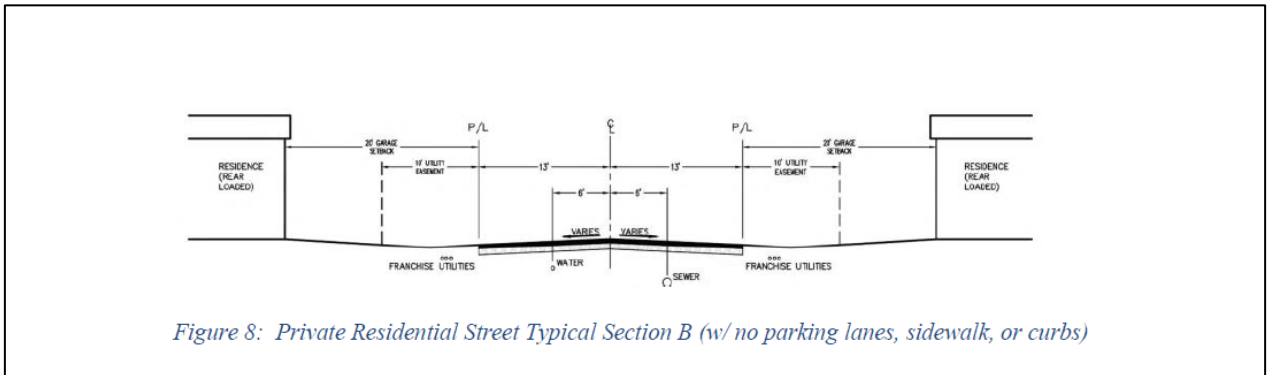


Figure 8: Private Residential Street Typical Section B (w/ no parking lanes, sidewalk, or curbs)

TRAFFIC:

The ITE Trip Generation Manual estimates that this development may generate approximately 57 AM and 76 PM Peak Hour trips per day. With several route options out of the existing residential area, the total additional traffic generation will not likely result in any significant increase to congestion on the surrounding streets.

-Submitted by Chris Bosley, City Engineer

WATER:

Available capacity: There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed 76-lot preliminary plat know at "Enclave at the Trials"

-Submitted by Terry Pickel, Water Department Director

WASTEWATER:

1. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all public sewers.
2. Sewer Policy #719 requires an unobstructed "All-Weather" surface permitting O&M access to the public sewer.
3. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
4. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
5. In accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this PUD and Subdivision request, as proposed.

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

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

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

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

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

Finding #B7C: **That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.**

Per engineering review, for the purposes of the preliminary plat, both subdivision design standards (Chapter 16.15) and improvement standards (Chapter 16.40) have been vetted for compliance. Because the proposed streets are private, adherence to the City standards for width are not required.

Evaluation: *The Planning Commission must determine, based on the information before them, whether the proposed preliminary plat does or does not comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.*

Specific ways in which the policy is or is not supported by this request should be stated in the finding.

Finding #B7D: The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

The gross area of the subject property is +/- 19.4 acres. The total number of single-family units requested is 76. The owner is proposing a development density of 3.91 units/acre. The existing zoning is R-8, which allows a mix of housing types at a density of not greater than 8 units per acre.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat do or do not meet the requirements of the applicable zoning district*

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.

PROPOSED CONDITIONS:

Planning:

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. A recorded copy of the approved CCR's must be submitted prior to the recordation of the Final Plat.
3. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

Water:

4. 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.

Wastewater:

5. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
6. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
7. An unobstructed City approved "all-weather" access shall be required over all public sewers.
8. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
9. All public sewer plans require IDEQ or QLPE Approval prior to construction.

Fire:

10. No Parking-Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 206 feet wide.
11. No Parking-Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide and less than 32 feet wide.
12. A snow removal and storage plan shall be submitted to the Coeur d'Alene Fire Department for approval prior to project completion.
13. Turning radius for CDA FD: 25-foot interior, 50-foot exterior.

14. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (75,000 lbs.) and shall be surfaced so as to provide all-weather driving capabilities. Maximum grade is 8%.
15. Traffic calming devices shall be prohibited unless approved by the fire code official.
16. Where security gates are installed, they shall have an approved means of emergency operations by using a Knox brand keyway system.
17. Address numbers shall face the street they are address to with a minimum height of 4 inches and stroke of .5 inches or greater.
18. All fire hydrants shall have a 3-foot clearance of obstructions around each hydrant.

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 must consider these requests and make separate findings to approve, deny, or deny without prejudice. The findings worksheets are attached.



**APPLICANT'S
NARRATIVE**

Existing Physical Environment

Existing use: The property is currently used for agricultural production and contains soil stockpiles from adjacent land clearing activity related to residential subdivision construction.

Topography: The property is generally flat, sloping very slightly to the northwest.

Soils: The soils, found in outwash terraces, are Avonville gravelly coarse sandy loam and Avonville fine gravelly silt loam. These soils are generally characterized by gravelly ash silt or sand loam characteristics from 0-37 inches proceeding to extremely gravelly sand at more than 37 inches. These are well-drained soils with low water storage capabilities with a low frequency of flooding and ponding.

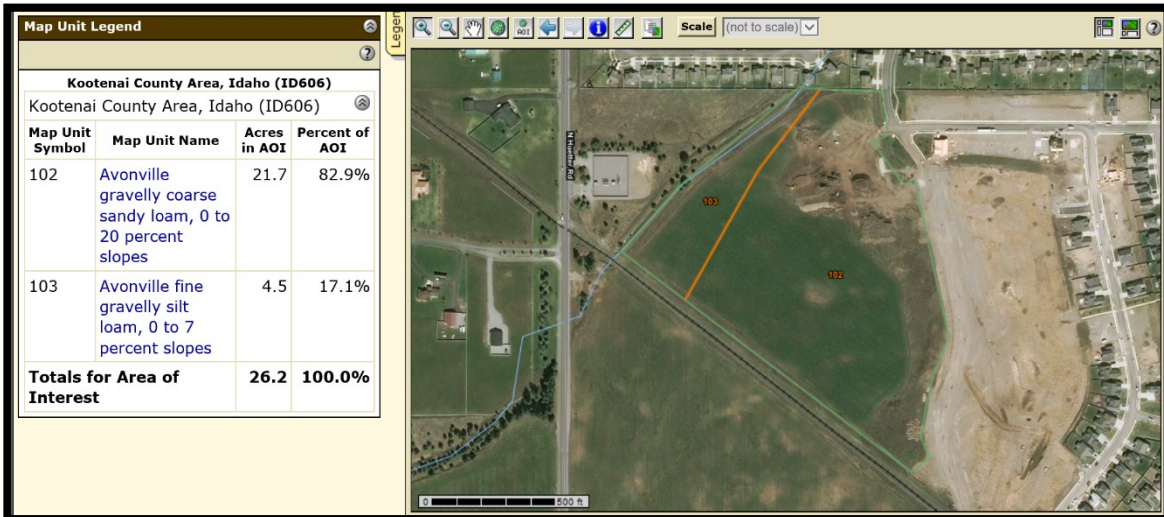


Figure 3: USDA NRCS Web Soil Survey

Wetlands and riparian areas: Pursuant to the National Wetlands Inventory Surface Waters and Wetlands Map, there are no natural riparian areas or wetlands on or near the property.

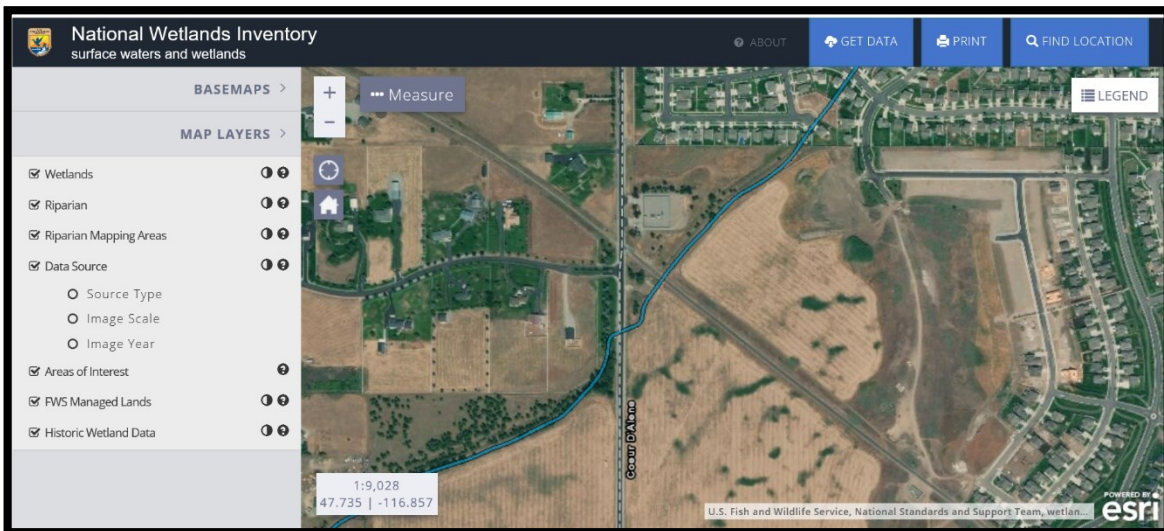


Figure 4: US Fish and Wildlife Service National Wetlands Inventory Wetlands Mapper

Flood zone designation: Pursuant to the National Flood Insurance Program Flood Map 16055C0405E, the property is located entirely in a Zone X Area of Minimal Flood Hazard.

PROPOSAL



Summary Description

This application is for a Planned Unit Development with 76 lots. All lots are to be accessed via a private road system. The gross acreage is 19.44 acres of which 3.44 (17.7%) will be dedicated as open space. The open space tracts contain a large park area with walking paths, landscaping and a variety of use amenities; sidewalk connections to the Prairie-Trail and adjacent subdivision path system on N Downing Lane; overflow parking areas; group mailbox location; vehicle and pedestrian gate systems; and stormwater facilities.

Proposed modifications to the City’s standards are discussed in the applicable sections below.

Figure 5: Excerpt from Enclave at The Trails PUD Plan

Zone District, Intensity of Use, and Related Standards

This property is zoned R-8. Pursuant to Coeur d’Alene City Code (CCC) 17.05.090.A: “The R-8 District is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.” The owner is proposing a development density of 3.91 residential units per acre, less than 50% of that allowed by the CCC.

Building height restrictions per the CCC are shown in the below table. The owner is not proposing a modification to building height restrictions.

Structure type	Principal Facilities (In buildable area)	Rear Yard
Principal structure	32’	n/a
Public recreation, community education or religious assembly activities	45’	n/a
Detached accessory building including garages and carports	32’	With low or no slope roof: 14’; with medium to high slope roof: 18’

The minimum lot size required by the CCC is 5,500 square feet. Buildable lots must have a minimum of road frontage of fifty feet. The owner is not proposing any modifications to required minimum lot sizes or building lot frontages.

There are two proposed lot types, Type A and B. Type A is 6,000 sq. ft. with average dimensions of 50'x120' and is a rear-loaded lot. There are 50 Type A lots proposed and their location is shown with the light green shading above. Type B is 7,920 sq. ft. with average dimensions of 72'x110' and is a front-loaded lot. There are 26 Type B lots proposed and their location is shown with the dark green shading above. Below is a depiction of the smaller Type A lot with structures.

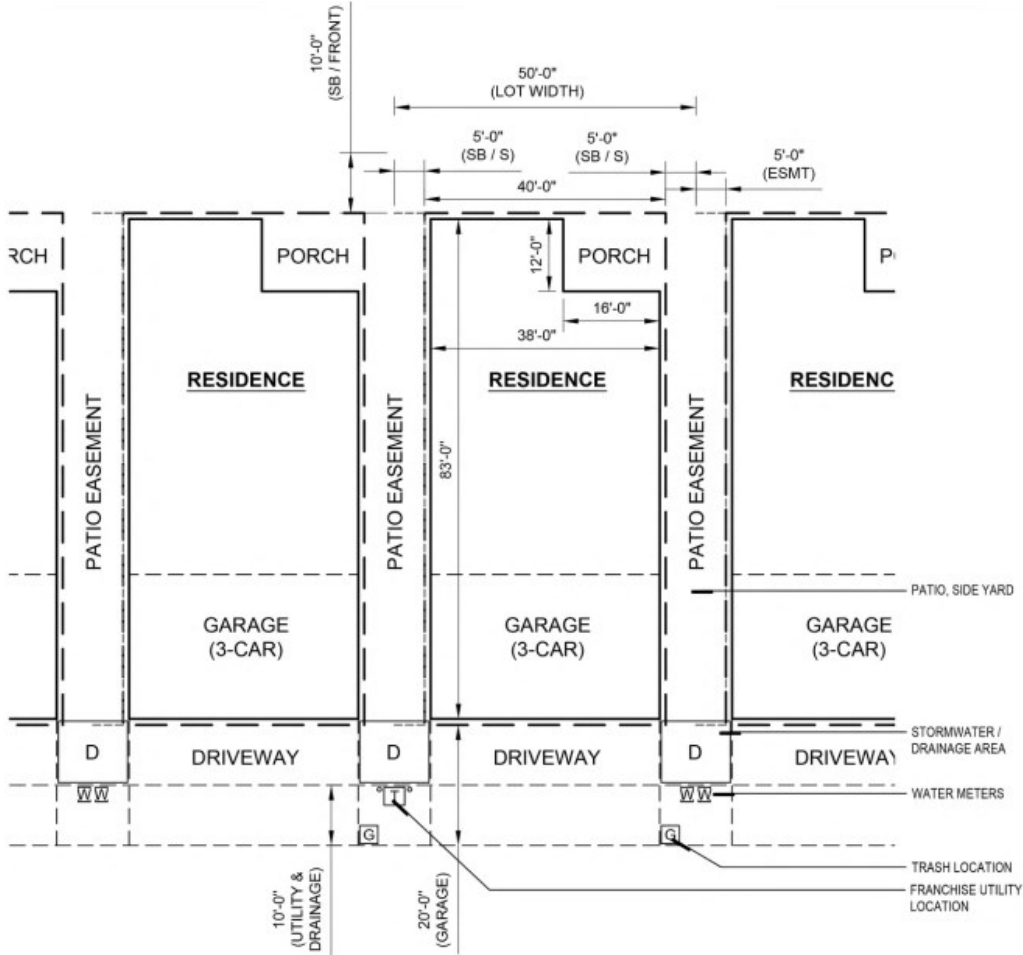


Figure 6: Excerpt from Enclave at The Trails PUD Plan

Required yards per the CCC are shown in the below table. The owner’s proposed yard modifications are shown in the depiction above as well as in the shaded 4th column.

Required Yard	Residential Activities	Non-residential Activities	Modification Requested
Front	20’	20’	10’ House/20’ Garage
Side, interior	5’ (if no rear access to lot at least one 10’ side yard is required)	25’	5’
Side, street	10’	25’	None
Rear	25’ (reduced by 50% if adjacent to public open space)	25’ (reduced by 50% if adjacent to public open space)	10’

Please note that there is easement established in the side yard setback of the adjacent lot that allows the full utilization of the two 5’ setbacks between homes for a 10’ patio that will be accessed and used by a single home. Appropriate easements will be recorded to address this use and to allow entry to the side yard of the adjacent home for maintenance.

Open Space

The owner is proposing a minimum of 3.44 acres for private open space that will be used for all of the purposes noted in the General Summary section above. Regarding the centralized open space tract, this area as well as the parking areas and path/sidewalk systems will be used by lot owners and their visitors for recreational purposes. The owner is proposing to construct these improvements within the park area.

- 8’ asphalt or concrete pathways with 5’ concrete sidewalks connecting to the adjacent external Prairie Trail and N Downing Lane path systems
- Active recreation lawn
- Pickleball court
- Bocce/shuffleboard court
- Community garden with raised planter beds
- Bike rack(s)
- Community recycling/refuse station
- Community mail station
- Parking

Optional elements depicted are:

- Community event plaza
- Community event pavilion
- Community and individual seating areas
- Overhead structure

Infrastructure

Potable water: Water mains are currently located at W Enclave Way and W Andesite Way. 8-inch PVC mains will be installed under the road surface within the street tract and appropriate easements allowing for the City to access the infrastructure will be recorded. Mains, laterals, and meters boxes will be per the City’s specifications. Meter boxes will be co-located with adjacent lot meter boxes where needed to avoid driveway conflict, with services extending a minimum of

five feet internal to individual lots. A minimum of 18" of vertical separation over other utilities will be maintained, or if located under other utilities, the water infrastructure will be sleeved.

Fireflow: Water mains are currently located at Enclave Way and Andesite. 8-inch PVC mains will be installed under the road surface within the street tract with hydrants installed per the City's specifications at required spacing. Appropriate easements allowing for the City to access the infrastructure will be recorded.

Sewer: Sewer mains are currently located at Enclave Way, Downing, and Andesite. 8-inch PVC mains will be installed under the road surface within the street tract and appropriate easements allowing for the City to access the infrastructure will be recorded. Mains, manholes, and laterals will be per the City's specifications. Services will extend a minimum of five feet internal to individual lots.

Irrigation: Irrigation systems will be installed in the entry tracts, stormwater tracks, parking tracts, and trail connection tracts. System sizes will vary depending on location. These tracts will be owned by the Homeowner's Association who will have rights of access to the tracts for maintenance.

Stormwater: Stormwater infrastructure will be installed in approximately ten tracts throughout the PUD. System sizes will vary depending on location. Infrastructure consisting of ponds, catch basins, pipes, and curb inlets, will be per the City's specifications. These tracts will be owned by the Homeowner's Association who will have rights of access to the tracts for maintenance.

Snow: Snow removal and storage will be internal to the PUD and will be located within the stormwater and park tracts. These tracts will be owned by the Homeowner's Association who will have rights of access to the tracts for storage and maintenance.

Streets:
The owner is proposing that internal circulation within the PUD will be via a private street system. As this is a gated community, this will be a low volume, low speed street system, which is designed for internal traffic calming. As such, the owner is proposing the following two street types:

Typical Section A is proposed for the streets serving the large front-loaded lots in the PUD. The owner is requesting a modification to allow for one side of the street to contain the sidewalk, parking and landscape buffer. This design is found in some gated PUDs throughout our region, including CDA Place 23rd Addition and Coles Loop in Post Falls.

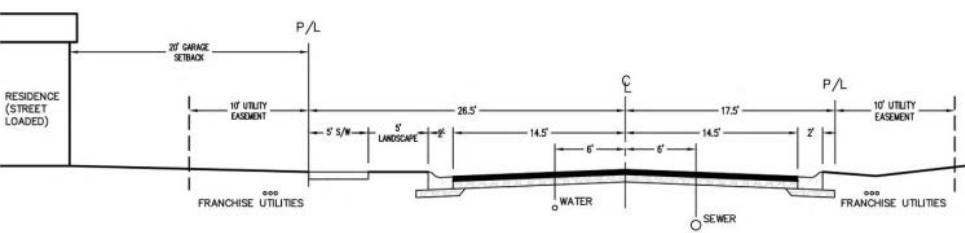


Figure 7: Private Residential Street Typical Section A (w/ parking, landscaping, and sidewalk on one side)

Typical Section B, is proposed for other internal roads and while wide enough to meet standard street sections, is designed to provide access to the rear loaded lots. The owner is requesting modification for these streets to be focused on the surfaced road only maintaining 26' of road surface with adequate area for circulation and parking, but without the curb/gutter, sidewalks and landscaping that are part of a traditional street section.

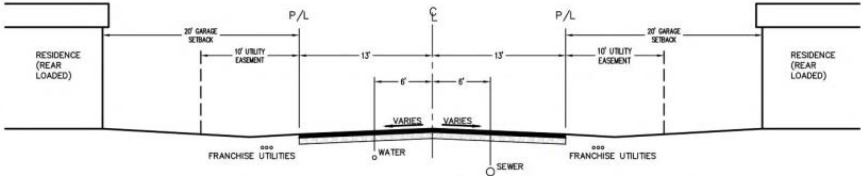


Figure 8: Private Residential Street Typical Section B (w/ no parking lanes, sidewalk, or curbs)

The owner is not requesting any additional modifications to infrastructure outside of that noted. Materials and structural sections for streets, curbing and sidewalks are proposed to be per city standards.

There will be gated vehicle and pedestrian access into the private street system. The owner will provide the City utility and fire departments with Knox and key code access into the PUD.

The streets and related infrastructure will be in the street tract and will be owned by the Homeowner's Association who will have rights of access to the tract for maintenance.

Parking: The owner is proposing to provide three garage spaces per unit and three exterior spaces per unit on each lot. This exceeds the City code requirements. Additionally, the 26 front loaded lots are located on a road section with on-street parking. The owner is also proposing a variety of parking areas throughout the PUD that, in total, will provide 22 additional off-street parking spaces. The owner is requesting that these parking spaces be allowed to back directly into the adjacent low-speed street. All parking spaces will be per the City's specifications. The parking areas will be in the street tract and will be owned by the Homeowner's Association who will have rights of access to the tracts for maintenance.

Recreational paths: Recreational paths will be provided through the PUD, its private park area and to the external Prairie and N Downing Lane trails. Paths sizes and materials vary, with standard concrete sidewalks proposed in those areas constrained by stormwater infrastructure, where just a direct pathway connection is needed, to 8' paths of either asphalt or concrete that meander through the park and larger tract system. The paths will be located in open space and stormwater tracts that will be owned by the Homeowner's Association who will have rights of access to the tracts for maintenance.

Power, street lighting, and private utilities: Will be established in road-side easements and maintained by the service provider.

Management of Common Areas

The owner is proposing the following infrastructure will be maintained by the Homeowner's Association:

- Stormwater systems
- Streets (street surface, curb/gutters, sidewalks, crosswalk markings, signage and gates)
- Paths/sidewalks for internal recreation and external connections
- Structures within common areas
- Auxiliary parking areas
- Snow removal and storage
- Irrigation (stormwater infrastructure, street and common area landscaping)
- Mailbox station

The owner is proposing that the following infrastructure will be maintained by the City of Coeur d'Alene

- Potable water
- Fireflow
- Sewer

Relationship to Major External Public Infrastructure and Facilities

This PUD is directly adjacent to and will access the Prairie Trail system, which connects with the North Idaho Centennial Trail system. The PUD is located two-and-a-half miles from I-90, US 95 and SH 41. There is an Avista substation directly adjacent to the northwest of the site.

Schedule

The project is proposed as a single-phase PUD/subdivision. Construction of the PUD/subdivision infrastructure is anticipated to commence and be completed in 2020 with home construction beginning in the third or fourth quarter of 2020.

Respectfully submitted,



Connie Krueger, AICP

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: APRIL 14, 2020

SUBJECT: SP-2-20, REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A WIRELESS COMMUNICATION FACILITY (CELL TOWER) IN THE C-17 ZONING DISTRICT

LOCATION: A +/- 1.02 ACRE SITE LOCATED AT 215 W ANTON AVENUE, COMPRISED OF PARCELS C-4095-000-004-A and C-2680-001-003-B

APPLICANT:
AT&T
c/o Nancy Sears, Smart Link, LLC
11232 120th Avenue NE #204
Kirkland, WA 98033

OWNER:
Ross Brothers Investments, LLC
c/o Brenny Ross
205 W Anton Avenue
Coeur d'Alene, ID 83815

DECISION POINT:

The applicant is requesting approval for a special use permit to allow a wireless communications (Cell Tower) facility in the C-17 Zoning District.

BACKGROUND INFORMATION:

The applicant is proposing to build a 90 foot tall monopole wireless communication facility. The applicant has indicated that the proposed cell tower is intended to fill a significant gap in AT&T's 4G LTE coverage and capacity experienced by its customers in the surrounding area.

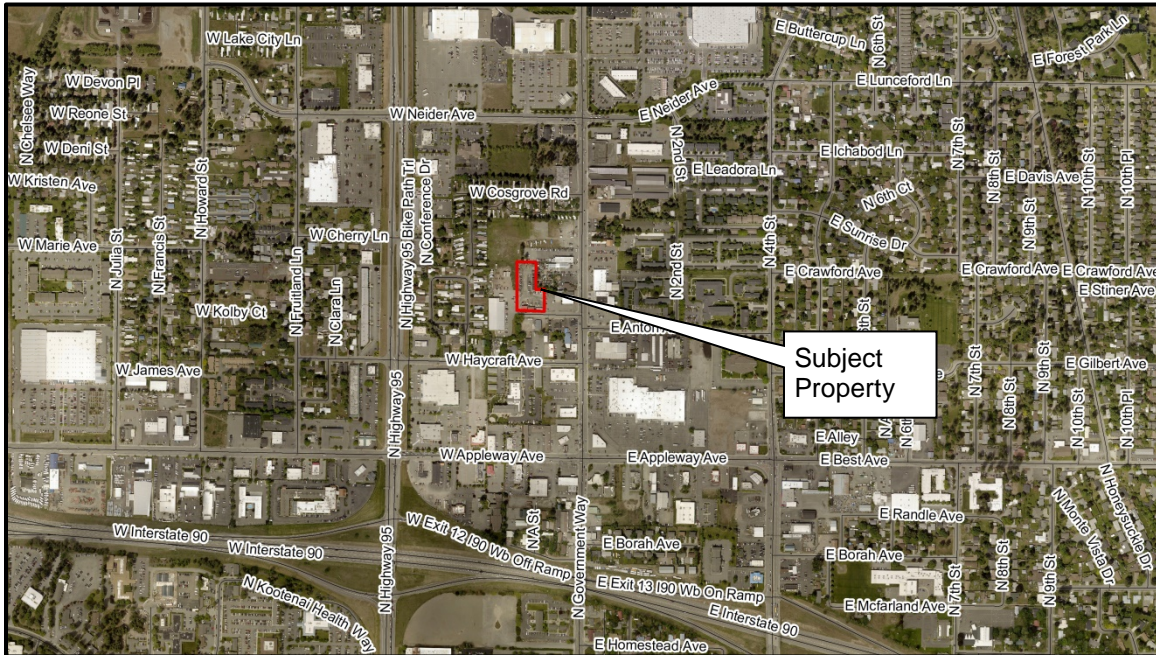
The subject site is currently used by the owner of the property for (General Construction Services) outdoor storage and offices to support BCR Land Services' construction, site work, snow services, and trucking operations. There are three separate parcels and three addresses, but the site functions as one for the BCR operations. The two parcels that are part of this request support an office building, a shop building, nine shipping containers, eight storage buildings, and construction materials and equipment.

The applicant is proposing to locate the 90 foot cell tower in the northeast corner of the property primarily on parcel C-2680-001-003-B with access through parcel C-4095-000-004-A. A portion of the cell tower facility may also extend into the larger parcel. It is unclear from the site plan. The tower and accessory ground equipment cabinets will meet the setbacks for wireless communications facilities in the C-17 Zoning District. (see Site Plans on pages 5 & 6)

The applicant has indicated that the proposed cell tower will not be stealth in design. (see tower elevation on page 7). The stealth design is not a requirement in the C-17 Zoning District. The applicant has also provided a map illustrating the coverage area that the proposed cell tower will serve. (see cell coverage area map on page 8).

While it does not affect the cell tower request, the construction operations on the subject property and adjacent lot (205 W. Anton Way) may not be in compliance with the Building Code, Water and Sewers Code, and Zoning Code. Those potential issues will be addressed with the property owner separate from the Special Use Permit request.

