

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

**SEPTEMBER 8, 2020**

*NOTE: The City is utilizing Governor Little's Stage 4 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room. Therefore, we are still encouraging the public to participate electronically. While participating electronically the public comments will be taken during that section of the meeting by indicating a raised hand through the Zoom meeting application. Public comments will not be acknowledged during any other time in the meeting.*

Join by Computer <https://cdaid-org.zoom.us/j/91925253014?pwd=K2t4TS8yNXILaW9kMWM1clM3Rjk2dz09>

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

Meeting ID: 919 2525 3014

Password: 282854

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

**5:30 P.M. CALL TO ORDER:**

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

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

August 11, 2020

**ENVISION CDA UPDATE:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

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

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

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

1. Applicant: Connie Krueger, Stonehenge Development on behalf of Northwest Solutions Investment Group, LLC  
Location: 3520 N. 15th  
Request: A proposed zone change from R-8 to R-17  
QUASI-JUDICIAL, (ZC-4-20)
  
2. Applicant: Connie Krueger, Stonehenge Development on behalf of Howard, LLC  
Location: 2926 N. Howard Street  
Request: A proposed zone change from MH-8 to R-17  
QUASI-JUDICIAL, (ZC-5-20)

3. Applicant: John Barlow, JRB Properties on behalf of Hagadone Hospitality Co.  
Location: 23<sup>rd</sup> Street & Ashton  
Request: A proposed amendment to the Limited Design PUD-2-04.  
QUASI-JUDICIAL, (PUD-2-04m.1)

**ADJOURNMENT/CONTINUATION:**

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

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



# MINUTES



**PLANNING COMMISSION  
MINUTES  
AUGUST 11, 2020  
Virtual (Zoom.us) and In-Person  
LOWER LEVEL – LIBRARY COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice-Chair  
Peter Luttrupp  
Lewis Rumpler (Zoom)  
Brinnon Mandel (Zoom)

**STAFF MEMBERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

Lynn Fleming  
Mike Ward

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Ingalls, seconded by Luttrupp, to approve the minutes of the Planning Commission meeting on July 14, 2020. Motion approved.

**ENVISION CDA COMMITTEE UPDATES:**

Hilary Anderson, Community Planning Director provided the following statements.

- The online survey had close to 1,000 participants.
- They have scheduled meetings with the Focus Groups and CAC (Community Advisory Committee) next week.

**STAFF COMMENTS:**

Hilary Anderson, Community Planning Director, providing the following comments:

- The Planning Commission meeting on September 8<sup>th</sup> will have two zone changes and a Limited Design PUD amendment request that is for the Hagadone project off of Coeur d'Alene Lake Drive and Ashton.
- She reminded the commission that the Innovations in Naturally Affordable Housing Summit is virtual today and tomorrow and if commissioners want to sign up for the summit, it includes all access to the materials included in the summit through the end of this year.

- The Inland Northwest Fair Housing Conference is tomorrow and, if interested, the cost is \$15.00 dollars to attend. Details for the conference are located on the Planning Department/Community Development page.

**PUBLIC HEARINGS:**

1. Applicant: Altar Church-Tim Remington  
 Location: 901 E. Best Avenue  
 Request: A proposed modification to an existing Religious Assembly special use permit to allow for an adjacent auto parking lot in the R-12 zone to serve the existing church facility.  
 QUASI-JUDICIAL, (SP-5-82m)

Tami Stroud, Associate Planner, presented the staff report and provided the following comments:

- In 1982, the subject site was approved for a special use to expand the existing religious assembly facility (church). Included with the expansion of the existing church facility was a parking lot directly to the west to serve the religious assembly use.
- The Altar Church moved into the existing church facility in 2007, and has been serving the community with church services and community outreach programs.
- The applicant has indicated that their church has been growing and they are in need of additional parking for overflow to serve the existing church facility. The applicant is requesting to expand their Religious Assembly use to allow for overflow parking on an adjacent vacant parcel.
- The subject property that is proposed as additional parking to serve the existing church facility is located on the northeast corner of Best Avenue and 8<sup>th</sup> Street.
- The Altar Church purchased the property with the intent to use it for overflow parking for the church facility.
- The applicant has submitted a site plan of the property that shows the proposed parking lot layout indicating there will be 19 parking stalls.
- She went through the required findings for the special use permit request as outlined in the staff report.
- The City's Comprehensive Plan Map designates the area as NE Prairie – Stable Established.
- The Planning Commission approved a special use request for a Religious Assembly Facility (SP-5-82) on the subject property in 1982 for the Altar Church and a parking lot to the west of the church. To the south of the subject site the Planning Commission also approved a Convalescent Nursing Home special use. In 1996 the Commission also approved a Childcare Facility Special Use Permit on property to the northeast of the subject property.
- Ms. Stroud noted the various staff comments in the report.
- She noted that, if approved, there are three conditions for consideration.

Ms. Stroud concluded her presentation.

### **Commission Comments:**

Commissioner Mandel asked if staff could explain what a parking agreement is and if it is something a person could put on the dashboard of a car or windshield.

Ms. Stroud explained that the parking agreement would be between the City and the Altar Church and would indicate that the parking lot would only be used for parking for the church.

Commissioner Mandel asked how the City would know if the applicant did obtain a parking agreement.

Ms. Stroud explained that they would obtain a copy of the parking agreement with a note added to the building and site development permit that they do have a parking permit on record. Most requests are "complaint driven," with neighbors complaining of parking on the street rather than in the designated parking area.

Commissioner Ingalls noted from looking at the drawing he could tell it was not done by a licensed architect but the drawing is adequate. He explained that in the past when the site plan was approved with the special use permit and asked if was the same process for the present application. Ms. Stroud stated that a few years ago they did tie the site plan to an approved special use permit, but recently they have given more flexibility in the site plan so the applicant doesn't have to come back to the commission.

Commissioner Ingalls suggested that he would like to see more buffering than what was shown on the drawing. Ms. Stroud explained that the project is unique in that it is considered a civic use in the R-12 zoning district that falls into the Environmental Landscaping Section of the code, so it wouldn't call out a specific number of trees. She added that that section of the code does reference a 5' tall fence or a 3' wide buffer area. Commissioner Ingalls noted that the existing house is gone from the property and he would like to see some "softening features." Ms. Stroud said that Legal might be able to give their opinion and maybe add a condition that stated more buffering is required.

Randy Adams, City Attorney, explained that the definition of a special use permit is not a matter of right -- it's a matter of permission -- and Section 17.09.220 says that "one of the criteria is the design and planning of the site is compatible with location, setting and existing uses on adjacent properties." So, conditions can be added to make sure that it is compatible and exists".

Commissioner Luttrupp asked if a 5' tall fence is allowed. Ms. Stroud said that within the code it talks about vegetation with a 5' wide strip where the curb acts as a "bumper stop" or a 3' wide and a 5' high fence. The applicant would not be allowed to have a fence that is over 6'. She added that the code states that "all materials for buffer yards shall be comprised of, not limited to, a mix of evergreen and indigenous trees, shrubs, and ground cover of which evergreen plant materials comprise of a minimum of 75% of the total plant material used."

Chairman Messina said he noticed a statement in the staff report stating that the swales would be going to a grassy area and asked how that would be addressed at the time of the building permit when the present plan was the only plan submitted. Ms. Stroud explained that they previously had a conversation with the applicant's representative and let them know that prior to submitting for a building permit a site development plan would need to be submitted showing the landscaping and stormwater.

### **Public testimony open.**

Pastor Tim Remington, applicant, provided the following statements:

- Their followers have been parking on the street for a while and decided, rather than parking on the street, to buy the lot across from the church that had an existing house on the lot that wasn't in good shape and was demolished.

- They have hired an architect who will be doing the plans showing the location of the swales plus any other City requirements in order to get the site permit.

Royce Driggs, applicant representative, provided the following statements:

- They will be leaving all the trees and will address the stormwater requirements on the site plan.
- He spoke with all the neighbors before the existing home on the property was demolished and comments from the neighbors were that they were relieved that the house was gone.
- Obtaining the property for parking will eliminate people parking in front of the existing neighbors' driveways.

He explained on the site plan how the water will drain from the property.

Mr. Driggs concluded his presentation.

**Public testimony closed.**

**Motion by Ingalls, seconded by Mandel, to approve Item SP-5-82m. Motion approved.**

ROLL CALL:

Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 4 to 0 vote.

2. Applicant: Rock & Robyn Investments, LLC  
 Location: 647 E. Best Avenue  
 Request: A proposed zone change from R-12 to R-17 QUASI-JUDICIAL, (ZC-3-20)

Jake Plagerman, Planning Technician, provided the following comments:

- The property is located east of 4<sup>th</sup> Street between 6<sup>th</sup> Place and 7<sup>th</sup> Street along Best Avenue.
- There is an existing single-family dwelling unit on the subject site.
- According to the County Assessor's office, the single-family dwelling was constructed in 1925.
- The property owner would like to demolish the existing structure in order to build a multi-family structure. The size of the lot is .25 acres, which would allow up to 4 units.
- The zoning ordinance requires a multi-family use be located in the R-17 Zoning District (also allowed in C-17/C-17L), as it is not allowed in the R-12 Zoning District.
- The applicant has indicated that they would like to construct a multi-family structure on the site, which will require a project review pre-development meeting prior to the project coming forward for a building permit.
- The applicant is aware that site improvements will be triggered should a multi-family project come forward, including landscaping and parking improvements. Site performance standards per the R-17 Zoning District will need to be met as well.

- The applicant's proposed multi-family use of the property is not tied to the requested zone change. If the subject site is approved to be changed to the R-17 Residential District, then all permitted uses in the R-17 Residential District would be allowed on the site.
- He went through the required findings for the zone change request as outlined in the staff report.
- The Comprehensive Plan designates the area as NE Prairie – Stable Established.
- He referenced the various staff comments in the staff report with all in agreement that the standards have been met.
- He presented various site photos of the property.
- He noted that there is one condition if the application is approved.

Mr. Plagerman concluded his presentation.

**Commission Comments:**

Commissioner Ingalls asked if the applicant could remove the single-family home and replace it with a multi-family unit without a zone change.

Mr. Plagerman explained that within the R-12 zoning district multi-family would not be allowed and noted without the zone change the applicant would be limited to doing a duplex based on the size of the lot, or a single family with an Accessory Dwelling Unit (ADU).

**Public testimony open.**

Rick Peterson, applicant, said that staff did a great presentation and he didn't have anything to add but would stand for questions.

**Commission Comments:**

None.

**Public testimony closed.**

**Discussion:**

**Motion by Ingalls, seconded by Luttrupp, to approve Item ZC-3-20. Motion approved.**

ROLL CALL:

Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 6 to 0 vote.



3. Applicant: Rivers Edge Apartments, LLC & The City of Coeur d'Alene  
Location: 3528 W. Seltice  
Request:
- A. The City of Coeur d'Alene  
3528 W. Seltice  
A proposed R-34 special use permit for the City-Railroad – R-O-W  
QUASI-JUDICIAL, (SP-5-20)
  - B. A proposed modification to the PUD known as “Rivers Edge PUD”  
QUASI-JUDICIAL, (PUD-2-19m)
  - C. A proposed modification to the 32-lot preliminary plat known as “Rivers  
Edge”  
QUASI-JUDICIAL, (S-2-19m)

### SP-5-20

Mike Behary, Associate Planner provided the following statements:

- The subject site is located south of Seltice Way, north of the Spokane River, and is west of and adjacent to the Atlas Mill site. The 3.6-acre subject site is currently vacant and undeveloped. It was formerly railroad right-of-way that was purchased by the City and annexed in 2015. The City is the owner of the subject site and is the applicant of the special use request for a density increase to R-34.
- The subject site bisects the property involving the River's Edge Planned Unit Development (PUD) project. River's Edge LLC and the City entered into a Memorandum of Understanding MOU on May 15, 2018 and tentatively agreed to a land exchange involving the City-owned former BNSF Railway right of way (subject site) and the River's Edge owned former Stimson Office site on Seltice Way. The land exchange will only take place if all three of the land use requests (SP-5-20, PUD-2-19m and S-2-19m) are approved and both parties agree to proceed with the conditions of a land exchange.
- The land exchange would result in the City acquiring the former Stimson Office site owned by River's Edge that adjoins the City's Atlas Waterfront property. The former Stimson Office site was approved for a density increase to R-34 on June 4, 2017 that allowed for a total of 134 units in item SP-1-17. If the land exchange is approved, the property would be owned by the City and incorporated into the Atlas Waterfront project and River's Edge would acquire the 3.6-acre former railroad right-of-way property owned by the City, which would include the entitled rights to develop the additional residential units if the special use permit is approved. The City's site and the developer's former Stimson Office site are approximately the same size.
- The exchange would also require a landscaping and pedestrian/bike trail easement approximately 1,600 feet long for a 16-foot wide public trail and adjacent greenspace that would accommodate the sewer connection to the west that would serve the Atlas Waterfront project.
- The proposed density increase equates to the density that is currently allowed on the triangle property known as the Stimson Office site. The land exchange will allow the developer to build the same number of units at the River's Edge site rather than on the two separate sites that he currently owns and has approved entitlements totaling 384 units. If the special use permit is approved, River's Edge LLC has requested the amendment to his River's Edge PUD to incorporate the subject site into the development.
- He went through the required findings for the special use permit request as outlined in the staff

report.

- The City Comprehensive Plan designates the subject site to be in the Spokane River District.
- Mr. Behary noted the various Comprehensive polices in the staff report
- He referenced the various staff comments in the staff report.
- He noted that, if approved, there are two conditions.

Mr. Behary concluded his presentation

### **PUD-2-19m**

Mike Behary, Associate Planner provided the following statements:

- The subject site is located south of Seltice Way, north of the Spokane River, and is west of and adjacent to the former Atlas Mill site, which is being developed as the Atlas Waterfront project. The 25.92-acre site is currently vacant and undeveloped. Prior to 2004, the subject site was part of a large saw mill facility that was active for many years. The saw mill has since closed and all the buildings have been removed from the site. The applicant's property was annexed into the city in early 2014 with C-17 and R-12 zoning.
- The 3.6-acre tract, owned by the City, bisected the previously-approved development. The City's 3.6-acre site is now part of the PUD request. The applicant is proposing to amend the 2019 PUD and subdivision that will incorporate the City-owned 3.6-acre parcel into the overall development.
- The applicant proposes to develop the property with residential uses and a commercial use. The applicant proposes to build a multi-family apartment complex and self-storage facility on the northern part of the property, and a single-family residential community along the river. The project would also include open space and a multiuse trail.
- The proposed apartment facility will have 11 apartment buildings with up to 384 dwelling units and 358 garage stalls. Overall, there will be a total of 770 parking spaces associated with the apartment facility. The maximum building height for the proposed apartment buildings is 45 feet. The C-17 Zoning District regulations state that multifamily uses must adhere to the R-17 standards in regard to building height. The maximum height allowed for multifamily buildings in the R-17 Zoning District is 45 feet. The applicant has not asked for a deviation to the maximum height limits.
- The proposed self-storage facility will have a total of 431 storage units with some units capable of storing RV's. Overall, there will be a total of 53 parking spaces associated with the self-storage facility.
- There are 28 single family residential lots and two public open space tracts along the river.
- The multi-family units would be located beyond the 150-foot shoreline area. However, the single family lots along the river will be within the 150-foot shoreline area. All structures within 150 feet of the shoreline will be restricted to a maximum building height of 30 feet. The applicant has indicated that the single-family homes will meet the 30-foot height limitation within the shoreline area.
- The applicant has indicated that the development is proposed to be phased over many years as shown on the Phasing Plan.

- The applicant is proposing to position the apartment buildings and private roadway on his property such that there will be three view corridors allowing views of the river looking south from Seltice Way. The applicant has submitted a View Corridor Map as part of the application.
- The applicant is proposing both public and private open space areas as part of the project. The open space requirement for a PUD is no less than 10% of the gross land area. The applicant's proposed project will have a total of 13.6% of open space, which is consistent with the previous approval. The applicant is proposing a total of 3.54 acres of open space that will consist of 2.57 acres of private open space associated with the apartment complex and .97 acres of public open space associated with the single family lots located along the river.
- The two open space tracts located along the river are each 60 feet wide and will allow public access to the river. The open space tracts are consistent with the previous approval, other than a slight adjustment in their locations to better line up with view corridors. They will satisfy the Subdivision Code requirement for public access to bodies of water and facilitate Fire Department access in the event of a fire. The applicant is proposing a native passive recreation area with a three-foot wide pedestrian path allowing access to the river in each of the open space areas. The two open spaces can be accessed by pedestrians from the 16-foot trail that will traverse the property from east to west.
- The proposed 16-foot wide multipurpose trail will have connections to the trail along the shoreline in the Atlas Waterfront project and will connect to a future trail through Mill River and also provide a connection to the north to Seltice Way. The proposed alignment of the trail will be in between the apartments to the north and the single family lots to the south along the river.
- He went through the required findings for the planned unit development request as outlined in the staff report.
- Mr. Behary said that the City Comprehensive Plan Map designates the area as the Spokane River District.
- He noted the various Comprehensive Plan Goals and Objectives in the staff report.
- He noted the various staff comments and stated that the Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.
- The apartment complex open space and common areas are private and will be required to be maintained by the private property owner.
- The two public open spaces located along the river and the common spaces, private roads, utilities, and walkways and associated lots along the river will be required to be maintained through a Home Owners Association (HOA). The creation of a HOA will be required to be part of the final development plans to ensure the perpetual maintenance of the open space and other common areas. The HOA will be responsible for continued maintenance of all streets, gates, open space and all other common property.
- The applicant is encouraged to work with the City of Coeur d'Alene legal department on all required language for the CC&Rs, Articles of Incorporation, and By Laws, and any language that will be required to be placed on the final subdivision plat in regards to maintenance of all private infrastructure.

## **S-2-19m**

Mr. Behary provided the following statements:

- He noted the various staff comments for the preliminary plat and stated that the comments are similar to the PUD.
- The proposed lots in the C-17 and R-12 District meet the minimum requirements for lot width and lot area for each zoning district. The applicant is not requesting a modification of any of the zoning requirements for either of the two zoning districts. The proposed preliminary plat meets the requirements of each of the applicable zoning districts.
- The gross area of the R-12 property is 7.5 acres. The total number of single-family units requested is 28. The result is an overall density of 3.73 units per acre. The existing C-17 property allows a mix of housing types at a density of not greater than 17 units per acre. A multi-family facility in the C-17 District follows the R-17 Zoning district for setback and height requirements.
- The applicant has submitted a zoning exhibit that illustrates the zoning and the proposed lot layout for the subdivision. The applicant has indicated that there is a small section at the northeast corner of the R-12 residential lots that lies within the existing C-17 zone.
- The applicant is requesting to build R-12 lots within the portion of the C-17 zoning district. Typical single family residentially lots in the C-17 zoning district are tied to R-8 zoning district standards. The R-8 and R-12 zoning districts have the same requirements for lot width and lot area for single family dwellings. The proposed R-12 lots in the C-17 zoning district meet the minimum lot width and lot area requirements of the R-8 zoning district.
- He went through the required findings for the planned unit development request as outlined in the staff report.
- Mr. Behary noted that, if approved, there are 24 conditions that will need to be considered for the PUD and Subdivision.

Mr. Behary concluded his presentation.

Troy Tymesen, City Administrator, thanked the commission for doing a great job. He presented a brief history of the property and said that the City purchased the railroad right-of-way in 2015 and that the property has been referred to as a "lightning bolt" that goes across the applicant's property. He explained that the purchase of the right-of-way property was an act to become a party to the development along that portion of waterfront. He said that tonight is a collaboration between the developer and the City which has the support of the Mayor and Council. He commented that the proposed development makes sense and, in exchange for the rail-road property is the "triangle" piece of property that the applicant owns and, if approved, it would become a part of the Atlas Mill property that the City is willing to "down zone" to let the R-34 special use permit lapse. He said that Streets and Engineering has been working hard and now the City controls all the signals on Northwest Boulevard going up and over the freeway. He added that, with control of the signals, the City is comfortable with the traffic volume. He commented that the partnership is good for the community.

Chairman Messina asked if the triangle piece of land would be controlled by Ignite.

Mr. Tymesen explained that Ignite is better at moving property than the City of Coeur d'Alene.

Commissioner Luttrupp commented that this is the third time the project has come forward to the

commission and whatever the system is, it's working. He said that both parties need to be complimented for working together to try and get something both parties can agree on.

Mr. Tymesen explained that in the public process they do get to have partnerships and they are enthusiastic for the opportunity in regard to this particular project.

Commissioner Ingalls complimented staff on a great staff report and said they had Rivers Edge 1.0, 2.0 and now 3.0. He clarified that the PUD suggests they are going from 250 units to 384, which looks like an increase. He added that with the "down zone" on the triangle piece and the increase in the "quirky" City-owned piece, it will give them the same units. He also added that they talked about traffic in versions 1.0, 2.0 and 3.0, and then when they approved version 2.0, a finding was made that traffic was adequate.

Chairman Messina asked if there would be any change to the height of the homes from the triangle piece to the new property.

Mr. Behary said there is a 45' height limit and along the shore line the height limit will be 30'.

### **Commission Comments:**

### **Public testimony open.**

Lanzce Douglass, Applicant, provided the following statements:

- He commented that staff did a great job and referenced what is currently approved in that area.
- He said that the question about a net gain in density is important, and noted that they are not gaining any new units. He explained that they already have 250 units that were approved last year, and on the triangle piece they have 134 approved units so, altogether, they have approval for 384 units in the area and that is what they are asking for with the land exchange.
- He explained that swapping the "lightning bolt" piece with the Stimson office site will complete the Atlas Mill site for the City
- He said that it is a good decision for both properties.
- He noted that the current zoning on the City property is C-17 and that he understands that it is also C-17 on the Stimson office property and that, if approved, it will be "down zoned" to R-17 (density).
- He noted on the map the project that was approved last year minus the view corridors.
- He explained that they are combining their densities.
- He explained that on the new plan they are asking for 384 units on one site, with the trail staying at the same location running east to west, with 28 single family lots, and he noted the self-storage lots did get bigger because of the addition of the rail road property.
- He said that the open space goes up on the new plan, which is 13.06% compared to 10% on the old plan. They are gaining 3.6 acres of rail road right-of-way, which increases open space by 3.0 acres.
- The apartment buildings will be running north/south vs. east/west to enhance the view corridors with full landscaping.
- Single family homes will remain on the water.
- They are not asking for a height increase.
- The trail will be fully landscaped on both sides of the trail which will be located on the north side of the trail where they will have a 10' landscape buffer between the trail and apartments.

The applicant concluded his presentation.

**Commission Comments:**

Chairman Messina asked if the open space located in the single-family area is more of a “sitting” area and how would it be accessed and or will it be for the trail and will there be any parking. Mr. Douglass stated that is correct and in the previous plan we didn’t have parking so we aren’t giving up or gaining anything. He added that the access points did change a little to line up with the view corridors.

Todd Whipple, architect for the applicant, stated that he had nothing to add and would stand for questions.

Roger Smith, representative for “We the People” provided the following statements:

- He noted in the 2013 annexation agreement that this was unique piece of property which was the last waterfront parcel in Coeur d’Alene. He said that this is a “once and forever” opportunity for the City to get it right.
- He said that within the agreement was a condition for a permanent 16’ trail route through the property.
- He said that there was a condition for public access to the Spokane River that said: “Design and provide open space and/or other public access to the Spokane River.”
- He said another condition was a connection to the river and that the site objective to include an emphasis on connection to the river which will include open views towards the river from public rights-of-way.
- He asked the commission to please make sure the previous conditions are met. He stated that that We The People did submit an alternate plan which kept the trail on the river.
- He said that the alternate plan was not approved by the City and so now they will have a trail that will be inland from the water and the trail will end up being on the street with views of the backside of the homes.
- He said that the City can do better and has lost an opportunity to increase public views.

Mike Gridley, City Attorney, commented that staff has worked closely with the developer with a desire to have a waterfront trail and the problem with that is they don’t own the waterfront and the developer does. He added that if they tried to force the developer to give them the waterfront, in his legal opinion it would be considered a “taking.” He explained that they have worked together in the past to negotiate a deal that has not worked and they still feel like they have complied with the conditions in the previous annexation agreement. Since the City doesn’t own the waterfront, he feels that this is the best of both deals where the City is getting a trail connection that will be buffered and landscaped. He stated we tried to get the waterfront trail by working with the developer and didn’t work out.

**Rebuttal:**

Ed Lawson provided the following statements:

- He has been working with Mr. Douglass on the project for three years.
- He commented that he had the pleasure of visiting the Atlas Mill site development and congratulated the City for an outstanding project.
- He said that they heard through the “rumor mill” that if the project was denied, it would result in the loss of the applicant’s vested rights.
- He clarified that, if denied, the applicant will pursue the project that was approved in 2019.
- He said that he represents Rivers Edge and as their qualified legal counsel that he can advise on the technicality of the consequences if the project is denied.
- He also said that the commission can ask city legal counsel if they agree with the vested rights of the property owner.

Mr. Gridley said that he concurred with Mr. Lawson’s comments regarding the Rivers Edge project.

Lanzce Douglass provided the following statements:

- The current proposal and the other proposal approved in 2019 both show a permanent trail which was a requirement of the annexation agreement. He said that the annexation agreement says “a 16’ trail” which has not changed in either the previous or this proposal.
- He commented that in the annexation agreement, which Mr. Smith overlooked, was that the location of the trail is specific. The agreement said that “The trail will be located not on the water but located on the north edge of the southern parcel adjacent to railroad right-of-way” which is where it was located last on the plan submitted in 2019. He explained that the Parks Department wanted the trail placed in the railroad right of way and they said they didn’t want to do that because that is not what the annexation agreement stated and they didn’t want to ask for any special considerations last year and followed the annexation to a “tee”.
- He addressed providing views to the water and noted that there is not a standard on how many view corridors to provide or spacing requirements, and that the view corridors on the present plan are better than what was approved in 2019.
- He explained that the City contacted him in June to discuss the land swap, which would make the City’s property better and makes his property better, too. He commented that he feels that both properties are better and that the City is not gaining/losing density.

**Public testimony closed.****Discussion:**

Chairman Messina commented there have been many changes with the project and is pleased that they have come to an agreement on the exchange. He said that it is a much better design and he would support the request.

Commissioner Rumpler said that he supports the request and commended both Rivers Edge and the staff for working together to find an accommodation for both groups to achieve their specific gains.

Commissioner Mandel disclosed that she is on the steering committee for the Atlas Riverfront project. She said that she appreciates the legal perspective from both parties and explained that the public needs to understand what they own and don’t own, and that in the ideal world they would have a contiguous water path along the river. She stated that the present plan, versus the one approved in 2019, is much

better in regard to increasing open space, maintaining height limitations, eliminating a gated community, improving view corridors, and retaining the path as designated, with no net gain in units. She applauded both parties for coming together and noted that it will be a great benefit to the Atlas Mill Project and continuity to the property and she will support the request.

Commissioner Ingalls said this is Rivers Edge 3.0 and if he was going to write the headline in tomorrow's paper, he would say, "Third Time is a Charm" for 3.0 because it is a "win/win." He explained that it is a better project for the City and citizens, but also better project for the developer. He said that one of the words he used in version 2.0 which was approved in 2019 that the city property that Mr. Tymesen described as a "lightning bolt" created some quirks regarding a discussion about moving gates this is a "lightning bolt" that could be a "weed farm" He added that to combine two different "doughnut holes" and get a chance to make each piece better is called "synergy" and is an example of a developer working with the City.

**Motion by Ingalls, seconded by Luttrupp, to approve Item SP-5-20. Motion approved.**

ROLL CALL:

Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 6 to 0 vote.

**Motion by Ingalls, seconded by Rumpler, to approve Item PUD-2-19m Motion approved.**

ROLL CALL:

Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 6 to 0 vote.

**Motion by Ingalls, seconded by Mandel, to approve Item S-2-19m Motion approved.**

Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Rumpler	Votes	Aye

Motion to approve carried by a 4 to 0 vote.

**ADJOURNMENT:**

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

The meeting was adjourned at 7:30 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant





# **PUBLIC HEARINGS**

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** MIKE BEHARY, PLANNER  
**DATE:** SEPTEMBER 8, 2020  
**SUBJECT:** ZC-4-20 ZONE CHANGE FROM R-8 TO R-17  
**LOCATION:** +/- 4.26 ACRE A PARCEL LOCATED AT 3520 N. 15<sup>th</sup> Street

**APPLICANT/OWNER:**  
Northwest Solutions Investment Group, LLC  
205 W Anton  
Coeur d'Alene ID 83815

**CONSULTANT:**  
Stonehenge Development & Government  
c/o Connie Kruger, AICP  
1859 N Lakewood Drive  
Coeur d'Alene, ID 83814

**DECISION POINT:**

The applicant is requesting approval of a zone change from the R-8 to the R-17 zoning district.

**BACKGROUND INFORMATION:**

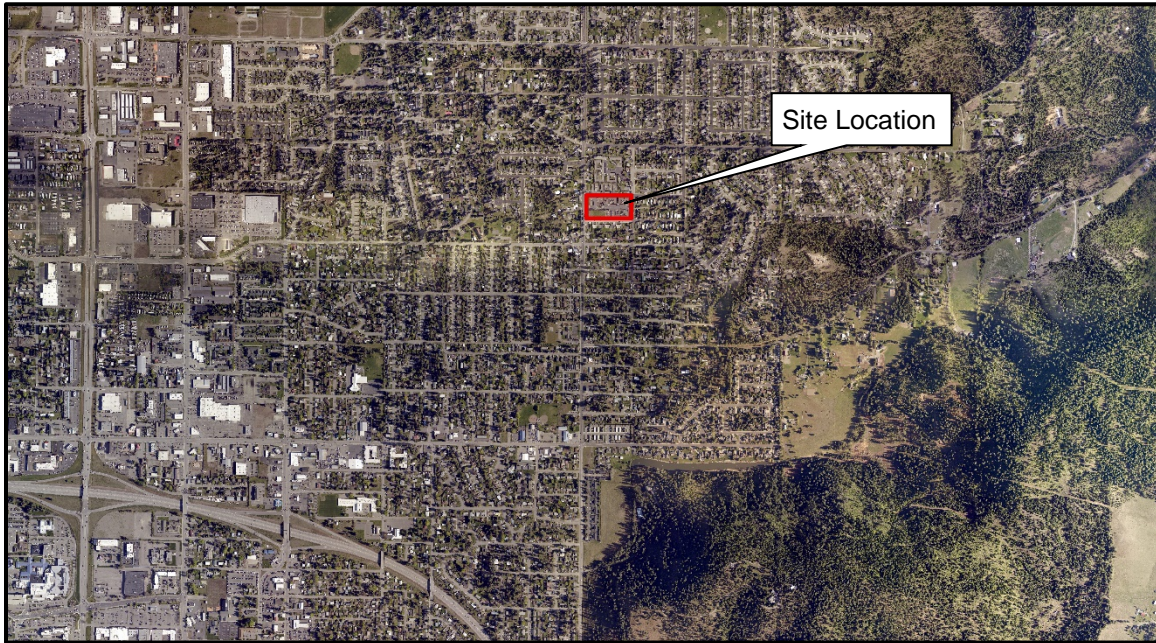
The property is located northeast of the intersection of 15<sup>th</sup> Street and Mary Lane. Prior to 1993, there existed one singling-family dwelling on the entire 4.26-acre site. Currently there is an existing multi-family apartment complex located at this site. There is a total of 33 units located on this property.

This multi-family facility was approved under the cluster housing ordinance. Cluster housing regulations was adopted in 1988. Building permits for this multi-family complex were obtained in 1993 and in 1994. The site is legal non-conforming, since it was built under regulations that allowed for multi-family in the R-8 district and have since been repealed. The cluster housing regulations were repealed in 2007.

The current zoning ordinance allows multi-family facilities to be located in the R-17, C-17, and C-17L districts. Multi-family uses are not permitted in the R-8 Zoning District. *See Zoning District Information on pages 12-15.*

It should be noted per the applicant's narrative, that they are not requesting additional units at this time. However, if the subject site is approved to be changed to the R-17 residential district, the size of the parcel allows for a maximum of 72 units to be built on this site.

**LOCATION MAP:**



**AERIAL PHOTO:**



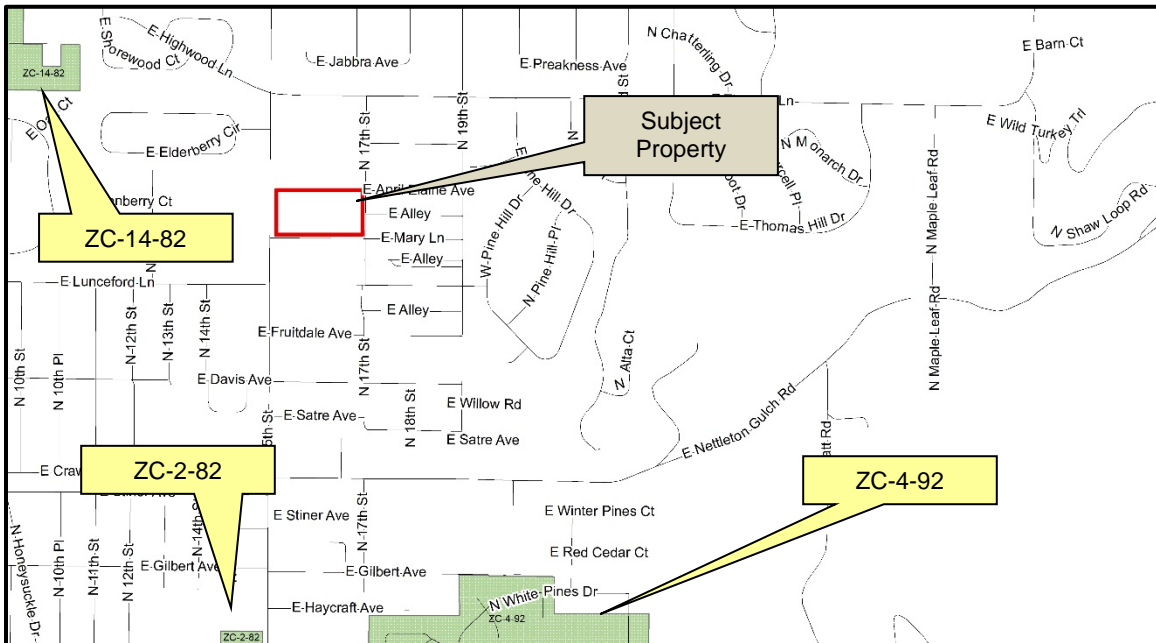
**BIRDS EYE AERIAL PHOTO - 1:**



**PRIOR LAND USE ACTIONS:**

Planning Commission and City Council approved a zone change request in item ZC-2-82 that is south of the subject property from R-12 to C-17 in 1982. Planning Commission and City Council also approved a zone change request in item ZC-14-82 that is west of the subject property from R-8 to R-3 in 1982. A zone change was also approved by the Planning Commission and City Council in 1992 to change the zoning from R-12 to R-8PUD on the property to the south of the subject property in item ZC-4-92.

