

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

SEPTEMBER 11, 2018

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

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

5:30 P.M. CALL TO ORDER:

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

APPROVAL OF MINUTES:

August 14, 2018

PUBLIC COMMENTS:

STAFF COMMENTS:

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

1. Applicant: City of Coeur d'Alene
Location: 3074 W. Seltice Way
Request: A proposed 46 +/- acre annexation from County Industrial to City C-17 (Commercial at 17 units/acre) and NW (Navigable Water) zoning district
LEGISLATIVE, (A-2-17m)
2. Applicant: Ron Ayers
Location: 1750 N. Pinewood Court
Request: A proposed R-34 Density Increase special use permit in the R-17 zoning district
QUASI-JUDICIAL, (SP-9-18)
3. Applicant: CDA School District 271
Location: 2008, 1950 & 1914 Prairie Avenue
Request: A proposed 7.18 acre annexation from County Agricultural to City R-8 zoning district.
LEGISLATIVE, (A-3-18)
 - B. A proposed Community Education special use permit in the R-8 zoning district.
QUASI-JUDICIAL, (SP-10-18)

ITEM A-2-18 has been continued to the next Planning Commission Meeting on October 10, 2018

4. Applicant: Dave and Yvonne Palmer
Location: Fernan Hill Road
Request: A proposed 2.50 acre annexation from County Agricultural Suburban to City R-1 zoning district.
LEGISLATIVE, (A-2-18)

ADJOURNMENT/CONTINUATION:

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

****The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhmiller at (208)769-2240 at least 72 hours in advance of the meeting date and time.***



MINUTES



**PLANNING COMMISSION
MINUTES
AUGUST 14, 2018
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Tom Messina, Chair
Lewis Rumpler

CALL TO ORDER:

The meeting was called to order by Vice-Chair Ingalls at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Ward, seconded by Fleming, to approve the minutes of the Planning Commission meeting on July 10, 2018. Motion approved.

COMMISSION COMMENTS:

STAFF COMMENTS:

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

- We had removed from the agenda an update on East Sherman since both Chairman Messina and Commissioner Rumpler are absent and will postpone that update to another meeting/workshop.
- She handed out information on the CDA 2030 Annual Celebration that will be held on Thursday, August 16th in Riverstone Park from 5:30 to 8:00 p.m. She stated that the City will have a booth together with CDA 2030 that will help kick-start public input on the Comprehensive Plan. The theme of the event is “Dream it, Do it, Live it!”
- We have scheduled five public hearings for the September 11th Planning Commission Meeting.
- She stated that last month the Commission approved the Special Use Permit for 623 Wallace (SP-8-18) and that project has been appealed and scheduled to be heard by the City Council on Tuesday, August 21st.

PUBLIC COMMENTS:

There were none.

PRESENTATION:

Complete Streets - Chris Bosley, City Engineer provided the following statements:

- A Complete Streets policy was adopted by the City of Coeur d'Alene in 2009, one of the first in Idaho.
- Complete Streets is a nationally recognized program in which communities require planners, engineers and designers to consider all modes of transportation when designing and building streets.
- Complete Streets does not require that all streets include sidewalks and bike lanes. It merely requires consideration of all modes where applicable because retrofitting existing streets to include these accommodations can be costly. Currently, City staff already use a Complete Streets approach, due in part to our Complete Streets policy.
- The ordinance will require that designers accomplish a Complete Streets checklist to verify that all modes have been considered. The checklist includes questions such as if a street is identified in the Trails and Bikeways Master Plan, if a bus stop or a school is within the area, or if business delivery trucks use the street. It is a fairly simple way of ensuring that items such as these are not missed.
- A Complete Streets Ordinance also strengthens our standing as a Bicycle Friendly and Walk Friendly Community.

Mr. Bosley concluded his presentation and asked if the Commission had any questions.

Commission Comments:

Commissioner Fleming stated that she lives near the Kroc Center and noticed a lot of violators on the portion of the Centennial Trail by the Kroc Center riding motorized dirt bikes going faster than the posted speed limit. She suggested keeping the signage on the trail, so people know the posted speed limit.

Commissioner Luttrupp commented that page three of the draft Ordinance states "Street projects may exclude the development of sidewalks in areas falling outside those identified as appropriate for sidewalks on the basis of an adopted side walk policy". He questioned if the city has a sidewalk policy.

Mr. Bosley answered, yes we do.

Vice-Chair Ingalls complimented Mr. Bosley's efforts for putting together this Complete Streets Ordinance. He questioned if this is a draft or has it been adopted by Council.

Mr. Bosley stated that this has been adopted by Council.

Vice-Chair Ingalls inquired if this is adopted, what types of projects would trigger a review.

Mr. Bosley explained that a checklist would need to be done for subdivisions or any street overalls like Seltice Way or Government Way that would need to be reviewed and a checklist done. He explained small developments from private homeowners would not be required to fill out a checklist.

Commissioner Fleming inquired if there is anything we can do to trigger more bike racks for existing and new businesses. She commented if a business owner agrees to put in a bike rack suggested giving them an incentive to be used for their building costs.

Mr. Bosley explained that bike racks are required with new commercial developments, but not with older buildings, and that there are areas in the city bike racks don't exist, and maybe something could be done for those areas.

PUBLIC HEARINGS:

1. Applicant: Melrose Properties, LLC
Location: 925 W. Emma
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to C-17L (Limited Commercial at 17 units/acre) zoning district. QUASI-JUDICIAL (ZC-3-18)

Mike Behary, Planner, stated that the applicant is requesting approval of a zone change from R-12 to C-17L zoning district.

Mr. Behary provided the following statements:

- The subject property is currently occupied by a duplex that is located toward the front of the parcel.
- The rear portion of the subject property is vacant. The property to the east is occupied by North Idaho's VHA Community Based Outpatient Clinic (CBOC).
- The applicant has indicated that they are in communication and negotiations with the VA about the expansion of the VA's Medical Clinic parking lot from the adjacent parcel onto the subject site.
- The VA Clinic to the east of the subject site is the only medical clinic that serves veterans from the five northern counties. The applicant has indicated that the VA has been growing and their parking area is of concern for them.
- The applicant has indicated that the timing of this zoning request is driven by the VA's desire to expand their parking lot. The applicant has indicated that the vacant part of their property could accommodate the parking need for the VA Clinic.
- The VA Medical Center to the east of this site is zoned C-17L. The Kootenai Health Medical Facility is also zoned C-17L and that facility is in the vicinity and is located to the north and east of the subject site. The property located adjacent to the north and west of the subject site is zoned R-17 and have multi-family use located on it.
- However, it should be noted that if the parking lot proposal between the applicant and the VA Medical Center does not materialize, then any of the uses that are permitted in the C-17L would be allowed at this site.
- He noted that the Comprehensive Plan designates this area at Stable Established – Appleway - North 4th Street.
- He presented various photos of the applicant's property.
- He stated that there are no conditions proposed for this project.

Mr. Behary concluded his presentation and asked if the Commission had any questions.

Commission Comments:

Commissioner Ward noted the location map located on page two of the staff report, the east subject property is identified as Government Way and should be Highway 95 or Lincoln Way.

Public testimony open.

Ryan Nipp, applicant representative, provided the following statements:

- He stated 925 Emma is located in the rapidly growing Health Corridor.
- Kootenai Health has gone through significant expansion over the last few years, starting in 2014 with a multi-phase master plan for the hospital. The phase one was completed in 2016, including a \$100,000 square foot expansion that includes a Birth Center and Neonatal Intensive Care Unit,

- Orthopedic and Neuro Surgery floor, plus the creation of a new north entrance and main lobby.
- The 45 million dollar Phase two expansion added 7,000 square feet of new space to the Emergency Department, and Phase three will build out the third floor to provide 32 private patient rooms in 2019.
- He stated the VA Clinic was completed in 2014, and is located next door to this property. The VA includes physical therapy, behavioral health, pharmacy, lab and a planned eye clinic. He added it has five providers and five nurses that serve over 200 patients per day with plans to expand. This is the only VA clinic in the five northern counties and serves a wide veteran population.
- He explained with the Health Corridor, expansion of major transportation improvements were completed in 2017 to improve access to the corridor. What was added was new turn lanes and traffic light replacement at the intersection of Ironwood and Highway 95. New traffic lights were added at Highway 95 and Emma and Medina and Ironwood Drive.
- The parking lot at 700 Ironwood was expanded to accommodate the increasing patient visits.
- He explained the zone change request was driven by the VA's current desire to expand their parking lot. The VA facility continues to experience patient and employee growth with the need for additional parking. He explained that they have identified an area at the north end of adjacent 925 Emma parcel that could accommodate a future expansion of the VA's parking lot.
- He stated that the health corridor is growing and hopefully this zone change will be approved.

Mr. Nipp concluded his presentation and asked if the commission had any questions.

There were no questions for the applicant.

Public testimony closed.

Motion by Fleming, seconded by Mandel, to approve Item ZC-3-18. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT:

Motion by Fleming, seconded by Mandel, to adjourn the meeting. Motion approved.

The meeting was adjourned at 6:00 p.m.

Prepared by Shana Stuhlmler, Public Hearing Assistant



PUBLIC HEARINGS



PLANNING COMMISSION STAFF REPORT

FROM: HILARY ANDERSON, COMMUNITY PLANNING DIRECTOR

DATE: SEPTEMBER 11, 2018

SUBJECT: A-2-17m – ZONING PRIOR TO ANNEXATION OF +/- 48 ACRES FROM COUNTY INDUSTRIAL TO CITY C-17 (COMMERCIAL AT 17 UNITS/ACRE) AND +/-46 ACRES OF SPOKANE RIVER TO NW (NAVIGABLE WATER)

LOCATION: PROPERTY LOCATED IMMEDIATELY SOUTH OF SELTICE WAY AND WEST OF THE CENTENNIAL TRAIL AND NORTH OF THE SPOKANE RIVER. THE SUBJECT SITE IS COMMONLY KNOWN AS 3074 W. SELTICE WAY AND REFERRED TO AS THE ATLAS MILL SITE, AND A PORTION OF THE SPOKANE RIVER AS DESCRIBED IN THE LEGAL DESCRIPTION

APPLICANT:

The City of Coeur d'Alene
710 E Mullan Avenue
Coeur d'Alene, ID 83814

OWNER:

The City of Coeur d'Alene
710 E Mullan Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

The City of Coeur d'Alene is requesting approval of zoning prior to annexation of +/- 48 acres from County Industrial to City C-17 (Commercial at 17 units/acre) on the property commonly known as the Atlas Mill site. The City is also requesting approval of zoning prior to annexation of +/- 46 acres of Spokane River along the shoreline with NW (Navigable Water) zoning.

BACKGROUND INFORMATION:

NOTE: *The request for zoning prior to annexation of the Atlas Waterfront property came to the Planning Commission on August 8, 2017. The City has since decided it is necessary to annex in a portion of the Spokane River in conjunction with the former mill site. Annexation of this section of the shoreline and river is necessary for shoreline stabilization efforts along the Atlas Waterfront property and property to the west and to allow for police and fire response to the shoreline, potential future docks, and the navigable waterway within the city limits. Extending the city limits into the river along the shoreline will also create a contiguous city limits boundary, which is important for enforcement of city ordinances and emergency response. This staff report has been updated to reflect the portion of the Spokane River and also to include any updated comments from the city departments. The minutes and findings from the August 8, 2017 hearing are included as attachments.*

The City of Coeur d'Alene purchased the former Atlas Mill site (now referred to as the Atlas Waterfront property) in May 2018. The property is comprised of approximately 48 acres of vacant land located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River. Acquisition of the 48 acres of land opens the door for economic development and public access to the river which is something that has been deemed as a high priority in the CDA 2030 Vision and Implementation Plan. The City Council also adopted a resolution in 2014 (14-049) specifically directing City staff to work toward public acquisition of riverfront property, protection of the riverfront, and providing comprehensive planning for the river corridor.

The subject property is located in Kootenai County, but is surrounded by the city limits. The City also owns the former railroad right-of-way that runs through this property, which is already zoned C-17. The former right-of-way was acquired and annexed into the city in 2015 to provide opportunities for parkland, a trail, and public access to the waterfront.

The Atlas Waterfront property is a former mill site that has been vacant since 2005. The Atlas Mill was founded in 1909 and supplied railroad ties to the Northern Pacific Railroad. It was used to produce cedar and pine boards for siding, fencing, decking and trim. When it closed, 120 living-wage jobs were lost in the community.

This annexation request also includes a portion of the Spokane River along the shoreline between Mill River and the existing city limits south of the US 95 bridge. The length of the shoreline to be annexed is approximately 3 miles long and extends out 75 feet into the Spokane River, which equates to approximately 48 acres.

Annexation of the Atlas Waterfront property into the City of Coeur d'Alene would allow for City water and sewer utilities to be extended to the property. Without municipal utilities, the property cannot be properly developed. When the City considers annexation of property it reviews many issues, including what type of zoning should be assigned to the property, the types of public amenities that might be included, what types of infrastructure might be required depending on the type of zoning and potential level of development, how annexation meets the vision of the City's Comprehensive Plan, and more. It is also important that the property is within the city limits to allow development of the properties consistent with City standards.

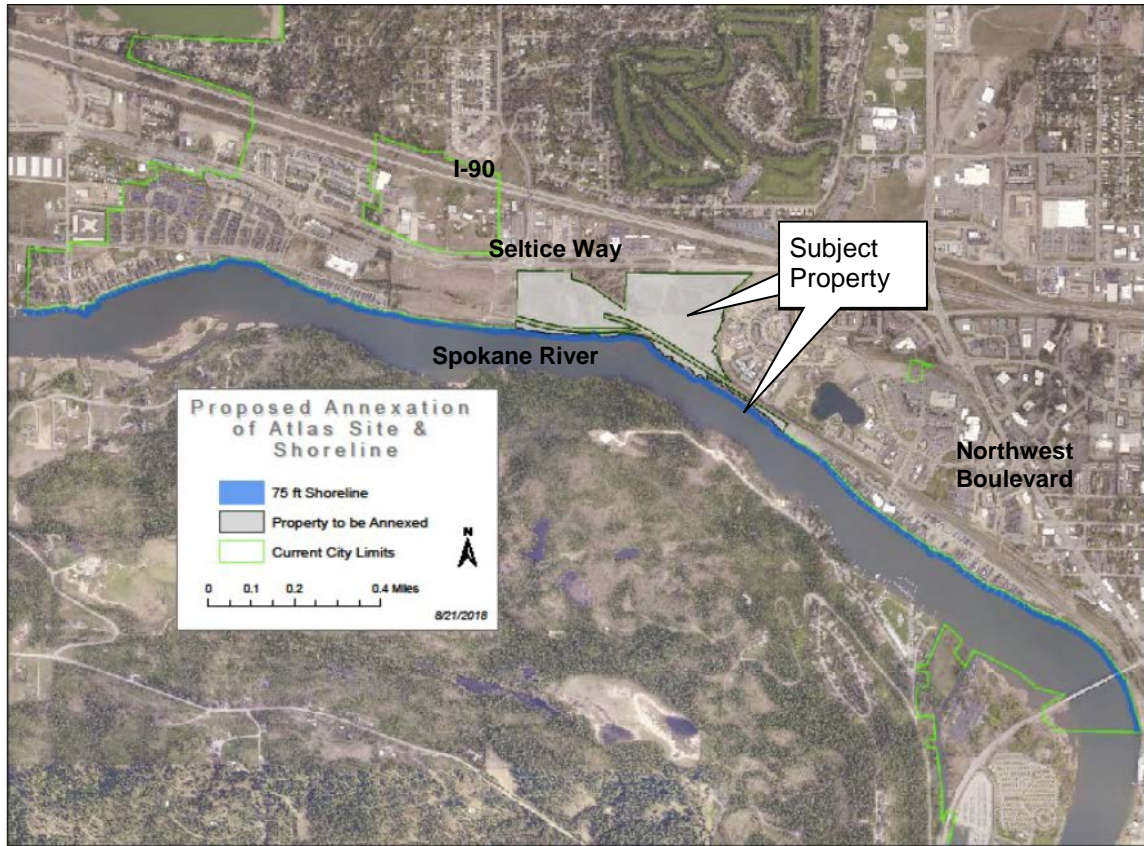
Development of the Atlas Mill site will promote multi-modal connectivity to the downtown and connect neighborhoods to the west and east with a trail, parkland and public access to the river. Additionally, it will create opportunities for economic development and job creation.

The Atlas Mill site is also within the Special Area known as Shorelines, which requires unique planning. The city's shorelines are an asset to the community. Public access and enhancement of the shorelines are priorities and they must be protected. The Shoreline Ordinance was adopted to protect, preserve, and enhance the visual resources and public access by establishing limitations and restrictions on shoreline property within the city. Efficient use of adjacent land, including mixed-use development and shared parking where appropriate, are some incentives to enhance the shoreline. The policy under this Shorelines Special Area is to "*make public access to river and lake shorelines a priority.*"

In order for ignite CDA, the City's Urban Renewal Agency, to participate in the project, the agency's designated boundaries must be expanded to include this property. That cannot happen until the property is annexed into the City of Coeur d'Alene.

See the attached Narrative/Justification for a complete overview of the request.

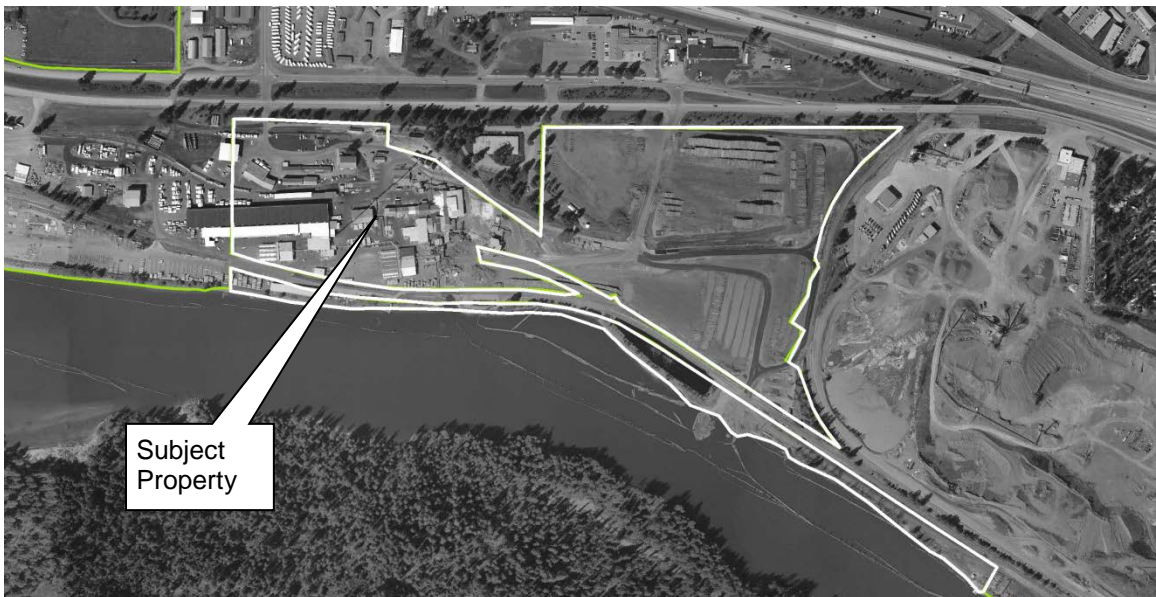
PROPERTY LOCATION MAP:



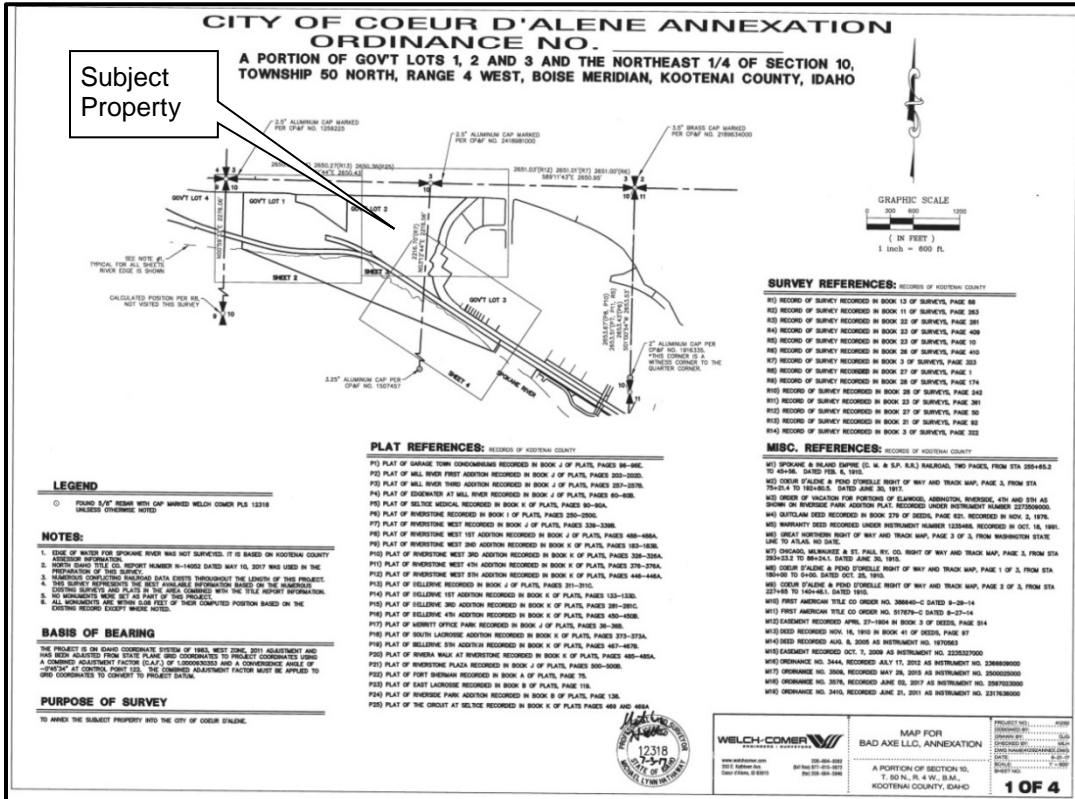
AERIAL PHOTO OF ATLAS WATERFRONT SITE:



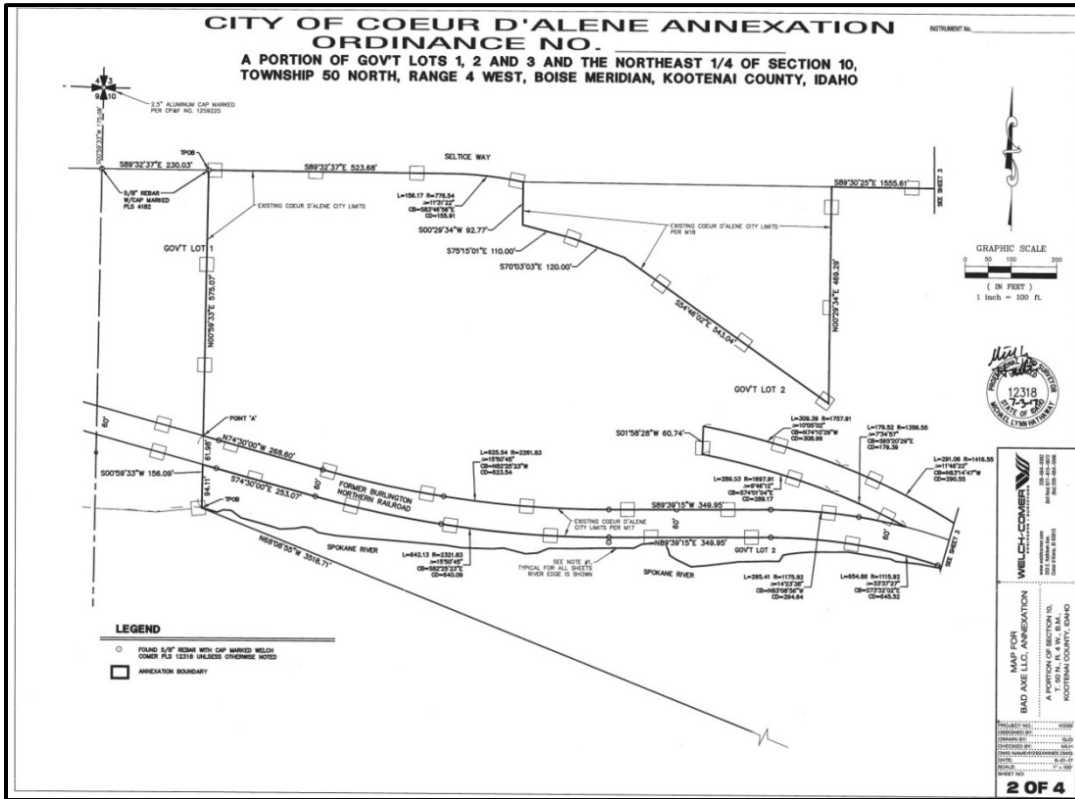
1999 AERIAL PHOTO SHOWING ATLAS MILL IN OPERATION:



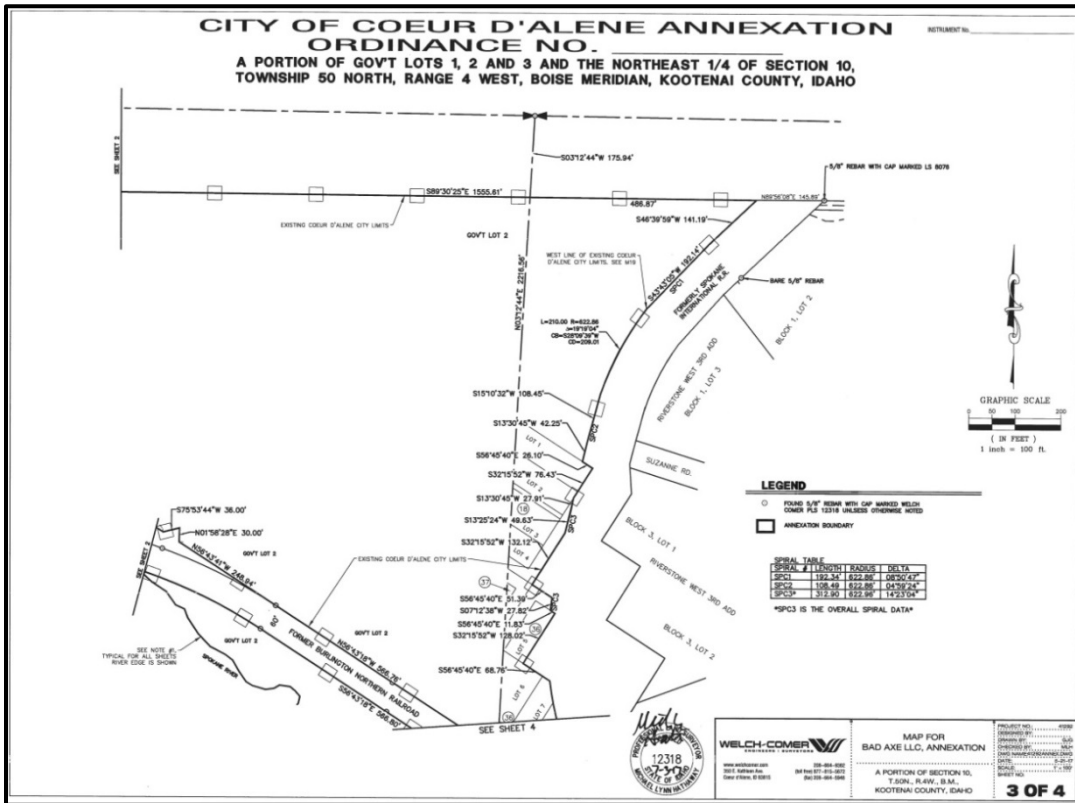
ANNEXATION MAP, 1 OF 4:



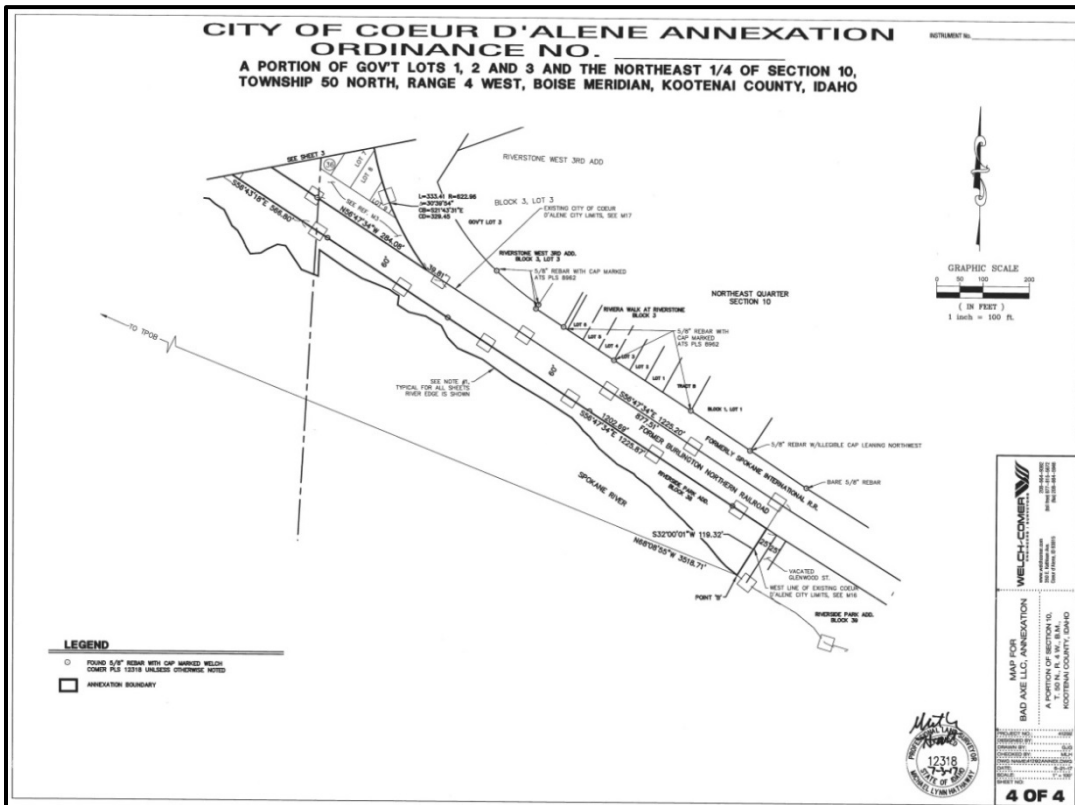
ANNEXATION MAP, 2 OF 4:



ANNEXATION MAP, 3 OF 4:

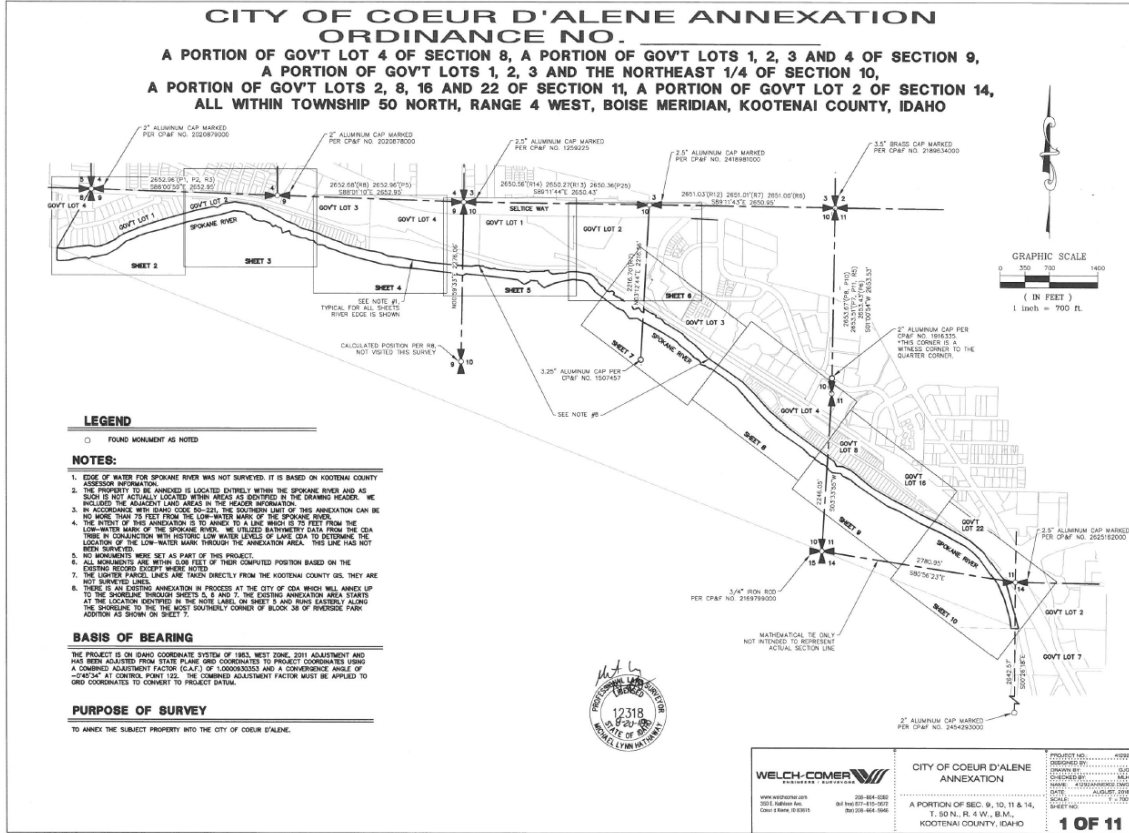


ANNEXATION MAP, 4 OF 4:



ANNEXATION MAP OF SPOKANE RIVER SHORELINE AREA

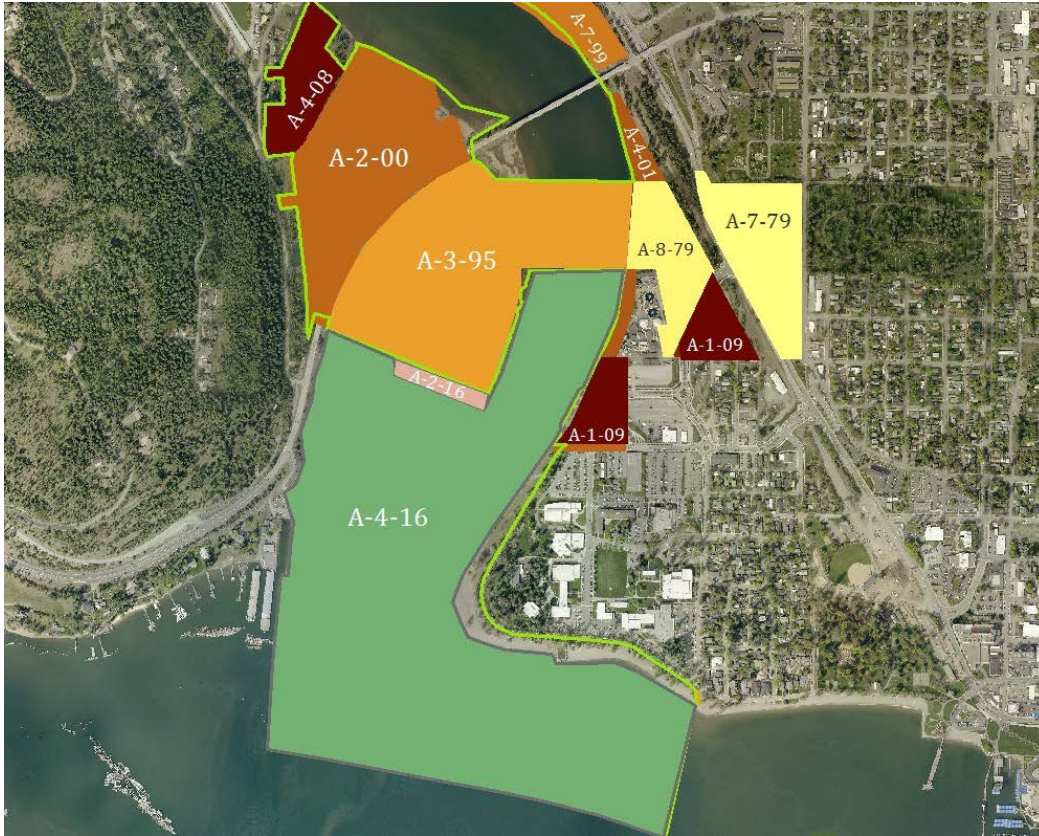
(Full set of annexation maps for Spokane River portion of the annexation request are included as exhibits)



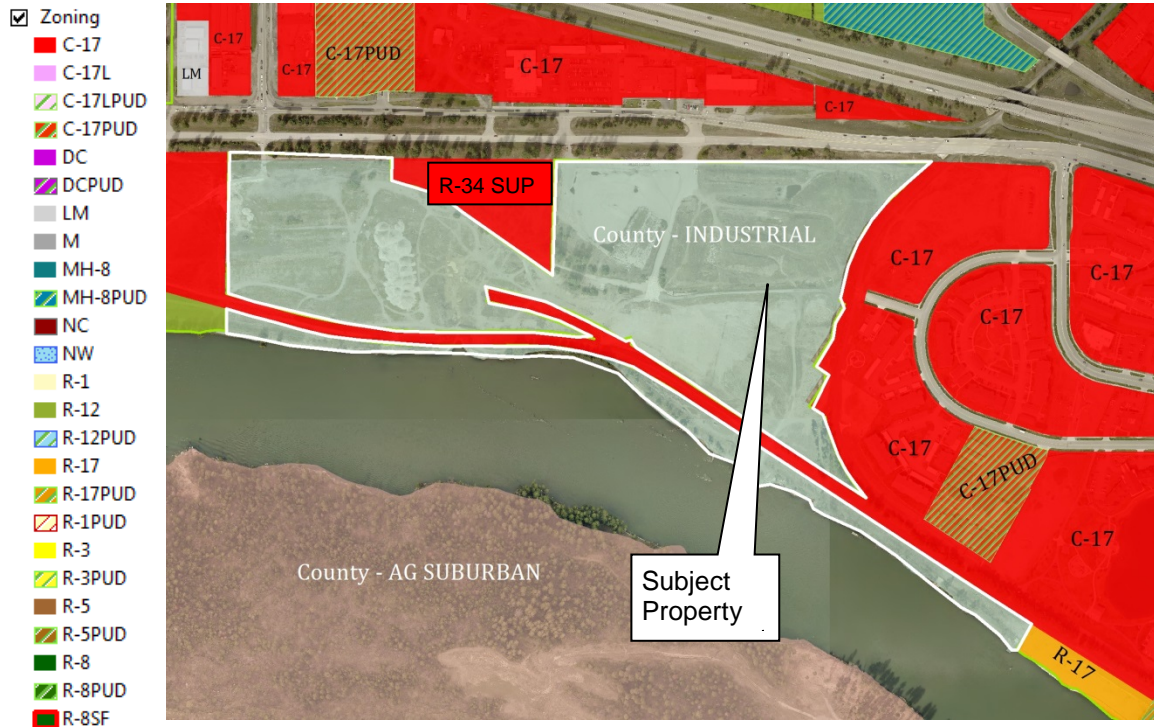
ANNEXATION HISTORY MAP:

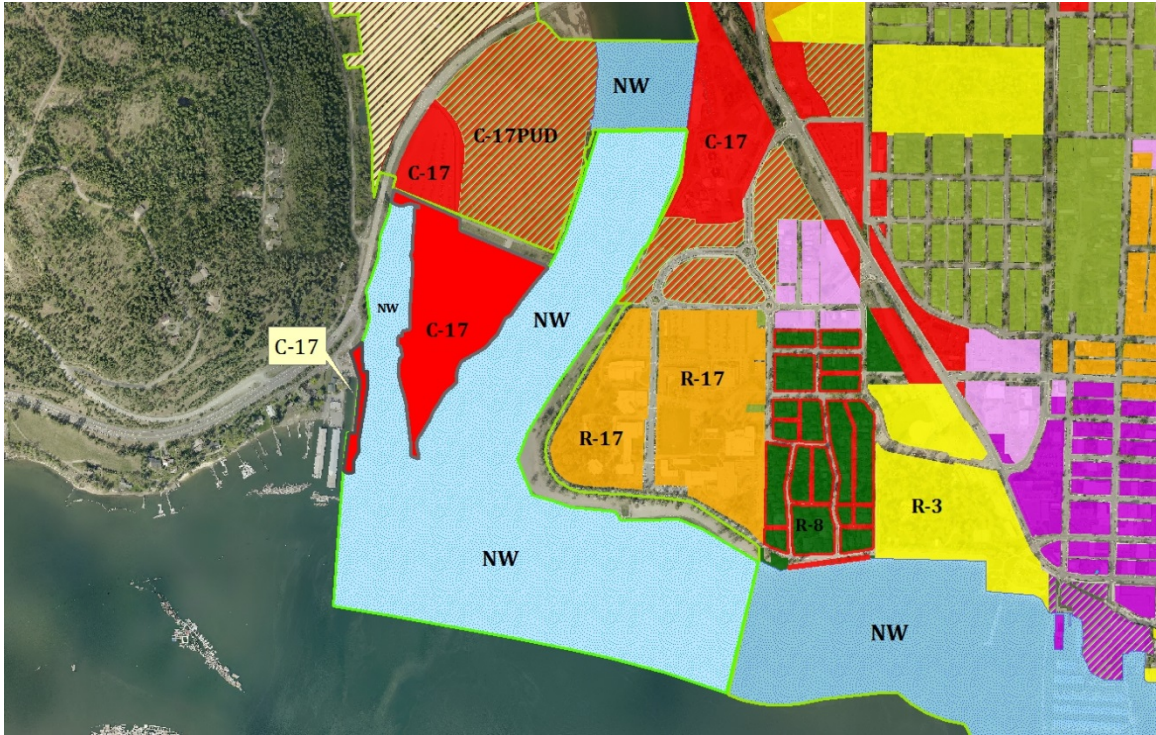


ANNEXATION HISTORY MAP OF SPOKANE RIVER AND SHORELINE:



EXISTING ZONING MAPS:

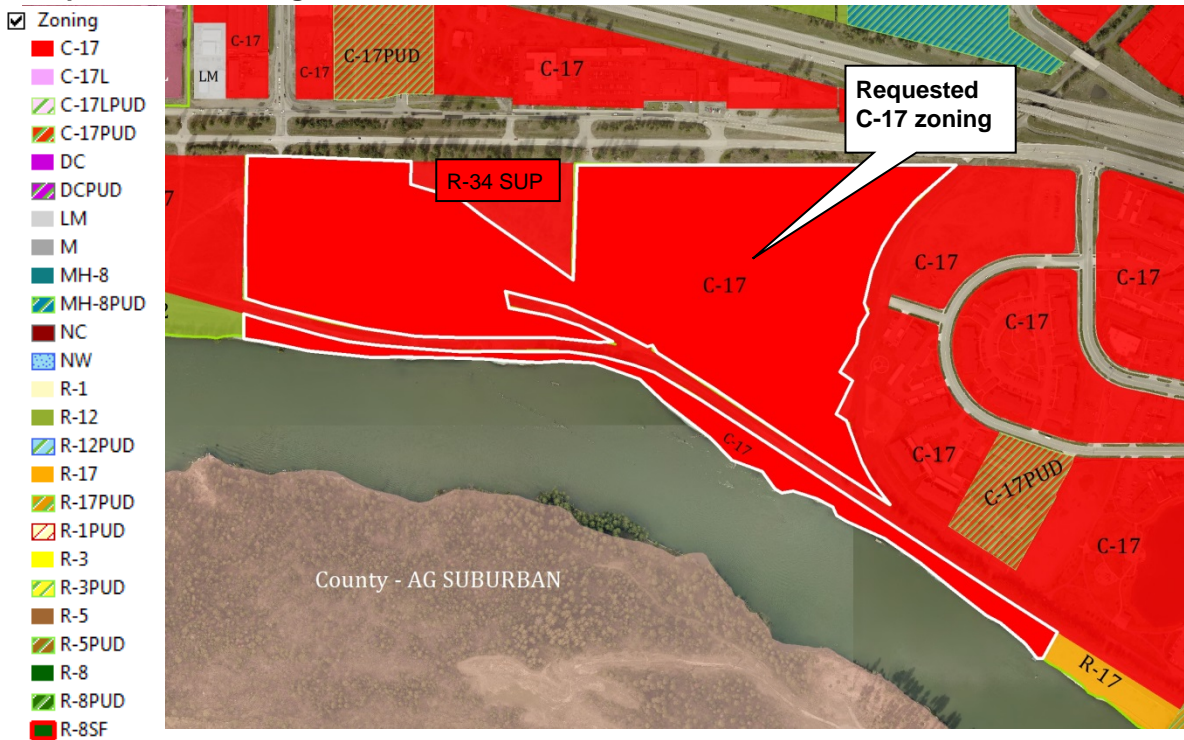




PROPOSED ZONING MAPS:

The requested C-17 zoning is shown on the map below. This zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property.

Proposed C-17 Zoning



Approval of the proposed C-17 zoning district request in conjunction with annexation would allow the following potential uses of the property.

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.

17.05.500: PERMITTED USES; PRINCIPAL

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

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

17.05.510: PERMITTED USES; ACCESSORY

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

- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).

- Residential accessory uses as permitted by the R-17 district

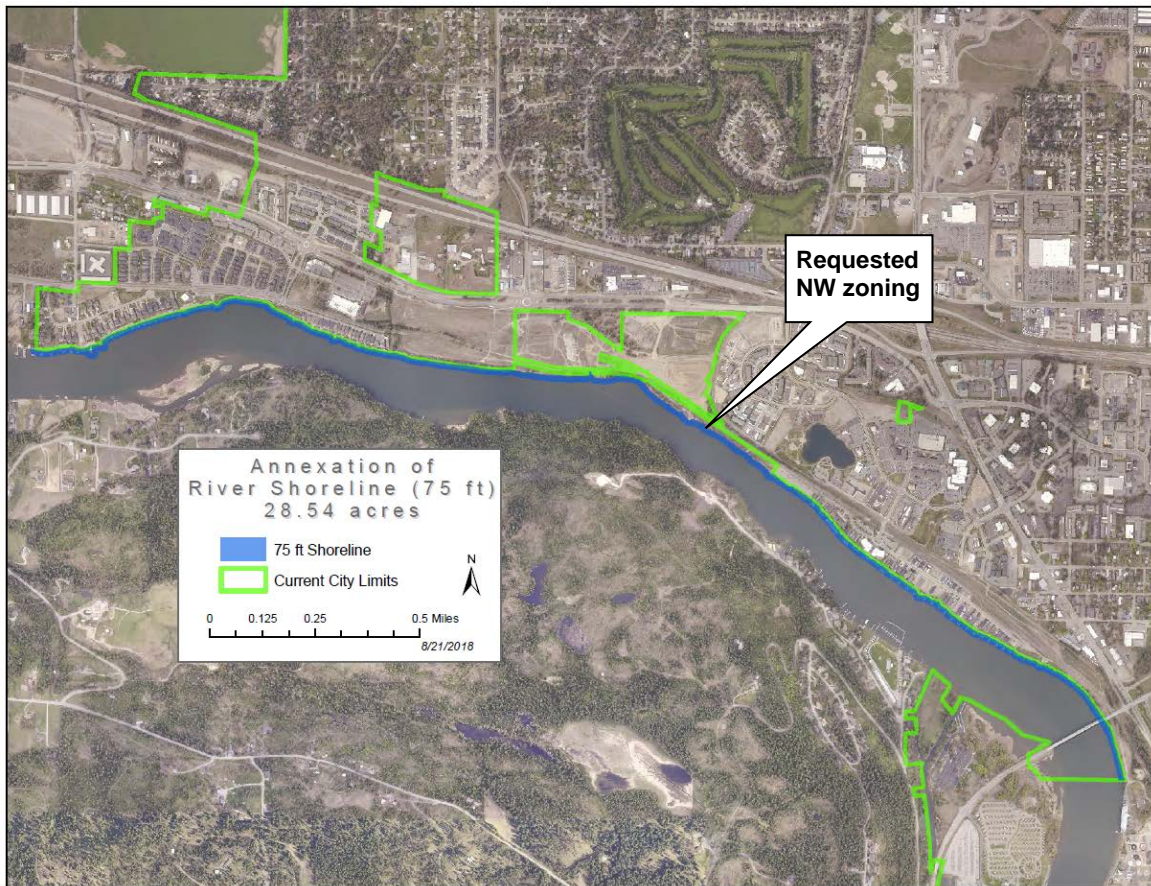
17.05.520: PERMITTED USES; SPECIAL USE PERMIT

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

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

The requested NW zoning is shown on the map below. The NW zoning district was created for areas of the city that are within the lake or Spokane River.

Proposed NW Zoning



Approval of the proposed NW zoning district request in conjunction with annexation would allow the following potential uses of the property.

NW Zoning District:

The NW (Navigable Water) district is intended to provide for the appropriate usage and for adequate protection of the surface water resource that is within the city limits. The use of navigable waters in addition to recreation and other public uses should allow the normal auxiliary uses required by the upland property owners adjacent to the lake and river as well as long established activities. Compliance with all applicable county, state, and federal laws is required.

17.05.900: PERMITTED USES; PRINCIPAL:

- Principal permitted uses in an NW district shall be as follows:
- All long established uses.
- All uses that are normal auxiliary uses to the upland property owners adjacent to the shoreline.
- Facilities related to boating, swimming and other water related activities. (Ord. 1691 §1(part), 1982)

17.05.910: PERMITTED USES; ACCESSORY:

- Accessory permitted uses in an NW district are nonapplicable. (Ord. 1691 §1(part), 1982)

17.05.920: PERMITTED USES; SPECIAL USE PERMIT:

- Permitted uses by a special use permit in an NW district are nonapplicable. (Ord. 1691 §1(part), 1982)

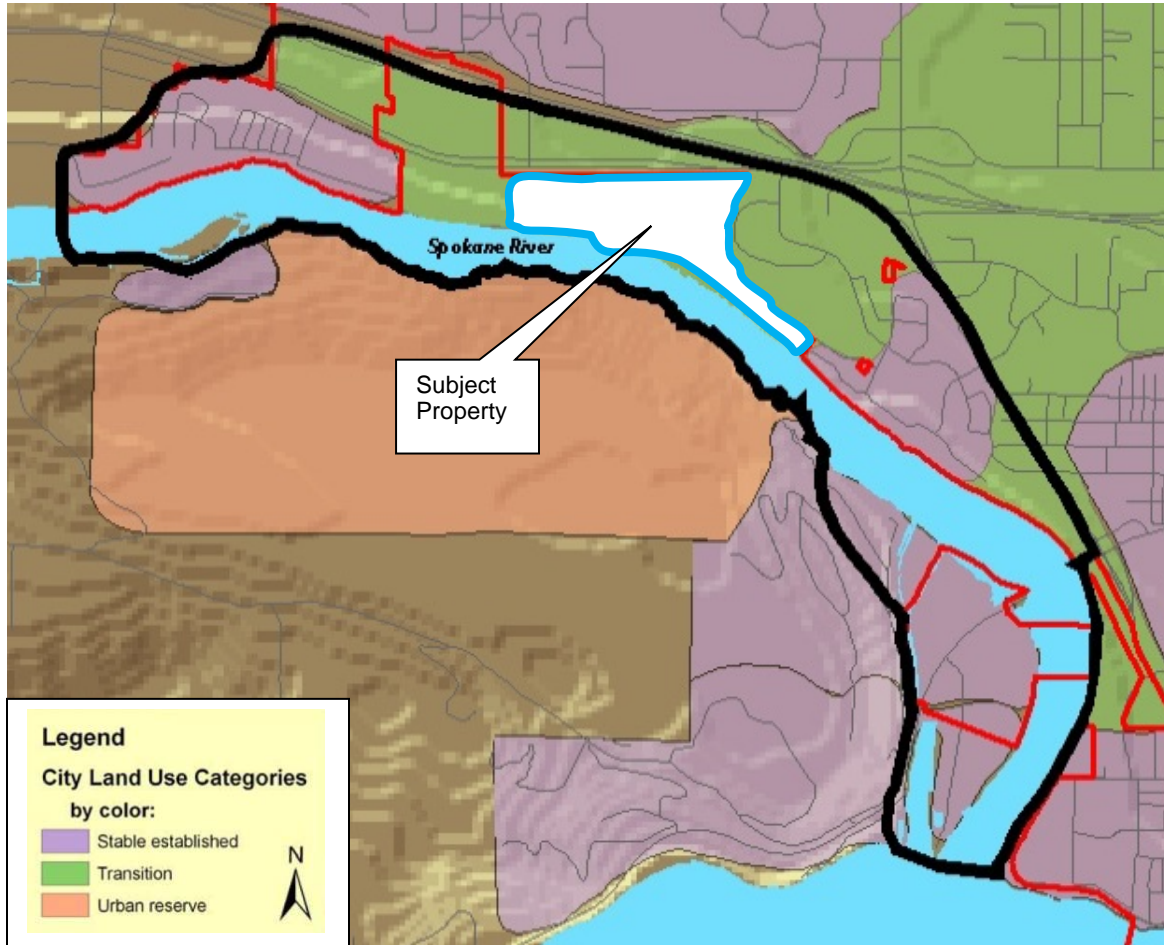
REQUIRED FINDINGS FOR ANNEXATION:

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

2007 COMPREHENSIVE PLAN LAND USE CATEGORY:

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

COMPREHENSIVE PLAN MAP: Spokane River



The 2007 Comprehensive Plan includes the following descriptions of the Spokane River District Today and Tomorrow and the Transition Land Use Category.

Spokane River District Today:

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

The Spokane River is now under study by federal and state agencies to determine how the quality of the water may be improved. Through coordination with neighboring communities and working with other agencies, our planning process must include protecting the quality of the water from any degradation that might result from development along the river's shores.

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

Spokane River District Tomorrow:

This area is going through a multitude of changes and this trend will continue for many years.

Generally, the Spokane River District is envisioned to be mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. As the mills are removed to make way for new development, the river shoreline is sure to change dramatically.

The characteristics of Spokane River District will be:

- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.
- That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.
- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.
- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees.

Transition:

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

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:***Goal #1: Natural Environment***

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

Objective 1.01 Environmental Quality:

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

Objective 1.02 Water Quality:

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

Objective 1.03 Waterfront Development:

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

Objective 1.04 Waterfront Development:

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

Objective 1.05 Vistas:

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

Objective 1.09 Parks:

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

Objective 1.11 Community Design:

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.13 Open Space:

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

Objective 1.14 Efficiency:

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

Objective 1.15 Natural Terrain:

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

Objective 1.16 Connectivity:

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

Objective 1.17 Hazardous Areas:

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

Goal #2: Economic Environment

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

Objective 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Objective 2.03 Business Enhancement & Urban Renewal:

Support the efforts of local and regional economic development agencies such as Jobs Plus, Inc. and Ignite cda.

Objective 2.05 Pedestrian & Bicycle Environment:

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

Objective 2.06 Cooperative Partnerships:

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

Goal #3: Home Environment

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

Objective 3.01 Managed Growth:

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

Objective 3.02 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.06 Neighborhoods:

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

Objective 3.08 Housing:

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

Objective 3.13 Parks:

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

Objective 3.14 Recreation:

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

Objective 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

Objective 3.18 Transportation:

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

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

Objective 4.03 Project Financing:

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

2007 COMPREHENSIVE PLAN – SPECIAL AREAS - SHORELINES:

The City of Coeur d’Alene is known for its shorelines. They are an asset and provide a multitude of benefits; community pride, economic advantages, transportation, recreation, and tourism are just a few examples of the shorelines affect the use and perception of our city.

Public access to and enhancement of our shorelines is a priority. Shorelines are a positive feature for a community and they must be protected. To ensure preservation, the city has an ordinance that protects, preserves, and enhances our visual resources and public access by establishing limitations and restrictions on specifically defined shoreline property located within the city limits.

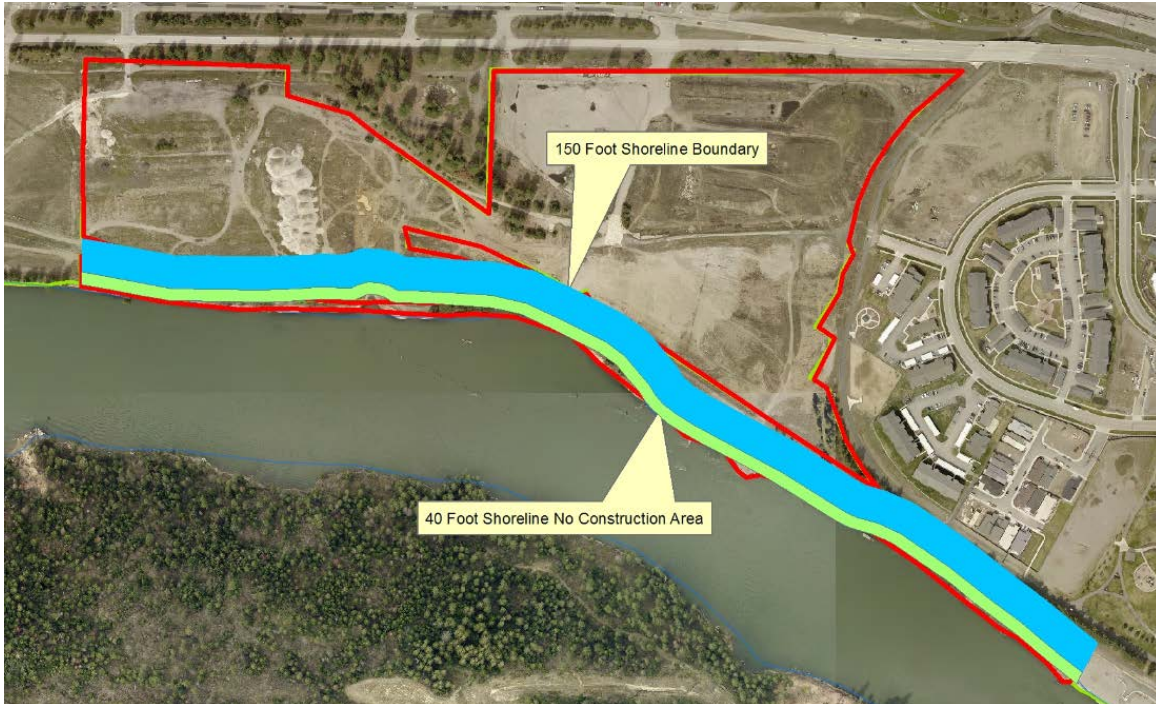
To increase desired uses and access to this finite resource, the city will provide incentives for enhancement. Efficient use of adjacent land, including mixed use and shared parking where appropriate, are just a few tools we employ to reach this goal.

Comprehensive Plan Shoreline Policy:

Make public access to river and lake shorelines a priority.

As shown on the following map, property along the waterfront of the subject property is subject to the Shoreline Policy and the city’s Shoreline Ordinance (17.08, Article IIA, Shoreline Regulations of the City Code). Approximate boundaries for the 150-foot shoreline ordinance boundary and 40-foot shoreline no construction area are shown on the map below. A portion of the property along the shoreline is also within the floodplain and subject to the city’s floodplain regulations (15.32: Flood Damage Prevention of the City Code).

SHORELINE OVERLAY DISTRICT MAP



Additional Background Information and Analysis Related to the Comprehensive Plan

In 2013, the City Council formed the Spokane River Corridor Advisory Committee, an ad hoc committee, tasked with studying potential development on the north shore of the Spokane River West of Riverstone in consideration of other developments along the river, the 2007

Comprehensive Plan and Zoning Code related to the shoreline, the 2008 Parks Master Plan, and public input from the CDA 2030 visioning process. The committee presented their findings to the City Council after their 6-month effort was completed. In 2014, the City Council adopted Resolution 14-049 further supporting public acquisition of the waterfront for public use, protection of the riverfront and directing staff to conduct comprehensive planning for the Spokane River corridor. See Exhibit 1.

Additionally, there are at least six related action items in the CDA 2030 Implementation Plan that are in support of providing more public access to the waterfront, recreation opportunities, and preservation of view corridors. There are additional action items supporting job creation as well. See Exhibit 3.

Evaluation: *The Planning Commission will need to 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:

Stormwater will be addressed as the area proposed for annexation develops. It is anticipated that the development will typically utilize swales adjacent to curbs to manage the site runoff. All stormwater must be contained on-site. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

STREETS:

The subject site is currently undeveloped. The site has frontage along the south side of Seltice Way. Seltice Way is currently being upgraded and work is scheduled to be completed in 2018. Any necessary improvements to this site would be addressed during the subdivision and site development process. The Streets and Engineering Department has no objection to this annexation request as proposed.

UPDATED COMMENTS: The subject site is currently undeveloped. The site has frontage along the south side of the newly reconstructed Seltice Way. The Streets and Engineering Department has no objection to this annexation request as proposed.

-Submitted by Chris Bosley, City Engineer

WATER:

The property for the proposed annexation lies within the City of Coeur d'Alene water service area. Water is available from Seltice Way in an eight inch (8") main on the south side as well as Suzanne Road in a twelve inch (12") main stubbed to the end of the road. There is sufficient capacity within the public water system to provide adequate commercial, domestic, irrigation, and fire flow service to the subject parcel. Any proposed development of the parcel will require extension of the public water utilities at the owner/developer's expense. The Water Department has no objection to this annexation request as proposed.

-Submitted by Terry Pickel, Water Superintendent

SEWER:

In conformance to the Sewer Master Plan, public sewer is available west and downgradient of this annexation at the east end of Shoreview Lane (Edgewater at Mill River).

As shown in the attached Sewer Master Plan (SMP) (Exhibit 2), the entire Atlas Mill Site is projected to drain into the Mill River Lift Station Surcharge Area to the west. See thin solid and dashed lines. The Wastewater Department allows deviations to the SMP if the Applicant can demonstrate that their deviation will not negatively impact the public sewer collection system. This often requires a hydraulic analysis of the public sewer system from the site to the Wastewater Treatment Plant. Exhibit 2 shows that this entire area can be served by gravity sewer which may have to traverse across the properties to the West. The connection point is Sanitary Manhole MIL1-01E at the east end of Shoreview.

Lastly, this area is subject to the Surcharge Fee Analysis for the Mill River Lift Station upgrades. This Surcharge Fee was adopted and implemented by Council in 2013 and covers the anticipated cost for growth requirements demanded on the Mill River Lift Station. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this project as proposed. The Wastewater Utility has no objection to this annexation request as proposed.

UPDATED COMMENTS: In accordance with the 2013 Sewer Master Plan Appendix J, this annexation falls within the Mill River Sewer Shed and is required to drain westerly towards the Mill River Pump Station. It is subject to the Mill River Pump Station (Upgrade) Surcharge Fees (\$450.00 per ERU). Presently, the Mill River Sewer Shed has a calculated capacity of 1600 ERUs remaining before pump station upgrades are required. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this Annexation as proposed.

-Submitted by Mike Becker, Utility Project Manager

PARKS:

The Parks Department sees this property as an excellent opportunity to provide the public with a regional park, a waterfront trail with connector trails throughout the future development, public access points, water access, a beach park, an accessible non-motorized boat launch, an accessible swim area with a jetty, dog water park, open space, water inlet, public parking, and street trees. The Parks Department has no objection to the proposed annexation. See Exhibit 4, which shows existing and proposed trail locations.

-Submitted by Monte McCully, Trails Coordinator

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector

Evaluation: *The Planning Commission will need to 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 annexation request includes the +/-48-acre Atlas Waterfront site and also covers an area +/-46 acres over the Spokane River extending 75 feet out into the water.

The Atlas Waterfront property is higher along Seltice Way and slopes downward toward the Spokane River to the south. There is an approximately forty five foot elevation drop on the subject property. There are two relatively large piles of dirt on the northeast part of the property. There are no topographical or other physical constraints that would make the subject property unsuitable for the annexation request. See topographic map below and site photos that are provided on the next few pages.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: View from the northeast portion of the property looking southeast toward the Spokane River. Riverstone and the Centennial Trail are visible on the left side of the photo.



SITE PHOTO - 2: View from the north central part of the property looking south toward the river. Piles of dirt and rock from the Atlas Mill cleanup effort are visible.



SITE PHOTO - 3: View from the center portion of the property looking north toward Seltice Way and the future roundabout at Atlas. Dirt and rock piles from the Atlas Mill cleanup effort are visible.



SITE PHOTO - 4: View from the center of the property looking northwest toward Seltice Way.



SITE PHOTO - 5: View from the central portion of the property looking south toward the river and the City-owned former railroad right-of-way.



SITE PHOTO - 6: View from the west portion of the subject site looking southwest toward the adjacent property. The City-owned former railroad right-of-way is also visible.



SITE PHOTO - 7: View from the central portion of the property looking southeast. Dirt piles from the mill cleanup, the city-owned former railroad right-of-way property and the river are visible.



SITE PHOTO - 8: View from the southern edge of the property looking east along the city-owned former railroad right-of-way property.



SITE PHOTO - 9: View from the southern edge of the property looking southeast at a natural inlet on the Spokane River.



Evaluation: *The Planning Commission will need to 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 annexation would not adversely affect the surrounding neighborhood with regard to traffic. Seltice Way has the available capacity to accommodate additional traffic generated from the subject site.

UPDATED COMMENTS: The proposed annexation would not likely adversely affect Seltice Way with regard to traffic as it has the available capacity to accommodate additional traffic generated from the subject site. However, a traffic study is underway to fully understand the possible impacts from the additional traffic on Seltice Way and the nearby street network.

-Submitted by Chris Bosley, City Engineer

SURROUNDING NEIGHBORHOOD AND EXISTING LAND USES:

The Atlas Waterfront property is has been vacant for the past 12 years since the Atlas Mill closed in 2005.

The Spokane River runs along the southern edge of the property. In the project vicinity, the river is primarily used for recreational activities.

The approximately 22-acre property to the west is currently vacant and undeveloped. It was also previously part of the Atlas Mill and is already within the city limits. It was annexed into the city in early 2014 with C-17 and R-12 zoning.

Seltice Way runs along the property’s northern boundary. As discussed above, Seltice Way is currently being reconstructed. Once complete, Seltice Way will have a new roundabout at the Atlas intersection, which will provide access to the northwestern portion of the property.

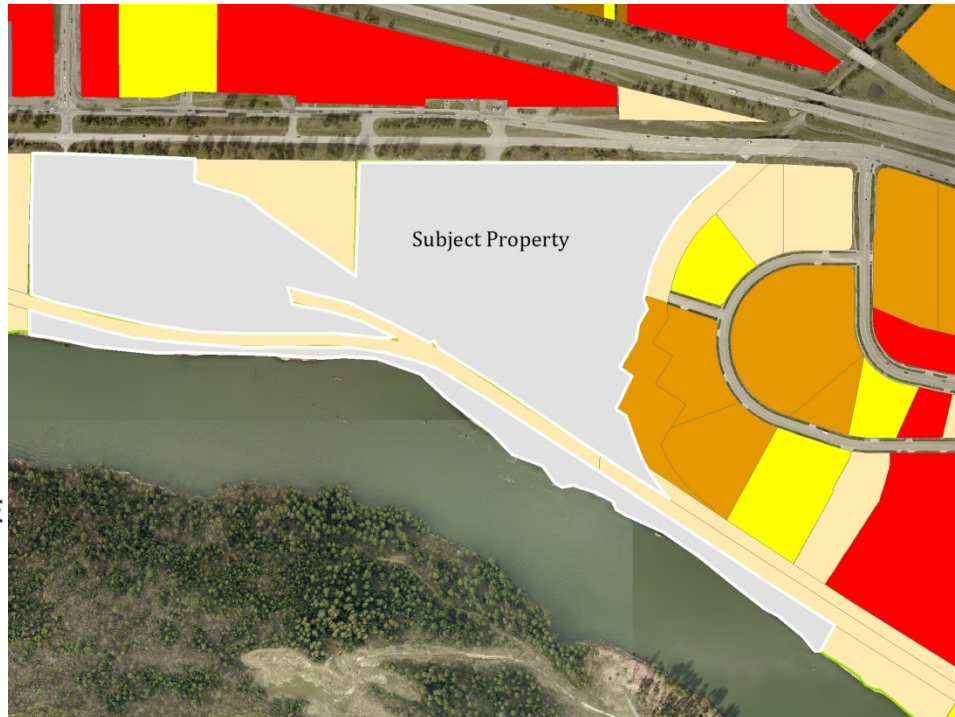
The properties along the north side of Seltice Way have residential and commercial uses on them. There is also a vacant undeveloped triangle shaped property located immediately to the north of the subject site that lies between this property and the south side of Seltice Way. It was the former Stimson office for the Atlas Mill site and is within the city limits and has C-17 zoning along with an approved special use permit for 34 dwelling units per acre.