PROPERTY LOCATION MAP:



AERIAL PHOTO:



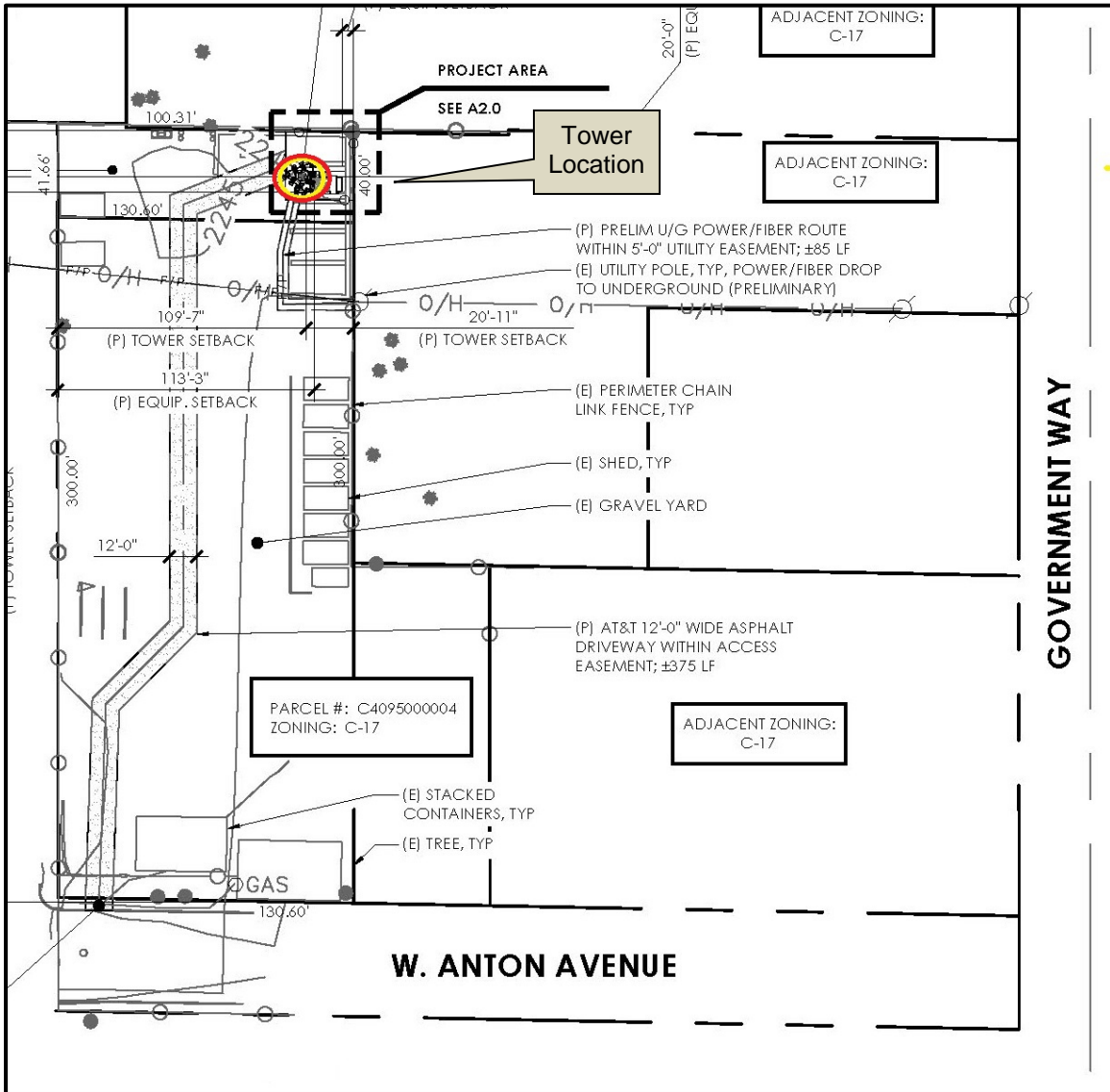
BIRDSEYE VIEW AERIAL PHOTO 1:



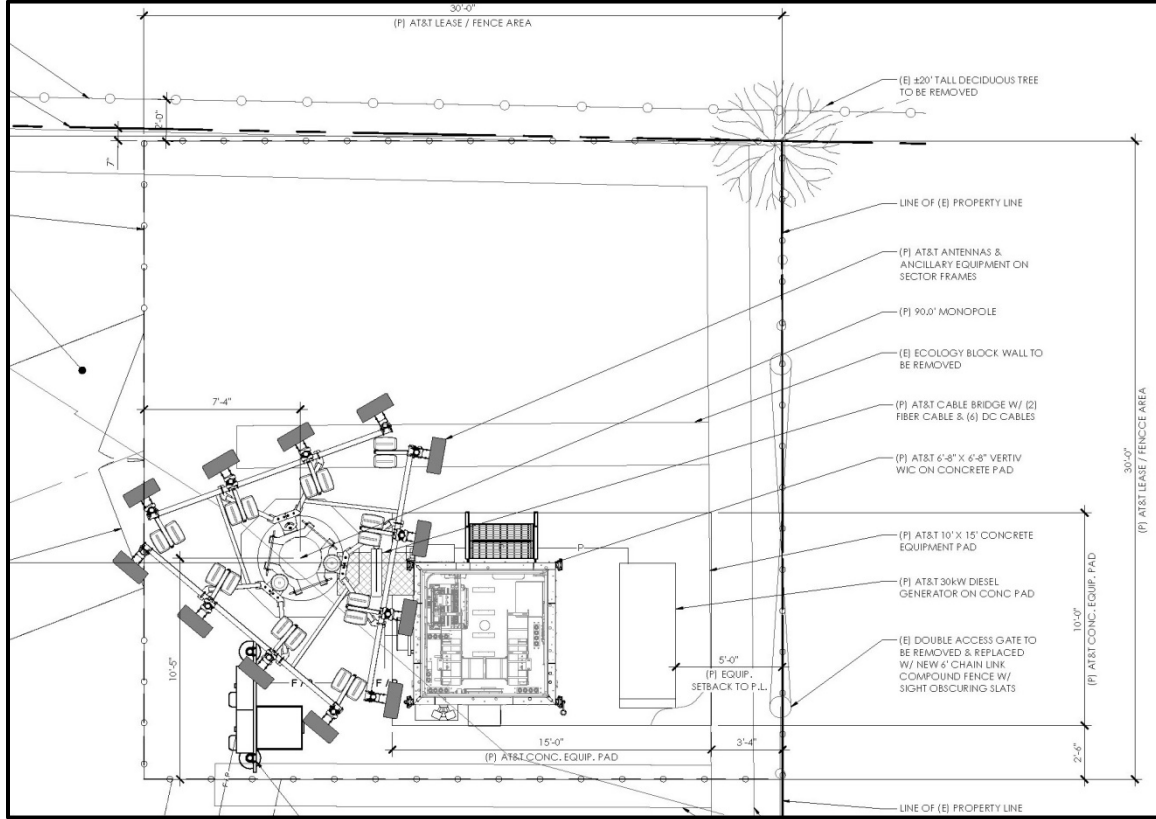
BIRDSEYE VIEW AERIAL PHOTO 2:



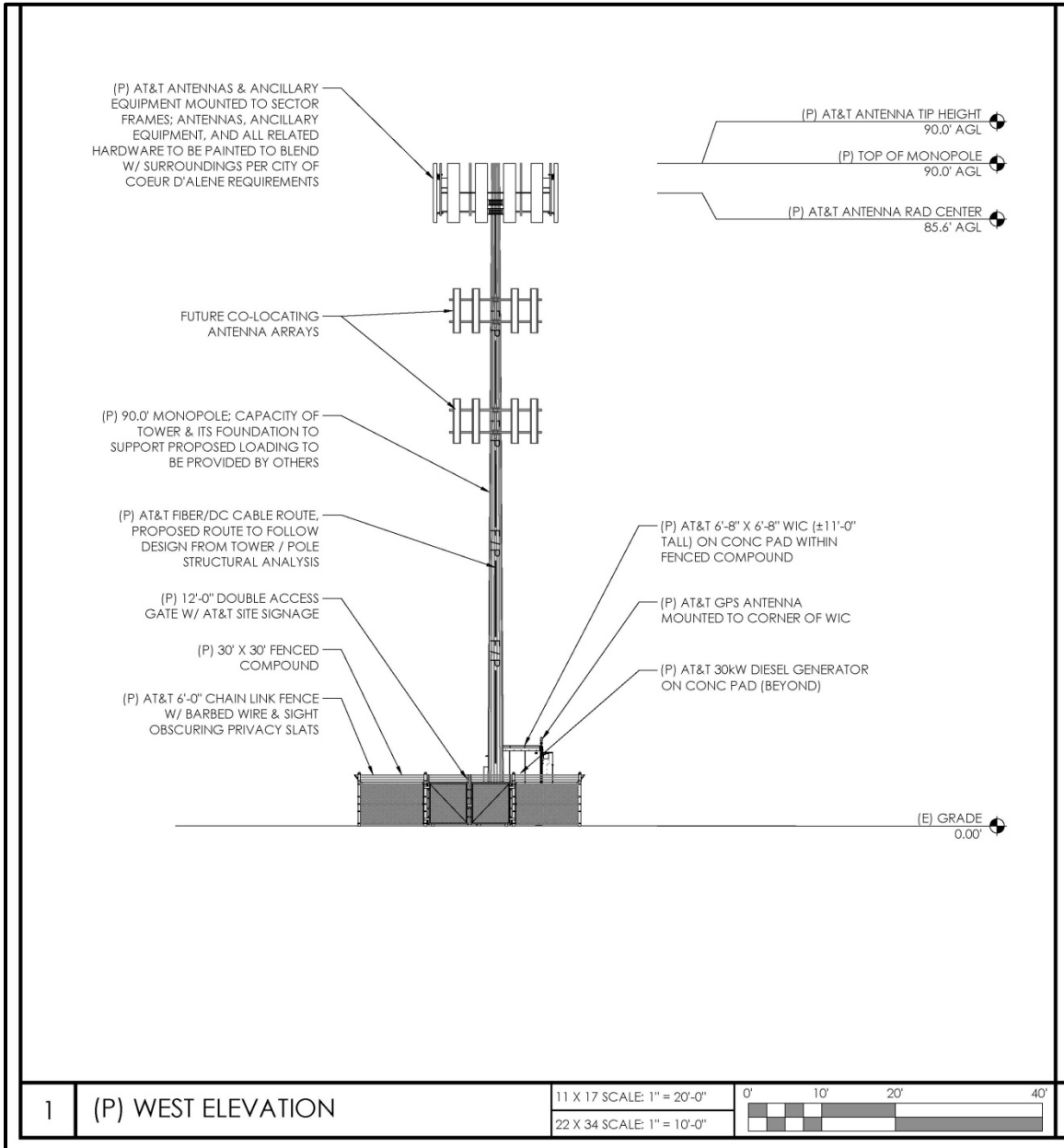
SITE PLAN:



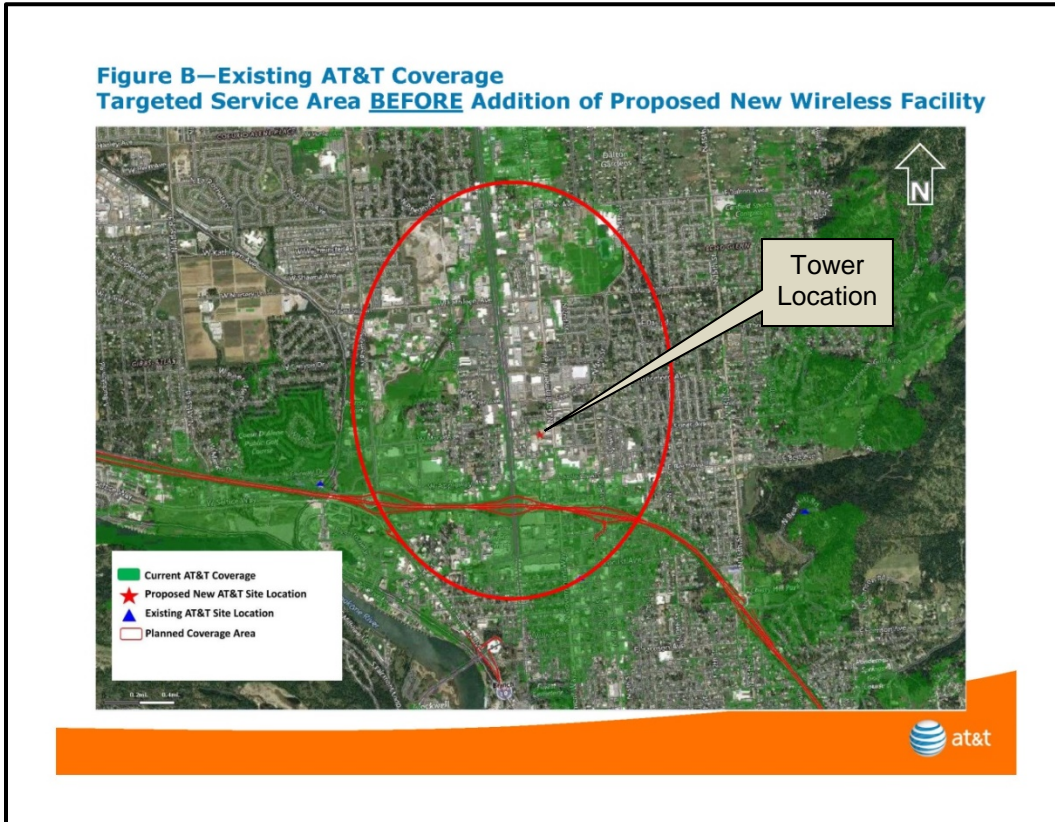
SITE PLAN ZOOM IN VIEW:



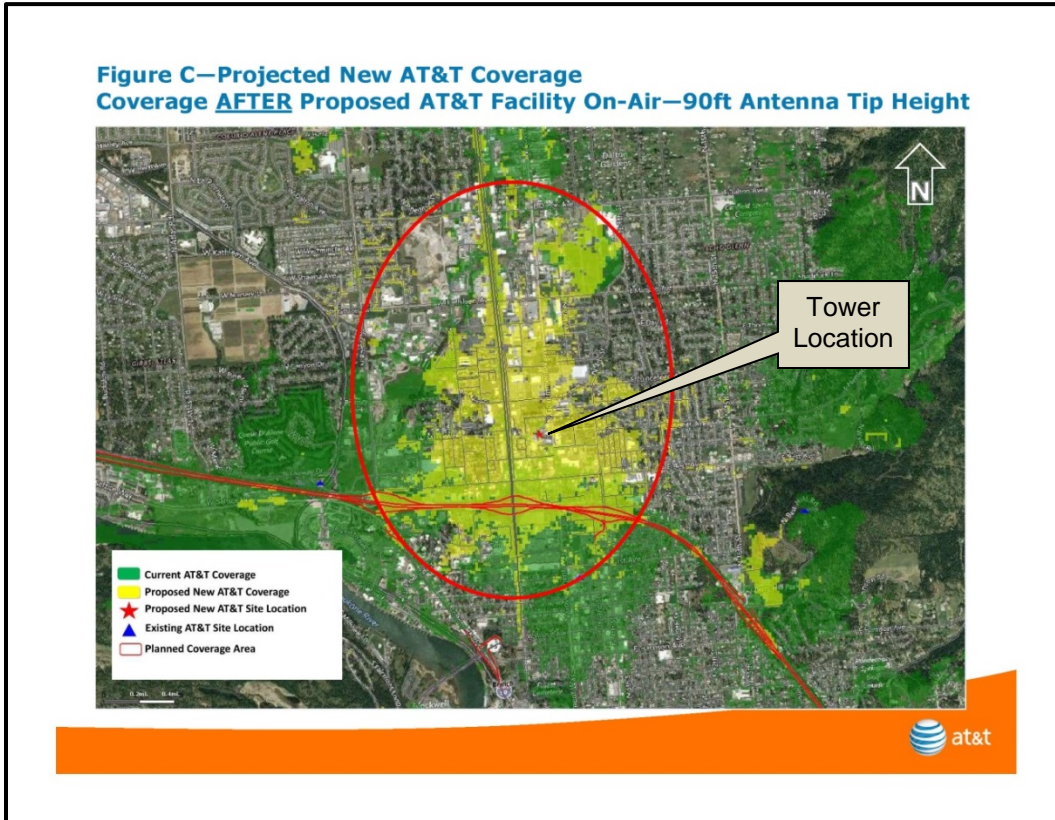
CELL TOWER ELEVATION:



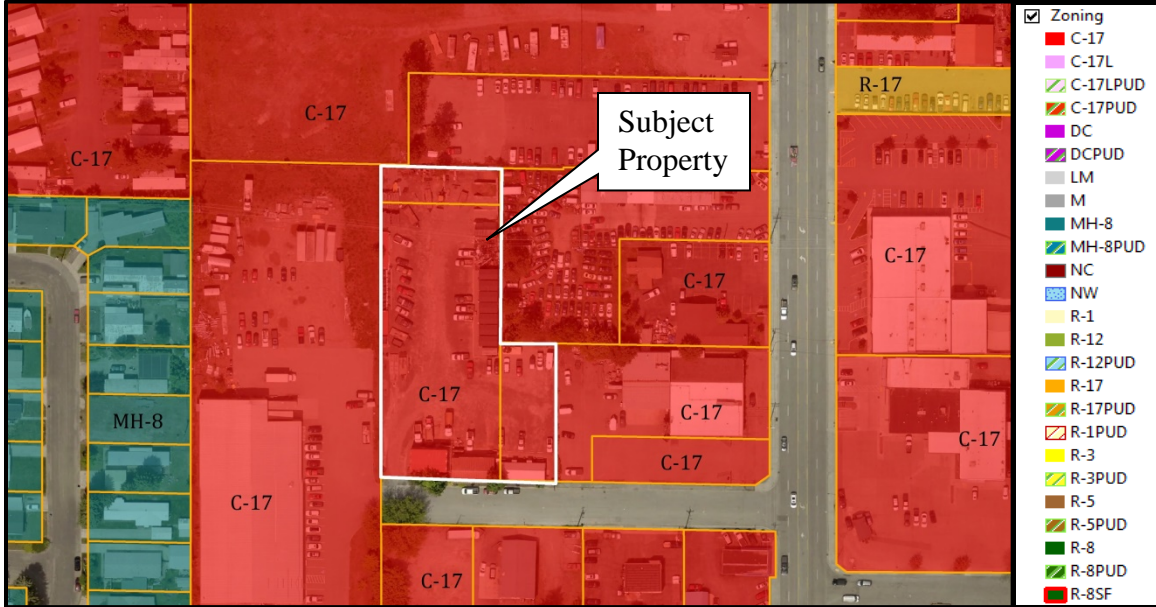
CELL COVERAGE WITHOUT PROPOSED TOWER:



CELL COVERAGE WITH PROPOSED TOWER:



ZONING MAP:



C-17 Zoning District:

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

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

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

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

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

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

17.05.560: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in a C-17 district shall be as follows:

Front: The front yard requirement shall be 10 feet (10').

Side and Rear: The side and rear yard requirement shall be zero feet (0').

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. The proposal is in conformance with the Comprehensive Plan.
- B. The design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.
- 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.

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 US 95 Corridor, areas in Transition.

COMPREHENSIVE PLAN MAP: US 95 Corridor



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

US 95 Corridor Tomorrow:

The City of Coeur d'Alene will be working during the next planning period until the year 2027 with the Idaho Department of Transportation (IDT) to design an efficient transportation system through the city.

The characteristics of the US 95 Corridor neighborhoods will be:

- Ensuring that access to businesses along the highway corridor is protected.
- Ensuring the city is not divided by this highway.
- Designing a system for the safe and efficient traffic flow through the city with a separate arterial for through traffic.
- Encouraging retention and planting of native variety, evergreen trees.
- Anticipating that US 95 traffic will be possibly diverted to a future bypass.
- Careful planning is needed to the south of Coeur d'Alene due to the continued development of Blackwell Island.
- Careful planning is needed to the south of Coeur d'Alene because access to these areas is limited to the US 95 bridge over the Spokane River.
- Retaining and expanding landscaping along both I-90 and US 95.
- Provide for pedestrian and bicycle traffic.

NEIGHBORHOOD CHARACTER:

2007 Comprehensive Plan: US 95 Corridor Today

US Highway 95 has become a high impact gateway into the community as well as the major north-south highway through north Idaho. It is also the main arterial that connects communities to the north of Coeur d'Alene to I-90 and is the state's principal route to Canada. Northwest Boulevard and I-90 are major intersections within city limits. Large scale native trees along this corridor help to offset the negative impacts associated with a major thoroughfare. Presently the highway is a bottleneck for both local and through traffic.

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 1.14 - Efficiency:

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

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.

Goal #3: Home 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 4.06 – 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.

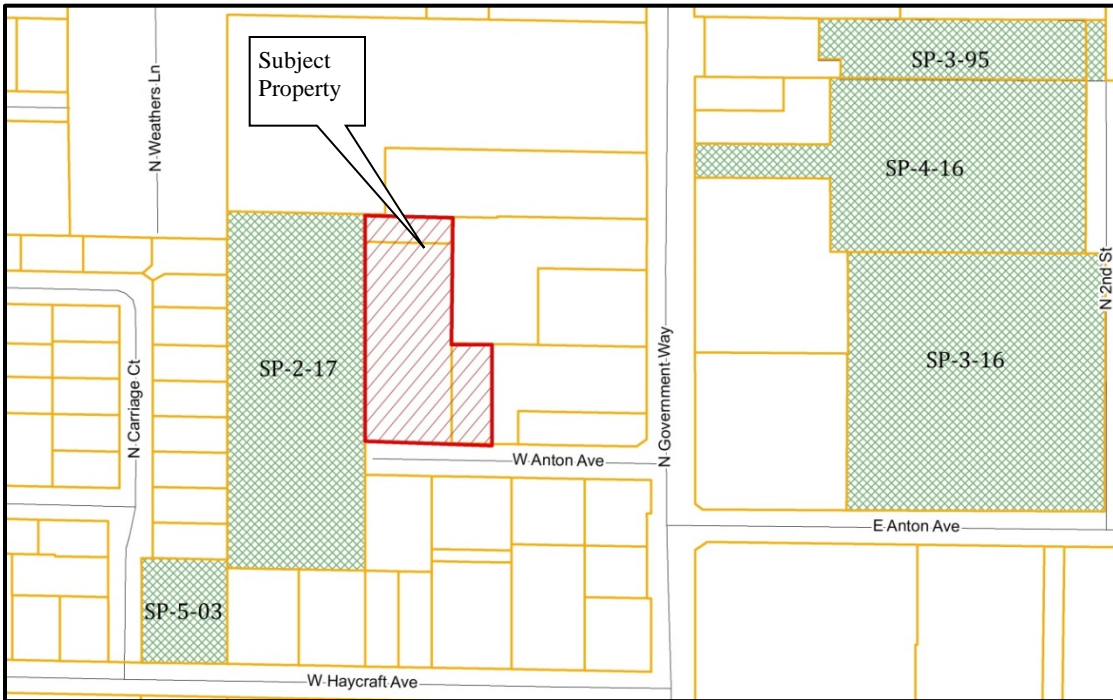
The subject property is used for General Construction Services. Located to the north and east of the subject site are auto repair facilities. Located to the south of the subject site is a General Construction Services Facility. Located to the west of the subject site is a custom manufacturing facility where Anton Avenue terminates. (See Land Use Map on page 14)

The subject site has frontage on Anton Avenue that connects to Government Way, which is an arterial road. The subject property along with the properties to the north, south, east, and west of the subject site are zoned C-17. (See Zoning Map on page 9)

To the northeast there was a special use request in 1995 for a density increase to R-34 that was approved in item SP-3-95. To the east there were two special use requests in 2016 for density increases to R-34 that were approved in items SP-3-16 and SP-4-16. To the southwest, in 2003 there was a special use request for an auto camp that was approved in item SP-5-03. To the west of the subject property, a special use request for a custom manufacturing facility was approved in item SP-2-17. (See Special Use Map on page 13)

The applicant has requested that the ancillary ground equipment be screened by a sight obscuring fence without buffer landscaping and irrigation. This request was justified by the applicant starting on page 19 "Factors Considered in Granting Special Use Permits for Towers" (#5 of 12) and supported by the tower rendering pictures below. The west elevation drawing on page 6 reflects the proposed treatment at ground level. This request by the applicant is allowed through code section 17.08.845: Exception to Standards.

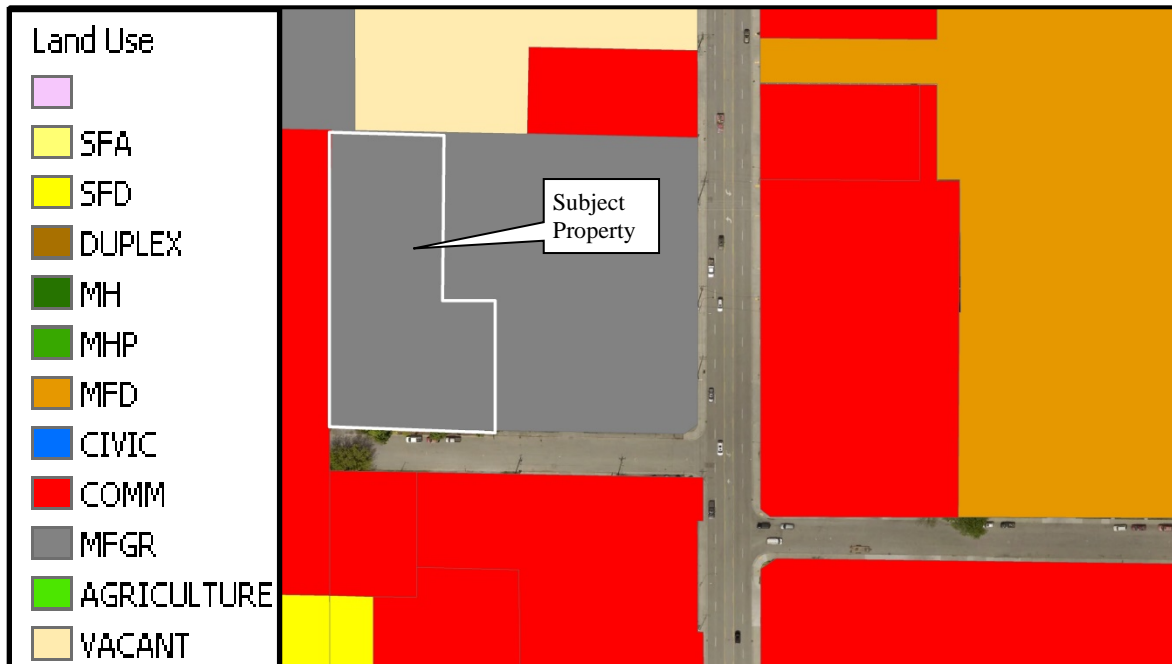
SURROUNDING SPECIAL USE LOCATIONS:



Special Use Permits:

SP-3-95	Density increase to R-34	4-11-1995	Approved
SP-5-03	Auto Camp (RV Park)	7-8-2003	Approved
SP-3-16	Density increase to R-34	11-8-2016	Approved
SP-4-16	Density increase to R-34	11-8-2016	Approved
SP-2-17	Custom Manufacturing	3-14-2017	Approved

GENERALIZED LAND USE MAP:



SITE PHOTO 1: View from the south side of property looking north at the entrance to the street



SITE PHOTO 2: View from the southwest corner of property looking north.



SITE PHOTO 3: View from the central part of property looking north toward proposed tower site.



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



SITE PHOTO 5: View from the northwest part of property looking east toward proposed tower site.



APPLICANT'S CELL TOWER RENDERING 1:

<p>SP4384 I-90 & HWY 95 FA #: 14647581 / USID: 271122</p>	<p>Proposed Structure Height: 90.0' AGL Description: Proposed installation of twelve (12) antennas, eighteen (18) rfts, two (2) surge protectors, and fiber/cables on a new 90 monopole. Installation of a 6'-8" x 6'-8" WIC (equipment shelter) and 30kW generator on a 10'-0" x 15'-0" concrete pad within a new 30' x 30' fenced compound. Future other carrier antennas shown below.</p>	<p>VIEW 3</p>
<p>47°42'2.49"N 116°47'15.91"W</p>		
<p>Existing Conditions - Looking North Proposed Conditions - Looking North</p>		
<p>Visual impact will be affected by location and visibility of observer. This document is for planning and information purposes only and is purely conceptual. This is solely the designers / photographers interpretation of the proposed development.</p>		<p>Address: 215 W. ANTON AVE COEUR D'ALENE, ID 83815</p>

APPLICANT'S CELL TOWER RENDERING 2:

<p>SP4384 I-90 & HWY 95 FA #: 14647581 / USID: 271122</p>	<p>Proposed Structure Height: 90.0' AGL Description: Proposed installation of twelve (12) antennas, eighteen (18) rfs, two (2) surge protectors, and fiber/dc cables on a new 90' monopole. Installation of a 6'-8" x 6'-8" WIC (equipment shelter) and 30kW generator on a 10'-0" x 15'-0" concrete pad within a new 30' x 30' fenced compound. Future other carrier antennas shown below.</p>	<p>VIEW 4</p>
<p>Existing Conditions - Looking East</p>	<p>Proposed Conditions - Looking East</p>	
		<p>Address: 215 W. ANTON AVE COEUR D'ALENE, ID 83815</p>

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:

Access is proposed from Anton Avenue, which meets City standards. The current approach is not improved and gravel is getting into the street. A concrete driveway approach meeting City standards is required for the access onto Anton Avenue.

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

FIRE:

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

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

1. Approved Fire Department access by way of an approved road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of at least 75,000 pounds. Minimum access road width shall be 20 feet.
2. Access through the secured gate by Knox system.
3. Dead-end FD access roads over 150 feet long require an approved turnaround in accordance with the current adopted Fire Code.

-Submitted by Bobby Gonder, Fire Inspector

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

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.

Applicant Response: The proposed monopole will be 90 feet and is designed to support two additional carriers. See Attachment 10 – Zoning Drawings. Please also see Attachment 6 – Collocation Consent, as demonstration of AT&T's good faith intent to encourage collocation on the proposed new Facility.

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

Applicant Response: Please see Attachment 10 Zoning Drawings, page LS-2. Applicant Response: The proposed Facility is located approximately 324 feet from the nearest residential zone and structure.

3. Nature of uses on adjacent and nearby properties.

Applicant Response: The subject property use is construction, hauling, grading etc. The uses surrounding the subject property are all commercial and include Advanced Custom Cabinets to the west; automotive to the south; Demming Industries, Flaherty's Framing, and European Machine to the east; and Lloyd's Tire and automotive to the north.

4. Surrounding topography.

Applicant Response: The topography surrounding the subject property is flat.

5. Surrounding tree coverage and foliage.

Applicant Response: Evergreen and deciduous trees and shrubs are sparsely planted along the south property line of the subject property facing W Anton, in the interior lot of European Machine, along the back property line of Lloyds Automotive, and along the residential district 324 feet to the west. See Attachment 7—Photo Simulations.

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

Applicant Response: The proposed tower is designed in accordance with Coeur d'Alene's ordinances regulations governing Wireless Communications Facilities, is proposed to have a non-glare gray finish, and is the minimum height necessary to achieve AT&T's coverage objective. See Attachment 1—Project Narrative, Attachment 7—Photo Simulations, and Attachment 10—Zoning Drawings.

7. Proposed ingress and egress.

Applicant Response: Ingress and egress will be from W. Anton Ave. via the existing driveway. See Attachment 10—Zoning Drawings, Sheet A1.0.

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

Applicant Response: There is one existing tower 0.51 miles from AT&T's proposed site, however collocating on this tower is not feasible as it would not achieve AT&T's coverage objective. Please see Attachment 3 – RF Justification.

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

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3—RF Justification and this criterion does not apply.

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.

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3—RF Justification and this criterion does not apply.

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.

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3-RF Justification and this criterion does not apply.

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

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3-RF Justification and this criterion does not apply.