**PRIOR LAND USE ACTIONS MAP:**



**Zone Changes:**

ZC-2-82	R-12 to C-17	Approved
ZC-14-82	R-8 to R-3	Approved
ZC-4-92	R-12 to R-8PUD	Approved

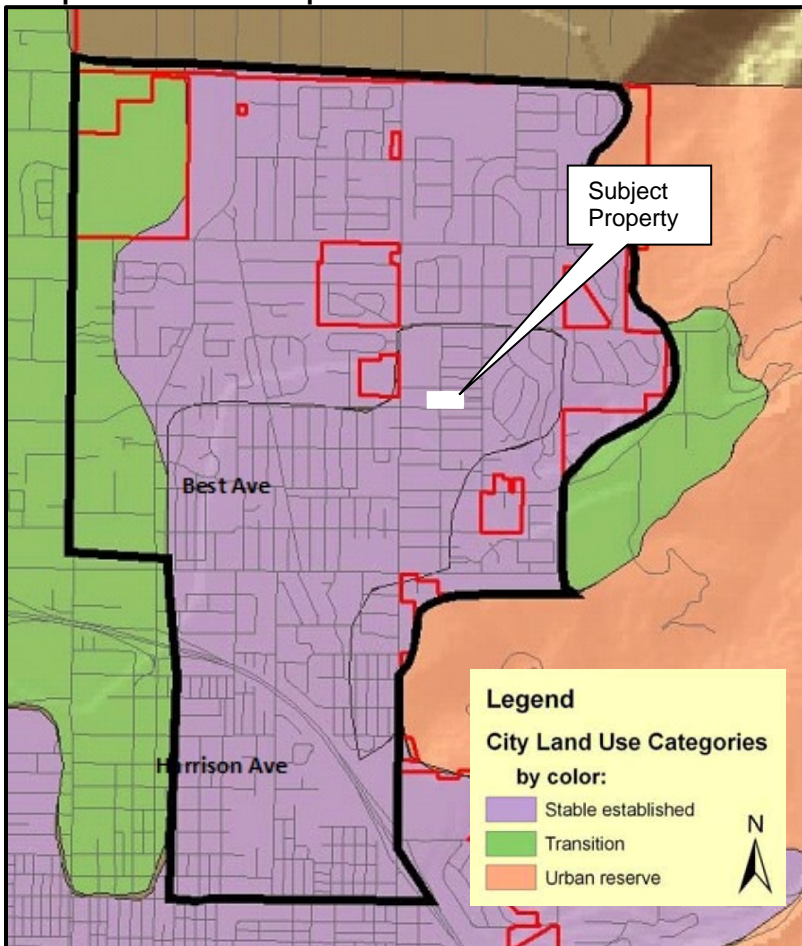
**REQUIRED FINDINGS:**

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

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates this area in the NE Prairie: Stable Established:

**Comprehensive Plan Map: NE Prairie**



**Stable Established:**

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

**NE Prairie Tomorrow:**

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

**The characteristics of NE Prairie 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.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

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

**Goal #1: Natural Environment**

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

**Objective 1.12 - Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14 - Efficiency:**

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

**Goal #2: Economic Environment**

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

**Objective 2.01 – Business Image & Diversity:**

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

**Objective 2.02 – Economic & workforce Development:**

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

**Goal #3: Home Environment**

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

**Objective 3.05 - Neighborhoods:**

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

**Objective 3.16 – Capital Improvements:**

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

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

**Objective 4.01 - City Services:**

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

**Objective 4.06 - Public Participation:**

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

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

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

**STORMWATER:**

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The current plan for the property does not include any modification to the storm drain facilities, but the applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

*- Submitted by Chris Bosley, City Engineering*

**STREETS:**

The subject property is bordered by 15<sup>th</sup> Street to the west. 15<sup>th</sup> Street meets current City standards. The Streets & Engineering Department has no objection to the zone change as proposed.

*- Submitted by Chris Bosley, City Engineering*

**WATER:**

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

*-Submitted by Terry Pickel, Water Department Director*

**SEWER:**

There is an existing sewer stub servicing the site and this property is already connected to the public sanitary sewer system. This property falls under the Wastewater Policy #716 – One Parcel, One Lateral. Any new construction must connect to existing sewer that serves the subject site. The Wastewater Department has no objections to the zone change as proposed.

*-Submitted by Larry Parsons, Wastewater Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Bobby Gonder, Fire Inspector*

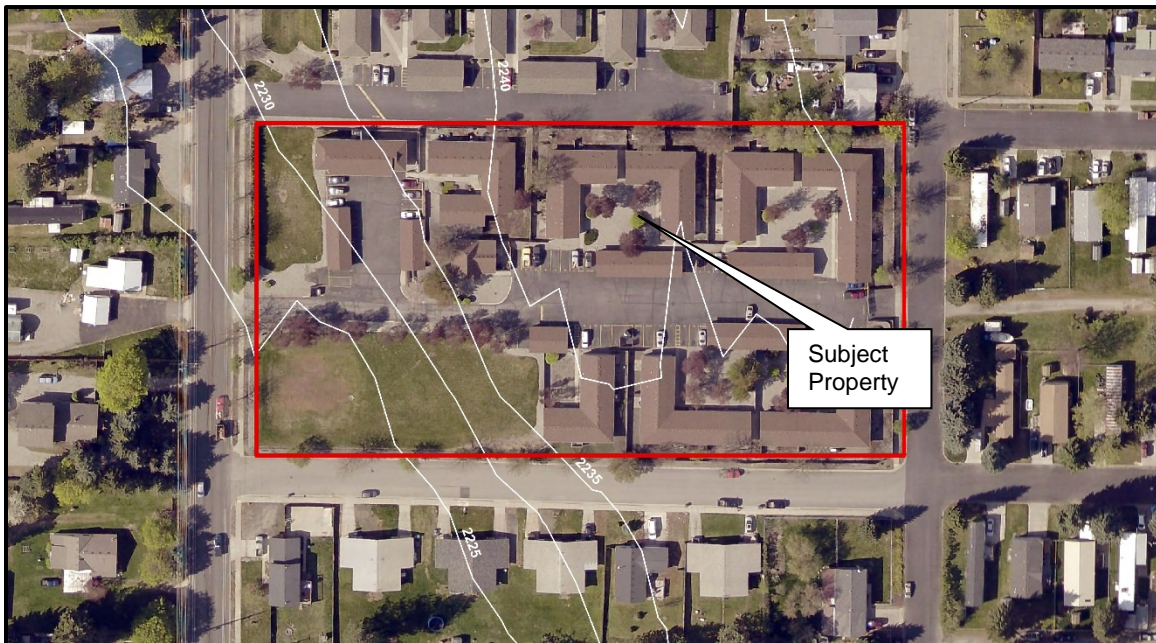
**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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

**PHYSICAL CHARACTERISTICS:**

The site is generally flat with a slight drop in elevation towards the southwest part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-8 to R-17.

**TOPOGRAPHIC MAP:**





**SITE PHOTO 1:** Southwest part of property looking north along 15<sup>th</sup> Street.



**SITE PHOTO 2:** Southwest part of property looking east.



**SITE PHOTO 3:** Central part of property looking north.



**SITE PHOTO 4:** Central part of property looking west toward 15<sup>th</sup> Street.



**SITE PHOTO 5:** Central part of property looking east.



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

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

**TRAFFIC:**

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant also states that no changes are planned for the property. However, if in the future, the property is redeveloped to maximum density, traffic could double. But, considering the size of the subject property, the increase in traffic would be negligible when compared to total traffic on 15<sup>th</sup> Street which exceeds 9500 trips daily. The Streets & Engineering Department has no objection to the zone change as proposed.

*-Submitted by Chris Bosley, City Engineering*

**NEIGHBORHOOD CHARACTER:**

**2007 Comprehensive Plan: NE Prairie Today**

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre. Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

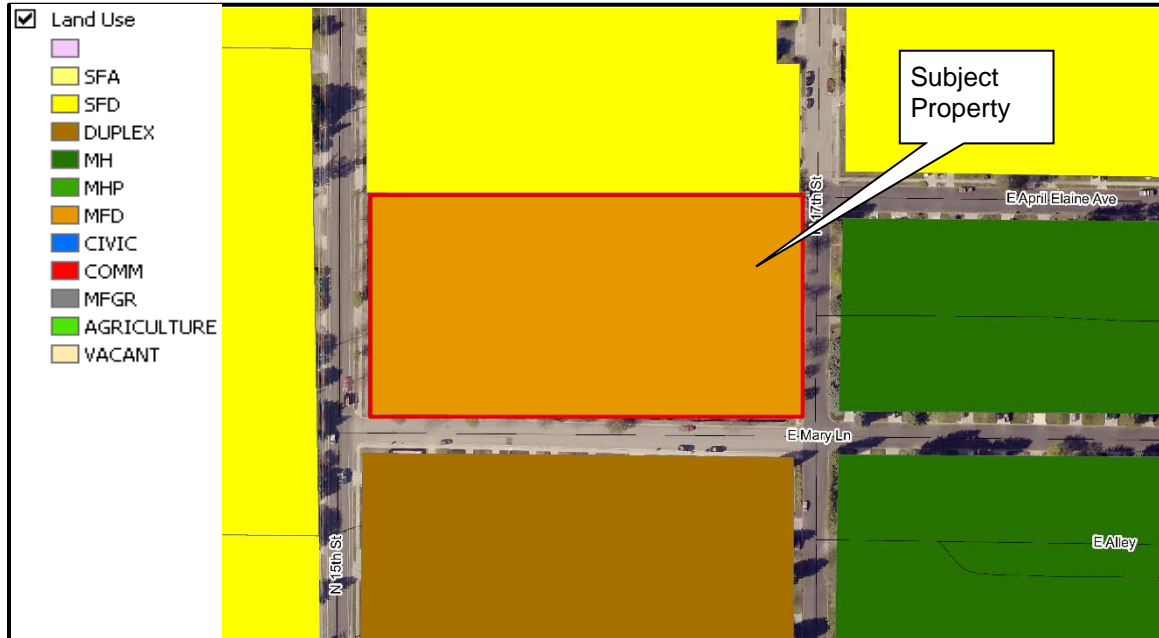
Canfield Mountain and Best Hill act as the backdrop for this portion of the prairie. Much of the lower lying, less inhibitive areas have been developed. Pockets of development and an occasional undeveloped lot remain.

**SURROUNDING LAND USES AND ZONING:**

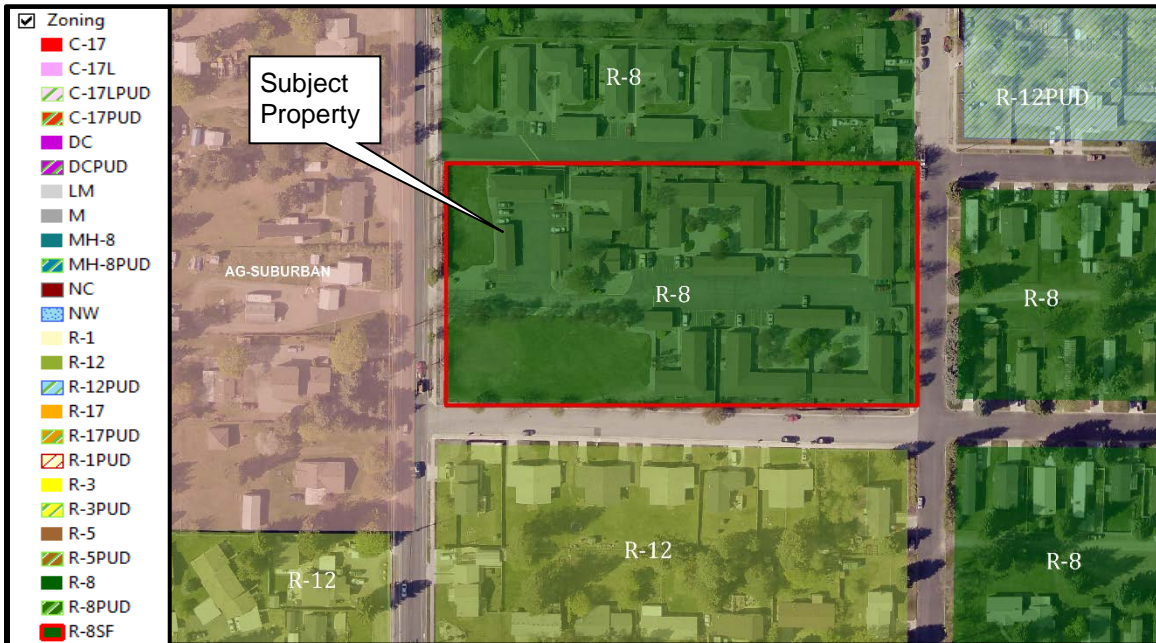
The properties to the west and north of the subject site are residential land uses with single family dwellings located on them. The property to the east is a residential land use with mobile homes located on it. The properties to the south are also a residential land uses with duplex dwellings located on them. *See Land Use Map on page 11.*

The properties to the north and east of the subject site are zoned R-8 Residential. The properties to the south of the subject site are zoned R-12 Residential. The properties to the west are zoned AG-Suburban in the County. *See Zoning Map on page 12*

**GENERALIZED LAND USE PATTERN:**



**ZONING MAP:**



Approval of the zone change request would allow the uses by right to change from R-8 uses to R-17 uses (as listed below).

**Existing R-8 Zoning District:**

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. In this district a special use permit, 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. Project review is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

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

- Administrative.
- Duplex housing.
- Essential service (underground).
- "Home occupation"
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing

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

- Adult entertainment sales and service.
- Auto camp.
- 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

The minimum lot requirements in an R-8 district shall be as follows:

- Five thousand five hundred (5,500) square feet per unit per individual lot. All buildable lots must have fifty feet (50') of frontage on a public street, unless an alternative is approved by the city through normal subdivision procedure, or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-8 district shall be as follows:

- Single-family and duplex structures must meet the minimum yard requirements for a single-family structure established by the R-3 district.
- Minimum distances between residential buildings on the same lot shall be determined by the currently adopted building code.
- There will be no permanent structures erected within the corner cutoff areas.
- Extensions into yards are permitted in accordance with section 17.06.495 of this title.

**Proposed R-17 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.

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

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
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

**17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:**

Maximum height requirements in an R-17 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area for Principal Facilities	In Rear Yard
Single-family and duplex structure	32 feet	n/a
Multiple-family structure	45 feet	n/a
For public recreation, community education or religious assembly activities	45 feet	n/a
Detached accessory building including garages and carports	32 feet	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

**17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

A. Minimum yard requirements for single family and duplex residential activities in an R-17 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

C. Multiple-family housing at seventeen (17) units per acre:

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 required rear yard will be reduced by one-half (1/2) when adjacent to public open space

**17.44.030: RESIDENTIAL USES:**

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

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

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

**APPLICABLE CODES AND POLICIES:**

**UTILITIES:**

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

**STREETS:**

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

**STORMWATER:**

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

**PLANNING:**

8. All site improvements must meet the site performance standards of the R-17 Zoning District.



**PROPOSED CONDITIONS:**

None

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2007 Comprehensive Plan  
Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2017 Trails & Bikeways Master Plan

**ACTION ALTERNATIVES:**

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



**APPLICANT'S  
NARRATIVE**



# Northwest Solutions Investment Group, LLC

## REZONE APPLICATION NARRATIVE

| Coeur d'Alene, ID |

### Topics

- Location and Existing Zoning
- Nature of Proposed Amendment
- Circumstances which Justify the Proposed Amendment
  - Non-conforming Status
  - Transitioning Land Use on a Major Collector
  - Infrastructure
- Effect of the Amendment on Subject Property and Property Rights, Value, and Character of the Neighboring Properties
- Effect on the Property Owner if the Proposed Amendment is Not Granted
- Why the Proposed Amendment Would Not Be in Conflict with the Comprehensive Plan
- Summary

## LOCATION AND EXISTING ZONING

This proposal is for a rezone of a property owned by Northwest Solutions Investment Group, LLC. The property is zoned R-8. It is located on the east side of US Highway 95, north of E. Lunceford Ln. and east of N. 15<sup>th</sup> Street. This lot is assigned AIN #131658 and Parcel #C-4005-000-011-A.



*Figure 1 Aerial view of property*

The property is located in Township 50 North, Range 3 West, Section 06 NW Boise Meridian, Kootenai County, Idaho. The property is located in the Fruitdale subdivision, track 11.(Book B, Page 134). The lot is approximately 4.2630 acres in size and is developed with approximately 30,720 square feet of residential structures and outbuildings. Undeveloped portions of the site contain stormwater basins. The property slopes upward from west to east. There are no mapped wetlands, riparian areas, or floodplain present.

## NATURE OF PROPOSED AMENDMENT

The owner is requesting to modify the “R-8” zoning and to designate the property with the “R-17” zone designation.

Pursuant to Coeur d’Alene city Code 17.05.090: R-8 General Description : “This 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.”

Pursuant to Coeur d'Alene city Code 17.05.250: R-17 General Description: "The R-17 District is intended as a medium/high density residential district that permits a mix of housing types at a density not great than seventeen units per gross acre."

**CIRCUMSTANCES WHICH JUSTIFY THE PROPOSED AMENDMENT**

The owner is requesting the change for three primary reasons.

The existing complex contains a multitude of multi-family structures that are not allowed in the R-8 zone district and as such this is a legal non-conformity in terms of structures and multi-family use. This has led to difficulties in obtaining conventional financing and creates concerns with reconstruction because of the nonconforming status.

The owner also recognizes the location on a major collector road system that is transitioning with similar high density housing and will continue to be desirable for such infill housing.

The infrastructure for present and future used is available.

**Nonconforming Status:**

The existing development consists of triplex and fourplex buildings. The applicant has reviewed the R-8 and R-12 zoning regulations and neither the existing R-8 zoning nor R-12 zoning will allow for the reconstruction of triplexes and fourplexes. The R-17 zoning will allow the owner to rebuild the existing structures in a conforming manner as this zone district allows for multi-family structures. Below is a comparison of allowed uses by district. The R-12 zoning is also included in this table to provide background information demonstrating why the R-12 zoning is not being proposed as it does not offer resolution of this issue.

	<b>R-8</b>	<b>R-12</b>	<b>R-17</b>
<b>Permitted Use Principal</b>	Duplex housing Single-family detached housing	Duplex housing Single-family detached housing	Duplex housing Multiple-family Single-family detached housing
<b>Permitted Use Special Use Permit</b>	Group dwelling detached housing Restriction to single family only A two (2) unit per gross acre density increase	Group dwelling detached housing Restriction to single family only A two (2) unit per gross acre density increase	Group dwelling detached housing
<b>Lot Area</b>	5,500 sq ft single family 11,000 sq ft duplex	5,500 sq ft single family 7,000 sq ft duplex	2,500 sq ft per unit multi-family 5,500 sq ft single family 7,000 sq ft duplex
<b>Minimum Frontage</b>	50'	50'	50'

It can be seen that the existing structures on the property exhibit characteristics that are most consistent with R-17 zoning. See the underlined purposes of the R-17 zoning district.

The R-17 Zone Districts allow:

17.05.250: GENERALLY:

A.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.

B.This district permits single-family detached housing as specified by the R-8 District and duplex housing as specified by the R-12 District.

C.This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use.

D.This district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low density residential districts.

In comparison, the R-8 Zone District allows for:

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.

D.A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.

1.For the purposes of this section, the term "two (2) dwelling units" shall mean two (2) single family dwelling units, one single family dwelling unit and one accessory dwelling unit (ADU), or one duplex. (Ord. 3600, 2018: Ord. 3560, 2017)

**Transitioning Land Use on Major Collector:** Kootenai Metropolitan Planning Organization identifies 15<sup>th</sup> Street as a major collector; which can carry the higher traffic volume of multi-family development. The housing in the surrounding area is beginning to shift towards higher density infill housing similar to the owner's property described herein. Below is an analysis of the 15<sup>th</sup> Street collector system and a sampling of similar multi-family developments located between I-90 and E Kathleen Avenue.

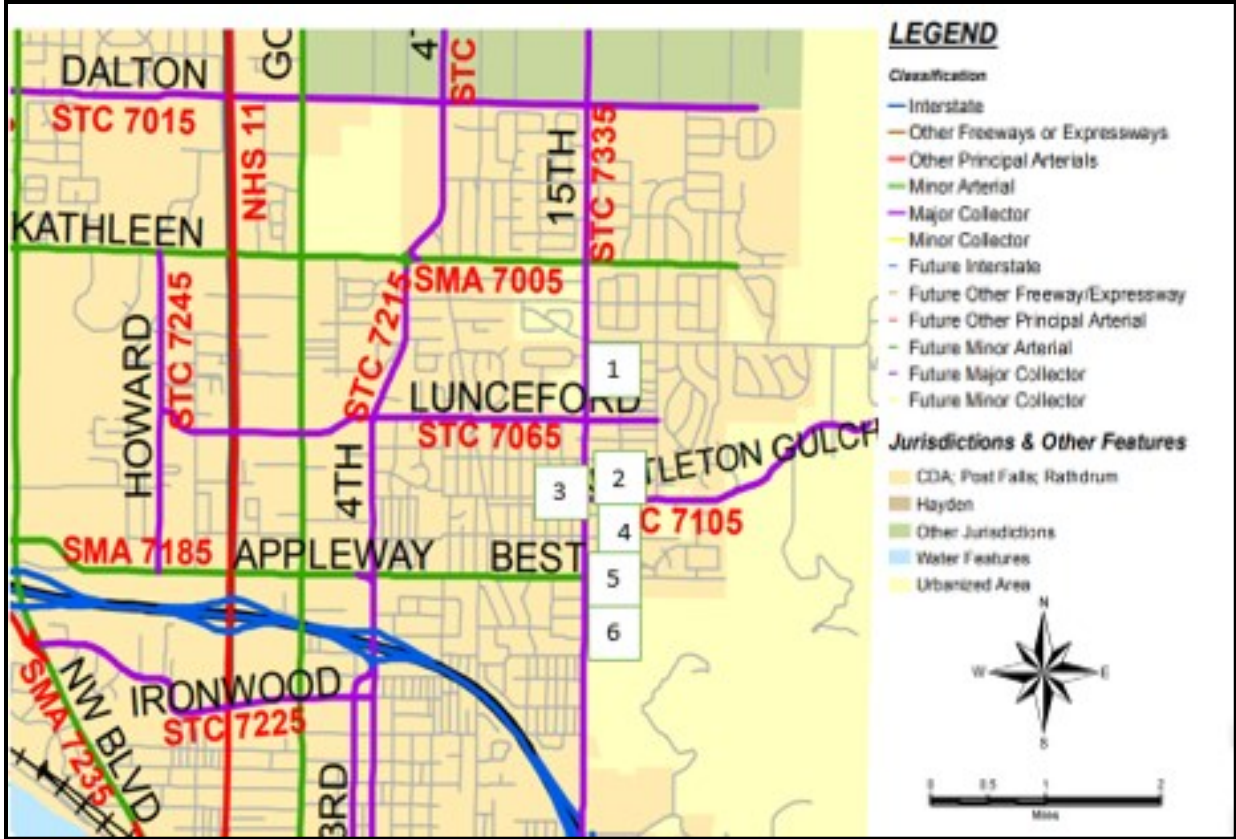


Figure 2 KMPO Functional Classification Map with Developments in Below Table

 <p>1</p>	 <p>2</p>	 <p>3</p>
<p>Breckenridge Estates Units 34/Acreage 3.5550=9.56 DU/Acre Zoning: R-8</p>	<p>Hat Trick Ln Units 8/Acreage .6706= 11.92 DU/Acre Zoning: R-12</p>	<p>Walkers Glen Units 7/Acreage .7=10 DU/Acre Zoning: R-12</p>
 <p>4</p>	 <p>5</p>	 <p>6</p>
<p>Julie Ann Ct Units 13/Acreage .97=13.40 DU/Acre Zoning: R-12</p>	<p>Monte Vista Senior Living Units 40/Acreage 2.93=13.65 DU/Acre Zoning: R-12</p>	<p>Aspen Home &amp; Development LLC Units 20/Acreage 1.18= 16.95 DU/Acre Zoning: R-17</p>

**Infrastructure:**

Transportation

This property is currently served by N. 15<sup>th</sup> Street. There are existing driveway approaches on the east and west side of the property.

Water (potable, irrigation and fireflow) and Sewer

This property is connected to city water and sewer and will continue to utilize City services in the future.

Storm water

There are two large storm water basins located on the westernmost portions of the property.



Figure 3 KC Earth Aerial Image with stormwater basins delineated

The stormwater basins encompass approximately .8 of an acre in total. As such, the developable portion of the property that would remain for redevelopment in the case of reconstruction of structures would be 3.463 acres.

**EFFECT OF THE AMENDMENT ON SUBJECT PROPERTY AND PROPERTY RIGHTS, VALUE AND CHARACTER OF THE NEIGHBORING PROPERTIES**

The character of the overall area is changing to a high density residential area within a major collector street system. The rezone of this property will not have immediate impacts to adjoining properties because the owner has no plans at this time for reconstruction--this is a developed complex and is in good condition. In the case of destruction and reconstruction, this would impact the neighboring properties in much the same way as the current surrounding higher density residential uses do--with the primary impacts being noise, traffic, and in certain cases, utility needs.



## EFFECT ON THE PROPERTY OWNER IF THE PROPOSED AMENDMENT IS NOT GRANTED

If the current zoning is maintained, the owner will not be able to obtain conventional refinancing. Additionally, if structures are damaged, the property owner will be unable to rebuild the number of units and types of structures that currently exist on the property. The rezone is a step forward toward a proactive solution that allows future development of the property consistent with the surrounding area and consistent with the comprehensive plan.

## WHY THE PROPOSED AMENDMENT WOULD NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN

The proposed amendment will be in an area currently designated as NE Prairie within the City's Comprehensive Plan Future Land Use Map.

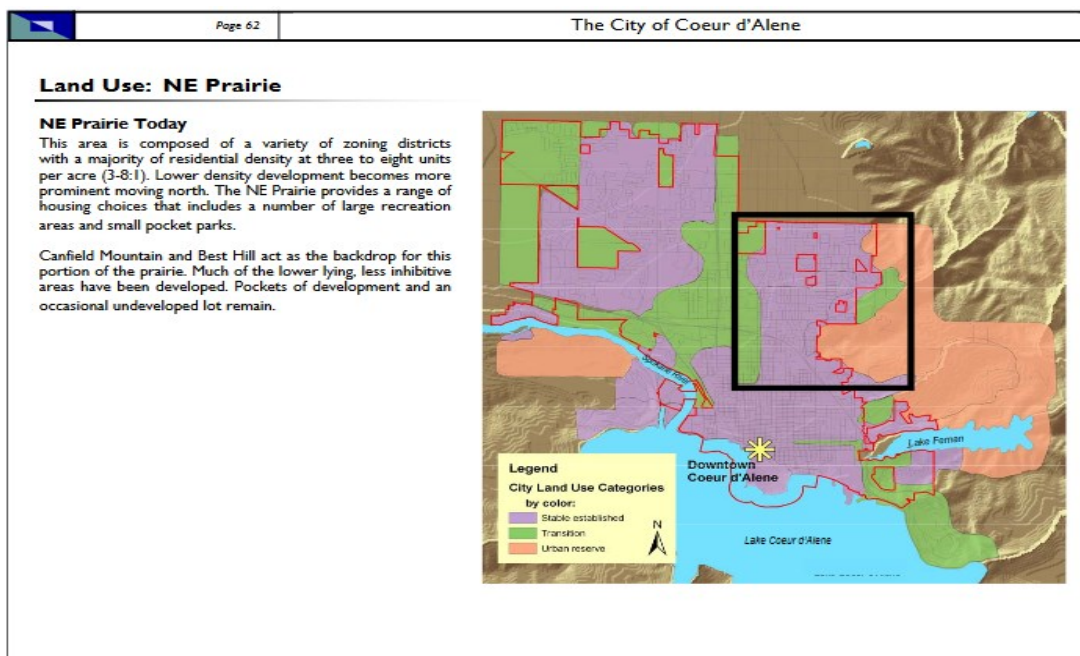
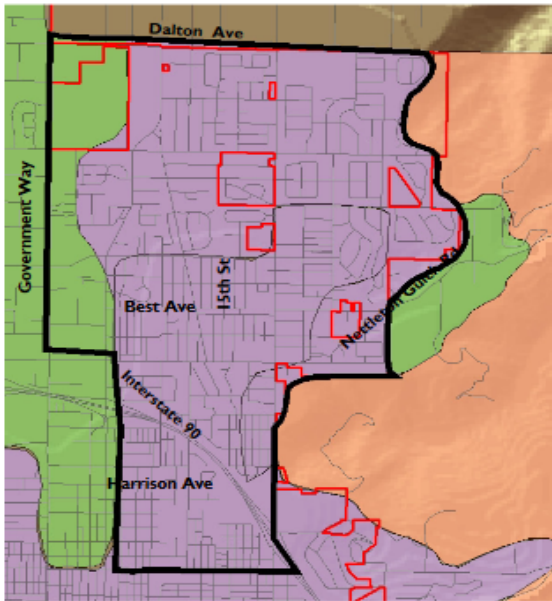


Figure 4 Excerpt from City of Coeur d'Alene Comprehensive Plan

The Comprehensive Plan in NE Prairie Tomorrow states that pockets of higher density housing and multi-family units are appropriate in compatible areas.

**Land Use: NE Prairie****NE Prairie Tomorrow**

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

**The characteristics of NE Prairie 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.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

Figure 5 Excerpt from City of Coeur d'Alene Comprehensive Plan

As such, this proposal is consistent with and furthers the intent of the Comprehensive Plan.

## SUMMARY

This property is in an area that is transitioning to higher density multi-family residential uses. This rezone allows for housing that blends with the existing multi-family housing and nature of the surrounding area and allows the property owner to exercise rights that other properties in the area have. The purpose of the R-17 zone district can be fulfilled through this rezone. The property is located in an area with access to a major collector system and to I-90 and this level of access complements higher density residential uses. The proposed rezone allows the property owner to conventionally refinance and to be able to reconstruct in a manner similar to his current investment. The rezone will allow housing and economic development opportunities that serve the City of Coeur d'Alene. As such, this rezone request is consistent with the City's Comprehensive Plan.

Respectfully submitted,

Connie Krueger, AICP



**APPLICANT'S  
NARRATIVE**

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** TAMI STROUD, ASSOCIATE PLANNER  
**DATE:** SEPTEMBER 8, 2020  
**SUBJECT:** ZC-5-20 ZONE CHANGE FROM MH-8 TO R-17  
**LOCATION:** +/- .50 ACRE PARCEL LOCATED AT 2926 N HOWARD STREET

<b>OWNER:</b>	<b>APPLICANT:</b>
Howard, LLC PO Box 2106 Coeur d'Alene, ID 83816	Connie Krueger, Stonehenge Development & Government 1859 N. Lakewood Dr. Coeur d'Alene, ID 83816

**DECISION POINT:**

Howard, LLC is requesting approval of a zone change from MH-8 (Mobile Home at 8 units/acre) to R-17 (Residential at 17 units/acre) zoning district.

**BACKGROUND INFORMATION:**

The subject property is located on the west side of US Highway 95, south of W. Neider Avenue and east of N. Howard Street. There is an existing +/- 700 square foot house and detached accessory structures located on the subject site. The property has been used as a single family residence for many years. It is relatively flat and is constrained by the presence of overhead utility lines that traverse over the front portion of the property at an angle.

The property abuts a multi-family housing project located to the rear of the subject site which is located in the R-17 zoning district. The subject property is surrounded to the north, west and south by the MH-8 zoning district, with R-12 zoning to the southeast and an R-17PUD further north. There is also a pocket housing development located several parcels to the south and an apartment complex located on property several parcels north of the subject site. The applicant has indicated that they intend to demolish the existing single family currently located on the site.

However, it should be noted that the applicant's proposed project plan is not tied to the requested zone change. If the subject site is approved to be changed to the R-17 residential district, then all permitted uses in the R-17 residential district would be allowed on this site including the applicant's proposed project.

**PROPERTY LOCATION MAP:**



**AERIAL PHOTO:**



## APPLICANT'S EXHIBIT OF PROPOSED ZONE CHANGE:

### CIRCUMSTANCES WHICH JUSTIFY THE PROPOSED AMENDMENT

The owner is requesting the change for two primary reasons: the presence of R-17 zoning directly to the east and near north of this property and the transitioning land use present in this Highway Corridor area directly to the west of US 95 and in the W Appleway Avenue/N Ramsey Road areas. Below is more information on each of these:

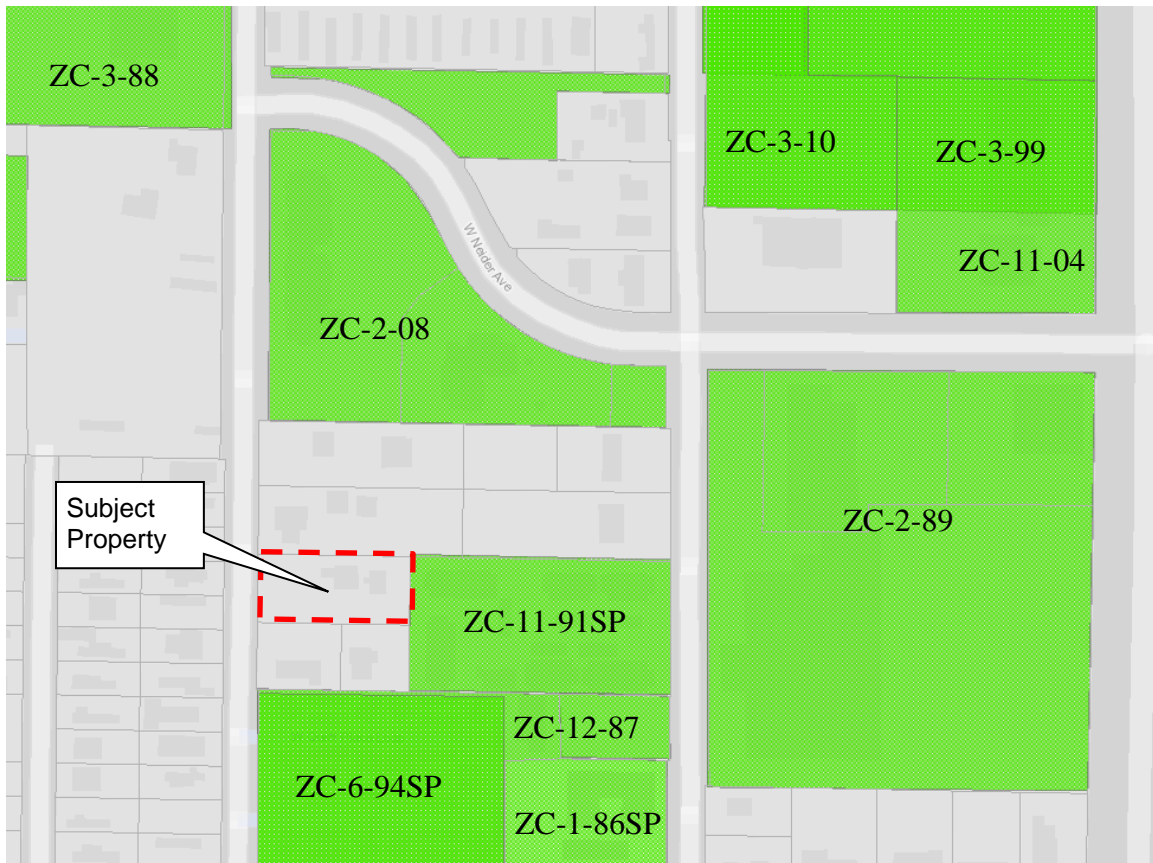
**Zoning of Adjacent and Nearby Surrounding Area:** The below map depicts the current zoning for the adjacent and nearby properties. As can be seen, the property directly to the east of this is zoned R-17 and has been redeveloped with a higher intensity development known as the Maple Grove Apartments.