Riverstone and the Bellerive subdivision are located east and southeast of the subject property, as well as the Centennial Trail and a dog park. Uses within Riverstone include multi-family apartments, a retirement community, single family dwellings, restaurants, a mixed use village with retail uses, and other commercial uses.

The request also includes +/-46 acres over the Spokane River extending 75 feet out into the water that would connect the city limits at Mill River and south of the US95 bridge.

GENERALIZED LAND USE PATTERN:

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



UPDATED INFORMATION:

The conceptual drawing for the Atlas Waterfront project has been included to show the current possibilities for the property, which includes the creation of a greenbelt along the Spokane River with separated bike and pedestrian trails. The conceptual design has been prepared as part of the master planning and financial feasibility effort that is being done for the property.

The City of Coeur d'Alene is working in partnership with ignite CDA to assess all opportunities related to uses of this property and to engage the community. The City Council and ignite CDA board members have directed staff to move forward with creating a new urban renewal district, which is being referred to as the Atlas District, and to expand the River and Lake districts. A Site Analysis, Financial Feasibility Study and Master Planning effort is underway to develop a urban renewal plan for the project. That effort is being led by Welch-Comer Engineers with sub-consultants Heartland and GGLO. City staff, ignite CDA, and elected officials have been working together to provide feedback on the analysis and to provide ample opportunities for community outreach and public involvement.

In addition to the greenbelt and trails, the current concept includes a mix of single-family detached residences, townhomes, apartment/condo flats, a restaurant pad near the greenbelt, and several commercial/office sites, as well as a nature park along Seltice Way. The exhibit is included purely for information and the design and mix of land uses are subject to change.

The concept for Atlas Waterfront is intended to complement surrounding developments and create a unique project in Coeur d'Alene.

CONCEPTUAL PLAN FOR ATLAS WATERFRONT:



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

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Coeur d'Alene Trails Master Plan

THE FOLLOWING ARE RECOMMENDED ITEMS FOR THE CITY COUNCIL TO CONSIDER INCLUDING AS PART OF THE ANNEXATION AGREEMENT FROM THE 2017 FINDINGS:

1. As part of the annexation, any potable water rights will need to be granted to the city.
2. Consider including a provision to master plan the property. A Planned Unit Development (PUD) could be an advantageous tool to specify how the subject property will be developed. It also allows flexibility for development of the property and requires master planning and design. Staff recommends that if a PUD is required for the project that it needs to be a full PUD and not a Limited Design PUD. The Planning Commission strongly recommends adding a requirement to the annexation agreement that a full PUD be required for the entire site.
3. A PUD will be required to allow a marina/docks along the waterfront since the property is subject to the Shoreline Ordinance. Any marina/public or private docks would also require coordination and permits from the Idaho Department of Lands.
4. Consider specifying maximum density of single-family residential and multi-family residential, or possibly restricting multi-family residential based on public feedback.
5. Consider specifying minimum acreage(s) and width of total parkland and open space within the property, and a minimum acreage for the parkland/open space along the Spokane River that will provide public access. Ten (10) acres has been discussed as the minimum acreage for the park and public open space to be located near and along the waterfront.
6. Consider specifying when the parks and trails need to be constructed in relation to the rest of the project. Possibly establish a minimum to be improved with the first phase.
7. Specify that a trail will be constructed along the river and through the property connecting it to the Centennial Trail to the east and to properties to the west (generally as shown on the Trails Master Plan), and including trail connections to the multi-use path along Seltice Way. Per the Parks & Recreation Department's standards, the multi-purpose trail through the property will need to be a minimum of 12-13 feet wide and constructed of asphalt.
8. Consider specifying minimum acreage of land to be set aside that will create permanent jobs. Incentives such as parking reductions could also be specified.
9. Specify that the plat will need to show the 40' and 150' shoreline setbacks on all properties subject to the Shoreline Regulations, unless modified through the PUD process.

10. Specify that the plat will also show the 100 year Base Flood Elevation (BFE) for all properties located in the floodplain along the Spokane Rives located in the floodplain along the Spokane River.
11. The Planning Commission recommends the elimination of any residential development along the shoreline from and including the former railroad right-of-way (not including the spur) south to the river.

Proposed Clarification: The Planning Commission recommends restricting any residential development along the shoreline from and including the former railroad right-of-way (not including the spur) south to the river.

12. The Planning Commission would support the project including a third place opportunity with a few small retail uses/commercial vendors along the waterfront, which could be integrated into the open space areas along the trail.
13. The Planning Commission would recommend specifying in the annexation agreement that only a non-motorized boat launch would be appropriate for the site along with docks, but a motorized boat launch should be restricted.

NEW ITEMS FOR CONSIDERATION:

14. The annexation does not convey title to the bed of the river; the bed of the river is still Public Trust lands that are managed by Idaho Department of Lands (IDL). IDL requires that if any work is done below the Ordinary High Water Mark, the applicant/owner first receive approval from IDL for the work.
15. As per the Code requirements for NW zoning, compliance with all applicable county, state and federal laws would still be required for the portion of the Spokane River within the city limits.

ACTION ALTERNATIVES:

The Planning Commission will need to consider this request for zoning prior to annexation and make separate findings to approve, deny, or deny without prejudice.

Attachments:

Narrative/Justification

- Exhibit 1. Adopted Resolution 14-049 related to public access to the waterfront
- Exhibit 2. Sewer Master Plan – Map of subject site
- Exhibit 3. CDA 2030 Vision and Implementation Plan Action Items
- Exhibit 4. Existing and Proposed Trail Locations
- Exhibit 5. Minutes from the August 8, 2017 Planning Commission hearing
- Exhibit 6. Findings from the August 8, 2017 Planning Commission hearing
- Exhibit 7. Annexation maps for the Spokane River portion of the annexation request

JUSTIFICATION

Please use this space to state the reason(s) for the requested annexation and include comments on the 2007 Comprehensive Plan Category, Neighborhood Area, and applicable Special Areas and appropriate goals and policies and how they support your request.

The City of Coeur d'Alene purchased the former Atlas Mill site (now referred to as the Atlas Waterfront property) in May 2018. The property is comprised of approximately 48 acres of vacant land located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River. Acquisition of the 48 acres of land opens the door for economic development and public access to the river which is something that has been deemed as a high priority in the CDA 2030 Vision and Implementation Plan.

The Atlas Waterfront property is located in Kootenai County, but is surrounded by the city limits. The city also owns the former railroad right-of-way that runs through this property. The former right-of-way was acquired and annexed into the city in 2015 to provide opportunities for parkland, a trail, and public access to the waterfront.

The subject property is a former mill site that has been vacant since 2005. The Atlas Mill was founded in 1909 and supplied railroad ties to the Northern Pacific Railroad. It was used to produce cedar and pine boards for siding, fencing, decking and trim. When it closed, 120 living-wage jobs were lost in the community.

Annexation of the property into the City of Coeur d'Alene will allow for city water and sewer utilities to be extended to the property. Without municipal utilities, the property cannot be properly developed. When the city considers annexation of property it reviews many issues, including what type of zoning should be assigned to the property, the types of public amenities that might be included, what types of infrastructure might be required depending on the type of zoning and potential level of development, how annexation meets the vision of the City's Comprehensive Plan, and more. It is also important that the property is within the city to allow development of the properties consistent with city standards.

Water is available from an eight inch water main on the south side of Seltice Way (8") as well as a twelve inch (12") water main stubbed out at the end of Suzanne Road (12"). In

conformance to the Sewer Master Plan, public sewer is available west and downgradient of this annexation at the east end of Shoreview Lane (Edgewater at Mill River). Stormwater will be handled at the time of development and will need to be retained onsite.

This annexation request also includes a portion of the Spokane River along the shoreline between Mill River and the existing city limits south of the US 95 bridge. The length of the shoreline to be annexed is approximately 3 miles long and extends out 75 feet into the Spokane River, which equates to approximately 46 acres. Annexation of this section of the shoreline and river is necessary for shoreline stabilization efforts along the Atlas Waterfront property and property to the west and to allow for police and fire response to the shoreline, potential future docks, and the navigable waterway within the city limits. Extending the city limits into the river along the shoreline will also create a contiguous city limits boundary, which is important for enforcement of city ordinances and emergency response.

The city is working with ignite CDA, its urban renewal agency, on the preliminary design and financial feasibility and developing the necessary urban renewal plans. City officials and ignite CDA intend to work with the Coeur d'Alene Economic Development Council (CDA-EDC, formerly known as Jobs Plus) to help recruit businesses that may want to partner on this project as well.

Development of the Atlas Mill site will promote multi-modal connectivity to the downtown and connect neighborhoods to the west and east with a trail, parkland and public access to the river. Additionally, it will create opportunities for economic development and job creation.

In order for ignite CDA to participate in the project, the agency's designated boundaries must be expanded to include this property. That cannot happen until the property and shoreline are annexed into the City of Coeur d'Alene.

The zoning districts that are being requested as part of this annexation are C-17 (commercial at 17 units per acre) and NW (Navigable Water). The C-17 zoning is recommended in order to provide the most flexibility and allow a mix of land uses to be

developed on the site. Because C-17 allows for a broad range of uses, it is also recommended that the annexation agreement will require a Planned Unit Development to be completed for the property, which will provide master planning and design details, possible limitations on residential densities for any single-family and multi-family residential uses, and details on parkland, open space, trails, and public access to the Spokane River, and could also include a list of restricted uses. The NW zoning is the appropriate zoning designation for the shoreline and 75-foot swath of river that will be brought into the city limits. NW is intended to provide for the appropriate usage and for adequate protection of the surface water resource that is within the city limits. It allows for recreation and other public uses, in addition to the normal auxiliary uses required by the upland property owners adjacent to the river, as well as long established activities. The NW zoning district still requires compliance with all applicable county, state and federal laws.

The Atlas Waterfront property falls within the Spokane River District planning area of the 2007 Comprehensive Plan. The Spokane River District is an area that has been in flux and transitioning from vacant land that was formerly sawmills and other industrial uses to mixed-use projects, residential subdivisions, and commercial uses. The Spokane River District is described as being an ideal location for large-scale master planning efforts due to the quantity of large vacant parcels. This area is envisioned to be developed with a mix of uses that are compatible with surrounding residential and commercial uses and complement the natural beauty of the river corridor, as well as provide public access to the river, open space, parks, pedestrian and bicycle connections and other public spaces adjacent to the Spokane River. It is also an important area because of its proximity to the Spokane River and water quality concerns. The Comprehensive Plan states that our planning process must include protecting the quality of the water from any degradation that might result from development along the river's shores. So, it is important that development within this planning area does not negatively impact the river's water quality.

As stated in the Comprehensive Plan, the Spokane River District is envisioned to include the following characteristics:

- *Various commercial, residential, and mixed uses.*
- *Public access should be provided to the river.*

- *That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.*
- *That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.*
- *That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.*
- *The scale and intensity of development will be less than the Downtown Core.*
- *Neighborhood service nodes are encouraged where appropriate.*
- *That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.*
- *That neighborhoods will retain and include planting of future, large-scale, native variety trees.*

The subject property is categorized on the Comprehensive Plan's Land Use Base Map as Transition. These are areas where the character of neighborhoods is in transition and should be developed with care. The street network, number of building lots, and general land use are expected to change greatly within the planning period.

The Atlas Mill site is also within the Special Area known as Shorelines, which requires unique planning. The city's shorelines are an asset to the community. Public access and enhancement of the shorelines is a priority and they must be protected. The Shoreline Ordinance was adopted to protect, preserve, and enhance the visual resources and public access by establishing limitations and restrictions on shoreline property within the city. Efficient use of adjacent land, including mixed use and shared parking where appropriate, are some incentives to enhance the shoreline. The policy under this Shorelines Special Area is to "*make public access to river and lake shorelines a priority.*"

The three methods to achieve this policy include:

- *Shoreline ordinance will govern appropriate development in designated areas.*
- *Ensure scale, use, and intensity are suitable with location.*
- *Promote protection and connectivity along shorelines.*

The requested annexation of the Atlas Mill site is consistent with the following goals and objectives in the 2007 Comprehensive Plan:

- **Goal #1 Natural Environment:** Objectives 1.01 Environmental Quality; 1.02 Water Quality; 1.03 Waterfront Development; 1.04 Waterfront Development; 1.05

Vistas; 1.09 Parks; 1.11 Community Design; 1.12 Community Design; 1.12 Open Space; 1.13 Open Space; 1.14 Efficiency; Objective 1.15 Natural Terrain; and 1.16 Connectivity, and 1.17 Hazardous Areas.

- **Goal #2 Economic:** Objectives 2.01 Business Image & Diversity; 2.02 Economic & Workforce Development; 2.03 Business Enhancement & Urban Renewal; 2.05 Pedestrian and Bicycle Environment, and 2.06 Cooperative Partnerships.
- **Goal #3 Home Environment:** Objectives 3.01 Managed Growth; 3.02 Managed Growth; 3.05 Neighborhoods; 3.06 Neighborhoods; 3.08 Housing; 3.13 Parks, 3.14 Recreation, 3.16 Capital Improvements; and 3.18 Transportation.

RESOLUTION NO. 14-049

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO DIRECTING STAFF MEMBERS TO CONSIDER MAXIMIZING PUBLIC RIVERFRONT PROPERTY, PROTECTION OF THE RIVERFRONT AND PROVIDING COMPREHENSIVE PLANNING OF THE SPOKANE RIVER CORRIDOR FROM RIVERSTON TO HUETTERROAD.

WHEREAS the development of the Spokane River Corridor from Riverstone to Huetter Road will be crucial to the future identity of the City of Coeur d'Alene and deserves careful coordinated planning; and

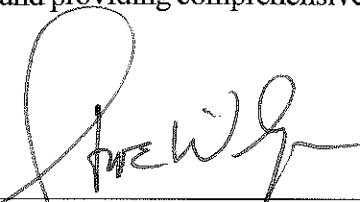
WHEREAS the public has expressed in numerous studies the desire for more "waterfront access"; and

WHEREAS the City has recognized the importance of waterfront protection by adopting a Shoreline Protective Ordinance; and

WHEREAS the City is working to acquire the BNSF right of way that runs through the Spokane River Corridor; NOW THEREFORE,

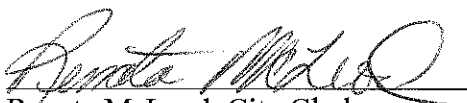
BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that all city staff and staff actions regarding the Spokane River Corridor should consider maximizing the public acquisition of riverfront property, protecting the riverfront and providing comprehensive planning for this corridor.

DATED this 18th day of November 2014.



Steve Widmyer, Mayor

ATTEST:



Renata McLeod, City Clerk

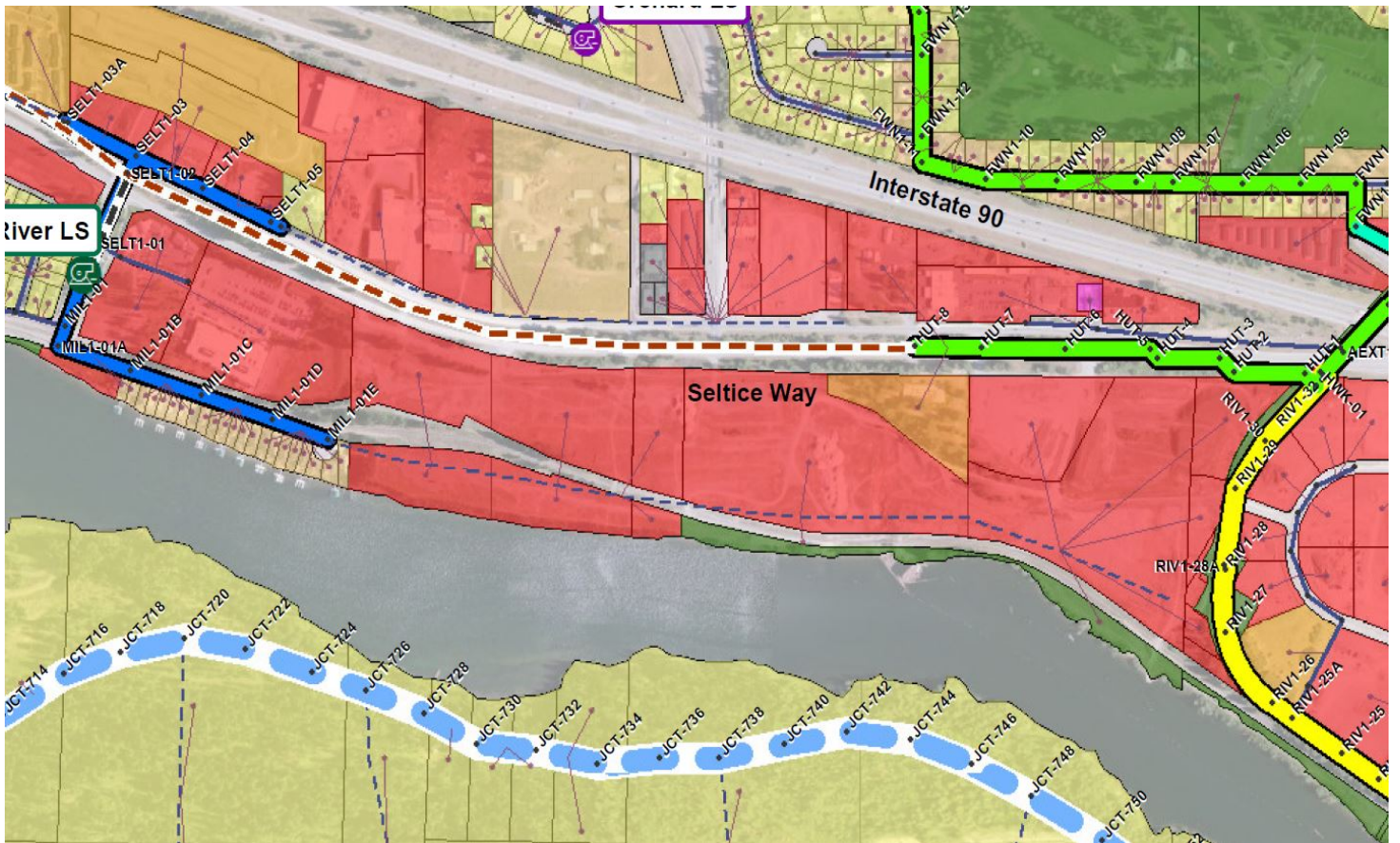
Motion by Gookin, Seconded by Miller, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER GOOKIN	Voted Aye
COUNCIL MEMBER MCEVERS	Voted Aye
COUNCIL MEMBER MILLER	Voted Aye
COUNCIL MEMBER EDINGER	Voted Aye
COUNCIL MEMBER EVANS	Voted Aye
COUNCIL MEMBER ADAMS	Voted Aye

Motion Carried.

EXHIBIT 2: Sewer Master Plan Map of Subject Property



**THE CDA 2030 VISION AND IMPLEMENTATION PLAN ACTION ITEMS AS
THEY PERTAIN TO ITEM A-2-17:**

Environment & Recreation - 2.1

Open Space Preservation Program - Continue to implement the Coeur d'Alene Parks Master Plan for the purpose of acquiring and preserving public open space for beneficial use of the citizens that includes parkland, trails, passive and active recreation, scenic views and vistas, wildlife habitat, and conservation easements.

Environment & Recreation - 2.2

Recreational Lands Acquisition Program - Identify, develop, coordinate, prioritize, and identify a funding mechanism to purchase diverse city land acquisitions to expand recreation offerings and achieve conservation.

Environment & Recreation – 6.1

Park Land Expansion and Maintenance - Encourage acquisition and development of park land. Support the annual evaluation of the preventative maintenance program for all parks, facilities, equipment, and vehicles.

Environment & Recreation – 6.2

Public Beaches - Evaluate and recommend ways to increase access to public beaches, including ADA disabled access. Consider an off-leash water access area for dogs.

Growth & Development – 3.7

Preserve View Corridors - Support zoning which would limit building heights in order to preserve major view corridors and signature vistas in and around the lakefront and river.

Growth & Development – 6.4

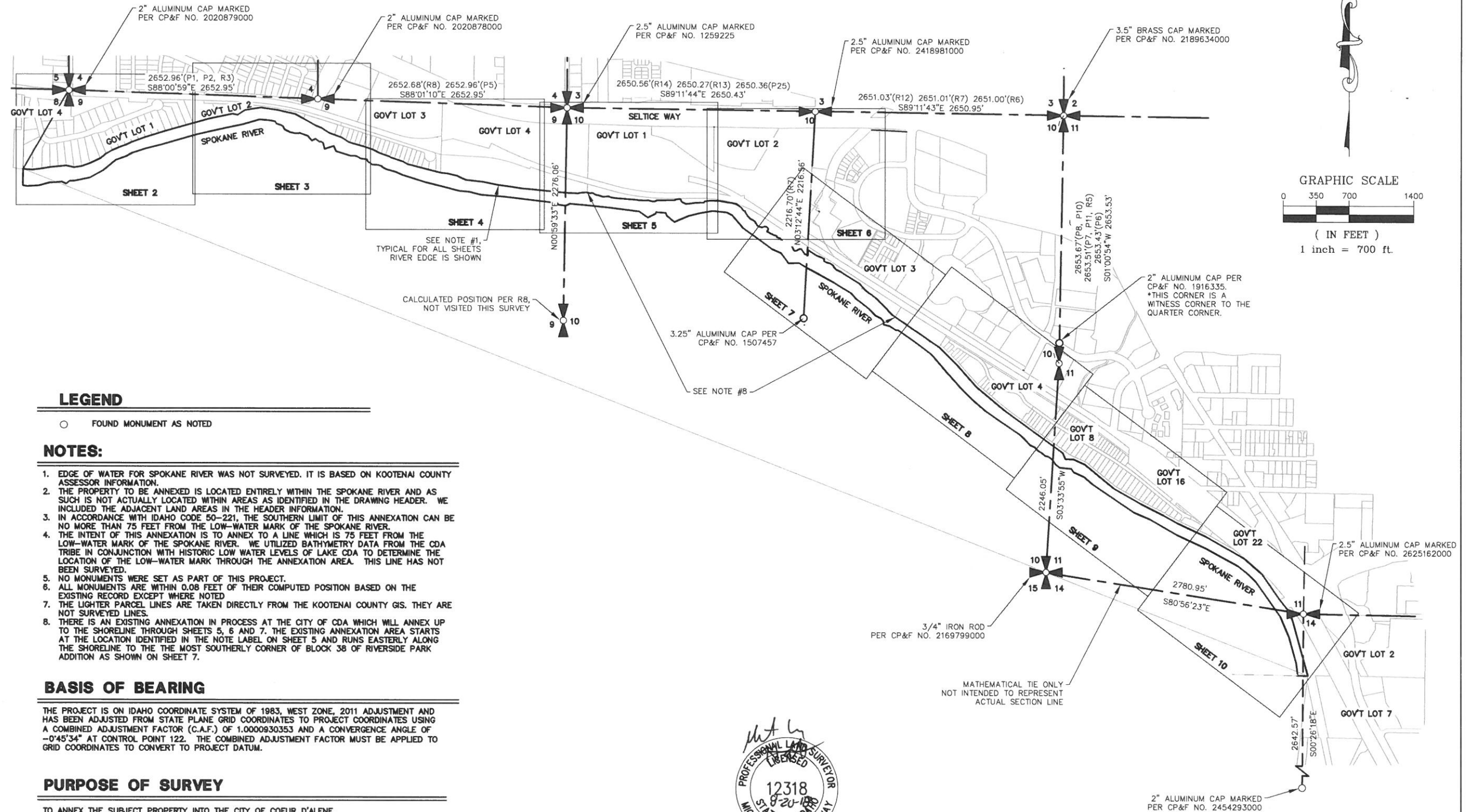
Lakefront and Riverfront Public Access - Require public access to the lake and river fronts for all new developments.

EXHIBIT 4: Existing and Proposed Trail Locations



CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



LEGEND

○ FOUND MONUMENT AS NOTED

NOTES:

1. EDGE OF WATER FOR SPOKANE RIVER WAS NOT SURVEYED. IT IS BASED ON KOOTENAI COUNTY ASSESSOR INFORMATION.
2. THE PROPERTY TO BE ANNEXED IS LOCATED ENTIRELY WITHIN THE SPOKANE RIVER AND AS SUCH IS NOT ACTUALLY LOCATED WITHIN AREAS AS IDENTIFIED IN THE DRAWING HEADER. WE INCLUDED THE ADJACENT LAND AREAS IN THE HEADER INFORMATION.
3. IN ACCORDANCE WITH IDAHO CODE 50-221, THE SOUTHERN LIMIT OF THIS ANNEXATION CAN BE NO MORE THAN 75 FEET FROM THE LOW-WATER MARK OF THE SPOKANE RIVER.
4. THE INTENT OF THIS ANNEXATION IS TO ANNEX TO A LINE WHICH IS 75 FEET FROM THE LOW-WATER MARK OF THE SPOKANE RIVER. WE UTILIZED BATHYMETRY DATA FROM THE CDA TRIBE IN CONJUNCTION WITH HISTORIC LOW WATER LEVELS OF LAKE CDA TO DETERMINE THE LOCATION OF THE LOW-WATER MARK THROUGH THE ANNEXATION AREA. THIS LINE HAS NOT BEEN SURVEYED.
5. NO MONUMENTS WERE SET AS PART OF THIS PROJECT.
6. ALL MONUMENTS ARE WITHIN 0.08 FEET OF THEIR COMPUTED POSITION BASED ON THE EXISTING RECORD EXCEPT WHERE NOTED.
7. THE LIGHTER PARCEL LINES ARE TAKEN DIRECTLY FROM THE KOOTENAI COUNTY GIS. THEY ARE NOT SURVEYED LINES.
8. THERE IS AN EXISTING ANNEXATION IN PROCESS AT THE CITY OF CDA WHICH WILL ANNEX UP TO THE SHORELINE THROUGH SHEETS 5, 6 AND 7. THE EXISTING ANNEXATION AREA STARTS AT THE LOCATION IDENTIFIED IN THE NOTE LABEL ON SHEET 5 AND RUNS EASTERLY ALONG THE SHORELINE TO THE MOST SOUTHERLY CORNER OF BLOCK 38 OF RIVERSIDE PARK ADDITION AS SHOWN ON SHEET 7.

BASIS OF BEARING

THE PROJECT IS ON IDAHO COORDINATE SYSTEM OF 1983, WEST ZONE, 2011 ADJUSTMENT AND HAS BEEN ADJUSTED FROM STATE PLANE GRID COORDINATES TO PROJECT COORDINATES USING A COMBINED ADJUSTMENT FACTOR (C.A.F.) OF 1.0000930353 AND A CONVERGENCE ANGLE OF -0°45'34" AT CONTROL POINT 122. THE COMBINED ADJUSTMENT FACTOR MUST BE APPLIED TO GRID COORDINATES TO CONVERT TO PROJECT DATUM.

PURPOSE OF SURVEY

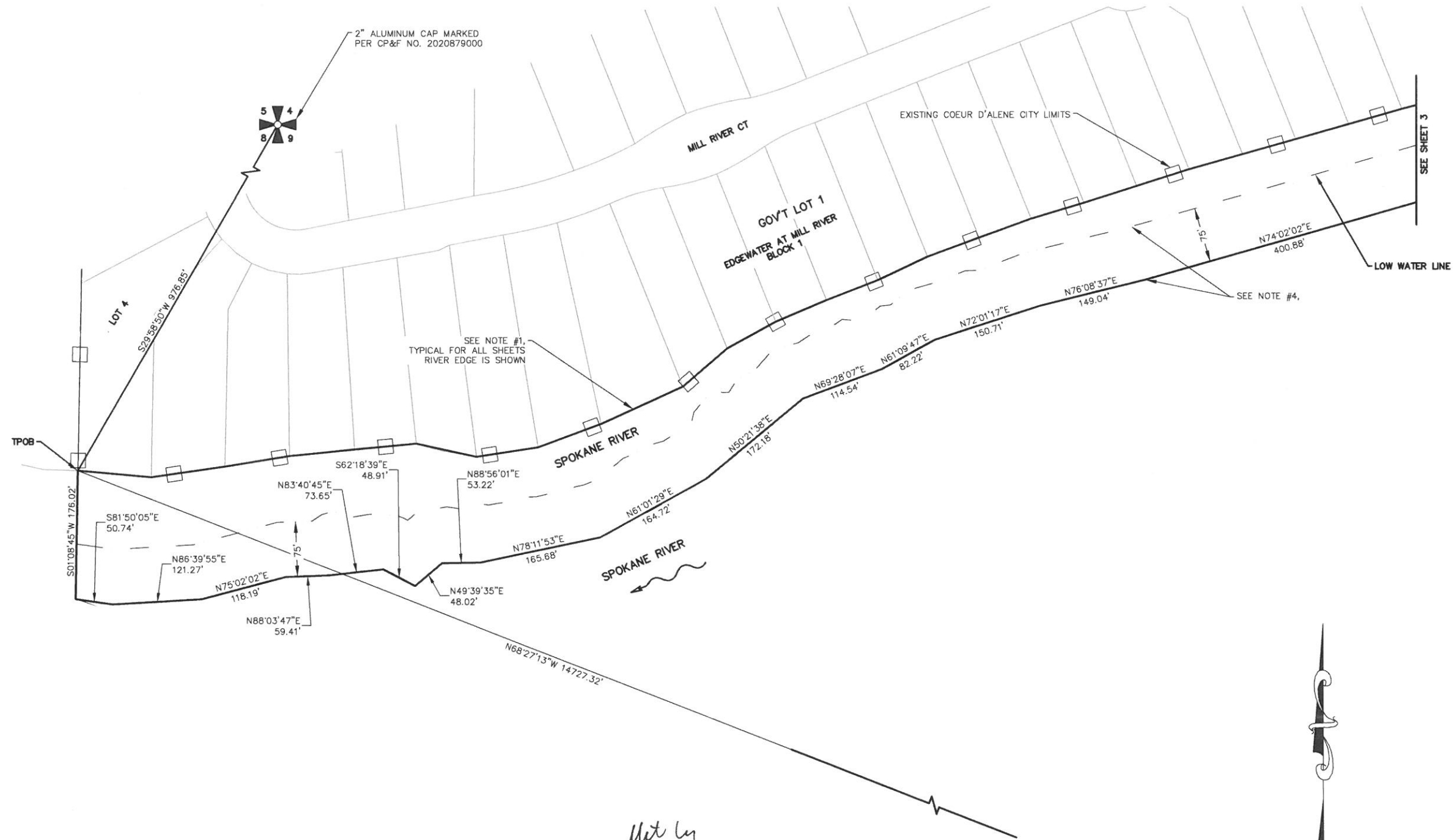
TO ANNEX THE SUBJECT PROPERTY INTO THE CITY OF COEUR D'ALENE.



 <small>www.welchcomer.com 350 E. Kathleen Ave. Coeur d'Alene, ID 83815</small>	CITY OF COEUR D'ALENE ANNEXATION	PROJECT NO.: 41292 DESIGNED BY: GJG DRAWN BY: MLH CHECKED BY: MLH NAME: 41292ANNEX02.DWG DATE: AUGUST, 2018 SCALE: 1" = 700' SHEET NO.:
	A PORTION OF SEC. 9, 10, 11 & 14, T. 50 N., R. 4 W., B.M., KOOTENAI COUNTY, IDAHO	1 OF 11

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



Met by
**PROFESSIONAL LAND SURVEYOR
LICENSED
12318
8-20-18
STATE OF IDAHO
MICHAEL LYNN HATHAWAY**

WELCH-COMER
ENGINEERS & SURVEYORS

208-664-9382
(toll free) 877-815-5672
www.welchcomer.com
350 E. Malloran Ave.
Coeur d'Alene, ID 83815
(fax) 208-664-5946

**CITY OF COEUR D'ALENE
ANNEXATION**

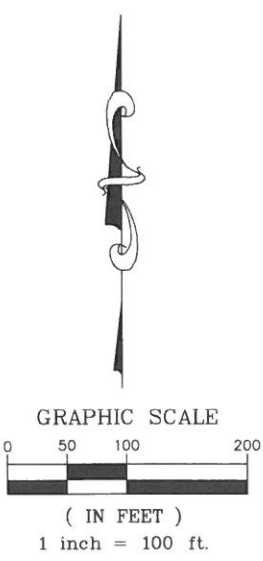
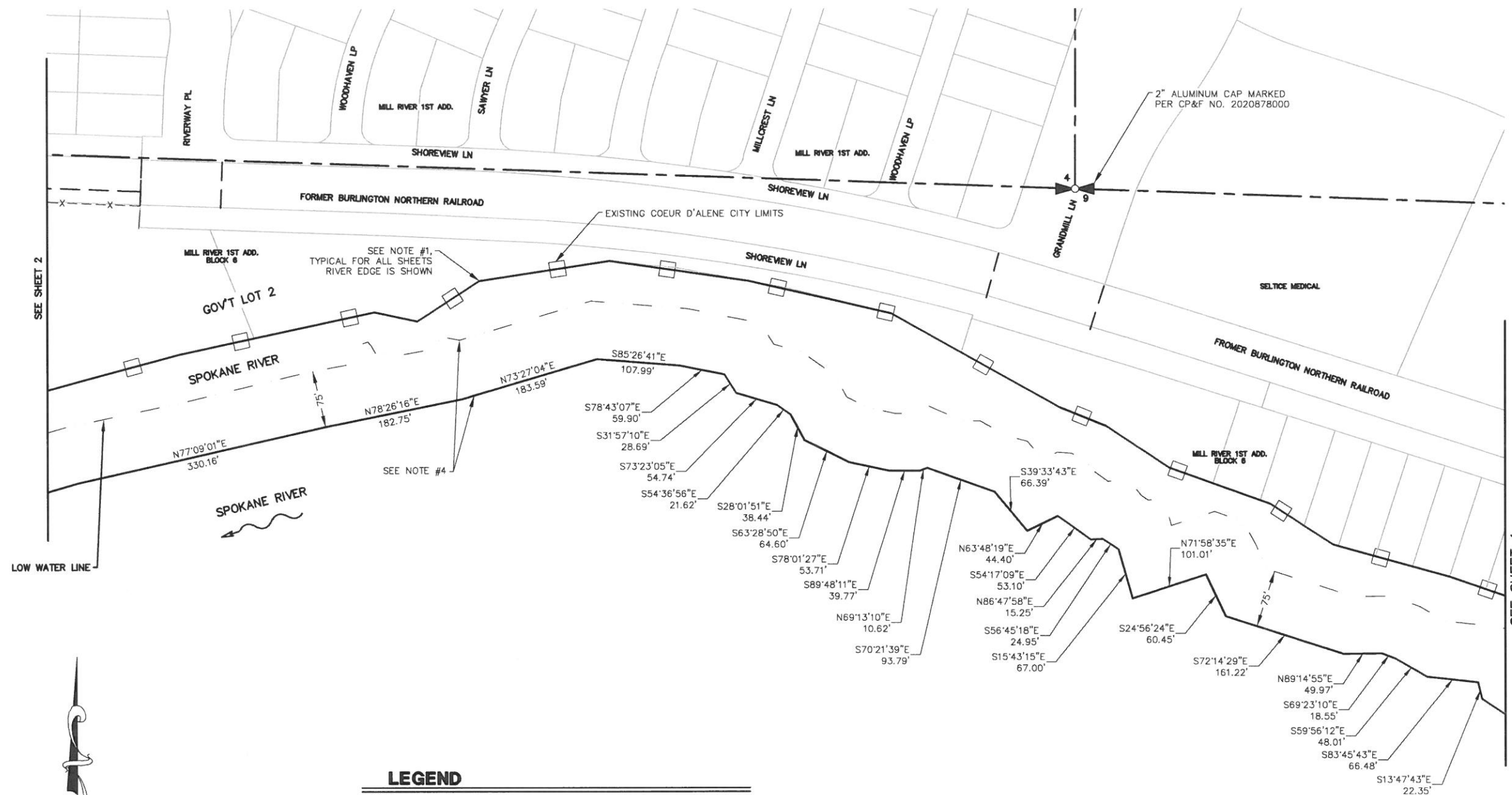
A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: GJG
DRAWN BY: GJG
CHECKED BY: MLH
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO.