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:

Engineering:

1. A concrete driveway approach meeting City standards is required for the access onto Anton Ave

Fire:

2. Approved Fire Department access by way of an approved road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of at least 75,000 pounds. Minimum access road width shall be 20 feet.
3. Access through the secured gate by Knox system.
4. Dead-end FD access roads over 150 feet long require an approved turnaround in accordance with the current adopted Fire Code.

Planning:

5. If Planning Commission agrees to reduce the landscaping requirement as requested through the applicant's justification (Elevation pg. 6, Cell tower renderings, and Factor #5 of 12 pg.20), this condition may serve to memorialize the decision.

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:

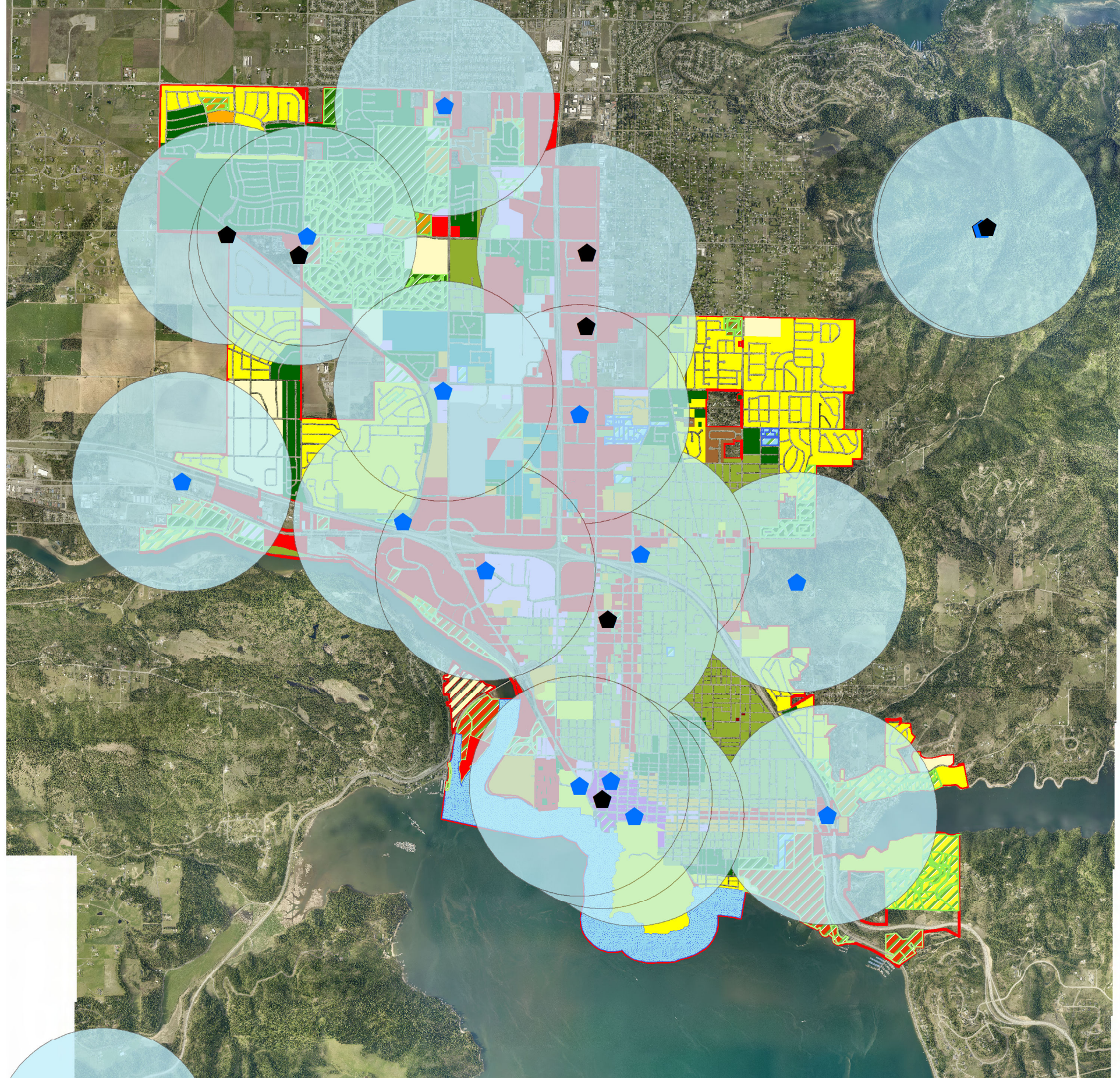
The Planning Commission will need to consider this request and make appropriate findings to approve, deny, or deny without prejudice. The findings worksheet is attached.

Staff Supplemental Document:

Map of existing cell towers with $\frac{3}{4}$ of mile

Applicants Supplemental Documents

Applicant's Narrative
Applicant's RF Justification Letter
Applicant's Collocation Letter
Applicant's Renderings and Site Plan
Applicant's RF Safety Statement of Compliance





**APPLICANT'S
NARRATIVE**

**PROJECT NARRATIVE
WCF SPECIAL USE PERMIT APPLICATION
SP4384 I-90 & HWY 95**

Submitted to City of Coeur d'Alene, ID
Planning Department

Applicant: New Cingular Wireless PCS, LLC ("AT&T")
19801 SW 72nd Avenue Suite 200
Tualatin, OR 97062
(425) 222-1026

Representative: Smartlink LLC
11232 120th Ave. NE, #204
Kirkland, WA 98034-6945
Contact: Nancy Sears
425.444.1434
nancy.sears@smartlinkllc.com

Property-Owner: Ross Brothers Investments, LLC
215 W Anton Avenue
Coeur d'Alene, ID 83815
Benny Ross
(208)699-9131

Project Address: 215 W Anton Ave.
Coeur d'Alene, ID 83815

Description & Tax Lot: GPS Coordinates: 47.704381 / -116.787794
Parcel No. C-4095-000-004-A & C-2680-001-003-B

Zoning Classification: Commercial C-17

Smartlink LLC is submitting this application on behalf of New Cingular Wireless PCS, LLC ("AT&T") and the underlying property owner.

1. PROJECT OVERVIEW

AT&T is proposing to build a new wireless communications facility (“WCF” or “Facility”), SP4384, at the above noted project address. This Facility is intended to fill a significant gap in AT&T's 4G LTE coverage and capacity experienced by its customers in the surrounding area, including the US 95 corridor and I-90 and surrounding businesses and residences

AT&T intends for its application for the proposed WCF to include the following documents (collectively, “AT&T's Application”):

- Special Use Permit (“SUP”) Application
- Attachment 1—Project Narrative (this document)
- Attachment 2—Statement of Code Compliance
- Attachment 3—RF Justification
- Attachment 4--FCC Registration
- Attachment 5--TOWAIR Determination
- Attachment 6—Collocation Consent
- Attachment 7—Photo Simulations
- Attachment 8—Noise Report
- Attachment 9—RF Safety Compliance Statement
- Attachment 10—Zoning Drawings

As shown in AT&T's Application, this proposed project meets all applicable Coeur d'Alene Code criteria for siting new wireless communications facilities and complies with all other applicable state and federal laws and regulations. AT&T's proposal is also the least intrusive means of meeting its coverage objectives for this site. Accordingly, AT&T respectfully requests the City of Coeur d'Alene to approve this project as proposed, subject only to the City of Coeur d'Alene's standard conditions of approval.

2. PROPOSED PROJECT DETAILS

2.1 Subject Property – Zoning & Use

Detailed information regarding the subject property and proposed lease area is included in **Attachment 10, Final Zoning Drawings**, to AT&T's application.

- The subject property of this proposal is located at 215 W Anton Avenue in the City of Coeur d'Alene, Idaho (the “Property”). The Property is owned by Ross Brothers Investments, LLC.
- The Property is zoned as Commercial C-17 and is currently used primarily as an outdoor storage facility and offices to support BCR Land Services' construction, site work, snow services and trucking operations.

2.1 Lease area.

- The proposed 30 x 30 ft lease area for the WCF is located in the NE corner of the property (the "Lease Area").
- The lease area will be surrounded by a 6ft chain link fence with privacy slats, topped with barbed wire, with access to the lease area secured by a locked gate.

2.2 Access and parking.

- Access will be via an existing driveway from W Anton Avenue and an access easement across the existing graveled lot. Parking is available outside of the fenced compound.

2.3 Transmission Support Structure

Specifications of the facilities outlined below, including a site plan, can be found in **Attachment 10, Final Zoning Drawings**, to AT&T's Application.

- **Support structure Type.** AT&T is proposing to build a new 90ft tall monopole (the "Tower") on the Property. This will be an unmanned wireless facility. Sufficient space will be made available on the Tower as required for future collocations.
- **Antennas and accessory equipment.** The Tower will contain the following AT&T 4G LTE equipment:
 - Up to 12 panel antennas
 - Up to 18 Remote Radio Head Units (RRU),
 - Up to 2 new surge protectors
 - All associated fiber/DC cables and other necessary accessory equipment.
- **Color.** The Tower, antennas, RRHs, and accessory equipment on the Tower will be painted to match. All paint will be a neutral color with an anti-glare finish.
- **Lighting.** No artificial lighting of the Tower is required pursuant to federal regulations (See **Attachment 5, FAA TOWAIR Determination**). AT&T is also not proposing the addition of any artificial lighting other than down shielded security lighting within the Lease Area as needed for utility connections and maintenance work.

2.4 Ground Equipment

- All ground equipment associated with the Tower will be located within the Lease Area.
- The ground equipment will be enclosed within a prefabricated 8ft x 16 ft walk-in cabinet ("WIC") shelter on a concrete slab.
- A diesel-fueled generator for emergency back-up power will be located on a concrete slab next to the WIC

2.5 Landscaping.

Pursuant to Code section 17.06.820, the general landscape provisions do not apply to the C-17 zoning district and AT&T is electing not to install landscaping as addressed in **Attachment 2, Statement of Code Compliance.**

2.6 Utilities

Power. Power from Avista will be brought in underground to the Facility from an existing Avista pole located at the east property line just south of the proposed Lease Area

Telecommunications. Fiber optic cable to the Facility will be brought in underground with the power from the utility pole.

Water. As this is an unmanned facility, no potable water service or direct line is needed.

Sewer. As this is an unmanned wireless facility, no sewer service is needed.

Fire. The Property is served by Coeur d'Alene Fire and Rescue. The Facility is exempt from having to meet Coeur d'Alene fire flow (minimum water flow) and fire access requirements as there is no building proposed which requires fire protection.

2.7 Setback Modification

AT&T's proposed Facility meets all setback requirements under Code section 17.08.825 D. and 17.08.830 B., except for the ground equipment setback distance to the eastern property line. AT&T respectfully requests a setback modification from the Tower to the eastern property line to 5', as indicated in **Attachment 10, Zoning Drawings**, to achieve greater levels of screening than that which would be available by using the stated 20ft setback.

The property on which the Facility is proposed fronts on W. Anton Avenue and is otherwise surrounded by other commercial properties. The proposed Facility is in the NW corner of the property behind the dirt and gravel storage bins, as shown in Existing Site Conditions in the attached photo simulations. With the proposed equipment setbacks of 20' from the north property line and 5' from the east property line, the equipment compound is substantially shielded from public view and takes advantage of the screening provided by the dirt and gravel bins. This minimizes the visual impact of the monopole and associated ground equipment and make the WCF more closely compatible with, and blend into the setting.

3 AT&T's TARGETED SERVICE AREA AND OBJECTIVES

3.1 Service Objective Overview—AT&T 4G LTE

AT&T is upgrading and expanding its wireless communications network to support the latest 4G LTE technology. LTE stands for "Long Term Evolution." This acronym refers to the ongoing process of improving wireless technology standards, which is now in its fourth generation. With each generation comes improvement in speed and functionality—4G

LTE offers speeds up to ten times faster than 3G. LTE technology is the next step in increasing broadband speeds to meet the demands of uses and the variety of content accessed over mobile networks. Upon completion of this update, AT&T will operate a state-of-the-art digital network of wireless communications facilities throughout the proposed coverage area as part of its nationwide wireless communications network.

3.2 Targeted Service Area and Objectives for Proposed Facility

This proposed Facility is intended to provide new low band 4G LTE coverage and capacity to the surrounding area, including the US 95 corridor to the west and I-90 to the south and the surrounding businesses and residences (the "Targeted Service Area"). This proposed facility meets AT&T's coverage objectives (providing outdoor, in-vehicle, and in-building wireless coverage) within a geographic area not presently served by AT&T's network. Specifically, this proposed new wireless facility is intended to provide capacity offload for the adjacent site (in the SSE Direction) that carries most of the capacity within the commercial areas near the junction of I90 and Hwy 95 and towards half of mile North of I90.. It must be located on elevated Terrain near HWY 95 and I-90 Intersection in Coeur D'Alene. (See **Attachment 3, RF Justification**)

This proposed Facility meets AT&T's service objectives to provide uninterrupted outdoor, in-vehicle, and in-building wireless coverage within the Targeted Service Area with fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands. This includes emergency 911 calls throughout the area. The service objective and the Targeted Service Area for this site were determined by AT&T's radio frequency ("RF") engineers through a combined analysis of customer complaints, service requests, and radio frequency engineering design. (See **Attachment 3, RF Justification**)

3.3 SEARCH RING

Based upon the above service objectives and Targeted Service Area, AT&T's RF engineers performed an RF engineering study to determine the approximate site location and antenna height required to best fulfill AT&T's service objectives in the Targeted Service Area. From this study, AT&T's RF engineers identified a specific geographic area, or "search ring", where a wireless facility may be located to provide effective service in the Targeted Service Area.

The search ring established for this proposal, and a description of the methodology used to identify the search ring, is provided in **Attachment3, RF Justification**.

4 SITING ANALYSIS

For all proposed new wireless facilities AT&T considers all siting possibilities within, and adjacent to, a search ring to determine the best location to meet AT&T's service objectives within the Targeted Service Area. AT&T 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 determined to be infeasible, AT&T will then propose a new tower.

For this proposed Facility, AT&T's construction and real estate group, with the assistance of outside consultants, thoroughly analyzed all siting options within and adjacent to the search ring.

4.1 Collocation

Pursuant to Code section 17.08.825, there is one tower within a $\frac{3}{4}$ mile radius of the proposed site. At .51 miles from the proposed tower, collocating on this tower would not achieve AT&T's coverage objective as demonstrated in **Attachment 3, RF Justification**.

4.2 Alternative Sites

AT&T identified and evaluated the following alternative site locations within and directly adjacent to the targeted search ring as possible locations for the proposed Facility.

- Alternative Site #1 (47.704975 / -116.788225): A raw land site adjacent to the north property line of the proposed site at 3027 Government Way located in the C-17 zone. While this site would have provided similar coverage as the selected site, providing access to the site would have been much more expensive and this property did not provide the natural screening provided by the proposed location.
- Alternative Site #2 (47.703555 / -116.785475): A raw land site located in the C-17 zone .12 miles to the SE of the proposed site at 2900 N Government Way. This site would not have provided as much coverage as the selected site. Also, it did not offer as much space for the leased area and did not provide the natural screening provided by the proposed location.
- Alternate Site #3 (47.69916667 / -116.77972222): An existing Verizon Tower located in the C-17 zone at 417 E Borah Ave. This tower is located .51 miles SE of the proposed site and .14 miles from the SE corner of the search ring. The pole would require a 20' extension for AT&T to obtain an antenna tip height of 90' and would not achieve AT&T's coverage and capacity off-load objective.
- Alternate Site #4 (47.69497500 / -116.79472222): An existing 7 story parking structure with an antenna tip height of +/- 80' located .75 miles SW of the proposed site and .51 miles from the SW corner of the search ring. Antennas would need to be flush mounted on the elevator housing. Located in the C-17L zone. This site would not work since the additional coverage would be completely overlapping coverage of the existing AT&T site.

5. APPLICABLE LAW

5.1 Local and State Codes and Policies

5.1.1 Zoning Approval. Pursuant to Coeur d'Alene Code section 17.08.810, all new Towers in zones other than Manufacturing and Light Manufacturing require a special use permit.

5.1.2 Development standards and criteria. Please refer to **Attachment 2, Statement of Code Compliance** for demonstration of AT&T's compliance with all applicable provisions of the Zoning Ordinance of the City of Coeur d'Alene.

5.2 Federal Law

Federal law, primarily found in the Telecommunications Act of 1996 ("Telecom Act"), acknowledges a local jurisdiction's zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways.

5.2.1 Local jurisdictions may not materially limit or inhibit. The Telecom Act prohibits a local jurisdiction from taking any action on a wireless siting permit that "prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B)(i)(II). According to the Federal Communications Commission ("FCC") Order adopted in September 2018,¹ a local jurisdiction's action has the effect of prohibiting the provision of wireless services when it "materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment."² Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility in terms of adding capacity, updating to new technologies, and/or maintaining high quality service.

While an applicant is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

- **Significant Gap.** Reliable in-building coverage is now a necessity and every community's expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a "significant gap" can exist based on inadequate in-building coverage. See, e.g., *T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City*, 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007), *affirmed in part*, 546 F.3d 1299 (10th Cir. 2008); *MetroPCS, Inc. v. City and County of San Francisco*, 2006 WL 1699580, *10-11 (N.D. Cal. 2006).

¹ *Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC 18-133 (rel. Sept. 27, 2018); 83 Fed. Reg. 51867 (Oct. 15, 2018) ("FCC Order").

² *Id.* at ¶ 35.

- **Least Intrusive Means.** The least intrusive means standard “requires that the provider ‘show that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve.’” 572 F.3d at 995, *quoting MetroPCS, Inc. v. City of San Francisco*, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code’s preferences and siting requirements.

5.2.2 Environmental and health effects prohibited from consideration. Also under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). AT&T has included with this application a NIER Report prepared by a licensed engineer demonstrating that the proposed facility will operate in accordance with the Federal Communications Commission’s RF emissions regulations. (See Attachment 4—NIER Report.) Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed Facility should be disregarded in this proceeding.

5.2.3 No discrimination amongst providers. Local jurisdiction also may not discriminate amongst providers of functionally equivalent services. 47 U.S.C. § 332(c)(7)(B)(i)(I). A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers’ applications for similarly situated facilities.

5.2.4 Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a “reasonable” period of time. 47 U.S.C. § 332(c)(7)(B)(ii). The FCC has issued a “Shot Clock” rule to establish a deadline for the issuance of land use permits for wireless facilities. 47 C.F.R. § 1.6001, *et seq.* A presumptively reasonable period of time for a local government to act on all relevant applications for a “macro” wireless facility on a new structure is 150 days. 47 C.F.R. § 1.6003(c)(1)(iv). The Shot Clock date is determined by counting forward 150 calendar days from the day after the date of submittal, including any required pre-application period. 47 C.F.R. § 1.6003(e).

Pursuant to federal law, the reasonable time period for review of this application is 150 days.

**STATEMENT OF CODE COMPLIANCE
WCF SPECIAL USE PERMIT APPLICATION**

SP4384 I-90 & Hwy 95

Submitted to the City of Coeur d'Alene, Idaho
Planning Department

AT&T's proposal complies with all requirements of Coeur d'Alene's City Code], which are addressed in this Statement of Code Compliance in the following order:

- I. **COMMUNICATION FACILITIES DEVELOPMENT STANDARDS**
 - **Chapter 17.08, Article VIII WIRELESS COMMUNICATION FACILITIES REGULATIONS**

- II. **GENERAL DEVELOPMENT STANDARDS**
Article IX FENCING AND LAND USE REGULATIONS
 - **Chapter 17.06.815C**

- III. **SPECIAL USE PERMIT**
 - **Chapter 17.09, Article III SPECIAL USE PERMIT**

PLEASE NOTE: AT&T's responses to applicable provisions are indicated below in ***bold italicized blue text***. Any reference to an "Attachment" is referring to an attachment included in AT&T's Special Use Permit ("SUP") application for the proposed Facility.

I. COMMUNICATION FACILITIES DEVELOPMENT STANDARDS

Article VIII WIRELESS COMMUNICATION FACILITIES REGULATIONS (WCF)

17.08.800: TITLE AND PURPOSE:

The provisions of this article shall be known as the *WIRELESS COMMUNICATION FACILITIES REGULATIONS*. It is the purpose of these provisions to delineate restrictions, development standards and siting criteria, and establish removal procedures in order to protect the City from the uncontrolled siting of wireless communication facilities in locations that have significant adverse effects and cause irreparable harm. It is further the purpose of these provisions:

- A. To protect the community's visual quality and safety while facilitating the reasonable and balanced provision of wireless communication services. More specifically, it is the City's goal to minimize the visual impact of wireless communication facilities on the community, particularly in and near residential zones;
- B. To promote and protect the public health, safety and welfare, preserve the aesthetic character of the Coeur d'Alene community, and to reasonably regulate the development and operation of wireless communication facilities within the City to the extent permitted under State and Federal law;
- C. To minimize the impact of wireless communication facilities by establishing standards for siting design and screening;
- D. To preserve the opportunity for continued and growing service from the wireless industry;
- E. To accommodate the growing need and demand for wireless communication services;
- F. To establish clear guidelines and standards and an orderly process for review intended to facilitate the deployment of wireless transmission equipment, to provide advanced communication services to the City, its residents, businesses and community at large;
- G. To ensure City zoning regulations are applied consistently with Federal and State telecommunications laws, rules, regulations and controlling court decisions; and
- H. To provide regulations which are specifically not intended to, and shall not be interpreted or applied to: 1) prohibit or effectively prohibit the provision of wireless services, 2) unreasonably discriminate among functionally equivalent service providers, or 3) regulate wireless communication facilities and wireless transmission equipment on the basis of the environmental effects of radio frequency emissions to the extent that such emissions comply with the standards established by the Federal Communications Commission. (Ord. 3590, 2017)

17.08.805: DEFINITIONS:

As used in this article, the following terms shall have the meanings set forth below:

ANTENNA: Means any exterior transmitting or receiving device mounted on a tower, building

or structure and used in communications that sends or receives digital signals, analog signals, radio frequencies or wireless communication signals.

ANTENNA ARRAY: Means a single or group of antenna elements, not including small cell antennas, and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving wireless communication signals.

APPLICANT: Means any person engaged in the business of providing wireless communication services or the wireless communications infrastructure required for wireless communications services and who submits an application.

BACKHAUL NETWORK: Means the lines that connect a provider's towers or cell sites to one or more cellular telephone switching offices or long distance providers, or the public switched telephone network.

BASE STATION: Means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this article or any equipment associated with a tower.

- A. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- B. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small cell networks).
- C. The term includes any structure other than a tower that, at the time the relevant application is filed with the City under this article, supports or houses equipment described in this section that has been reviewed and approved under the applicable zoning or siting process, or under State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
- D. The term does not include any structure that, at the time the relevant application is filed with the State or the City under this article, does not support or house equipment described in this section.

COLLOCATION: Means the mounting or installation of an antenna on an existing tower, building or structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

DISTRIBUTED ANTENNA SYSTEM OR DAS: Means a network consisting of transceiver equipment at a central hub site to support multiple antenna locations throughout the desired coverage area.

ELIGIBLE FACILITIES REQUEST: Means any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- A. Collocation of new transmission equipment;

- B. Removal of transmission equipment; or
- C. Replacement of transmission equipment.

ELIGIBLE SUPPORT STRUCTURE: Means any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the City under this article.

EXISTING: Means a tower or base station that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

FAA: Means the Federal Aviation Administration.

FCC: Means the Federal Communications Commission.

MACROCELL: Means an antenna or antennas mounted on a tower, ground-based mast, rooftops and other towers or structures, at a height that provides a clear view over the surrounding buildings and terrain.

SITE: Means, in relation to a tower that is not in the public right-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site. In relation to support structures other than towers, site means an area in proximity to the structure and to other transmission equipment already deployed on the ground.

SMALL CELLS: Mean compact wireless equipment that contain their own transceiver equipment and function like cells in a wireless network but provide a smaller coverage area than traditional macrocells.

STEALTH DESIGN: Means technology that minimizes the visual impact of wireless communication facilities by camouflaging, disguising, screening or blending into the surrounding environment. Examples of stealth design include but are not limited to facilities disguised as trees (monopines), flagpoles, utility and light poles, bell towers, clock towers, ball field lights and architecturally screened roof-mounted antennas.

SUBSTANTIAL CHANGE: Means a modification that substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- A. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten percent (10%) or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet (20'), whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten percent (10%) or more than ten feet (10'), whichever is greater. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act (47 USC section 1455 (a));

- B. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet (20'), or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet (6');
- C. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent (10%) larger in height or overall volume than any other ground cabinets associated with the structure;
- D. It entails any excavation or deployment outside the current site;
- E. It would defeat the concealment elements of the eligible support structure; or
- F. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in subsections A through D of this definition.

TOWER: Means any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

TOWER HEIGHT: Means the vertical distance measured from the base of the tower structure at grade to the highest point of the structure including the antenna. A lightning rod, not to exceed ten feet (10') in height, shall not be included within tower height.

TRANSMISSION EQUIPMENT: Means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

UTILITY SUPPORT STRUCTURE: Means utility poles or utility towers supporting electrical, telephone, cable or other similar facilities; street light standards; or pedestrian light standards.

WIRELESS COMMUNICATION FACILITIES OR WCF: Means a staffed or unstaffed facility or location or equipment for the transmission or reception of radio frequency (RF) signals or other wireless communications or other signals for commercial communications purposes, typically consisting of one or more antennas or group of antennas, a tower or attachment support structure, transmission cables and other transmission equipment, and an equipment enclosure or cabinets, and including small cell technologies. (Ord. 3590, 2017)

17.08.810: APPLICABILITY

A. New Towers, Antennas, DAS And Small Cells: All new towers, antennas, DAS and small cells in the City shall be subject to these regulations, except as otherwise provided herein.

1. New towers and buildings in zones other than Manufacturing and Light Manufacturing require a special use permit.

Applicant Response: The proposed Wireless Communications Facility ("Facility") is in the Commercial C-17 zone and Applicant is applying for a Special Use Permit.

2. New antenna arrays meeting the requirements of subsection 17.08.820L of this article are permitted with a building permit.

Applicant Response: The proposed Facility does not meet the requirements of subsection 17.08.820L and this section does not apply.

3. DAS and small cells are permitted pursuant to section 17.08.815 of this article.

Applicant Response: AT&T is not proposing a DAS or small cell facility and section 17.08.815 does not apply.

B. Preexisting Towers Or Antennas: Preexisting towers and preexisting antennas shall not be required to meet the requirements of this article, except as otherwise provided herein.

Applicant Response: AT&T is proposing a new tower and intends to comply with the requirements of this article as indicated in the responses below.

C. Exempt Facilities: The following are exempt from this article:

1. FCC licensed amateur (ham) radio facilities;
2. Satellite earth stations, dishes and/or antennas used for private television reception not exceeding one meter (1 m) in diameter;
3. A government-owned WCF installed upon the declaration of a state of emergency by the Federal, State or local government, or a written determination of public necessity by the City; except that such facility must comply with all Federal and State requirements. The WCF shall be exempt from the provisions of this article for up to one month after the duration of the state of emergency;
4. A temporary, commercial WCF installed for providing coverage of a special event such as news coverage or sporting event, subject to administrative approval by the City. The WCF shall be exempt from the provisions of this article for up to one week before and after the duration of the special event; and
5. Other temporary, commercial WCFs installed for a period of up to ninety (90) days, subject to the City's discretion; provided that such temporary WCF will comply with applicable setbacks and height requirements. (Ord. 3590, 2017)

Applicant Response: The proposed facility does not meet the standards for Exempt Facilities and this code section does not apply.

17.08.815: DISTRIBUTED ANTENNA SYSTEMS AND SMALL CELLS:

<<OMITTED: AT&T is not proposing a Distributed Antenna System or small cells and this section does not apply.>>

17.08.820: GENERAL REQUIREMENTS:

A. Inventory Of Existing Sites: Each applicant for a tower shall provide to the Community Planning Director an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City or within three-quarters ($\frac{3}{4}$) of a mile of the border thereof, including specific information about the location, height, and design of each tower or antenna. The Community Planning Director may share such information with other applicants applying for administrative approvals or special use permits under this article or other organizations seeking to locate antennas within the jurisdiction of the City, provided, however that the Community Planning Director is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

Applicant Response: Please see Attachment 3 – RF Justification.

B. Color: The antenna array shall be placed and colored to blend into the architectural detail and coloring of the host structure. Support towers shall be painted a color that best allows it to blend into the surroundings. The use of grays, blues, greens, dark bronze, browns or other site-specific colors may be appropriate; however, each case should be evaluated individually.

Applicant Response: The monopole and antennas will be a non-reflective matte gray to blend into its surroundings unless otherwise conditioned as part of the approval of the Special Use Permit. Please see Attachment 7 – Photo Simulations and Attachment 10 - Zoning Drawings.

C. Lighting: For support towers, only such lighting as is necessary to satisfy FAA requirements is permitted. White strobe lighting will not be allowed, unless specifically required by the FAA. Security lighting for the equipment shelters or cabinets and other on the ground ancillary equipment is also permitted, as long as it is appropriately down shielded to keep light within the boundaries of the site.

Applicant Response: The proposed Facility will only employ security lighting for the equipment cabinet, which will be down shielded as required by this code section.

D. State Or Federal Requirements: All towers and antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the State or Federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, and if WCF equipment is added either through collocation or replacement, then the owners of the towers and antennas governed by this article shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

Applicant Response: Applicant understands the requirements of this section and intends to comply. Please see Attachment 5_FAA TOWAIR Determination to demonstrate that the proposed Facility is exempt from FAA review and Attachment 9_RF Safety Compliance Statement to demonstrate compliance with the FCC's RF emissions regulations.