Figure 2 Immediate Vicinity Zoning with Similar Land Uses/Zoning

**PRIOR LAND USE ACTONS:**

Planning Commission and City Council approved a zone change request (ZC-11-91SP) east of the subject property from MH-8 to R-17 in 1991. Another zone change from MH-8 to R-17 was approved on the property to the north of the subject property (ZC-2-08) in 2008. As seen in the map provided below, the area is in transition with a multitude of approved zone changes and special use permits in the vicinity of the subject property.



**GENERAL INFORMATION:**

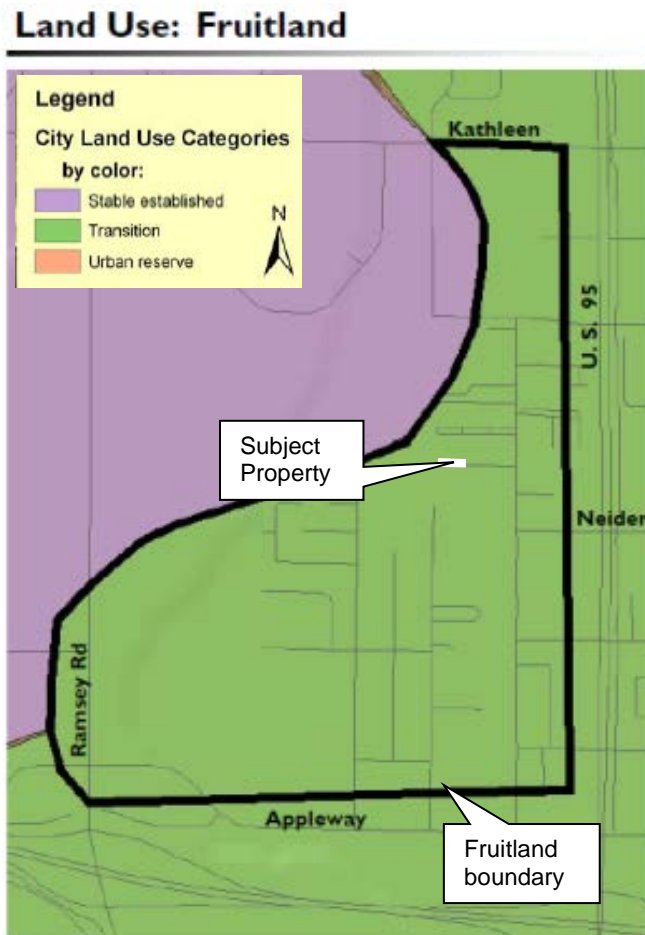
The R-17 residential district is intended as a residential area that permits a mix of housing types at a density of not greater than 12 dwelling units per gross acre. This district is appropriate for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard, and landside hazard areas.

**REQUIRED FINDINGS:**

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

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

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



**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.

**Fruitland Tomorrow**

Generally this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist.

Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.



**The characteristics of Fruitland neighborhoods will be:**

- That overall density will approach eight residential units per acre (8:1).
- That single and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.

**The characteristics of Fruitland commercial areas will be:**

- Commercial buildings will remain lower in scale than in the downtown core.
- Native variety trees will be encouraged along commercial corridors.

**COMPREHENSIVE PLAN GOALS & OBJECTIVES:**

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

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

**Objective 1.12**

**Community Design:**

Support the enhancement of existing urbanized areas and discourage sprawl.

**Objective 1.14**

**Efficiency:**

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

**Objective 1.16**

**Connectivity:**

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

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

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

**Objective 2.05**

**Pedestrian & Bicycle Environment:**

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

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

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

**Objective 3.01**

**Managed Growth:**

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

**Objective 3.05**

**Neighborhoods:**

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

**Objective 3.07**

**Neighborhoods:**

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

**Objective 3.10**

**Affordable & Workforce Housing:**

Support efforts to preserve and provide affordable and workforce housing.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management in city government.

**Objective 4.06**

**Public Participation:**

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

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

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

**STORMWATER:**

City Code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. The current plan for the property does not include any modification to the storm drain facilities, but the applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject property is bordered by Howard Street to the west. A sidewalk would be required along Howard Street at the time of any construction.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

The Water Department would have no issues with the proposed zone change on the subject property.

*-Submitted by Terry Pickel, Water Superintendent*

**SEWER:**

There is a sewer lateral servicing the existing residence at 2926 N. Howard Street. The public sewer is on Howard Street.

City Wastewater Policy #716; Only one appropriately sized sewer lateral is allowed to serve each legally recognized parcel. "One parcel, one service".

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Bobby Gonder, Fire Inspector*

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

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

**PHYSICAL CHARACTERISTICS:**

The site is generally flat with residential uses adjacent. There are no topographical or other physical constraints that would make the subject property unsuitable for the request. However; the site is constrained by the presence of overhead utility lines that traverse over the front portion of the property at an angle. The applicant will need to verify if these lines are hi-voltage, and will be required to follow guidance per the Fire Department as noted in the required condition.

**SITE PHOTO - 1:** Looking northeast along Fruitland Lane toward the subject property.



**SITE PHOTO - 2:** Southeast corner of property looking northeast at the neighboring property.



**SITE PHOTO - 3:** Looking northwest along Fruitland Lane at the neighboring properties.



**SITE PHOTO - 4:** Looking south along Fruitland Lane at the abutting property.



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

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

**TRAFFIC:**

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. The applicant also states that no specific changes are planned for the property, but rather the change would be for marketability. However, if in the future the property is redeveloped to the maximum allowable density, traffic would almost certainly increase, but with only a ½ acre available for development, only a small increase would be expected. The increase would be negligible compared to the over 1600 cars per day that use Howard Street. The Streets & Engineering Department has no objection to the zone change as proposed.

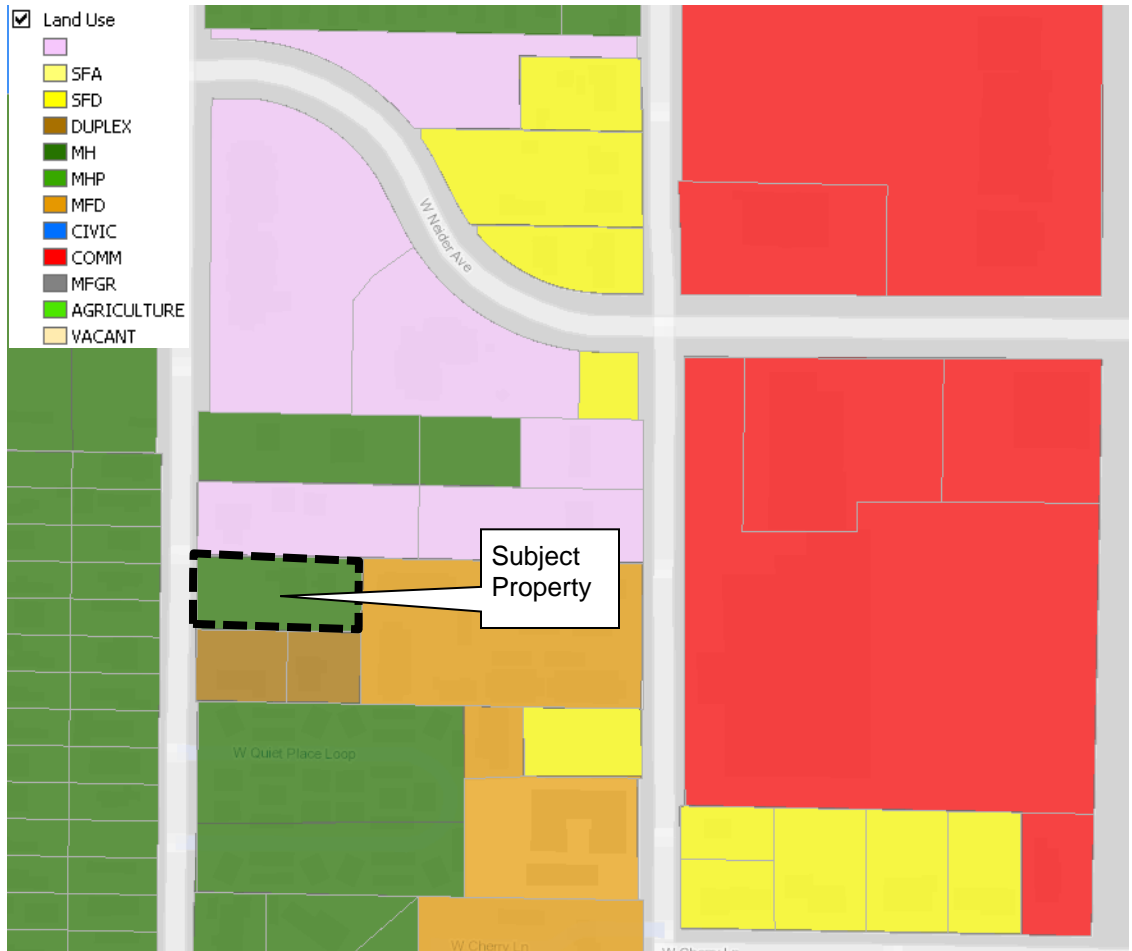
**NEIGHBORHOOD CHARACTER:**

*From 2007 Comprehensive Plan: Fruitland Today*

Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks. Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents. Fruitland has the largest concentration of mobile home zoned property within city limits.

**GENERALIZED LAND USE PATTERN:**



**ZONING MAP:**



Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right from MH-8 uses to R-17 uses (as listed below).

**Existing MH-8 Zoning District:**

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

- Individual mobile homes
- Home occupations as defined in Sec. 17.06.705
- Essential services (underground)
- Civic administrative offices
- Single family detached housing
- Neighborhood recreation
- Public recreation



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

- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service (above ground)
- Mini-storage facility
- Mobile home park
- Noncommercial kennel
- Religious assembly
- Bed & breakfast facility

The allowable uses by right under the R-17 zoning district are listed below.

**Existing R-17 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.

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

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
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- 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
- Specialty retail sales
- Veterinary office

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

**APPLICABLE CODES AND POLICIES:**

**UTILITIES:**

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

**STREETS:**

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

**STORMWATER:**

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

**PROPOSED CONDITIONS:**

**FIRE:**

Per the 2015 Edition of the International Fire Code (IFC 316.6.1), structures shall not be constructed within the utility easement beneath the high-voltage transmission lines. Outdoor storage within the utility easement beneath the high-voltage transmission lines shall be limited to noncombustible material (IFC 316.6.2).

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

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

**ACTION ALTERNATIVES:**

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



# Howard LLC

## REZONE APPLICATION NARRATIVE

| Coeur d'Alene, ID |

### Topics

- Location and Property Information
- Nature of Proposed Amendment
- Circumstances which Justify the Proposed Amendment
  - Zoning of Adjacent and Nearby Surrounding Areas
  - Transitioning Land Use on a Major Collector and in the Surrounding Area:
  - Infrastructure
- Effect of the Amendment on Subject Property and Property Rights, Value, and Character of the Neighboring Properties
- Effect on the Property Owner if the Proposed Amendment is Not Granted
- Why the Proposed Amendment Would Not Be in Conflict with the Comprehensive Plan
- Summary

## LOCATION AND PROPERTY INFORMATION

This proposal is for a rezone of a property owned by Howard LLC. The property is addressed as 2926 N Howard Street and is located in Coeur d'Alene, Idaho. The property is on the west side of US Highway 95; south of W. Neider Avenue and east of N. Howard Street.



Figure 1 Aerial view of property

The property is assigned AIN #125948 and Parcel #C-4050-000-044-C. The property is located in Township 50 North, Range 4 West, Section 02 SE Boise Meridian, Kootenai County, Idaho. The property consists of the west 223.33 feet of Tract 44 and west 223.33 feet of the north 32.5 feet of Tract 43 of Fruit Lands Addition to Coeur d'Alene Subdivision, Amended Plat, recorded in Book C of Plat, Page 12. The lot is approximately .5000 acres in size.

The property is developed with an approximately 700 square foot residential structure and outbuildings. It is relatively flat and is constrained by the presence of overhead utility lines as seen in the above aerial image. There are no mapped wetlands, riparian areas, or floodplain present.

## NATURE OF PROPOSED AMENDMENT

The owner is requesting to modify the "MH-8" zoning and to designate the property with the "R-17" zone designation.

Pursuant to Coeur d'Alene City Code 17.05.410: MH-8 General Description: "This district is intended as a moderate density residential district for mobile homes at a density of 8 units per acre." (Section 17.07.00)

Howard, LLC. Rezone AIN 125948

Pursuant to Coeur d'Alene City Code 17.05.250: R-17 General Description: "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 units per gross acre."

### CIRCUMSTANCES WHICH JUSTIFY THE PROPOSED AMENDMENT

The owner is requesting the change for three primary reasons: the presence of R-17 zoning directly to the east and near north of this property; the transitioning land use present in this highway corridor area directly to the west of US 95 and in the W Appleway Avenue/N Ramsey Road areas; and available infrastructure to serve possible future uses. Below is more information on each of these:

**Zoning of Adjacent and Nearby Surrounding Area:** The below map depicts the current zoning for the adjacent and nearby properties. As can be seen, the property directly to the east of this is zoned R-17 and has been redeveloped with a higher intensity development known as the Maple Grove Apartments. Nearby, to the north, are R-17 zoned properties containing the Kathy Reed and Lynn Pederson Houses.

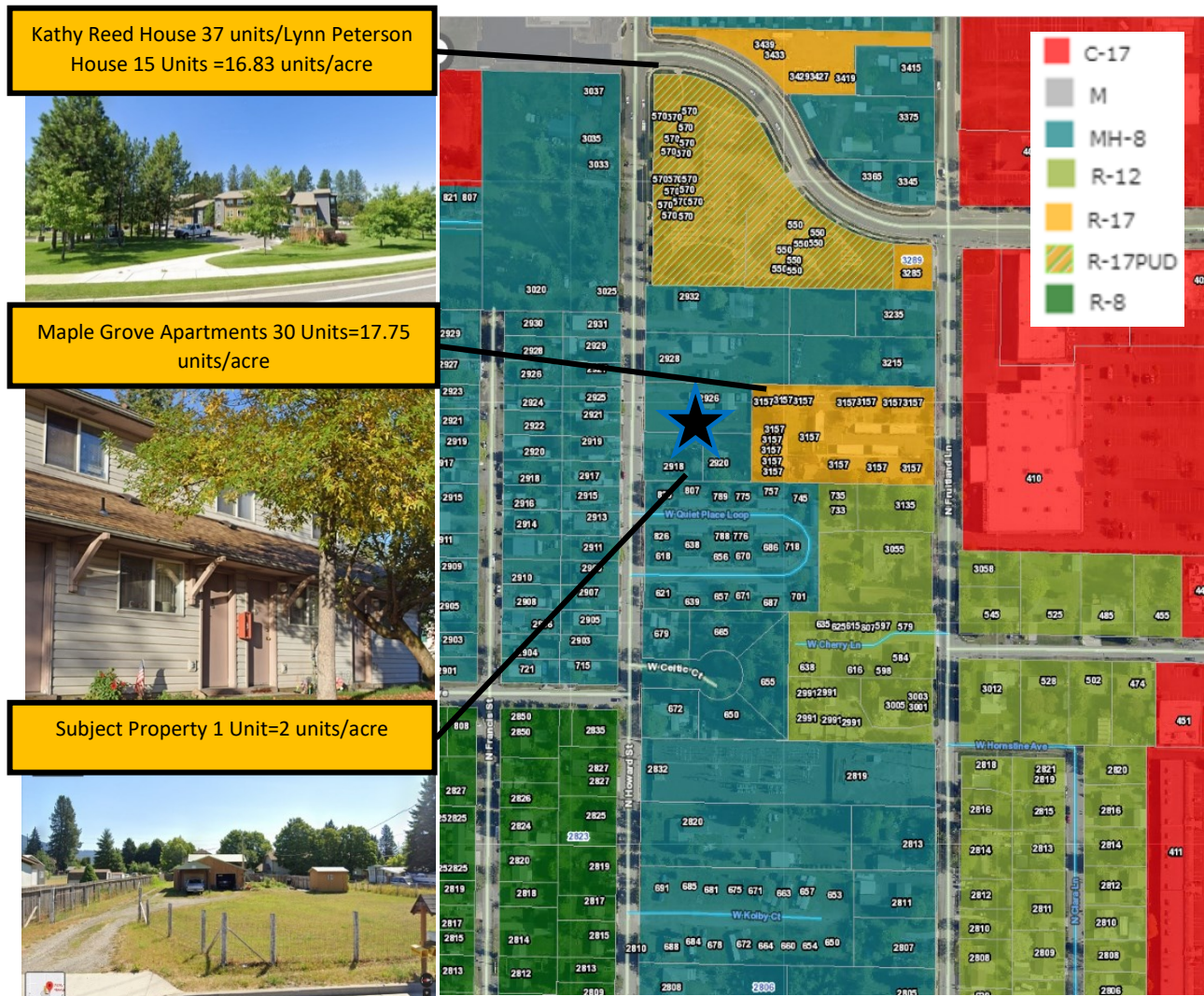


Figure 2 Immediate vicinity zoning with similar land uses/zoning

These developments noted above are built out in the density range of 17 units/acre.

Howard, LLC. Rezone AIN 125948

This map depicts the emergence of R-17 zoning in the area. The R-17 Zone District allows:

17.05.250: GENERALLY:

- A. 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.
- B. This district permits single-family detached housing as specified by the R-8 District and duplex housing as specified by the R-12 District.
- C. This district is for establishment in those areas that are not suitable for lower density residential due to proximity to more intense types of land use.
- D. This district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low density residential districts.
- E. Project review (see 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. (Ord. 3560, 2017)

The MH-8 Zone District allows:

17.05.410: GENERALLY:

- A. The MH-8 district is intended as a moderate density residential district for mobile homes at a density of eight (8) units per gross acre.
- B. In addition to the regulations set forth in this article, all mobile homes must also conform to the mobile home regulations commencing in section [17.07.005](#) of this title.
- C. 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. (Ord. 1691 §1(part), 1982)

This table depicts the allowed residential uses by district.

	<b>MH-8</b>	<b>R-17</b>
Permitted Use Principal	Individual mobile homes Single-family detached housing	Duplex housing Multiple family Single-family detached housing
Permitted Use Special Use Permit	Mobile home park	Group dwelling- detached housing Mobile home manufactured Residential density of the R-34 District
Lot Area	5,500 sq ft per individual lot 3,500 sq ft per individual space (mobile home park)	2,500 sq ft per unit multi-family 5,500 sq ft single family 7,000 sq ft duplex
Minimum Frontage	50'	50'

It can be seen from the purpose of the R-17 Zone District and a review of the geographic location of this property in relation to the zoning map that applying this zone district to this property will meet with the intent of the R-17 zone district. This is because the R-17 district is intended for areas that are not suitable for lower density residential due to proximity to more intense types of land use and because the district is appropriate as a transition between low density residential and commercial districts, or as a buffer between arterial streets and low density residential districts as will be described.

**Transitioning Land Use on a Major Collector and in the Surrounding Area:** As can be seen in the below graphic, this property lies between N Howard Street; US 95, with associated commercial zoning; and the City of Coeur d'Alene's arterial road system of W Appleway Avenue and N Ramsey Road, which both are surrounded by substantial amounts of commercial zoning. Kootenai Metropolitan Planning Organization identifies N Howard Street as a major collector; which can carry the higher traffic volume of multi-family development. The housing in the surrounding area has largely shifted towards higher density infill housing as described herein. Below is an analysis of the Howard Street collector system and information on the high density multi-family developments located between W Neider Avenue and W Appleway Avenue.

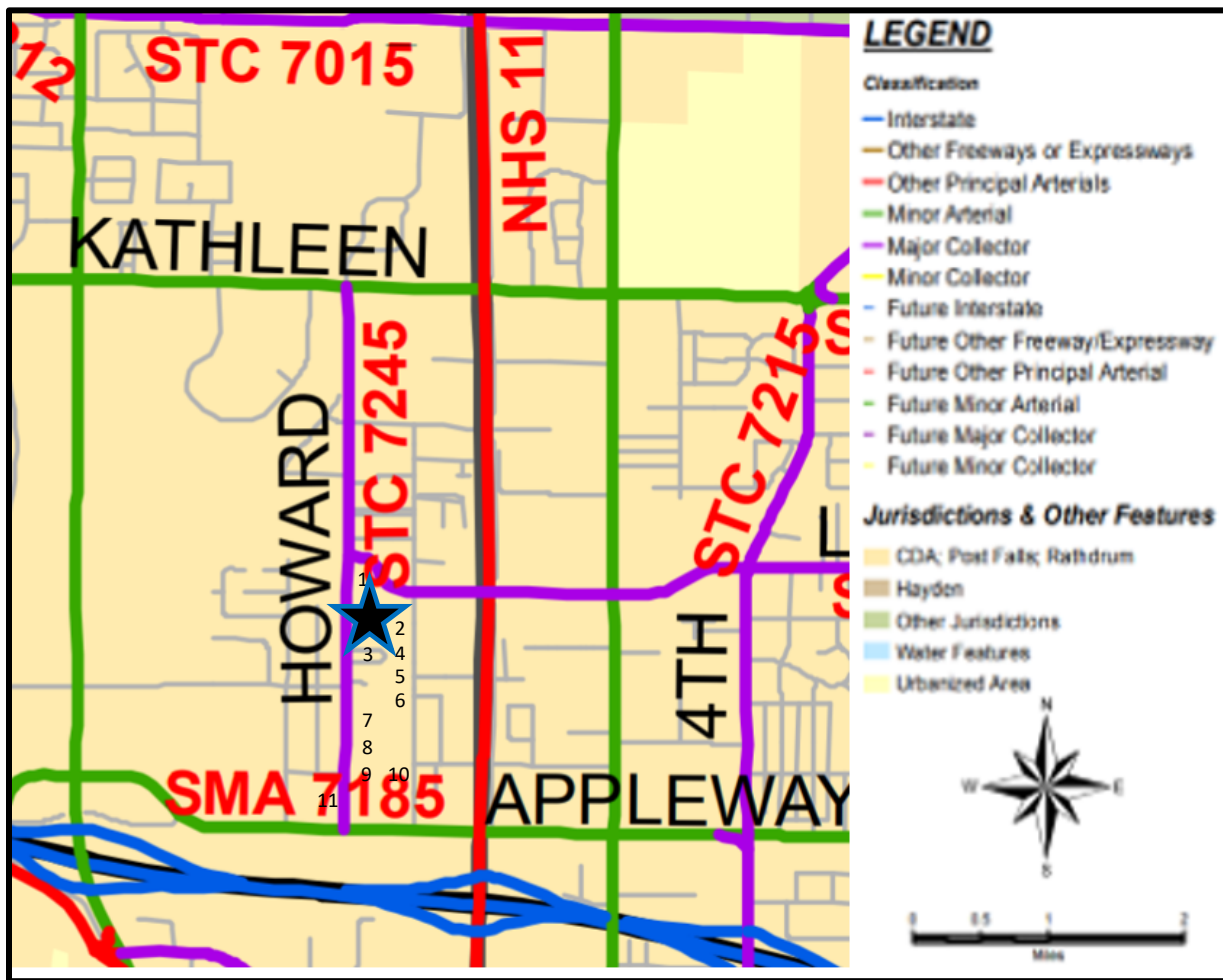













Figure 3 KMPO Functional Classification Map with developments listed in below table

<p style="text-align: right;">1</p>  <p>570 W Neider Ave Kathy Reed and Lynn Peterson Houses Units 52/Acreage <math>1.08+2.01=3.09=16.83</math> DU/Acre Zoning: R-17 PUD</p>	<p style="text-align: right;">2</p>  <p>3157 N Fruitland Lane The Housing Company Units 31/Acreage <math>1.69=20.11</math> DU/Acre Zoning: R-17</p>	<p style="text-align: right;">3</p>  <p>2910 N Howard St NSM Senior Living LLC Northside Manor Units 24/2.34 Acres=<math>10.25</math> DU/Acre Zoning: MH-8</p>
<p style="text-align: right;">4</p>  <p>3055 N Fruitland Peter Weisz Birchwood Condominiums Units 8/Acreage <math>.9=8.888</math> DU/Acre Zoning: R-12</p>	<p style="text-align: right;">5</p>  <p>584 W Cherry Lane Fruitland Investments, LLC Units 12/.912 acres=<math>13.16</math> DU/Acre Zoning: R-12</p>	<p style="text-align: right;">6</p>  <p>2991 and 3001 N Fruitland Lane Loudon LLC Units <math>11/.325+.572=.897=12.26</math> DU/Acre Zoning=R-12</p>
<p style="text-align: right;">7</p>  <p>2810 N Howard St Lloyd Torgerson Kolby Court Manufactured Home Park Units 16/Acreage <math>2=8</math> DU/Acre Zoning: MH-8</p>	<p style="text-align: right;">8</p>  <p>2804 N Howard St Bryant Bushling Units <math>8/.34+.34=.68</math> Acreage=<math>11.76</math> DU/Acre Zoning: R-12</p>	<p style="text-align: right;">9</p>  <p>2707 and 2712 N Howard St William Reagan Appleway Apartments Units 44-48/Acreage <math>2.7=16.3-</math> <math>17.77</math> DU/Acre Zoning: C-17</p>



<p style="text-align: right;">10</p>  <p>2707 N Howard Street William Reagan Howard Place Apartments Units 40/2.1 Acreage=19 DU/Acre Zoning: C-17</p>	<p style="text-align: right;">11</p>  <p>730 W Appleway Ave Don and Jan Properties, LLC Units 6/Acreage .4=15 DU/Acre Zoning: C-17</p>	
--	---	--

The average density of the properties listed herein is 13.91 units per acre.

In addition to the high density residential discussed above, there are a variety of high intensity commercial and interestingly, even industrial, uses as the Kootenai County's Ramsey Transfer Station is located within a quarter of a mile and in close proximity to this property. As such, this property is essentially within a high density residential enclave surrounded on all four sides by commercial and industrial zoning. The proximity of this higher density housing to commercial land uses means that residents can utilize a variety of services located within a short commuting distance by vehicle, bike or walking. There are five grocery stores within .25 to .75 miles, a major home service store with .25 mile, and a multitude of restaurants and specialty stores all within a very short distance of this property.

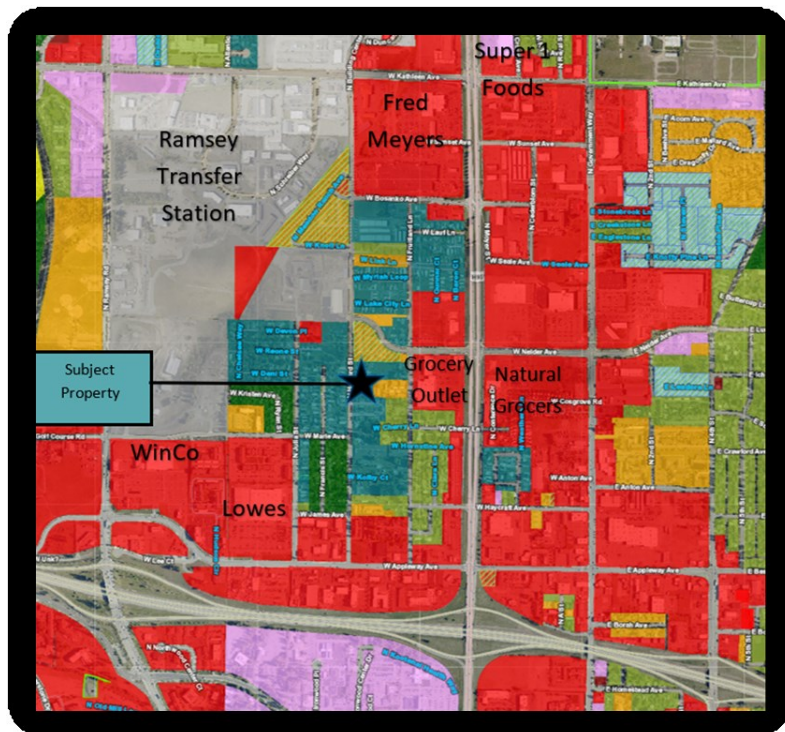


Figure 4 Area zoning with nearby services and facilities

It can be seen that the existing structure on the property at 700 square feet and in poor exterior condition is not the highest and best use of this property. The owner plans to remove the residential structure and outbuildings to allow for new structures to be constructed. The close proximity to US 95, N Ramsey and W Appleway Corridors and their multitude of commercially zoned properties will allow for the redeveloped property to better blend with a similar high intensity use in the future.



Figure 5 Existing structure and outbuildings

### Infrastructure:

#### Transportation

This property is currently served by N Howard Road. N Howard has an approximately thirty six foot surfaced width. There is an existing single driveway approach on this property.

#### Water (potable, irrigation and fireflow) and Sewer

This property is connected to city water and sewer and will continue to utilize City services in the future.



Figure 6 Google Street View looking north on N Howard St

## **EFFECT OF THE AMENDMENT ON SUBJECT PROPERTY AND PROPERTY RIGHTS, VALUE AND CHARACTER OF THE NEIGHBORING PROPERTIES**

The character of the overall area is changing to a higher density residential area within a highway, major collector and arterial commercial environment. The rezone of this property will impact neighboring properties in much the same way as the current commercial and multi-family uses and zoning allows for-which is an increase in noise, traffic, and, in cases, utility needs.

## EFFECT ON THE PROPERTY OWNER IF THE PROPOSED AMENDMENT IS NOT GRANTED

The property is currently constrained by the presence of overhead utility lines crossing the property. Allowing for higher density residential allows this impact to buildable area to be countered and is also consistent with property rights granted to other owners within the area. If the current zoning is maintained, the owner may have trouble marketing and selling the property as lower density lot with limited buildable area and slated for mobile homes in a region with emerging higher density multi-family and commercial land uses. The rezone is a step forward toward a proactive solution that allows future development of the property consistent with the surrounding area.

## WHY THE PROPOSED AMENDMENT WOULD NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN

The proposed amendment will be in an area currently designated as Fruitland within the City's Comprehensive Plan Future Land Use Map.

### Land Use: Fruitland

#### Fruitland Today

Fruitland is generally known as the area bordered by commercial uses along US 95, Kathleen Avenue to the north, commercial uses on Appleyway Avenue south, and the area separated by manufacturing and residential along the west.

The Fruitland area is home to diverse land uses. Commercial uses are common near major corridors transitioning to single-family housing with pockets of multi-family housing and mobile home parks. Manufactured homes are prevalent in areas removed from the US 95 corridor, and continued growth provides affordable housing for residents. Fruitland has the largest concentration of mobile home zoned property within city limits.

Topography is generally flat and development opportunities exist. A recent wastewater main extension north to Bosanko provides opportunity for development.

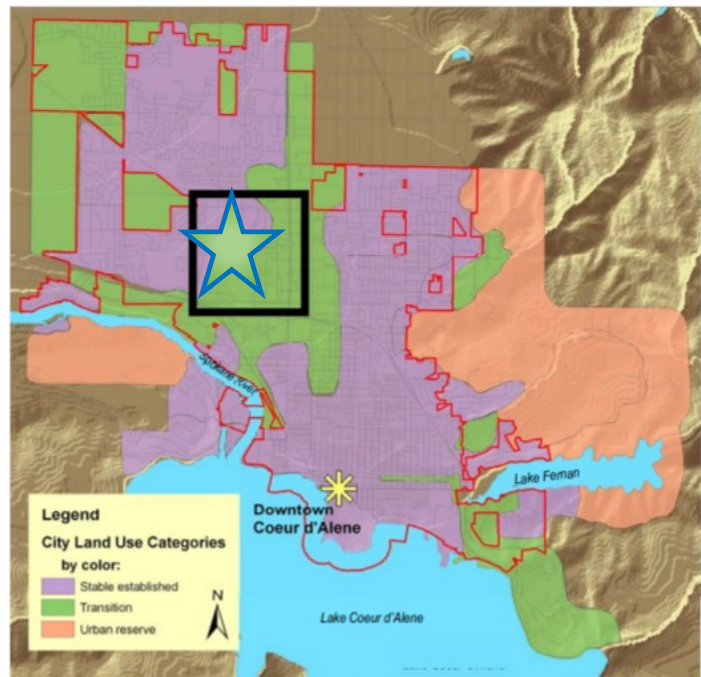


Figure 7 Excerpt from City of Coeur d'Alene Comprehensive Plan

The Comprehensive Plan states in Fruitland tomorrow that the density will increase and that housing should be located adjacent to compatible uses.

As such, this proposal is consistent with and furthers the intent of the Comprehensive Plan.

## Land Use: Fruitland



### Fruitland Tomorrow

Generally this area is envisioned as a commercial corridor with adjacent multi-family uses and will maintain a mix of the housing types that currently exist. Commercial and manufacturing will continue to expand and care must be used for sensitive land use transition. A traffic study for US 95 is underway which may affect future development in this area.

### The characteristics of Fruitland neighborhoods will be:

- That overall density will approach eight residential units per acre (8:1).
- That single- and multi-family housing should be located adjacent to compatible uses.
- Pedestrian and bicycle connections are encouraged.
- Uses that strengthen neighborhoods are encouraged.

### The characteristics of Fruitland commercial areas will be:

- Commercial buildings will remain lower in scale than in the downtown core.
- Native variety trees will be encouraged along commercial corridors.

Figure 8 Excerpt from City of Coeur d'Alene Comprehensive Plan

## SUMMARY

This property is in a transitioning area in a high intensity highway and arterial commercial area. The rezone allows for housing that blends with the existing multi-family and commercial nature of the surrounding areas allowing the property owner to exercise rights that other properties in the area have. The purpose of the R-17 zone district can be fulfilled through this rezone and the property is located in an area with access to a major collector as well as regional road systems and services that complement higher density residential uses. The rezone will allow housing and economic development opportunities that serve the City of Coeur d'Alene. As such, this rezone request is consistent with the City's Comprehensive Plan.

Respectfully submitted,

A handwritten signature in blue ink that reads "Connie Krueger". The signature is written in a cursive style.

Connie Krueger, AICP

## **PLANNING COMMISSION STAFF REPORT**

**FROM:** SEAN E. HOLM, SENIOR PLANNER

**DATE:** SEPTEMBER 8, 2020

**SUBJECT:** LDPUD-2-04m.1: MODIFICATION OF A PORTION OF A LIMITED DESIGN PLANNED UNIT DEVELOPMENT- INCLUDING ADDITION OF 2.4 AC TO THE LDPUD, DEDICATION OF 0.31 AC PUBLIC OPEN SPACE WITH IMPROVEMENTS, AND A REQUEST TO INCREASE TOTAL FOOTPRINTS AND HEIGHT FOR SITE #4.

**LOCATION:** A PORTION OF THE NORTHEAST CORNER OF THE COEUR D'ALENE RESORT GOLF COURSE IN CONJUNCTION WITH 319 E. COEUR D ALENE LAKE DRIVE (OLD CAMPGROUND).