2 OF 11

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



LEGEND

- FOUND MONUMENT AS NOTED
- ANNEXATION BOUNDARY



WELCH-COMER
ENGINEERS - SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815

208-664-9382
(toll free) 877-815-5672
(fax) 208-664-5946

**CITY OF COEUR D'ALENE
ANNEXATION**

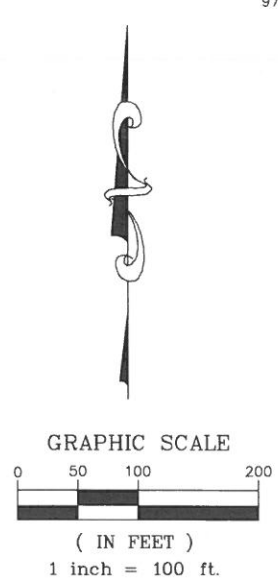
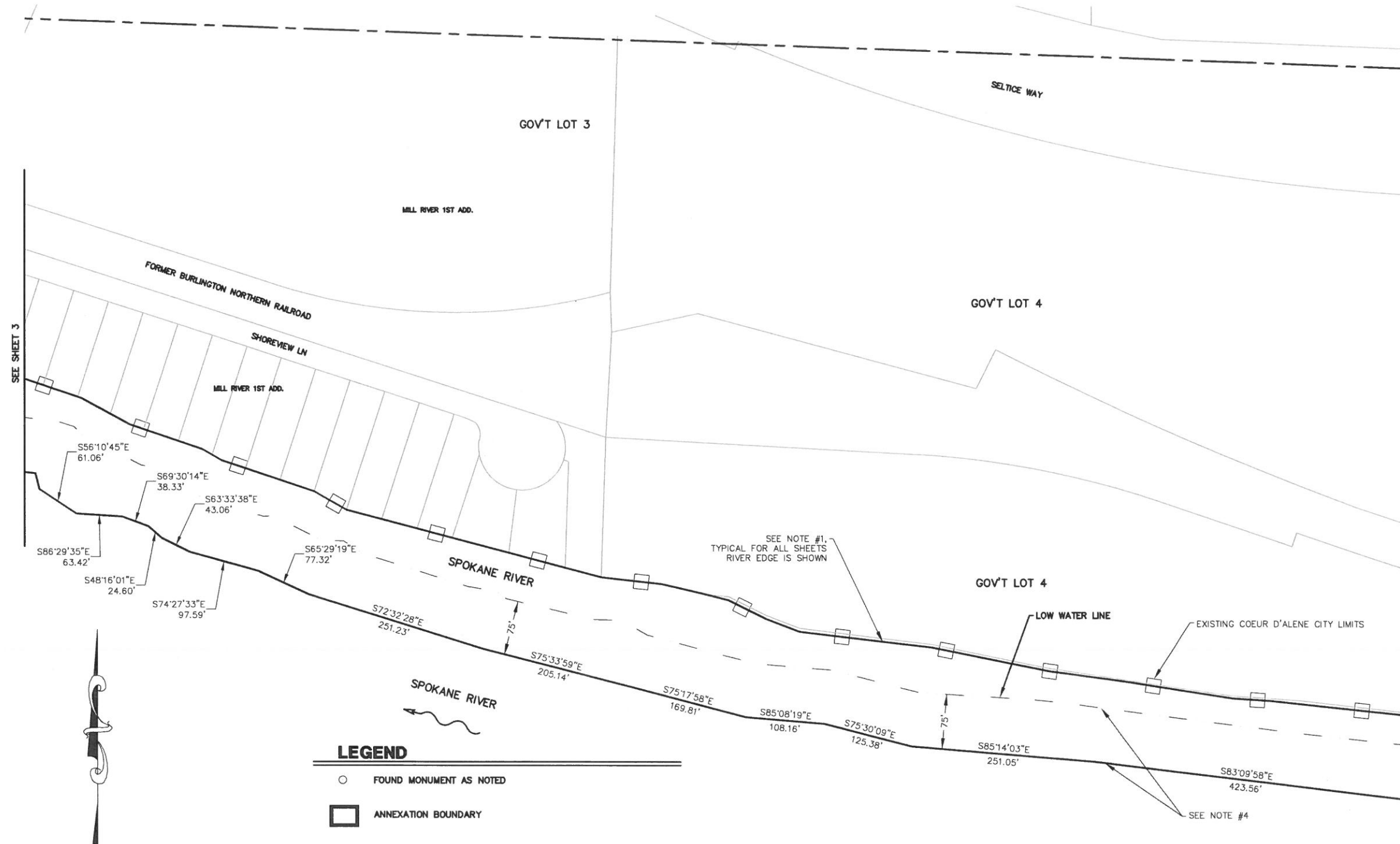
A PORTION OF SEC. 9, 10, 11 & 14,
T.50N., R.4W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: GUG
DRAWN BY: GUG
CHECKED BY: MLH
NAME: 41292ANNEX.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO:

3 OF 11

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



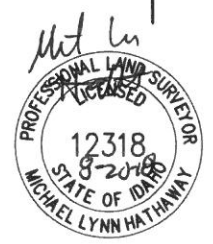
WELCH-COMER
ENGINEERS & SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815
208-664-5382
(toll free) 877-815-5872
(fax) 208-664-5946

CITY OF COEUR D'ALENE
ANNEXATION

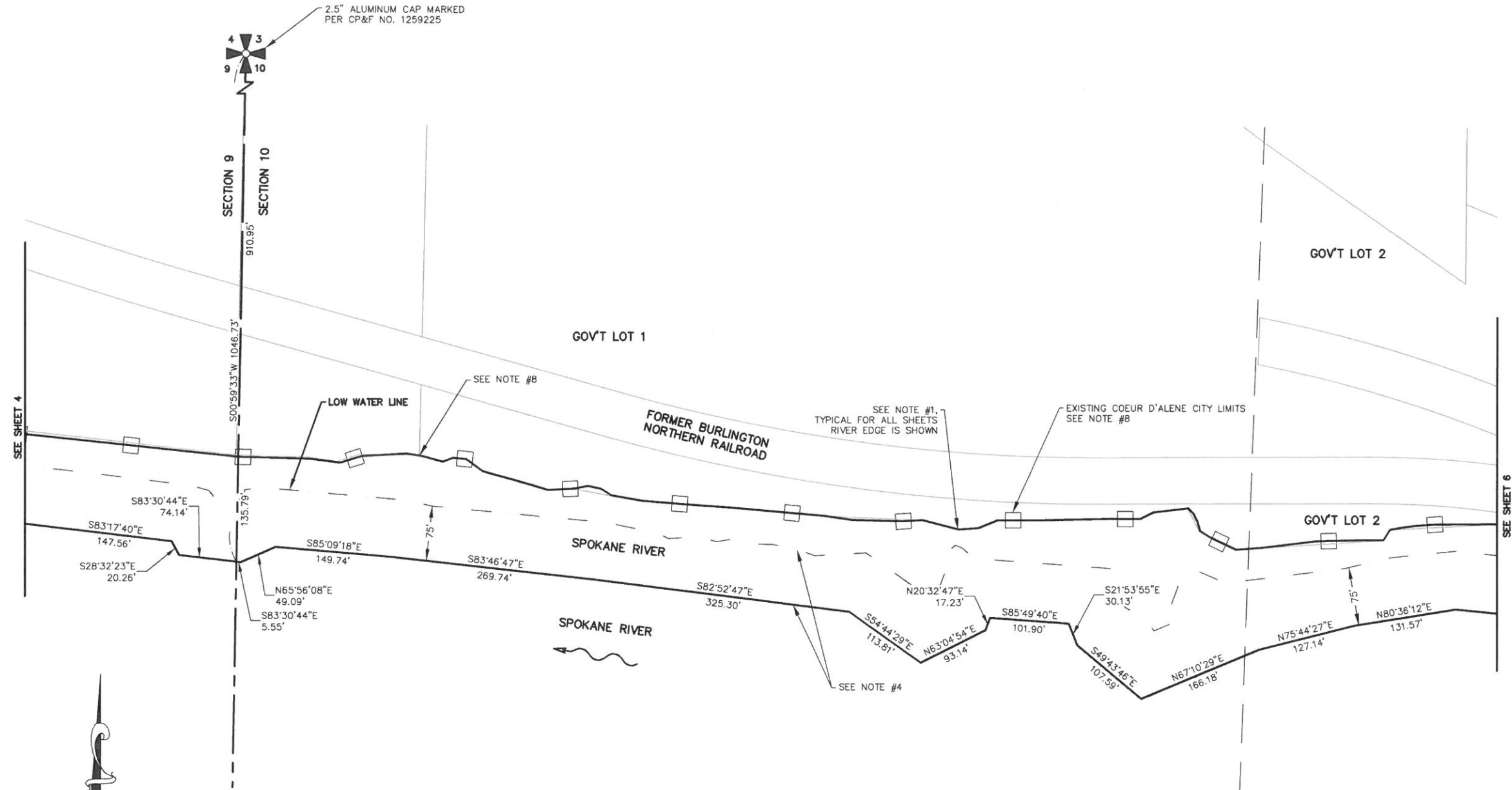
A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: GJG
DRAWN BY: GJG
CHECKED BY: MLH
NAME: 41292-ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO:



CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**

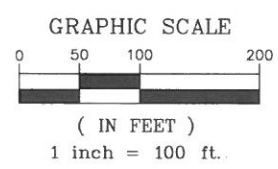


SEE SHEET 4

SEE SHEET 6

LEGEND

- FOUND MONUMENT AS NOTED
- ANNEXATION BOUNDARY



WELCH-COMER
ENGINEERS & SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815

208-664-9392
(toll free) 877-815-5672
(fax) 208-664-5946

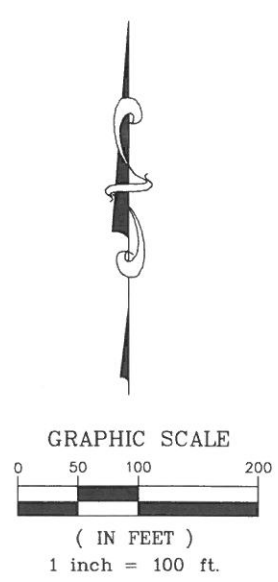
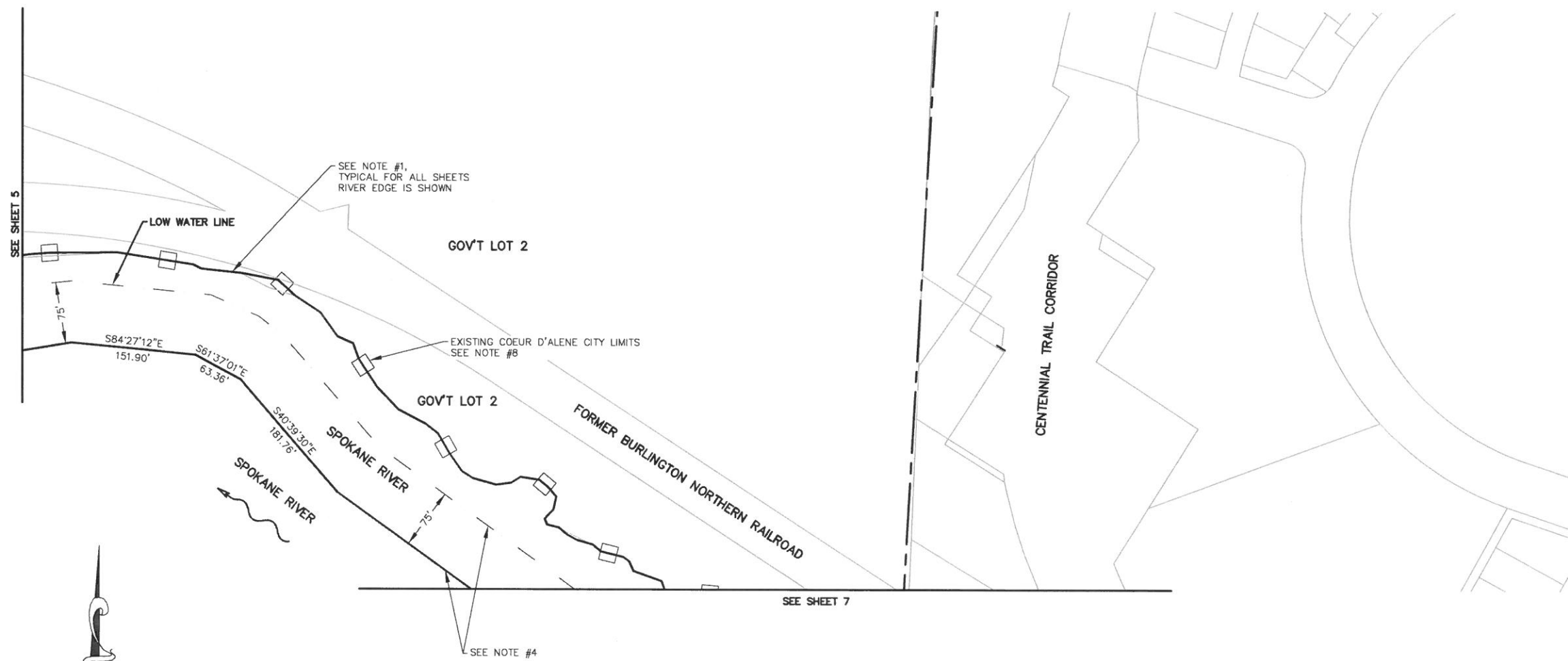
CITY OF COEUR D'ALENE
ANNEXATION

A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: C.J.G.
DRAWN BY: MLH
CHECKED BY: MLH
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO:

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO



LEGEND

○	FOUND MONUMENT AS NOTED
□	ANNEXATION BOUNDARY



WELCH-COMER
ENGINEERS & SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815

208-664-9382
(bill item) 877-815-5672
(fax) 208-664-5946

CITY OF COEUR D'ALENE
ANNEXATION

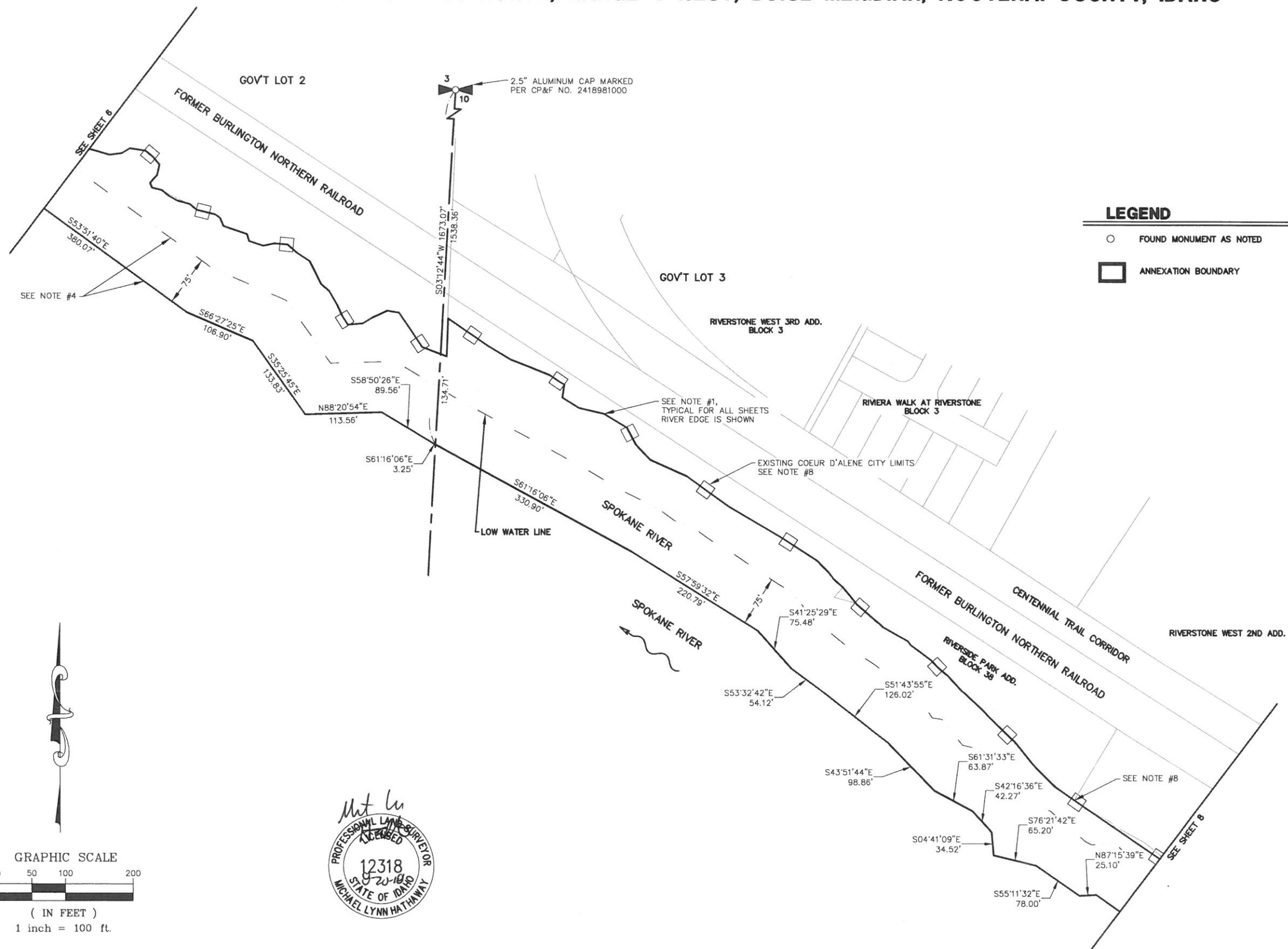
A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: GJG
DRAWN BY: MLH
CHECKED BY: MLH
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: T = 100
SHEET NO:

6 OF 11

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



LEGEND

- FOUND MONUMENT AS NOTED
- ANNEXATION BOUNDARY

GRAPHIC SCALE
0 50 100 200
(IN FEET)
1 inch = 100 ft.

Met Lu
PROFESSIONAL LAND SURVEYOR
12318
STATE OF IDAHO
MICHAEL LYNN HATHAWAY

WELCH-COMER
ENGINEERS & SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815

208-664-9382
(toll free) 877-815-5672
(fax) 208-664-5946

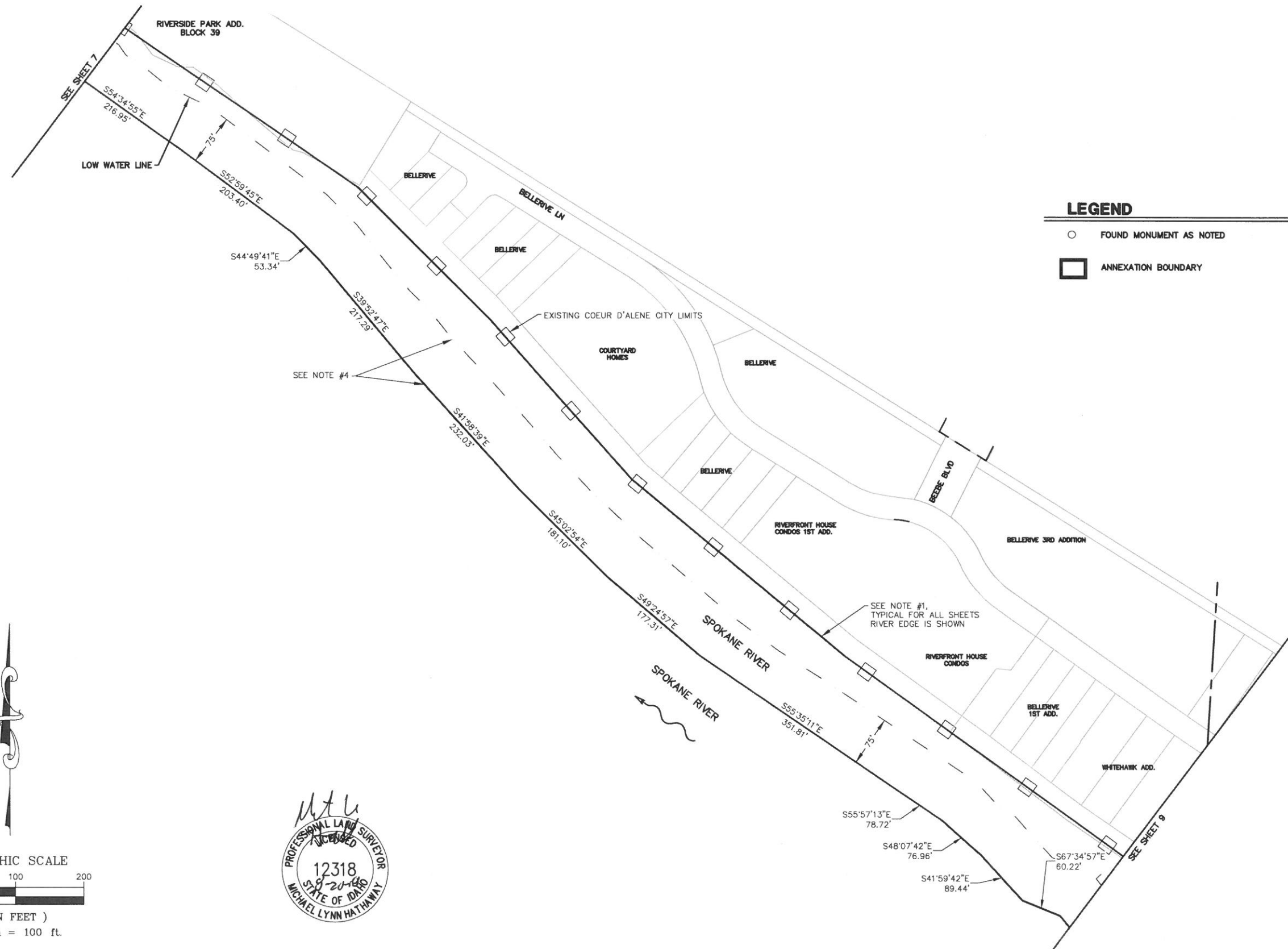
CITY OF COEUR D'ALENE
ANNEXATION

A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: GJG
DRAWN BY: GJG
CHECKED BY: M.L.H.
NAME: 41292 ANNEXATION.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO.: 7 OF 11

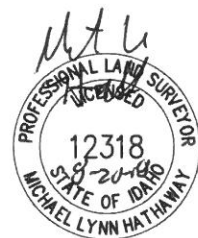
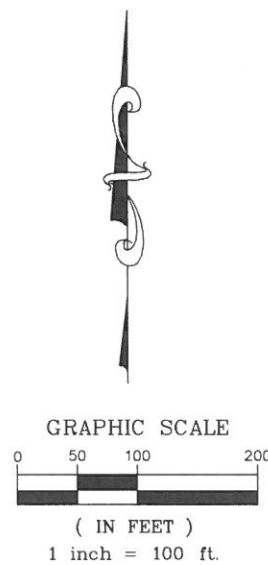
CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



LEGEND

- FOUND MONUMENT AS NOTED
- ANNEXATION BOUNDARY



WELCH-COMER
ENGINEERS & SURVEYORS

208-664-9392
208-664-5392
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815
www.welchcomer.com
(cell) 208-664-5946
(fax) 208-664-5946

CITY OF COEUR D'ALENE
ANNEXATION

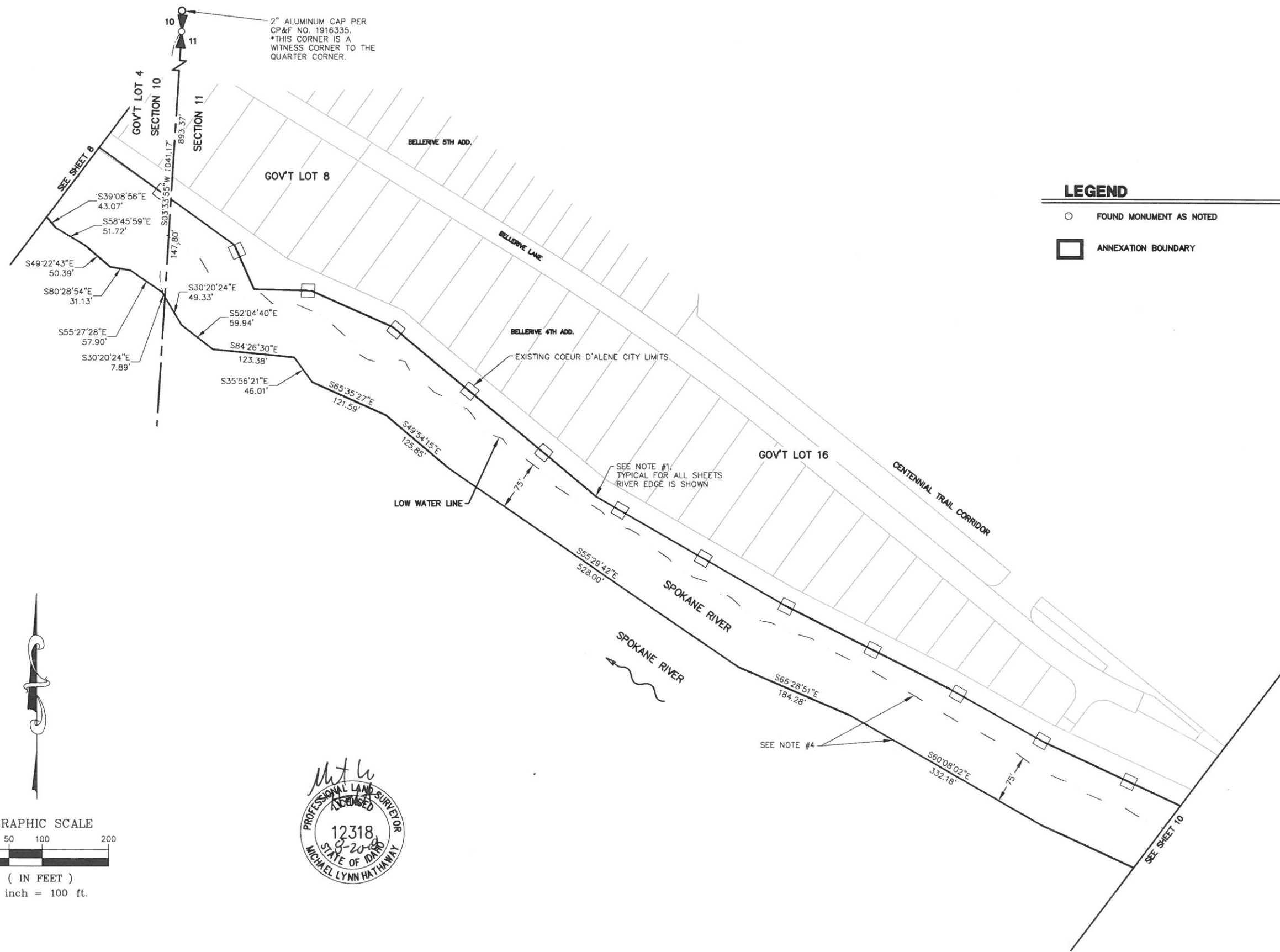
A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: G.J.G.
DRAWN BY: G.J.G.
CHECKED BY: MLH
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO:

8 OF 11

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO**



LEGEND

- FOUND MONUMENT AS NOTED
- ANNEXATION BOUNDARY



WELCH-COMER
ENGINEERS & SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815

208-664-5382
(toll free) 877-815-5672
(fax) 208-664-5946

**CITY OF COEUR D'ALENE
ANNEXATION**

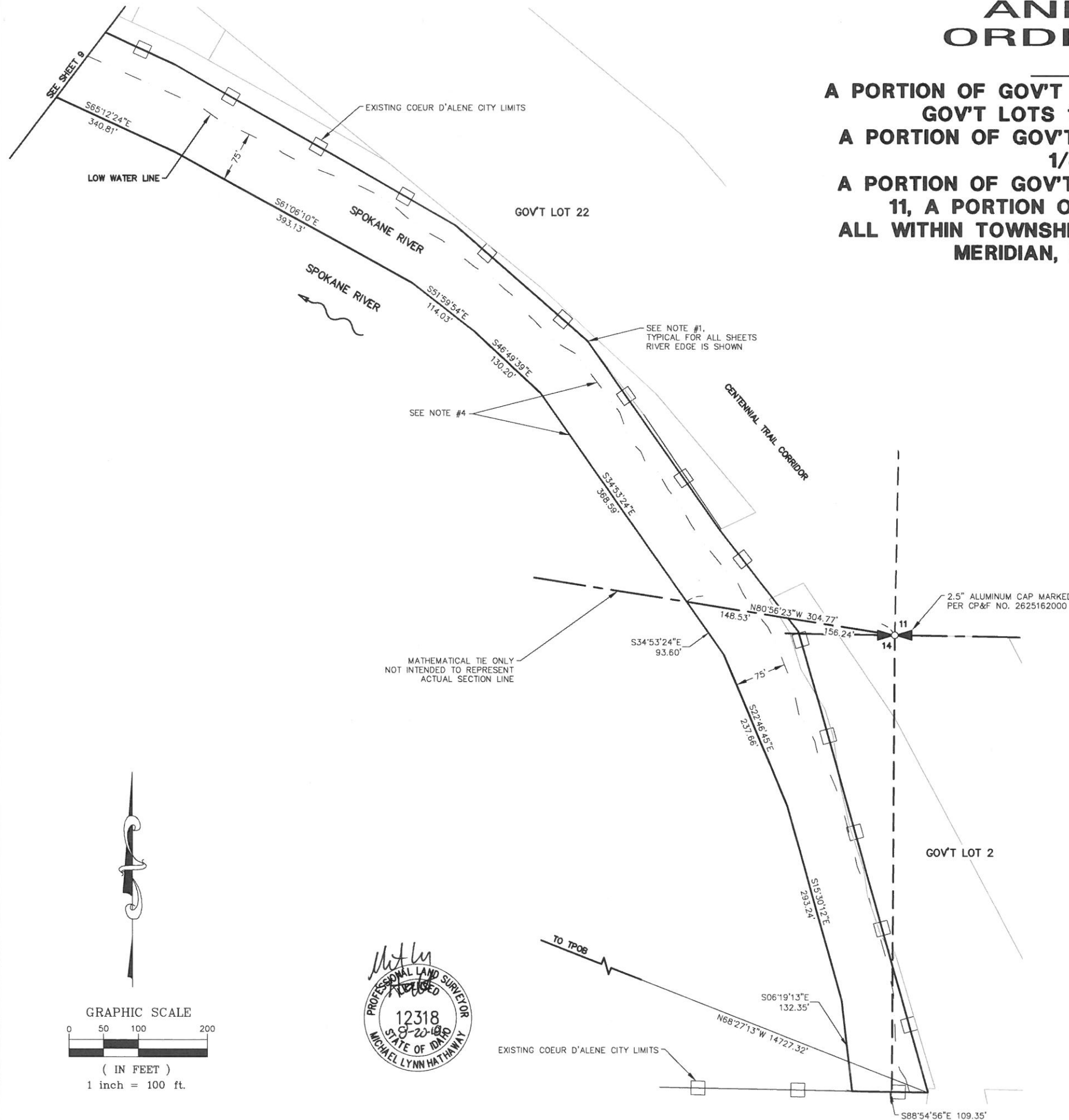
A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: JIG
DRAWN BY: M.L.H.
CHECKED BY: M.L.H.
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO:

9 OF 11

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO.