E. Site Development Permit: All wireless communication facilities shall be required to obtain a site development permit or building permit and shall be subject to the site development standards prescribed herein. A site development permit shall contain the following information:

1. Construction drawings showing the proposed method of installation;
2. The manufacturer's recommended installations, if any; and

3. A diagram to scale showing the location of the wireless communication facility, property and setback lines, easements, power lines, all structures, and the required landscaping.

Applicant Response: Applicant understands the requirements of this section and intends apply for a Site Development Permit with the required documentation upon approval of the Special Use Permit.

F. Building Codes; Safety Standards: To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable State or local building codes and the applicable industry standards for towers, as amended from time to time. Compliance with this article is subject to the City's Code enforcement procedures pursuant to chapter 17.09, article IX of this title, and other applicable provisions of this Code. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower at the owner's expense.

Applicant Response: Applicant understands the requirements of this section and intends to comply.

G. Notice: For purposes of this article, any special use permit or appeal of a special use shall require notice as required by section 17.09.215 of this title and other applicable provisions of this Code to all abutting property owners, in addition to any other notice otherwise required by this Code.

Applicant Response: Applicant understands the requirements of this section and intends to comply.

H. Signs: No facilities may bear any signage or advertisement(s) other than signage required by law or expressly permitted/required by the City.

Applicant Response: The only signage will be that required by Federal law and it will be posted on the security fence.

I. Visual Impact: All WCFs in residential uses and zones and within two hundred feet (200') of residential zones shall be sited and designed to minimize adverse visual impacts on surrounding properties and the traveling public to the greatest extent reasonably possible, consistent with the proper functioning of the WCF. Such WCFs and equipment enclosures shall be integrated through location and design to blend in with the existing characteristics of the site. Such WCFs shall also be designed to either resemble the surrounding landscape and other natural features where located in proximity to natural surroundings, or be compatible with the built environment, through matching and complimentary existing structures and specific design considerations such as architectural designs, height, scale, color and texture or be consistent with other uses and improvements permitted in the relevant zone.

Applicant Response: The proposed Facility is not located in a residential use or zone and is not within 200 feet of a residential zone and this section does not apply.

J. Use Of Stealth Design/Technology: The applicant shall provide justification why it is not employing stealth technology. Stealth design is required for macrocell facilities in residential zones, and to the extent shown in subsection 17.08.825D, table 1 of this article and elsewhere as provided in this article. Stealth and concealment techniques must be appropriate given the proposed location, design, visual environment, and nearby uses, structures, and natural features. Stealth design shall be designed and constructed to substantially conform to

surrounding building designs or natural settings, so as to be visually unobtrusive. Stealth design that relies on screening wireless communication facilities in order to reduce visual impact must screen all substantial portions of the facility from view. Stealth and concealment techniques do not include incorporating faux-tree designs of a kind that are not native to the State.

Applicant Response: The proposed facility is not located in a residential zone. As addressed in 17.08.825D below, AT&T is applying for a 90ft monopole and is not requesting a 20ft extension, therefore stealth design is optional. Given the surrounding environment and the proposed location, a monopole is better suited for the environment, taking advantage of the screening provided by the existing structures and onsite dirt and gravel bins. This minimizes the visual impact of the monopole and associated ground equipment and makes the WCF more closely compatible with, and blend into, the setting.

K. Building-Mounted WCFs:

1. All transmission equipment shall be concealed within existing architectural features to the maximum extent feasible. Any new architectural features proposed to conceal the transmission equipment shall be designed to mimic the existing underlying structure, shall be proportional to the existing underlying structure or conform to the underlying use and shall use materials in similar quality, finish, color and texture as the existing underlying structure.
2. All roof-mounted transmission equipment shall be set back from all roof edges to the maximum extent feasible consistent with the need for "line-of-sight" transmission and reception of signals.
3. Antenna arrays and supporting transmission equipment shall be installed so as to camouflage, disguise or conceal them to make them closely compatible with and blend into the setting or host structure.

Applicant Response: AT&T is not proposing a building-mounted WCF and this section does not apply.

L. Antenna Arrays: Wireless communication antenna arrays are permitted in any zone as long as they are located upon an existing structure (except on single family houses, duplexes, signage or a building less than 60 feet in height), that provides sufficient elevation for the array's operation without the necessity of constructing a tower or other apparatus to extend the antenna array more than fifteen feet (15') above the structure. Installation on City property requires the execution of necessary agreements. However, if any support tower is needed to achieve the needed elevation, then a special use permit is required. If a new equipment cabinet is to be installed, it must be screened if it is higher than the existing screened facility.

Applicant Response: AT&T is proposing to construct a new 90' monopole in order to achieve the necessary height to meet its coverage objective. There are no existing structures within the coverage area that provide the required height. Please see Attachment 3 – RF justifications.

M. WCFs In The Public Rights-Of-Way:

1. Utility Support Structure - Mounted Equipment: All pole-mounted transmission equipment shall be mounted as close as possible to the pole so as to reduce the overall visual profile to the maximum extent feasible.
2. License Or Agreement: For all WCFs to be located within the right-of-way, prior to submitting for a permit, the applicant must have a valid Municipal agreement, license, franchise agreement, right-of-way agreement, encroachment permit or exemption

otherwise granted by applicable law. If the applicant is willing to install its ancillary facilities underground, that determination by the City shall be subject to administrative review.

Applicant Response: AT&T is not proposing a WCF within the public right-of-way and this section does not apply.

N. Accessory Uses:

1. Accessory uses shall be limited to such structures and equipment that are necessary for transmission or reception functions, and shall not include broadcast studios, offices, vehicles or equipment storage, or other uses not essential to the transmission or reception functions.
2. All accessory buildings shall be constructed of building materials equal to or better than those of the primary building on the site and shall be subject to applicable permits.
3. No equipment shall be stored or parked on the site of the tower, unless used in direct support of the antennas or the tower or antennas that are being repaired.

Applicant Response: Applicant understands the requirements of this section and intends to comply. Please see Attachment 10 – Zoning Drawings.

O. Accessory Equipment: In residential zones, all accessory equipment located at the base of a WCF shall be located or placed (at the applicant's choice) in an existing building, underground, or in an equipment shelter or cabinet that is: 1) designed to blend in with existing surroundings, using architecturally compatible construction and colors; and 2) be located so as to be unobtrusive as possible consistent with the proper functioning of the WCF.

Applicant Response: The proposed Facility is in the Commercial C-17 zone and this section does not apply.

P. Site Design Flexibility: Individual WCF sites vary in the location of adjacent buildings, existing trees, topography and other local variables. By mandating certain design standards, there may result a project that could have been less intrusive if the location of the various elements of the project could have been placed in more appropriate locations within a given site. Therefore, the WCF and supporting equipment may be installed so as to best camouflage, disguise them, or conceal them, to make the WCF more closely compatible with and blend into the setting or host structure, upon approval by the City.

Applicant Response: AT&T's proposed Facility meets all setback requirements under Code section 17.08.825 D. and 17.08.830 B., except for the ground equipment setback distance to the eastern property line. AT&T respectfully requests a setback modification from the Tower to the eastern property line to 5', as indicated in Attachment 10, Zoning Drawings. This modification to the setback requirement is to achieve greater levels of screening than that which would be available by using the stated 20' setback

The property on which the Facility is proposed fronts on W. Anton Avenue and is otherwise surrounded by other commercial properties. The proposed Facility is in the NW corner of the property behind the dirt and gravel storage bins, as shown in Attachment 7-PhotoSimulations, Existing Site Conditions. With the proposed equipment setbacks of 20' from the north property line and 5' from the east property line, the equipment compound is totally shielded from public view and takes advantage of the screening provided by the existing structures and onsite dirt and gravel bins. This minimizes the visual impact of the monopole and associated ground equipment and makes the WCF more closely compatible with, and blend into the setting.

If the site were located 20' from the east property line, the site would no longer be as fully screened—approximately 15' of the fenced compound would be visible from W. Anton Ave.

Q. General Standards And Construction Provisions:

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

Applicant Response: Applicant understands the requirements of this section and intends to comply.

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

Applicant Response: Applicant understands the requirements of this section and intends to comply.

3. FCC And FAA Regulations: All structures shall conform to FCC and FAA regulations, if applicable.

Applicant Response: Applicant understands the requirements of this section and intends to comply. Please see Attachment 5_FAA TOWAIR Determination to demonstrate that the proposed Facility is exempt from FAA review and Attachment 9_RF Safety Compliance Statement to demonstrate compliance with the FCC's RF emissions regulations.

4. Setback Or Buffer yard: If any setback or buffer yard as prescribed within this Code requires a greater distance than required of this article, the greater distance shall apply.

Applicant Response: Per table xx below. A 20' setback is required. A greater distance is not required per code.

5. Landscaping, Screening And Fencing: In all zoning districts, the following additional landscaping shall be required beyond that which is required for the zone in which it is located:

a. Equipment shelters and cabinets and other on the ground ancillary equipment shall be screened with buffer yard and street tree landscaping as required for the zone in which located or with another design acceptable to the Planning Director. Artwork may also be used to screen ground equipment. At the City's discretion, as an alternative to general landscaping and screening requirements, the applicant, at its expense, shall do an artistic wrap designed by a local artist around the equipment cabinets. Alternatively, where technically feasible, the applicant shall incorporate the cabinet and other equipment into the base of a new pole (for example, for a small cell) provided there is adequate space in the right-of-way and that ADA sidewalk accessibility requirements can be met. All provisions of the ADA (including, but not limited to, clear space requirements) shall be met by the applicant.

Applicant Response: Per 17.06.820C, this zone is exempt from landscaping requirements. Given the existing use and current screening provided on-site and the use of security fencing with privacy slats, applicant requests the city waive any additional screening.

b. In particular, the ground level view of towers shall be mitigated by additional landscaping provisions as established through the special use permit process. The use of large trees from the approved urban forestry list of recommended species or native conifers is required at the spacing specified for the specific trees chosen. Alternatively, a landscaping plan may be submitted with the special use permit and, if approved, shall take precedence over the foregoing requirement.

Applicant Response: Applicant Response: Per 17.06.820© this zone is exempt from landscaping requirements. As an alternative to screening the facility, applicant is proposing a 6ft fence with privacy slats.

c. Except for locations in the right-of-way, a site-obscuring fence (for example, wrought iron as opposed to barbed wire) no less than six feet (6') in height from the finished grade shall be constructed around each tower and around related support or guy anchors. Access shall only be through a locked gate. Any fence shall comply with the other design guidelines of this Code.

Applicant Response: A 6' chain link fence with privacy slats will surround the Lease Area with access restricted through a locked gate. Please also see AT&T's response to 17.06.815C Fencing Regulations below.

6. New Poles: To the extent technically feasible, new poles must be designed to match the existing street furniture, light fixtures and other poles, and they shall serve a dual purpose (for example, a new light fixture, flag pole or banner clips).

Applicant Response: The proposed Facility is not located on or near a street and in accordance with Section 17.08.825D a stealth design is not required for a 90' monopole in the C-17 zone.

7. Other Published Materials: All other information or materials that the City may reasonably require, from time to time, make publicly available and designate as part of the application requirements. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.825: SHARING OF SUPPORT TOWERS AND COLLOCATION OF FACILITIES:

A. Policy: It is the policy of the City to minimize the number of wireless communication support towers and to encourage the collocation of antenna arrays of more than one wireless communication service provider on a single support tower.

Applicant Response: Acknowledged.

B. Provisions: No new tower may be constructed within three-quarters ($3/4$) of a mile of an existing tower, unless it can be demonstrated that an existing tower is not available or feasible for collocation of an additional wireless communication facility, or that its specific location does not satisfy the operational requirements of the applicant or that another departure from this standard is needed and the applicant can demonstrate that a significant gap in coverage or capacity exists and the applicant's submittal is the least intrusive means to fill the gap in coverage or capacity. Factors to be considered in determining whether applicant has made this demonstration include those listed in subsection C of this section.

Applicant Response: Pursuant to Code section 17.08.825, there is one existing tower within a $3/4$ mile radius of the proposed site. At .51 miles from the proposed new Facility,

collocating on the existing tower is not feasible as it would not achieve AT&T's coverage objective. Please see Attachment 3 – RF Justification

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.

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.

Applicant Response: The proposed monopole will be 90 feet and is designed to support two additional carriers. See Attachment 10 – Zoning Drawings. Please also see Attachment 6 – Collocation Consent, as demonstration of AT&T's good faith intent to encourage collocation on the proposed new Facility.

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

Applicant Response: The proposed Facility is located approximately 324 feet from the nearest residential zone and structure.

3. Nature of uses on adjacent and nearby properties.

Applicant Response: The subject property use is construction, hauling, grading etc. The uses surrounding the subject property are all commercial and include Advanced Custom Cabinets to the west; automotive to the south; Demming Industries, Flaherty's Framing and European Machine to the east; and Lloyd's Tire and automotive to the north.

4. Surrounding topography.

Applicant Response: The topography surrounding the subject property is flat.

5. Surrounding tree coverage and foliage.

Applicant Response: Evergreen and deciduous trees and shrubs are sparsely planted along the south property line of the subject property facing W Anton, in the interior lot of European Machine, along the back property line of Lloyds Automotive, and along the residential district 324 feet to the west. See Attachment 7—Photo Simulations.

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

Applicant Response: The proposed tower is designed in accordance with Coeur d'Alene's ordinances regulations governing Wireless Communications Facilities, is proposed to have a non-glare gray finish, and is the minimum height necessary to achieve AT&T's coverage objective. See Attachment 1—Project Narrative, Attachment 7—Photo Simulations, and Attachment 10—Zoning Drawings.

7. Proposed ingress and egress.

Applicant Response: Ingress and egress will be from W. Anton Ave. via the existing driveway. See Attachment 10—Zoning Drawings, Sheet A1.0.

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

Applicant Response: There is one existing tower .51 miles from AT&T's proposed site, however collocating on this tower is not feasible as it would not achieve AT&T's coverage objective. Please see Attachment 3 – RF Justification.

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

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3—RF Justification and this criterion does not apply.

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.

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3—RF Justification and this criterion does not apply.

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.

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3-RF Justification and this criterion does not apply.

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

Applicant Response: There are no existing towers or structures that would meet AT&T's coverage objective as demonstrated in Attachment 3-RF Justification and this criterion does not apply.

D. Placement Provisions - Towers: Towers shall be located only in those areas described in table 1 of this subsection, provided that towers that are proposed to be located in a residential zone or within two hundred feet (200') of a residential zone shall be subject to the siting priorities set forth for preferred tower locations in section 17.08.835 of this article.

Zone Category	Located In Public Right-Of-Way (ROW)	Maximum Tower Height	Stealth Design	Setback From Property Lines (Does Not Apply Within ROW)

Residential R-1 through R-34 (including Infill), MH-8, NC and CC	Yes or no	75' ¹	Required	20'
Commercial C-17 and C-17L	Yes or no	76' - 90' ²	Optional ²	20'
DC	Yes or no	76' - 90' ²	Required ³	20'
Manufacturing M and LM	Yes or no	91' - 120' ⁴	Optional	20'

Notes:

1. If an applicant wants to construct a tower in a residential zone or within 200 feet of a residential zone, then stealth design is required.
2. An additional 20 feet in height is allowed if applicant uses stealth design.
3. DC Zone requires stealth design. Preferred location on top of existing structure.
4. An additional 30 feet in height is allowed if applicant uses stealth design.

Towers in industrial zones (M and LM) are subject to administrative review as long as the other requirements of this article are met. (Ord. 3590, 2017)

Applicant Response: AT&T is proposing to construct a 90 ft monopole in the Commercial C-17 zone that does not employ a stealth design or technology as it is optional. Please see AT&T's responses to subsections 17.08.820(J) and (P), above, for justification as to why a stealth design is not being used.

17.08.830: SETBACK REQUIREMENTS:

A. Notwithstanding the setbacks provided for in subsection 17.08.825D, table 1, of this article when a residence is located on an adjacent property, the support tower structures shall be set back from property lines as required by that zone or a minimum of one foot (1') for every foot of tower height, whichever produces the greater setback, unless:

1. The setback is waived by the owner of the residence; or
2. The tower is constructed with breakpoint design technology. If the tower has been constructed using breakpoint design technology, the minimum setback distance shall be equal to one hundred ten percent (110%) of the distance from the top of the structure to the breakpoint level of the structure, or the applicable zone's minimum side setback requirements, whichever is greater. For example, on a one hundred foot (100') tall monopole with a breakpoint at eighty feet (80'), the minimum setback distance would be twenty two feet (22') (110 percent of 20 feet, the distance from the top of the monopole to the breakpoint) or the minimum side yard setback requirements for that zone, whichever is greater. Provided, that if an applicant proposes to use breakpoint design technology to reduce the required setback from a residence, the issuance of building permits for the tower shall be conditioned upon approval of the tower design by a structural engineer.

Applicant Response: There is no residence on the subject property or adjacent property and this section does not apply.

B. All equipment shelters, cabinets, or other on the ground ancillary equipment shall meet the setback requirement of the zone in which it is located. (Ord. 3590, 2017)

Applicant Response: The proposed ground equipment will meet all setback requirements of the zone in which it is located except for the setback to the east property line, which AT&T is requesting a setback reduction to best screen the Facility from surrounding uses. Please see AT&T's response to subsection 17.08.820(P), above, and Attachment 10—Zoning Drawings, Sheet A1.0.

17.08.835: PREFERRED TOWER LOCATIONS:

A. All new towers proposed to be located in a residential zone or within two hundred feet (200') of a residential zone, or in the Downtown Core or Infill Zoning Districts, are permitted only after application of the following siting priorities, ordered from most-preferred (1) to least-preferred (7):

1. City-owned or operated property and facilities not in the Downtown, Infill or Residential Zones and not including right-of-way;
2. Industrial Zones (M and LM);
3. Commercial Zones (C-17 and C-17L);
4. Other non-residential zones (NC and CC);
5. City rights-of-way in residential zones;
6. Parcels of land in residential zones;
7. Designated historic structures, Downtown Core (DC) Zoning District and overlay zoning districts, including neighborhoods with additional protections.

The applicant for a tower located in a residential zone or within two hundred feet (200') of a residential zone, or in the Downtown Core or Infill Zoning Districts, shall address these preferences in an alternative sites analysis prepared pursuant to section 17.08.840 of this article. (Ord. 3590, 2017)

Applicant Response: Not applicable. The proposed Facility is not in, or within 200' of, a residential zone, or in the Downtown Core or Infill Zoning Districts.

17.08.840: SUBMITTAL REQUIREMENTS:

A. Alternative Sites Analysis:

1. For towers in a residential zone or within two hundred feet (200') of a residential zone, or in the Downtown Core or Infill Zoning Districts, the applicant must address the City's preferred tower locations with a detailed explanation justifying why a site of higher priority was not selected. The City's tower location preferences must be addressed in a clear and complete written alternative sites analysis that shows at least three (3) higher ranked, alternative sites considered that are in the geographic range of the service coverage objectives of the applicant, together with a factually detailed and meaningful comparative analysis between each alternative candidate and the proposed site that explains the substantive reasons why the applicant rejected the alternative candidate.

Applicant Response: Not applicable. The proposed Facility is in the C-17 zone and is not in, or within 200 ft of, a residential zone, or in the Downtown Core or Infill Zoning District. s

2. A complete alternative sites analysis provided under this subsection may include less than three (3) alternative sites so long as the applicant provides a factually detailed written rationale for why it could not identify at least three (3) potentially available, higher ranked, alternative sites.

Applicant Response: Not applicable. The proposed Facility is in the C-17 zone and is not in, or within 200 ft of, a residential zone, or in the Downtown Core or Infill Zoning District.

3. For purposes of disqualifying potential collocations or alternative sites for the failure to meet the applicant's service coverage or capacity objectives the applicant will provide: a) a description of its objective, whether it be to close a gap or address a deficiency in coverage, capacity, frequency or technology; b) detailed technical maps or other exhibits with clear and concise RF data to illustrate that the objective is not met using the alternative (whether it be collocation or a more preferred location); and c) a description of why the alternative (collocation or a more preferred location) does not meet the objective.

Applicant Response: Not applicable. The proposed Facility is in the C-17 zone and is not in, or within 200 ft of, a residential zone, or in the Downtown Core or Infill Zoning District.

B. Collocation Consent: A written statement will be signed by a person with the legal authority to bind the applicant and the project owner, which indicates whether the applicant is willing to allow other transmission equipment owned by others to collocate with the proposed wireless communication facility whenever technically and economically feasible and aesthetically desirable.

Applicant Response: Please see Attachment 6 – Collocation Consent.

C. Documentation: Applications submitted under this section for towers shall include the following materials:

1. Requirement For FCC Documentation: The applicant shall provide a copy of the applicant's FCC license or registration.

Applicant Response: Please see Attachment 4 – FCC Registration.

2. Visual Analysis: A color visual analysis that includes to-scale visual simulations that show unobstructed before-and-after construction daytime and clear-weather views from at least four (4) angles, together with a map that shows the location of each view, including all equipment and ground wires.

Applicant Response: Please see Attachment 7 – Photo Simulations.

3. Design Justification: A clear and complete written analysis that explains how the proposed design complies with the applicable design standards under this article to the maximum extent feasible. A complete design justification must identify all applicable design standards under this article and provide a factually detailed reason why the proposed design either complies or cannot feasibly comply.

Applicant Response: Please see AT&T's responses to all applicable design standards within this Statement of Code Compliance, as well as the written analysis included in Attachment 1—Project Narrative.

4. Noise Study: A noise study, if requested by the City and the proposal is in or within two hundred feet (200') of residentially zoned property, in the Downtown Core or in Infill Zoning Districts, for the proposed WCF and all associated equipment.

Applicant Response: Please see Attachment 8—Noise Report. The proposed new equipment includes equipment support cabinets and an emergency generator. The equipment support cabinets are expected to run 24 hours a day. The generator will run once a week during daytime hours for maintenance and testing purposes only. As shown in Table 3, of the Noise Report the sound pressure level from the generator will meet the 55 dBA daytime code limit at the residential receiving properties during test cycle operation. Noise levels at other receiving properties, which are further away, will be lower and within the code limit.

5. Additional Information Required: Applicants for a special use permit for a tower shall also submit the following information:

a. A scaled site plan clearly indicating the location, type, height and width of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities or the County), separation distances, adjacent roadways, photo simulations, a depiction of all proposed transmission equipment, proposed means of access, setbacks from property lines, elevation drawings or renderings of the proposed tower and any other structures, topography, parking, utility runs and other information deemed by the Community Planning Director to be necessary to assess compliance with this article.

Applicant Response: Please see Attachment 10 – Zoning Drawings.

b. Legal description of the parent tract and leased parcel (if applicable).

Applicant Response: Please see Attachment 10 – Zoning Drawings, page LS-2.

c. The setback distance between the proposed tower and the nearest residential unit and the nearest residentially zoned property.

Applicant Response: Please see Attachment 10 – Zoning Drawings, page A1.0.

d. The separation distance from other towers described in the inventory of existing sites submitted pursuant to this article shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.

Applicant Response: Please see Attachment 3 – RF Justification.

e. A landscape plan showing specific landscape materials.

Applicant Response: AT&T's proposed facility is in the C-17 zone and in accordance with Chapter 17.08.825(D). the landscape provisions do not apply.

f. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.

Applicant Response: Please see Attachment 10 – Zoning Drawings, Sheet A3.0.

g. A description of compliance with all applicable Federal, State and local laws.

Applicant Response: AT&T intends to comply with all Federal, state and local laws, as identified by AT&T's responses to all applicable code provisions herein.

h. Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the Municipality.

Applicant Response: AT&T is the provider. Please see Attachment 3-RF Justification for map of coverage.

i. A description of the suitability of the use of existing towers or other structures to provide the services to be provided through the use of the proposed new tower.

Applicant Response: There is only one existing WCF within a .75 mi radius of the proposed Facility. It is a 90' Verizon monopole that is .51 miles from the proposed WCF and .14 miles from the outside edge of the search ring. The highest rad center for this monopole would be 90' after adding a 20' extension and would not meet the coverage objective for this site. Please see Attachment 3 – RF Justification.

j. A clear and complete written statement of purpose which shall minimally include: 1) a description of the technical objective to be achieved; 2) a to-scale map that identifies the proposed site location and the targeted service area to be benefited by the proposed project; and 3) full-color signal propagation maps with objective units of signal strength measurement that show the applicant's current service coverage levels from all adjacent sites without the proposed site, predicted service coverage levels from all adjacent sites with the proposed site, and predicted service coverage levels from the proposed site without all adjacent sites. These materials shall be reviewed and signed by an Idaho-licensed professional engineer or a qualified employee of the applicant. The qualified employee of the applicant shall submit his or her qualifications with the application.

Applicant Response: Please see Attachment 3 – RF Justification.

B. Radio Frequency (RF) Emissions Compliance Report: A written report will be prepared, signed and sealed by an Idaho-licensed professional engineer or a competent employee of the applicant, which assesses whether the proposed WCF demonstrates compliance with the RF emissions limits established by the FCC. The qualified employee of the applicant shall submit his or her qualifications with the application. (Ord. 3590, 2017)

Applicant Response: Please see Attachment 9 – RF Safety Compliance Statement.

17.08.845: EXCEPTIONS TO STANDARDS:

A. Applicability: Except as otherwise provided in this article (under subsection 17.08.820P, "Site Design Flexibility", of this article), no WCF shall be used or developed contrary to any applicable development standard unless an exception has been granted pursuant to this section. These provisions apply exclusively to WCFs and are in lieu of the generally applicable variance and design departure provisions in this Code; provided this section does not provide an exception from this article's visual impact and stealth design.

B. Procedure Type: A WCF's exception is subject to approval by the Planning Commission.

C. Submittal Requirements: An application for a wireless communication facility exception shall include:

1. A written statement demonstrating how the exception would meet the criteria.

2. A site plan that includes:

a. Description of the proposed facility's design and dimensions, as it would appear with and without the exception.

b. Elevations showing all components of the wireless communication facility, as it would appear with and without the exception.

c. Color simulations of the wireless communication facility after construction demonstrating compatibility with the vicinity, as it would appear with and without the exception.

D. Criteria: An application for a wireless communication facility exception shall be granted if the following criteria are met:

1. The exception is consistent with the purpose of the development standard for which the exception is sought.

2. Based on a visual analysis, the design minimizes the visual impacts to residential zones through mitigating measures, including, but not limited to, building heights, bulk, color, and landscaping.

3. The applicant demonstrates the following:

a. A significant gap in the coverage, capacity, or technologies of the service network exists such that users are regularly unable to connect to the service network, or are regularly unable to maintain a connection, or are unable to achieve reliable wireless coverage within a building;

b. The gap can only be filled through an exception to one or more of the standards in this article; and

c. The exception is narrowly tailored to fill the service gap such that the wireless communication facility conforms to this article's standards to the greatest extent possible.

E. Exceptions In Residential Zones: For a new tower proposed to be located in a residential zone or within two hundred feet (200') of a residential zone, or in the Downtown Core or Infill Zoning Districts, unless the proposal qualifies as a preferred location on City-owned or operated property or facilities, the applicant must also demonstrate that the manner in which it proposes to fill the significant gap in coverage, capacity, or technologies of the service network is the least intrusive on the values that this article seeks to protect. (Ord. 3590, 2017)

Applicant Response: AT&T is currently not seeking a WCF exception other than that indicated under 17.08.820P. AT&T reserves the right to apply for a WCF exception should it be deemed required by the city.

17.08.850: REMOVAL OF ABANDONED ANTENNAS AND TOWERS:

Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall so notify the City in writing and remove the same within ninety (90) days of giving notice to the City of such abandonment. Failure to remove an abandoned antenna or tower within said ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense, including all costs and attorneys' fees. Irrespective of any agreement between them to the contrary, the owner of such unused facility and the owner of a building or land upon which the WCF is located, shall be jointly and severally responsible for the removal of abandoned WCFs and the WCFs' foundation, if any. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower. (Ord. 3590, 2017)

Applicant Response: Applicant understands the conditions of this code section and intends to comply.

17.08.855: INDEPENDENT RF TECHNICAL REVIEW:

Although the City intends for City staff to review applications to the extent feasible, the City may retain the services of an independent RF expert of its choice to provide technical evaluation of permit applications for WCFs, when they are subject to special use permits, conditional use or administrative review. The third party expert shall have recognized training and qualifications in the field of radio frequency engineering. The RF expert's review may include, but is not limited to: a) the accuracy and completeness of the items submitted with the application; b) the applicability of analysis and techniques and methodologies proposed by the applicant; c) the validity of conclusions reached by the applicant; and d) whether the proposed WCF complies with the applicable approval criteria set forth in this article. The applicant shall pay the cost for any independent consultant fees through a deposit, estimated by the City, paid within ten (10) days of the City's request. When the City requests such payment, the application shall be deemed incomplete for purposes of application processing timelines until the deposit is received. In the event that such costs and fees do not exceed the deposit amount, the City shall refund any unused portion within thirty (30) days after the final permit is released or, if no final permit is released, within thirty (30) days after the City receives a written request from the applicant. If the costs and fees exceed the deposit amount, then the applicant shall pay the difference to the City before the permit is issued. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.860: FINAL INSPECTION:

A. A certificate of completion will only be granted upon satisfactory evidence that the WCF was installed in substantial compliance with the approved plans and photo simulations.

Applicant Response: Acknowledged.

B. If it is found that the WCF installation does not substantially comply with the approved plans and photo simulations, the applicant shall make any and all such changes required to bring the WCF installation into compliance promptly and in any event prior to putting the WCF in operation. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.865: COMPLIANCE:

A. All wireless communication facilities must comply with all standards and regulations of the FCC and any State or other Federal government agency with the authority to regulate wireless communication facilities.