**APPLICANT/OWNER:**  
Hagadone Hospitality Co.  
PO Box 6200  
Coeur d'Alene, ID 83816

**OWNER REPRESENTATIVE:**  
John R. Barlow (dba JRB Properties)  
PO Box 1180  
Coeur d'Alene, ID 83816

### **DECISION POINTS:**

The applicant, Hagadone Hospitality Co., is requesting modification of an approved 2004 Limited Design Planned Unit Development (LDPUD) that will allow the construction of three structures totaling no more than 275 units at a maximum height of 220'. Uses include: residential apartments/condos (multi-family) and hotel(s).

### Requested modifications:

1. Increase the previously approved structure on site #4 (Golf Course Apartments) to include footprints for three (3) structures as shown in the proposed building boundary exhibit.
2. Allow for an increase of height from the previously approved 60'+/- (elevation of 2200') for site #4 in 2004, to a maximum height of 220' for each of the three footprints proposed.
3. A clarification to allow for a mix of uses authorized in C-17 to include: apartments (approved in 2004), condos, and hotel.
4. Set a limit of no more than 275 units (in aggregate) for the 3 structures. This includes apartments, condo units, and hotel rooms.
5. Reduce a portion of the unused "Golf Course Maintenance" area (on LDPUD map) to accommodate the footprints in requested modification #1.
6. Add additional property measuring 2.4 acres to the Limited Design PUD previously used as a campground. (Area Detail of Current Request map)

7. Grant 0.31 acres of public open space adjacent to the Fernan Creek Pond (“Mill Pond” in prior staff report), adding a spur from the existing Centennial Trail along Coeur d’Alene Lake Drive, to a proposed fishing pier.
8. Create a 1.38-acre private open space garden.
9. Consistent with prior approvals and interpretation, allow gated entries and a 6’ privacy fence along bordering rights-of-way (ROW) corresponding with the existing site and golf course operations.

**A QUICK GUIDE TO THIS STAFF REPORT:**

*Starting from this point and continuing through the end of this report, this document was written in a manner that is easy to identify which “voice” is being represented. The following guide will help:*

- Required findings, city code and policies, original language from the approved LDPUD, 2007 Comprehensive Plan, city policies, and proposed conditions language text are black.
- Applicant’s statements will be represented in blue text
- Staff comments are provided in red italicized text

**LOCATION MAP:**



**HISTORY OF SITE:**

**Official Statement of Award from Urban Land Institute (ULI) as written in the Urban Land magazine, December 1992\*:**

“On what was once the site of an abandoned lumber mill has emerged as an inspirational golf course reflecting the beauty of its lakeside settings well as the transition of the local economy from one based on extraction of natural resources to one based on tourism. The project’s developer and design team are commended for their attention to the environment in their restoration of a once degraded property.”

**Taken from the applicant’s narrative:**

This area of the property acquired from Potlatch Corporation in 1988, along with the old campground site, has long been a part of the vision Mr. Hagadone had of converting these eye sores into the world class golf course that exists today. As part of that vision is the development, we are presenting now for three new apartment/condo/hotel towers on the north end of the golf course, all viewing to the south with the golf course and lake beyond.

You may recall that we were awarded the National Special Award Project of the Year from The Urban Land Institute (1992) for the environmentally sensitive design used on the golf course and the world-famous floating green. Also, please recall the condition of the campground site that had open sewer channels and other conditions that we removed and retrofitted.



Figure 2 Potlatch Mill Site



Figure 3 Potlatch Mill Site

**\*The full ULI article refenced above can be found in the application (Figure 4- Pg. 11)**

**BACKGROUND INFORMATION:**

The 2020 LDPUD amendment proposes to only modify 1.5% of the original 2004 LDPUD land area, but the modification will allow development of in demand residential/hotel units that will benefit our community by providing urban core living that will drive economic development on East Sherman and substantially increase the property tax base.

**Previous land use actions for this LDPUD:**

- |             |                       |          |
|-------------|-----------------------|----------|
| 1. ZC-13-87 | LM to C-17            | Approved |
| 2. SP-6-88  | Commercial Recreation | Approved |
| 3. A-1-04   | Annexation            | Approved |

**Other land use actions nearby:**

- |    |          |                    |          |
|----|----------|--------------------|----------|
| 1. | SP-6-87  | Commercial Parking | Approved |
| 2. | SP-2-88  | Commercial Parking | Approved |
| 3. | SP-2-92  | R-34               | Approved |
| 4. | SP-4-93  | R-34               | Denied   |
| 5. | ZC-5-96  | R-8 to R-3         | Approved |
| 6. | ZC-13-98 | R-17 to C-17       | Approved |
| 7. | SP-2-12  | Wireless Tower     | Approved |
| 8. | SP-6-16  | R-34               | Approved |

**Map of land use actions:**



*The portion of the original LDPUD being reviewed for this request is threefold:*

- *To achieve the applicant's vision, the private open space (Golf Course) and the Golf Course Maintenance areas would be adjusted to accommodate the requested structures in site #4 "Golf Course Apartment", approved in 2004.
 
  - *Following the original 2004 approval, the applicant has acquired additional property abutting the LDPUD. This request seeks to include the 2.4-acre site, previously used as a campsite, into the LDPUD.*
  - *Additionally, Ashton Road and a portion of 23<sup>rd</sup> Street were vacated by City Council in 2017, followed by a signed agreement to relocate and rebuild Ashton Road to reconnect to Coeur d'Alene Lake Drive approximately 320' to the north of its current location. (Resolution 17-026)**



These three points make up the overall area of the modification request. The details concerning these points as well as zoning (use and dimensional standards), access, buffering, design, etc. will be provided in the findings that must be made to approve or deny the request.

To gain full understanding of this request, it is important to recognize what was previously approved as a whole, and to distinguish specifically the portion of the overall area which is the nature of this application.

**2004 LIMITED DESIGN PUD EXHIBIT (Whole site):**

The yellow call-out in the LDPUD map below represents the area of request:



**Site # 4 – Golf course apartment site – 1.6 acres - Phase four**

This site is at the intersection of 23rd Street and Ashton Avenue and adjacent to the Main entrance to the Coeur d'Alene Resort Golf Course.

A four story apartment building is proposed with a maximum of 50 units to be located within the building envelope on the West side of the Fernan Creek Pond.

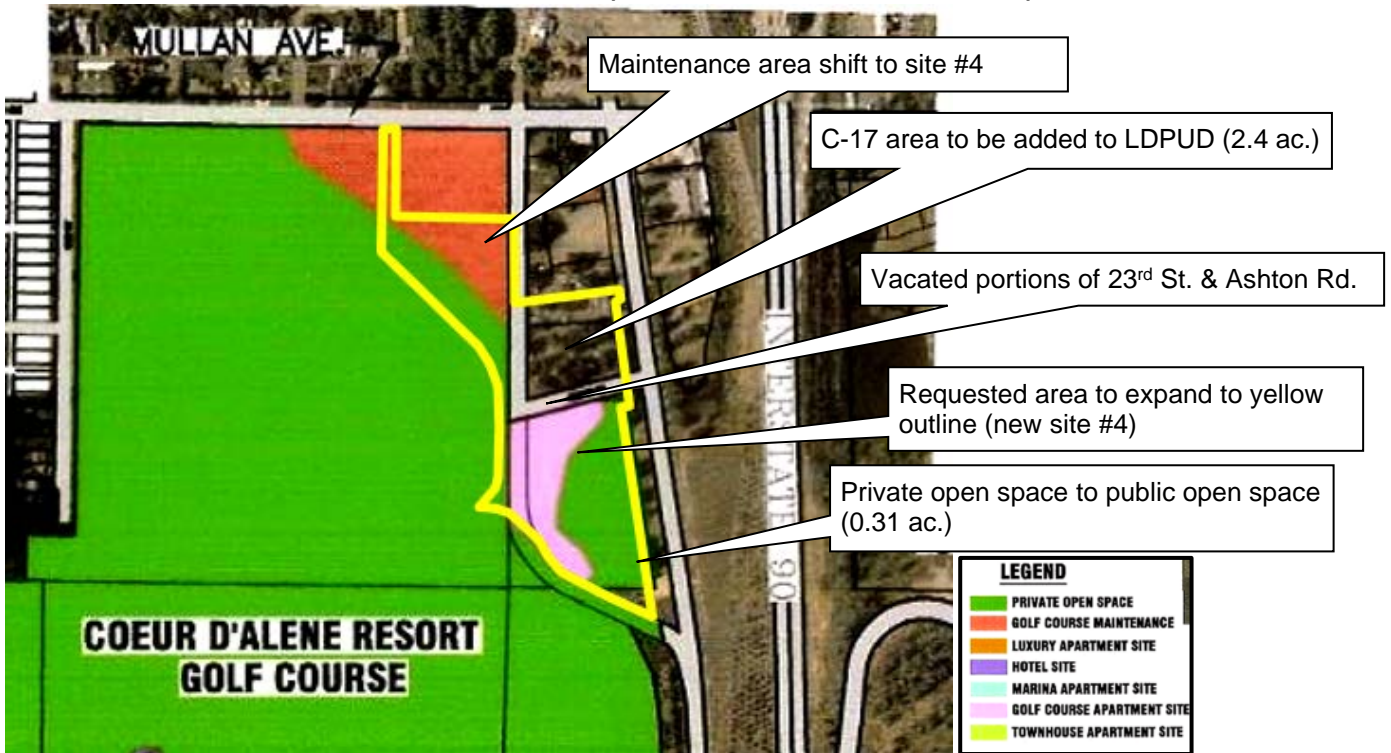
Parking would be in the lower story of the structure and outside adjacent to the building.

**Site # 4 – Fernan Creek pond building envelope**

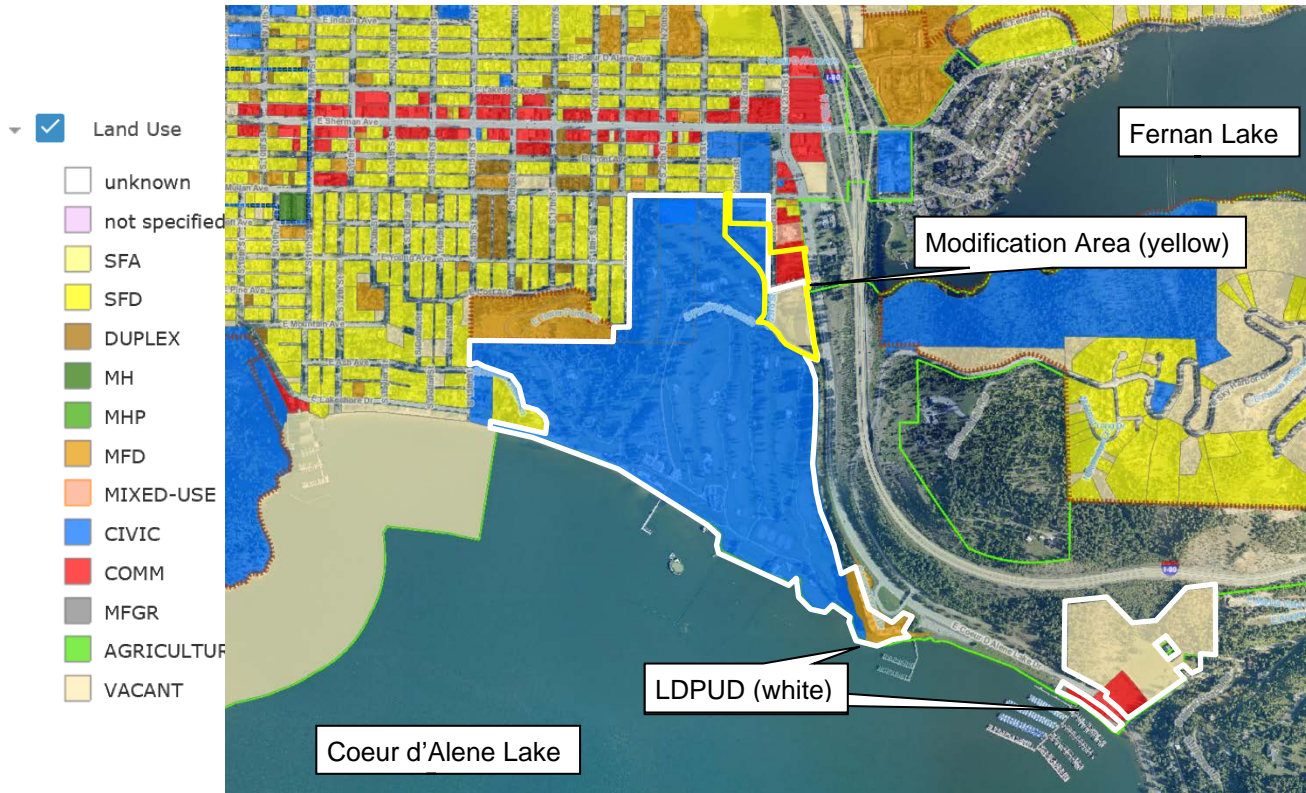
1. Modify building setbacks for multifamily uses from 20 foot front yard, 10 foot side yards and 25 foot rear yard setbacks to zero feet for front, side, and rear yard setbacks.
2. Modify the building height requirement from 43 ¾ feet allowed in the C-17 zone for multi-family uses to allow a building height up to an elevation of 2,200 feet or approximately 60-feet above the existing elevation.

*Note that the original application and the staff report text from 2004 did not define, limit, modify, or direct Planning Commission on the portion of the site identified as "Golf Course Maintenance". The only reference to this portion of the site was on the original submitted map above. To be transparent, the applicant has provided additional detail based on the 2004 map, to show where this request relates and how that would affect calculations for each site including private open space. These details can be found in the findings.*

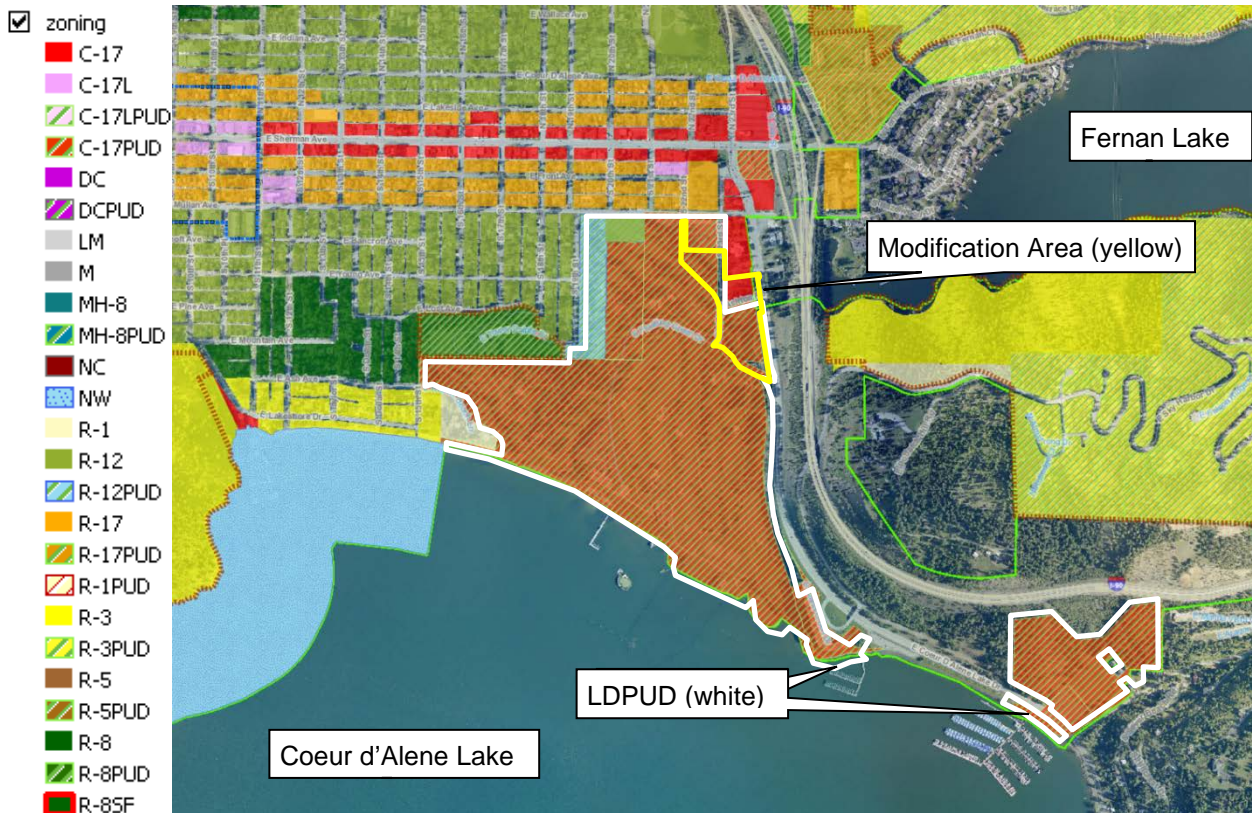
**AREA DETAIL OF CURRENT REQUEST (Northeast Portion of LDPUD site):**



**LAND USE MAP:**



**ZONING MAP:**



**C-17 ZONING DISTRICT:**

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

**Density:**

This proposal is for up to 275 units (apartments/condominiums/hotel rooms) within the three towers, with enclosed parking for tenants and exterior guest parking. With the 2004 LPUD approval and this amendment, the overall residential density would be 2.9 DU/Acre.

*The underlying zone for this LDPUD is C-17. Staff listed in blue the requested uses made by this application. Planning Commission may define allowed use(s) as shown in the list below. Note that apartments and condos both fall under the category of "multiple-family housing".*

**17.05.500: PERMITTED USES; PRINCIPAL:**

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

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

## LIMITED DESIGN PLANNED UNIT DEVELOPMENT (STAFF STATEMENT):

*The findings the Planning Commission makes for a Limited Design Planned Unit Development are different than for a regular PUD in that most of the findings pertain to site performance considerations within the building envelope and how it impacts the surrounding area.*

*The Commission should bear in mind that a Limited Design PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot by lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, ascertain if the concept of the proposal is unique enough that it merits the flexibility afforded by the Limited Design PUD regulations.*

*The Commission may wish to consider that certain benefits accrue to the city and the public by virtue of a Limited Design Planned Unit Development; namely, 1) ability to add conditions to an approval, 2) ability to lock in development plans for the future (barring any future modifications that might be granted), and 3) ability to negotiate solutions that benefit all.*

*Planning Commission must review this request, in all of its parts, to base their decision. The application, the staff report and department comments/conditions within, staff presentation, the applicant's presentation, the comprehensive plan, public testimony, rebuttal, review of the required findings, and Commissioner discussion should weigh in on a decision. By taking into consideration all of the evidence provided, Planning Commission can determine if the project meets these standards and findings.*

*NOTE: The original staff report and findings from 2004 are attached for your review (which also included the annexation request).*

## LIMITED DESIGN PLANNED UNIT DEVELOPMENT STANDARDS:

### 17.07.245: DEVELOPMENT STANDARDS:

The maximum allowable density for planned unit developments and limited design planned unit developments shall be based on the overall gross deeded land area, and shall be equal to or less than the overall density and density bonuses permitted by the applicable zoning district in which the planned unit development is proposed. In order to achieve the purposes of these provisions, the following standards may be modified:

A. Limited Design Planned Unit Development:

- 1. Any provision pertaining to site performance standards including, but not limited to, height, bulk, setback or maximum dimensions of any facility.**
- 2. Any provision establishing buffering, landscaping or other similar requirements pertaining to site design.**

### 17.07.250: DISTRIBUTION OF IMPROVEMENTS WITHOUT REFERENCE TO LOT OR BLOCK LINES:

All improvements for planned unit developments and limited design planned unit developments including off street parking and loading spaces, usable open space, and landscaping, buffering and screening may be located within the development without reference to the lot lines or blocks, **except that required parking spaces serving residential activities shall be located within two hundred feet (200') of the building containing the living units served.** (Ord. 2368 §9, 1991: Ord. 1691 §1(part), 1982)

## REQUIRED FINDINGS FOR LIMITED DESIGN PLANNED UNIT DEVELOPMENT:

Pursuant to Section 17.07.275, Limited Design Planned Unit Development Review Criteria, a limited design planned unit development may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

**Finding A: The proposal produces a functional, enduring, and desirable environment.**

The Ashton proposed project will create a highly desirable residential apartment/condo and hotel project that was envisioned over a decade ago. The Coeur d'Alene market is demanding more of this product type and this proposal will fulfill that demand in the highest quality way, integrated into an existing master planned project, the Coeur d'Alene Resort Golf Course. Before submitting this proposal, Hagadone Hospitality Co. has gone through numerous concept design iterations with building architecture, location, spacing (85 feet apart) and matching the building height to the downtown standard (220 feet) in order to create a sensitive development that minimizes views and vista impacts, preserves trees for buffering and to create world class architecture that is representative of our community.

Further, as shown on the renderings, the buildings are handsomely designed with stepped vertical façade elements at the stair ways of each end and the elevator tower in the middle. The stepped roofs produce several different planes of sloped roofs. Additionally, the site topography will result in the buildings having different finished roof elevations. The buildings are also spaced apart +/- 85 feet to provide nice view corridors that may be viewed through the existing forest of trees. The buildings architecture will be such that the use of multiple materials and forms will be implemented, understanding that they will be subject to Design Review before a building permit will be issued.



*Figure 5 Illustrative Building Concept Golf Course Side Façade*



*Figure 6 Illustrative Building Concept "Street Side" Façade*



Figure 7 Illustrative Concept site plan showing the buildings setback from the street and extensively landscaped garden buffering.

*Functional and enduring are metrics involving performance and extended time. The proposal for site #4 takes into consideration pedestrian and vehicle movements, provides hotel and living accommodations, and provides extensive landscaping and buffering. This request meets these two standards. The site would perform as designed for many decades.*

*The word “desirable” in this finding is a discretionary term. The Merriam-Webster dictionary defines the word as an adjective and a noun:*

*Adjective*

- 1 : having pleasing qualities or properties : attractive*
- 2 : worth seeking or doing as advantageous, beneficial, or wise : advisable*

*Noun*

*: a person or thing that merits or attracts favorable attention and consideration : one that is desirable*

*Thus, a “desirable environment” implies the site and structure design be of high quality.*

*Note that the applicant is aware that a trip through the Design Review Commission (DRC) prior to issuance of a building permit is required. Unlike a traditional PUD that requires the applicant to provide architectural design that is approved by Planning Commission, a LDPUD does not. The applicant has provided renderings of architectural design with the understanding that DRC may alter these in the future, subject to DRC code procedures.*

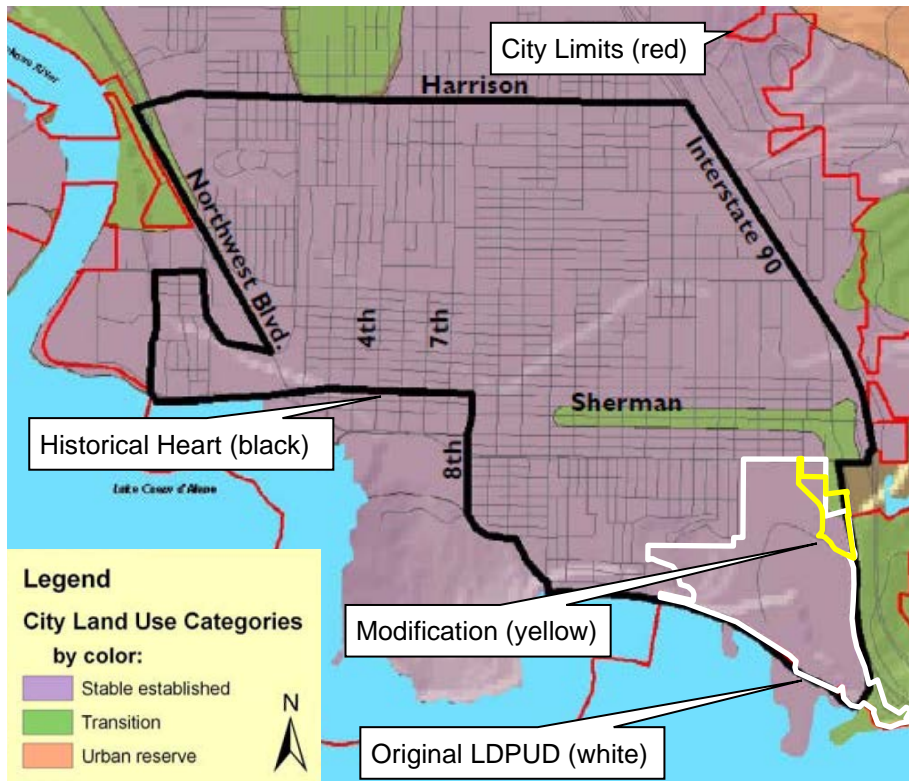
**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not the proposal would produce a functional, enduring, and desirable environment.

**Finding B:** The proposal is consistent with the city comprehensive plan.

*Below are the 2007 Comprehensive land use areas that relate to the LDPUD. Note that staff has provided both the “Historical Heart” and the “Coeur d’Alene Lake Shoreline” land use sections of the plan. This information is provided because the overall LDPUD includes significant shoreline elements as part of the private open space (golf course). For clarity: The proposed modification to site #4 is located +/-1760 feet away from the “Coeur d’Alene Lake Shoreline”.*

*The specific location of this request also is bisected by two land use categories, defined below (see legend and accompanying text). The relevant goals and objectives are provided thereafter with language from the applicant describing how the project meets the intent of each.*

**Land Use: Historical Heart**



**Stable Established:**

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

**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.

**Historical Heart Today:**

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



Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come.

Numerous residential homes in this area are vintage and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

### Historical Heart Tomorrow

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

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

### The characteristics of Historical Heart neighborhoods will be:

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

### Land Use: Coeur d'Alene Lake Shoreline



### Coeur d'Alene Lake Shoreline Today:

The Coeur d'Alene Lake shoreline is a mix of uses from east to west. The easternmost shorelines are home to hillsides that are difficult to develop. As the shoreline progresses west, the slope becomes less restrictive giving way to high end condos, a golf course, beaches, marinas, restaurants, the Tubbs Hill recreation area, public parks, a resort, residential homes, and a college campus.

Citizens treasure the shoreline and actively seek to protect and provide as much public access to this amenity as possible. The Shoreline Ordinance was passed to protect, preserve, and enhance visual resources and public access to the lake by establishing certain limitations and restrictions on shoreline property located within city limits.

### Coeur d'Alene Lake Shoreline Tomorrow:

For many, the Coeur d'Alene Lake shoreline is what sets the city apart from countless other places. The shoreline will continue to experience pressure from the development community due to its effect on property values and for the benefits it provides. As property improves, it is extremely important to balance the needs of both the public and private entities to ensure that this asset is available for all to enjoy while remaining viable for economic development. Increasing public access to our waterfront will not only create space for enjoyment, it will provide major economic opportunities for businesses that serve our citizens and welcome tourists. Shorelines are a finite and valuable resource. Our city is committed to ensuring that only appropriate growth takes place now and in the future. *(Not a part of site #4)*

## Goals & Objectives: 2007 Comprehensive Plan

**Goal #1 Natural Environment:** Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

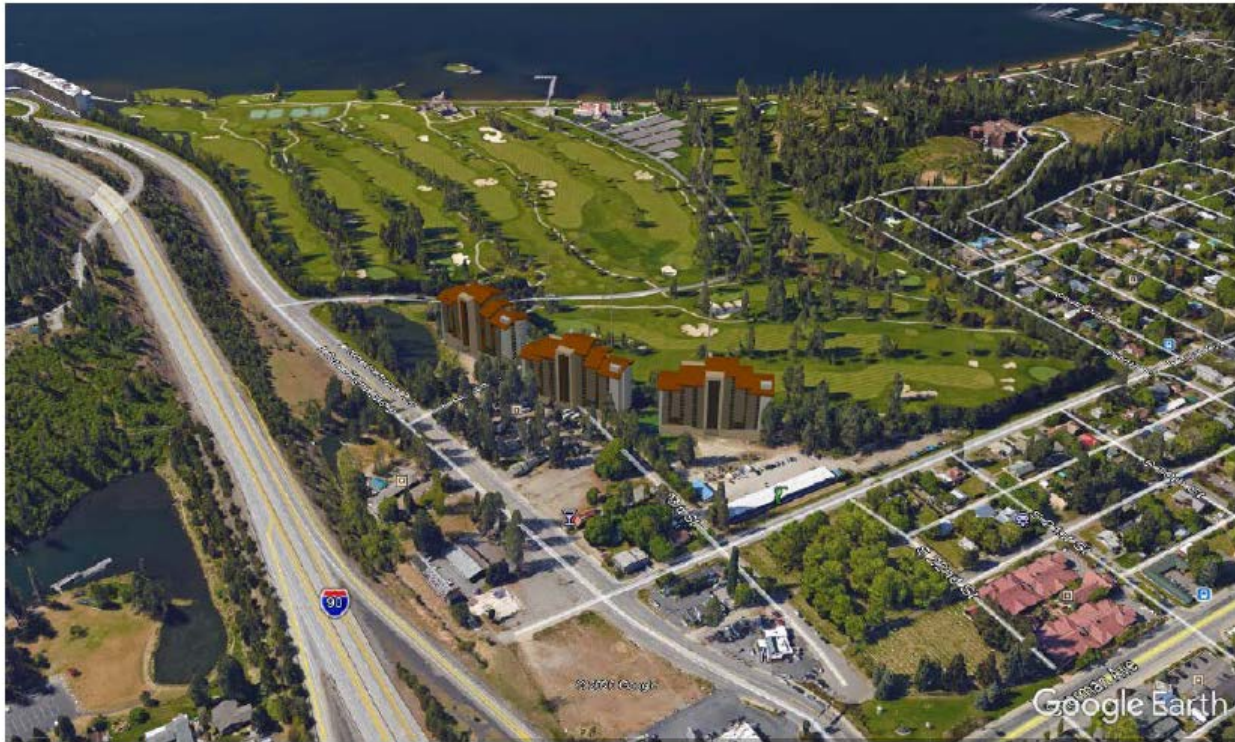
**Objective 1.05 Vistas:** Protect the key vistas and view corridors of the hillside and waterfronts that make Coeur d'Alene Unique.

Acquisition of the adjoining parcel, formerly a campground, and vacation of Ashton Avenue and 23rd Street (shown below) have allowed the buildings to be set far back from Coeur d'Alene Lake Drive which results in minimal to no vista impacts from public rights of way and adjoining property to the lake or hillsides.



Figure 8 Campground Acquisition and City Right of Way Areas

In order to demonstrate this fact clearly, scaled computer models of the building were constructed and “inserted” into Google Earth Pro which allows the earth and buildings to be viewed in 3 dimensions in “Terrain Mode” (which produces illustrative imagery). The illustrative image below shows the buildings placed on the site. Additional before and after images for different street views are presented below and demonstrate the lack of impact the buildings have on vistas. The Ashton site is unique in Coeur d’Alene.



*Figure 9 Illustrative Aerial Image Looking South*

**Objective 1.06 Urban Forests:** Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

The proposed site plan minimizes tree removal by pushing the buildings as close to the golf course as possible and putting all the tenant parking inside the building footprint. This design minimizes exterior parking lots, which minimizes tree removal. Additionally, to further minimize driveway length (which would cause tree removal) a north entrance was added to access building 1. Additionally, parking lots are strategically located in the site to minimize tree removal.

**Objective 1.07 Urban Forests:** Restrict tree removal in city rights-of-way and increase tree planting in additional rights-of-way.

No tree removal is planned for the City right of way unless it is necessary for the route from Centennial Trail to the Fernan Mill Pond public open space.

**Objective 1.08 Forests & Natural Habitats:** Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

*Objective added by staff: As part of a larger LDPUD approval, site #4 sits between the golf course and is bound by a number of streets and the maintenance area. The applicant's language from objectives 1.06, 1.07, and 1.09 speak to retaining as many significant trees as possible while enhancing public access to Fernan Mill Pond.*

**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.

The LDPUD Amendment proposes to add 0.31 acres of publicly accessible open space, in a separate property tract, adjacent to the Fernan Lake outlet "Mill Pond," a popular fishing hole. The open space will be accessible from the Centennial Trail and will feature natural landscaping and a fishing dock. The open space will be maintained by Hagadone Hospitality.

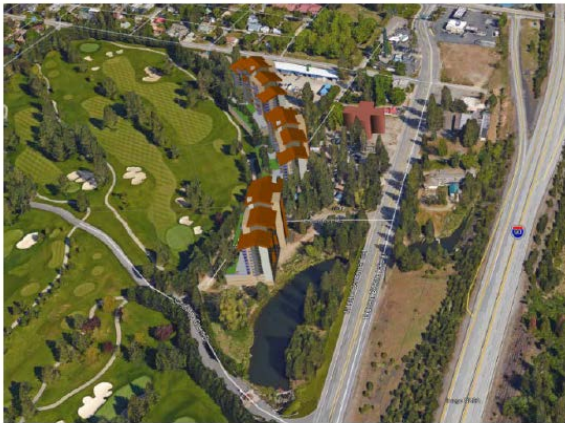


**Objective 1.11 Community Design:** Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.

Hagadone Hospitality Co. has made a considerable early investment in developing the preliminary site design and conceptual building architecture in order to demonstrate the commitment to sensitive community design.

Specific examples include:

1. Locating the buildings as far from the public ROW as possible in order to preserve the existing mature trees, which will buffer pedestrian level views.
2. Heavily landscaping the buffer area to a “garden like” standard.
3. Varying the building orientation to avoid the look of a continuous block of buildings.
4. Proposing three smaller buildings instead of two large buildings.
5. Placing all the tenant parking inside (2 spaces/ 1- or 2-bedroom units) and minimizing exterior guest parking. Exterior guest parking will be screened from public ROW views.
6. Maintaining a 25-foot setback from Fernan Mill Pond.
7. Modulating the building façade and using multiple finish textures and colors.
8. Providing two roof steps and pitching the roofs.
9. Establishing the buildings bases at different elevations so the buildings “step.”



*Figure 32 Concept layout with buildings setback from ROW with tree buffer*



*Figure 33 Note the roof steps, facade articulation and mixed materials and colors.*

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

This proposal places residential density near the urban core and existing services that are accessed by walking, biking, or vehicle, reducing the need for sprawl on the prairie.

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

No additional public infrastructure, other than what Hagedone Hospitality Co will be constructing as part of the Ashton and 23rd Street vacation Memorandum of Understanding with the City, is anticipated to be necessary to serve this proposal. The conceptual infrastructure plan is showing below.