**A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF
GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST
1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION
11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE
MERIDIAN, KOOTENAI COUNTY, IDAHO**



LEGEND

- FOUND MONUMENT AS NOTED
- ANNEXATION BOUNDARY



WELCH-COMER
ENGINEERS & SURVEYORS

www.welchcomer.com
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815

208-664-9392
(toll free) 877-815-5672
(fax) 208-664-5946

CITY OF COEUR D'ALENE
ANNEXATION

A PORTION OF SEC. 9, 10, 11 & 14,
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY: GJG
DRAWN BY: GJG
CHECKED BY: MLH
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE: 1" = 100'
SHEET NO:

CITY OF COEUR D'ALENE ANNEXATION ORDINANCE NO. _____

A PORTION OF GOV'T LOT 4 OF SECTION 8, A PORTION OF GOV'T LOTS 1, 2, 3 AND 4 OF SECTION 9,
A PORTION OF GOV'T LOTS 1, 2, 3 AND THE NORTHEAST 1/4 OF SECTION 10,
A PORTION OF GOV'T LOTS 2, 8, 16 AND 22 OF SECTION 11, A PORTION OF GOV'T LOT 2 OF SECTION 14,
ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO

PLAT REFERENCES: RECORDS OF KOOTENAI COUNTY

- P1) PLAT OF GARAGE TOWN CONDOMINIUMS RECORDED IN BOOK J OF PLATS, PAGES 96-96E.
- P2) PLAT OF MILL RIVER FIRST ADDITION RECORDED IN BOOK J OF PLATS, PAGES 202-202D.
- P3) PLAT OF MILL RIVER THIRD ADDITION RECORDED IN BOOK J OF PLATS, PAGES 257-257B.
- P4) PLAT OF EDGEWATER AT MILL RIVER RECORDED IN BOOK J OF PLATS, PAGES 60-60B.
- P5) PLAT OF SELTICE MEDICAL RECORDED IN BOOK K OF PLATS, PAGES 90-90A.
- P6) PLAT OF RIVERSTONE RECORDED IN BOOK I OF PLATS, PAGES 250-250C.
- P7) PLAT OF RIVERSTONE WEST RECORDED IN BOOK J OF PLATS, PAGES 339-339B.
- P8) PLAT OF RIVERSTONE WEST 1ST ADDITION RECORDED IN BOOK J OF PLATS, PAGES 488-488A.
- P9) PLAT OF RIVERSTONE WEST 2ND ADDITION RECORDED IN BOOK K OF PLATS, PAGES 183-183B.
- P10) PLAT OF RIVERSTONE WEST 3RD ADDITION RECORDED IN BOOK K OF PLATS, PAGES 326-326A.
- P11) PLAT OF RIVERSTONE WEST 4TH ADDITION RECORDED IN BOOK K OF PLATS, PAGES 376-376A.
- P12) PLAT OF RIVERSTONE WEST 5TH ADDITION RECORDED IN BOOK K OF PLATS, PAGES 446-446A.
- P13) PLAT OF BELLERIVE RECORDED IN BOOK J OF PLATS, PAGES 311-311C.
- P14) PLAT OF BELLERIVE 1ST ADDITION RECORDED IN BOOK K OF PLATS, PAGES 133-133D.
- P15) PLAT OF BELLERIVE 3RD ADDITION RECORDED IN BOOK K OF PLATS, PAGES 281-281C.
- P16) PLAT OF BELLERIVE 4TH ADDITION RECORDED IN BOOK K OF PLATS, PAGES 450-450B.
- P17) PLAT OF MERRITT OFFICE PARK RECORDED IN BOOK J OF PLATS, PAGES 36-36B.
- P18) PLAT OF SOUTH LACROSSE ADDITION RECORDED IN BOOK K OF PLATS, PAGES 373-373A.
- P19) PLAT OF BELLERIVE 5TH ADDITION RECORDED IN BOOK K OF PLATS, PAGES 467-467B.
- P20) PLAT OF RIVIERA WALK AT RIVERSTONE RECORDED IN BOOK K OF PLATS, PAGES 485-485A.
- P21) PLAT OF RIVERSTONE PLAZA RECORDED IN BOOK J OF PLATS, PAGES 500-500B.
- P22) PLAT OF FORT SHERMAN RECORDED IN BOOK A OF PLATS, PAGE 75.
- P23) PLAT OF EAST LACROSSE RECORDED IN BOOK B OF PLATS, PAGE 119.
- P24) PLAT OF RIVERSIDE PARK ADDITION RECORDED IN BOOK B OF PLATS, PAGE 138.
- P25) PLAT OF THE CIRCUIT AT SELTICE RECORDED IN BOOK K OF PLATS PAGES 469 AND 469A.

MISC. REFERENCES: RECORDS OF KOOTENAI COUNTY

- M1) SPOKANE & INLAND EMPIRE (C. M. & S.P. R.R.) RAILROAD, TWO PAGES, FROM STA 255+65.2 TO 45+56. DATED FEB. 6, 1910.
- M2) COEUR D'ALENE & PEND D'OREILLE RIGHT OF WAY AND TRACK MAP, PAGE 3, FROM STA 75+21.4 TO 192+80.5. DATED JUNE 30, 1917.
- M3) ORDER OF VACATION FOR PORTIONS OF ELMWOOD, ABBINGTON, RIVERSIDE, 4TH AND 5TH AS SHOWN ON RIVERSIDE PARK ADDITION PLAT. RECORDED UNDER INSTRUMENT NUMBER 2273509000.
- M4) QUITCLAIM DEED RECORDED IN BOOK 279 OF DEEDS, PAGE 621. RECORDED IN NOV. 2, 1976.
- M5) WARRANTY DEED RECORDED UNDER INSTRUMENT NUMBER 1235468. RECORDED IN OCT. 18, 1991.
- M6) GREAT NORTHERN RIGHT OF WAY AND TRACK MAP, PAGE 3 OF 3, FROM WASHINGTON STATE LINE TO ATLAS. NO DATE.
- M7) CHICAGO, MILWAUKEE & ST. PAUL RY. CO. RIGHT OF WAY AND TRACK MAP, PAGE 3, FROM STA 293+23.2 TO 86+24.1. DATED JUNE 30, 1915.
- M8) COEUR D'ALENE & PEND D'OREILLE RIGHT OF WAY AND TRACK MAP, PAGE 1 OF 3, FROM STA 180+00 TO 0+00. DATED OCT. 25, 1910.
- M9) COEUR D'ALENE & PEND D'OREILLE RIGHT OF WAY AND TRACK MAP, PAGE 2 OF 3, FROM STA 227+85 TO 140+48.1. DATED 1910.
- M10) FIRST AMERICAN TITLE CO ORDER NO. 388640-C DATED 9-29-14
- M11) FIRST AMERICAN TITLE CO ORDER NO. 517879-C DATED 8-27-14
- M12) EASEMENT RECORDED APRIL 27-1904 IN BOOK 3 OF DEEDS, PAGE 514
- M13) DEED RECORDED NOV. 16, 1910 IN BOOK 41 OF DEEDS, PAGE 97
- M14) DEED RECORDED AUG. 8, 2005 AS INSTRUMENT NO. 1970563
- M15) EASEMENT RECORDED OCT. 7, 2009 AS INSTRUMENT NO. 2235327000
- M16) ORDINANCE NO. 3444, RECORDED JULY 17, 2012 AS INSTRUMENT NO. 2368609000
- M17) ORDINANCE NO. 3509, RECORDED MAY 29, 2015 AS INSTRUMENT NO. 2500025000
- M18) ORDINANCE NO. 3576, RECORDED JUNE 02, 2017 AS INSTRUMENT NO. 2597023000
- M19) ORDINANCE NO. 3410, RECORDED JUNE 21, 2011 AS INSTRUMENT NO. 2317636000

SURVEY REFERENCES: RECORDS OF KOOTENAI COUNTY

- R1) RECORD OF SURVEY RECORDED IN BOOK 13 OF SURVEYS, PAGE 68
- R2) RECORD OF SURVEY RECORDED IN BOOK 11 OF SURVEYS, PAGE 263
- R3) RECORD OF SURVEY RECORDED IN BOOK 22 OF SURVEYS, PAGE 261
- R4) RECORD OF SURVEY RECORDED IN BOOK 23 OF SURVEYS, PAGE 409
- R5) RECORD OF SURVEY RECORDED IN BOOK 23 OF SURVEYS, PAGE 10
- R6) RECORD OF SURVEY RECORDED IN BOOK 26 OF SURVEYS, PAGE 410
- R7) RECORD OF SURVEY RECORDED IN BOOK 3 OF SURVEYS, PAGE 323
- R8) RECORD OF SURVEY RECORDED IN BOOK 27 OF SURVEYS, PAGE 1
- R9) RECORD OF SURVEY RECORDED IN BOOK 28 OF SURVEYS, PAGE 174
- R10) RECORD OF SURVEY RECORDED IN BOOK 28 OF SURVEYS, PAGE 242
- R11) RECORD OF SURVEY RECORDED IN BOOK 23 OF SURVEYS, PAGE 361
- R12) RECORD OF SURVEY RECORDED IN BOOK 27 OF SURVEYS, PAGE 50
- R13) RECORD OF SURVEY RECORDED IN BOOK 21 OF SURVEYS, PAGE 92
- R14) RECORD OF SURVEY RECORDED IN BOOK 3 OF SURVEYS, PAGE 322

NOTES:

1. EDGE OF WATER FOR SPOKANE RIVER WAS NOT SURVEYED. IT IS BASED ON KOOTENAI COUNTY ASSESSOR INFORMATION.
2. THE PROPERTY TO BE ANNEXED IS LOCATED ENTIRELY WITHIN THE SPOKANE RIVER AND AS SUCH IS NOT ACTUALLY LOCATED WITHIN AREAS AS IDENTIFIED IN THE DRAWING HEADER. WE INCLUDED THE ADJACENT LAND AREAS IN THE HEADER INFORMATION.
3. IN ACCORDANCE WITH IDAHO CODE 50-221, THE SOUTHERN LIMIT OF THIS ANNEXATION CAN BE NO MORE THAN 75 FEET FROM THE LOW-WATER MARK OF THE SPOKANE RIVER.
4. THE INTENT OF THIS ANNEXATION IS TO ANNEX TO A LINE WHICH IS 75 FEET FROM THE LOW-WATER MARK OF THE SPOKANE RIVER. WE UTILIZED BATHYMETRY DATA FROM THE CDA TRIBE IN CONJUNCTION WITH HISTORIC LOW WATER LEVELS OF LAKE CDA TO DETERMINE THE LOCATION OF THE LOW-WATER MARK THROUGH THE ANNEXATION AREA. THIS LINE HAS NOT BEEN SURVEYED.
5. NO MONUMENTS WERE SET AS PART OF THIS PROJECT.
6. ALL MONUMENTS ARE WITHIN 0.08 FEET OF THEIR COMPUTED POSITION BASED ON THE EXISTING RECORD EXCEPT WHERE NOTED.
7. THE LIGHTER PARCEL LINES ARE TAKEN DIRECTLY FROM THE KOOTENAI COUNTY GIS. THEY ARE NOT SURVEYED LINES.
8. THERE IS AN EXISTING ANNEXATION IN PROCESS AT THE CITY OF CDA WHICH WILL ANNEX UP TO THE SHORELINE THROUGH SHEETS 5, 6 AND 7. THE EXISTING ANNEXATION AREA STARTS AT THE LOCATION IDENTIFIED IN THE NOTE LABEL ON SHEET 5 AND RUNS EASTERLY ALONG THE SHORELINE TO THE MOST SOUTHERLY CORNER OF BLOCK 38 OF RIVERSIDE PARK ADDITION AS SHOWN ON SHEET 7.

BASIS OF BEARING

THE PROJECT IS ON IDAHO COORDINATE SYSTEM OF 1983, WEST ZONE, 2011 ADJUSTMENT AND HAS BEEN ADJUSTED FROM STATE PLANE GRID COORDINATES TO PROJECT COORDINATES USING A COMBINED ADJUSTMENT FACTOR (C.A.F.) OF 1.0000930353 AND A CONVERGENCE ANGLE OF -0°45'34" AT CONTROL POINT 122. THE COMBINED ADJUSTMENT FACTOR MUST BE APPLIED TO GRID COORDINATES TO CONVERT TO PROJECT DATUM.

PURPOSE OF SURVEY

TO ANNEX THE SUBJECT PROPERTY INTO THE CITY OF COEUR D'ALENE.



WELCH-COMER
ENGINEERS & SURVEYORS
208-664-9382
350 E. Kathleen Ave.
Coeur d'Alene, ID 83815
(fax) 208-664-5946

CITY OF COEUR D'ALENE
ANNEXATION
A PORTION OF SEC. 9, 10, 11, & 14
T. 50 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

PROJECT NO.: 41292
DESIGNED BY:
DRAWN BY: G.J.G.
CHECKED BY: MLH
NAME: 41292ANNEX02.DWG
DATE: AUGUST, 2018
SCALE:
SHEET NO:

11 OF 11

**PLANNING COMMISSION
MINUTES
AUGUST 8, 2017
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Mike Behary, Planner
Shana Stuhlmiller, Public Hearing Assistant
Mike Gridley, City Attorney
Bill Greenwood, Parks and Recreation Director
Terry Pickel, Water Superintendent
Kyle Marine, Water Department
Mike Becker, Wastewater Department
Craig Etherton, Fire Department

COMMISSIONERS ABSENT:

Michael Ward
Lewis Rumpler

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Fleming, seconded by Mandel to approve the minutes of the Planning Commission meeting on June 13, 2017 and July 11, 2017. Motion approved.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

- Staff has scheduled another workshop on Tuesday, August 22nd starting at 4:00 p.m. This workshop is a continuation of the Work Plan items discussed at the previous workshop on July 11th.
- Hilary Anderson, Community Planning Director stated we have one public hearing scheduled for the September 12th Planning Commission Meeting.
- Staff has scheduled a conference call with the City of Madison, Wisconsin who is also updating their Comprehensive Plan. She explained that Commissioner Mandel knew the Planning Director from Madison and thought it would be a good idea for staff to talk with them since they are also in the process of updating their Comprehensive Plan.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

1. Applicant: City of Coeur d'Alene
Location: 3074 W. Seltice Way, Atlas Mill Site
Request: A proposed 46+/- acre annexation from County Industrial to City C-17 (Commercial at 17 units/acre) zoning district. LEGISLATIVE, (A-2-17)

Hilary Anderson, Community Planning Director, presented the staff report and stated that this is a proposed 46+/- acre annexation from County Industrial to City C-17 and provided the following statements.

- The City of Coeur d'Alene entered into a Purchase and Sale Agreement with Bad Axe LLC on May 4, 2017 to purchase land commonly known as 3074 W. Seltice Way, which is referred to as the Atlas Mill site.
- It is comprised of approximately 46 acres of vacant land located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River. Acquisition of the 46 acres of land opens the door for economic development and public access to the river which is something that has been deemed as a high priority in the CDA 2030 Vision and Implementation Plan.
- The City Council also adopted a resolution in 2014 (14-049) specifically directing City staff to work toward public acquisition of riverfront property, protection of the riverfront, and providing comprehensive planning for the river corridor.
- The City and Bad Axe LLC are in a six-month due diligence period.
- The subject property is located in Kootenai County, but is surrounded by the city limits.
- The City owns the former railroad right-of-way that runs through this property.
- The former right-of-way was acquired and annexed into the city in 2015 to provide opportunities for parkland, a trail, and public access to the waterfront.
- Annexation of the property into the City of Coeur d'Alene would allow for City water and sewer utilities to be extended to the property.
- Development of the Atlas Mill site will promote multi-modal connectivity to the downtown and connect neighborhoods to the west and east with a trail, parkland and public access to the river. Additionally, it will create opportunities for economic development and job creation.
- The Atlas Mill site is also within the Special Area known as Shorelines, which requires unique planning.
- In order for ignite CDA, the City's Urban Renewal Agency, to participate in the project; the agency's designated boundaries must be expanded to include this property. That cannot happen until the property is annexed into the City of Coeur d'Alene.
- As part of the six-month due diligence process, the current property owner has agreed to allow the City to begin annexing the property.
- City staff is managing the annexation process to ensure this moves forward as quickly as possible.
- She presented various photos showing where the property is located and existing conditions, a current Aerial Photo, a 1999 Aerial Photo showing the Atlas Mill in operation, the annexation map, a map showing the Annexation History surrounding the subject property, and a map showing an existing zoning map.
- She explained the Comprehensive Plan objectives.
- Ms. Anderson concluded her presentation and stood for questions..

Commission Comments:

Chairman Messina inquired if staff could explain the process for an annexation once it approved by the Planning Commission.

Ms. Anderson explained that the Planning Commission makes a recommendation to council if the proposed zoning is appropriate for the project. The Council will hear the request as a new hearing with public testimony allowed and review staff's recommendations for items to consider including in the annexation agreement. If the annexation is approved, an annexation agreement would be drafted and recorded, along with the annexation ordinance. She stated if the city decides not to go through with the sale the owner of the property may decide not to annex it into the city at all.

- Chairman Messina inquired if the annexation and agreement are all approved at one meeting or does that have to come back for another meeting.

Ms. Anderson explained that the approval of the annexation request would happen at the public hearing , and then staff would draft an annexation agreement and ordinance, which would come back to the City Council for approval at a subsequent meeting.

- Chairman Messina inquired once the annexation agreement and ordinance is approved would the city start the process for purchasing the property.

Ms. Anderson stated no, and explained that the city's goal was to get through the two public hearings by October 25th. The city has two dates to purchase the project and if the city waits until the later date, the price of the property will increase. The annexation agreement and ordinance may happen after the purchase is complete.

- Chairman Messina explained that until the City annexes the property into the city limits, nothing can be started on the property. He explained since going through the process at Riverstone he feels the commission has learned a few things about protecting the shoreline. He stated this is a pristine piece of property and does not want to make some of the mistakes that were made at Riverstone for this property. He questioned why the city chose C-17 and if approved, will the city sell some of the property.

Ms. Anderson answered that some of the property will be developed so that the purchase of the property can pencil financially and a portion would be dedicated for parks and open space, waterfront access and trail connections. She explained that staff felt C-17 was the most appropriate zoning district with a requirement for master planning through a Planned Unit Development (PUD) to be included in the annexation agreement so that the city has assurance what the property will look like.

- Commissioner Luttrupp clarified if it's the city intent to sell a portion of the property to Ignite.

Ms. Anderson stated that is correct.

Mike Gridley, City Attorney, explained that this piece of property is considered a "brownfield site" which used to be a mill and has been vacant, and overgrown with weeds. He commented that prospective buyers have looked at this property and for various reasons have struggled putting a deal together. He feels one of the city's main goals is to create an opportunity for development that will include job creation and how the city is involved is to implement the acquisition and sell it to Ignite. Any seller would put some restrictions on what we want out of that sale and Ignite as an Urban Renewal Agency will have some freedom and ability to then work with the private sector to work on what will be best for our community. He stated that there might be some residential uses on the property but feels the goal is to create jobs with maybe a campus such as a "tech" campus and that Kootenai Health has had some interest. He exemplified that we are creating a "canvas" that will be a successful place for someone to create more jobs.

- Commissioner Luttrupp inquired if we approve the zoning as requested, will the property owner

get the benefit. He questioned if there is anything that would result in the final annexation and zoning going to the current owner and not to ignite or the City.

Mr. Gridley commented that the property would go back to the owner if the deal falls through and the owner wants to annex the property into the city it would have to go through the same process and that those recommendations by staff will have to be agreed to if it is approved. He explained if this property goes back to the owner we will still have some control as in the way the property will be developed. He stated this is a unique position because the City is the applicant

- Commissioner Luttrupp clarified so if this is not approved, then the zoning is not approved and questioned if that is correct.
- Commissioner Mandel commented if this annexation is approved then the recommendations would go to Ignite CDA.

Mr. Gridley responded that is correct and explained that those recommendations are negotiated and then the annexation agreement gets recorded with the property.

- Commissioner Ingalls explained the history behind Riverstone and what with that property happened in the past he commented somethings were great and some not. He commented after reading the letter they received from the Friends of the Spokane River Corridor some of their key points is to not allow any construction between the BNSF right-of-way (ROW) and the river to remain open to the public. He inquired if the commission agrees that we could make a recommendation to council a condition that goes beyond the required ten acres of open space is too restrictive that should be a recommendation to adopt a condition that goes beyond the 10 acres to include the strip along the Spokane River.

Ms. Anderson noted on the map the strip of land that Commissioner Ingalls was addressing and explained that the recommendations that staff recommended that the City Council has a choice to take one or all of them. She feels that it is appropriate for the commission to make additional recommendations for their consideration.

- Chairman Messina explained that the Commission can add additional findings if they feel it's appropriate.
- Commissioner Ingalls stated that he would ask the question in a different way if the recommendation that the city-owned property along the BNSF strip and the land next to the Spokane River if we wanted this opened to the public would this work for the business model.

Ms. Anderson explained that Ignite is looking at how the various types of land uses would "pencil out". She doesn't know if ignite has all those numbers yet to make that determination. She commented if the commission feels strongly to make that recommendation to remember that to make it work it has to work for ignite and the city if it was worded in a correct way.

- Chairman Messina stated we can make recommendations to go forward in the Annexation Agreement but the Council has the final say of what goes into that agreement.

Mr. Gridley explained that the city has been working with a team of experts for the development of this property and from their discussions, they discussed ideas of places where the community can gather such as a brew pub or restaurant or whatever the community can come to. He explained that the city felt the C-17 gives more flexibility to incorporate something for everyone and anything the commission recommends the council will consider.

- Chairman Messina stated in the past the commission has had struggles with the meaning of "open space" and what it means to different people. He feels that with this property what he is

hearing from previous comments to have more public space. He stated that with Riverstone the developer had a dream and because of various circumstances some things changed and feels that he doesn't want to make those same mistakes with this property. He stated Riverstone was a good project, but feels some commissioners may feel we could have done better.

- Commissioner Luttrupp stated that once we acquire this property that is considered a "Brownfield Site," the city will make sure that there are no contaminants on the property.

Mr. Gridley exemplified as a property owner we will work with DEQ and that the mill was owned by Stimson Company and there was a contract with Marshall Chesron to buy it and they removed the mill, dug the ground up and found concrete and some petroleum and worked with DEQ to make sure the property was ok as part of their contract. He feels the city has a "high" level of confidence that there won't be any surprises on the property.

- Commissioner Luttrupp inquired about the mounds of dirt that are currently on the property.

Mr. Gridley explained that those piles are the foundations and footings from the mill that was there. He added that the concrete got ground up that can be used as structural fill. He added there is some log waste but no evidence of any toxic waste on the property.

Ms. Anderson stated that she wanted to clarify a statement she made about the trails and master plan. She noted in the staff report under department comments that the Parks Department stated that they got input from their commission as well as the public for the site. She commented if the commission wishes to add a recommendation to the annexation agreement stating: "That is could provide a regional park and could have public access, water access, beach park and accessible non boat launch and an accessible swim area with a jetty, a dog water park, and street trees." She added when the commission was talking about Riverstone and other things the group called River 47 had been looking at this site before and one of the other developers they had proposed a mixed use proponent in this area. She added they had proposed public docks that you could boat up to and different restaurants with some mixed use development. She stated they have heard this from different people that some mixed use would be a nice component. She stated if that is something else the commission would like to recommend this also as a recommendation to council.

Public testimony open.

Steve Gill stated that he works for the Department of Environmental Quality and supports this request and has been working with staff on this project and stated that they are working on an environmental report that will be done soon.

Terry Godbout stated he would like to give his public testimony time to Chet Gaede.

Susie Snedaker, commented a couple of years ago several people testified regarding the pristine Spokane River shoreline and they all felt this property is a legacy. She feels that it is a great opportunity for the city to purchase this property. She stated that she understands the process and would want R-1 zoning for the entire parcel to accepting a well thought out master plan that would mandate preservation of a public shoreline that achieves the adopted goals. She commented "Start stripped and tighten up later". She explained you can always loosen it up and start with an R-1 zoning and go from there. She stated that she was on the Planning Commission for 11 years, did her homework before each meeting before she would cast a vote. She explained during those 11 years as a commissioner regretted one vote which was the approval of Riverstone which still haunts her today. She asked that before the commission votes to consider the following: What if the proposed zoning is too broad and intense and what if it restricts Comprehensive Planning, and more importantly, "What if it doesn't protect the pristine shoreline, and what if the city lapses ordinances and mandates?" She feels if the commission decides to approve this zone change to include Resolution 14-09 to preserve a public shoreline and utilize Comprehensive Planning for each proposal.

Sherri Robinson stated she is in favor of the annexation and would like to give her public testimony time to Chet Gaede.

Chet Gaede is in favor of the project and feels this is a “once in a lifetime” opportunity for the city. He is also excited about the processes. He explained that the applicant is the City and that changes this whole process. This gives the city new responsibilities and new opportunities as a Planning Commission for example. If the commission decided this property should be zoned C-17 and the community thinks this is awful and he appeals the Planning Commission decision which goes to City Council which makes it strange because the city is the applicant. He stated he is asking the Planning Commission for their recommendations for this property.

He feels the Planning Commission has a couple options for this property such as a Planned Unit Development (PUD) that will need to come back to the commission for their approval. He feels by having a PUD will help protect the riverfront as noted in this letter. In his letter they addressed the Railroad Right of Way (ROW) and not the extension as noted on staff’s map. He stated instead of a PUD to protect the land along the river why not just say it’s for the public. He explained if a PUD is approved that will go with the next owner who is Ignite CDA. He stated that when the city was working on Memorial Field they didn’t sell it to Ignite CDA so they could develop it so instead Ignite CDA developed it for the city. He commented the city should keep that piece of shoreline property and not sell it.

He addressed the Shoreline Ordinance which is a great tool and if a PUD is issued that would erase the requirements in the Shoreline Ordinance. He stated this is what happened with Riverstone. He commented in a meeting with staff and the City Council where this property was discussed on who is buying it and zoning was discussed council set a goal of \$100 million dollars of taxable property. In that meeting the council didn’t give a timeline how long that would take they just know that the city and Ignite CDA will get their money back. He thinks that’s a great goal but in that same conversation they mentioned having homes along the riverfront. He stated that he disagrees with the council on their method to reach that goal and that the shoreline should remain open to the public. They also discussed having bars and pubs nice places to gather along the river and feels that these establishments have to be right on the river and suggested setting those establishments back by to the ROW which would still provide waterfront views. He stated tonight Resolution 14-49 has been discussed and the Parks Master Plan is a resolution, Ignite CDA’s implementation plan is a resolution.

He commented that he most concerned with Resolution 14-49 and the latest Planning Resolution 17-035 that is the trails master plan. He commented in the trails master plan it states they want a multi-use trail along the river. He questioned how we obtain that we keep the property. He feels all the goals they are discussing tonight the city keeping this property is important. He would like the commission to consider a recommendation tonight that states: “The property from the ROW and the river remains open to the public.” He feels in all of the Planning Commission documents has never seen a goal is to put houses along the riverfront. In conclusion, he is extremely excited about this project and the direction it is going and agrees with Ms. Snedaker’s comment to zone the property R-1 and feels by keeping it tight can always loosen when needed.

- Chairman Messina stated that he would like clarification if the commission is allowed to add conditions or just recommendations for this project.

Mr. Gridley answered that the commission can make recommendations not conditions. He clarified that the commission can suggest some conditions as recommendations.

Roger Smith stated he is in favor of the project and feels that this is a huge opportunity for the city. He explained this is a blank slate sitting on the river with 46+ acres in city ownership. He stated most cities would love to work with this and we should feel fortunate. He explained that the city does have a resolution that deals with the shoreline preservation and riverfront and within that resolution spelled out what can be done along the shoreline. He added that the city has the Comprehensive Plan that spells out the goals for open access along the river. He stated that he is opposed to the C-17 zoning and would prefer to see it R-1 and would also recommend that nothing be built from the ROW to the riverfront of that parcel and have

it in perpetuity. He exampled that he was in Bend Oregon recently and noticed on their water fronts they do have some mixed uses along their waterfront with a trail and natural landscaping between those uses and the shoreline. He commented everyone enjoys it but it's a win/win for the city and the public for property value.

Public testimony closed.

Discussion:

- Commissioner Ingalls inquired if Bill Greenwood, Parks Director could answer some questions. He stated Ms. Anderson mentioned some visionary things pertaining to parks. He inquired if boats will be allowed.

Mr. Greenwood explained that his discussion for this parcel was for a dock and not a boat launch. He explained in the past they missed an opportunity to have a kayak launch and hopefully we can still have this in this community and when staff was talking earlier about a boat launch he feels that staff was referencing this idea.

- Commissioner Ingalls stated he is relieved to hear that and wouldn't want a boat launch like what like the Third Street boat launch. He likes the idea of kayaks.

Mr. Greenwood explained this would be considered a passive use dock that wouldn't allow non-motorized stuff on the dock. He stated there is a lot of shoreline on this parcel and suggested separating the shoreline and has a dock that the public can pull up to and be far enough apart there wouldn't be any disturbance to other people.

- Commissioner Ingalls commented that in the past the commission has had a problem defining what "open space" means is and he would prefer to not see any houses on the water. He would agree to a place like The Harbor House in this area or something a little bigger if it was done right. He understands that the Harbor House has gotten some bad press recently and previously staff mentioned a place like Harbor House would be considered Third Places "Light" and inquired if the Parks Department likes those uses.

Mr. Greenwood explained the Harbor House did get some bad press this week and the reason is that we are successful and got busy and couldn't keep up. He explained it was a big weekend and we had a lot of staff, but spread too thin. The harbor house has been working well.

- Commissioner Ingalls questioned if a Harbor House would be a good fit for this project and something the public would enjoy.

Mr. Greenwood explained that by having the parcel zoned C-17 gives staff flexibility. He commented that the city has commercial docks at Independence Point and would be nice to have commercial vendors to provide kayaks and paddleboards plus it would give the city some revenue.

- Chairman Messina feels this property can be an extension for the public to get on the lake and not walk the streets. He explained that he would see people carrying kayaks across the street on Sherman. He feels it would be nice to have a retail center for the public that has parking close by that would be convenient. This is in control of the city that would still be considered open space but generates revenue for the city.

Mr. Greenwood stated this is good for the community that will generate some revenue, which is a good thing. He explained that the city beach is crowded and maxed out on any commercial activity we can do in that area. He feels that this property will help "thin out" create some other spots. He feels that C-17 gives us the flexibility and right now we are in the planning phase and excited for the possibilities. He feels that this property is an investment for the city and for the community. He stated that he would love to have the entire waterfront but nice to get some revenue generated. He stated that we are abiding to all of the

ordinances by providing some waterfront and pointed out on the aerial map a small portion of the property could be used as a beach and once used to pull logs out of the water. He exampled another portion of the property is unbuildable and not accessible but could be considered public open space with viewing corridors. He feels there are so many things the city can do with this parcel and stated that everyone loves parks but it takes money to run them.

- Commissioner Fleming stated that this is an opportunity of a lifetime. She feels that this should not be debated and requires 190 feet of the shoreline to be dedicated as a park. She feels that this should be accessible and would agree to a dock that allows non-motorized boats. She feels this is the pinch point on the river and has taken her dog down there for a swim on occasion. She stated that she is concerned with safety and when she has taken her dog for a swim had to have him on a leash because the current is strong. This is a great opportunity that connects the city on all sides. She concurs that a PUD is necessary to have control over this piece of property.
- Commissioner Mandel stated that she feels everyone wants to achieve the same thing and this is an opportunity we don't want to squander. She understands the previous resolutions but there are questions and concerns about the "teeth" of those and the follow through. She explained in previous situations there has been a private developer versus now it the city who will own the property. She commented based on the ten recommendations there are some tools even with the C-17 zone that would enable us to achieve some of the conditions that have been stated in previous resolutions. She questioned if staff could explain the PUD process.

Ms. Anderson stated that the PUD is approved by the Planning Commission. She explained the difference between the limited PUD and a regular PUD is that with the limited design PUD there is very little detail so you don't have the same master planning. She explained that was staff's recommendation is that a PUD be required and not a limited PUD so the city would have more control over the property.

- Commissioner Mandel questioned by having a PUD would that still include the Shoreline Ordinance and Parks right-of-way.

Ms. Anderson stated that is correct. She suggested if the commission would like to modify any of the recommendations from staff they could reference the resolutions.

- Commissioner Luttrupp inquired how the zoning is affected by a PUD.

Ms. Anderson explained that it's like a layer where the property has the zone and a PUD is an overlay to the existing zoning. She explained if you had R-1 zoning and a PUD you would still be restricted.

- Commissioner Luttrupp clarified that you could still do a PUD even if the zone was an R-1 or C-17.

Ms. Anderson stated that in previous public testimony the idea was to start with a less zone such as an R-1 and once the project is designed it would have to be zoned a different zone and then do a PUD.

- Commissioner Luttrupp inquired if the parks are zoned C-17.

Mr. Greenwood stated the reason he supports a C-17 zone is for the tax base. He feels a C-17 gives the ability to be more creative and if you limit it. He stated he sees it a little differently and would like to see some revenue from this piece of property and explained there is a lot of land on that property for parkland. He heard in previous testimony to make the entire parcel park land and that's great but it means more land for his staff to take care of and a lot of money going out with no return. He feels that he would like to see a 10, 11 or 12 acre park. He explained that city park is about 12 acres including the beach.

- Chairman Messina feels if you comeback with a PUD, the commission could put restrictions on what that PUD will look like. This is an opportunity that the city has with the conditions we can make or recommendations we can make. He feels tonight we have an opportunity to make

recommendations to council on what we think this property should look like.

Mr. Gridley explained the reason the city is looking to buy this property because other private parties have looked at this property and evaluated the risk and felt there is too much risk. He stated the city wants to achieve is minimizing some of that risks. He explained if the zone is R-1 that immediately puts more risk back on a future developer because they don't know if the commission will grant a higher zone on the other hand if you have a C-17 people will come in and gives them the flexibility. He stated that the city has the power to control this property by a PUD. He stated if the developer sees this as already zoned C-17 they are more likely to take the risk.

- Commissioner Luttrupp inquired how Ignite Cda will be involved in this process.

Mr. Gridley stated this is community visioning project and feels Ignite Cda will not be the developer. He described Ignite Cda's job is to create a canvass or "set the table" for people to come in and do things the community wants.

- Commissioner Luttrupp stated then maybe an R-1 zone is too constraining

Mr. Gridley explained if a developer wants to invest in a piece of property they want it to be entitled.