Applicant Response: AT&T intends to comply with all standards and regulations of the FCC and any State or other Federal government agency with the authority to regulate wireless communication facilities.

B. The site and wireless communication facilities, including all landscaping, fencing and related transmission equipment must be maintained at all times in a neat and clean manner and in accordance with all approved plans.

Applicant Response: AT&T intends to comply with this section of the code.

C. All graffiti on wireless communication facilities must be removed at the sole expense of the permittee after notification by the City to the owner/operator of the WCF.

Applicant Response: AT&T intends to comply with this section of the code.

D. If any FCC, State or other governmental license or any other governmental approval to provide communication services is ever revoked as to any site permitted or authorized by the City, the permittee must inform the City of the revocation within thirty (30) days of receiving notice of such revocation. (Ord. 3590, 2017)

Applicant Response: AT&T intends to comply with this section of the code.

17.08.870: INDEMNIFICATION:

Each permit issued for a WCF located on City property shall be deemed to have as a condition of the permit a requirement that the applicant defend, indemnify and hold harmless the City and its officers, agents, employees, volunteers, and contractors from any and all liability, damages, or charges (including attorneys' fees and expenses) arising out of claims, suits, demands, or causes of action as a result of the permit process, a granted permit, construction, erection, location, performance, operation, maintenance, repair, installation, replacement, removal, or restoration of the WCF. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.875: ELIGIBLE FACILITIES REQUEST:

<<OMITTED: AT&T is not applying for an eligible facility request and this section of the code does not apply.>>

17.08.880: COLLOCATION APPLICATION:

<<OMITTED: AT&T is not applying for a collocation and this section of the code does not apply.>>

17.08.885: NEW SITE OR TOWER APPLICATION:

A. Purpose: This section also implements, in part, 47 USC section 332©(7) of the Federal Communications Act of 1934, as amended, as interpreted by the FCC in its Report and Order no. 14-153.

B. Application Review:

1. Application: The City shall prepare and make publicly available an application form, the requirements of which shall be limited to the information necessary for the City to consider whether an application is a request for a new site or tower.
2. Review: Upon receipt of an application for a request for a new site or tower pursuant to this section, the City shall review such application, make its final decision to approve or disapprove the application, and advise the applicant in writing of its final decision.
3. Timeframe For Review: Within one hundred fifty (150) days of the date on which an applicant submits an application seeking approval of a request for a new site or tower under this section, the City shall review and act upon the application, subject to the tolling provisions below.
4. Tolling Of The Timeframe For Review: The 150-day review period begins to run when the application is filed, and may be tolled only by mutual agreement between the City and the applicant, or in cases where the City determines that the application is incomplete.
 - a. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within thirty (30) days of receipt of the application, specifically delineating all missing documents or information required in the application.
 - b. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness.
 - c. Following a supplemental submission, the City will notify the applicant within ten (10) days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.
5. Failure To Act: In the event the City fails to approve or deny a complete application under this section within the timeframe for review (accounting for any tolling), the applicant shall be entitled to pursue all remedies under applicable law. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.890: APPLICATION FEES:

In connection with the filing of an application, the applicant shall pay all applicable application fees, according to the currently adopted fee schedule. (Ord. 3590, 2017)

Applicant response: Applicable fees are included with the SUP Application.

17.08.895: LAWS, RULES AND REGULATIONS:

This article shall be subject to all applicable laws, rules and regulations. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.897: CONFLICTS:

These wireless communication facilities regulations are in addition to other regulations in the

Zoning Code. In case of a conflict between regulations, the most restrictive shall apply except as otherwise indicated. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

17.08.898: SEVERABILITY:

The various parts, sentences, paragraphs, sections and clauses of this article are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall not be affected thereby. (Ord. 3590, 2017)

Applicant Response: Acknowledged.

III GENERAL DEVELOPMENT STANDARDS

Article IX Fencing and Landscape Regulations

17.06.815: FENCING REGULATIONS:

...

C. For nonresidential uses in nonresidential zoning districts, the following shall apply:

1. Fences, walls, and hedges not greater than four feet (4') in height shall be permitted in any required front yard.
2. Fences, walls, and hedges on or within the rear or side yard property lines shall have no height restriction except where abutting a residential use, then the maximum height is six feet (6'). Provided, however, that fences, walls and hedges may be constructed not greater than ten feet (10') in height pursuant to the special use permit procedures set forth in section 17.09.205 of this title where the abutting property is used for residential uses. All fences and walls greater than six feet (6') in height shall conform to the currently adopted building code and other applicable provisions of this code. (Ord. 3148 §2, 2003: Ord. 3096 §35, 2003: Ord. 2109 §8, 1988)

Applicant Response: Applicant is proposing a 6' security chain link fence with privacy slats in the C-17 zone.

17.06.820: GENERAL LANDSCAPE APPLICABILITY:

...

C. Exceptions: The landscaping provisions of this chapter shall not apply to:

1. Single-family and duplex housing, except that all required front yards, street side yards and corner cutoff areas shall be planted and maintained with vegetative cover or other approved material and one street tree is required for each street frontage;
2. The DC zoning district;
3. The C-17 zoning district; and
4. The C-17L zoning district. (Ord. 3560, 2017: Ord. 3379 §7, 2010)

Applicant Response: Applicant is proposing to locate its Facility in the C-17 zone and the landscape requirements do not apply.

III. SPECIAL USE PERMIT PROCEDURE

17.09.205: TITLE AND PURPOSE:

The provisions of this article shall be known as the SPECIAL USE PERMIT PROCEDURE. The purpose of these provisions is to prescribe the procedure for the accommodation of uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval. This procedure shall apply to all proposals for which a special use permit is required by this title. (Ord. 1691 §1(part), 1982)

Applicant Response: Acknowledged.

17.09.210: APPLICATION AND SUBMITTALS:

Application for a special use permit shall be made on a form prescribed by the Planning Director, and shall be notarized. The application shall be accompanied by information including:

A. A set of design drawings which shall include a site plan. The Planning Director or Planning Commission may require additional submittals such as floor plans and site and/or building elevations as deemed necessary to demonstrate the characteristics of the use being considered;

Applicant Response: Please see Attachment 10 – Zoning Drawings.

B. A narrative depicting the operational characteristics of the use and its impact on the surrounding area, if any;

Applicant Response: Please see Attachment 1 – Project Narrative.

C. Other such information as may be required by the Planning Director; and

Applicant Response: Acknowledged.

D. The fee referenced in the fee schedule. (Ord. 3127 §19, 2003: Ord. 3025 §18, 2001: Ord. 2314 §5, 1990: Ord. 1691 §1(part), 1982)

Applicant Response: Please see enclosed check.

17.09.215: PROCEDURE FOR CONSIDERATION:

A. Public Hearing: A public hearing before the Planning Commission shall be set for between twenty-one (21) and sixty (60) days after formal acceptance, to be held on each application for a special use permit.

B. Notice: Notice of the hearing shall be as prescribed in subsection 17.09.120B of this chapter. Notices also may be posted within the area of potential influence, if required by the Planning Director.

C. Planning Commission Action: The Planning Commission shall determine whether the proposal conforms to the special use permit criteria and may grant or deny the application for

the proposed special use permit or require such changes or impose such reasonable conditions of approval as are in their judgment necessary to ensure conformity of the criteria. They shall make specific written findings to support their decisions. A copy of the Planning Commission decision shall be mailed to the applicant and the Director shall make the commission's decision available for public inspection. The determination of the Planning Commission shall be made within forty (40) days after the hearing. It shall become final ten (10) days after the date of written notice of the decision has been mailed to the applicant unless appealed to the City Council pursuant to subsection 17.09.125B of this chapter. (Ord. 3600, 2018; Ord. 3127 §20, 2003; Ord. 3121 §5, 2003; Ord. 3025 §19, 2001; Ord. 2901 §4, 1999; Ord. 2886 §4, 1998; Ord. 1844 §6, 1984; Ord. 1691 §1(part), 1982)

Applicant Response: AT&T Understands the procedure for consideration.

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 commission:

- A. The proposal is in conformance with the Comprehensive Plan.
- *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*
 - *Goal #2 - Economic Environment - Our Comprehensive Plan preserves the city's quality workplaces and policies and promotes opportunities for economic growth.*
 - *Goal #3 - Home Environment - Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.*
 - *Goal #4 - Administrative Environment - Our Comprehensive Plan preserves and enables efficiency and good Goal #4 - Administrative Environment management.*

Applicant Response: As has been demonstrated herein, the proposed facility satisfies several of the applicable goals and policies of the Coeur d'Alene Comprehensive Plan, including Goal #1 Natural Environment, Goal #2 Economic Environment, Goal 3 Home Environmet and Goal 4 Administrative Environment.

Wireless services are key to growing urban areas and people rely on the ability to use their phones and other wireless devices at work and at home, both indoors and outdoors. As the population of the City of Coeur d'Alene increases and land development patterns change over time, the demand for urban services also increases and changes. These changes require that service providers, both public and private, plan for the provision of services in a coordinated manner.

The proposed project forwards the intent of the Comprehensive Plan by providing reliable communications services to a growing community and doing so in a manner that does not affect any viewscapes of the natural beauty of Coeur d'Alene.

It is designed to encourage future collocation of other providers which avoids the need for construction of additional telecommunication facilities, and further supporting economic growth by providing choice of carriers in the area and providing needed public services.

Increasingly, people relying on their wireless devices for everything from information gathering to financial transactions to primary home phone service and the proposed project furthers the City's Economic Growth and Home Environment goals by providing reliable wireless services. .

Further, the proposed project will support commuters and businesses in the I-90 and Hwy 95 corridor, and improve emergency response by improving wireless communication for citizens making emergency calls, thus meeting the objectives of preserving and enabling efficiency and good management through the City Services, Transportation and Public Safety objectives.

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

Applicant Response: The proposed site is in the Commercial C-17 zone and the surrounding businesses are primarily construction, automotive and neighborhood services. AT&T proposes a new wireless communications facility consisting of a 90ft monopole tower in 30ft x 30ft fenced lease area in the NW corner of the property to take advantage of the screening provided by its surroundings. Please see Attachment 1—Project Narrative, Attachment 7—Photo Simulations, and Attachment 10—Zoning Drawings for demonstration of how the proposed Facility is designed in a manner which is compatible with the character and appearance of existing uses in the vicinity.

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. (Ord. 3059 §5, 2002: Ord. 1691 §1(part), 1982)

Applicant Response: AT&T's proposed Facility will be accessed via an existing driveway and connected to existing power and telco onsite. No other public facilities will be utilized or adversely affected by this proposed project.

17.09.225: APPEALS TO THE CITY COUNCIL:

An appeal by an affected person may be taken to the City Council in accordance with subsection 17.09.125B of this chapter. In considering the appeal, the City Council shall determine whether the proposed use conforms to the applicable special use permit criteria and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to the criteria. (Ord. 1844 §7, 1984: Ord. 1691 §1(part), 1982)

Applicant Response: Acknowledged.

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)

Applicant Response: Acknowledged.

17.09.235: REVOCATION:

In the event of a violation of any of the provisions of this title, or in the event of a failure to comply with any prescribed condition of approval, the Planning Commission may, after notice and hearing, revoke any special use permit. The determination of the Planning Commission shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper, unless appealed to the City Council pursuant to subsection 17.09.125B of this chapter. (Ord. 1844 §8, 1984; Ord. 1691 §1(part), 1982)

Applicant Response: Acknowledged.



01/31/2020

Coeur d'Alene City Hall
Planning Department
710 Mullan Ave
Coeur d'Alene, ID 83814
(206) 769-2274

Re: AT&T's Radio Frequency (RF) Engineering Justification for the Proposed Wireless Communications Facility in the City of Coeur d'Alene: SP4384 I-90 & Hwy 95 at 715 W Anton Ave / 47.704381, -116.787794

To Whom It May Concern,

Enclosed please find the RF Justification document prepared for AT&T's proposed new wireless communications facility at the above noted location. This letter serves as my verification, to the best of my knowledge, of the accuracy of the RF information, propagation maps, and analysis provided in the attached RF Justification.

Thank you for your consideration of this information.

Sincerely,

Kung-Liang Brian Lin
RF Engineer
AT&T Mobility

A handwritten signature in black ink, appearing to read "Kung-Liang Brian Lin". The signature is stylized and somewhat cursive.



at&t

**SP4384 I-90 & Hwy 95
RF Justification**

Coverage Justification

OVERVIEW

AT&T is proposing to build a new wireless communication facility (“WCF” or “facility”), SP4384 I-90 & Hwy 95, at 215 W Anton Ave. in the City of Coeur d’Alene, ID. This proposed facility meets AT&T’s objective (providing improve outdoor, in-vehicle, and in-building wireless coverage) within a geographic area marginally served by AT&T’s network. Specifically, this proposed new wireless facility is intended to provide capacity offload for the adjacent site (in the SSE Direction) that carries most of the capacity within the commercial areas near the junction of I90 and Hwy 95 and towards half of mile North of I90. It has to be located on an elevated Terrain near Hwy 95 and I-90 Intersection in Coeur D’Alene to be able to provide strong dominance (In both commercial and residential establishments) in the area to achieve it’s objective. This objective was determined through a combined analysis of customer complaints, service requests, and radio frequency engineering design. This facility will allow AT&T to provide uninterrupted wireless service with fewer dropped calls, improved call quality, and improved access to additional wireless services that the public now demands. This includes emergency 911 calls throughout the area.

SEARCH RING

AT&T’s radio frequency (“RF”) engineers performed an RF engineering study, considering multiple objectives, to determine the approximate site location and antenna height required to fulfill the noted network objectives for the targeted service area. From this study, AT&T’s RF engineers identified a “search ring” area where a WCF may be located to provide effective service in the target coverage area.

Figure A—Targeted Search Ring indicates the search ring AT&T’s RF engineers established for this proposed site. A discussion of the methodology AT&T’s RF engineers used to identify the search ring is included at the end of this RF Justification document.

Coverage Justification—Con't

COVERAGE OBJECTIVE

Figure B—Existing AT&T Coverage shows existing AT&T wireless services in the general area of the proposed new site, which demonstrates the insufficient required signal strength intensity required for the targeted urban service area. The red star indicates the location of the proposed new WCF. The blue triangle indicates the location of existing AT&T WCF sites; effective coverage footprint from AT&T's existing WCF sites is shaded in green. As can be seen, there is a gap in required signal strength footprint in all areas not shaded in green due to shrinkage in effective LTE footprint brought about by the site that carries high capacity of subscribers. Currently, the target area has marginal 4G voice service and has minimal 4G LTE service.

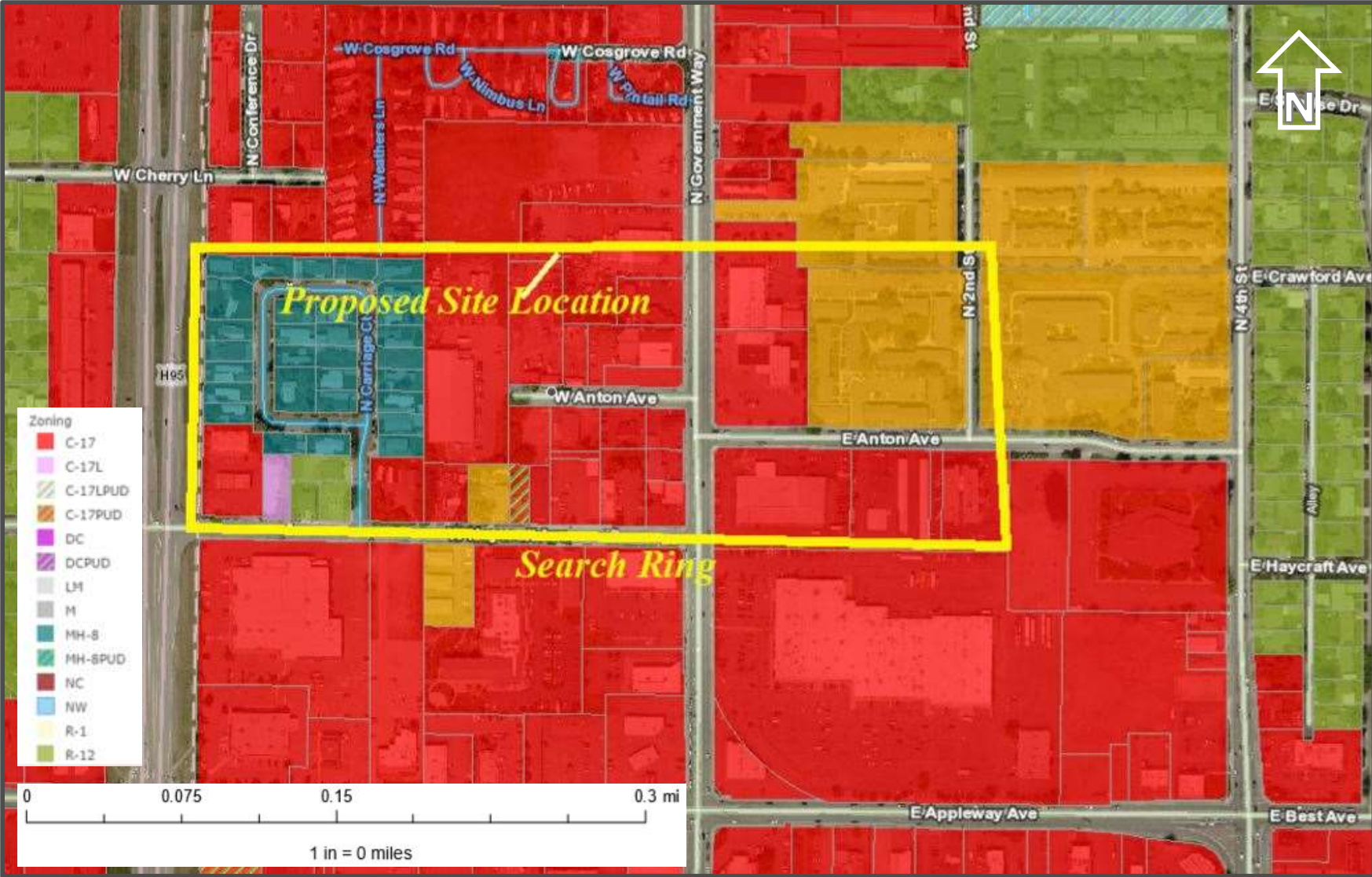
Figure C—Projected AT&T Service identifies the projected required LTE dominance from the proposed new WCF with the requested antenna tip height of 90 ft. The proposed antenna tip height is the minimum necessary to help fill the required LTE footprint to offload capacity relative to nearby complementary wireless facilities and to support the FirstNet Network. This is also the height where an AT&T wireless device can be reliably used to make and receive telephone calls and use data service in the presence of varying signals.

Figure D—Current AT&T and proposed Sites within Coeur d'Alene municipality. This identifies the existing and planned sites within the city border.

ANTENNAS AND EQUIPMENT

To meet the above coverage objectives, this proposed site will contain up to 12 panel antenna and 18 RRH units (together with all associated accessory equipment).

Figure A—Targeted Search Ring



**Figure B—Existing AT&T Coverage
Targeted Service Area BEFORE Addition of Proposed New Wireless Facility**

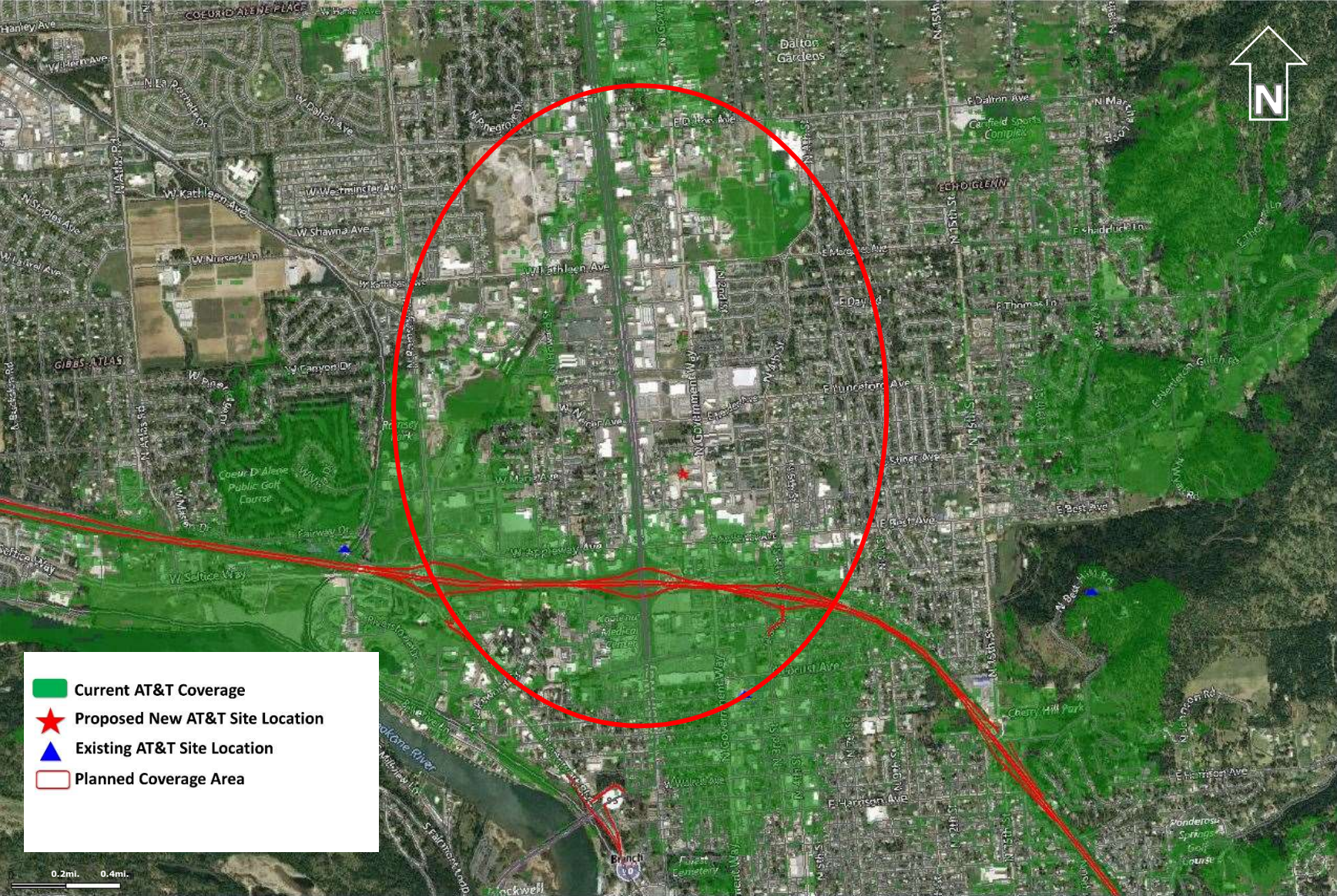


Figure C—Projected New AT&T Coverage
Coverage AFTER Proposed AT&T Facility On-Air—90ft Antenna Tip Height

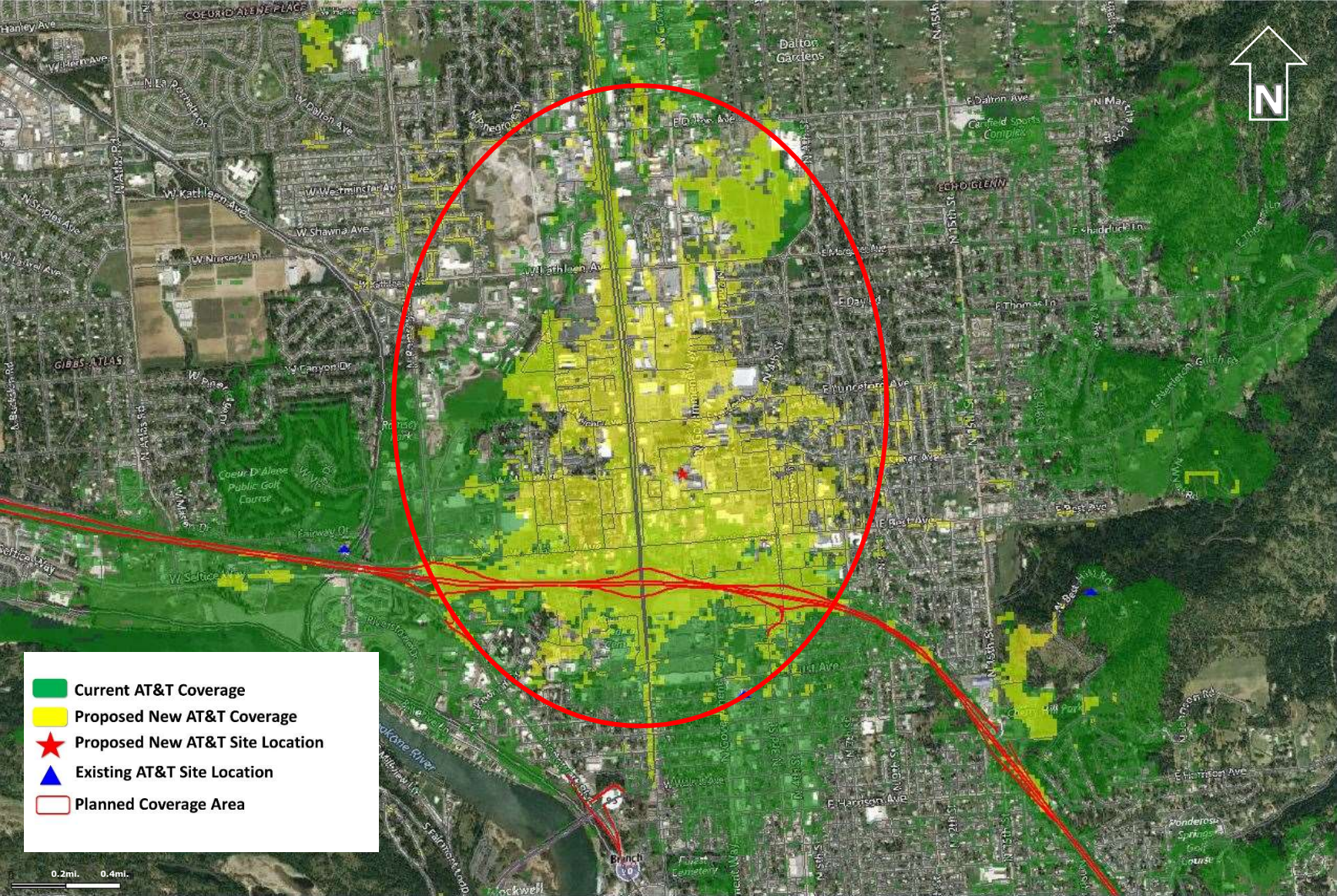
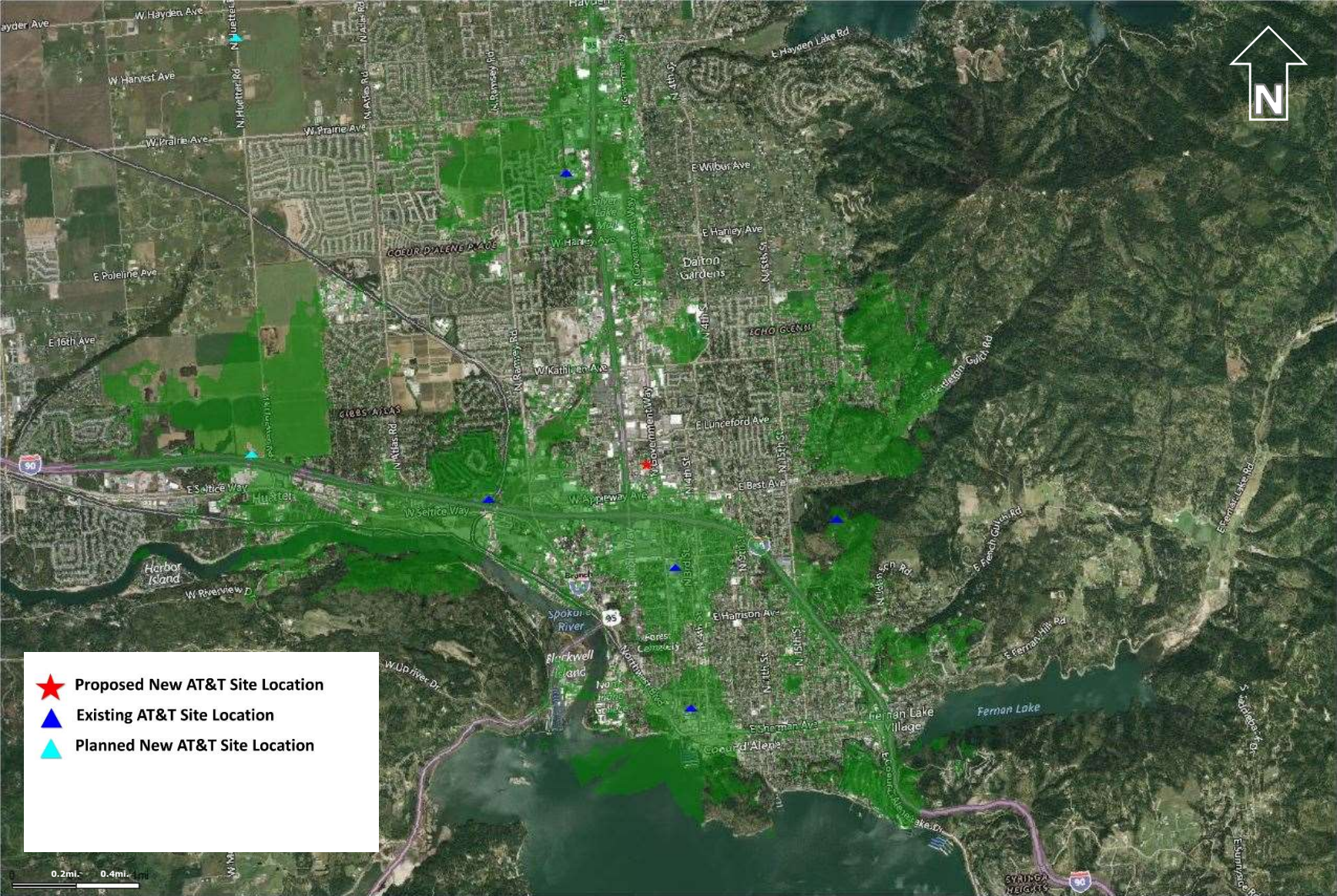


Figure D—Current AT&T and Proposed Sites Sites within the city border



Alternative Site Analysis

AT&T's RF engineers evaluated four alternative site locations within the targeted search ring as possible locations for the proposed new WCF.