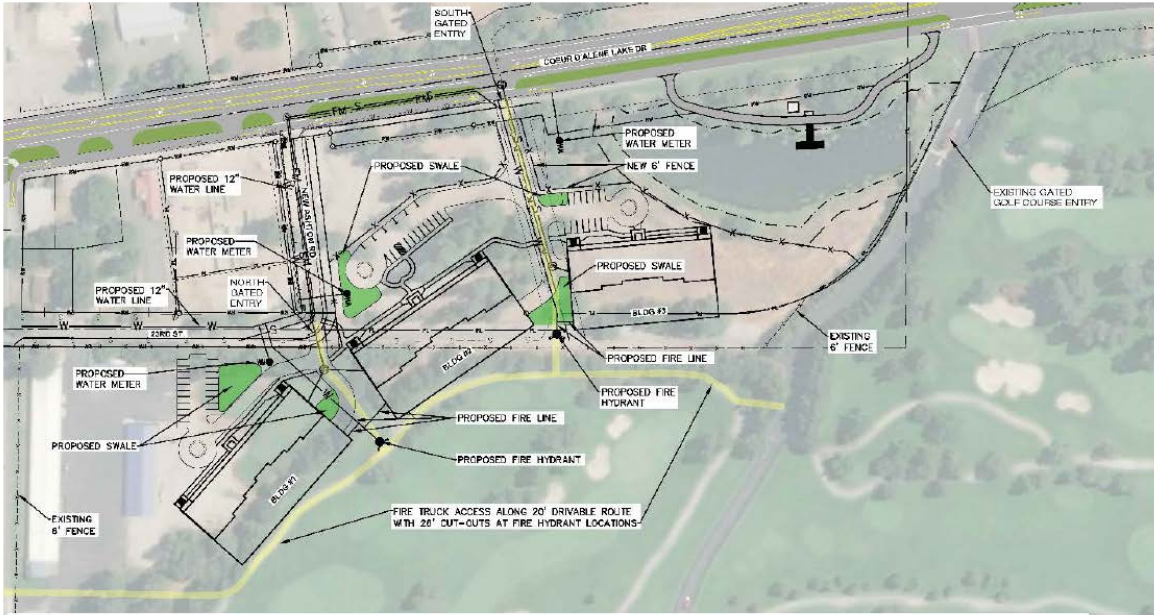


Figure 34 Infrastructure Overview

**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.

A portion of building 3 has a minor encroachment in the 100-year flood plain FEMA Zone A. That portion of the building will be constructed to FEMA “Flood Proof” standards and flood plain impacts, if any, analyzed during building permitting phase, will be mitigated on site.



Figure 35 FEMA Flood Plain Map Exhibit

Staff has also provided additional information concerning “watercourses” in finding “D”.

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

**Objective 2.04 Downtown & Neighborhood Service Nodes:** Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.

East Sherman has long struggled to find its identity and attract development. Residential development drives commercial development. This proposal will become an East Sherman economic engine by locating up to 275 “roof tops” within the East Sherman Revitalization Project Boundary.

**Objective 2.05 Pedestrian & Bicycle Environment:** Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

The proposal satisfies each of these objectives being adjacent to the Centennial Trail, golf course, lake access and near the urban core.

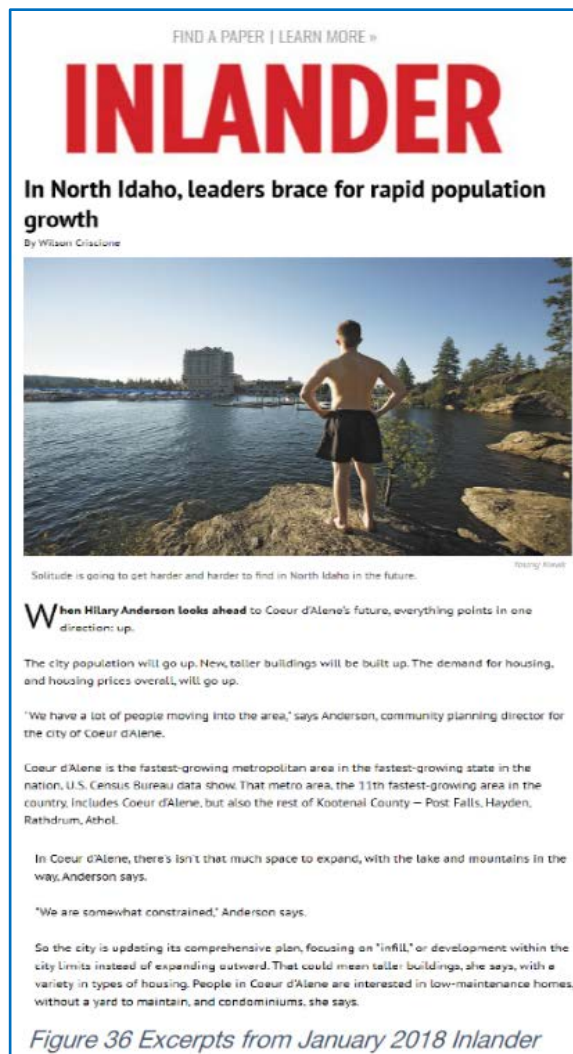
**Goal # 3 Home Environment:** Our Comprehensive Plan preserves the qualities that make Coeur d'Alene a great place to live.

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

There is no doubt Coeur d'Alene is growing. Many of these people are seeking rental products and that demand will be met by developers. This proposal will meet that demand in the existing urban core, with a minimal impact to the existing neighborhood, rather than sprawling onto the prairie.

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

The existing residential neighborhood to the west and north is buffered by the golf course facilities and tall trees. There is a minor amount of commercial development and I-90 to the east, and ground level views are buffered by the forest buffer.



**Objective 3.08 Housing:** Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

This proposal will meet the demands of an underserved demographic, which is migrating to Coeur d'Alene. The recently completed CDA Lake Drive Apartments reached full occupancy in 6 months. One Lakeside in downtown Coeur d'Alene has received very active condo sales. Hagadone Hospitality Co's existing Lake Tower Apartments and Lake Villa Apartments have continuously had a waiting list. The quality of the development and on-going exceptional maintenance places these apartments in high demand.

**Objective 3.16 Capital Improvements:** Ensure infrastructure and essential services are available for properties in development.

Existing City infrastructure can serve the proposal with no anticipated improvements. See objective 1.14.

**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.

The proposed project will be served by Coeur d'Alene Lake Drive, Ashton Ave, and 23rd Street which will provide safe and efficient motorized and not motorized modes of transportation. As part of an existing agreement with the City, Hagadone Hospitality Co. will reconstruct Ashton Ave. and 23rd Streets including re-aligning the Centennial Trail to these streets, as desired by the City Engineering Department. The existing Centennial Trail along CDA Lake Drive provides excellent non-motorized transportation opportunities and future improvements to CDA Lake Drive will further improve the safety of the trail by adding a landscape buffer between the trail and vehicle travel lane. Additionally, the project is 0.4 miles to the I-90 interchange, providing efficient highway access.

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

**Objective 4.01 City Services:** Make decisions based on the needs and desires of the citizenry.

We frequently hear about increased traffic throughout or community, struggling downtown businesses and the challenges stimulating private investment on East Sherman. This proposed project minimizes traffic impacts and will support downtown businesses with patrons and will stimulate additional private investment in East Sherman.



**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, streetlights, recreation, recycling, and trash collection).

The proposal will place a minimum burden on existing City infrastructure yet will substantially fund city services through utility rates and property taxes.

**WATER:**

*There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed modification of the LDPUD.*

*- Submitted by Kyle Marine, Assistant Water Superintendent*

**STORMWATER:**

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

*- Submitted by Chris Bosley, City Engineering*

**WASTEWATER:**

*The 2013 Sewer Master Plan (SMP) requires this project to upsize the existing public sewer from 8 inch to 15 inch located at 23rd St south of Mullan Ave. Also, to abandon 6-inch public sewer in the same area of 23rd south of Mullan Ave and connect existing services to the new public sewer line. Also, an update to the original PUD (2-04) The SMP has identified a possible downstream capacity issue that should be evaluated by the clients consulting engineer. There would also be some need to reroute sewer upstream of this planned project from Armstrong Hill and The Terraces pressure sewer to facilitate continued sewer flows through the project. All sewerage lines beyond and upstream of the public sewer connection shall be privately owned and maintained by the PUD's Owner at no cost to the City.*

*- Submitted by Larry Parsons, Utility Project manager*

**Objective 4.05 Public Safety:** Provide adequate public safety to our citizens and visitors.

The size and building design will meet or exceed safety code standards.

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

**Urban Forest**

The City of Coeur d'Alene's forest cover is one of the defining physical characteristics of the city. Native forests of the surrounding hillsides mix and blend with the planted non-native forest of street trees and private tree cover of the central city. Trees increase economic stability by attracting and keeping businesses and shoppers in a community.

Mature trees also raise property values by up to 20 percent, according to the American Forestry Association. Protection and enhancement of our forest is particularly important to our community.

Trees not only contribute to the beauty of our city, they provide a multitude of environmental and social benefits. These include, but are not limited to: cooling shade, reduction of the heat island effect, carbon sequestering, reduction of stormwater runoff, erosion prevention, air purification, and noise buffering. Furthermore, trees provide a pleasant atmosphere for social interactions.

**Policy:**

We will protect and enhance the urban forest.

**Methods:**

- Monitor the health and beauty of the city's urban forest to maintain our environmental and aesthetic goals.
- Encourage development that works in a cooperative fashion to accomplish these public goals.
- Work with land owners, citizens' groups, and governmental
- agencies to plant and maintain our urban forest.
- Encourage and require, where appropriate, planting of native tree species.
- Encourage the retention of tree cover on private property.

**Related Objectives:**

1.05, 1.06, 1.07, 1.08, 1.15

*The applicant provides language in multiple places within the narrative discussing their desire to retain as many trees as feasible on the site. The building footprints are purposefully placed to achieve this goal. See the Special Area's Related Objectives and responses listed above in the Comprehensive Plan objective section of this finding for more information.*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposal is or is not consistent with the city comprehensive plan. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

**Finding C:** **The building envelope(s) is compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include: building heights and bulk, off street parking, open space, privacy and landscaping.**

**Building Envelope(s) & Design Elements:**

The building envelope is intentionally set back as far as possible from the public right of way in order to maximize the landscape buffer and preserve the mature trees. The +/- 85-foot-tall trees north of building 2, along with the +/-40-foot-tall trees along 23rd buffer the building height. To further maximize the landscape buffer, all tenant parking (at 2 parking spaces per 1- or 2-bedroom unit) is within the building. Additionally, the buildings are spaced +/- 85 feet apart to create view corridors.

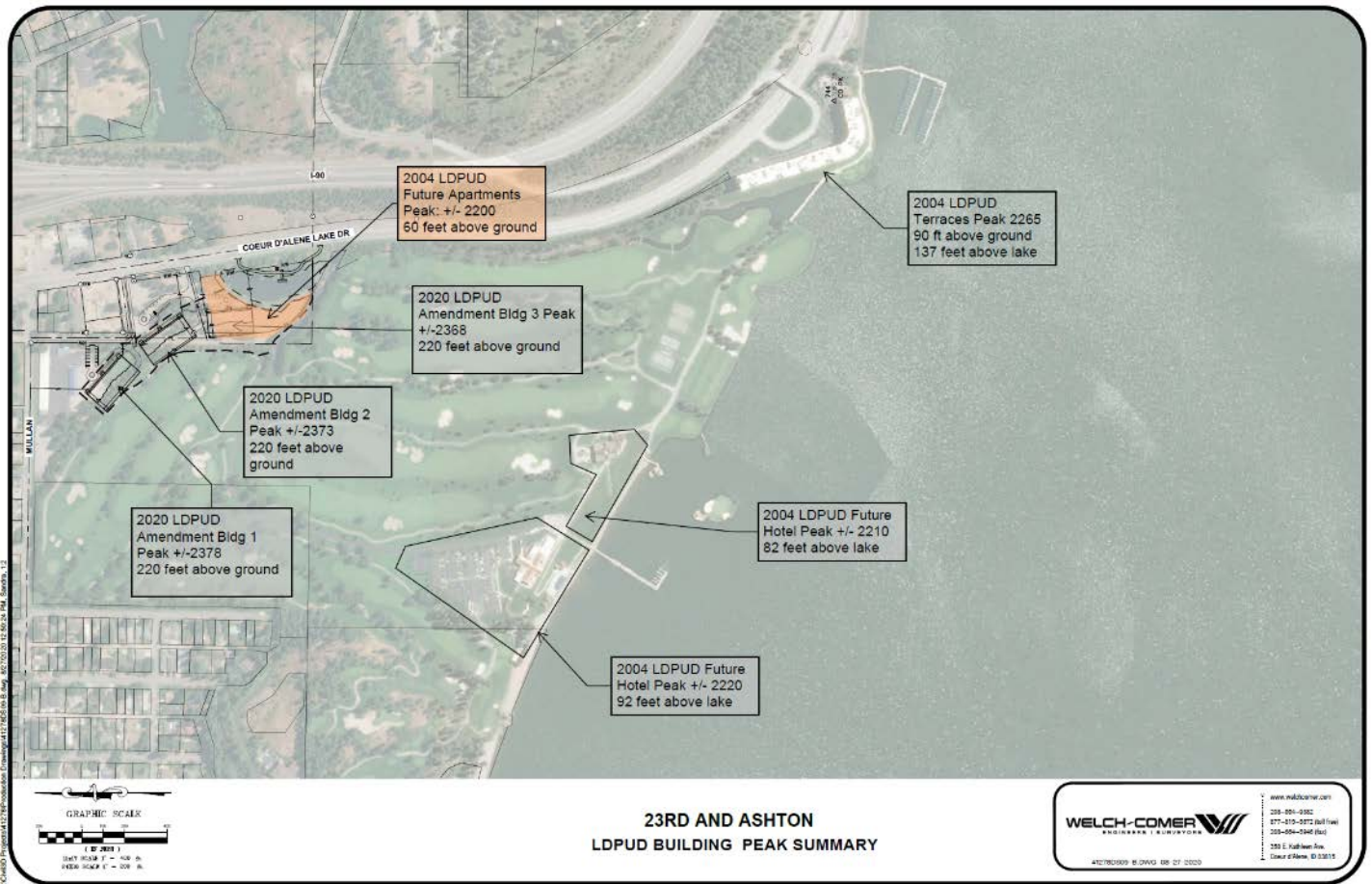
*See "Building Bulk" below for additional details on the massing for each building.*

**Building Heights:**

As mentioned in finding "A", the applicant is requesting a maximum height of 220' similar to the Downtown Core standards (incl. bonuses). The applicant has included a building peak summary exhibit that defines that height as it relates to elevation.

Proposed building height by structure:

- Building #1: Peak elevation +/- 2378 ft. (maximum height 220')
- Building #2: Peak elevation +/- 2373 ft. (maximum height 220')
- Building #3: Peak elevation +/- 2368 ft. (maximum height 220')



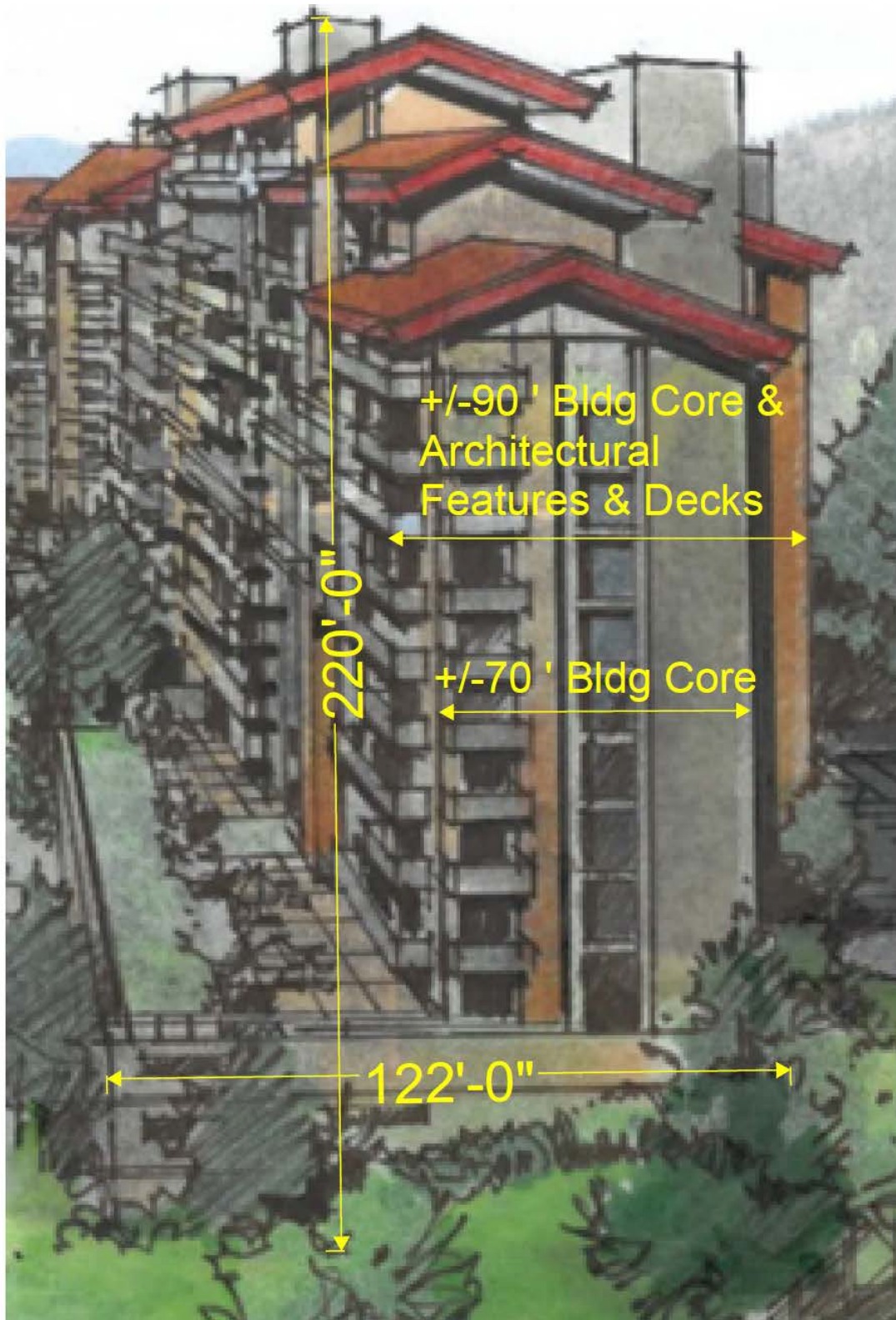
**Building Bulk:**

*The applicant's submittal provided an exhibit indicating the approximate dimensions of each building, a building envelope for siting the three proposed structures, and text that proposes a minimum separation between each proposed building of 85' (see "Building Envelope(s) & Design Elements" above). As such, limiting factors such as the existing golf course fairway and cart path, Fernan Mill Pond, existing streets, and the maintenance area would prevent much movement from what is shown. Allowing a small amount of flexibility in siting the structures could prevent a return trip to Planning Commission to interpret the exact location of a building. The reasons are many to consider this flexibility: Future utility locations and easements, Fire Department access, and Building Department construction standards are just a few of the many building permit requirements that could affect a slight shift to a proposed structure.*

*Proposed bulk by structure:*

- *Building #1:*
  - *Parking (Base of building) +/- 242' x 122'*
    - *Height of parking component +/-40'*
  - *Tower above parking (Multi-family/Hotel)*
    - *Building core (Conditioned space) +/- 242' x 70'*
    - *Core + Architectural detail & Decks +/- 242' x 90'*
      - *Height of livable area component +/- 180'*
  
- *Building #2:*
  - *Parking (Base of building) +/- 242' x 122'*
    - *Height of parking component +/-40'*
  - *Tower above parking (Multi-family/Hotel)*
    - *Building core (Conditioned space) +/- 242' x 70'*
    - *Core + Architectural detail & Decks +/- 242' x 90'*
      - *Height of livable area component +/- 180'*
  
- *Building #3:*
  - *Parking (Base of building) +/- 212' x 122'*
    - *Height of parking component +/-40'*
  - *Tower above parking (Multi-family/Hotel)*
    - *Building core (Conditioned space) +/- 212' x 70'*
    - *Core + Architectural detail & Decks +/- 212' x 90'*
      - *Height of livable area component +/- 180'*
  
- *All proposed structures:*
  - *Maximum height 220'*
  - *See illustrative elevation graphic below*

Illustrative Elevation:



Approximate building dimensions for bulk and scale evaluation. Illustrative image.



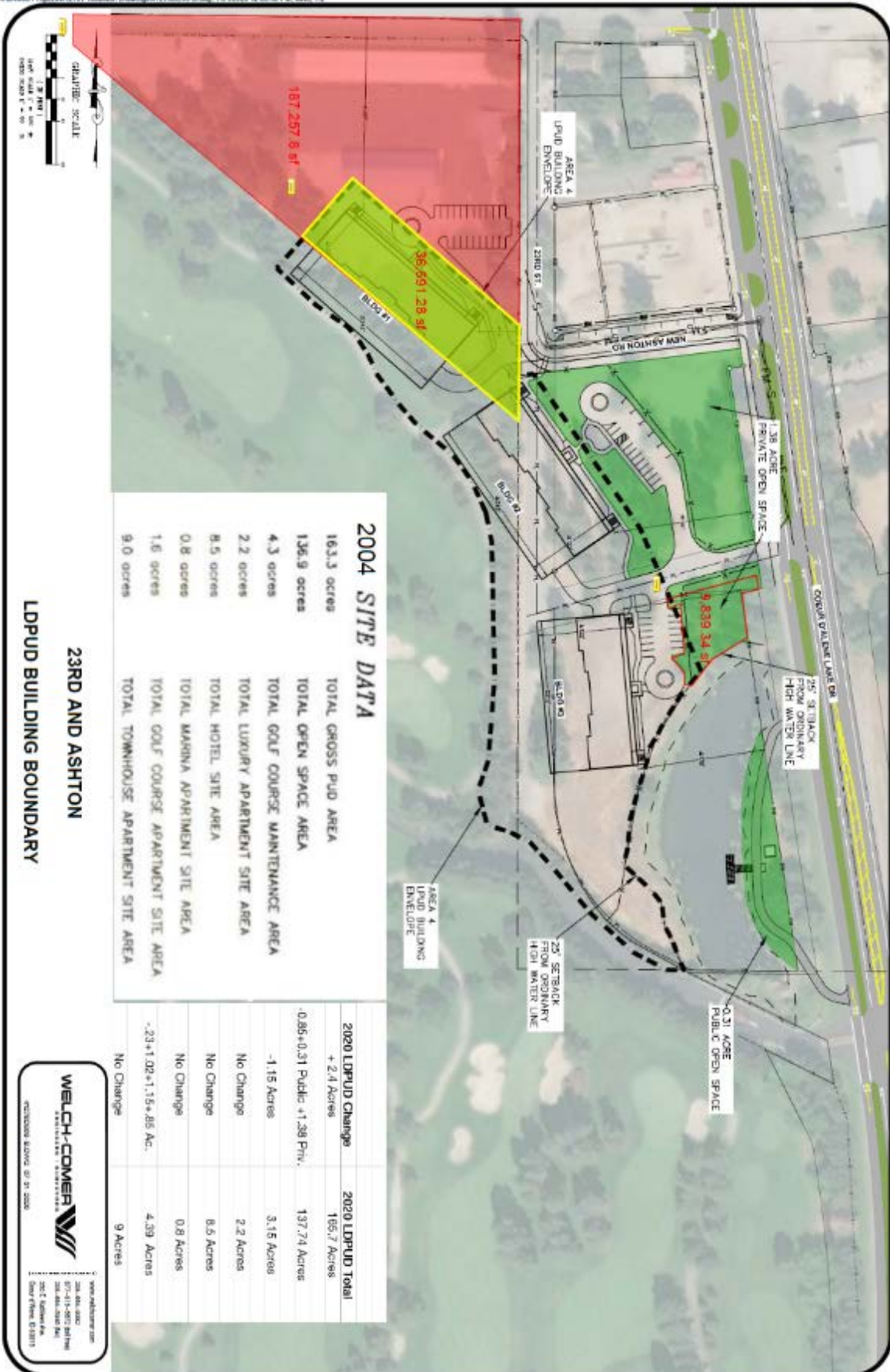
**23RD AND ASHTON**  
**LDPUD BUILDING BOUNDARY**



LDPUD OPEN SPACE	
2004	136.9 AC
2020 ADDED:	
PUBLIC	0.31 AC
PRIVATE	1.38 AC
2020 REMOVED FROM 2004 AREA	2.0 AC
<b>TOTAL</b>	<b>136.59 AC</b>

LDPUD AREA	
2004	163.3 AC
2020 ADDED	2.4 AC
<b>TOTAL</b>	<b>165.7 AC</b>

**WELCH-COMER**  
 ENGINEERS & SURVEYORS  
 4875 WOODLAND DRIVE, SUITE 200  
 DALLAS, TEXAS 75244  
 TEL: 972-382-2200  
 FAX: 972-382-2201  
 WWW.WELCH-COMER.COM



**23RD AND ASHTON**  
**LDPUD BUILDING BOUNDARY**

**WELCH-COMER**  
ARCHITECTS

200 W. 11TH ST. SUITE 200  
DENVER, CO 80202  
TEL: 303.733.8888  
WWW.WELCH-COMER.COM

*Additionally, the applicant provided a multitude of renderings of the site showing before and after simulations.*

In order to demonstrate this fact clearly, scaled computer models of the building were constructed and “inserted” into Google Earth Pro which allows the earth and buildings to be viewed in 3 dimensions in “Terrain Mode” (which produces illustrative imagery). The illustrative image below shows the buildings placed on the site. Additional before and after images for different street views are presented below and demonstrate the lack of impact the buildings have on vistas. The Ashton site is unique in Coeur d’Alene.



*Figure 9 Illustrative Aerial Image Looking South*





*Figure 10 CDA Lake Drive Looking North-Before*



*Figure 11 CDA Lake Drive Looking North-After Note, no impacts. Illustrative image.*



Figure 12 Mullan and 19<sup>th</sup> Street Looking East -Before



Figure 13 Mullan and 19<sup>th</sup> Street Looking East -After - Trees obscure the buildings. No impact. Illustrative image.



*Figure 14 CDA Lake Drive Looking South - Before*



*Figure 15 CDA Lake Drive Looking South – After - Trees obscure the buildings. No impact. Illustrative image.*



Figure 16 CDA Lake Drive Looking Southwest - Before



Figure 17 CDA Lake Drive Looking Southwest – After – Trees and CDA Lake Drive Apartment obscure the buildings. No impact. Illustrative image.



*Figure 18 Young Ave at 19<sup>th</sup> Street looking east – before*



*Figure 19 Young Ave at 19<sup>th</sup> Street looking east – After – Trees obscure the buildings. No impact. Illustrative image.*



Figure 20 Potlatch Hill Park Parking Lot – Before



Figure 21 Potlatch Hill Park Parking Lot – After Illustrative image.



Figure 22 I-90- West Bound near Potlatch Hill Road - Before



Figure 23 I-90- West Bound near Potlatch Hill Road - After Illustrative image.



Figure 24 I-90- East Bound near Sherman Ave. Overpass - Before



Figure 25 I-90- East Bound near Sherman Ave. Overpass - After Illustrative image.





Figure 26 Mullan Ave. West Bound – Before



Figure 27 Mullan Ave. West Bound – After – Trees obscure the building. No impact. Illustrative image.



Figure 28 View from Fernan Hill Road - Before



Figure 29 View from Fernan Hill Road – After. Illustrative Image

**Off-street Parking:**

*The applicant has not requested changes to off-street parking. Per the requirements of LDPUD standards (City code reference 17.07.250) required parking spaces serving residential activities shall be located within two hundred feet (200') of the building containing the living units served. The minimum requirements for each proposed use are provided below:*

**17.44.030: RESIDENTIAL USES:**

	Residential Uses	Requirement
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

**17.44.070: SERVICE USES:**

	Service Activity	Requirement
D.	Hotel/motel	1 space for each room or unit; plus as required for accessory uses, such as restaurants, meeting halls, etc.

**Open Space & Landscaping**

*Please see finding "E" below which addresses open space.*

**Privacy**

*As described in the decision points at the beginning of this report, the applicant has requested the allowance of 6' privacy fences and access gates along street rights-of-way for privacy, noise abatement, and errant golf balls in typical of golf course operations. Gates must be set back far enough to allow for stacking without inhibiting traffic movements in a street. This is consistent with existing development in the LDPUD. The applicant provided the following entry drive concept depicting fence and gate elements:*



*Figure 39 Entry drive concept demonstrating building scale with existing trees.*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the building envelope(s) is compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include: building heights and bulk, off street parking, open space, privacy and landscaping.*

**Finding D:** **The proposal is compatible with natural features of the site and adjoining properties. Natural features to be considered include: topography, native vegetation, wildlife habitats and watercourses.**

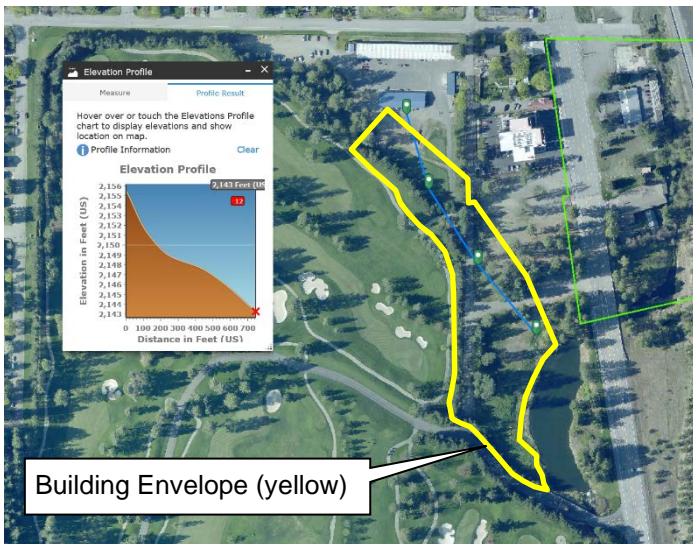
The proposal is compatible with the site natural features because it preserves the two major natural features; the mature trees and Fernan Mill Pond. The proposal will also, to the extent feasible, set the buildings at the existing ground elevations, which vary more than 15 feet from building 1 to building 3, which will in turn create stepped roof lines. The proposal is also compatible with the adjoining property natural features, most of which have limited natural features; to the east is CDA Lake Drive and topography that slopes steeply up to I-90, to the west is the golf course, to the north is a cemetery and multifamily and commercial buildings and to the south is the crown jewel natural feature, Lake Coeur d'Alene Lake. The lake is nearly a half mile away so there is not much ability to evaluate compatibility to natural features because of the distance.