- Chairman Messina explained that if this property has a PUD it would come back to the commission for approval. He stated by allowing the city develop some parks on this property understands that parks don't generate any tax base and feels is cost money to maintain the parks. He stated by letting Ignite Cda to participate in this will allow Ignite CdA to sell some of the property for development so having parks can be doable. He feels this is a double edge sword yes, it would be great to have the entire parcel just for the public but we need to sell some in order to maintain the parks. We have to compromise.

Mr. Gridley concurred with Chairman Messina we need to get revenue back to pay for the park.

- Commissioner Ingalls feels C-17 is appropriate and explained we put a lot of effort around this dais he feels we have gone through a lot of analysis to come up with this decision. This property is surrounded by C-17. He stated personally he is less concerned about the zoning then maybes beefing up those recommendations in the Annexation Agreement that makes a strong statement that we highly recommend to council that we require a PUD. He commented in previous testimony really wants to see a Comprehensive Plan analysis and the city want that to so let's start with a clean slate and do visioning and already locked in a vision of R-1. He feels that R-1 is too restrictive and not the appropriate zoning. He feels by allowing this parcel to go through the PUD process the commission will get to see it from beginning to end and that is why he is comfortable with C-17. He would also want a statement added to the annexation agreement that says "No heavy boat launch," there be a trail along the riverfront and maybe have a "third place opportunity" as discussed weaved in there with a trail. He would also like to include no residential along the river.
- Commissioner Luttrupp inquired if Commissioner Ingalls would provide the language stating that no commercial uses allowed on the river.
- Commissioner Ingalls stated no because he would want to go down and sit at a Harbor House or maybe rent a bike, or maybe something a little bigger. He just doesn't want to see someone buying the property and boxing him out.
- Commissioner Luttrupp concurs with Commissioner Ingalls recommendations.
- Chairman Messina suggested if any commissioner has suggestions for recommendations to state them now.

- Commissioner Ingalls feels we need to trust the process and support staff in their visioning including public input.

Ms. Anderson thanked Mr. Gill for being here tonight who is from the Department of Environmental Quality who will be implementing a "Vision to Action" community visioning process. She explained they would start the visioning process once the city closes on the property and the community visioning would be focused on focus on public open space, recreation including access and not been determined yet who would take the lead on the PUD and master planning process. She stressed community planning and visioning is critical for this project.

- Commissioner Mandel stated that the C-17 with some conditions including the PUD where we have an opportunity to guide and manage the process as well as the risks. She stated on of the comments Mr. Gridley made about what risks we are not seeing. She feels having the city sit on an R-1 or more restrictive property could be challenging in terms of finances and risks and not be able to do something public with it because of lack of tax base or the ability to do something more creative. She feels we need to trust the process and we have the opportunity to shape that process and manage the risks and shape the future, and achieve multiple goals. She feels the Comprehensive Plan goals can be a conflict where there is tradeoffs and she sees this as an opportunity to achieve multiple goals with the zoning and public process and the city shaping that and us. This is an opportunity to achieve the goals with the city.
- Commissioner Fleming stated she supports the C-17. She explained that she has worked on half the houses in Bellerive and the cost of the brownfield has been more of a cost than they ever guessed and what they found under the ground was frightening. This property with the topography that this property inherits and the logs that are hidden under the mounds which will be there if its anything else likes the Mill site down the river it's a junk pile. Commercial construction has deeper pockets and R-1 is intended for the smaller developers with lower budgets and would be shocked at the cost of the cleanup. She stated with the C-17 will allow us to deal with roads and variation of heights. In support of the C-17 and understands the cost involved with development and that will bring parks access and parking to support the river and give it back to the city. She supports the PUD.

Motion by Ingalls, seconded by , to approve Item A-2-17. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT/CONTINUATION:

Motion by Fleming, seconded by Mandel, to adjourn the meeting. Motion approved.

The meeting was adjourned at 7:32 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

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

A. INTRODUCTION

This matter having come before the Planning Commission on August 8, 2017, and there being present a person requesting approval of ITEM A-2-17, a request for zoning prior to annexation from County Industrial to City C-17.

APPLICANT: CITY OF COEUR D'ALENE

LOCATION: PROPERTY LOCATED IMMEDIATELY SOUTH OF SELTICE WAY AND WEST OF THE CENTENNIAL TRAIL AND NORTH OF THE SPOKANE RIVER. THE SUBJECT SITE IS REFERRED TO AS THE ATLAS MILL SITE AND IS COMMONLY KNOWN AS 3074 W. SELTICE WAY.

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

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

- B1. That the existing land uses are residential and commercial.
- B2. That the Comprehensive Plan Map designation is Spokane River District.
- B3. That the zoning is County Industrial.
- B4. That the notice of public hearing was published on July 21, 2017, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, July 21, 2017.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on August 8, 2017.
- B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:
 - Objective 1.01 Environmental Quality:**
Minimize potential pollution problems such as air, land, water, or hazardous materials.
 - Objective 1.02 Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
 - Objective 1.03 Waterfront Development:**
Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.
 - Objective 1.04 Waterfront Development:**
Provide strict protective requirements for all public and private waterfront developments.

Objective 1.05 Vistas:

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

Objective 1.09 Parks:

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

Objective 1.11 Community Design:

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.13 Open Space:

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

Objective 1.14 Efficiency:

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

Objective 1.15 Natural Terrain:

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

Objective 1.16 Connectivity:

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

Objective 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

Objective 2.03 Business Enhancement & Urban Renewal:

Support the efforts of local and regional economic development agencies such as Jobs Plus, Inc. and Ignite cda.

Objective 2.05 Pedestrian & Bicycle Environment:

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

Objective 2.06 Cooperative Partnerships:

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

Objective 3.01 Managed Growth:

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

Objective 3.02 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.06 Neighborhoods:

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

Objective 3.08 Housing:

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

Objective 3.13 Parks:

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

Objective 3.14 Recreation:

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

Objective 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

Objective 3.18 Transportation:

Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

Objective 4.01 City Services:

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

Objective 4.03 Project Financing:

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

- B9. That public facilities and utilities are available and adequate for the proposed use. This is based on the staff report that states stormwater and streets will be addressed with development, the site will have access to water off of Seltice Way and/or Suzanne Road, sewer is available off of Shoreview Lane and the Wastewater Department allows for deviation from the master plan if it can be shown to not negatively impact the public sewer collection system, the site provides an excellent opportunity for parks and trails, and fire access and protection would be addressed at the time of development. .

- B10. That the physical characteristics of the site do make it suitable for the request at this time. As stated at the public hearing, the site has a forty five foot elevation drop and there are two relatively large piles of dirt and some log waste but no evidence of any toxic waste on the property.

- B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because the reconstruction of Seltice Way will have the capacity to accommodate additional traffic generated from the subject site and the roundabout at the Atlas intersection will provide access to the property as attested to by the City Engineer. The property is surrounded by undeveloped properties zoned C-17 and R-12, and the former Stimson office site has C-17 zoning and an approved special use permit for 34 units per acre, and abuts Riverstone and the Bellerive subdivision to the east and southeast of the property, and the properties north of Seltice Way have commercial and residential uses,

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of THE CITY OF COEUR D'ALENE for zoning prior to annexation, as described in the application should be **approved**.

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

1. As part of the annexation, any potable water rights will need to be granted to the city.
2. Consider including a provision to master plan the property. A Planned Unit Development (PUD) could be an advantageous tool to specify how the subject property will be developed. It also allows flexibility for development of the property and requires master planning and design. Staff recommends that if a PUD is required for the project that it needs to be a full PUD and not a Limited Design PUD. The Planning Commission strongly recommends adding a requirement to the annexation agreement that a full PUD be required for the entire site.
3. A PUD will be required to allow a marina/docks along the waterfront since the property is subject to the Shoreline Ordinance. Any marina/public or private docks would also require coordination and permits from the Idaho Department of Lands.
4. Consider specifying maximum density of single-family residential and multi-family residential, or possibly restricting multi-family residential based on public feedback.
5. Consider specifying minimum acreage(s) and width of total parkland and open space within the property, and a minimum acreage for the parkland/open space along the Spokane River that will provide public access. Ten (10) acres has been discussed as the minimum acreage for the park and public open space to be located near and along the waterfront.
6. Consider specifying when the parks and trails need to be constructed in relation to the rest of the project. Possibly establish a minimum to be improved with the first phase.
7. Specify that a trail will be constructed along the river and through the property connecting it to the Centennial Trail to the east and to properties to the west (generally as shown on the Trails Master Plan), and including trail connections to the multi-use path along Seltice Way. Per the Parks & Recreation Department's standards, the multi-purpose trail through the property will need to be a minimum of 12-13 feet wide and constructed of asphalt.
8. Consider specifying minimum acreage of land to be set aside that will create permanent jobs. Incentives such as parking reductions could also be specified.
9. Specify that the plat will need to show the 40' and 150' shoreline setbacks on all properties subject to the Shoreline Regulations, unless modified through the PUD process.

10. Specify that the plat will also show the 100 year Base Flood Elevation (BFE) for all properties located in the floodplain along the Spokane Rives located in the floodplain along the Spokane River.
11. The Planning Commission recommends the elimination of any residential development along the shoreline from and including the former railroad right-of-way (not including the spur)south to the river.
12. The Planning Commission would support the project including a third place opportunity with a few small retail uses/commercial vendors along the waterfront, which could be integrated into the open space areas along the trail.
13. The Planning Commission would recommend specifying in the annexation agreement that only a non-motorized boat launch would be appropriate for the site along with docks, but a motorized boat launch should be restricted.

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

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Luttropp	Voted Yes
Commissioner Mandel	Voted Yes

Commissioners Rumpler and Ward were absent.

Motion to approve carried by a 4 to 0 vote.



CHAIRMAN TOM MESSINA

PLANNING COMMISSION STAFF REPORT

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: SEPTEMBER 11, 2018

SUBJECT: SP-9-18, REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A DENSITY INCREASE TO R-34 FOR A PROPOSED MULTI-FAMILY APARTMENT COMPLEX IN THE R-17 RESIDENTIAL DISTRICT

LOCATION: A 0.647 ACRE PARCEL LOCATED AT 1750 N. PINWOOD COURT

APPLICANT/OWNER:
Ronald Ayers
101 W Prairie Shopping Center #364
Hayden, ID 83835

ARCHITECT:
Miller Stauffer Architects
601 E Front Ave, Suite 201
Coeur d'Alene, ID 83814

DECISION POINT:

Miller Stauffer Architects representing Ronald Ayers is requesting approval of a special use permit to allow a density increase to R-34 that will allow a maximum of 22 multi-family units on the subject site.

BACKGROUND INFORMATION:

The applicant has owned the subject site since 2006 and the existing site has been vacant for many years. The applicant is proposing to build two apartment buildings on this site with parking located underneath the structures. The applicant has indicated that the two proposed structures will have a varied mix of unit types ranging from studio units up to three bedroom units. The existing zoning allows for a total of 11 units and the proposed special use request will allow for a total of 22 units on this site.

One of the proposed apartment buildings will be three stories and the other proposed apartment building will be four stories. Each of the buildings will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for multi-family structures. The applicant has submitted building elevations of the proposed buildings indicating how they will look from the street. (See building elevations on pages 4 and 5)

The subject property is located in close proximity to the many medical facilities that are in the vicinity of the subject site. The applicant has indicated that the proposed development will have the potential to provide housing for the medical workers in this area. The applicant has submitted a site plan that shows the proposed site layout and the location of the two multi-family structures on the subject site. (See site plan on page 4)

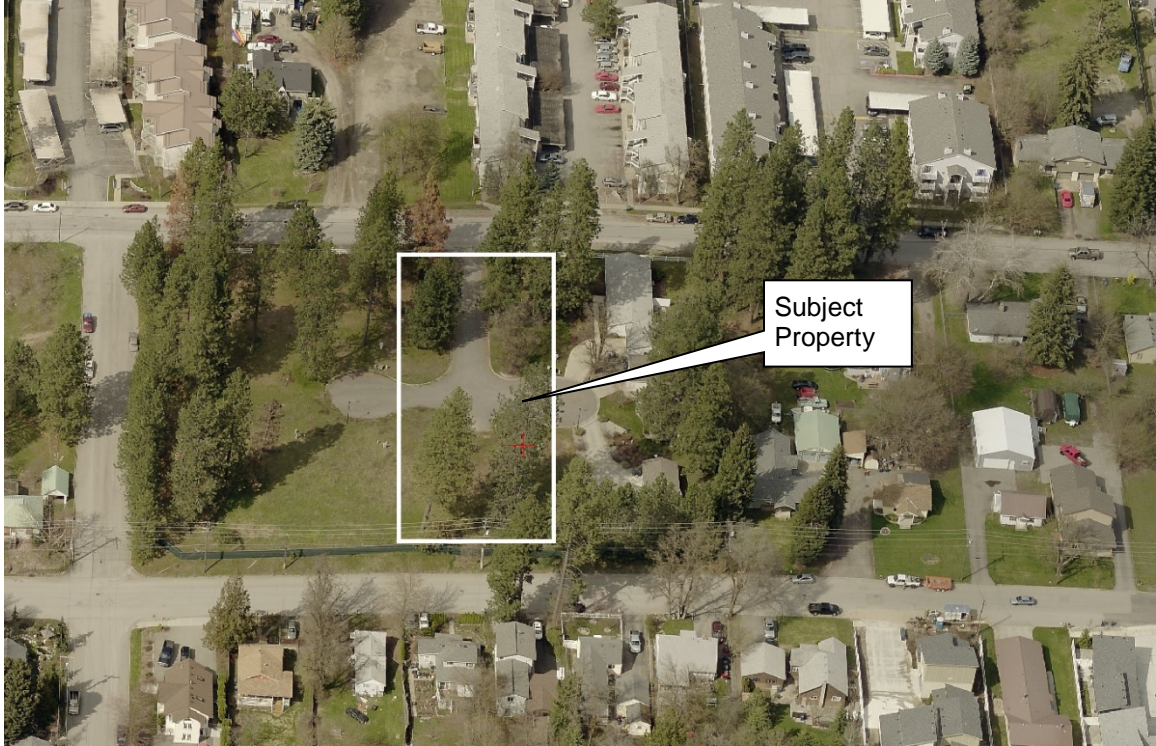
PROPERTY LOCATION MAP:



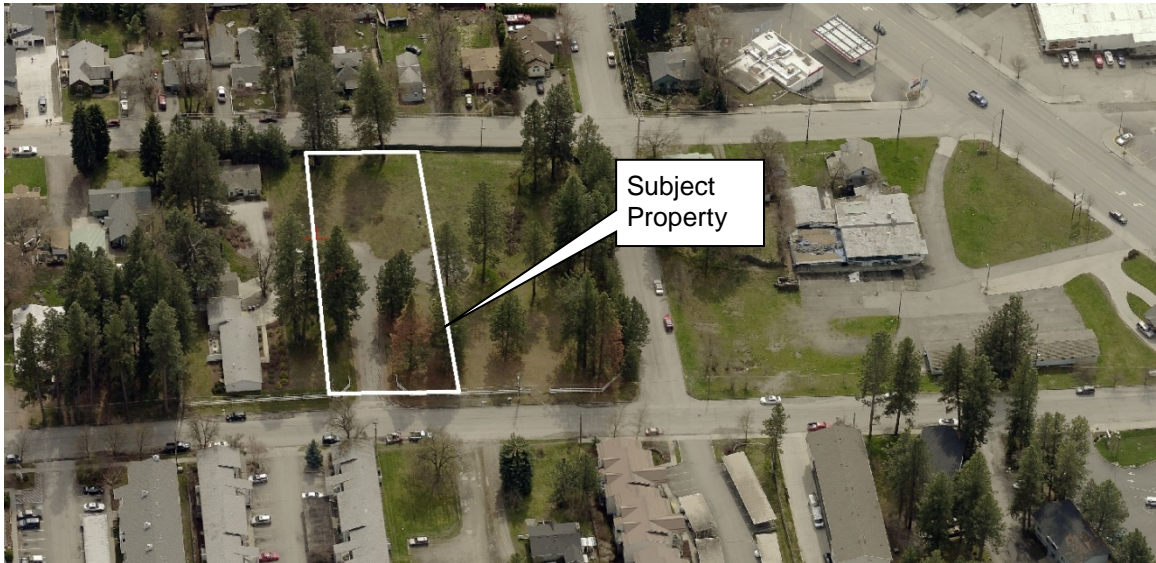
AERIAL PHOTO:



BIRDS EYE AERIAL PHOTO - 1: Looking North



BIRDS EYE AERIAL PHOTO - 2: Looking South



APPLICANT'S SITE PLAN:



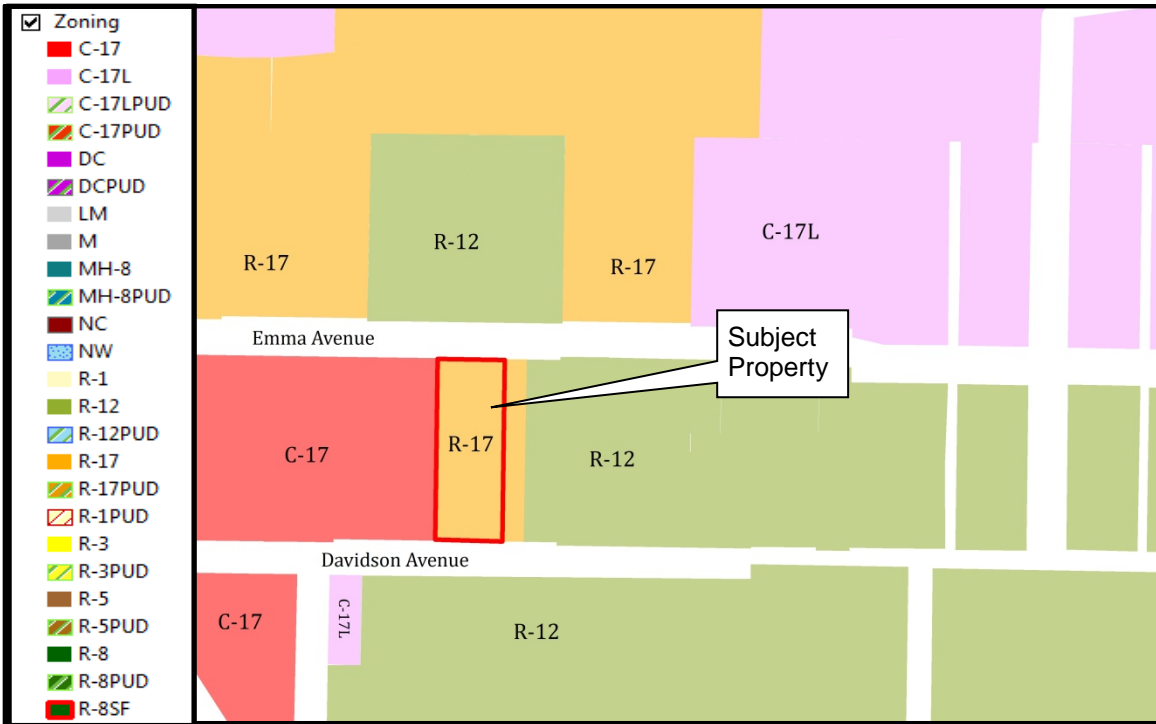
APPLICANT'S BUILDING ELEVATION - 1:



APPLICANT'S BUILDING ELEVATION - 2:



ZONING MAP:



R-17 RESIDENTIAL ZONING DISTRICT:

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre.

17.05.260: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

17.05.270: PERMITTED USES; ACCESSORY

Accessory permitted uses in an R-17 District shall be as follows:

- Accessory dwelling units.
- Garage or carport
- Mailroom and/or common use room for or multiple-family developments.
- Outside area or building for storage when incidental to the principal use.
- Private recreation facility

17.05.280: PERMITTED USES; SPECIAL USE PERMIT

Permitted uses by special use permit in an R-17 district shall be as follows:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements for multi- family structures in the R-17 district is as follows: 45 Feet

17.05.320.C: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

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

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

R-34 RESIDENTIAL ZONING DISTRICT:

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

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

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

17.05.340: PERMITTED USES; PRINCIPAL:

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

- Essential service.
- Multiple-family housing.
- Neighborhood recreation.
- Public recreation.

17.05.350: PERMITTED USES; ACCESSORY:

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

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

17.05.360: PERMITTED USES; SPECIAL USE PERMIT:

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

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

17.05.370: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

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

- 63 feet for multiple-family and nonresidential structures.

17.05.370: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for multi-family housing in the C-17 zoning district defers the R-17 district standards, which are as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

17.44.030: OFF STREET PARKING - RESIDENTIAL USES:

D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

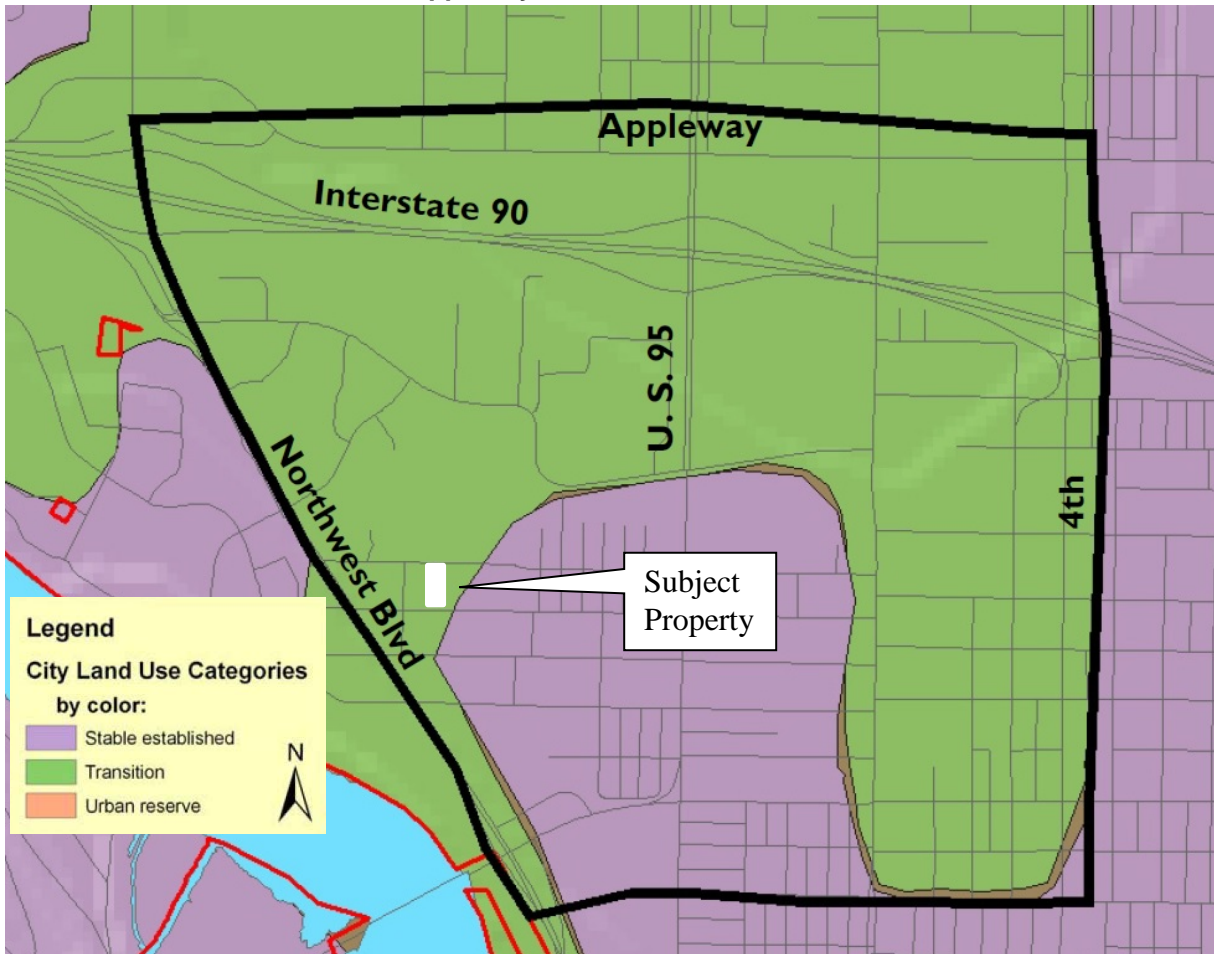
REQUIRED FINDINGS FOR SPECIAL USE PERMITS:

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

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates the subject site to be in the Appleway – North 4th Street area.
- The subject property is located in the City’s Area of Impact

COMPREHENSIVE PLAN MAP: Appleway – North 4th Street



Transition Areas:

These areas are where the character of neighborhoods is in transudation 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.

Appleway – North 4th Street Tomorrow:

The Appleway – 4th Street area is expected to be a mixed use area. The stable/established residential will remain. The west Ironwood corridor will require careful evaluation of traffic flow. Ironwood will be connected to 4th Street, enabling higher intensity commercial and residential uses.

The characteristics of the Appleway – North 4th Street neighborhoods will be:

- That overall density will approach six units per acre, with infill and multi-family housing located next to arterial and collector streets.
- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

The characteristics of the Appleway – North 4th Street commercial will be:

- Those commercial buildings will remain lower in scale than in the downtown core.
- Streetscapes should be dominated by pedestrian facilities, landscaping, and buildings.
- Shared-use parking behind buildings is preferred.

NEIGHBORHOOD CHARACTER:

2007 Comprehensive Plan: Appleway - North 4th Street Today

This area is a diverse mix of residential, medical, commercial, and warehousing land uses. The area is very gently sloped with some drop in elevation within a block of Northwest Boulevard. This elevation change has also defined the break from commercial to residential uses for much of the area's history.

The south-west and south-central portions of the area consist primarily of stable, single-family housing at approximately five units per acre. The Winton Elementary School and park is located in this neighborhood. Various multi-family apartments, mostly constructed in the late 1970s and early 1980s, are located within the district. The most active area for construction within this district is the Ironwood corridor which consists of many health-care and professional offices west of US 95, with office and retail uses east of US 95.

2007 Comprehensive Plan Goals and Objectives that apply:

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 2.05

Efficiency:

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

Objective 3.01

Managed Growth:

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

Objective 3.05

Neighborhoods:

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

Objective 3.08

Neighborhoods:

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

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16

Capital Improvements:

Ensure Infrastructure and essential services are available for properties in development.

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

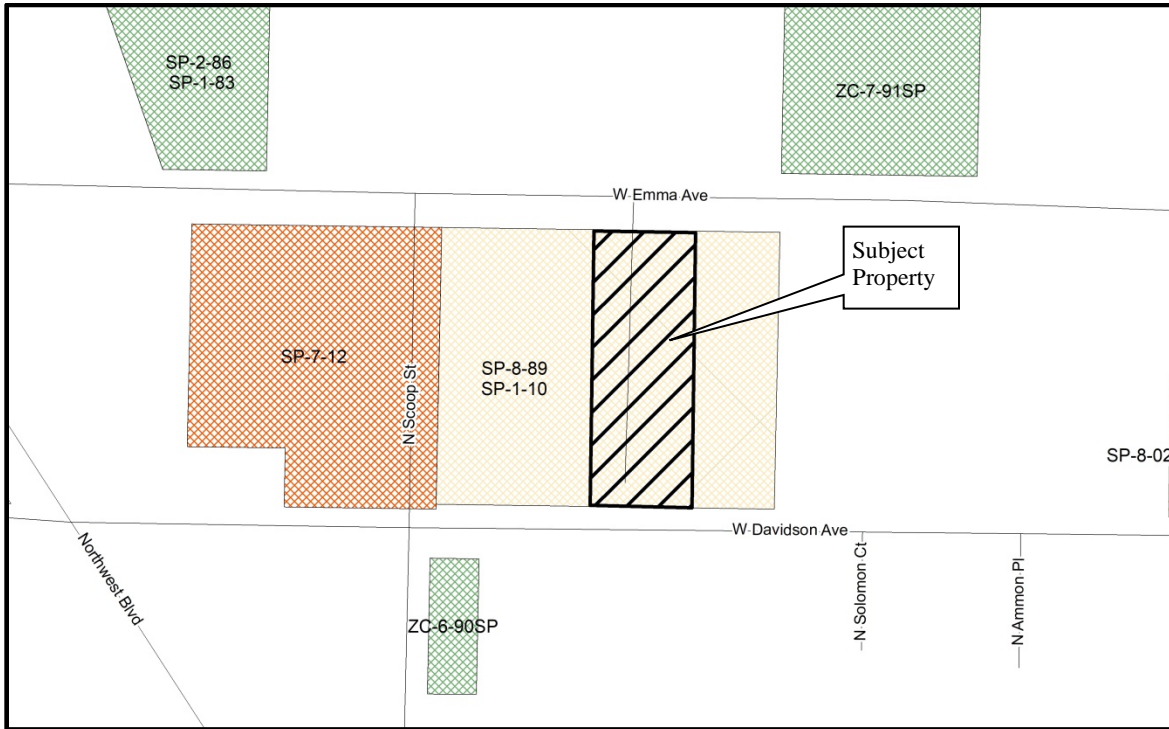
The proposed buildings will have to meet all the required building setbacks and maximum building height requirements that are required for multi-family structures in the R-34 District. The property to the west of the subject site is a multi-family property with three single family dwellings located on it. To the east is the site of the now vacant Garden Motel that is proposed to be demolished and a new hotel will be built in its place. To the south are single family residences. To the north there is one single family residence and the rest of the properties to the north have multi-family uses located on them. The subject site is located in close proximity to shopping, schools and parks.

The properties to the north and east of the subject site are zoned residential with R-12 and R-17 zoning. The property to the west is zoned C-17 commercial. The properties to the south are zoned R-12. (See zoning map on page 5).

There have been four density increases special use request that have been approved in the vicinity of the subject property. The Planning Commission approved those special use requests for a density increase in items SP-1-83, SP-2-86, SP-8-89, and ZC-7-91SP as shown in the map provided below. .

The subject site is located directly north of the intersection of Pinewood Court and Emma Avenue. Pinewood Court is a private road and is owned by the applicant. There is an existing access and utility easement over the applicant's property that connects to the adjoining property to the east. The applicant is aware of this easement going through the subject site. The subject site has frontage along Emma Avenue and the site plan indicates that there will be one access point onto Emma Avenue. Emma Avenue intersects with Northwest Boulevard, which is an Arterial Road.

SURROUNDING SPECIAL USE LOCATIONS:



Special Use Permits:

SP-1-83	Density increase in the R-12	5-10-1983	Approved
SP-2-86	Density increase in the R-12	3-11-1986	Approved
SP-8-89	Density increase in the R-12	10-10-1989	Approved
ZC-6-90SP	Mini Storage facility in the C-17L	8-28-1990	Approved
ZC-7-91SP	Density increase in the R-17	6-11-1991	Approved
SP-1-10	Auto Camp – (RV Park)	2-17-2010	Withdrawn
SP-7-12	Auto Camp – (RV Park)	4-10-2012	Denied

GENERALIZED LAND USE MAP:



SITE PHOTO - 1: View from the north side of Emma Avenue looking south through Pinewood Court



SITE PHOTO - 2: View from the northeast part of property looking southwest.



SITE PHOTO - 3: View from the northeast part of property looking west.



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



SITE PHOTO - 5: View from the south part of property looking north.



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

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

STORMWATER:

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

STREETS:

The subject property is bordered by Emma Ave to the north and Davidson Ave to the south. The current streets and right-of-way widths meet the City standards. No alterations to the street section will be required. Sidewalks will be required on Emma Ave and Davidson Ave at the construction stage.

TRAFFIC:

The proposed change of use is not expected to have adverse effects on the adjacent transportation network. The ITE Trip Generation Manual predicts an average of 13.64 vehicle trips during the pm peak hour will result from the proposed use. The Engineering Department has no objection to this special use permit as proposed.

-Submitted by Chris Bosley, City Engineer

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed special use permit however the water mains in the area may not be sized adequately to supply fire flows to the specific project. There is an existing 4" water main in W Emma Ave & a 6" line on W Davidson Ave. The Water Department has no objection to the proposed special use permit as proposed.

-Submitted by Kyle Marine, Water Assistant Superintendent

SEWER:

The residences located at 1780, 1770 and 1760 Pinewood Court, fall within a parcel located to the east of this Special Use Subject Property, which is currently under a different ownership and presently connected to the private sewer system within said Special Use Subject Property. This Special Use is subject to the Access and Utility Easement as recorded with Kootenai County on 12/22/2005 under Instrument #2003459

In accordance with the 2013 Sewer Master Plan, the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this Special Use as proposed.

-Submitted by Mike Becker, Utility Project Manager

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector

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

PROPOSED CONDITIONS:

Water:

1. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
2. Any additional service will have cap fees due at building permitting.

Wastewater:

3. This Special Use is subject to the Access and Utility Easement as recorded with Kootenai County on 12/22/2005 under Instrument #2003459.

Planning

4. The proposed development of the subject site will need to meet the parking requirement for multi-family residential uses per 17.44.030 of the Zoning Code.

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

ORDINANCES AND STANDARDS USED IN EVALUATION:

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

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**



Special Use Narrative

Micheal Walker, Principal
Miller Stauffer Architects
601 E. Front Ave. Ste 201
Coeur d'Alene, Idaho 83814
Ph (208) 664-1773

To whom it may concern,

On behalf of the subject property owner Ron Ayers, Miller Stauffer Architects requests a special use permit for R-34 zoning. The .647-acre subject property is located just east of Northwest Blvd between Davidson Ave & Emma Ave. The subject parcel is currently zoned R-17 and located in a transitional area between commercial properties located to the west and north. The property owner is requesting an increase in residential density to provide a transition between the C-17 properties located to the West and the existing R-12 neighborhood located to the East.

A special use permit authorizing R-34 residential development would allow up to 22 units on this parcel. The owner proposes 22 units as allowed by the R-34 to provide the residential density needed to support both the Medical and Riverstone Districts, and provide a buffer between the C-17 lots to the west and the R-12 lots to the east. The owner feels by developing a project with this density he will be able provide a transition needed between these two zoning districts. To achieve this buffer the owner proposes one 3 story structure and one 4 story structure with open on grade parking. The lowest level will be open surface parking with 2 ½ stories of residential units above. Included in the two structures will be roof top terraces / gardens, a fitness center, and balcony decks. Currently the owner plans on occupying one of the units. The two structures would have varied mix of unit types ranging from studio to 3-bedroom units.