Figure E—Alternative Site Locations shows the location of each alternative site in relation to the proposed new site location.

- **Alternative Site #1** (47.704975 / -116.788225) : A proposed new 90' tower with a 90' antenna tip height located in the C-17 zone.
- **Alternative Site #2** (47.703555 / -116.785475): A proposed new 90' tower with a 90' antenna tip height located in the C-17 zone.
- **Alternate Site #3** (47.69916667 / -116.77972222): A proposed collocation on an existing Verizon Tower with a 90' antenna tip height located 0.51 miles SE of the proposed site and 0.14 miles from the SE corner of the search ring. Would require a 20' extension and Verizon would take the top position. Located in the C-17 zone.
- **Alternate Site #4** (47.69497500 / -116.79472222): A proposed collocation on an existing 7 story parking structure with an antenna tip height of +/- 80' located 0.75 miles SW of the proposed site and 0.51 miles from the SW corner of the search ring. Antennas would need to be flush mounted on the elevator housing. Located in the C-17 zone.

Figure F—Alternative Site #1—Projected New AT&T Coverage demonstrates the projected coverage from a proposed 90' Monopole with a 90' antenna tip height located in the C-17 zone. As can be seen by the propagation map, this alternative site provides close to similar coverage as the planned site.

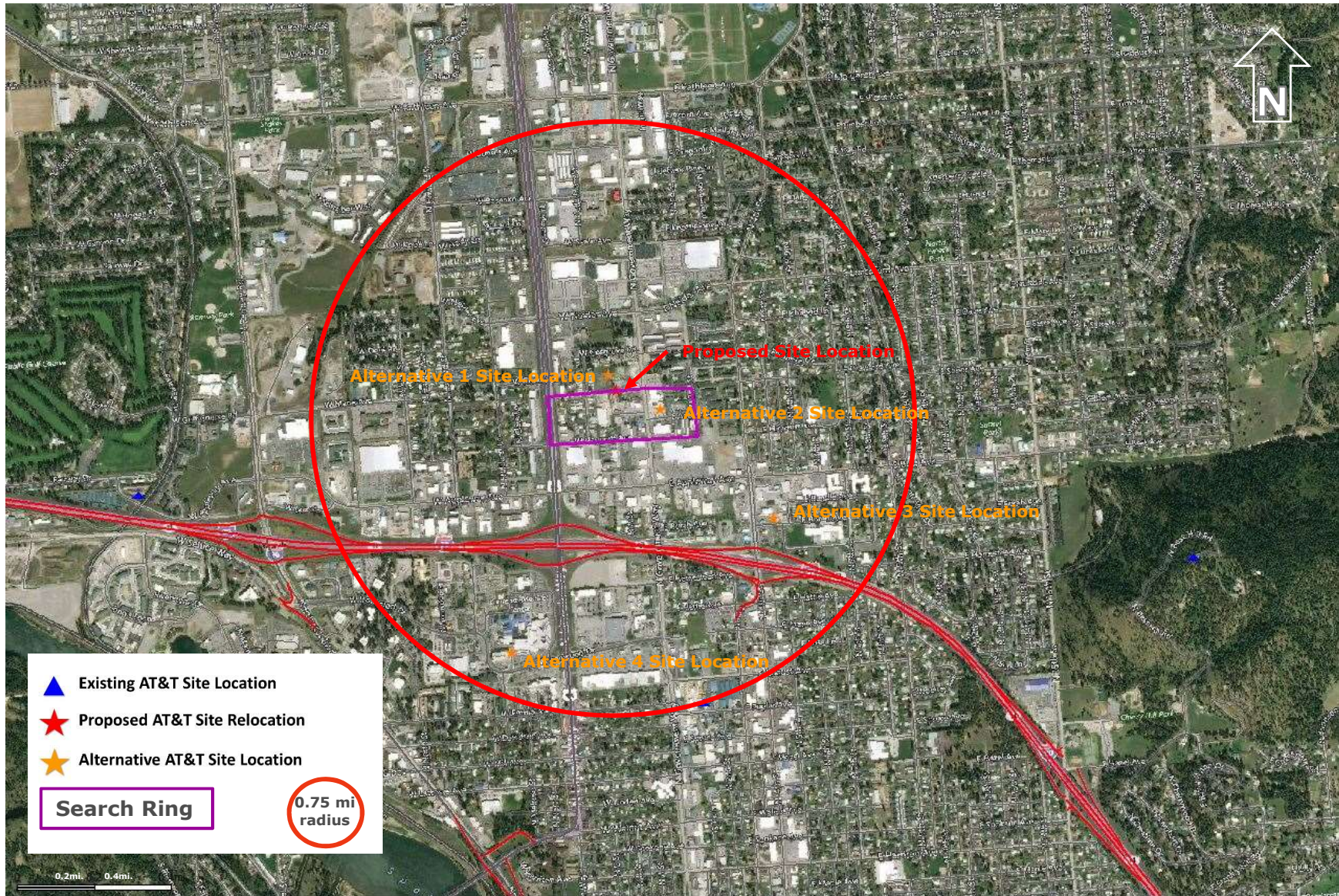
Figure G—Alternative Site #2—Projected New AT&T Coverage demonstrates the projected coverage from a proposed 90' Monopole with a 90' antenna tip height located in the C-17 zone. As can also be seen by the propagation map, this alternative site provides a smaller area of coverage as the planned site.

Alternative Site Analysis

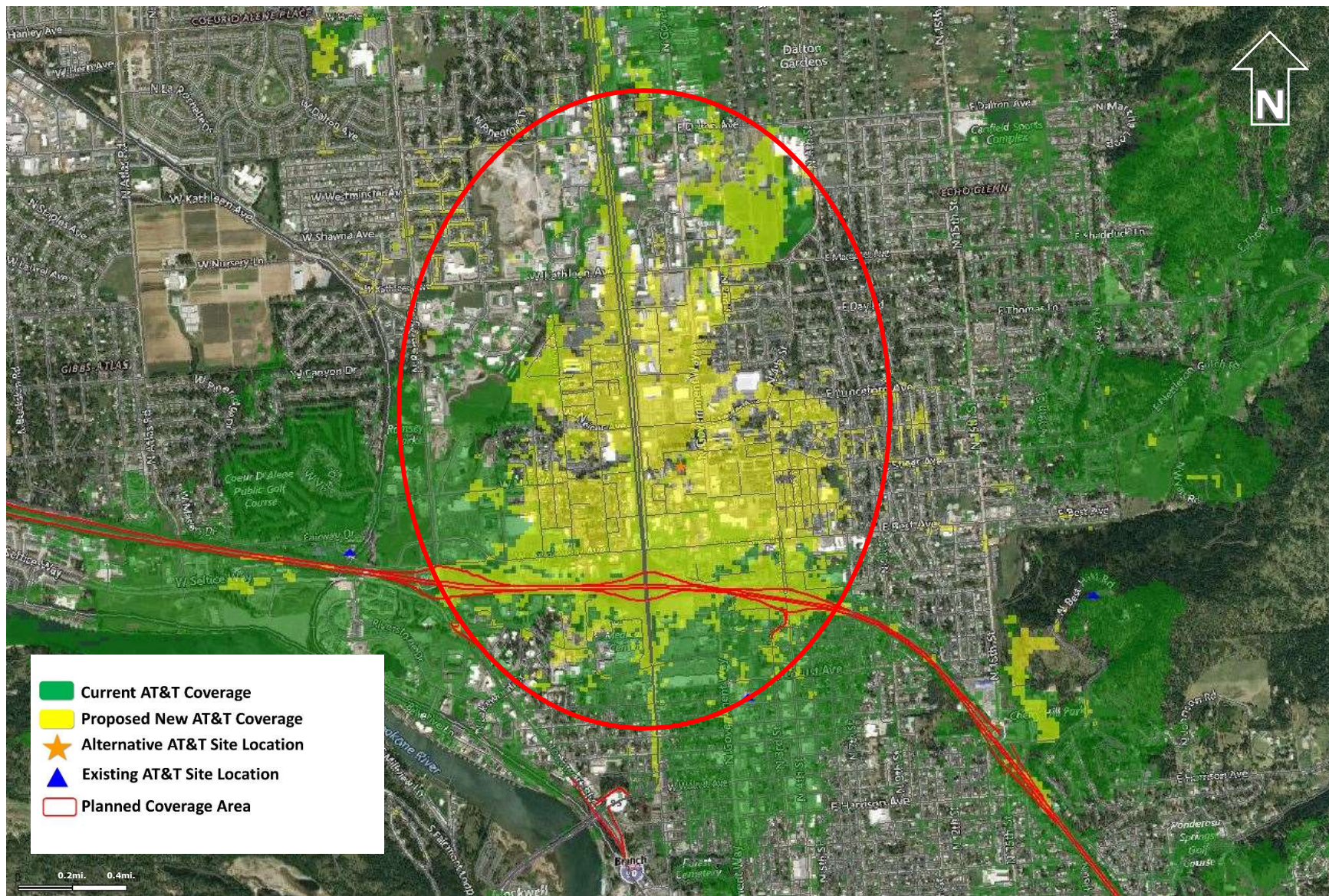
Figure H — Alternative Site #3—Projected New AT&T Coverage demonstrates the projected coverage from an existing Verizon Tower with a 90' antenna tip height located 0.51 miles SE of the proposed site and 0.14 miles from the SE corner of the search ring. Would require a 20' extension and Verizon would take the top position. Located in the C-17 zone. This will not work as there will be large overlapping of coverage with the existing site. With this, we can't fully maximize the potential of the site to provide good dominance as well as help provide capacity in the area. The additional height will not be sufficient due to the location of this alternative site.

Figure I— Alternative Site #4—Projected New AT&T Coverage demonstrates the projected coverage from an existing 7 story parking structure with an antenna tip height of +/- 80' located 0.75 miles SW of the proposed site and 0.51 miles from the SW corner of the search ring. Antennas would need to be flush mounted on the elevator housing. Located in the C-17L zone. This will not work since the additional coverage will be completely overlapping of coverage with the existing site.

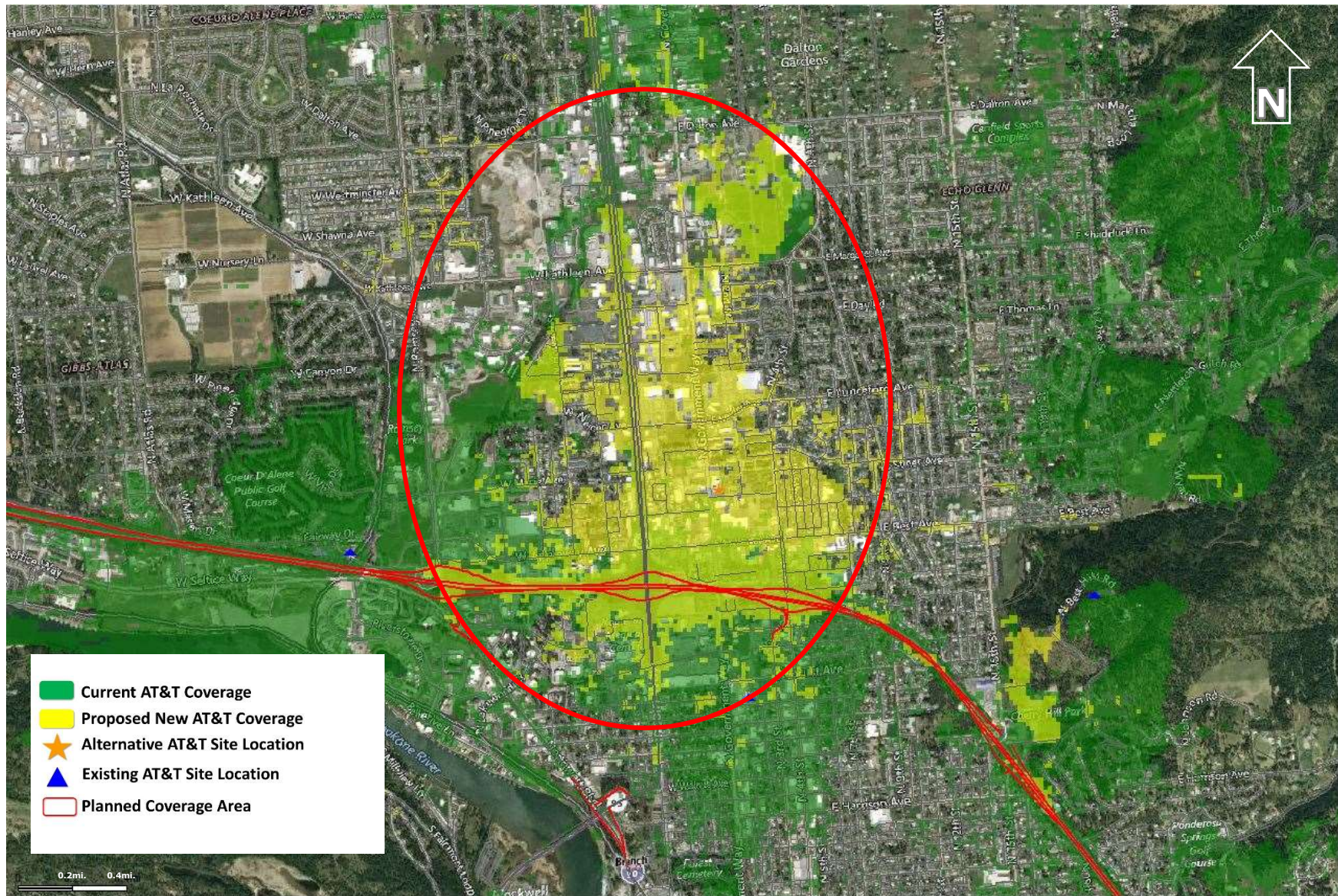
Figure E—Alternative Site Locations



**Figure F—Alternative Site #1—Projected New AT&T Coverage
Coverage AFTER Alternative #1 Facility On-Air—94ft Antenna Tip Height**



**Figure G—Alternative Site #2—Projected New AT&T Coverage
Coverage AFTER Alternative #2 Facility On-Air—90ft Antenna Tip Height**



**Figure H—Alternative Site #3—Projected New AT&T Coverage
Coverage AFTER Alternative #3 Facility On-Air—90ft Antenna Tip Height**

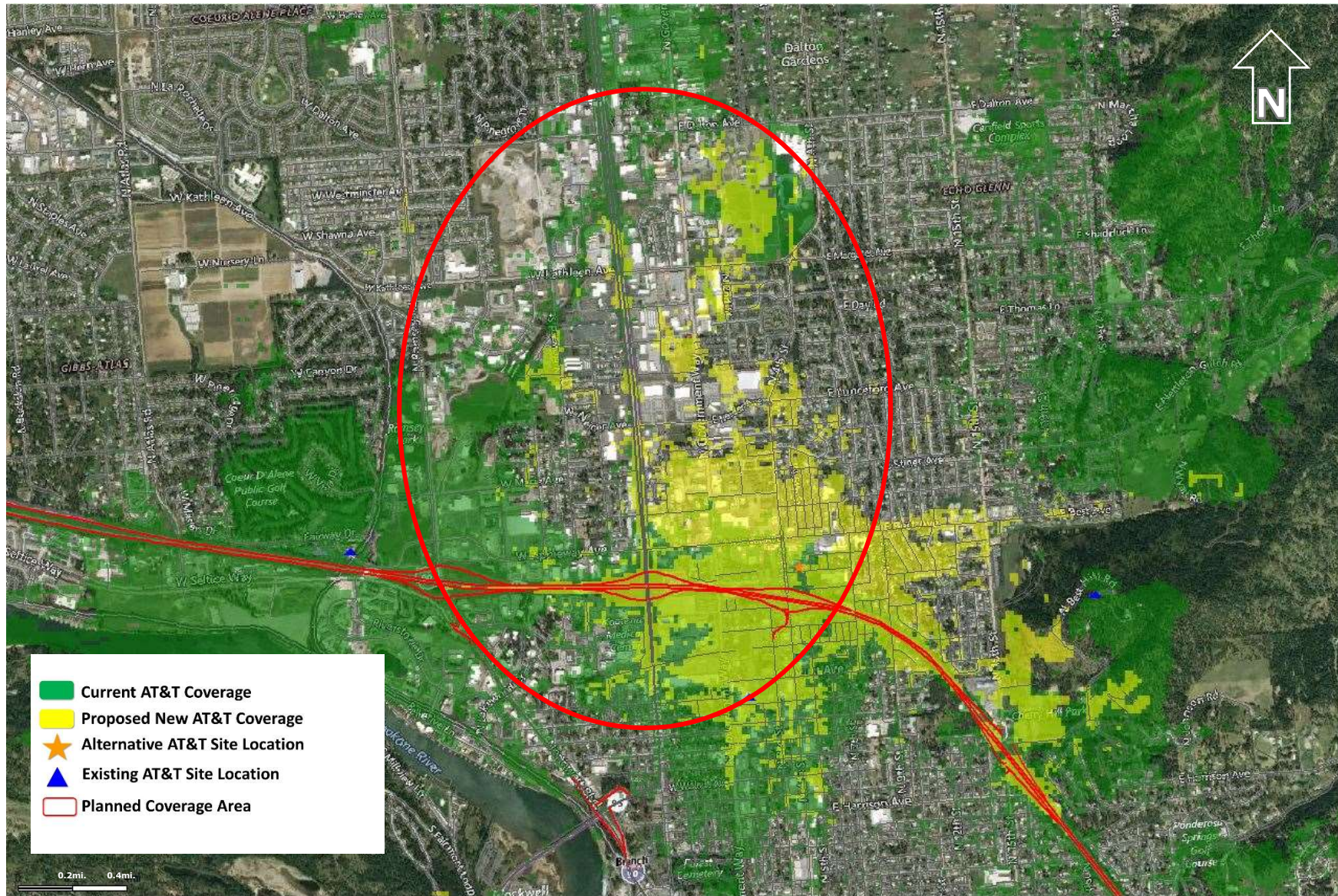
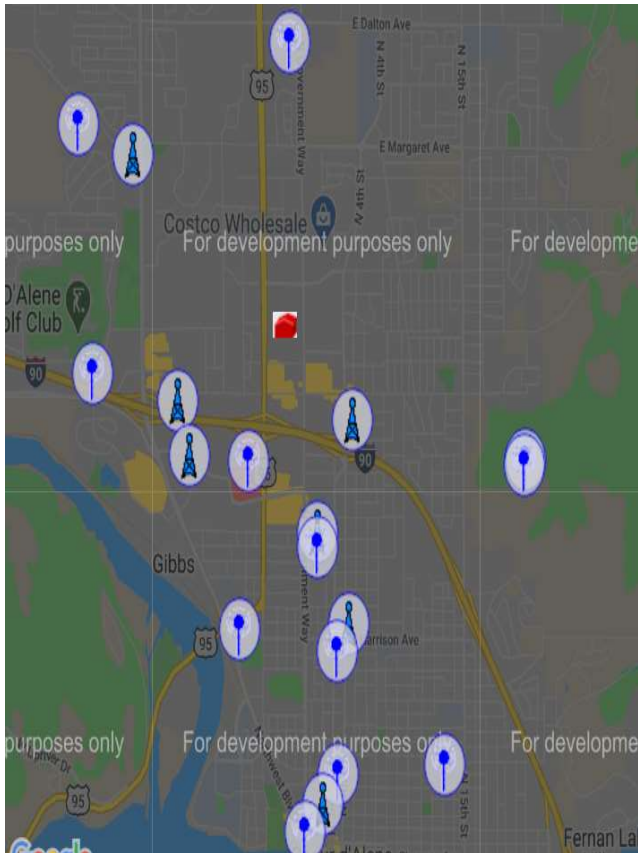


Figure I—Alternative Site #4—Projected New AT&T Coverage Coverage AFTER Alternative #4 Facility On-Air—80ft Antenna Tip Height



Figure J – Antennas Sites within 2 miles



May 5, 2010

Tower Type	ID Num	Site Owner	Height	Dist
 Registered	(1)	Verizon Wireless (vaw) Llc	96 feet	.55 miles
	(2)	Spectrasite Communications, Llc Through American Towers, Llc	189 feet	.71 miles
	(3)	Mobilitie, Llc	34 feet	.97 miles
	(4)	Reach America, Inc.	90 feet	1.00 miles
	(5)	Verizon Wireless (vaw) Llc	60 feet	1.12 miles
	(6)	Verizon Wireless (vaw) Llc	78 feet	1.53 miles
	(7)	Global Signal Acquisitions Llc	135 feet	1.70 miles
 Not Registered	(1)	Industrial Communications	80 feet	.58 miles
	(2)	Spectrasite Communications Inc	191 feet	.77 miles
	(3)	T-mobile	132 feet	1.12 miles
	(4)	Idaho Rsa No. 1 Limited Partnership - LI	65 feet	1.14 miles
	(5)	Verizon Wireless (vaw) Llc	90 feet	1.18 miles
	(6)	Active Electronics	110 feet	1.62 miles
	(7)	Crown Castle	152 feet	1.70 miles
	(8)	Idaho Rsa No. 1 Limited Partnership - LI	112 feet	1.78 miles
	(9)	Crown Castle For T-mobile - Cassandra Robbins	68 feet	1.96 miles
	(10)	Western Wireless	60 feet	1.97 miles
	(11)	Verizon Wireless (vaw) Llc	160 feet	1.99 miles
	(12)	Us Forest Service	60 feet	1.99 miles

Search Ring Methodology

AT&T's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new WCF. The software and AT&T's RF engineers considered the general factors outlined below, as well as more project-specific factors such as the type of antenna, antenna tilt, etc.

Coverage. The antenna site must be located in an area where the radio frequency broadcasts will provide adequate coverage within the targeted service area. The RF engineer must take into consideration the coverage objectives for the site as well as the terrain in and around the area to be covered. Because radio frequency broadcasts travel in a straight line and diminish as they travel further away from the antennas, it is generally best to place an antenna site near the center of the desired coverage area. However, in certain cases, the search ring may be located away from the center of the desired coverage area due to the existing coverage, the surrounding terrain, or other features which might affect the radio frequency broadcasts, *e.g.* buildings or sources of electrical interference.

Clutter. AT&T's WCFs must "clear the clutter"—the WCF site must be installed above or close to RF obstructions (the "clutter") to enable the RF to extend beyond and clear the clutter. AT&T's radio frequencies do not penetrate mountains, hills, rocks, or metal, and are diminished by trees, brick and wood walls, and other structures. Accordingly, AT&T's antennas must be installed above or close to the "clutter" to provide high quality communications services in the desired coverage areas. Additionally, if the local code requires us to accommodate additional carriers on the support structure, the structure must be even taller to also allow the other carriers' antennas to clear the clutter.

Call Handoff. The WCF site must be in an area where the radio broadcasts from the site will allow seamless "call handoff" with adjacent WCF sites. Call handoff is a feature of a wireless communications system that allows an ongoing telephone conversation to continue uninterrupted as the user travels from the coverage area of one antenna site into the coverage area of an adjacent antenna site. This requires coverage overlap for a sufficient distance and/or period of time to support the mechanism of the call handoff.

Quality of Service. Users of wireless communications services want to use their services where they live, work, commute and play, including when they are indoors. AT&T's coverage objectives include the ability to provide indoor coverage in areas where there are residences, businesses and indoor recreational facilities.

Search Ring Methodology—Con't

Radio Frequencies used by System. The designs of wireless communications systems vary greatly based upon the radio frequencies that are used by the carrier. For example, if the carrier uses radio frequencies in the 700 MHz to 850 MHz range, the radio signals will travel further and will penetrate buildings better than the radio frequencies in the 1900-2300 MHz band. As a result, wireless communications systems that use lower radio frequencies will need fewer sites than wireless communications systems that use higher radio frequencies.

Land Use Classifications. A&T's ability to construct a WCF site on any particular property is affected by state and local regulations, including zoning and comprehensive plan classifications, goals, and policies. AT&T's search rings take these laws and regulations into consideration.

North Direction. The coverage map always show that the top (or upright orientation) is always pointing to the North Direction.

Map Scale. This can be located at the Bottom Left Corner.

ULS License

700 MHz Lower Band (Blocks C, D) License - WPWU989 - New Cingular Wireless PCS, LLC

Call Sign	WPWU989	Radio Service	WZ - 700 MHz Lower Band (Blocks C, D)
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	EAG706 - Pacific	Channel Block	D
Submarket	0	Associated Frequencies (MHz)	000716.00000000-000722.00000000

Dates

Grant	11/05/2019	Expiration	06/13/2029
Effective	11/05/2019	Cancellation	

Buildout Deadlines

1st	06/13/2019	2nd	
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Notification Dates

1st	05/08/2019	2nd	05/08/2019
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Licensee

FRN	0003291192	Type	Limited Liability Company
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Licensee

New Cingular Wireless PCS, LLC 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN Cecil J Mathew	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
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Contact

AT&T Mobility LLC Cecil J Mathew	P:(855)699-7073 F:(214)746-6410
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208 S Akard St., RM 1015
Dallas, TX 75202
ATTN Michael P. Goggin

E:FCCMW@att.com

Ownership and Qualifications

Radio Service Type	Fixed, Mobile		
Regulatory Status	Common Carrier, Non- Common Carrier	Interconnected	No

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

TOWAIR Determination Results

A routine check of the coordinates, heights, and structure type you provided indicates that this structure does not require registration.

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

PASS SLOPE: No FAA REQ-Unmarked Seaplane base

Type	C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
SEAP	C	47-40-20.00N	116-47-10.00W	BROOKS	KOOTENAI COEUR D'ALENE, ID	647.7	4572.0

PASS SLOPE(100:1): NO FAA REQ-RWY MORE THAN 10499 MTRS & 7350.86 MTRS (7.35090 KM) AWAY

Type	C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
AIRP	R	47-46-0.00N	116-49-15.00W	COEUR D'ALENE - PAPPY BOYINGTON FIELD	KOOTENAI COEUR D'ALENE, ID	694.2	2255.5

Your Specifications

NAD83 Coordinates

Latitude	47-42-15.9 north
Longitude	116-47-16.0 west

Measurements (Meters)

Overall Structure Height (AGL)	27.4
Support Structure Height (AGL)	27.4
Site Elevation (AMSL)	684.2

Structure Type

MTOWER - Monopole

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

CLOSE WINDOW



Collocation Consent

Date: January 20, 2020

Project: SP4384 I-90 & Hwy 95

Address: 215 W Anton Ave, Coeur d'Alene, ID

Dear Staff:

New Cingular Wireless PCS, LLC (AT&T) ("Applicant") is willing to allow other transmission equipment owned by others to collocate with the proposed wireless communication facility whenever technically and economically feasible and aesthetically desirable and intends to negotiate with future carriers in good faith.

AT&T Applicant (print):

Len Dalton

AT&T Applicant (signature):

Len Dalton

Date:

1/24/20

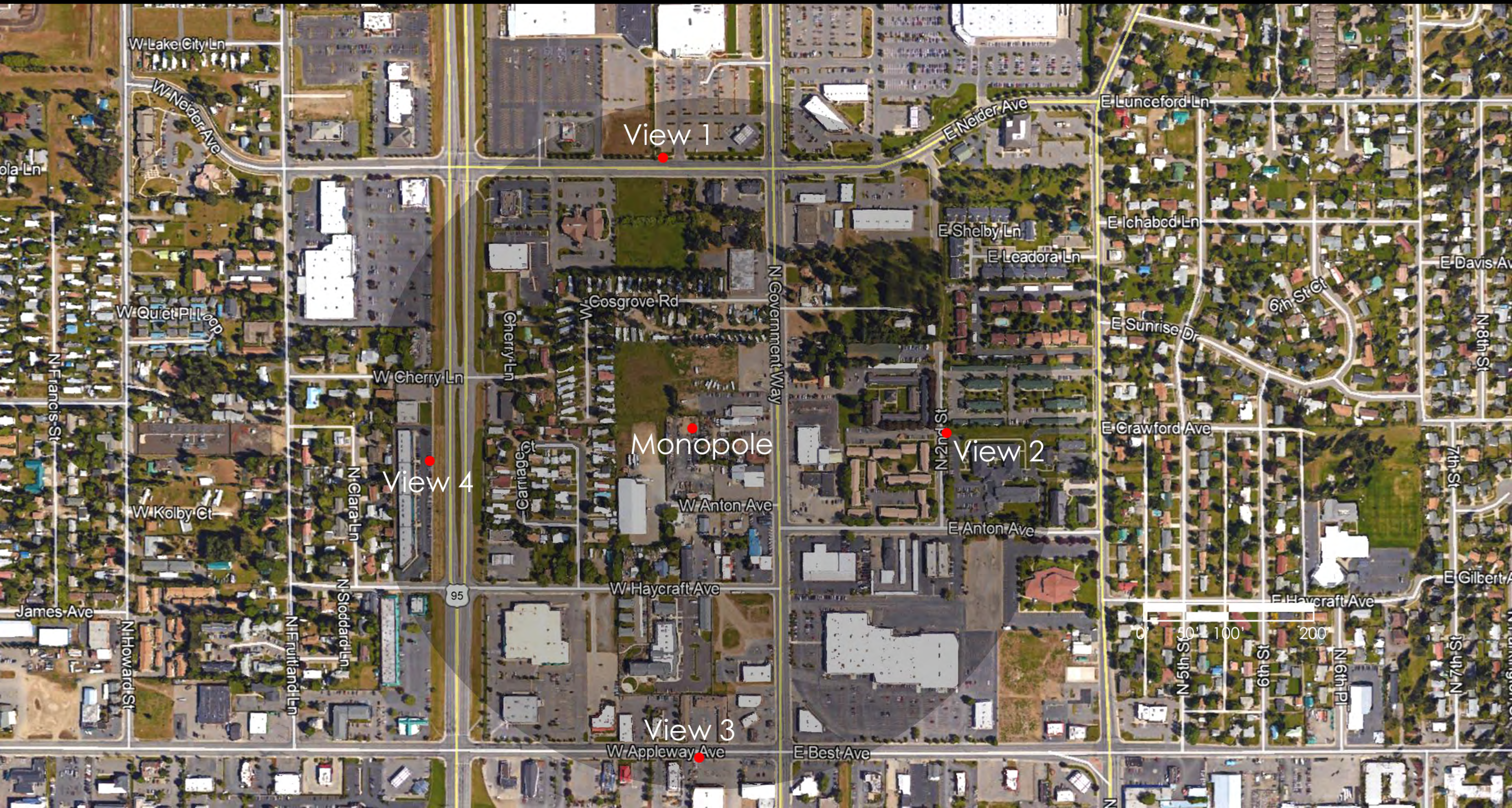


Photo Location Map



Visual impact will be affected by location and visibility of observer. This document is for planning and information purposes only and is purely conceptual. This is solely the designers / photographers interpretation of the proposed development.