**Topography:**

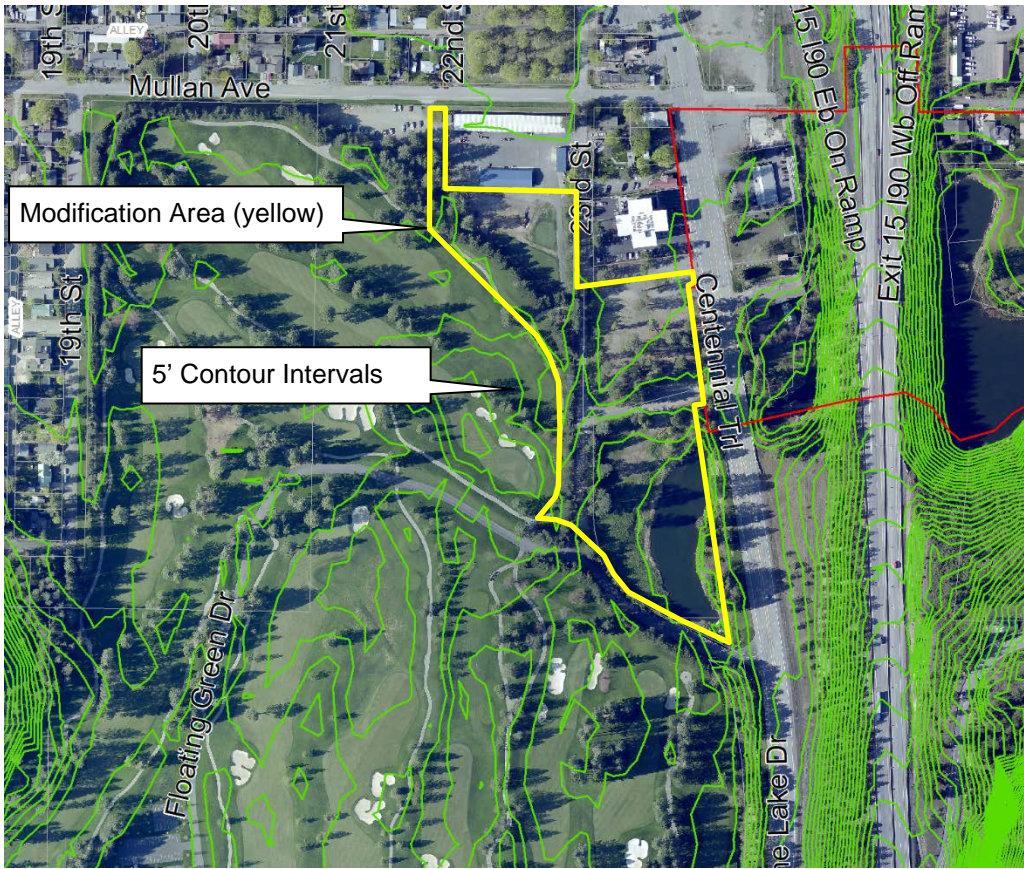
*The map below shows 5' contours in relation to the request (site #4 expansion). The site elevation changes are minor and measure roughly 20' from the ordinary high-water mark at Fernan Mill Creek Pond to the knoll on the 2.4-acre parcel requested for inclusion. In the proposed building envelope, grade changes approximately 10' as provided under the height elevations provided by the applicant in finding "C".*

*Using the city's GIS elevation profile tool for proposed building envelope within site #4 from the maintenance area to the proposed setback from Fernan Mill Pond yields 1.6% average slope. Under current city code site #4 is considered hillside exempt (less than 15% slope).*

*Significant elevation changes can be found in the southwest corner of the LDPUD and in the rise of elevation to Interstate-90, but these areas are located outside of the modification request and do not impact site #4 or the proposed building envelope.*

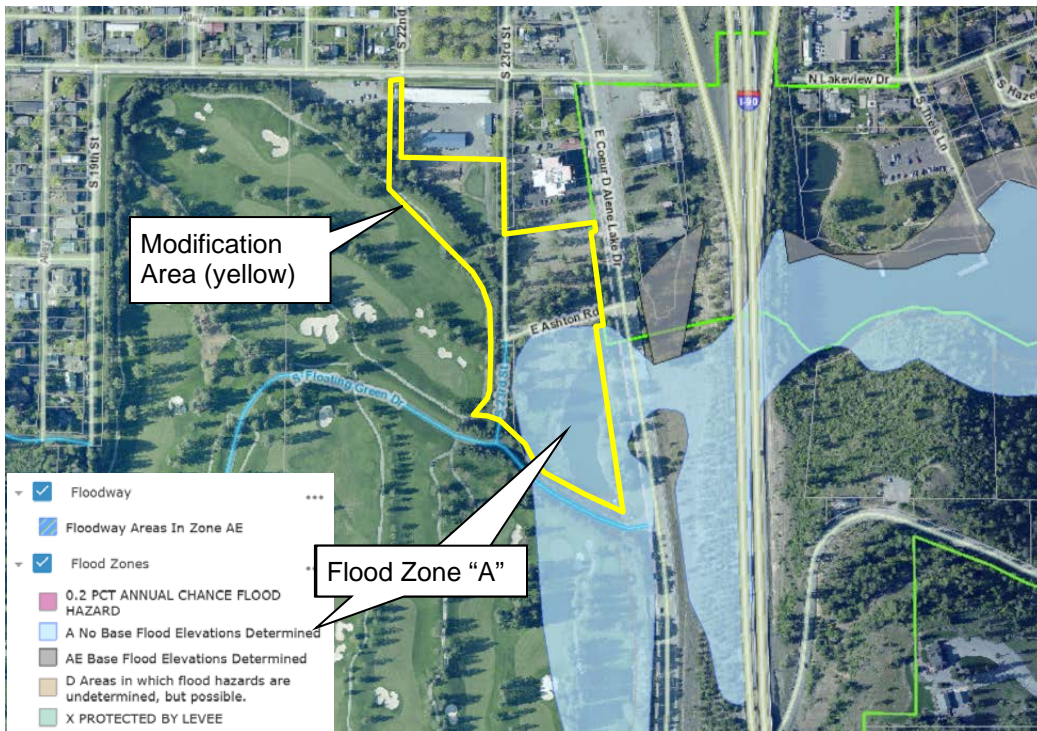


**Initial slope calculation:**  
*Elevation rise: 12'  
Distance run: 745'  
  
Average slope of building envelope:  
 $12' / 745' = 1.6\%$*



**Watercourses:**

*For applicant's comments and additional information see finding "B" objective 1.17.  
Supplemental map below:*



*Rendering of Fernan Mill Pond (watercourse) Public Open Space and structures:*



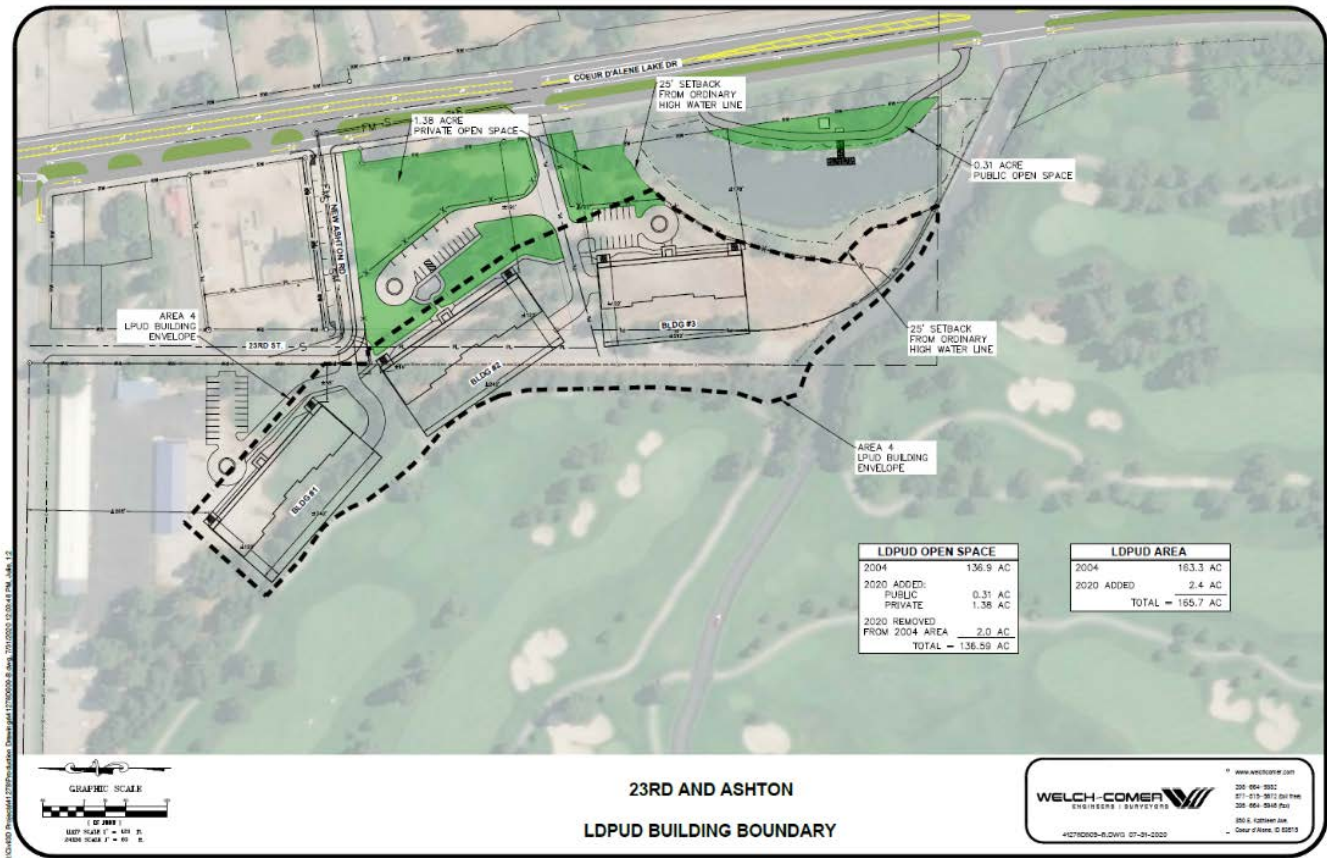
*Figure 31 Proposed Buildings with Public Open Space on Fernan Mill Pond.*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties. Natural features to be considered include: topography, native vegetation, wildlife habitats and watercourses.*

**Finding E:** **The proposal provides adequate private common open space area, as determined by the planning commission, no less than ten percent (10%) of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

*The golf course and beach areas and new Ashton private and public open space provide over 82% open space.*

*The graphic below is also provided in finding “C” of this report (Building Bulk), but it serves a dual purpose which is why it is also provided here. The green areas denote where additional private garden area is proposed (1.38 acres) and also shows the public open space horseshoe trail and fishing pier (0.31 acre). This is addition to the existing golf course open space.*



**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, as determined by the planning commission, no less than ten percent (10%) of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.

**Finding F:** The location, design and size of the proposed building envelope is such that the traffic generated by the development can be accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets.

**STREETS:** Traffic generated by the proposed development, as estimated below, can be accommodated on both Coeur d'Alene Lake Drive and 23rd Street, which is very lightly traveled today. Ashton Road is the only other street that would be accessed by this development and is proposed to be relocated to the north.

- Submitted by Chris Bosley, City Engineer

**TRAFFIC:** As noted above, the subject property is bordered by Coeur d'Alene Lake Drive to the east, which is a minor arterial connecting Coeur d'Alene to residences of Kootenai County. Not knowing the

final percentages of Apartments, Condos, and Hotel rooms, an accurate prediction of traffic generated by the development is not possible. However, assuming the entire property is developed as any one use results in the following traffic estimates per the ITE Trip Generation Manual:

- High-Rise Apartments: 82 AM Peak Hour Trips & 96 PM Peak Hour Trips
- High-Rise Condominiums: 93 AM Peak Hour Trips & 104 PM Peak Hour Trips
- Hotel: 145 AM Peak Hour Trips & 165 PM Peak Hour Trips

Because even the worst-case scenario for traffic generation results in only a modest increase in traffic, the Streets & Engineering Department has no objection to the planned unit development as proposed. Coeur d'Alene Lake Drive has the available capacity to accommodate the resulting traffic, even with the removal of a travel lane as discussed.

-Submitted by Chris Bosley, City Engineer

**Evaluation:** The Planning Commission must determine, based on the information before them, whether or not the location, design and size of the proposed building envelope is such that the traffic generated by the development can be accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets.

**Finding G:** The proposed setbacks provide:  
1. Sufficient emergency vehicle access.

Emergency Access will be provided from four access points:

1. CDA Lake Drive
2. Golf Course Drive
3. Mullan Avenue
4. 23<sup>rd</sup> Street as shown below.

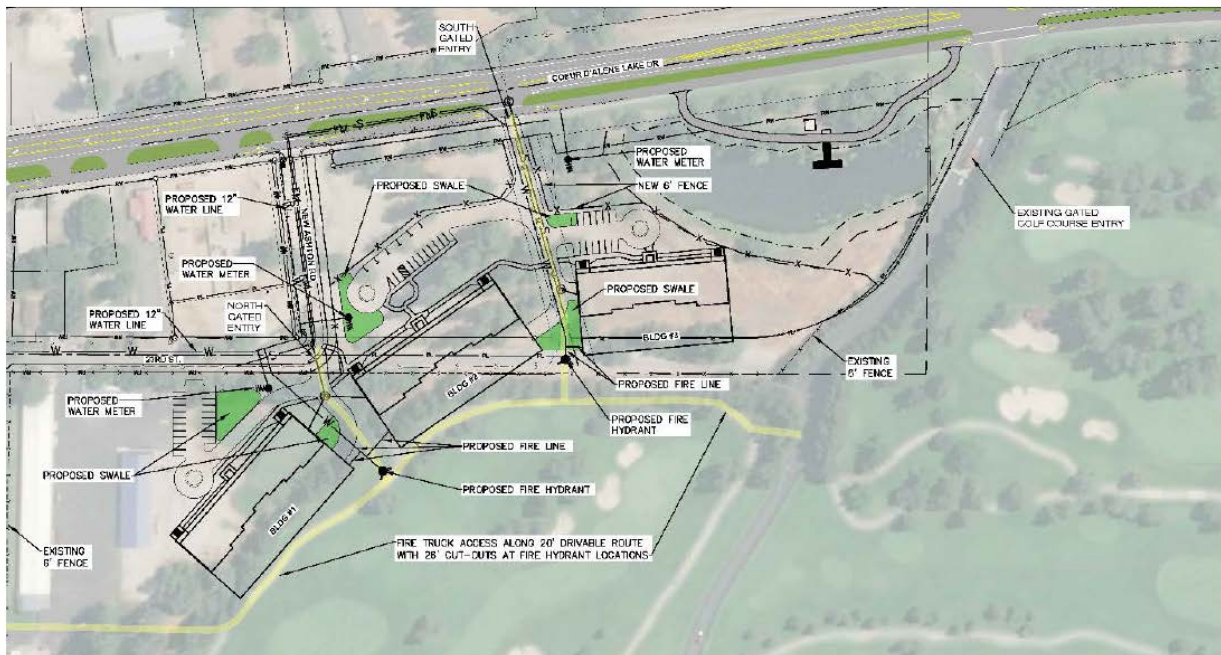


Figure 38 Infrastructure Overviewing showing Emergency Access Route



***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-2015) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.*

*-Submitted by Bobby Gonder, Fire*

**2. That neighborhood character will be protected by adequate buffering.**

The site is substantially buffered from the existing commercial and multifamily uses as shown in the earlier before and after photos.

*See finding "C" above for before and after photos.*

**3. For maintenance of any wall exterior from the development's property.**

Not applicable.

*Sufficient access to all sides of proposed buildings would exist if approved as presented. The applicant has indicated in the application that perpetual maintenance of the buildings and perimeter fencing would be provided by Hagadone Hospitality.*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposals setbacks provide, for sufficient emergency vehicle access, that neighborhood character will be protected by adequate buffering, and for the maintenance of any wall exterior from the development's property.*

**Finding H:** **The proposed building envelope(s) will provide for adequate sunlight, fresh air and usable open space.**

The building architecture promotes substantial views to the lake and golf course and large expansive decks both of which allow sunlight and fresh area. The golf course and beach open space provide plenty of recreational opportunities for tenants and the garden open space provide additional walking and relaxing opportunities.

## Building Separation & Setbacks:

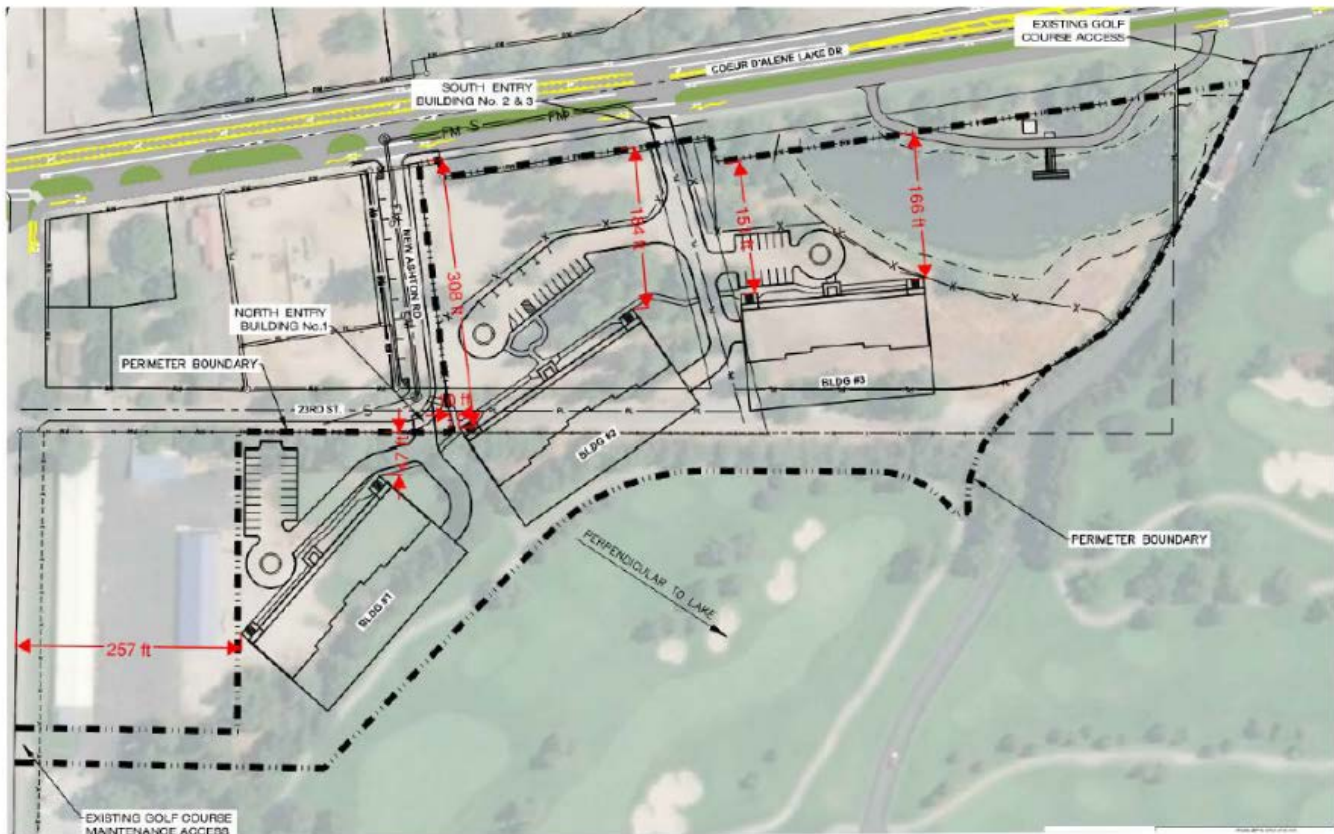


Figure 30 Site Overview with setback dimensions from right of way.

*The applicant has stated that the minimum building separation will be 85'. Per the original Planning Commission's approval of the 2004 LDPUD, setbacks for site #4 were set at 0' for front, sides, and rear. The applicant has expressed in the application that they'd like to retain this approval. If Planning Commission does not modify previously approved setbacks through this request, the original 0' setbacks will apply. The application also states that the applicant will maintain a minimum of a 25' setback from the ordinary high-water line near the pond (in accordance with FEMA flood requirements).*

**Evaluation:** *The Planning Commission must determine, based on the information before them, whether or not the proposed building envelope(s) will provide for adequate sunlight, fresh air and usable open space.*

## APPLICABLE CODES AND POLICIES:

### UTILITIES:

- All proposed utilities within the project shall be installed underground.
- All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
- All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

**STREETS:**

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

**STORMWATER:**

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

**PROPOSED CONDITIONS:**Planning:

1. Prior to the issuance of building permit(s), the applicant will be required to obtain design approval from the Design Review Commission (DRC).
2. Per the application language, a minimum tower separation of 85' must be maintained between the three proposed structures.
3. If the owner decides to replat or subdivide (formal plat or condo plat), the public open space (0.31 acre) shall be placed into a tract. Until then an easement for public access must be recorded.
4. Any outstanding items from the annexation agreement dated June 15, 2004 that are associated with the expanded footprint of Site #4 must be completed. (record #1884094)

Engineering:

5. Per the 2017 agreement with Hagadone Hospitality, Ashton Road is to be relocated to the north to accommodate the proposed development. 23rd Street must be reconstructed to City Standards in order to accommodate the traffic. The relocation of Ashton Road, including construction of the shared-use path on 23rd Street and Ashton Road, must be completed prior to removal of the existing Ashton Road. (Resolution No. 17-026)
6. Coeur d'Alene Lake Drive frontage improvements as detailed in the approved Coeur d'Alene Lake Drive Master Plan shall be completed prior to issuance of any Certificate of Occupancy. These improvements include removal of the western-most southbound travel lane pavement and replacement with a landscaped, vegetated swale to provide separation between the Centennial Trail and motor vehicle traffic.

Fire:

7. Fire Department access by way of an approved road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of at least 75,000 pounds. Minimum access road width shall be 20 feet, 26 feet with a fire hydrant.
8. Access through the secured gates by Knox system.
9. The turnaround in the parking lots over 150 feet require the cul-de-sac be 96 feet in diameter in accordance with the current adopted Fire Code.
10. 'NO PARKING – FIRE LANE' signs installed along the west and north FD access roads.

Water:

11. Additional minimum 8" main extensions will follow public streets and right of way where feasible. Additional fire hydrants and services may be extended from said main extensions with dedicated public utility easements across private property to meet life safety requirements. Services will be placed adjacent to streets and right of way. All main extensions, fire hydrants and services pertinent to the development will be the responsibility of the developer at their expense. Cap fees will be due at the time of permit.
12. The City reserves the right to request oversizing of specific infrastructure to meet additional flow requirements with the provision that the City would pay only oversizing related costs.

Wastewater:

13. The 2013 Sewer Master Plan (SMP) requires this project to upsize the existing public sewer from 8 inch to 15 inch located at 23rd St south of Mullan Ave.
14. Abandon the 6-inch public sewer in the same area of 23rd south of Mullan Ave and connect existing services to the new public sewer line.
15. All public sewer plans require IDEQ or QLPE approval prior to construction.
16. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to All City Standards and Policies shall be required prior to building permits.

Attachments:

*PUD-2-04 Staff Report & Findings*

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

**APPLICANT'S  
NARRATIVE**

July 30, 2020

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

Re: Limited Planned Unit Development Amendment

Dear Hilary:

On behalf of Hagadone Hospitality Co., we are requesting an Amendment to the Limited Planned Unit Development PUD 2-04 granted to us in 2004 at Area 4 of the Coeur d'Alene Resort Golf Course for an apartment building. This request is founded by the acquisition of the old campground site between Coeur d'Alene Lake Dr. and 23<sup>rd</sup> Street, that we acquired several years ago, along with the agreement we have reached with the City to vacate a portion of 23<sup>rd</sup> Street and Ashton. These acquisitions added 2.4 acres to the property.

This area of the property acquired from Potlatch Corporation in 1988, along with the old campground site, has long been a part of the vision Mr. Hagadone had of converting these eye sores into the world class golf course that exists today. As part of that vision is the development, we are presenting now for three new apartment/condo/hotel towers on the north end of the golf course, all viewing to the south with the golf course and lake beyond.

You may recall that we were awarded the National Special Award Project of the Year from *The Urban Land Institute* for the environmentally sensitive design used on the golf course and the world-famous floating green. Also, please recall the condition of the campground site that had open sewer channels and other conditions that we removed and retrofitted. This project will complete the transition.

Specifically, this Amendment will expand the building boundaries of the approved Area 4, create a 1.38 acre private garden open space along Coeur d'Alene Lake Dr., and we are also proposing a beautification of 0.31 acres of the property adjacent to the Fernan Creek pond to add a spur of the Centennial Trail down to the eastern edge of the pond and the installation of a fishing pier for use by the public. We still have an open space area for the total development of 136.59 acres or 82% of the development. The buildings will be adequately served with existing City water and sewer utilities located in 23<sup>rd</sup> Street and CDA Lake Drive.

This proposal is for up to 275 units (apartments/condominiums/hotel rooms) within the three towers, with enclosed parking for tenants and exterior guest parking. With the 2004 LPUD approval and this amendment, the overall residential density would be 2.9 DU/Acre. The project would be built in 2-3 phases and management of the site and apartments will be by Hagadone Hospitality Co. and the condominiums, if any, will be by a condominium owners association. The building contains 4 floors of ramped parking and 3 to 4 floors of hotel units and 9 to 10 floors of living units. The building will be a maximum height of 195 feet above ground, plus the peaked roofs structure. There will be a minimum of 2 roof steps on each end of each tower.

The park area along Coeur d'Alene Lake Dr. is blessed with an abundance of mature trees of approximately 85 feet of height. Along with the trees we planted during golf course construction at the perimeter that are approximately 40 feet tall. These trees, along with the park area, offer a natural buffer for the new buildings, as shown on the attached renderings. In order to minimize removal of mature trees, we will construct two access locations to serve the buildings. The north access from 23<sup>rd</sup> Street will serve building 1. The south access from CDA Lake Drive will serve buildings 2 and 3.

Further, as shown on the renderings, the buildings are handsomely designed with stepped vertical façade elements at the stair ways of each end and the elevator tower in the middle. The stepped roofs produce several different planes of sloped roofs. Additionally, the site topography will result in the buildings having different finished roof elevations. The buildings are also spaced apart +/- 85 feet to provide nice view corridors that may be viewed through the existing forest of trees. The buildings architecture will be such that the use of multiple materials and forms will be implemented, understanding that they will be subject to Design Review before a building permit will be issued.

We believe this type of design and housing use and location, is preferred to the never-ending sprawl of single-family and multi-family dwellings to the north and west of our metro area. This location has easy vehicle access to I-90 and bike and pedestrian access to the Centennial Trail. The existing street system is adequate to handle the additional vehicle along Coeur d'Alene Lake Dr. There are little to no impacts such as new roads, sewer, water, etc. required at this location.

Further, the economic impact this project will have on East Sherman cannot be understated. We believe this project will have an amazing impact on the retail, restaurant, and services along the East Sherman corridor. It will also demonstrate the viability of investing in East Sherman and increase the tax base to potentially support City or future URA funded East Sherman Revitalization initiatives.

Enclosed, please find the PUD Application form and an analysis demonstrating how this proposal satisfies the criteria necessary for PUD approval.

## 2020 Coeur d'Alene Resort Golf Course LDPUD Amendment

The purpose of this LDPUD Amendment is to:

1. Expand the 2004 LDPUD apartment/condo building Area 4 boundary to include a recently acquired adjacent parcel and vacated ROW.
2. Expand Area 4 into the 2004 LDPUD open space and add additional private and public open space.
3. Allow a building height of 195 feet above ground for the amended LDPUD area.
4. Allow 6-foot-tall front yard fencing height.

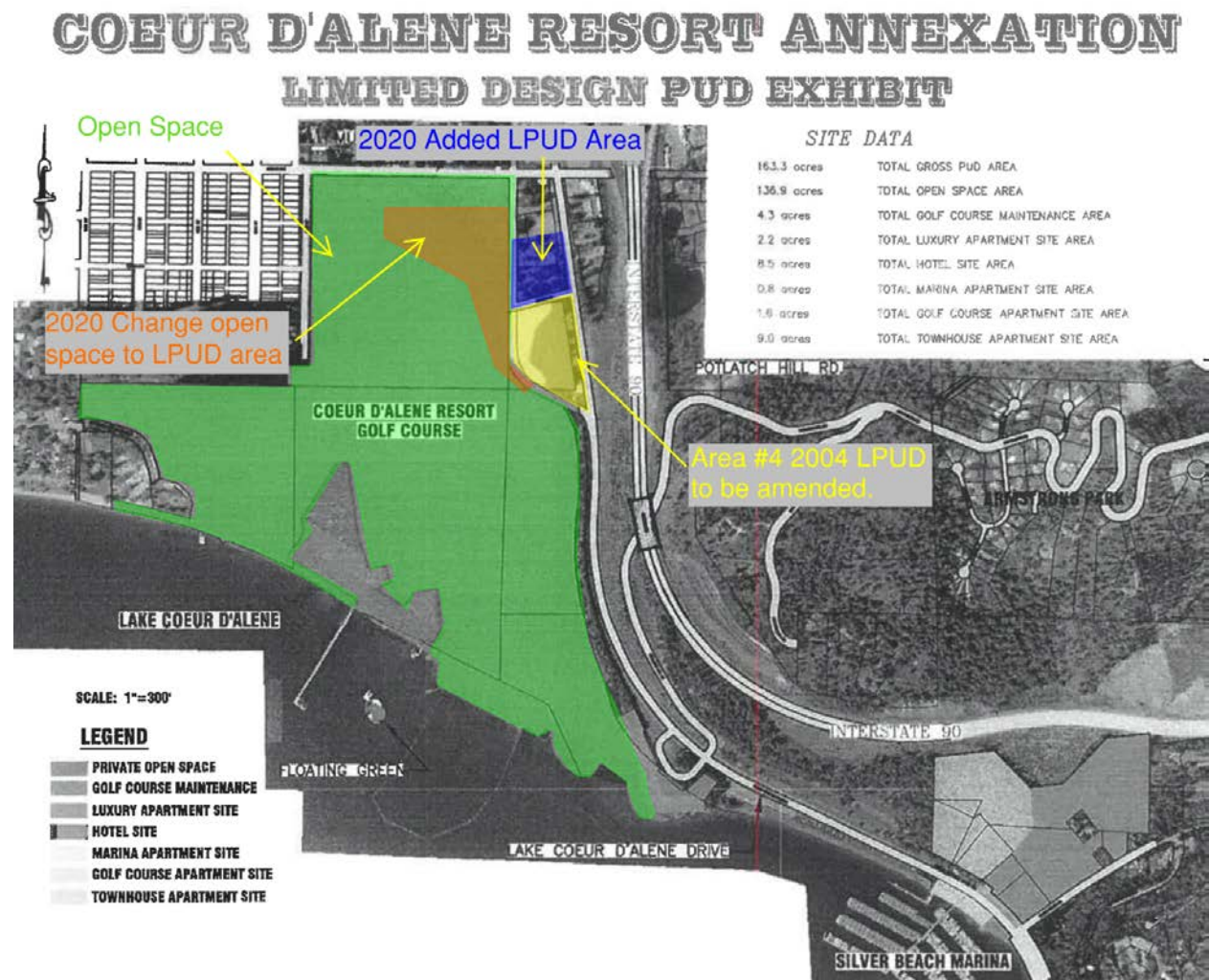


Figure 1 2004 LDPUD Areas

The primary design objectives for the Ashton site are to maximize lake views from the residential/hotel building and maximize the street level buffer by preserving the mature trees and enhancing the buffer with extensive landscaping.



## 2020 Ashton LDPUD Approval Criteria

The following section addresses how this proposal satisfies each of the City's LDPUD Review Criteria (shown in underlined bold)

### 17.07.275: LIMITED DESIGN PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

A limited design planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the planning commission.

#### A. The proposal produces a functional, enduring, and desirable environment.

The Ashton proposed project will create a highly desirable residential apartment/condo and hotel project that was envisioned over a decade ago. The Coeur d'Alene market is demanding more of this product type and this proposal will fulfill that demand in the highest quality way, integrated into an existing master planned project, the Coeur d'Alene Resort Golf Course.



Figure 2 Building Concept Golf Course Side Façade



Figure 3 Building Concept "Street Side" Façade



Figure 4 Concept site plan showing the buildings setback from the street and extensively landscaped garden buffering.

**B. The proposal is consistent with the city comprehensive plan.**

The proposal is in the stable and transition comprehensive planning areas which are defined below and this proposal falls within the transition neighborhood definition.

***Stable Established:***

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

***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.

The following sections summarize the applicable comprehensive plan goals and objectives and how the Ashton LDPUD amendment proposal satisfies those objectives.

**Goal #1 Natural Environment**

Objective 1.05 Vistas: Protect the key vistas and view corridors of the hillside and waterfronts that make Coeur d’Alene Unique.

Acquisition of the adjoining parcel, formerly a campground, and vacation of Ashton Avenue and 23<sup>rd</sup> Street (shown below) have allowed the buildings to be set far back from Coeur d’Alene Lake Drive which results in minimal to no vista impacts from public rights of way and adjoining property to the lake or hillsides.



*Figure 5 Campground Acquisition and City Right of Way Areas*

In order to demonstrate this fact clearly, scaled computer models of the building were constructed and “inserted” into Google Earth Pro which allows the earth and buildings to be

viewed in 3 dimensions in “Terrain Mode” (which produces stylized imagery). The image below shows the buildings placed on the site. Additional before and after images for different street views are presented below and demonstrate the lack of impact the buildings have on vistas. The Ashton site is unique in Coeur d’Alene.



Figure 6 Aerial Image Looking South



Figure 8 CDA Lake Drive Looking North-Before



Figure 8 CDA Lake Drive Looking North-After Note, no impacts.



Figure 10 Mullan and 19<sup>th</sup> Street Looking East -Before



Figure 10 Mullan and 19<sup>th</sup> Street Looking East -After -  
Trees obscure the buildings. No impact.



Figure 12 CDA Lake Drive Looking South - Before



Figure 12 CDA Lake Drive Looking South - After -  
Trees obscure the buildings. No impact.



Figure 14 CDA Lake Drive Looking Southwest - Before



Figure 14 CDA Lake Drive Looking Southwest - After -  
Trees and CDA Lake Drive Apartment obscure the buildings. No impact.



Figure 16 Young Ave at 19<sup>th</sup> Street looking east – before



Figure 16 Young Ave at 19<sup>th</sup> Street looking east – After – Trees obscure the buildings. No impact.



Figure 18 Potlatch Hill Park Parking Lot – Before



Figure 18 Potlatch Hill Park Parking Lot – After



Figure 20 I-90- West Bound near Potlatch Hill Road - Before



Figure 20 I-90- West Bound near Potlatch Hill Road - After



*Figure 22 I-90- East Bound near Sherman Ave. Overpass - Before*



*Figure 22 I-90- East Bound near Sherman Ave. Overpass - After*



*Figure 24 Mullan Ave. West Bound - Before*



*Figure 24 Mullan Ave. West Bound - After - Trees obscure the building. No impact.*

**Objective 1.06 Urban Forests: Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.**

The proposed site plan minimizes tree removal by pushing the buildings as close to the golf course as possible and putting all the tenant parking inside the building footprint. This design minimizes exterior parking lots, which minimizes tree removal. Additionally, to further minimize driveway length (which would cause tree removal) a north entrance was added to access building 1. Additionally, parking lots are strategically located in the site to minimize tree removal.

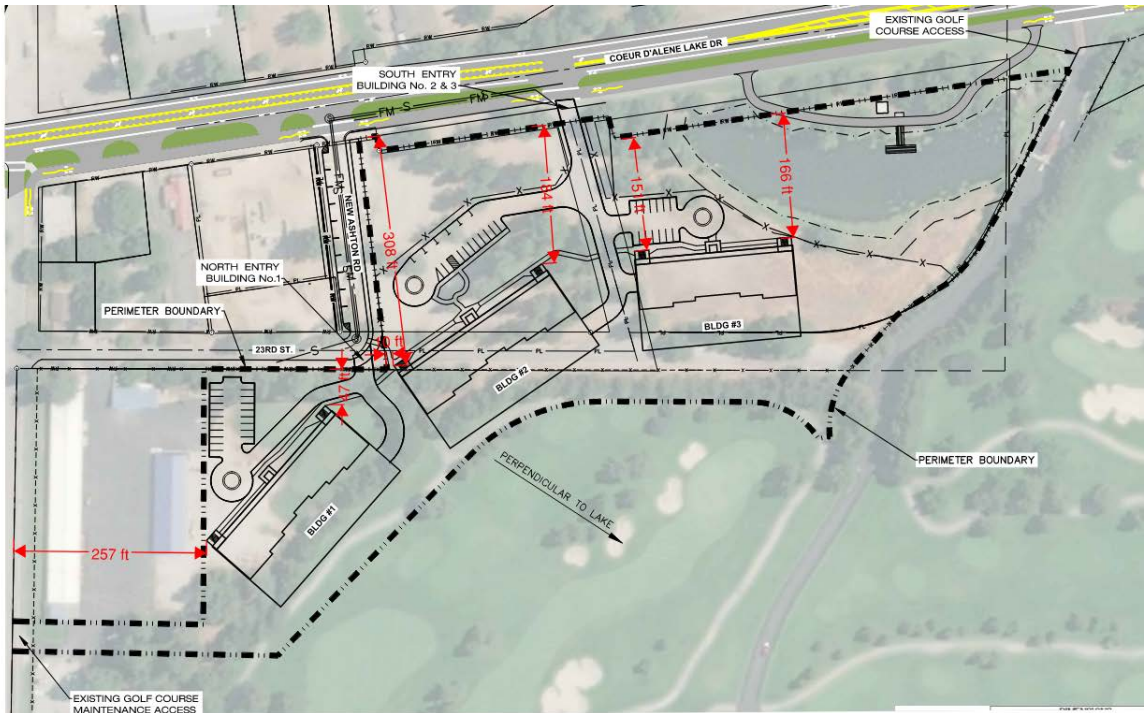


Figure 25 Site Overview with setback dimensions from right of way.

**Objective 1.07 Urban Forests: Restrict tree removal in city rights-of-way and increase tree planting in additional rights-of-way.**

No tree removal is planned for the City right of way unless it is necessary for the route from Centennial Trail to the Fernan Mill Pond public open space.

**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.**

The LDPUD Amendment proposes to add 0.31 acres of **publicly accessible** open space adjacent to the Fernan Lake outlet “Mill Pond,” a popular fishing hole. The open space will be accessible from the Centennial Trail and will feature natural landscaping and a fishing dock. The open space will be maintained by Hagadone Hospitality.





Figure 26 Proposed Buildings with Public Open Space on Fernan Mill Pond.

**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.**

Hagadone Hospitality Co. has made a considerable early investment in developing the preliminary site design and conceptual building architecture in order to demonstrate the commitment to sensitive community design. Specific examples include:

1. Locating the buildings as far from the public ROW as possible in order to preserve the existing mature trees, which will buffer pedestrian level views.
2. Heavily landscaping the buffer area to a “garden like” standard.
3. Varying the building orientation to avoid the look of a continuous block of buildings.
4. Proposing three smaller buildings instead of two large buildings.
5. Placing all the tenant parking inside (2 spaces/ 1- or 2-bedroom units) and minimizing exterior guest parking.



Figure 27 Concept layout with buildings setback from ROW with tree buffer



Exterior guest parking will be screened from public ROW views.

6. Maintaining a 25-foot setback from Fernan Mill Pond.
7. Modulating the building façade and using multiple finish textures and colors.
8. Providing two roof steps and pitching the roofs.