According to the 2007 Comprehensive Plan the area surrounding the subject parcel is noted as a transitional area. The area was noted to be in transition due to its proximity to Riverstone, Medical Corridor, Highway 95, 4th / 3rd Street, and the existing neighborhoods. A development of this type would provide a buffer between the heavy commercial uses of Northwest Blvd, Lakewood drive, Riverstone and the existing one and two story single family residential neighborhood to the east. The property has some territorial views to Northwest, West, and Southwest. These views look towards Blackwell Island, and Riverstone. The property also has proximity to commuter trails along Northwest Blvd and Riverstone providing strong bike and pedestrian connections to Riverstone, Hospital district, and Downtown. If approved a development of this nature would provide housing for workers for the Medical and Riverstone districts and help support the shopping districts in Riverstone and Downtown.

A development of this type and density would be appropriate in this setting, due to its proximity to arterials, pedestrian and bike access, and the surrounding land use. Along with providing a redevelopment to a vacant parcel approval of this special use will provide the necessary buffer and housing needed between the Northwest Blvd commercial corridor and the established R-12 neighborhood to the east.

Professionally,

A handwritten signature in black ink, appearing to read "Micheal Walker", followed by a horizontal line extending to the right.

Micheal Walker, Principal / Owners Representative

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: SEPTEMBER 11, 2018
SUBJECT: A-3-18 – ZONING PRIOR TO ANNEXATION OF +/-7.18 ACRES FROM COUNTY AGRICULTURAL TO R-8.
LOCATION: THREE PARCELS WEST OF RAMSEY RD., LOCATED SOUTH OF PRAIRIE AVE., COMMONLY KNOWN AS 1914, 1950, AND 2008 W. PRAIRIE AVE.

APPLICANT:

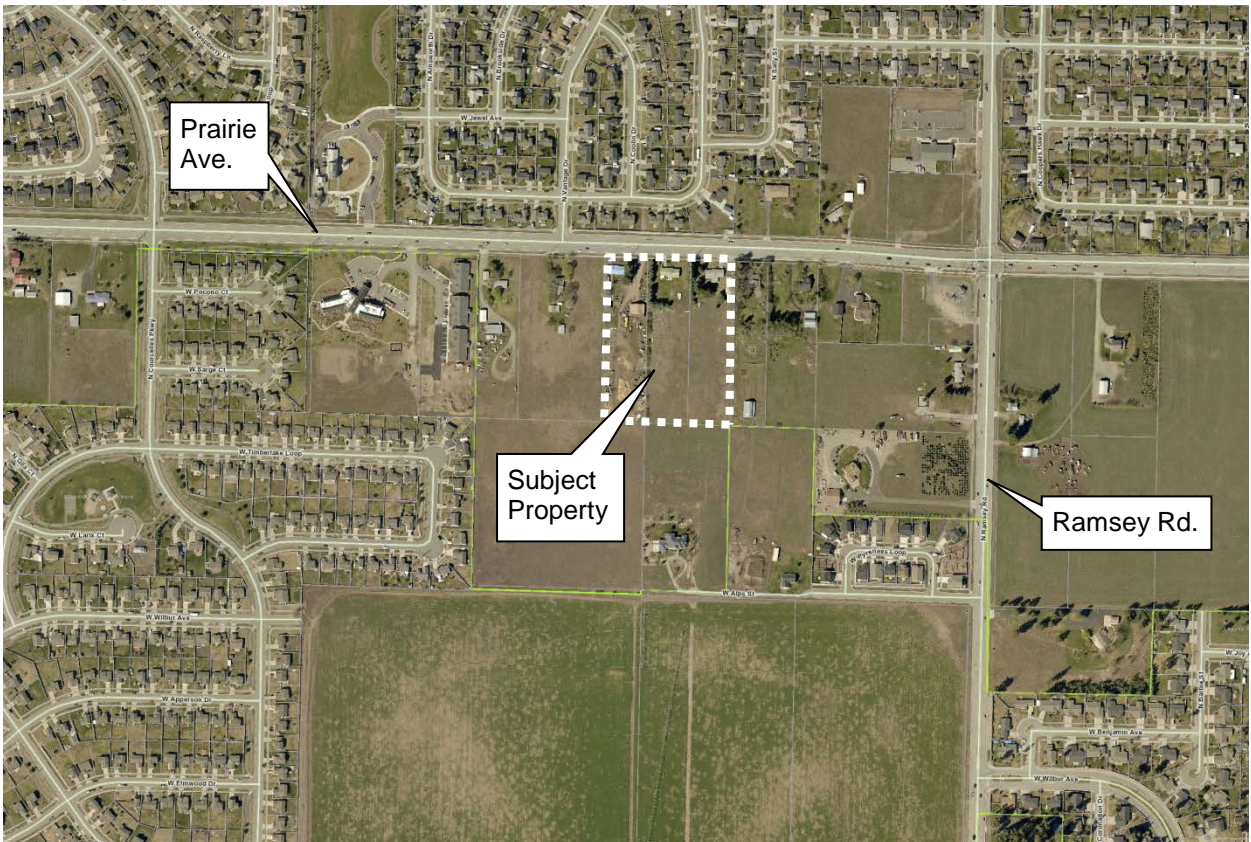
Owner:
Coeur d'Alene School District #271
1400 N. Northwood Center Ct.
Coeur d'Alene, ID 83814

Consultant/Attorney:
Megan O'Dowd of Lyons O'Dowd
201 N. 3rd Street
Coeur d'Alene, ID 83814

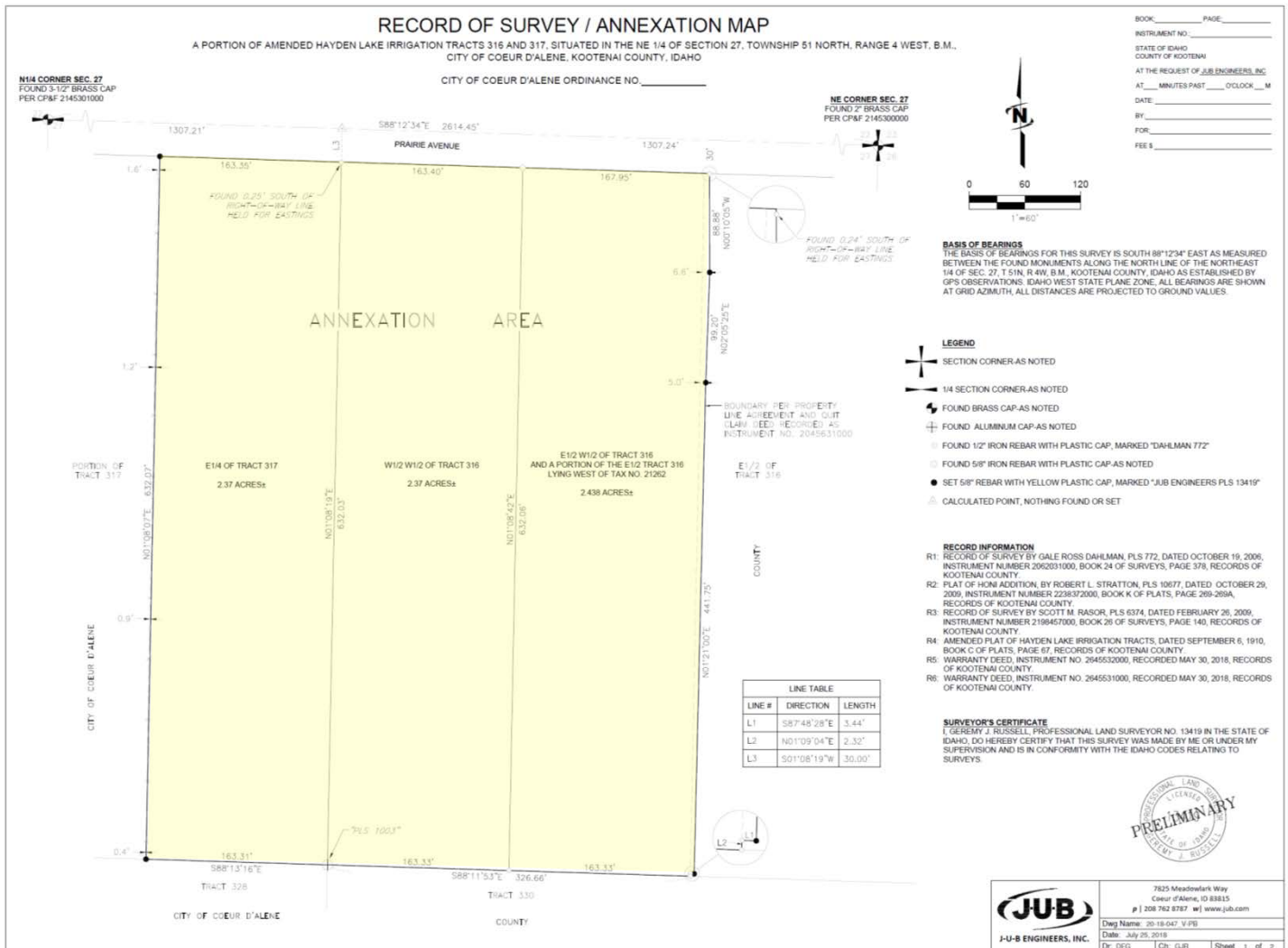
DECISION POINT:

Coeur d'Alene School District #271 is requesting approval of a proposed +/- 7.18 acre annexation from County Agricultural to city R-8 zoning district (Residential at 8 units/acre). This request has been filed in conjunction with a Special Use Permit for Community Education (SP-10-18).

Area Map:



Annexation Map:



GENERAL INFORMATION:

The reason for the annexation request is that the Coeur d'Alene School District #271 plans to construct a new elementary school on the subject properties to accommodate growth in the northwest area of the District's boundaries. This will help to resolve current capacity issues at existing elementary schools. The request consists of a total of three parcels currently in Kootenai County at the northern edge of city limits.

It is important to note that there are multiple agencies and an adjacent property owner that will ultimately be working together, if this request is approved, to provide services and access to the site.

Lakes Highway District:

Attached is a letter from Eric Shanley, Director of Highways for Lakes Highway District, outlining their requirements for Prairie Avenue. The Highway District and

SD #271 have been working together to provide safe access to the site while maintaining vehicular and pedestrian movements for this principal arterial.

Hayden Lake Irrigation District (HLID):

HLID is the water purveyor in this area. They will provide the site with potable water for domestic and irrigation purposes. Attached is a “Will Serve” letter provided by Brandon Rose, HLID Superintendent. As part of this service, an agreement is in place with the City’s Wastewater Utility to report usage which is used to determine billing for wastewater services rendered on site.

Neighboring Parcel(s) to the West (Vista Meadows):

A recently approved subdivision for Vista Meadows (Phase I) provides connectivity to the proposed annexation, and the current plan is to use these internal roads which have not been improved yet, to gain access to the site. Additionally, the wastewater service will need to be extended north from the CDA Place PUD, to Vista Meadows, and then to the school site.

These agreements are between the developer(s) and the school district, the city has no control of the timing or financing for this to occur. However, as part of the Vista Meadows subdivision request, a deviation was approved by Planning Commission for Vista Meadows Boulevard and Cedar View Avenue (Road names are still under review and may change). This deviation will allow for road/intersection design flexibility to provide safe access to the school site for both vehicles (Busses and parent drop offs) as well as children arriving by foot or bicycle.

Proposed R-8 Zoning District:

17.05.090: GENERALLY:

- 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.
- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.
- C. In this district a special use permit may be requested by the developer for a two (2) unit per gross acre density increase for each gross acre included in a pocket residential development. This density increase provision is established to reflect the concern for energy and environment conservation.

- D. Project review (see sections 17.07.305 through 17.07.330 of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

17.05.100: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-8 district shall be as follows:

- Administrative
- Duplex housing
- Essential service (underground)
- "Home occupation", as defined in this title
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing

17.05.110: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-8 district shall be as follows:

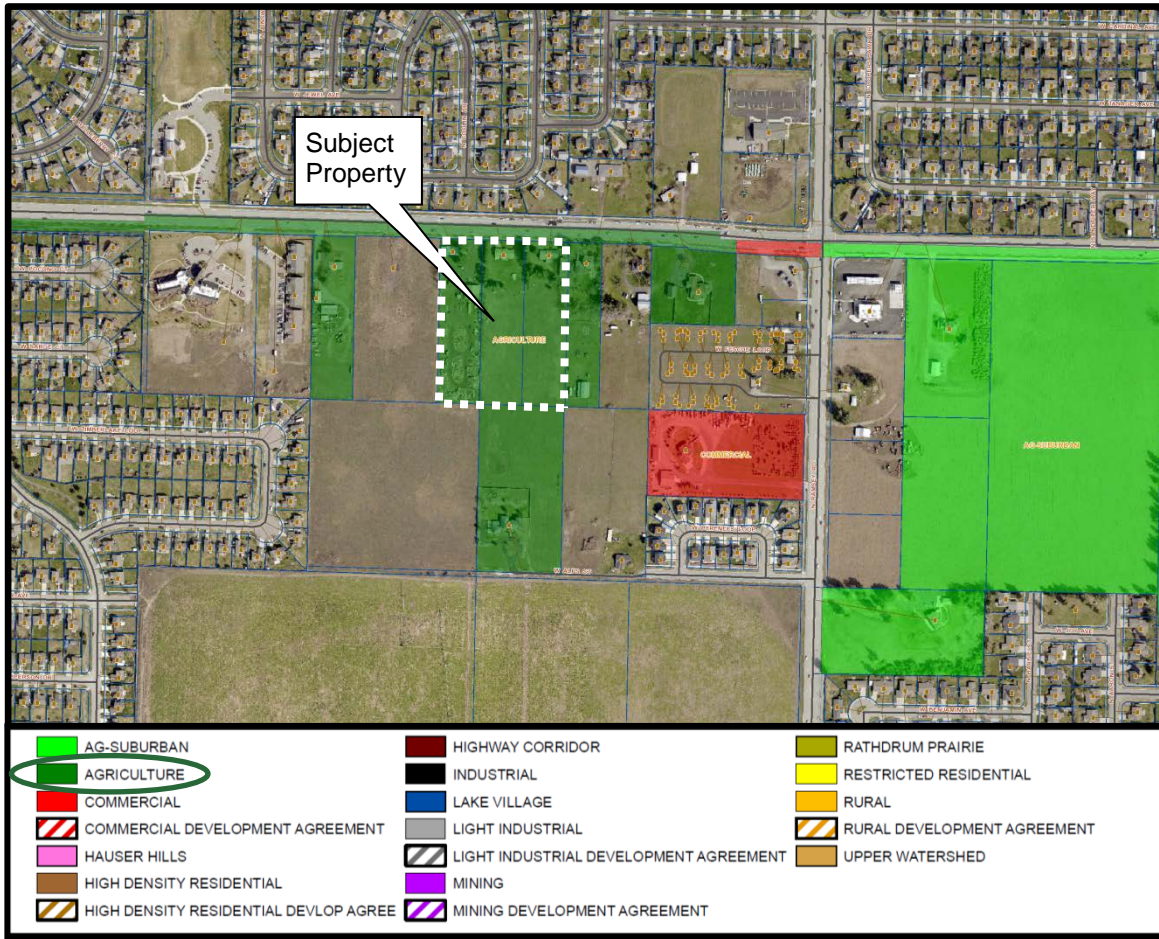
- Accessory dwelling units
- Garage or carport (attached or detached)
- Private recreation facility (enclosed or unenclosed).

17.05.120: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-8 district shall be as follows:

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

CURRENT KOOTENAI COUNTY ZONING (Agriculture):



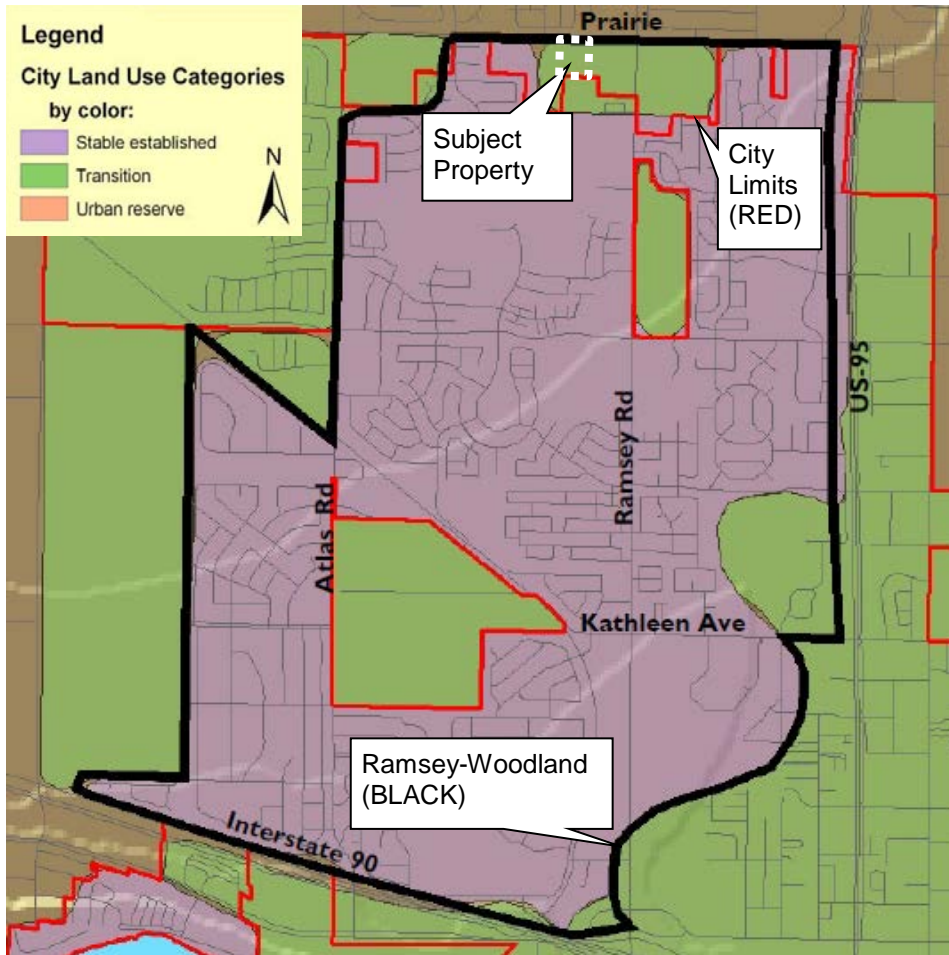
REQUIRED FINDINGS FOR ANNEXATION:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as: Ramsey – Woodland:

Ramsey-Woodland Comprehensive Plan Map:



Transition:

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

Land Use: Ramsey-Woodland

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.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

- **Objective 1.11- Community Design:**
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 - Community Design:**
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.13 - Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 1.16 - Connectivity:**
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- **Objective 2.05 - Pedestrian & Bicycle Environment:**
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.
- **Objective 3.01 - 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 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.

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

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

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

PARKS:

The internal bike trails are important to get commuters safely off the main trail and to the bike racks indicated in the preferred concept. It is also recommend that a bike and/or pedestrian access in the southeast corner of the property on the Northside of the potential future neighborhood connection road to the bike racks indicated to the south of the basketball court be considered.

-Submitted by Monte McCully, Trails Coordinator

Street trees will be required on the street frontage along Prairie Ave at the time of building permit. Species must be selected from the city approved 'small' street tree list due to overhead powerlines. Prairie Ave is within the Lakes Highway District right-of-way (ROW), and the applicant will need to get their permission for the trees to be planted within said ROW. If the Lakes Highway District prefers not to have the trees in the Prairie Ave ROW, the city will require the trees be planted on school property near the right-of-way in conjunction with a recorded street tree easement.

-Submitted by Katie Kosanke, Urban Forester

STORMWATER:

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject site is currently undeveloped. The site has frontage along the south side of Prairie Ave, which is controlled by Lakes Highway District and therefore will require their approval. The site will also have access to the future Moselle Drive, which will be constructed to City of Coeur d'Alene standards. The Streets and Engineering Department has

no objection to this annexation request as proposed.

-Submitted by Chris Bosley, City Engineer

WATER:

Water service for the proposed annexation is to be furnished by the Hayden Irrigated Tracts water system.

Assessment:

The Hayden Lake Irrigation District (HLID) has indicated that they will serve the project based on a "Will Serve" letter provided to the applicant and the city.

-Submitted by Sean Holm, Senior Planner

WASTEWATER:

Presently, public sewer is not readily available to this annexation. Public Sewer is pending the CDA Place 30th Addition Sewer Main Extension and Vista Meadows Development Sewer Improvements. The nearest access to public sanitary sewer is planned for the future intersection of Pronghorn and Cedarview (Vista Meadows) which borders the westerly boundary of the Subject Property. Connection to the Public Sewer will be addressed during the Building Permit process. The Wastewater Utility has no objections to A-1-16 as proposed.

The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and per JUB's 06/05/2018 Technical Memorandum – *Prairie Avenue Elementary School Sewer Model Analysis*, the City's Wastewater Utility will ultimately have the wastewater system capacity and willingness to serve this annexation request pending the completion and City acceptance of the aforementioned sewer main extension and sewer improvements.

-Submitted by Mike Becker, 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.

-Submitted by Bobby Gonder, Fire Inspector

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

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

PHYSICAL CHARACTERISTICS:

The subject property is relatively flat with Prairie Avenue to the north. Currently these parcels have single family homes with garages/shops on them which will be removed in the future to make way for development.

Directly north of Prairie Avenue are small tract single family homes located in the City of Hayden. To the west and a portion of the south is an undeveloped subdivision in the city known as Vista Meadows. To the south/southeast is a large lot with a large home not in city limits. To the east is a county parcel similar in nature to those of this annexation request, a narrow but deep lot with a single family unit. See the “Generalized Land Use Pattern” map below in finding #B11 for a visual representation.

PHOTOS OF SUBJECT PROPERTY:

Bird’s eye view of the subject property looking north:





Home to be removed (1 of 3):



Home to be removed (2 of 3):



Home to be removed (3 of 3):



Abutting home to the south of subject properties currently in Kootenai County (to remain):



N. Vantage Drive (in Hayden) showing Prairie Avenue which will align with Vista Meadows subdivision entrance that will access the subject properties:



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

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

TRAFFIC:

The proposed annexation would not likely adversely affect the future Moselle Drive with regard to traffic as it will have the available capacity to accommodate additional traffic generated from the subject site. However, a traffic study is underway to fully understand the possible impacts from the additional traffic on Prairie Ave and to receive approval from Lakes Highway District.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

See the “Ramsey-Woodland Today” descriptions from the 2007 Comprehensive Plan listed in finding #B8 as well as photos of subject property and the description of physical characteristics in finding #B10.

GENERALIZED LAND USE PATTERN:



EXISTING ZONING:



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

ANNEXATION AGREEMENT:

Staff recommends the annexation agreement include language to confirm the entities described within this staff report, including but not limited to: Lakes Highway District, Hayden Lake Irrigation (HLID), and the developer of Vista Meadows, provide assurance that their needed services and access are in place to ensure a high quality and safe asset for the School District and the citizens of Coeur d'Alene.

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:

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



**APPLICANT'S
NARRATIVE**

**COEUR D'ALENE SCHOOL DISTRICT #271
ANNEXATION APPLICATION**

Written Narrative

The Coeur d'Alene School District #271 (the "District") is applying for the following real property to be annexed into the City of Coeur d'Alene, Idaho (the "City"):

Parcel 1:

The West half of the West half of Tract 316, HAYDEN LAKE IRRIGATED TRACTS, according to the plat recorded in the office of the County Recorder in Book C of Plats at Page 67, records of Kootenai County, Idaho.

Parcel 2:

The East half of the West half and that portion of the East half lying West of Tax #21262, of Tract 316, HAYDEN LAKE IRRIGATED TRACTS, according to the plat recorded in the office of the County Recorder in Book C of Plats at Page 67, records of Kootenai County, Idaho.

Parcel 3:

The East Quarter of Tract 317 of HAYDEN LAKE IRRIGATED TRACTS, according to the official plat thereof filed in Book "C" of Plats at Page(s) 66 and 67 official records of Kootenai County, Idaho.

(collectively, the "Property").¹

The District plans to construct a new elementary school (the "School") on the Property to accommodate growth in the northwest area of the District's boundaries and to resolve capacity issues at existing elementary schools.

In accordance with the City's Annexation Application form, this narrative addresses specific topics from the City's Comprehensive Plan (the "Plan"), including zoning, 2007 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and explains how these topics correspond with and support the District's annexation request.

Zoning

The proposed zoning classification for the Property is Residential R-8. The Residential R-8 zoning district is intended to be a residential area that permits a mix of housing types at eight (8) dwelling

¹ Note that this legal description is for the three individual parcels. The Applicant has also provided a legal description for the exterior boundary of the entire 7.18-acre area of annexation.

units per gross acre. Community education is allowed in the R-8 district pursuant to a special use permit.

The construction plans for the School will adhere to the R-8 site performance standards, which require, for non-residential structures, a height restriction of 45 feet and setback requirements of 20 feet for front yards, 25 feet for rear yards, and 25 feet for side yards.

This zoning designation is consistent with the surrounding area. The land immediately to the west of the Property, the Vista Meadows subdivision, as well as a majority of the property to the southwest of the Property, is also zoned R-8. The land directly to the east is zoned R-3. Although the District has no plans to use the property for residential purposes, this zoning designation is consistent with surrounding neighborhoods and also allows use of the site for a school, subject to a special use permit. Thus, the District's request for an R-8 designation is appropriate for the area and the District's intended use for the Property.

2007 Comprehensive Plan Category

The Land Use Base Map contained in the Plan identifies the Property as both "Stable Established" and "Transition." The Stable Established category indicates an area "where the character of neighborhoods has largely been established and, in general, should be maintained." The Transition category indicates an area "where the character of neighborhoods is in transition and should be developed with care."

The Stable Established areas near the Property include existing residential developments to the west and southwest of the property, such as Coeur d'Alene Place and Sunshine Meadows. The District's intended use of the Property for a neighborhood school will further encourage the long-term stability of these established communities.

The Transitional areas near the Property include the Property itself and adjacent land to the east up to and crossing Highway 95 and south of Prairie Avenue. The land north of Prairie Avenue crosses into the City of Hayden. The District Property is one of a few remaining parcels in this area that have not been incorporated into the City limits. Annexation of the Property will help establish a clear and consistent boundary for the City along Prairie Avenue. Furthermore, the use of the Property as a school will help to alter this transitional area into a more stable and established area.

Neighborhood Area

The Property is located in the Ramsey-Woodland area. According to the Plan, the development pattern for this area is mixed with established subdivisions, passive and active parks, industrial uses and a mix of residential zoning. As mentioned above, the proposed zoning for the Property is Residential R-8, which is appropriate for this neighborhood area. The Plan also notes how this particular area is expanding north, which coincides with the location of the School. As more residential areas develop, the need for educational opportunities in these communities continues

to grow. The District's plans to develop a school at the Property will help alleviate existing demands on neighborhood schools.

Applicable Special Areas

Though the Property does not directly fall into one of the special areas addressed in the Plan, the District will nonetheless comply with and incorporate into its construction/landscaping plans many of the key aspects discussed in the various special areas. For example, the Plan includes "Urban Forest" as a special area and notes that the City's forest cover is one of its defining physical characteristics. In accordance with the City's policy of protecting and enhancing urban forest, the District will strive to incorporate the planting of native tree species into the School's landscaping. Similarly, the District will adhere to the City's policy regarding the vitality, functionality and beauty of parks and open spaces by promoting open space in its construction/landscaping plans and creating a park/playground that will be accessible to students and the general public. The Plan also mentions the importance of strong neighborhoods and encourages the development of new neighborhoods and neighborhood associations. To this end, the District's plans to construct a neighborhood school at the site will strengthen existing neighborhoods (such as the Sunshine Meadows to the west and Coeur d'Alene Place to the south) and encourage the development of new neighborhoods (such as the residential development planned for Vista Meadows to the west and the extension of Coeur d'Alene Place to the south). The District will also promote neighborhood development with the addition of open space and playground area, indoor gymnasium space and connectivity of bicycle and pedestrian paths throughout the site.

Appropriate Goals and Policies

The Plan contains several goals and plans that directly support the District's annexation request. For instance, the Plan indicates that the City plans to expand the education industry and, as part of said expansion, transform the City both geographically and socially. The construction of the School does just that by attracting new development and strengthening existing communities, while also providing social and economic opportunities for the community at large.

The annexation of the Property and addition of the School also meet some of the City's goals for future planning, including: to enhance the economy to ensure a viable and attractive market, to provide quality neighborhoods, and to protect existing neighborhoods. As discussed in more detail below, the School will create new jobs and provide educational and recreational opportunities in an area of the City that is experiencing growth and transition. Said jobs and opportunities not only safeguard existing communities, but also promote future development.

In its Plan, the City divides its goals and objectives into four key areas of emphasis: Natural Environment, Economic Environment, Home Environment and Administrative Environment. Of those four areas, the two that this proposed annexation aligns with the most are Economic Environment ("preserves the city's quality workplaces and encourages economic growth") and Home Environment ("preserves the qualities that make Coeur d'Alene a great place to live").

Specifically, the Economic Environment Goal includes the City’s desire to support businesses that provide year-round stable jobs with livable wages that contribute to the overall economic health of Coeur d’Alene. The new school that will be built on the Property will create approximately 39 full-time employment positions. These salaries are expected to contribute an addition \$1,717,095.00 in wages to the community.

STAFF CATEGORY	NUMBER OF FULL-TIME EMPLOYEES	AVERAGE SALARY	TOTAL SALARY
Teaching Staff	28.00	\$50,000.00	\$1,400,000.00
Administration	1.50	\$85,902.00	\$128,853.00
Classified Staff	9.00	\$18,026.89	\$162,242.00
Certified Specialist	0.50	\$52,000.00	\$26,000.00
	39.00		\$1,717,095.00

The Economic Environmental Goal also states that the City intends to encourage business that complement and support education. The opening of a new school clearly supports education.

The Home Environment Goal, Objective 3.07, titled “Neighborhoods,” expresses the City’s interest in emphasizing a pedestrian orientation when planning neighborhood preservation and revitalization. As part of the District’s construction of the new school, the District will be incorporating bicycle and pedestrian paths.

Objective 3.12 of the Home Environment Goal states the City’s plan to support quality educational facilities through the city, from preschool through the university level. Since the District is requesting that the subject property be annexed into the City for the purpose of housing a new elementary school, this directly coincides with Objective 3.12.

Because the School will include a gymnasium and bicycle/pedestrian paths, the District’s proposed use of the annexed property supports Objective 3.14, which expresses the City’s desire to encourage recreation facilities for citizens of all ages. The gymnasium and bicycle/pedestrian paths will be open to and utilized by the general public. Also, with concerts, sporting events, and other extracurricular activities taking place at the School, the addition of the School will also support Objective 3.15, which emphasizes the integration of arts and cultural events in the community.

Objective 3.18 discusses accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation. These goals will all be met with the construction of the School.

The District is working with the City and the local highway district to develop appropriate traffic plans at the site. The Property will also include walking paths and be bicycle accessible.

Finally, under the Administrative Environment Goal, the first objective (Objective 4.01) states that the City must make decisions based on the needs and desires of the citizenry. The citizens of Coeur d'Alene (and surrounding areas) overwhelmingly supported a bond for the construction of a new school in the northwest corridor of the District. The District purchased the Property pursuant to that bond and intends to use it for the construction of a new school as desired by the patrons of the District.

Conclusion

Annexation of the Property at issue is consistent with the City's long-term plan and creates a more consistent City boundary along Prairie Avenue. An R-8 zoning designation is consistent with neighboring properties' zoning designations. Although the District has no plans to use the Property for residential purposes, a community education purpose is conditionally allowed with this designation. Ultimately, the construction of the School at this site will be beneficial to the City of Coeur d'Alene and its citizens.

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: SEPTEMBER 11, 2018
SUBJECT: S-10-18 – SPECIAL USE PERMIT REQUEST FOR COMMUNITY EDUCATION USE IN A PROPOSED R-8 ZONE.
LOCATION: THREE PARCELS WEST OF RAMSEY RD., LOCATED SOUTH OF PRAIRIE AVE., COMMONLY KNOWN AS 1914, 1950, AND 2008 W. PRAIRIE AVE.

APPLICANT:

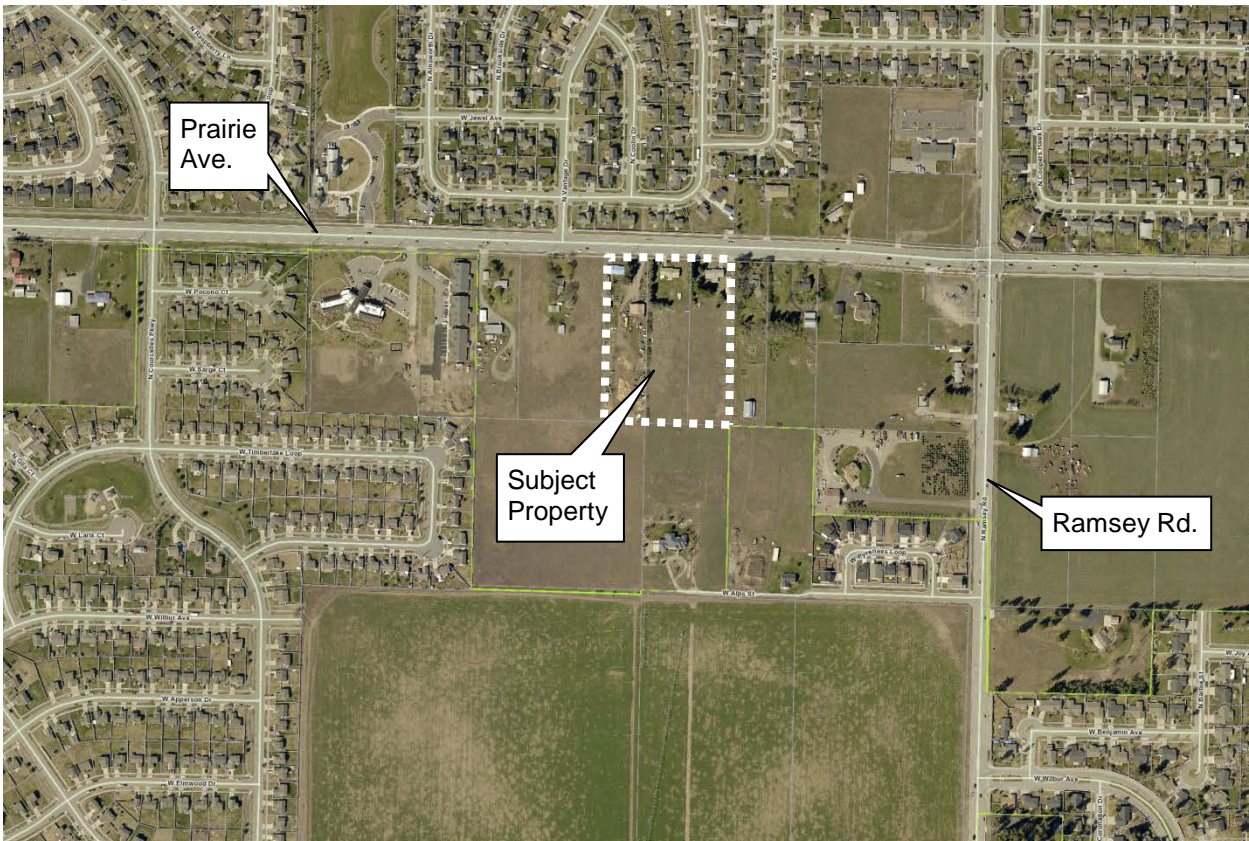
Owner:
Coeur d'Alene School District #271
1400 N. Northwood Center Ct.
Coeur d'Alene, ID 83814

Consultant:
Megan O'Dowd of Lyons O'Dowd
201 N. 3rd Street
Coeur d'Alene, ID 83814

DECISION POINT:

Coeur d'Alene School District #271 is requesting approval of a Community Education special use permit on multiple parcels measuring a total of +/- 7.18 acres. This request has been filed in conjunction with an Annexation application proposing an R-8 zone (A-3-18).