Address: 215 W. ANTON AVE
COEUR D'ALENE, ID 83815

SP4384 I-90 & HWY 95

FA #: 14647581 / USID: 271122

Proposed Structure Height: 90.0' AGL

Description:

Proposed installation of twelve (12) antennas, eighteen (18) rrhs, two (2) surge protectors, and fiber/dc cables on a new 90' monopole. Installation of a 6'-8" x 6'-8" WIC (equipment shelter) and 30kW generator on a 10'-0" x 15'-0" concrete pad within a new 30' x 30' fenced compound. Future other carrier antennas shown below.

VIEW 1



47°42'26.65"N
116°47'16.95"W



Proposed development *not visible* from this location

Existing Conditions - Looking South

Proposed Conditions - Looking South



Visual impact will be affected by location and visibility of observer. This document is for planning and information purposes only and is purely conceptual. This is solely the designers / photographers interpretation of the proposed development.

Address: 215 W. ANTON AVE
COEUR D'ALENE, ID 83815

SP4384 I-90 & HWY 95

FA #: 14647581 / USID: 271122

Proposed Structure Height: 90.0' AGL

Description:

Proposed installation of twelve (12) antennas, eighteen (18) rrhs, two (2) surge protectors, and fiber/dc cables on a new 90' monopole. Installation of a 6'-8" x 6'-8" WIC (equipment shelter) and 30kW generator on a 10'-0" x 15'-0" concrete pad within a new 30' x 30' fenced compound. Future other carriers shown below.

VIEW 2



47°42'15.46"N
116°47'1.54"W

Existing Conditions - Looking West



Proposed Conditions - Looking West



Visual impact will be affected by location and visibility of observer. This document is for planning and information purposes only and is purely conceptual. This is solely the designers / photographers interpretation of the proposed development.

Address: 215 W. ANTON AVE
COEUR D'ALENE, ID 83815

SP4384 I-90 & HWY 95

FA #: 14647581 / USID: 271122

VIEW 3

Proposed Structure Height: 90.0' AGL

Description:

Proposed installation of twelve (12) antennas, eighteen (18) rrhs, two (2) surge protectors, and fiber/dc cables on a new 90' monopole. Installation of a 6'-8" x 6'-8" WIC (equipment shelter) and 30kW generator on a 10'-0" x 15'-0" concrete pad within a new 30' x 30' fenced compound. Future other carrier antennas shown below.



47°42'2.49"N
116°47'15.91"W



Existing Conditions - Looking North

Proposed Conditions - Looking North



Visual impact will be affected by location and visibility of observer. This document is for planning and information purposes only and is purely conceptual. This is solely the designers / photographers interpretation of the proposed development.

Address: 215 W. ANTON AVE
COEUR D'ALENE, ID 83815

SP4384 I-90 & HWY 95

FA #: 14647581 / USID: 271122

Proposed Structure Height: 90.0' AGL

Description:

Proposed installation of twelve (12) antennas, eighteen (18) rrhs, two (2) surge protectors, and fiber/dc cables on a new 90' monopole. Installation of a 6'-8" x 6'-8" WIC (equipment shelter) and 30kW generator on a 10'-0" x 15'-0" concrete pad within a new 30' x 30' fenced compound. Future other carrier antennas shown below.

VIEW 4



47°42'14.23"N
116°47'31.78"W



Existing Conditions - Looking East

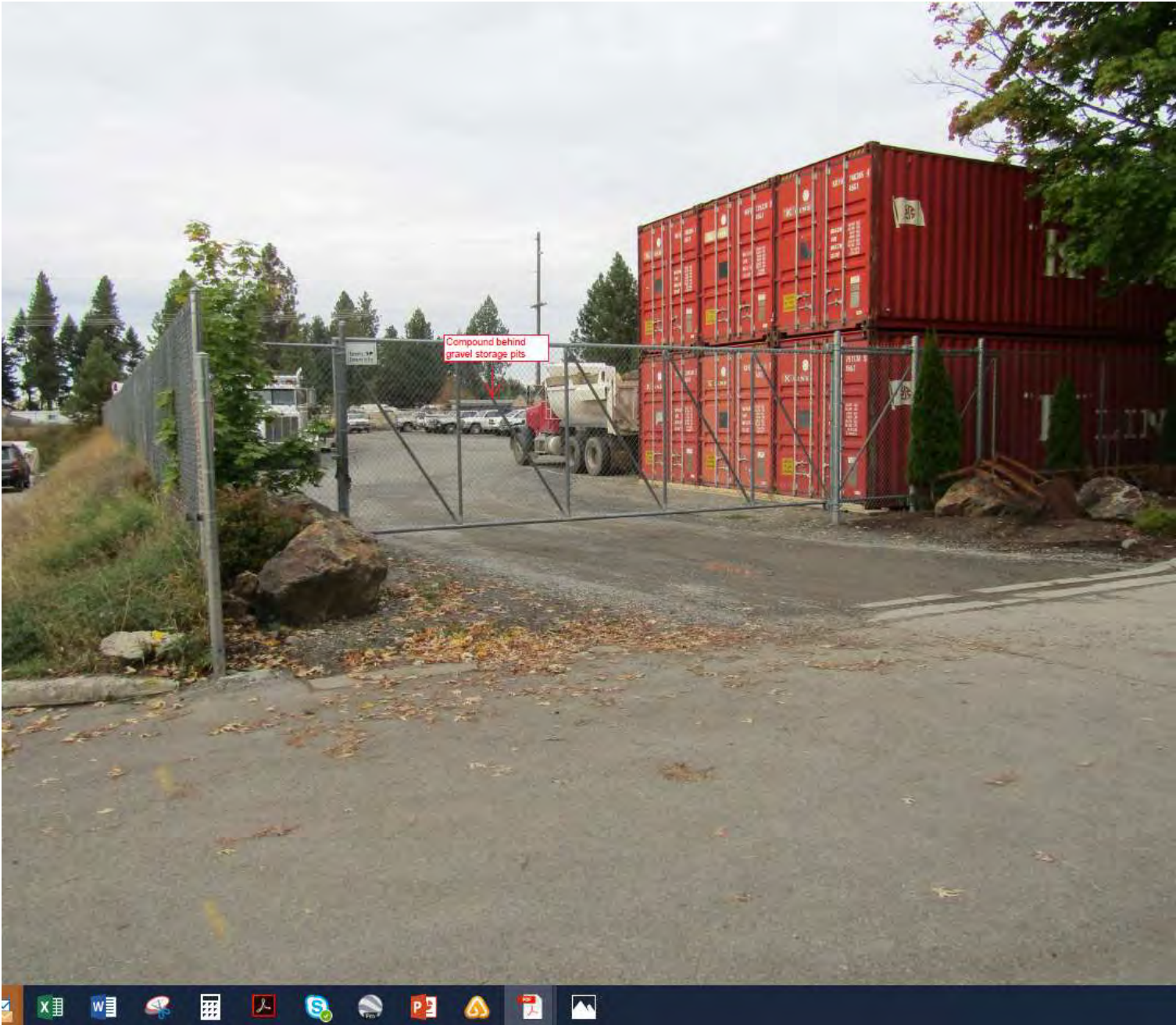
Proposed Conditions - Looking East



Visual impact will be affected by location and visibility of observer. This document is for planning and information purposes only and is purely conceptual. This is solely the designers / photographers interpretation of the proposed development.

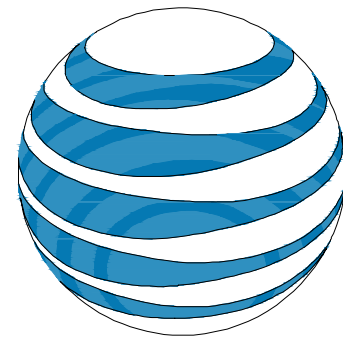
Address: 215 W. ANTON AVE
COEUR D'ALENE, ID 83815

EXISTING SITE CONDITIONS



PROJECT SCOPE

1. PROPOSED INSTALLATION OF A TELECOMMUNICATIONS FACILITY ON AN EXISTING PARCEL FOR AT&T.
2. PROPOSED INSTALLATION OF TWELVE (12) ANTENNAS, EIGHTEEN (18) RRHs, TWO (2) SURGE PROTECTORS, AND FIBER/DC CABLES ON A NEW 90' MONOPOLE.
3. PROPOSED INSTALLATION OF A 6'-8" X 6'-8" WIC (EQUIPMENT SHELTER) AND 30kW GENERATOR ON A 10'-0" X 15'-0" CONCRETE PAD WITHIN A NEW 30' X 30' FENCED COMPOUND.
4. PROPOSED INSTALLATION OF NEW 800A ELECTRICAL SERVICE WITH MULTI-GANG METER BASE, AND FIBER SERVICE.



at&t
mobility corp.

SP4384 I-90 & HWY 95

FA #: 14647581 / USID: 271122
215 W. ANTON AVENUE
COEUR D'ALENE, ID 83815

ZONING DRAWINGS

SHEET INDEX

- T1.0 TITLE SHEET
- LS-1-2 SURVEY
- A1.0 OVERALL SITE PLAN
- A2.0 ENLARGED SITE PLAN
- A3.0 ELEVATIONS



DRAWN BY: MS
CHECKED BY: BU

DRAWING VERSION		
VER.	DATE	DESCRIPTION
1	11/27/19	PRELIM LU DRAWINGS
2	12/09/19	CLIENT COMMENT
3	12/19/19	CC - FINAL LU DRAWINGS
4	01/16/20	CC - FINAL LU DRAWINGS

LICENSER	

** THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE OWNER IS STRICTLY PROHIBITED.

GOVERNING CODES

- 2015 INTERNATIONAL BUILDING CODE
- 2015 INTERNATIONAL EXIST. BUILDING CODE
- 2015 INTERNATIONAL FIRE CODE
- 2017 NATIONAL ELECTRICAL CODE
- 2015 INTERNATIONAL ENERGY CONSERVATION CODE

A.D.A. COMPLIANCE
INSTALLATION IS UNMANNED / NOT FOR HUMAN HABITATION. HANDICAP ACCESS IS NOT REQUIRED PER A.D.A.

APPROVALS

FINAL CONSTRUCTION DRAWINGS SIGN-OFF
** REVIEWERS SHALL PLACE INITIALS ADJACENT TO EACH REDLINE NOTE AS DRAWINGS ARE BEING REVIEWED.

CONSULTANT/PRINTED NAME	SIGNATURE	DATE
LANDLORD:		
SITE ACQ:		
PERMITTING:		
RF MGR:		
CONST MGR:		
OPS MGR:		
PROJ. MGR:		
COMPLIANCE:		
TRANSPORT:		

PROJECT INFORMATION
SP4384 I-90 & HWY 95

215 W. ANTON AVE
COEUR D'ALENE, ID 83815

SHEET TITLE
TITLE SHEET

SHEET NO.
T1.0

PROJECT CONTACTS

APPLICANT:
NEW CINGULAR WIRELESS PCS, LLC
19801 SW 72ND AVENUE #200
TUALATIN, OR 97062

TOWER OWNER:
AMERICAN TOWER COMPANY
10 PRESIDENTIAL WAY
WOBURN, MA 01801

PROPERTY OWNER:
ROSS BROTHERS INVESTMENTS, LLC
215 W. ANTON AVENUE
COEUR D'ALENE, ID 83815
BRENNY ROSS
PH: 208.699.9131

ZONING/PERMITTING AGENT:
SMARTLINK
11232 120TH AVE NE, #204
KIRKLAND, WA 98034
NANCY SEARS
PH: 425.444.1434

SITE ACQUISITION AGENT:
SMARTLINK
11232 120TH AVE NE, #204
KIRKLAND, WA 98034
PATTY BARTLETT
PH: 425.270.9163

RF ENGINEER:
AT&T MOBILITY

CONSTRUCTION MANAGER:
AT&T MOBILITY
TOM LOGAN
PH: 253.709.0317

SURVEYOR:
AMBIT CONSULTING, LLC
245 SAINT HELENS AVE, SUITE 3A
TACOMA, WA 98402
SCEAN RIPLEY, PLS
PH: 253.572.9181

PROJECT INFORMATION

SITE NAME: SP4384 I-90 & HWY 95
ADDRESS: 215 W. ANTON AVENUE
COEUR D'ALENE, ID 83815

JURISDICTION: CITY OF COEUR D'ALENE
PARCEL #: C-4095-000-004-A
C-2680-001-003-B
PARCEL SIZE: .90 AC & .121 AC
ZONING: C-17

LATITUDE: 47° 42' 15.77" N (47.704381°)
LONGITUDE: -116° 47' 16.06" W (-116.787794°)
GROUND ELEVATION: 2245.4' AGL
ZONING: 1A CERTIFICATION

(P) STRUCTURE TYPE: MONOPOLE
(P) STRUCTURE HEIGHT: 90.0'
(P) AT&T GROUND LEASE AREA: 900 SQ FT

OCCUPANCY: U
GROUP: II-B

LEGAL DESCRIPTION: SEE SHEET LS-2

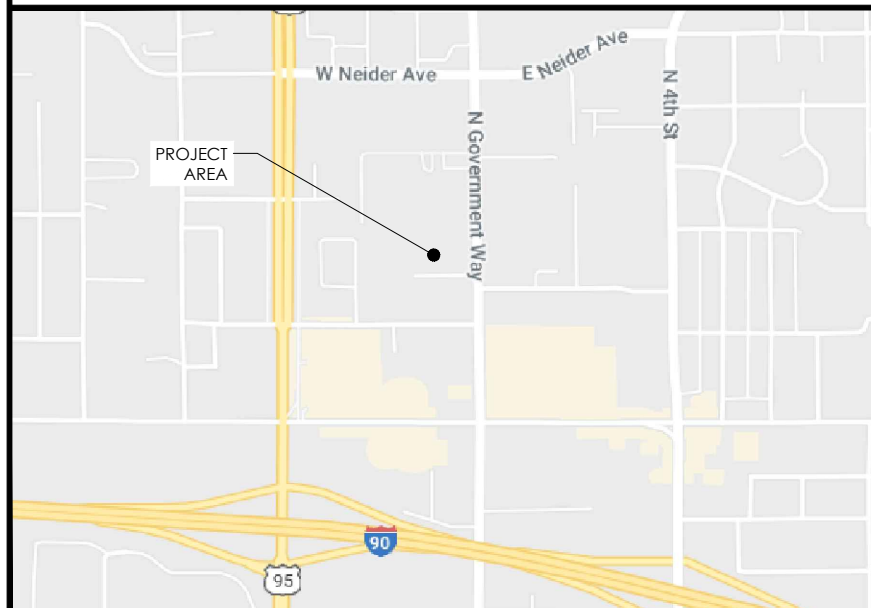
DRIVING DIRECTIONS

FROM AT&T OFFICE IN REDMOND, WASHINGTON:

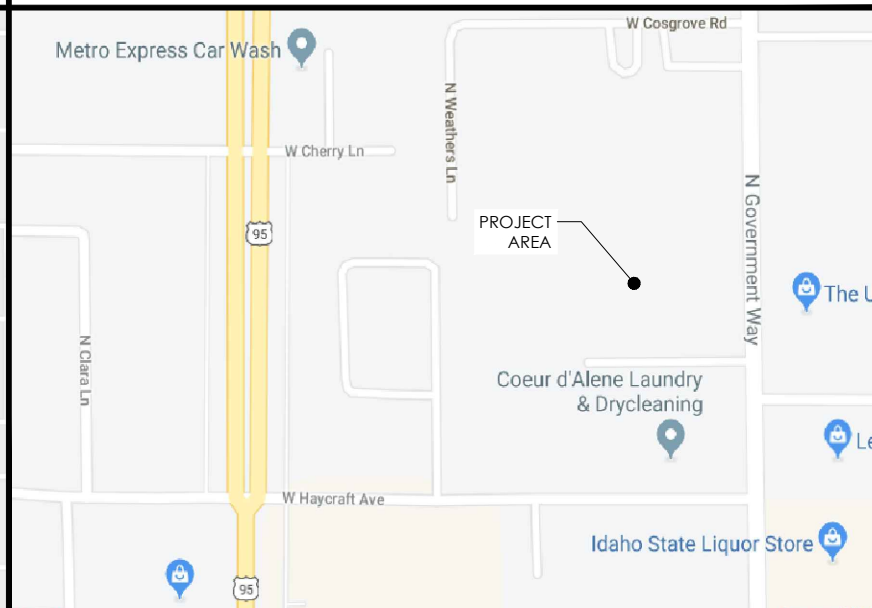
1. TURN LEFT ONTO BEAR CREEK PKWY (.2 MI)
2. CONTINUE ONTO 170TH AVE NE (1.0 MI)
3. TURN RIGHT ONTO REDMOND WAY (.7 MI)
4. TAKE SLIGHT RIGHT ONTO E LAKE SAMMAMISH PKWY NE (3.4 MI)
5. SLIGHT RIGHT TO STAY ON E LAKE SAMMAMISH PKWY NE (4.6 MI)
6. SLIGHT RIGHT TOWARD E LAKE SAMMAMISH PKWY (.1 MI)
7. SLIGHT RIGHT ONTO E LAKE SAMMAMISH PKWY SE (2.0 MI)
8. CONTINUE ONTO FRONT ST N (.2 MI)
9. TURN LEFT TO MERGE ONTO I-90 E (.6 MI)
10. MERGE ONTO I-90 E (92.6 MI)
11. CONTINUE STRAIGHT TO STAY ON I-90 E (200 MI)
12. TAKE EXIT 12 FOR US-95 TOWARD SANDPOINT / MOSCOW (.2 MI)
13. TURN RIGHT ONTO US-95 S (.3 MI)
14. TURN LEFT ONTO US-95 S (.3 MI)
15. TURN LEFT ONTO W IRONWOOD DR (.3 MI)
16. TURN LEFT ON GOVERNMENT WAY (.6 MI)
17. TURN LEFT ONTO W ANTON AVE (285 FT)

TOTAL TIME: 4 HRS 44 MINS
TOTAL MILES: 306 MILES

VICINITY MAP



LOCALIZED MAP



Know what's below.
Call before you dig.



PROJECT INFORMATION:
**I-90 AND HWY 95
 SP4384**
 215 WEST ANTON DRIVE
 COEUR D'ALENE, ID 83815
 KOOTENAI COUNTY

ORIGINAL ISSUE DATE:
11/04/2019

REV.: DATE: DESCRIPTION: BY:

0	11/04/2019	PRELIMINARY	DH
1	11/08/2019	UPDATE LEASE	PD
2	11/14/2019	ADDED TITLE WORK	RR
3	12/23/2019	DESIGN	CK

PROJECT COORDINATION:

CAPITAL DESIGN SERVICES
 2101 4TH AVE E, SUITE 202
 OLYMPIA, WA 98506
 360.991.1501
 WWW.CAPITALDESIGNSERVICES.COM

SURVEY PREPARED BY:

ambit consulting
 410 E. SOUTHERN AVE.
 TEMPE, ARIZONA 85282
 PH. (480) 659-4072
 WWW.AMBITCONSULTING.US

DRAWN BY: _____ CHK.: _____ APV.: _____
 DH PD WS

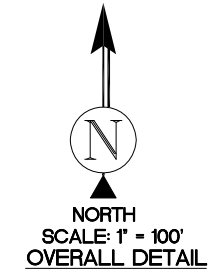
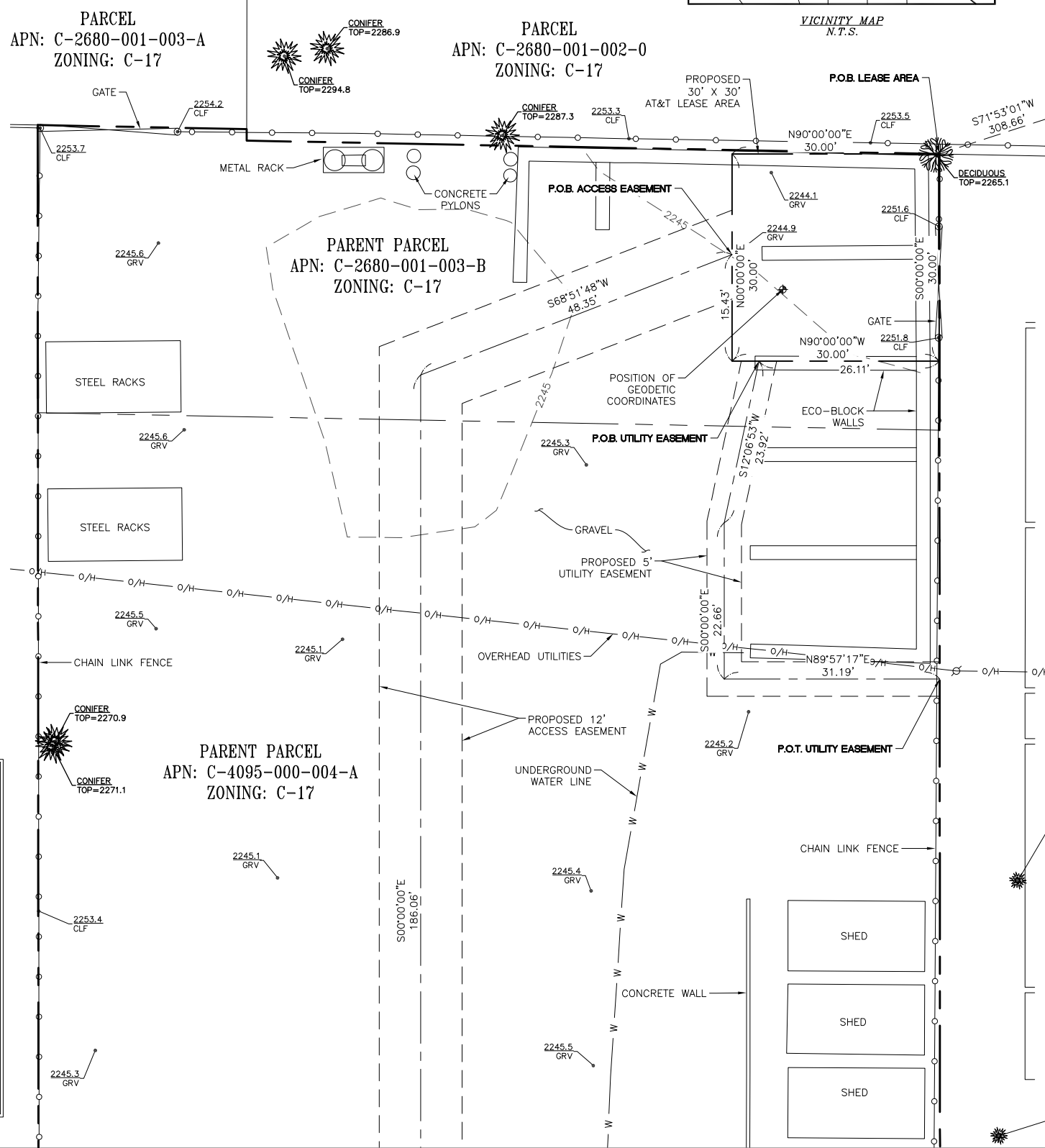
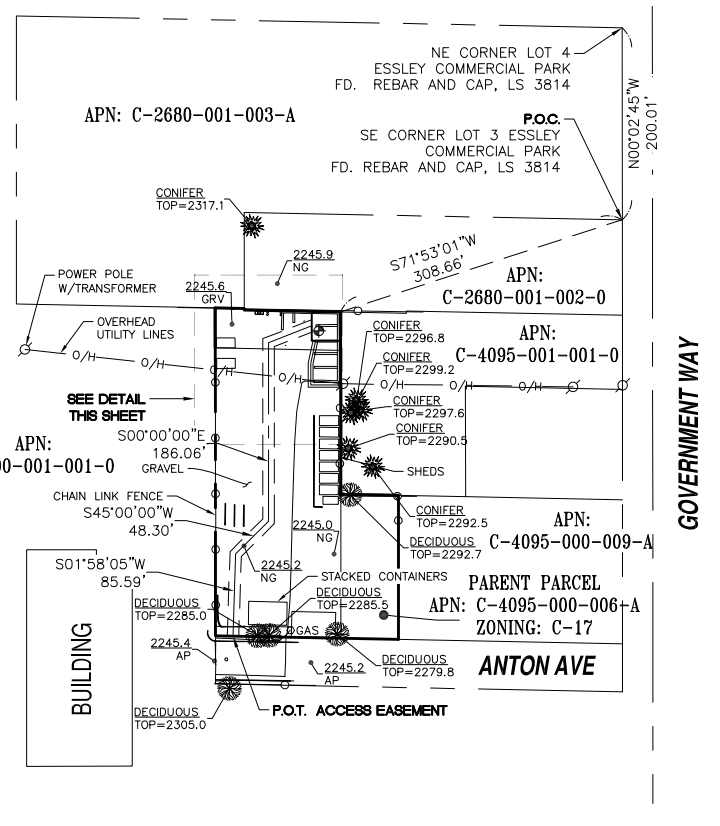
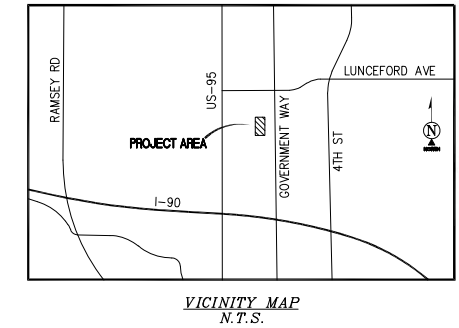
LICENSER:

WILLIAM CARTER STAMMERS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF IDAHO
 99805
 12/24/19

SHEET TITLE:
SITE SURVEY

SHEET NUMBER:
LS-1

POSITION OF GEODETIC COORDINATES
 LATITUDE 47° 42' 15.87" (47.704408) NORTH (NAD83)
 LONGITUDE 116° 47' 15.93" (116.787758) WEST (NAD83)
 GROUND ELEVATION @ 2244.9' (NAVD88)



SURVEY DATE
 10/30/2019

BASIS OF BEARING
 BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM IDAHO STATE PLANE COORDINATE ZONE WEST, DETERMINED BY GPS OBSERVATIONS.

BENCHMARK
 PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS 'GEOID 12B' MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY OBSERVATIONS OF THE 'SMARTNET' REAL TIME NETWORK. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.

FLOOD_ZONE
 THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD_ZONE "X". ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S), MAP ID #16055C0410E, DATED 05/03/2010.

UTILITY NOTES
 SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

GRID-TO-GROUND SCALE FACTOR NOTE
 ALL BEARINGS AND DISTANCES ARE BASED ON THE IDAHO STATE WEST ZONE STATE PLANE COORDINATE ZONE GRID. TO DERIVE GROUND DISTANCES DIVIDE BY 0.99990340

SURVEYOR'S NOTES
 SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

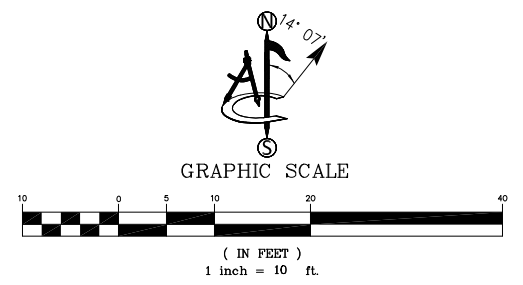
THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

THIS SURVEY IS PRELIMINARY IN NATURE AND NOT INTENDED TO BE FIELD LOCATED.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.

CONTOURS DERIVED FROM DIRECT FIELD OBSERVATIONS AND FOLLOW THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.