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

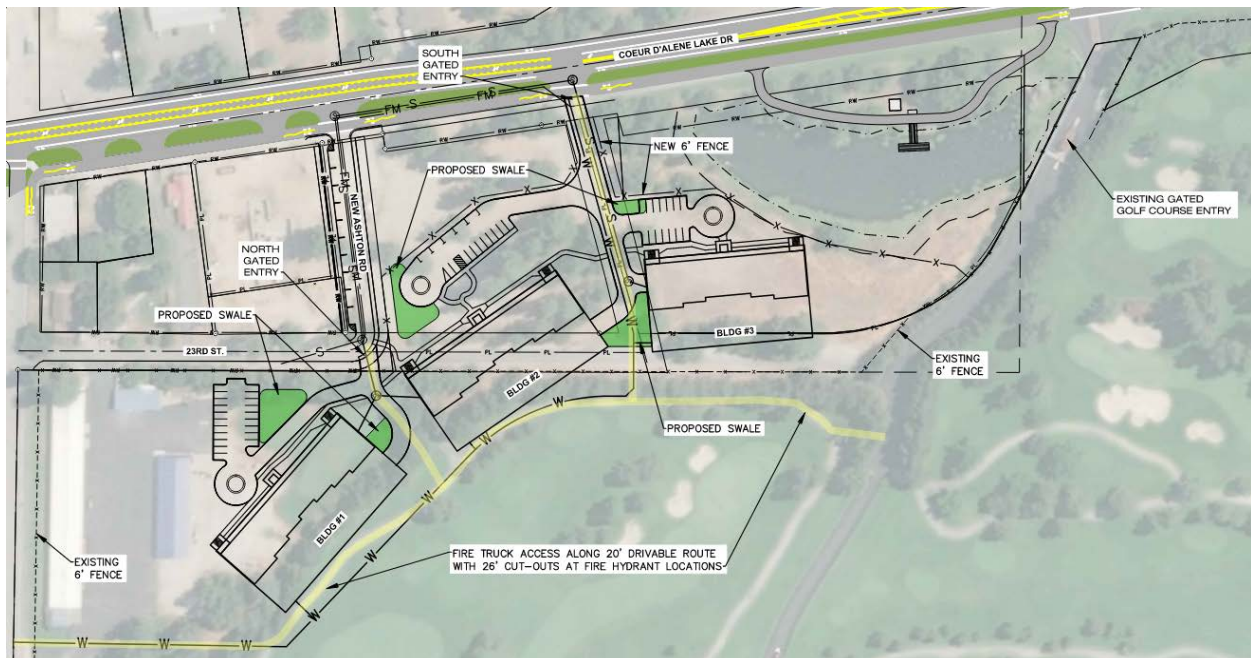
This proposal places residential density near the urban core and existing services that are accessed by walking, biking, or vehicle, reducing the need for sprawl on the prairie.



*Figure 28 Note the roof steps, facade articulation and mixed materials and colors.*

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

No additional public infrastructure, other than what Hagadone Hospitality Co will be completing as part of the Ashton and 23<sup>rd</sup> Street vacation Memorandum of Understanding with the City, is anticipated to be necessary to serve this proposal. The conceptual infrastructure plan is showing below.



*Figure 29 Infrastructure Overview*

**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.**

A portion of building 3 has a minor encroachment in the 100-year flood plain FEMA Zone A. That portion of the building will be constructed to FEMA “Flood Proof” standards and flood plain impacts, if any, analyzed during building permitting phase, will be mitigated on site.



Figure 30 FEMA Flood Plain Map Exhibit

**Goal #2 Economic Environment**

**Objective 2.04 Downtown & Neighborhood Service Nodes: Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.**

East Sherman has long struggled to find its identity and attract development. Residential development drives commercial development. This proposal will become an east Sherman economic engine by locating up to 275 “roof tops” within the East Sherman Revitalization Project Boundary.

**Objective 2.05 Pedestrian & Bicycle Environment: Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.**

The proposal satisfies each of these objectives being adjacent to the Centennial Trail, golf course, lake access and near the urban core.

**Goal # 3 Home Environment**

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

There is no doubt Coeur d’Alene is growing. Many of these people are seeking rental products and that demand will be met by developers. This proposal will meet that demand in the existing urban core, with a minimal impact to the existing neighborhood, rather than sprawling onto the prairie.

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

The existing residential neighborhood to the west and north is buffered by the golf course facilities and tall trees. There is a minor amount of commercial development and I-90 to the east, and ground level views are buffered by the forest buffer.

**Objective 3.08 Housing: Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.**

This proposal will meet the demands of an underserved demographic, which is migrating to Coeur d'Alene. The recently completed CDA Lake Drive Apartments reached full occupancy in 6 months. One Lakeside in downtown Coeur D'Alene has received very active condo sales. Hagadone Hospitality Co's existing Lake Tower Apartments and Lake Villa Apartments have continuously had a waiting list. The quality of the development and on-going exceptional maintenance places these apartments in high demand.

**Objective 3.16 Capital Improvements: Ensure infrastructure and essential services are available for properties in development.**

Existing City infrastructure can serve the proposal with no anticipated improvements. See objective 1.14.

**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**


**Objective 4.01 City Services: Make decisions based on the needs and desires of the citizenry.**

We frequently hear about increased traffic throughout or community, struggling downtown businesses and the challenges stimulating private investment on East Sherman. This proposed project minimizes traffic impacts and will support downtown businesses with patrons and will stimulate additional private investment in East Sherman.

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# INLANDER

**In North Idaho, leaders brace for rapid population growth**  
By Wilson Criscione



Solitude is going to get harder and harder to find in North Idaho in the future. Young Adult

**W**hen Hilary Anderson looks ahead to Coeur d'Alene's future, everything points in one direction: up.

The city population will go up. New, taller buildings will be built up. The demand for housing, and housing prices overall, will go up.

"We have a lot of people moving into the area," says Anderson, community planning director for the city of Coeur d'Alene.

Coeur d'Alene is the fastest-growing metropolitan area in the fastest-growing state in the nation, U.S. Census Bureau data show. That metro area, the 11th fastest-growing area in the country, includes Coeur d'Alene, but also the rest of Kootenai County — Post Falls, Hayden, Rathdrum, Athol.

In Coeur d'Alene, there's isn't that much space to expand, with the lake and mountains in the way, Anderson says.

"We are somewhat constrained," Anderson says.

So the city is updating its comprehensive plan, focusing on "infill" or development within the city limits instead of expanding outward. That could mean taller buildings, she says, with a variety in types of housing. People in Coeur d'Alene are interested in low-maintenance homes, without a yard to maintain, and condominiums, she says.

*Figure 31 Excerpts from January 2018 Inlander*

**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, streetlights, recreation, recycling, and trash collection).**

The proposal will place a minimum burden on existing City infrastructure yet will substantially fund city services through utility rates and property taxes.

**Objective 4.05 Public Safety: Provide adequate public safety to our citizens and visitors.**

The size and building design will meet or exceed safety code standards.

**C. The building envelope(s) is compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include building heights and bulk, off street parking, open space, privacy, and landscaping.**

The building envelope is intentionally set back as far as possible from the public right of way in order to maximize the landscape buffer and preserve the mature trees. The +/- 85-foot-tall trees north of building 2, along with the +/-40-foot-tall trees along 23<sup>rd</sup> buffer the building height. To further maximize the landscape buffer, all tenant parking (at 2 parking spaces per 1- or 2-bedroom unit) is within the building.

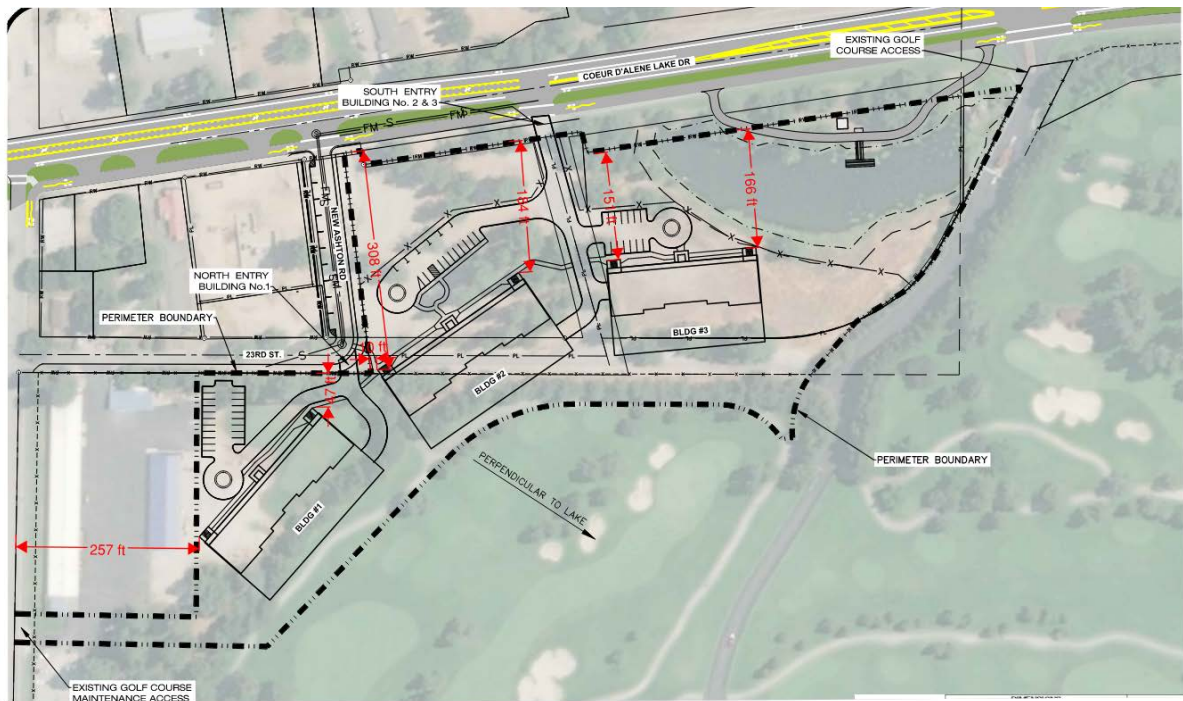


Figure 32 Building Setbacks from right of way

**D. The proposal is compatible with natural features of the site and adjoining properties. Natural features to be considered include topography, native vegetation, wildlife habitats and watercourses.**

The proposal is compatible with the site natural features because it preserves the two major natural features; the mature trees and Fernan Mill Pond. The proposal is also compatible with the adjoining property natural features, most of which have limited natural features; to the east is CDA Lake Drive and topography that slopes steeply up to I-90, to the west is the golf course,

to the north is a cemetery and multifamily and commercial buildings and to the south is the crown jewel natural feature, Lake Coeur d'Alene Lake. The lake is nearly a half mile away so there is not much ability to evaluate compatibility to natural features because of the distance.

**E. The proposal provides adequate private common open space area, as determined by the planning commission, no less than ten percent (10%) of gross land area, free of buildings, streets, driveways, or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

The golf course and beach areas and new Ashton private and public open space provide over 82% open space.

**F. The location, design and size of the proposed building envelope is such that the traffic generated by the development can be accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets.**

The buildings accesses will be on Ashton Ave/23<sup>rd</sup> Street and Coeur d'Alene Lake drive, formerly I-90. The Streets have excess capacity and connects to Sherman Avenue and the I-90 interchange.

**G. The proposed setbacks provide:**

1. Sufficient emergency vehicle access.
  - a. Emergency Access will be provided from four access points: 1. CDA Lake Drive 2. Golf Course Drive 3. Mullan Avenue and 4. 23<sup>rd</sup> Street as shown below.

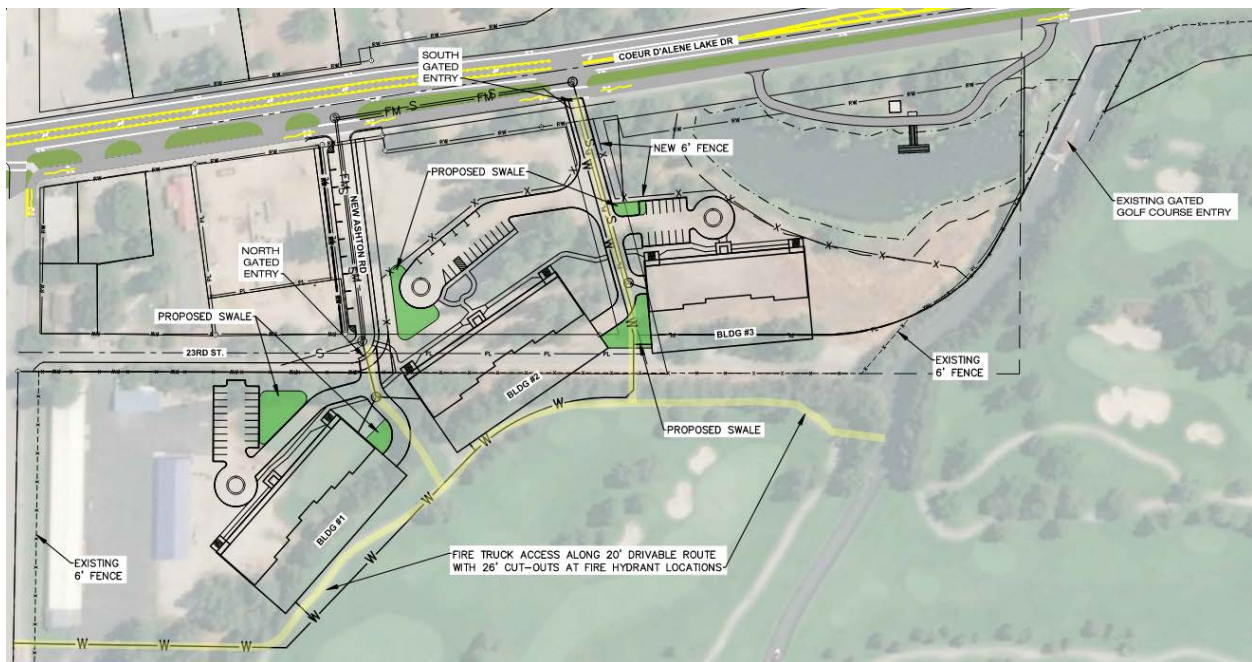


Figure 33 Infrastructure Overviewing showing Emergency Access Route

2. That neighborhood character will be protected by adequate buffering.
  - a. The site is substantially buffered from the existing commercial and multifamily uses as shown in the earlier before and after photos.
3. For maintenance of any wall exterior from the development's property.

a. Not applicable.

H. The proposed building envelope(s) will provide for adequate sunlight, fresh air, and usable open space. (Ord. 3380 §6, 2010)

The building architecture promotes substantial views to the lake and golf course and large expansive decks both of which allow sunlight and fresh area. The golf course and beach open space provide plenty of recreational opportunities for tenants and the garden open space provide additional walking and relaxing opportunities.



*Figure 34 Entry drive concept demonstrating building scale with existing trees.*

**PLANNING COMMISSION  
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER

DATE: FEBRUARY 10, 2004

SUBJECT: A-1-04 – ZONING PRIOR TO ANNEXATION  
PUD-2-04 – LIMITED DESIGN PLANNED UNIT DEVELOPMENT  
LOCATION – +/- 273-ACRE PARCEL INCLUDING A PORTION OF THE COEUR D’  
ALENE RESORT GOLF COURSE, BEACH HOUSE RESTAURANT, PROPERTIES  
AT THE NORTHEAST CORNER OF COEUR D’ALENE LAKE DR. AND SILVER  
BEACH ROAD, AND PORTIONS OF INTERSTATE 90, COEUR D’ ALENE LAKE  
DRIVE, AND POTLATCH HILL ROAD RIGHT-OF-WAYS

**DECISION POINT:**

Hagadone Hospitality Co. is requesting:

1. Zoning Prior to Annexation of +/- 273-acres from County Commercial and Agricultural-Suburban to City C-17 (Commercial at 17 units/acre) including 130 acres of the total in public rights-of-way.
2. Approval of “Coeur d’Alene Resort Golf Course PUD” a +/- 163.3-acre Limited Design Planned Unit Development in five phases, as follows:

A. Site # 1 – Luxury apartment site – 2.2 acres – Phase one

This site is currently vacant and would contain a maximum 50-unit apartment building with two enclosed parking spots per unit located at the East end of the Coeur d’Alene Resort Golf Course adjacent to the intersection of Potlatch Hill Road and Coeur d’Alene Lake Drive. The building envelope is proposed to cover a portion of the Coeur d’Alene Lake shoreline partially within the 40-foot no build zone and be tiered and stepped back as it extends up the approximately 50-foot high hillside to a level area adjacent to Potlatch Hill Road where parking and landscaping will be located. The maximum height of the proposed building is shown as +/- 2,265, which would be approximately 137 feet above the summer level of the lake (2,128) and 90-feet above the level area at the top of the hill at contour 2,175.

The proposed building envelope shown on the site plan is an L-shaped footprint that “wraps around” the point of land that it is located on and has dimensions of approximately 879 feet of length and 120 feet of width.

Other facilities proposed include the extension of the existing seawall to the east end of the property to reduce erosion caused by wave action and the construction of a small marina with a private access point for residents of the facility.

B. Site # 2 – Hotel site– 8.5 acres – Phase two or three

The proposed hotel will be the second or third phase of the development with a maximum of 200 rooms and covered parking area (parking will be located in the existing parking area to the north of the proposed building and could be a two-deck parking structure with a maximum height of

2,175 feet or 47 feet above the summer level of the lake) located adjacent to the shoreline in the area of the existing pro shop building.

The proposed building envelope is located partially within the 40-foot no build zone and extends from the shoreline north with a maximum building elevation of 2,220 or 92-feet above the summer level of the lake (2,128). The proposed building envelope runs parallel to the shoreline for a length of 990 feet and a width that varies between 160 and 250 feet.

As shown on the site map, the east portion of the hotel building is proposed to be built out to approximately 2,128 and sit on top of a seawall that will be extended to the west from it's present point to support the structure.

The west half of the proposed building would be set back at least 40 feet from the summer level at 2,128.

Other facilities within the 40-foot no build zone includes existing boardwalks that serve the floating green and boat dock.

C. Site # 3 – Marina apartment site – .8 acres - Phase two or three

The proposed building would be a multi-level building with 50 apartment units and parking on the first level. It is indicated that parking would cover the entire surface area of the building envelope.

This site currently contains the Beach House Restaurant and parking lot and is adjacent to the Silver Beach Marina and a parking lot on the east side of Coeur d'Alene Lake Drive serving both the restaurant and marina. The building envelope encompasses the area between approximately 2,128 and Coeur d'Alene Lake Drive and covers most of the existing restaurant building and parking lot, is parallel to the shoreline and approximately 381 feet long and 90 feet wide.

The proposed maximum building elevation is 2,305 or 177 feet above the summer level of 2,128.

Other facilities in the 40-foot no build zone include extension of the existing seawall across the building envelope area and continued use of the boardwalk that accesses the marina.

D. Site # 4 – Golf course apartment site – 1.6 acres - Phase four

This site is at the intersection of 23<sup>rd</sup> Street and Ashton Avenue and adjacent to the Main entrance to the Coeur d'Alene Resort Golf Course. A four story apartment building is proposed with a maximum of 50 units to be located within the building envelope on the West side of the Fernan Creek Pond.

Parking would be in the lower story of the structure and outside adjacent to the building.

E. Site # 5 – Townhouse apartment site – 9 acres - Phase five

This site is on the East side of Coeur d'Alene Lake Drive Northeast of the Marina apartment complex. A maximum of 50 townhouse apartments is proposed in buildings of no than six units per building, located to maximize slope and view with the maximum building height above ground at a maximum of 40 feet.

The 9-acre parcel is on a steep hillside with an average slope of approximately 30%.



- F. Land outside of sites 1 through 4 but designated as private open space on the Limited Design PUD site plan.

In this section of the PUD, the applicant is requesting deviation from the 40-foot no build zone to allow the following existing and planned golf course improvements to continue to be operated, maintained, constructed and/or replaced, as follows:

- Seawall around 13<sup>th</sup> tee and fairway at the mouth of Fernan Creek.
- Seawall from the 13<sup>th</sup> fairway to West side of the 14<sup>th</sup> tee.
- Ladies tee for the 14<sup>th</sup> hole and ramp access.
- Floating golf ball entrapment boom anchors.
- Floating green dock.
- Guest services dock.
- Hole 3 green and bunkers.
- Hole 13 fairway including bunkers.
- Golf course irrigation system, vaults, and pumping equipment.
- All appurtenances related to operation of the floating green, including anchoring system, stormwater discharge system components, and golf cart path.
- All landscaping along the shoreline.
- Existing private dock at the Westerly end of the property's waterfront.
- Fence dividing the public access area (in accordance with agreement with the State of Idaho) and the Resort beach.

Structures and improvements integral to a development area or the project as a whole:

- Beach maintenance and improvements.
  - Bridge abutments.
  - Future dock and access at the luxury apartment site.
  - Existing dock access to the marina.
  - The Beach House and adjoining seawalls.
  - Pumphouse East of the Silver Beach Marina.
- (See letter from Janet Robnett in application narrative)

3. The following modifications to various provisions of the Zoning Ordinances is requested through the PUD:

A. Site # 1 – Luxury apartment site building envelope

1. Modify building setbacks for multifamily uses from 20 foot front yard, 10 foot sides yard and 25 foot rear yard setbacks to zero feet for front, side, and rear yard setbacks.
2. Modify the building height requirement from 20 feet in the Shoreline Regulations 150 foot overlay zone and 43 ¾ feet in the C-17 zone for multi-family uses to allow a building height up to an elevation of 2,265 feet or 137-feet above the Coeur d'Alene Lake shoreline (2,128 feet).
3. Eliminate the Shoreline Regulations, Prohibited Construction Area measured from the Coeur d'Alene Lake shoreline (2,128 feet) 40

feet inland.

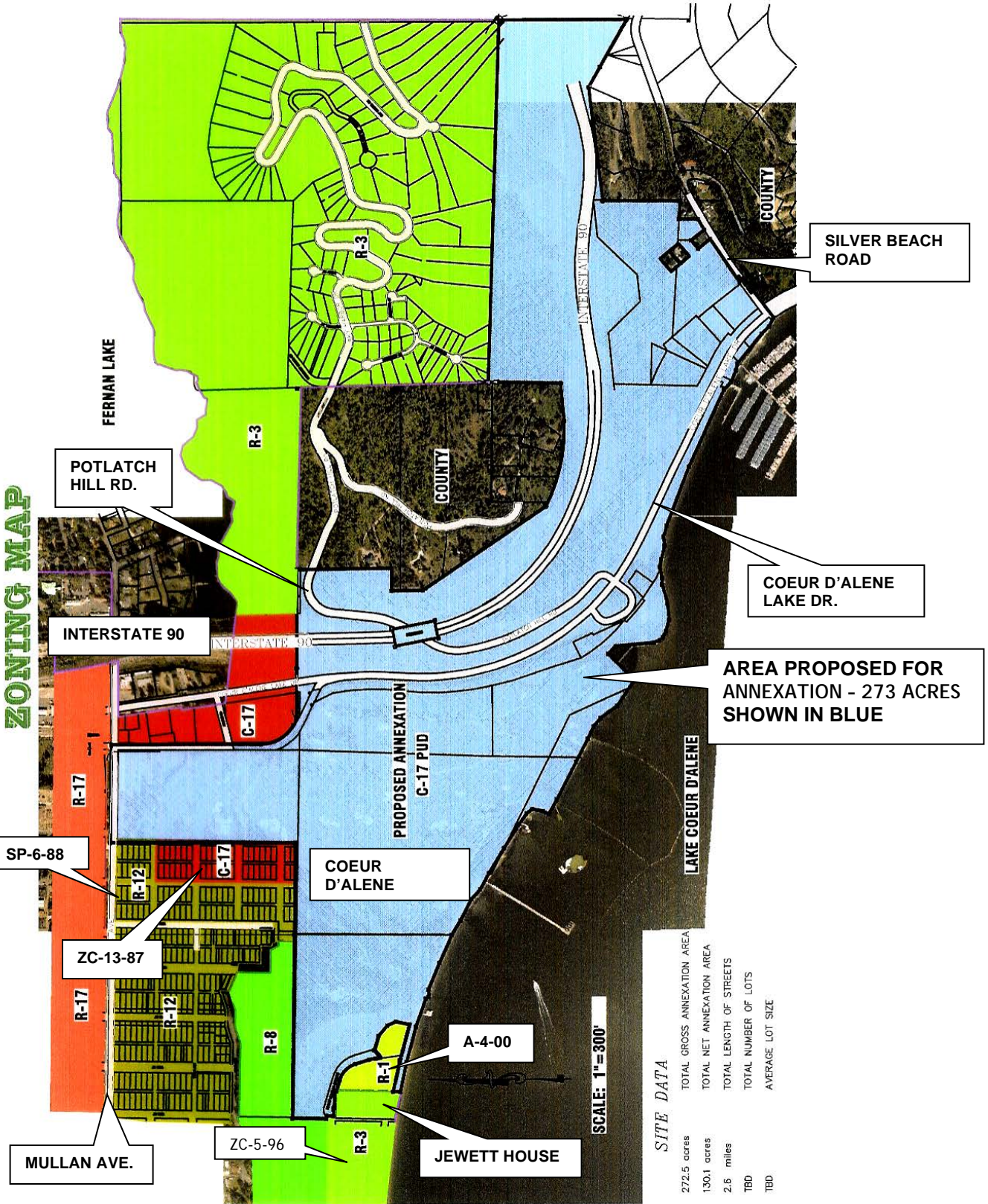
- B. Site # 2 – Hotel site building envelope
  - 1. Eliminate the Shoreline Regulations, Prohibited Construction Area measured from the Coeur d’Alene Lake shoreline (2,128 feet) 40 feet inland.
  - 2. Modify the building height requirement from 20 feet in the Shoreline Regulations 150 foot overlay zone and 43 ¾ feet in the C-17 zone for multi-family uses to allow a building height up to an elevation of 2,200 feet or 72-feet above the Coeur d’Alene Lake shoreline (2,128 feet).
  
- C. Site # 3 – Marina apartment complex building envelope
  - 1. Modify building setbacks for multifamily uses from 20 foot front yard, 10 foot side yards and 25 foot rear yard setbacks to zero feet for front, side, and rear yard setbacks.
  - 2. Modify the building height requirement from 20 feet in the Shoreline Regulations 150 foot overlay zone to allow a building height up to an elevation of 2,305 feet or 177-feet above the Coeur d’Alene Lake shoreline (2,128 feet).
  - 3. Eliminate the Shoreline Regulations, Prohibited Construction Area measured from the Coeur d’Alene Lake shoreline (2,128 feet) 40 feet inland.
  
- D. Site # 4 – Fernan Creek pond building envelope
  - 1. Modify building setbacks for multifamily uses from 20 foot front yard, 10 foot side yards and 25 foot rear yard setbacks to zero feet for front, side, and rear yard setbacks.
  - 2. Modify the building height requirement from 43 ¾ feet allowed in the C-17 zone for multi-family uses to allow a building height up to an elevation of 2,200 feet or approximately 60-feet above the existing elevation.
  
- E. Land outside of sites 1 through 4 but designated as private open space on the Limited Design PUD site plan.
  - 1. Eliminate the Shoreline Regulations, Prohibited Construction Area measured from the Coeur d’Alene Lake shoreline (2,128 feet) 40 feet inland.

**GENERAL INFORMATION:**

- A. Proposed annexation shown in blue:

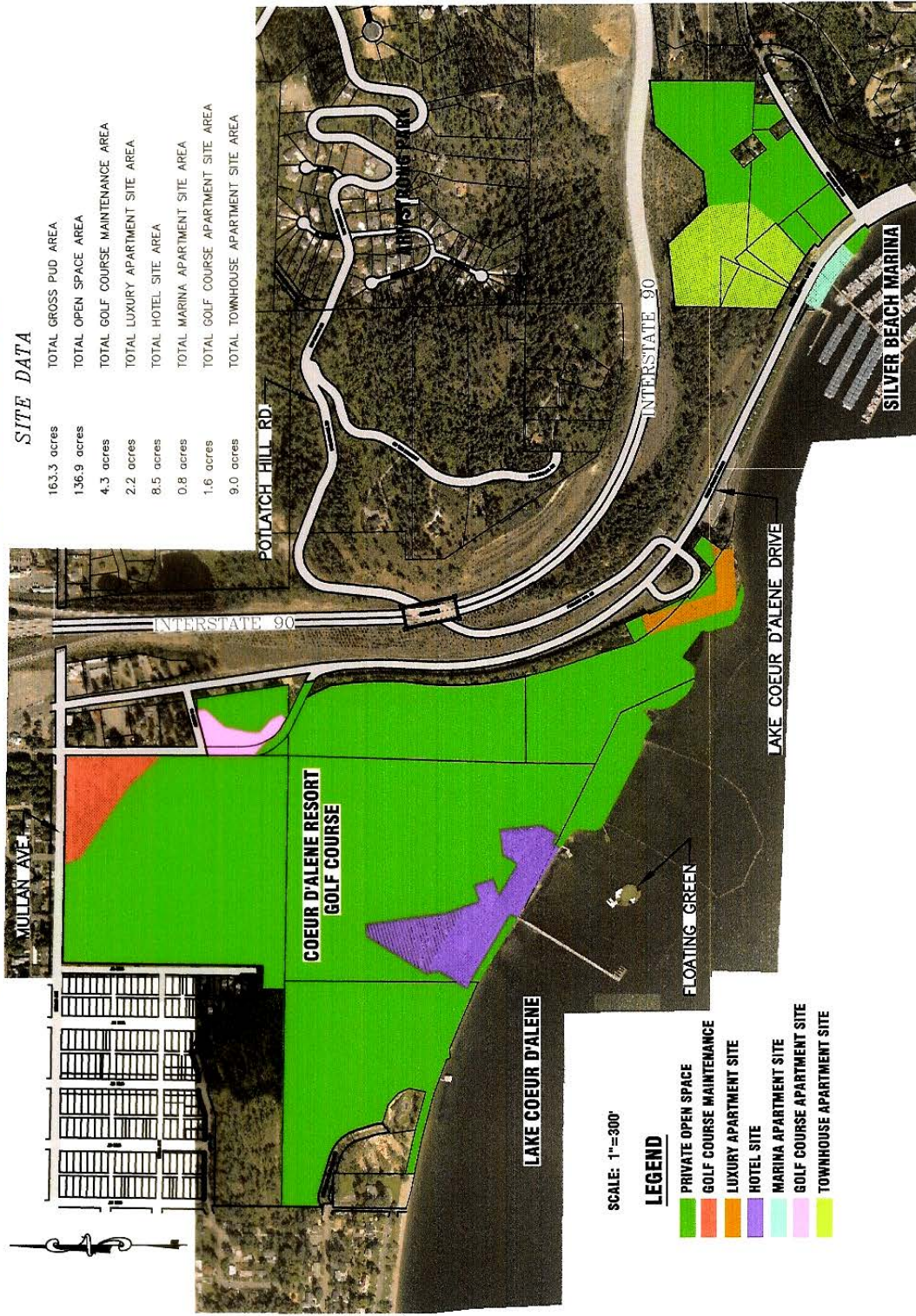
# COEUR D'ALENE RESORT ANNEXATION

## ZONING MAP



B. Proposed Limited Design PUD

# COEUR D'ALENE RESORT ANNEXATION LIMITED DESIGN PUD EXHIBIT



### SITE DATA

163.3 acres	TOTAL GROSS PUD AREA
136.9 acres	TOTAL OPEN SPACE AREA
4.3 acres	TOTAL GOLF COURSE MAINTENANCE AREA
2.2 acres	TOTAL LUXURY APARTMENT SITE AREA
8.5 acres	TOTAL HOTEL SITE AREA
0.8 acres	TOTAL MARINA APARTMENT SITE AREA
1.6 acres	TOTAL GOLF COURSE APARTMENT SITE AREA
9.0 acres	TOTAL TOWNHOUSE APARTMENT SITE AREA

SCALE: 1"=300'

### LEGEND

- PRIVATE OPEN SPACE
- GOLF COURSE MAINTENANCE
- LUXURY APARTMENT SITE
- HOTEL SITE
- MARINA APARTMENT SITE
- GOLF COURSE APARTMENT SITE
- TOWNHOUSE APARTMENT SITE

- C. Applicant/ Property owner: Hagadone Hospitality Co.  
P. O. Box 6200  
Coeur d'Alene, ID 83816
- D. The property owners have consented to the filing of the applications.
- E. Existing land uses in the area include residential – single-family, duplex and multi-family, commercial sales and service, commercial recreation and civic.
- F. Uses on the subject property include the Coeur d'Alene Resort Golf Course, Beach House Restaurant, Silver Beach Marina and vacant land.
- G. Previous actions in surrounding area (See map on page 4):
1. ZC-13-87 – Zone Change from R-12 to C-17 – approved October 6, 1987.
  2. SP-6-88 – Commercial Recreation Special Use Permit – approved May 10, 1988.
  3. ZC-5-96 – Zone Change from R-8 to R-3 – approved August 6, 1996.
  4. A-4-00 – Annexation to R-1 – approved June 6, 2000.
- H. **This is a limited design planned unit development and is different from a regular PUD in the following ways:**
- A. It only applies to parcels of land that are larger than 15 acres.**
- B. It only allows the modification of:**
1. **Any provision pertaining to site performance standards including but not limited to height, bulk, setback or maximum dimensions of any facility.**
  2. **Any provision establishing buffering, landscaping or other similar requirements pertaining to site design.**
- C. *It does not allow modification of:***
1. ***Any provision pertaining to the minimum or maximum dimensions of any lot(s).***
  2. ***Any provision pertaining to the type of facility allowed (i.e., multi-family residential versus single-family detached).***
  3. ***Any provision pertaining to sign regulations.***
  4. ***Any provision in Titles 12 and 16 of this Code regarding streets and sidewalks.***
  5. ***Any provision pertaining to off-street parking and loading except that required parking spaces shall be located within two hundred feet (200') of the building containing the living units.***
- D. The findings the Planning Commission makes for a Limited Design Planned**

**Unit Development are different than for a regular PUD in that most of the findings pertain to design considerations within the building envelope and how it impacts the surrounding area. There is also no finding made on the availability of public facilities and services. For this request, that finding is made as a part of the findings for the annexation.**

- E. Evaluation: The Commission should bear in mind that a Limited Design PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, ascertain if the concept of the proposal is unique enough that it merits the flexibility afforded by the Limited Design PUD regulations. In making this determination, the Planning Commission should decide if the modifications requested represent a substantial change over what would be allowed if the regulations were applied on a lot-by-lot basis. Since the proposal adheres to most site performance standards, the chief benefits of this Limited PUD for the applicant are: 1) Reduction of building setbacks to zero for front, side and rear yards 2) increase in building heights within the Shoreline overlay zone and for multi-family uses in the C-17 zone 3) Modification of the 40-foot no build zone to allow specific facilities. The Commission must decide if this request meets the intent of the PUD regulations.

The Commission may wish to consider that certain benefits accrue to the city and the public by virtue of a Limited Design Planned Unit Development; namely, 1) ability to add conditions to an approval, 2) ability to lock in development plans for the future (barring any future modifications that might be granted), and 3) ability to negotiate solutions that benefit all.

#### **PERFORMANCE ANALYSIS:**

- A. Annexation findings:

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

1. The subject property is within the Area of City Impact Boundary.
2. The Comprehensive Plan Map designates this area as Stable Established and Transition. Their descriptions are as follows:

Stable Established Areas:

“These areas represent the locations where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, number of building lots, and general land use are not planned to change greatly within the planning period.”

- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Pedestrian / bicycle connections.
- Encourage vacant lot development that is sensitive to neighboring areas.

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. the individual characteristics of the site;
2. the existing conditions within the area, and
3. the goals of the community.