Area Map:



GENERAL INFORMATION:

The reason for this special use permit request is that the Coeur d'Alene School District #271 plans to construct a new elementary school on the subject properties to accommodate growth in the northwest area of the District's boundaries. This will help to resolve current capacity issues at existing elementary schools. The request consists of a total of three parcels currently in Kootenai County at the northern edge of city limits.

It is important to note that there are multiple agencies and an adjacent property owner that will ultimately be working together, if this request is approved, to provide services and access to the site.

Lakes Highway District:

Attached is a letter from Eric Shanley, Director of Highways for Lakes Highway District, outlining their requirements for Prairie Avenue. The Highway District and SD #271 have been working together to provide safe access to the site while maintaining vehicular and pedestrian movements for this principal arterial.

Hayden Lake Irrigation District (HLID):

HLID is the water purveyor in this area. They will provide the site with potable water for domestic and irrigation purposes. Attached is a "Will Serve" letter provided by Brandon Rose, HLID Superintendent. As part of this service, an agreement is in place with the City's Wastewater Utility to report usage which is used to determine billing for wastewater services rendered on site.

Neighboring Parcel(s) to the West (Vista Meadows):

A recently approved subdivision for Vista Meadows (Phase I) provides connectivity to the proposed annexation, and the current plan is to use these internal roads which have not been improved yet, to gain access to the site. Additionally, the wastewater service will need to be extended north from the CDA Place PUD, to Vista Meadows, and then to the school site.

These agreements are between the developer(s) and the school district, the city has no control of the timing or financing for this to occur. However, as part of the Vista Meadows subdivision request, a deviation was approved by Planning Commission for Vista Meadows Boulevard and Cedar View Avenue (Road names are still under review and may change). This deviation will allow for road/intersection design flexibility to provide safe access to the school site for both vehicles (Busses and parent drop offs) as well as children arriving by foot or bicycle.

R-8 Zoning District (*Requested by annexation A-3-18*):

17.05.090: GENERALLY:

- 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.
- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood

sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.

- C. In this district a special use permit may be requested by the developer for a two (2) unit per gross acre density increase for each gross acre included in a pocket residential development. This density increase provision is established to reflect the concern for energy and environment conservation.
- D. Project review (see sections 17.07.305 through 17.07.330 of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

17.05.100: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-8 district shall be as follows:

- Administrative
- Duplex housing
- Essential service (underground)
- "Home occupation", as defined in this title
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing

17.05.110: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-8 district shall be as follows:

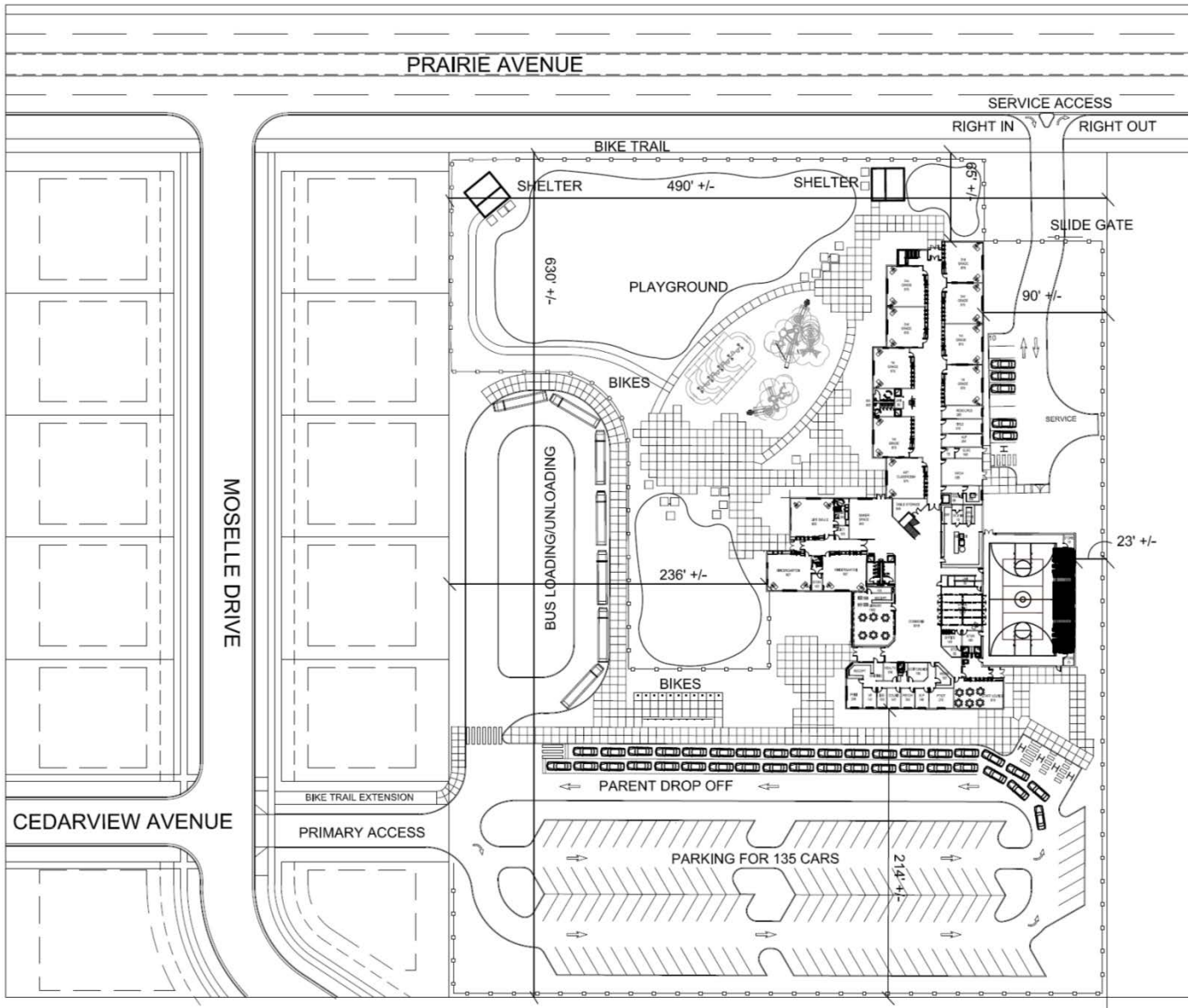
- Accessory dwelling units
- Garage or carport (attached or detached)
- Private recreation facility (enclosed or unenclosed).

17.05.120: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-8 district shall be as follows:

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

CONCEPTUAL SITE PLAN:



**NEW PRAIRIE AVE.
ELEMENTARY SCHOOL**

08-01-2018 CD'A S.U.P.

Preferred Concept

Coeur d'Alene School District #271
Coeur d'Alene, Idaho



210 E Lakeside Ave
Coeur d'Alene, ID 83814
t. 208.667.9402
architectswest.com

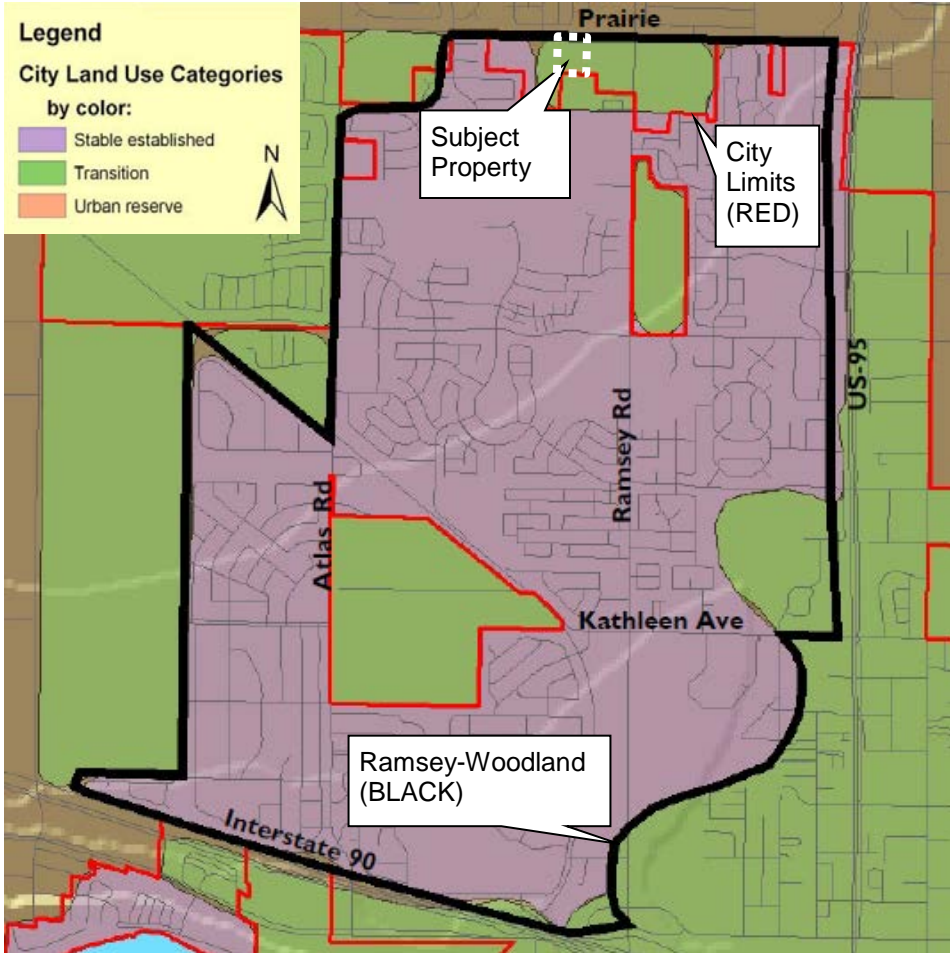
REQUIRED FINDINGS FOR A SPECIAL USE PERMIT:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as: Ramsey – Woodland:

Ramsey-Woodland Comprehensive Plan Map:



Transition:

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

Land Use: Ramsey-Woodland

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.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

- **Objective 1.11- Community Design:**
Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.
- **Objective 1.12 - Community Design:**
Support the enhancement of existing urbanized areas and discourage sprawl.
- **Objective 1.13 - Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 1.14 - Efficiency:**
Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.
- **Objective 1.16 - Connectivity:**
Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trail systems.
- **Objective 2.05 - Pedestrian & Bicycle Environment:**
Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.
- **Objective 3.01 - 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 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **Objective 4.02 - City Services:**
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).
- **Objective 4.06 - Public Participation:**
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

Evaluation: *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 subject property is relatively flat with Prairie Avenue to the north. Currently these parcels have single family homes with garages/shops on them which will be removed in the future to make way for educational development.

Directly north of Prairie Avenue are small tract single family homes located in the City of Hayden. To the west and a portion of the south is an undeveloped subdivision in the city known as Vista Meadows. To the south/southeast is a large lot with a large home not currently in city limits. To the east is a county parcel similar in nature to those of this annexation request, a narrow but deep lot with a single family unit. See the “Generalized Land Use Pattern” map below for a visual representation.

SITE PHOTOS:

Existing sidewalk along Prairie Ave. Facing east along subject property:



Home to be removed (1 of 3):



Home to be removed (2 of 3):



Home to be removed (3 of 3):



Abutting home to the south of subject properties currently in Kootenai County (to remain):



N. Vantage Drive (in Hayden) showing Prairie Avenue which will align with Vista Meadows subdivision entrance that will access the subject properties:



GENERALIZED LAND USE PATTERN:



EXISTING ZONING:



Evaluation: The Planning Commission must determine, based on the information before them, whether the design and planning of the site is or is not compatible with the location, setting, and existing uses on adjacent properties. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

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.

PARKS:

The internal bike trails are important to get commuters safely off the main trail and to the bike racks indicated in the preferred concept. It is also recommend that a bike and/or pedestrian access in the southeast corner of the property on the Northside of the potential future neighborhood connection road to the bike racks indicated to the south of the basketball court be considered.

-Submitted by Monte McCully, Trails Coordinator

Street trees will be required on the street frontage along Prairie Ave. Species must be selected from the city approved 'small' street tree list due to overhead powerlines. Prairie Ave is within the Lakes Highway District right-of-way (ROW), and the applicant will need to get their permission for the trees to be planted within said ROW. If the Lakes Highway District prefers not to have the trees in the Prairie Ave ROW, the city will require the trees be planted on school property near the right-of-way in conjunction with a recorded street tree easement.

-Submitted by Katie Kosanke, Urban Forester

WATER:

Water service for the proposed annexation is to be furnished by the Hayden Irrigated Tracts water system. The Hayden Lake Irrigation District (HLID) has indicated that they will serve the project based on a "Will Serve" letter provided to the applicant and the city.

-Submitted by Sean Holm, Senior Planner

WASTEWATER:

Presently, public sewer is not readily available to this Special Use. Public Sewer is pending the CDA Place 30th Addition Sewer Main Extension and Vista Meadows Development Sewer Improvements. The nearest access to public sanitary sewer is planned for the intersection of Pronghorn and Cedarview (Vista Meadows) which borders the westerly boundary of the Subject Property. Connection to the Public Sewer will be addressed during the Building Permit process.

The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and per JUB's 06/05/2018 Technical Memorandum – *Prairie Avenue Elementary School Sewer Model Analysis*, the City's Wastewater Utility will ultimately have the wastewater system capacity and willingness to serve this

annexation request pending the completion and City acceptance of the aforementioned sewer extension and sewer improvements.

- Submitted by Mike Becker, Utility Project Manager

STORMWATER:

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

- Submitted by Chris Bosley, City Engineer

STREET:

The subject property is bordered by a future subdivision to the west and Prairie Ave to the north. The future streets and right-of-way widths will meet the City standards, but the site also has frontage along the south side of Prairie Ave, which is controlled by Lakes Highway District and therefore will require their approval. No alterations to the street section will be required.

- Submitted by Chris Bosley, City Engineer

TRAFFIC:

The proposed annexation would not likely adversely affect the future Moselle Drive with regard to traffic as it will have the available capacity to accommodate additional traffic generated from the subject site. However, a traffic study is underway to fully understand the possible impacts from the additional traffic on Prairie Ave and to receive approval from Lakes Highway District. The Engineering Department has no objection to this special use permit as proposed.

- Submitted by Chris Bosley, City Engineer

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.

-Submitted by Bobby Gonder, Fire Inspector

PROPOSED CONDITIONS:

PARKS:

1. The 2017 Trails and Bikeways Masterplan requires a 12 foot trail along Prairie Avenue on the north side of the property and must be installed at the time of development.

ORDINANCES & STANDARDS USED FOR 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 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

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

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

**APPLICANT'S
NARRATIVE**

APPLICANT:

NAME: Coeur d'Alene School District #271
MAILING ADDRESS: 1400 N. Northwood Center Ct., Coeur d'Alene, ID 83814
CONTACT NUMBER: 208-664-8241

FILING CAPACITY:

X-Recorded property owner as of May 20, 2018 (Warranty Deeds Attached)

APPLICANT'S REPRESENTATIVE:

NAME: Megan O'Dowd, Lyons O'Dowd, PLLC
MAILING ADDRESS: P.O. Box 131, Coeur d'Alene, ID 83816
PHONE: (208) 714-0487 x2
FAX: (888) 966-0036

ARCHITECT:

NAME: Jonathan Mueller, Architect's West
MAILING ADDRESS: 210 E. Lakeside Ave., Coeur d'Alene, ID 83814
PHONE: (208) 667-9402

PROPERTY:

LEGAL DESCRIPTION OF PROPERTY:

Parcel 1:

The West half of the West half of Tract 316, HAYDEN LAKE IRRIGATED TRACTS, according to the plat recorded in the office of the County Recorder in Book C of Plats at Page 67, records of Kootenai County, Idaho.

Parcel 2:

The East half of the West half and that portion of the East half lying West of Tax #21262, of Tract 316, HAYDEN LAKE IRRIGATED TRACTS, according to the plat recorded in the office of the County Recorder in Book C of Plats at Page 67, records of Kootenai County, Idaho.

Parcel 3:

The East Quarter of Tract 317 of HAYDEN LAKE IRRIGATED TRACTS, according to the official plat thereof filed in Book "C" of Plats at Page(s) 66 and 67 official records of Kootenai County, Idaho.

PROPERTY ADDRESS:

- Parcel 1: 1950 W. Prairie Ave., Coeur d’Alene, Idaho
- Parcel 2: 1914 W. Prairie Ave., Coeur d’Alene, Idaho
- Parcel 3: 2008 W. Prairie Ave., Coeur d’Alene, Idaho

PROPERTY INFORMATION:

1. Gross Area: 7.178 Acres
2. Existing Land Use: Formerly Agricultural/residential; currently vacant
3. Existing Zone: Applicant is concurrently applying for annexation into the City of Coeur d’Alene with an R-8 zoning designation. The annexation application is A-3-18.

REQUIRED DRAWINGS:

Attached hereto is a site plan prepared by Architect’s West. The District also has a Record of Survey on file with respect to Applicant’s Application for Annexation (A-3-18).

JUSTIFICATION:

PROPOSED ACTIVITY GROUP: Community Education

- A. DESCRIPTION OF REQUEST: The Coeur d’Alene School District #271 is requesting approval of a special use permit at the Property for community education purposes. The District intends to construct a new elementary school at the site. The school will serve approximately 450 students, plus approximately 50 staff. The site plan is attached and demonstrates the layout and feasibility of the intended use of the site for a neighborhood school.
- B. CONFORMITY TO 2007 COMPREHENSIVE PLAN:

Land Use: The property is located in a stable/transitional land use area. The location of a school at this site will further stabilize the existing neighborhoods located to the west and south of the site, while also serving as a buffer between the more intensive/commercial uses located along Highway 95.

Plan Goals:

Goal #1-Natural Environment:

Objective 1.01-Environmental Quality: As demonstrated on the site plan, the new school will include bike trails/bike parking and walking paths. These features will encourage the use of environmentally conscious transportation options for students, staff and guests.

Objective 1.09-Parks: The new school will include a playground and associated green space (as well as an interior gymnasium). These areas will be available for use by the school

children during the day and are generally available for use by the public at large during after-school hours.

Objective 1.16-Connectivity: As previously described, the site will include bicycle and walking paths which will connect to the existing neighborhoods located nearby.

Goal #2-Economic Environment:

Objective 2.01-Business Image & Diversity: The District adds diversity to the existing workforce within the City of Coeur d’Alene with its professional education workforce. The District serves approximately 10,000 students and has several thousand employees.

Objective 2.02-Economic & Workforce Development: The construction of a new elementary school at the site is anticipated to create approximately 39 new job. These *new* jobs will bring approximately \$1,717,095.00 in new wages to the community. These will be quality jobs that will help to grow and strengthen the economic environment of the City.

STAFF CATEGORY	NUMBER OF FULL-TIME EMPLOYEES	AVERAGE SALARY	TOTAL SALARY
Teaching Staff	28.00	\$50,000.00	\$1,400,000.00
Administration	1.50	\$85,902.00	\$128,853.00
Classified Staff	9.00	\$18,026.89	\$162,242.00
Certified Specialist	0.50	\$52,000.00	\$26,000.00
	39.00		\$1,717,095.00

Objective 2.05-Pedestrian & Bicycle Environment: The parcels at issue are located near several existing subdivisions (Sunshine Meadows and Coeur d’Alene Place), as well as several planned communities (Vista Meadows and the next phase of Coeur d’Alene Place). The school site will offer pedestrian and bicycle connectivity with its planned trails and walking paths.

Goal #3-Home Environment

Objective 3.05-Neighborhoods: As mentioned above, the school site will be located near several established subdivisions, and several planned communities. The use of the site for a local elementary school will encourage the stability of the existing neighborhoods and facilitate stable development of the new neighborhoods.

Objective 3.07- Neighborhoods: As discussed above, the site’s walking and biking paths will encourage pedestrian traffic to and from the site.

Objective 3.12-Education: The site will be developed for a new elementary school, which is much needed to alleviate crowding within the District. The construction project will incorporate current design standards and provide a brand new facility for approximately 450 students.

Goal #4-Administrative Environment

Objective 4.06-Public Participation. The citizens of Coeur d'Alene (and surrounding areas) overwhelmingly supported a bond for the purpose of constructing a new school in the northwest corridor of the District. The District purchased these parcels to fulfill this purpose. Approving this SUP application aligns with the input provided by the patrons of the District and the citizens of the City.

C. COMPATABILITY OF THE DESIGN AND PLANNING OF THE SITE WITH THE LOCATION, SETTING AND EXISTING USES ON ADJACENT PROPERTIES:

This site is surrounded to the south and west by existing subdivisions (Sunshine Meadows and Coeur d'Alene Place). Immediately to the west will be a new subdivision community, Vista Meadows, and further to the south will be another phase of Coeur d'Alene Place. Creating a neighborhood elementary school at this location will serve the existing population and the future growth anticipated for this area. The school site will also serve as a natural transition between the largely residential uses to the south and west and the more commercial uses located along Highway 95.

The design of the site strategically places the school in a north-south direction located on the eastern portion of the parcels. With this placement, the physical structure will be closest to the nearby commercial uses, while the playground and open spaces will be flanked by neighborhood developments. This layout provides for a more harmonious and natural transition between existing adjacent uses.

D. LOCATION, DESIGN AND SIZE OF THE USE WILL BE SERVED BY EXISTING STREETS, FACILITIES AND SERVICES:

As demonstrated on the attached site plan, the primary ingress/egress for the new school site will be off of Moselle Drive and Cedarview Avenue, rather than Prairie Avenue. Moselle Drive and Cedarview Avenue are within the jurisdiction of Coeur d'Alene, while this portion of Prairie Avenue lies within the jurisdiction of the Lakes Highway District. The District has intentionally placed the primary ingress/egress off of Moselle Drive in order to minimize the traffic hazards that may be present for intensive use off of Prairie Avenue. The District has asked for official comment and feedback of this plan by the Lakes Highway District. District representatives have also met with the City's Engineer to discuss City concerns and develop the scope for a traffic study. While the results of this study are not available as of the date of this submittal, it is expected that they will be available at the time of the hearing. Ultimately, the District will work with all appropriate transportation agencies to meet applicable standards and reasonably mitigate applicable impacts.

City sewer is not currently available at the site. However, the District has reached tentative agreements with adjacent property owners, and has already budgeted to bring sewer to the site. The District will work with City personnel to ensure that the size and location of these services meet the City's requirements.

Water is already available at the site through the Hayden Lake Irrigation District. The District is satisfied that the water will be sufficient to meet the District's needs.

As a public school facility, the District will be offering additional services to the public and serving the citizens of Coeur d'Alene.

E. OTHER INFORMATION

The Coeur d'Alene School District is a public agency and taxing authority. All of the citizens of the City are also patrons of the Coeur d'Alene School District. Through the bond approval last year, the citizens of Coeur d'Alene (and the remainder of the District) have authorized additional taxpayer dollars to be used for the purpose of constructing a new school in the northwest corridor of the District. The District is now trying to meet that directive and construct a new school at the subject property.



August 7, 2018

Mr. Jonathan Mueller
Architects West
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814

RE: Prairie Avenue School Site - Preliminary Comments for Coeur d'Alene School District #271

Dear Jonathan:

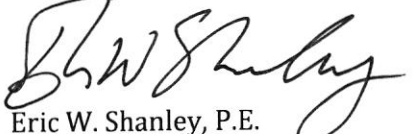
At the regular scheduled Board Meeting of the Lakes Highway District held on August 6, 2018, the District Commissioners reviewed the above referenced project memorandum and site plan. Upon review, the Board recognized that existing safety and operation concerns on Prairie Avenue as it relates to both motorized and non-motorized transportation are exacerbated by the proposed school. The District requests the following items be addressed through development of the new school if this site is selected.

1. Prairie Avenue is a Federally Classified Urban Principle Arterial Roadway with approximately 20,000 cars per day and an 85th percentile travel speed more than 50-mph adjoining the proposed site. This while the posted speed limit adjoining the school site is 45-mph.
2. Regionally, Prairie Avenue is considered a major east-west corridor essential to moving traffic between three (3) State Highways that interconnect between Idaho and Washington.
3. Given the Prairie Avenue roadway classification and use, approaches for the school shall be limited to interior roadways only. No approaches to Prairie Avenue will be permitted if interior road access exists.
4. At a minimum, pedestrian facilities designed in accordance with the AASHTO Guide for Planning, Design and Operation of Pedestrian Facilities shall be provided for safe crossing opportunities of Prairie Avenue. This to provide means of safe access during the non-school year for neighboring developments that are located within walking distance of the school and its associated playground facilities.
5. The Site should be fully fenced to promote pedestrian crossings and access from Prairie Avenue at a single controlled location, located at Moselle. This as apposed to uncontrolled access and crossings of Prairie Ave.
6. Currently the District has restricted access for Moselle Drive to Prairie Avenue to only 12 lots. The Moselle Drive access to Prairie Avenue is limited to the 12-lots proposed within Phase 1 of Vista Meadows. No additional access to Prairie Ave beyond the proposed 12-lots within Vista Meadows will be granted without mitigation of the associated motorized and non-motorized transportation impacts. We have the following additional information:

- a. A Traffic Impact Study (TIS) in accordance with the Associated Highway District Standards shall be provided to consider traffic impacts associated with increased traffic at the Moselle approach to Prairie Ave.
 - b. The TIS shall not only consider standard engineering guidelines for determining trip generations, but also shall consider a comparison of other local schools to include existing, future and maximum student densities for calculating trip generations. The TIS shall also define the area to be served by the proposed school.
 - c. The TIS study shall consider motorized and non-motorized traffic impacts associated with the school and future roadway extensions south of the school into the Coeur d'Alene Place Subdivision. The TIS shall consider traffic and operations of the school without access to Moselle south of the proposed school. Additionally, the study shall consider both existing and full residential buildout traffic associated with development within the Coeur d'Alene Place Subdivision, south of the proposed school.
 - d. The associated mitigation required to accommodate traffic shall be paid for by development.
 - e. We understand that development within the City of Coeur d'Alene and the associated master planning for the proposed school, not only requires access to Prairie Ave, but also requires internal subdivision road access, south of the proposed school site. We also understand that the City of Coeur d'Alene collects traffic mitigation fees from development to offset traffic mitigation. To the extent that mitigation may be required for the proposed school and/or development connection of internal subdivision roads, it shall be the burden of the applicant to facilitate a Memorandum of Understanding between the City and Lakes Highway District for proportionate share cost allocation and transfer of the traffic mitigation fees to District.
 - f. Without means for full development funding of traffic mitigation, no additional access to Prairie Avenue will be provided.
7. Any platting associated with the proposed project will require dedication in accordance with the Associated Highway District Standards.
 8. A multi-use path adjacent to the project will need to be constructed in accordance with the AHD Standards.
 9. Prior to start of construction, plan for work within the Highway District right-of-way shall be submitted for review and approval in accordance with the AHD Standards. Additionally, an approach permit will also need to be obtained from the Highway District.

The District appreciates the opportunity to submit the above referenced comments for your consideration. If you have any questions or need additional information, please contact the District at (208)772-7527.

Sincerely,



Eric W. Shanley, P.E.
Director, Lakes Highway District

EWS/bf

CC: Steven Cook, Superintendent, Coeur d'Alene School District, 1400 Northwood Center Court, Coeur d'Alene, ID 83814
Chris Bosley, P.E., City of Coeur d'Alene, 710 E. Mullan Avenue, Coeur d'Alene, Idaho 83814
Sean Holm, City of Coeur d'Alene, Planning Department, 710 E. Mullan Avenue, Coeur d'Alene, Idaho 83814
Jay Hassell, JUB Engineers, via email only



PUBLIC COMMENTS



Chet Gaede

September 4, 2018

City of Coeur d'Alene Planning Commission
C/O, Shana Stuhlmiller
Shana@Cda.org

Dear Planning Commission:

Subject: Public Comments for Public Hearing A-2-17m Zoning prior to Annexation of the Atlas Mill Site.

It is requested that a member of the planning commission make the following motion at this hearing:

I move that a condition of Annexation be that the Annexation Agreement include a statement saying that the primary purpose of the Annexation is to ensure the shoreline of the property is to be forever owned by the City of Coeur d'Alene for the use and benefit of the public.

This simple condition is the easiest way to reassure Coeur d'Alene citizens that the City has listened to them and is pursuing their wishes for public waterfront access.

I have included a copy of a public comment from the Friends of the Spokane River Corridor to the Planning Commission last year for the hearing on the same subject. It is still Germain.

Thank you for your consideration.

Chet Gaede

Chet Gaede
Friends of the Spokane River Corridor
SplashofBlue1212@Gmail.com



City of Coeur d'Alene Planning Commission
C/O, Shana Stuhlmiller
Shana@Cda.org

Dear Planning Commission:

Subject: Public Comments for Public Hearing A-2-17 Zoning prior to Annexation of the Atlas Mill Site

This property is a "Once in Forever" opportunity for the City of Coeur d'Alene and must be given extraordinary care as it is brought into the City and developed. City Council has recognized this by passing Resolution 14-049 and by initiating the purchase of the property. Now the Planning Commission has its opportunity to exercise its extraordinary care. The Friends of the Spokane River Corridor (FSRC) strongly support Resolution 14-049 and offer some comments.

RECOMMENDATIONS: - *Rationale follow the recommendations*

- That the Planning Commission make a finding: While a zoning of C-17 provides the greatest flexibility for development and would not preclude the City from the stated goals of Resolution 14-049, a C-17 zoning would provide the least protection of the riverfront and the least requirement for comprehensive planning.
- That the Planning Commission recommend that to achieve Resolution 14-049's stated goals, of public ownership and protection of the riverfront, a condition of annexation should be: The shoreline, to include the former BNSF right of way (ROW) and all land between the ROW and the river, will remain public.
- That the Planning Commission recommend that to achieve Resolution 14-049's stated goal of comprehensive planning of the Spokane River Corridor, a condition of annexation should be: There must be a comprehensive planning process prior to any development, including infrastructure.

Resolution 14-049 states: "BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that all city staff and staff actions regarding the Spokane River Corridor should consider maximizing the public acquisition of riverfront property, protecting the riverfront and providing comprehensive planning for this corridor."

MAXIMIZE THE PUBLIC ACQUISITION OF RIVERFRONT PROPERTY.

When this Resolution was passed the City was purchasing the ROW and the City's goal was to **acquire** ownership of the shoreline area between the railroad right of way and the river. The acquisition of this property plus the ROW would provide the City with public ownership of land along the river. City Council is now going to exceed everyone's wildest expectations by purchasing the entire mill site and - **THAT CHANGES EVERYTHING.**

Now the concern is to **retain** public ownership of the land when the City sells the land to be developed. This can be accomplished by an Annexation Agreement that states: the shoreline, to include the ROW and all land between the ROW and the river, will remain public.

PROTECT THE RIVERFRONT.

Protection of the riverfront can be from development or environmental hazards. Currently the City has a very weak Shoreline Ordinance and a lot of “plans”. The Shoreline Ordinance can be circumvented simply by creating a PUD and “plans” cannot be enforced. The best way for the City to protect the shoreline is to retain ownership. This can be accomplished by an Annexation Agreement that states: the shoreline, to include the ROW and all land between the ROW and the river, will remain public.

PROVIDE COMPREHENSIVE PLANNING FOR THE CORRIDOR.

Resolution 14-049 defines the Spokane River Corridor as running from Riverstone to Huetter Road. The City has many plans, the Comprehensive Plan, the Parks Master Plan, the Trails and Bikeway Master Plan, CdA 2030 Implementation Plan and many more that have been created using “public process”. Unfortunately, these “plans” do not carry the “force of law” and are often circumvented. Even the enforceable tools, such as the Annexation Agreements and the Shoreline Ordinance are often forgotten or circumvented during development. The City has said there will be public input into the development process after the property is acquired. We believe that will happen and are applauding wildly.

Part of the extraordinary care required by this property are multiple layers of requirements to safeguard its use and development. All the City Plans, the Annexation Agreement, Shoreline Ordinance and public input must all be considered prior to any development, including infrastructure. The first road or water line will determine the shape and usage of the entire property. The Annexation Agreement should state: there must be a comprehensive planning process prior to any development, including infrastructure.

City Council asked the Staff to take extraordinary steps in considering development of this property when it passed Resolution 14-049. It is appropriate that Staff require the extraordinary steps of Council to achieve Council’s own goals.

Sincerely,

Chet Gaede
Co-chair – Friends of the Spokane River Corridor