NOTES CORRESPONDING TO RECORDS MATTERS
 SEE SHEET LS-2



LEGEND

AP	ASPHALT	○	UTILITY POLE
CLF	CHAIN LINK FENCE	⊕	POSITION OF GEODETIC COORDINATES
CMU	CONCRETE MASONRY UNIT	⊙	SPOT ELEVATION
CONC	CONCRETE	⊗	WATER CONTROL VALVE
D/W	ACCESS DRIVEWAY	⊙	GAS VALVE
EP	EDGE OF PAVEMENT	⊙	TREES
FC	FACE OF CURB	⊙	PINE TREES
LP	LIGHT POLE	⊙	
NG	NATURAL GRADE	⊙	
R/W	RIGHT OF WAY	⊙	
SL	STREET LIGHT	⊙	
SW	SIDEWALK	⊙	
—○—○—	CHAIN LINK FENCE	—○—○—	WATER LINES
—W—W—	WROUGHT IRON FENCE	—GAS—GAS—	GAS LINES
—	STREET CENTERLINES	—	SUBJECT PROPERTY LINE
—	SUBJECT PROPERTY LINE	—	ADJACENT PROPERTY LINE
---	EASEMENT LINES	---	TIE LINES
---	TIE LINES	---	LEASE AREA LIMITS
---	LEASE AREA LIMITS	--- </td <td>MAJOR CONTOUR INTERVAL</td>	MAJOR CONTOUR INTERVAL
--- </td <td>MAJOR CONTOUR INTERVAL</td> <td>---<!--</td--> <td>MINOR CONTOUR INTERVAL</td> </td>	MAJOR CONTOUR INTERVAL	--- </td <td>MINOR CONTOUR INTERVAL</td>	MINOR CONTOUR INTERVAL
--- </td <td>MINOR CONTOUR INTERVAL</td> <td></td> <td></td>	MINOR CONTOUR INTERVAL		

PARENT PARCEL LEGAL DESCRIPTION

PARCEL 1
LOTS 3 AND 4, SUBDIVISION OF TRACT 79 OF FRUITLANDS ADDITION ACRE TRACT, ACCORDING TO THE PLAT RECORDED IN BOOK "C" OF PLATS, PAGE 233, RECORDS OF KOOTENAI COUNTY, IDAHO;

EXCEPT THE WEST 37.4 FEET OF LOT 3 THEREOF.

PARCEL 2
LOT 6 AND THE WEST 10 FEET OF LOT 7, SUBDIVISION OF TRACT 79 OF FRUITLANDS ADDITION ACRE TRACT, ACCORDING TO THE PLAT RECORDED IN BOOK "C" OF PLATS, PAGE 233, RECORDS OF KOOTENAI COUNTY, IDAHO.

PARCEL 3
LOT 3, BLOCK 1, ESSLEY COMMERCIAL PARK, ACCORDING TO THE PLAT RECORDED IN BOOK "J" OF PLATS, PAGE 209, RECORDS OF KOOTENAI COUNTY, IDAHO.

EXCEPT THAT PORTION CONVEYED TO RLS DEVELOPMENT, LLC BY DEED RECORDED JUNE 23, 2005 AS INSTRUMENT NO. 1959370.

LEASE AREA LEGAL DESCRIPTION

A PORTION OF OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN DEED OF TRUST RECORDED AS INSTRUMENT 2058762000, OFFICIAL RECORDS OF KOOTENIA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 OF ESSLEY COMMERCIAL PARK AS SHOWN ON BOOK J, PAGE 209 OFFICIAL RECORDS OF KOOTENIA COUNTY, IDAHO, FROM WHICH THE NORTHEAST CORNER OF LOT 4 OF SAID PLAT BEARS NORTH 00°02'45" WEST, 200.01 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 71°53'01" WEST, 308.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°00'00" EAST, 30.00 FEET; THENCE NORTH 90°00'00" WEST, 30.00 FEET; THENCE NORTH 00°00'00" EAST, 30.00 FEET; THENCE NORTH 90°00'00" EAST, 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 900 SQUARE FEET (0.02 ACRES) OF LAND, MORE OR LESS.

ACCESS EASEMENT LEGAL DESCRIPTION

A PORTION OF OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN DEED OF TRUST RECORDED AS INSTRUMENT 2058762000, OFFICIAL RECORDS OF KOOTENIA COUNTY, IDAHO, BEING A STRIP OF LAND 12.00 FEET WIDE, 6.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 OF ESSLEY COMMERCIAL PARK AS SHOWN ON BOOK J, PAGE 209 OFFICIAL RECORDS OF KOOTENIA COUNTY, IDAHO, FROM WHICH THE NORTHEAST CORNER OF LOT 4 OF SAID PLAT BEARS NORTH 00°02'45" WEST, 200.01 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 71°53'01" WEST, 308.66 FEET; THENCE SOUTH 00°00'00" EAST, 30.00 FEET; THENCE NORTH 90°00'00" WEST, 30.00 FEET; THENCE NORTH 00°00'00" EAST, 15.43 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 68°51'48" WEST, 48.35 FEET; THENCE SOUTH 00°00'00" EAST, 186.06 FEET; THENCE SOUTH 45°00'00" WEST, 48.30 FEET; THENCE SOUTH 01°58'05" WEST, 85.59 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT OF WAY OF ANTON AVENUE AND THE POINT OF TERMINUS.

UTILITY EASEMENT LEGAL DESCRIPTION

A PORTION OF OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN DEED OF TRUST RECORDED AS INSTRUMENT 2058762000, OFFICIAL RECORDS OF KOOTENIA COUNTY, IDAHO, BEING A STRIP OF LAND 5.00 FEET WIDE, 2.50 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 OF ESSLEY COMMERCIAL PARK AS SHOWN ON BOOK J, PAGE 209 OFFICIAL RECORDS OF KOOTENIA COUNTY, IDAHO, FROM WHICH THE NORTHEAST CORNER OF LOT 4 OF SAID PLAT BEARS NORTH 00°02'45" WEST, 200.01 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 71°53'01" WEST, 308.66 FEET; THENCE SOUTH 00°00'00" EAST, 30.00 FEET; THENCE NORTH 90°00'00" WEST, 26.11 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 12°06'53" WEST, 23.92 FEET; THENCE SOUTH 00°00'00" EAST, 22.66 FEET; THENCE NORTH 89°57'17" EAST, 31.19 FEET TO THE POINT OF TERMINUS.

SCHEDULE "B" NOTE

REFERENCE IS MADE TO THE TITLE REPORT ORDER No.860322-C, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED AUGUST 13, 2019. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

ITEMIZED NOTES:

- ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY THE RECORDED PLAT OF SAID SUBDIVISION, RECORDED IN BOOK C OF PLATS, PAGE 233, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITION OR RESTRICTION VIOLATE 42 USC 3604(C). (BLANKET IN NATURE)
- EASEMENT FOR RIGHT OF WAY GRANTED TO THE WASHINGTON WATER POWER COMPANY, RECORDED FEBRUARY 12, 1930, IN BOOK 94 OF DEEDS, PAGE 586. (EXACT LOCATION INDETERMINATE - NOT SHOWN)
- EASEMENT GRANTED TO WASHINGTON WATER POWER COMPANY, RECORDED NOVEMBER 8, 1957, IN BOOK 170 OF DEEDS, PAGE 469. (EXACT LOCATION INDETERMINATE - NOT SHOWN)
- EASEMENT GRANTED TO WASHINGTON WATER POWER COMPANY, RECORDED MARCH 22, 1977, AS INSTRUMENT NO. 725496. (EXACT LOCATION INDETERMINATE - NOT SHOWN)
- ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY RECORD OF SURVEY RECORDED OCTOBER 19, 1982, AS INSTRUMENT NUMBER 918592, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (BLANKET IN NATURE)
- UNRECORDED LEASEHOLDS; RIGHTS OF PARTIES IN POSSESSION, RIGHTS OF SECURED PARTIES, VENDORS AND VENDEES UNDER CONDITIONAL SALES CONTRACTS OF PERSONAL PROPERTY INSTALLED ON THE PREMISES HEREIN, AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES. (NOT A SURVEY MATTER - NOT SHOWN)
- ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY THE RECORDED PLAT OF SAID ESSLEY COMMERCIAL PARK FILED IN BOOK J PAGE 209, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (BLANKET IN NATURE)
- COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 1959369, BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (NOT A SURVEY MATTER - NOT SHOWN)
- COMMON WATER LINE AND EASEMENT AGREEMENT UPON THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN: PARTIES: RLS DEVELOPMENTS, LLC AND LLOYD J. SAUBERAN AND LOIS R. SAUBERAN, HUSBAND AND WIFE RECORDED: JUNE 23, 2005, INSTRUMENT NO. 1959372 (DOES NOT AFFECT PARENT PARCEL - NOT SHOWN)
- ABANDON AND TERMINATE EASEMENT AGREEMENT UPON THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN: PARTIES: PROPERTY OWNERS RECORDED: JUNE 23, 2005, INSTRUMENT NO. 1959374 (DOES NOT AFFECT PARENT PARCEL - NOT SHOWN)
- UNRECORDED LEASEHOLDS; RIGHTS OF PARTIES IN POSSESSION, RIGHTS OF SECURED PARTIES, VENDORS AND VENDEES UNDER CONDITIONAL SALES CONTRACTS OF PERSONAL PROPERTY INSTALLED ON THE PREMISES HEREIN, AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES. (NOT A SURVEY MATTER - NOT SHOWN)



PROJECT INFORMATION:

I-90 AND HWY 95
SP4384

215 WEST ANTON DRIVE
COEUR D'ALENE, ID 83815

KOOTENAI COUNTY

ORIGINAL ISSUE DATE:

11/04/2019

REV.: DATE: DESCRIPTION: BY:

0	11/04/2019	PRELIMINARY	DH
1	11/08/2019	UPDATE LEASE	PD
2	11/14/2019	ADDED TITLE WORK	RR

PROJECT COORDINATION:



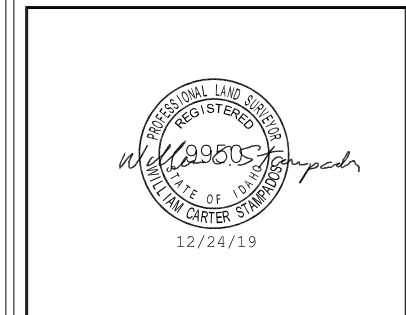
SURVEY PREPARED BY:



DRAWN BY: CHK.: APV.:

DH	PD	WS
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LICENSER:

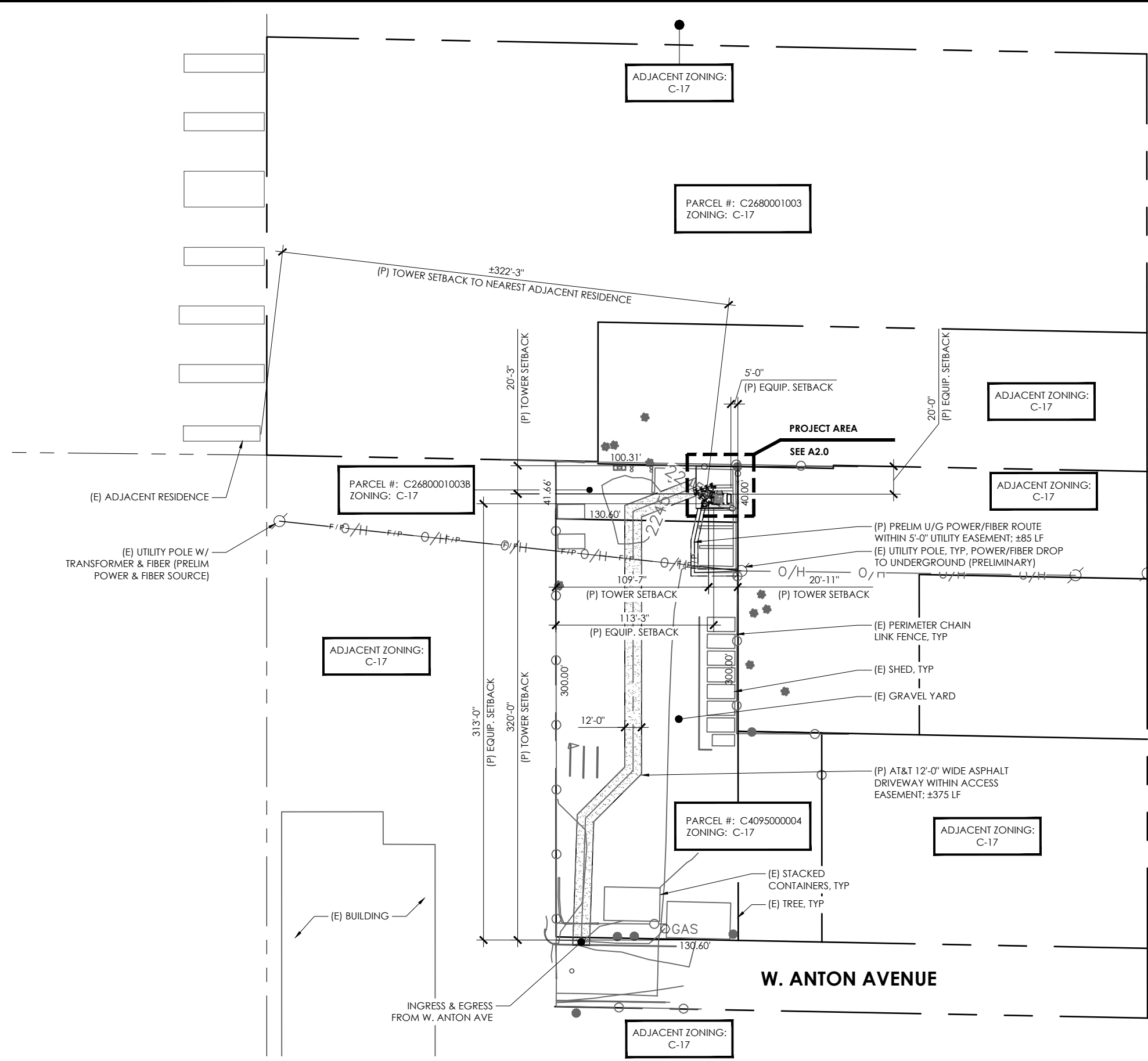


SHEET TITLE:

SITE SURVEY

SHEET NUMBER:

LS-2



NOTES:
 THE OVERALL SITE PLAN IS GENERATED FROM MULTIPLE SOURCES INCLUDING, BUT NOT LIMITED TO, GIS MAPS, AERIAL MAPS, PHOTOS, IMAGES, AND TOPOGRAPHIC SURVEY (IF PROVIDED).



DRAWN BY: MS
 CHECKED BY: BU

DRAWING VERSION		
VER.	DATE	DESCRIPTION
1	11/27/19	PRELIM LU DRAWINGS
2	12/09/19	CLIENT COMMENT
3	12/19/19	CC - FINAL LU DRAWINGS
4	01/16/20	CC - FINAL LU DRAWINGS
5	02/24/20	CC - REV. TO A1.0

LICENSER

PROJECT INFORMATION
 SP4384 I-90 & HWY 95
 215 W. ANTON AVE
 COEUR D'ALENE, ID 83815

SHEET TITLE
 OVERALL SITE PLAN

SHEET NO.
 A1.0



DRAWN BY: MS
CHECKED BY: BU

DRAWING VERSION		
VER.	DATE	DESCRIPTION
1	11/27/19	PRELIM LU DRAWINGS
2	12/09/19	CLIENT COMMENT
3	12/19/19	CC - FINAL LU DRAWINGS
4	01/16/20	CC - FINAL LU DRAWINGS

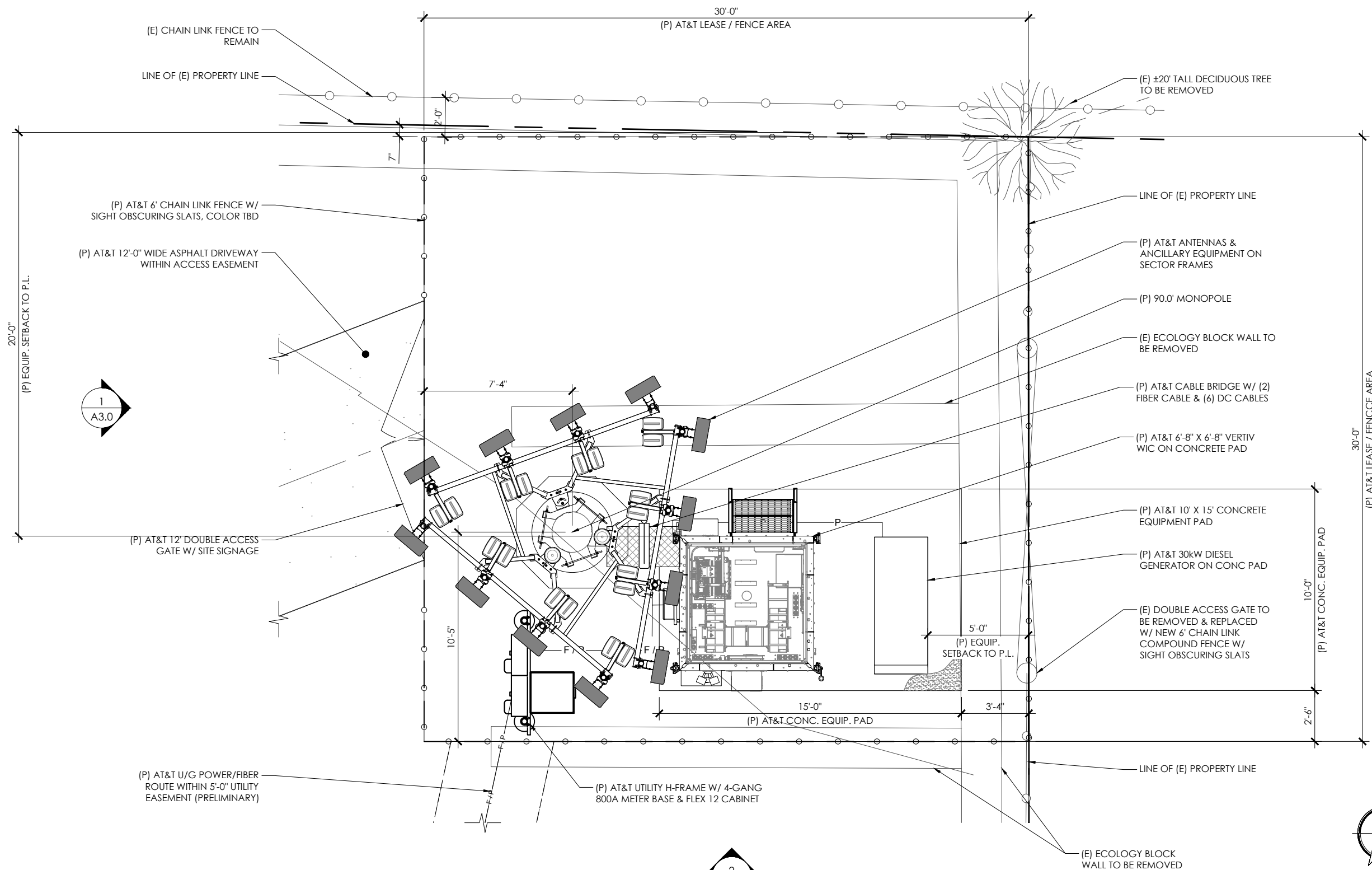
LICENSER

PROJECT INFORMATION
SP4384 I-90 & HWY 95

215 W. ANTON AVE
COEUR D'ALENE, ID 83815

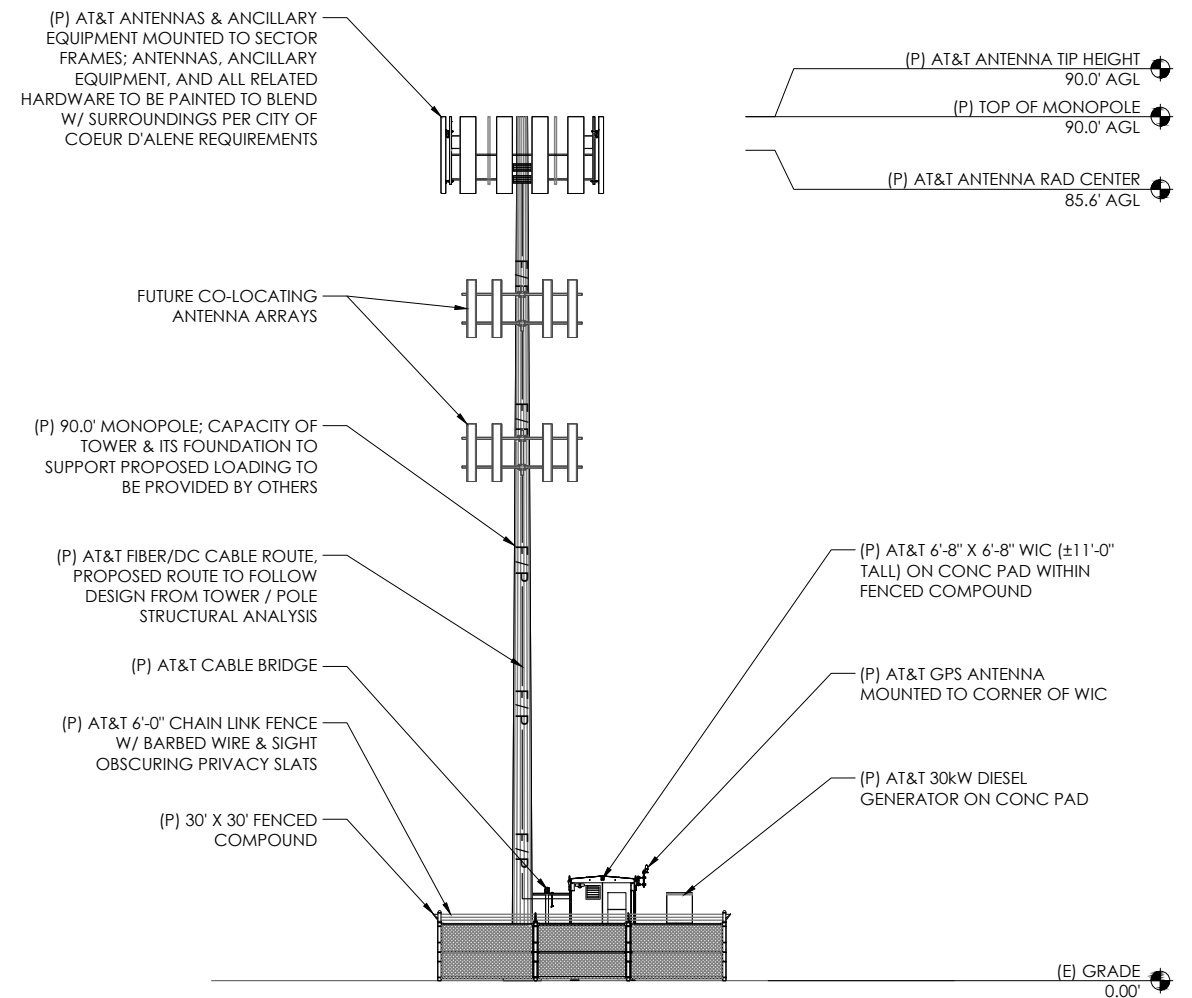
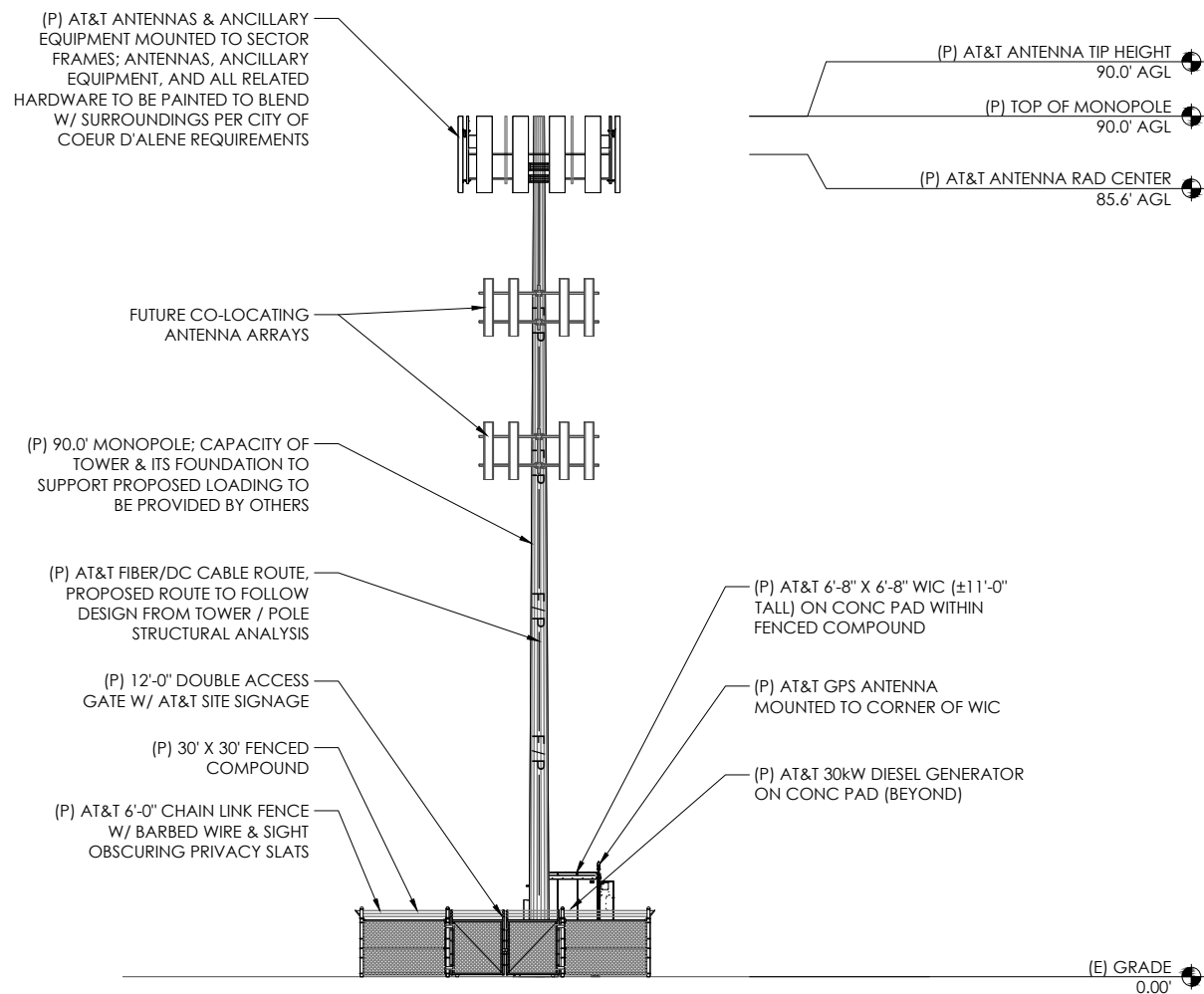
SHEET TITLE
ENLARGED SITE PLAN

SHEET NO.
A2.0





NOTES:
 1. THE PROJECT CM / PM TO VERIFY ANY REQUIRED PAINTING REQUIREMENTS FOR PROPOSED TOWER, ANTENNAS, ANCILLARY EQUIPMENT, CABLES, AND HARDWARE PRIOR TO ORDERING / INSTALLING EQUIPMENT.
 2. PROPOSED MONOPOLE TO BE PAINTED PER CITY OF COEUR D'ALENE REQUIREMENTS.



DRAWN BY: MS
 CHECKED BY: BU

DRAWING VERSION		
VER.	DATE	DESCRIPTION
1	11/27/19	PRELIM LU DRAWINGS
2	12/09/19	CLIENT COMMENT
3	12/19/19	CC - FINAL LU DRAWINGS
4	01/16/20	CC - FINAL LU DRAWINGS

LICENSER

PROJECT INFORMATION
 SP4384 I-90 & HWY 95
 215 W. ANTON AVE
 COEUR D'ALENE, ID 83815

SHEET TITLE
 ELEVATIONS

SHEET NO.
 A3.0

1 (P) WEST ELEVATION 11 X 17 SCALE: 1" = 20'-0" 0' 10' 20' 40' 22 X 34 SCALE: 1" = 10'-0"

2 (P) SOUTH ELEVATION 11 X 17 SCALE: 1" = 20'-0" 0' 10' 20' 40' 22 X 34 SCALE: 1" = 10'-0"



Date: January 23, 2020
Site Number: SP4384 - I-90 AND HWY 95 - FA 14647581
Address: 215 W Anton Ave, Coeur d'Alene, ID 83815
Re: Radio Frequency Compliance

Statement of Compliance

This AT&T wireless communications facility complies with all federal standards for radio frequency radiation in accordance with the Telecommunications Act of 1996 and subsequent amendments and any other requirements imposed by state or federal regulatory agencies.

Description of Facility:

Location Type: Proposed modifications to the wireless communications facility will be comprised of multiple panel antennas and associated radio cabinets utilizing licensed frequencies in the 700, 850, 1900, 2100, and 2300 MHz bands. The purpose of the facility is to provide coverage and/or capacity to the geographic service area.

Power Density:

The power density from any sector as designed with the proposed facility shall not exceed the FCC maximum permissible exposure limits in accordance with FCC Public Standards OET Bulletin 65 (e.g., 1 mW/cm² at 1900 MHz) at any location that is readily accessible by the public, without proper RF Safety mitigation and measures in place and clearly demarcated with appropriate signage.

The proposed facility should not interfere with other communications facilities. Our sites are monitored 24/7 by a national operations center to ensure all is operating normally. In addition, we have local technicians who make routine visits to cell sites to make repairs when needed. AT&T audits our facilities on a semi-annual basis to ensure that FCC compliance levels are continuously met.

If requested, a detailed radio frequency emission safety report detailing the maximum potential exposures may be provided to the jurisdiction.

Sincerely,

A handwritten signature in black ink, appearing to read "J Calces".

Juvylyn Calces
AT&T Mobility - RAN Engineering – PNW Market RF Safety Coordinator