Transition Areas:

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

- Protect and/or enhance the integrity of existing residential areas.
- Encourage lower intensity commercial service and manufacturing uses close or abutting major transportation routes.
- Encourage residential when close to jobs and other services.
- Discourage uses that are detrimental to neighboring uses.
- Encourage commercial clusters that will serve adjacent neighborhoods vs. city as a whole.
- Pedestrian/bicycle connections.
- Encourage cluster housing developments to maintain open space and forestlands.
- Overall build-out density approximately 3 dwelling units per acre. Individual lot size will typically not be smaller than 8,000 sq. ft. (5 du's/acre). Higher densities and mixed uses encouraged close or abutting transportation corridors.
- Neighborhood development should consist of:
  - Size of 25 to 65 acres
  - Urban services
  - Sidewalks/bike paths
  - Street trees
  - Neighborhood parks
  - Interconnecting street network

3. Significant policies:

4A: “Establish limits and priorities of urban services.”

4A1: “Initial limits should be based upon existing capabilities.”

4B1: “Annexations should be made within the adopted city impact area.”

4B2: “Annexations should be effected in a manner that promotes an orderly growth pattern.”

4C1: Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character



of the community.”

- 4C2: “Urban developments that propose to decrease the need for expanded transportation facilities should be encouraged.”
- 4C3: Population growth should be compatible with preserving Coeur d’Alene’s character and quality of life.”
- 4C4: “Residential and mixed use development should be encouraged.”
- 6A: “Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses.”
- 42A2: “Property rights of citizens should be protected in land use decisions.”
- 42B2: “Expansion of the City should be based upon conformance to the urban service area.”
- 42C1: “Providing service to new areas should not be at the expense of areas presently being serviced.”
- 561: “Proposed development in any hazardous land areas must pass special review, germane to that area, such as geotechnical review and erosion control plans.”
- 563: “Developers shall be encouraged to utilize marginal lands by incorporating them in their development plans as open space and/or as a less intensive use area.”

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

SEWER:

The Wastewater Department has been requested to provide comment regarding adjacent existing and planned future sewer locations, available, or not available to the above referenced property. As presented in the Comprehensive Sewer Plan, the Wastewater Department anticipated growth in the Silver Beach Interceptor area to be well into the future. The Comprehensive Sewer Plan - Future Sewer Service Study Area - anticipated and therefore subsequently modeled the Silver Beach Interceptor with regard to conceptual alignment and profile, only. Gravity sewer [existing] availability to the subject

property is limited to Main Interceptor on 19th St. and Young Ave. and along 23rd St. south of Mullan Ave.

Existing Conditions:

1. Existing sewers adjacent to the subject property include:
  - A. The Ash Collector, which includes a pumping station at 15th and Ash. This pumping station accepts flows from the immediate area and is not designed to handle flows from the subject property. Any proposed connection to the Ash Collector would have to be reviewed and approved by the Wastewater Department.
  - B. The Main Interceptor located along the northerly boundary of the subject property, runs from the alley between 18th and 19th streets, northerly to Young Ave. then easterly to 19th St., then northerly along the westerly boundary of the subject property to Mullan Ave., then along Mullan Ave. and the northerly boundary of the subject property to 23 rd St. The Main Interceptor has reserve capacity to handle the subject property, however any proposed connections must be reviewed and approved by the Wastewater Department.
  - C. The Armstrong Park [gravity] Collector runs ±350 feet along the westerly side of 23rd St. This is the discharge manhole for the 4 inch Armstrong Park dosing siphon force main that continues along 23rd St. ±670 feet, then turns easterly and goes under Interstate 90. This force main has limited capacity and should not be considered for the subject. The ±350 feet of the Armstrong Park [gravity] sewer has some reserve capacity, however, proposed connections, if any, must be reviewed and approved by the Wastewater Department.
2. During the planning and subsequent construction of the Coeur d'Alene Resort Golf Course the developer anticipated the golf course and surrounding development would be connected to the city's sewer system in the future. A private sewer system was constructed throughout the golf course to provide this future connection.
3. The current Comprehensive Sewer Plan indicates that future sewer service for this development and surrounding area include The Silver Beach Interceptor. A pumping station at Silver Beach will be required to convey wastewater via force main to the Main Interceptor. Included in all public pumping station design is the requirement for radio telemetry connectivity and odor mitigation facilities. Normally all costs associated with public wastewater conveyance systems are the responsibility of the Developer.

4. Wastewater Department policy normally requires all developer required public sewer extensions to be constructed to the far end of the proposed development to provide reasonable sewer service for "next-in-line" future development.

Conclusions/Recommendations:

1. The Silver Beach Interceptor is anticipated to be constructed as a public sewer sometime in the future. The Wastewater Department recommends that:
  - A. Until sewer service is requested southeasterly beyond the subject property by others, all wastewater related facilities required for the applicant's development remain private.
  - B. A private force main sewer, constructed to city standards, is constructed by the developer, generally from the bottom of Potlatch Hill Rd., along Coeur d'Alene Lake Drive, to the intersection of Silver Beach Road.
  - C. At Silver Beach Road a private sewage pumping station is constructed by the developer. This station, though private, would be constructed in a manner that facilitates upgrading to a public pumping station. Should a future request for public sewer service be made, the "next-in-line" developer would be required to upgrade the private lift station to public standards and either extend the existing force main in Coeur d'Alene Lake Drive to the Main Interceptor, or if approved by all appropriate public regulatory agencies, utilize the existing system through the golf course to 19th and Young Avenue.
  - D. The proposed "private force main" from Silver Beach to the bottom of Potlatch Hill Rd. would be connected into the existing sewer system running through the golf course. This sewer would be connected to the city's sewer system at 19th and Young Ave.
2. City sewer should be extended from the existing system in 23rd St. south of Mullan Avenue to Area # 4 southerly of Ashton Ave., at the time of Area # 4 development.

Comments submitted by John Daley, Utility Project Manager.

WATER:

Water is only available to the resort golf course, at this time.

Evaluation:

1. There is a 14" public water main on the golf course from the west turning into a 12" main going north to Mullan Avenue. There is a private 8" main on the site that is fed

by these mains.

2. The Silver Beach portions of the annexation are not currently served by the City water system.
3. The golf course property is currently fed domestic water through a 10" water meter.
4. The golf course property is currently irrigated with lake water.
5. Water main extensions will be required to provide water service and fire flows to the Silver Beach portion of the proposed annexation. These needed water main extensions can be phased and installed when the development extends to the Silver Beach property.
6. At the time the Silver Beach portion of the project is developed, the existing private main will need to be dedicated to the public and connected to a new main extending from Ashton Road to the Silver Beach area to provide enhanced flows. Staff recommends that this provision be included in an annexation agreement.
7. An 8" water main extension from Ashton Road to Site #1 (where it will connect with the existing 8" main on the golf course site) and a 12" water main from that point to the Silver Beach area will be adequate to provide fire flows and domestic needs for that area. Staff recommends that this provision be included in an annexation agreement.
8. The Developer has indicated an interest in protecting the golf course turf from damage during any future water main repair or maintenance work. Staff recommends that an annexation agreement be drafted containing language specifying procedures for entry onto the golf course for water main repairs or maintenance protecting this turf. These conditions should apply not only to new public main but also to the existing public main.
9. Portions of site #5 may be above the maximum service elevation of 2275 Feet as identified in the 1989 Comp Plan. *Significant portions of the property are intended to be open space.* The development of this phase will need to have construction located below this elevation unless other means of boosting pressure are provided. The annexation agreement should require pressures to be a minimum of 50 pounds static at each building site. Staff recommends that this concept be included in an annexation agreement with the details to be resolved at the time of the development of this phase.
10. Staff recommends that an agreement between the City and Hagadone Corporation for water system enhancements be included in an annexation agreement addressing the items listed in this staff report.

Comments submitted by Jim Markley, Water Superintendent.

#### STREETS:

All of the proposed development sites have access roadways that are under multi-jurisdictional control for access, maintenance or both.

#### Evaluation:

1. Access to Potlach Hill Road must be jointly approved by the Idaho Transportation Department (ITD), Eastside Highway District and the City of Coeur d'Alene.
2. Access to Coeur d'Alene Lake Drive must be approved by the City and ITD.
3. Access to Silver Beach Road must be approved by the Eastside Highway District.
4. Detailed drawings of the proposed access points must be submitted and approved by the appropriate agency, prior to the issuance of any building permits.

Comments submitted by Chris Bates, Engineering Project Manager

#### TRAFFIC:

Proposed zoning is C-17. Access to Coeur d'Alene Lakeshore Drive, Potlach Hill and Silver Beach roadways is adequate for most development allowed by C-17. Specific impacts will be addressed at the time of building permit.

#### Evaluation:

The primary point of vehicle dispersion will be the adjacent signalized intersection of Coeur d'Alene Lake Drive and Sherman Avenue. Direct access to the Interstate 90 corridor is available at this point and should allow for rapid dispersion of traffic. Any change in use and related traffic impacts are evaluated, prior to the issuance of building permits. The Development Impact Fee Ordinance requires that any extraordinary traffic impacts be mitigated by the applicant, as a condition of permit issuance; therefore, potential impacts need not be addressed at this time.

Comments submitted by Chris Bates, Engineering Project Manager

#### STORMWATER:

1. At Site #4, there is a 30-inch diameter stormwater outfall pipe that drains into the wide portion of Fernan Creek that was once known as the "Mill Pond." The City will require ongoing access to inspect and maintain this outfall pipe.
2. Site #1 abuts the eastern bank of Fernan Creek and its outfall into Lake Coeur d'Alene. Fernan Creek serves as a discharge outfall for drainage basins, which run as far north as Nettleton Gulch. Within the next 5 years, the City will complete its stormwater master plan. Anticipated in this Master Plan are channel improvements to Fernan Creek. Planned improvements will be coordinated with the Hagadone Corporation prior to construction, but the City will require access through Hagadone Corporation property to install the anticipated improvements along Fernan Creek.
3. There is an old storm line that runs across the northern end of the golf course. Improvements to this line will be addressed in the above referenced Master Plan. The City will require access to the line to: 1) assess its current condition, and, 2)

to conduct any repairs or improvements to the line which are directed as a consequence of the Master Plan. Condition assessments and repairs/improvements will be closely coordinated with the Hagadone Corporation to provide adequate stormwater controls south of Sherman.

4. City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

Commits submitted by Dan Yake, Stormwater Coordinator.

**POLICE:**

Captain Ron Clark of the Police department was contacted and replied that they had no concerns or comments.

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

Most of the subject property is relatively flat with the exception of the area proposed for the luxury apartments and the townhouse apartments. (See map on page 5) Slopes on both of these sites approach 30% in some areas and will require care in developing.

The Hillside Development Ordinance does not apply to these parcels because areas annexed into the City do not automatically fall under this ordinance. The maps showing parcels in the hillside overlay include only parcels that are inside the City and do not automatically cover parcels in the County when they are annexed.

The golf course apartment site (See map on page 5) and areas along the Coeur d'Alene Lake shoreline are in the 100-year flood zone, as shown on the 100-year flood map, will require flood hazard development permits for any development within this zone.

**Evaluation:** The applicant has indicated that the PUD will be done in a manner that not only parallels the engineering and planning described in the Hillside Overlay Zone, but which will fully satisfy all of the performance standards of the Hillside Overlay Zone. The design, construction, operation and management of the development areas will be done in such a way as to avoid soil erosion, sedimentation of lower slopes, slide damage or flooding problems, prevent surface water degradation, cutting or scarring, reduce the risk of catastrophic wildfire in the wildland urban interface and compliment the visual character and nature of the City.

In 100 year flood areas flood hazard development permits are required and in areas of steep slopes where there is potential for land slides, the

applicant indicates that site disturbance best management practices will be used.

(See letter from Janet Robnett in application narrative)

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

The Coeur d'Alene Resort Golf Course and Beach House Restaurant have been in their current locations for many years. The five sites that are shown for development are either on the golf course, adjacent to Coeur d'Alene Lake, the existing commercial area along Coeur d'Alene Lake Drive or the residential area on the South side of Silver Beach Road. It is also important to note that of the total 272 acres to be annexed 130 acres is road right-of-way for Interstate 90, Coeur d'Alene Lake Drive or Potlach Hill Road and 137 acres including the golf course is designated as open space. Both of these create a large area of open space and effectively separate the development sites from existing residential neighborhoods such as Sanders Beach and the area to the north of the golf course.

Lake Coeur d'Alene Drive is designated as a minor arterial, connects with a signalized intersection at Sherman Avenue, and can accommodate the increased traffic from the proposed development.

Evaluation: The Planning Commission must determine what affect the proposed C-17 zoning would have on traffic, land uses and the character of the surrounding area.

**B. Limited Design Planned Unit Development findings:**

**Zoning:**

The proposed C-17 zoning allows both residential and commercial uses at 17 units per acre for residential uses and would allow 2414 units at build out. The proposed development would include 200 residential units at four different sites for a density of 1.4 units per acre.

Evaluation: The proposed uses are allowed in the C-17 zone and the residential density at build out is less than the 3 units /acre density indicated in the Comprehensive Plan for Stable Established and Transition areas.

**Finding #B8A: The proposal (does) (does not) produce a functional, enduring and desirable environment.**

The proposed development is located in areas that are accessible to existing streets, will be served by City services, will be aesthetically pleasing and provide residential housing for the

entire area.

**Finding #B8B: The proposal (is) (is not) consistent with the City Comprehensive Plan, as follows:**

(See annexation finding B8 on pages 7-9)

**Finding #B8C: The building envelope(s) (is/are) (is not/are not) compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include: building heights and bulk, off-street parking, open space, privacy and landscaping.**

The proposed building sites are located in areas where there is considerable open space and distance that may buffer the existing residential neighborhoods in the area from the sites.

**Finding #B8D: The proposal (is) (is not) compatible with natural features of the site and adjoining properties. Natural features to be considered include: topography, native vegetation, wildlife habitats and watercourses.**

In the applicant's narrative, they indicate that, prior to construction, site disturbance best management practices will be in place and storm water will be contained through a storm water management plan approved by the City.

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

As indicated on the site plan, 137 acres or 84% of the 163 acres in the PUD is open space that meets the open space requirements including the resort golf course, the Fernan Lake outlet pond, small open space areas around the luxury apartment site, Sanders Beach, and a large open space area adjacent to the townhouse apartment site.

Evaluation: The Planning Commission must determine that the open space is accessible to all users of the development and usable for open space and recreational purposes.

**Finding #B8F: The location, design and size of the proposed building envelope is such that the traffic generated by the development (can) (can not) be accommodated safely on minor arterials and collector streets, and**



**without requiring unnecessary utilization of other residential streets.**

All of the development sites will access Lake Coeur d'Alene Drive which, is a minor arterial That serves the entire area to the south of the subject property, is controlled by a signalized intersection at Sherman Avenue and has direct access to the I-90 freeway from that intersection.

**Finding #B8G: The proposed setbacks (do) (do not) provide:**

- 1. Sufficient emergency vehicle access.**
- 2. That neighborhood character will be protected by adequate buffering.**
- 3. For maintenance of any wall exterior from the development's property.**

All development sites will have direct access to Lake Coeur d'Alene Drive for emergency vehicle access and are separated from other development and buffered by enough distance from existing residential neighborhoods that neighborhood character should not be affected.

**Finding #B8H: The proposed building envelope(s) (will) (will not) provide for adequate sunlight, fresh air and usable open space.**

All development sites are separated by large areas of open space and vacant land that sunlight, fresh air and usable open space should be abundant and available.

**Finding #B8I: The proposal ensures that adequate provisions (have) (have not) been made in respect to flood and landslide hazards.**

Most of the subject property is relatively flat with the exception of the area proposed for the luxury apartments and the townhouse apartments. (See map on page 5) Slopes on both of these sites approach 30% in some areas and will require care in developing.

The Hillside Development Ordinance does not apply to these parcels because areas annexed into the City do not automatically fall under this ordinance. The maps showing parcels in the hillside overlay include only parcels that are inside the City and do not automatically cover parcels in the County when they are annexed.

The golf course apartment site (See map on page 5) and areas along the Coeur d'Alene Lake shoreline are in the 100-year flood zone, as shown on the 100-year flood map, will require flood hazard development permits for any development within this zone.

Evaluation: The applicant has indicated that the PUD will be done in a manner that not only parallels the engineering and planning described in the Hillside

Overlay Zone, but which will fully satisfy all of the performance standards of the Hillside Overlay Zone. The design, construction, operation and management of the development areas will be done in such a way as to avoid soil erosion, sedimentation of lower slopes, slide damage or flooding problems, prevent surface water degradation, cutting or scarring, reduce the risk of catastrophic wildfire in the wildland urban interface and compliment the visual character and nature of the City.

In 100 year flood areas flood hazard development permits are required and in areas of steep slopes where there is potential for land slides, the applicant indicates that site disturbance best management practices will be used.

(See letter from Janet Robnett in application narrative)

C. Conditions are not appropriate for Annexations but recommendations for items to be included in an Annexation Agreement are. The Planning Commission should consider forwarding the following recommendations to the City Council for inclusion in the Annexation Agreement:

1. The applicant shall dedicate the existing private mains located on the golf course property to the City.
2. The applicant shall install an 8" water main extension from Ashton Road to Site #1 (where it will connect with the existing 8" main on the golf course site) and a 12" water main from that point to the Silver Beach area at the time that the Silver Beach portion of the project is developed.
3. Develop an agreement mutually acceptable to both parties to protect the golf course turf from damage during any future water main repair or maintenance work.
4. Require a minimum static water pressure of 50 pounds at every building site within site # 5 of the project.

D. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

## **ACTION ALTERNATIVES:**

The Planning Commission must consider the requests and make appropriate findings to approve, deny or deny without prejudice the annexation first and the zone change second. The findings worksheet is attached.

[C:staffrptsA104&PUD204]

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

**A. INTRODUCTION**

This matter having come before the Planning Commission on February 10, 2004, and there being present a person requesting approval of ITEM PUD-2-04 a request for a Limited Design Planned Unit Development known as the "Coeur d'Alene Resort Golf Course PUD" in a C-17 (Commercial at 17 units/acre) zoning district.

**LOCATION:** +/- 163.3-acre parcel including a portion of the Coeur d'Alene Resort Golf Course, Beach House Restaurant, properties at the northeast corner of Coeur d'Alene Lake Drive and Silver Beach Road.

**APPLICANT:** Hagadone Hospitality Company

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

- B1. That the existing land uses are residential – single-family, duplex and multi-family, commercial sales and service, commercial recreation and civic.
- B2. That the Comprehensive Plan Map designation is Stable Established and Transition.
- B3. That the zoning is C-17 (Commercial at 17 units/acre).
- B4. That the notice of public hearing was published on January 24, 2004, and February 3, 2004, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on January 30, 2004, which fulfills the proper legal requirement.
- B6. That 196 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 23, 2004, and 17 responses were received: 6 in favor, 7 opposed, and 4 neutral.
- B7. That public testimony was heard on February 10, 2004.

The applicant was represented by John Barlow who indicated that the annexation was in the City's best interest because we have tax revenues that the City will receive those revenues immediately because the development exists and that is a major benefit to the City and between the Beach House Restaurant and the Jewett House over 80% of the lake frontage is left open in this development. Janet Robnett, representing the applicant, testified on the overall annexation issues and answered questions from the Commission. Dick Edinger, representing the Eastside Highway District, testified that they had no opposition to the annexation but did have some issues with the PUD and the development of the property.

The Commission heard testimony from several people who in some way were in opposition but most of their discussion was dealing around traffic issues associated with the overall development but primarily with the development of sites 3 and 5.

John Barlow indicated in his presentation that the uses proposed in the PUD would primarily be hotel and housing units.

Dick Edinger, representing the Eastside Highway District, indicated some reservations and concerns about the overall development of sites 1 and 3 and the fact that most of those concerns probably can be remedied by design development, once it gets to that point.

Testimony by Tiffany Algood requesting that this hearing be postponed because of her concern that the staff report was only available to the public on Monday and that in fact by 5pm Monday the City requests that these people wanting to make comments whether they be written comments would have to do it by 5 pm on Monday.

B8. Pursuant to Section 17.07.275, Limited Design Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal does produce a functional, enduring and desirable environment.

The proposed development of the PUD is for housing either hotel or apartment dwelling, they will be available to the public, they will be available whether you rent a hotel unit or apartment unit, or whether you are visiting someone who resides in one of those apartment units, there will be some benefit gained by the development or of the development by those users.

B8B. The proposal is consistent with the City Comprehensive Plan, as follows:

42B2: "Expansion of the City should be based upon conformance to the urban service area."

Testimony by staff and the applicant indicated that this project was really conceived to have a hotel on the site and the developer has made great strides to provide utilities underground already for these future developments.

42C1: "Providing service to new areas should not be at the expense of areas presently being serviced."

Based on the staff report and the applicant's testimony all of the infrastructure is going to be born by this development and the City will be well served by the tax increase that this project will bring to the City as well as some of the impact fees it will pay.

563: "Developers shall be encouraged to utilize marginal lands by incorporating them in their development plans as open space and/or as a less intensive use area."

Site 3 has marginal frontage because it is not very deep and the open space they are going to utilize on the waterfront and the hillside beyond will benefit the residents.

B8C. The building envelope is compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include: building heights and bulk, off-street parking, open space, privacy and landscaping.

The applicant has agreed on site 2 that they will be allowing sufficient buffering because the applicant has agreed to not build a habitable structure within 40-feet of the shoreline as define in the Shoreline Regulations. The rest of site 2 is buffered because it is buffered by there own development. For site 1 the applicant has shown some rough conceptual drawings of how that project will step back up, which is very practical and even though there is minimal buffering to the waterfront, as the project is conceived,

would step back. I think the overall project would be somewhat mitigated. On site 3 the applicant has agreed to a concession on a minimum of a 10-foot setback from the property line to the northeast of that property and enough of a buffer that would allow him to build a double loaded parking structure and the structure associated with it or roughly 72-feet. Site 5 has natural buffer surrounding it because of the terrain and also on site 4.

- B8D. The proposal is compatible with natural features of the site and adjoining properties. Natural features to be considered include: topography, native vegetation, wildlife habitats and watercourses.

All of the sites are compatible. The development of site 5 being on the hillside will be the most challenging of all the sites, site 3 being relatively level and almost at water level would not be a problem from the standpoint of topography. Site 1, based on the concept proposed tonight, will be very compatible with the lay of that property. Site 2 is a relatively level site, as is site 4.

- B8E. The proposal does provide adequate private common open space area, as determined by the Planning Commission, no less than ten percent 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.

This is based on the application that indicates that 84% of the land within the PUD is open space. The citizens of Coeur d'Alene benefit greatly from this development because what this applicant is doing they are limiting five sites of this total land that will be annexed into the City to this concentrated development thus, leaving the rest of the property undeveloped and it will go with this property in perpetuity unless they were to come and request a modification to it so, I think the citizens really win.

- B8F. The location, design and size of the proposed building envelope is such that the traffic generated by the development can be accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets.

In regards to the streets, we really have no major issue the development will access onto major arterials, one of which use to be Interstate 90. There are some traffic issues that will need to be mitigated and the applicant, in their request and in our staff report, will be required before further development plans are completed to have countless meetings with both engineering and our City staff, the Eastside Highway District, especially on site one, ITD on sites one, three and five and the State Parks Department for the Centennial Trail.

- B8G. The proposed setbacks do provide:
1. Sufficient emergency vehicle access.
  2. That neighborhood character will be protected by adequate buffering.
  3. For maintenance of any wall exterior from the development's property.

It is a given that when this development gets to building permit phase, for building to zero setbacks, there will need to be all kinds of easements and/or setbacks just to allow them to do maintenance on their building so, to accept a zero setback, we would never see that, unless the adjoining land owner is willing to grant an easement. For site three, we have indicated that there will be a condition of a minimum of a 10-foot setback as a kind of shy distance to the Centennial Trail as it goes through that location. For vehicular ingress and egress to that parking structure, those will have to be mitigated by

a different authority.

- B8H The proposed building envelope(s) will provide for adequate sunlight, fresh air and usable open space.

The open space issue is a non-issue. The developer could build over all of the land he has but he does not want to do that nor does he want to tear out the existing development. What this is doing is guaranteeing to the citizens of Coeur d'Alene that the development will stay in these areas and always maintain those open spaces.

- B8I. The proposal ensures that adequate provisions have been made in respect to flood and landslide hazards.

That goes along with our development ordinances through building permit phase, the indication that the developer would be willing to meet our Hillside Overlay Zone Criteria, and the indication that this applicant would do everything in their power, as they have done to date, to beautify those transitions of structures to existing property.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of HAGADONE HOSPITALITY CO. for approval of the Limited Design Planned Unit Development, as described in the application should be approved.

Special conditions applied are:

1. On site # 2, no habitable building to be sited within 40-feet of the shoreline, as defined in Section 17.08.210.C, District Boundary Defined of the Municipal Code, which defines the average summer storage level of Lake Coeur d'Alene as 2,128 W. W. P. datum (2,125 U. S. G. S. datum).
2. At site # 3, the applicant would provide a minimum 10-foot setback from the northeast side of the structure or greater, but allow the applicant to construct a minimum 72-foot wide parking structure at the base of the building.
3. Applicant be required to develop on site # 3, depicted in exhibit photograph 3A, which would limit development to the west side of site # 3.

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

ROLL CALL:

Commissioner Bowlby	Voted Aye
Commissioner Jordan	Voted Aye
Commissioner Longwell	Voted Aye
Commissioner Messina	Voted Aye
Commissioner Snedaker	Voted Aye
Commissioner Souza	Voted Aye

Commissioners McQueen and Rasor were absent.

Motion to approve carried by a 6 to 0 vote.

  
CHAIRMAN JOHN BRUNING



# **PUBLIC COMMENTS**





**From:** Kevin Davis  
**To:** [STUHMILLER, SHANA](#)  
**Cc:** [Kimberli Davis](#)  
**Subject:** City of Coeur d'Alene Planned Unit Development PUD-2-04  
**Date:** Wednesday, September 02, 2020 12:07:06 PM

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I would like someone to explain how it makes sense to add more housing and hotels to this city that is already overcrowded and does not currently have the infrastructure to handle the people that already reside here. Traffic has become a real problem and crime is on the rise.

At what point does city beautification and improvement for the sake of the city turn to greed?

Can you please explain the thought process behind this development and the immediate plan, if any, to improve the roads in order to handle even more traffic?

What about the police force? The police department is already short staffed with crime on the rise due to the influx of people pouring into this city.

So the answer is to add even more housing and hotels?

This development does not make sense at this time.

Please respond to these questions in email or confirm that these issues will be discussed during the public hearing on Tuesday, September 8th.

Thank you,  
Kevin Davis


**From:** Chris Cox  
**To:** [PlanningDiv](#)  
**Subject:** Item: ZC-5-20 2926 N Howard  
**Date:** Thursday, August 27, 2020 9:32:56 AM

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I do not think this change should take place, increasing density from 8 homes to 17 homes per acre in this already congested area would not be in the neighborhoods best interest. Also my home is located directly across the street and cars coming and going will be very noisy and disruptive especially at night the headlights will shine directly in my windows disrupting the peace and waking me up. My property will become very undesirable likely causing the value to plummet.

Thank you.

Please read during the meeting.



# **FINDINGS**



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

**ZC-4-20**

**A. INTRODUCTION**

This matter having come before the Planning Commission on, September 8, 2020, and there being present a person requesting approval of ZC-4-20, a request for a zone change from R-8 to R-17 zoning district

APPLICANT: NORTHWEST SOLUTIONS INVESTMENT GROUP, LLC

LOCATION: +/- 4.26 ACRE A PARCEL LOCATED AT 3520 N. 15<sup>th</sup> Street

**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 Multi-family.
- B2. That the Comprehensive Plan Map designation is NE Prairie Tomorrow- Stable Established.
- B3. That the zoning is R-8.
- B4. That the notice of public hearing was published on, August 22, 2020, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 28, 2020, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on September 8, 2020.

- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

**Goal #1: Natural Environment**

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

Objective 1.02 Water Quality:

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

Objective 1.04 Waterfront Development:

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

**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.

**Goal #3: Home Environment**

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

Objective 3.05 Neighborhoods:

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

Objective 3.16 Capital Improvements:

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

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

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

Objective 4.06 – Public Participation:

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

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of NORTHWEST SOLUTIONS INVESTMENT GROUP, LLC for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

**ROLL CALL:**

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

Chairman Messina Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

\_\_\_\_\_  
CHAIRMAN MESSINA

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

**ZC-5-20**

**A. INTRODUCTION**

This matter having come before the Planning Commission on, September 8, 2020, and there being present a person requesting approval of ZC-5-20, a request for a zone change from MH-8 to R-17 zoning district

APPLICANT: HOWARD LLC

LOCATION: +/- .50 ACRE PARCEL LOCATED AT 2926 N HOWARD STREET

**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 Fruitland – Transition.
- B3. That the zoning is MH-8
- B4. That the notice of public hearing was published on, August 19, 2020, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 31, 2020 ,which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on
- B7. That public testimony was heard on September 8, 2020.



B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

**Goal #1: Natural Environment**

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

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

Objective 1.16 Connectivity:

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

**Goal #2: Economic Environment**

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

Objective 2.05 Pedestrian & Bicycle Environment:

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

**Goal #3: Home Environment**

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

Objective 3.05 Neighborhoods:

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

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.06 – Public Participation:

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

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of HOWARD, LLC for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

**FIRE:**

Per the 2015 Edition of the International Fire Code (IFC 316.6.1), structures shall not be constructed within the utility easement beneath the high-voltage transmission lines. Outdoor storage within the utility easement beneath the high-voltage transmission lines shall be limited to noncombustible material (IFC 316.6.2).

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

**ROLL CALL:**

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

Chairman Messina Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

\_\_\_\_\_  
CHAIRMAN MESSINA

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

**LDPUD-2-04m.1**

**A. INTRODUCTION**

This matter having come before the Planning Commission on September 8, 2020 and there being present a person requesting approval of ITEM LDPUD-2-04m.1 a request for a Modification Of A Portion Of A Limited Design Planned Unit Development- Including Addition Of 2.4 Ac To The Ldpud, Dedication Of 0.31 Ac Public Open Space With Improvements, And A Request To Increase Total Footprints And Height For Site #4.

APPLICANT: HAGADONE HOSPITALITY CO.

LOCATION: A PORTION OF THE NORTHEAST CORNER OF THE COEUR D'ALENE RESORT GOLF COURSE IN CONJUNCTION WITH 319 E. COEUR D ALENE LAKE DRIVE (OLD CAMPGROUND).

**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 apartments/condos (multi-family) and hotel(s).
- B2. That the Comprehensive Plan Map designation is Historical Heart-Stable Established/Transition.
- B3. That the zoning is C-17.
- B4. That the notice of public hearing was published on, August 22, 2020 which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on August 31, 2020, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on September 8, 2020.

B8. Pursuant to Section 17.07.275, Limited Design Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(does) (does not)** produce a functional, enduring and desirable environment. This is based on

B8B. The proposal **(is) (is not)** consistent with the City Comprehensive Plan, as follows:

**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 1.05 Vistas:

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

Objective 1.06 Urban Forests: Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.07 Urban Forests: Restrict tree removal in city rights-of-way and increase tree planting in additional rights-of-way.

Objective 1.08 Forests & Natural Habitats: Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

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 1.14 Efficiency:

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

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 2.04 Downtown & Neighborhood Service Nodes: Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.

Objective 2.05 Pedestrian & Bicycle Environment:

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

**Goal #3: Home Environment**

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

Objective 3.05 Neighborhoods:

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

Objective 3.08 Housing:

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

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 4.02 - 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).

- B8C. The building envelope(s) **(is/are) (is not/are not)** compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include: building heights and bulk, off-street parking, open space, privacy and landscaping.
  
- B8D. The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties. Natural features to be considered include: topography, native vegetation, wildlife habitats and watercourses.

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

B8F. The location, design and size of the proposed building envelope is such that the traffic generated by the development **(can) (can not)** be accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets. This is based on

B8G. The proposed setbacks **(do) (do not)** provide:

1. Sufficient emergency vehicle access.
2. That neighborhood character will be protected by adequate buffering.
3. For maintenance of any wall exterior from the development's property.

This is based on

B8H. The proposed building envelope(s) **(will) (will not)** provide for adequate sunlight, fresh air and usable open space. This is based on

B8I. The proposal ensures that adequate provisions **(have) (have not)** been made in respect to flood and landslide hazards.

**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of HAGADONE HOSPITALITY CO. For approval of the Limited Design Planned Unit Development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are:

**Planning:**

1. Prior to the issuance of building permit(s), the applicant will be required to obtain design approval from the Design Review Commission (DRC).
2. Per the application language, a minimum tower separation of 85' must be maintained between the three proposed structures.
3. If the owner decides to replat or subdivide (formal plat or condo plat), the public open space (0.31 acre) shall be placed into a tract. Until then an easement for public access must be recorded.
4. Any outstanding items from the annexation agreement dated June 15, 2004 that are associated with the expanded footprint of Site #4 must be completed. (record #1884094)

**Engineering:**

5. Per the 2017 agreement with Hagadone Hospitality, Ashton Road is to be relocated to the north to accommodate the proposed development. 23rd Street must be reconstructed to City Standards in order to accommodate the traffic. The relocation of Ashton Road, including construction of the shared-use path on 23rd Street and Ashton Road, must be completed prior to removal of the existing Ashton Road. (Resolution No. 17-026)
6. Coeur d'Alene Lake Drive frontage improvements as detailed in the approved Coeur d'Alene Lake Drive Master Plan shall be completed prior to issuance of any Certificate of Occupancy. These improvements include removal of the western-most southbound travel lane pavement and replacement with a landscaped, vegetated swale to provide separation between the Centennial Trail and motor vehicle traffic.

**Fire:**

7. Fire Department access by way of an approved road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of at least 75,000 pounds. Minimum access road width shall be 20 feet, 26 feet with a fire hydrant.
8. Access through the secured gates by Knox system.
9. The turnaround in the parking lots over 150 feet require the cul-de-sac be 96 feet in diameter in accordance with the current adopted Fire Code.
10. 'NO PARKING – FIRE LANE' signs installed along the west and north FD access roads.

**Water:**

11. Additional minimum 8" main extensions will follow public streets and right of way where feasible. Additional fire hydrants and services may be extended from said main extensions with dedicated public utility easements across private property to meet life safety requirements. Services will be placed adjacent to streets and right of way. All main extensions, fire hydrants and services pertinent to the development will be the responsibility of the developer at their expense. Cap fees will be due at the time of permit.



12. The City reserves the right to request oversizing of specific infrastructure to meet additional flow requirements with the provision that the City would pay only oversizing related costs.

**Wastewater:**

13. The 2013 Sewer Master Plan (SMP) requires this project to upsize the existing public sewer from 8 inch to 15 inch located at 23rd St south of Mullan Ave.
14. Abandon the 6-inch public sewer in the same area of 23rd south of Mullan Ave and connect existing services to the new public sewer line.
15. All public sewer plans require IDEQ or QLPE approval prior to construction.
16. An extension of a City approved public sanitary sewer "to and through" the subject property and conforming to All City Standards and Policies shall be required prior to building permits.

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ to adopt the foregoing Findings and Order.

ROLL CALL:

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

Chairman Messina Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

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CHAIRMAN TOM MESSINA