

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

MAY 8, 2018

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Messina, Fleming, Ingalls, Luttrupp, Mandel, Rumppler, Ward

APPROVAL OF MINUTES:

March 6, 2018, Workshop
April 10, 2018

PUBLIC COMMENTS:

STAFF COMMENTS:

*****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS*****

ADMINISTRATIVE ITEM:

1. Applicant: Riverwalk Townhomes, LLC
Request: A modification to condition #7 for Item S-2-16

PUBLIC HEARINGS:

1. Applicant: Joseph Hamilton
Location: 1313 N. 4th, 1311, 1315 and 1325 N. 5th
Request: A proposed zone change from R-17 to C-17
QUASI-JUDICIAL, (ZC-1-18)

COMPREHENSIVE PLAN UPDATE:

1. Alivia Metts – Growth/Demographics
2. Samuel Wolkenhauer- Economics
3. Nicole Kahler/Sean Holm– Public Involvement/Community Survey

ADJOURNMENT/CONTINUATION:

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

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



MINUTES



**PLANNING COMMISSION
WORKSHOP MINUTES
MARCH 6, 2018
CONFERENCE ROOM #6, CITY HALL
710 E. MULLAN AVENUE**

WORKSHOP TOPIC: Comprehensive Plan – Presentations from City Departments

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Tami Stroud, Planner
Sean Holm, Senior Planner
Shana Stuhlmiller, Public Hearing Assistant
Lee White, Police Chief
Lee Brainard, Patrol Captain
Tim Martin, Streets/Engineering Superintendent
Jim Washko, Deputy Fire Chief
Craig Etherton, Fire Inspector
Terry Pickel, Water Superintendent
Chris Bosley, City Engineer
Mike Anderson, Water Superintendent
Katie Kosanke, Urban Forester
Troy Tymeson, City Administrator

OTHER GUESTS PRESENT:

Woody McEvers, Councilman
John Bruning, Centennial Trail Foundation

CALL TO ORDER:

The meeting was called to order by Chairman Messina at 12:00 p.m.

Mr. Holm stated what the purpose of this meeting is and explained that each department is to provide feedback to the Planning Commission on items that they feel within their departments would like to be addressed in the Comprehensive Plan Update.

PRESENTATIONS:

Police Department:

Lee White, Police Chief, provided the following comments for items that are of interest to the Police Department with the Comprehensive Plan Update:

- The naming of streets should be consistent; they have had problems with responding officers trying to locate properties.
- Traffic intersections in subdivisions sometimes block the line of site. Obstacles are in the way of traffic signs preventing drivers to see other cars.
- Design of the streets and proximity of subdivisions near intersections also have some safety concerns.
- Parks and Trails – the Police Department supports the use of lighting and cameras in public spaces.

- Accesses to public areas – make sure the access is big enough for police and fire vehicles.
- Safe routes to schools.
- Half-way houses in the city and clustering of them in certain areas cause some concern.
- Parking deficiency in downtown; hopeful the addition of a new parking facility will help.
- Cross walk signals should be improved and explained if a person has to press a button every time to cross the road, it's not going to happen.
- After hour rules for bars downtown - needs policy and regulations.
- Independence Point could use additional officers in the area.

Fire Department:

Craig Etherton, Fire Inspector, provided the following comments for items that are of interest to the Fire Department with the Comprehensive Plan Update:

- The mission in the Comprehensive Plan for the Fire Department states that the Fire Department is to provide adequate fire services to the city.
- Vision 2030 envisioned the City Fire Department to be able to have trained personal and firehouses located in the right places.
- Gave a brief background of how many stations are located currently in the city, which is 4 stations and 1 Administrative building, 63 line people with 4 chiefs, 2 inspectors and three staff.
- Last year we had 9,100 calls for service, which is up 83 from the prior year.
- The Fire Department now houses the Technical Rescue Team.
- Water rescue is in process.
- Once a new station is built, 9 guys will be needed in order to provide three shifts.
- EMS is our biggest driver with 85% of calls and in the future, maybe need a third ambulance which requires 6 people minimum.
- Future stations could be located at the Atlas Mill site. He feels this is needed with the future development of 1,000 units proposed by a local developer located off of Seltice Way.
- The department has a training tower that we share with other jurisdictions and that the Chief is looking on how we can utilize that space.
- Fire prevention will continue to do inspections and how we preplan buildings. We are looking at implementing a self-inspection program for low hazard businesses such as insurance offices or buildings that would not be a high fire risk and explained that these property owners who are low risk could do their own inspections given parameters.
- The department did a Formal Community Risk Reduction Survey to see where we have gaps in our stations regarding the number of responses.
- The department is currently rated a class 3 city based on the ISO rating and hopefully with the opening of station 4 we could change our rating to class 2 which would be great.
- The department is concerned that eventually the city will expand into the hillside, which is a concern to get emergency units into that area.
- While the department doesn't formally adopt all portions of the National Fire Protection Agency Code, we still use them as a guide.
- Section 1710 of the code for EMS response to calls will be out the door in 60 secs and all other calls we get response time is 80 seconds. We have a guideline for a 4 minute response time and 8 min arrival or paramedic units.
- The department is looking at AVL (Automatic Vehicle Location) that a GPS will be mounted on all fire apparatus and explained when a call comes in and out of our zone we will be tapped to get the call.
- Gated communities are a problem; need efficiency. The Police Department should also have access to Knox Boxes in case of emergencies.
- The department is currently working with Kootenai Fire/Northern Lakes and the EMS Assistant looking at adding a secondary Knox access. The EMS will be its own agency to have a key available.
- When the department is busy, other agencies have to come in to the city to help one of our

citizens; we are working on that issue.

- Transient population is an issue and a concern.
- The department provides the Planning Staff with comments for development applications related to fire protection issues; if the commission feels we are not providing enough information on new projects, it is something we can work out internally.
- Suggested to have police have a representative look at new subdivisions plans so they can provide feedback to staff.

Streets/Engineering:

Chris Bosley, City Engineer, provided the following comments for items that are of interest to the Streets & Engineering Department with the Comprehensive Plan Update:

- Functional Classification was in the last Comprehensive Plan and is outdated based on Kootenai Metropolitan Planning Organization (KMPO); will check when next update is available. KMPO and the City have different classifications for collectors/arterials.
- KMPO is using a new tool on their website to look at all the new street projects that are going on in the city. Good resource to the public when a project is coming on the horizon.
- City projects:
 - 4th Street to Appleway is not a friendly place for pedestrians; need bike lanes in this area; ITD has street signs in the sidewalks making it hard for wheelchair access.
 - Atlas Mill Site – work is being done currently for the design and access.
 - East Sherman is in the process.
 - CDA Lake Drive taking over jurisdiction control and explained they are not giving it to us because of right of way issues. He showed a map of the area showing East Sherman showing putting in bike lanes.
- Multimodal Transportation is a concern to implement codes trails and bike trails. Complete Streets required.
- Stormwater – the department is looking at ways to reduce the amount of stormwater we are discharging into the lake.
- Traffic calming - a lot of complaints of fast vehicles into neighborhoods. Streets & Engineering is doing a speed study before putting in hard features.
- Traffic management system – Kootenai Metropolitan Planning Organization (KMPO) is talking with various agencies about funding a study to see the feasibility for a system like this in Kootenai County. He explained that this system would house all the traffic signals that would be managed at one location by a third party. Ada County currently has one of these systems.
- Roundabouts seeing more and more as intersections are developed. These work because they keep things moving rather than using a stop light where traffic is stopped.
- Huetter Bypass - ITD has been talking about this for years. This could be a solution to take pressure off Highway 95. He stated the main traffic on Highway 95 is local traffic. He suggested scheduling a meeting with ITD and staff to ask what the plans are for the future.
- Transportation Master Plan – We need one.
- Street Lighting – Defining where higher colored temperature street lights should be located. He explained using a chart that is in “Kelvins” He stated when a street light is out Avista and Kootenai Electric is replacing the bulbs with 4,000 kelvin bulbs that are super white. Neighborhoods do not want these lights. He hopes to have a discussion where brighter lights should be located in neighborhoods versus where dimmer lights should be located.
- Autonomous Vehicles - He stated that he doesn't trust these vehicles. He feels these are the future but they have a lot of problems currently.

Tim Martin, Streets/Engineering Superintendent, provided the following statements:

- 15th Street to Best Avenue - reconstruction with curb, sidewalk and bike lanes
- There is a need for a bigger East/West corridor street such as Kathleen. He stated this is a priority.

- He stated that staff is aware of the added traffic on Ramsey Road trying to get off our facility. He stated that it was suggested that administration look at an exit on Kathleen to get in and out.
- He explained that with all the construction happening on Seltice Way this past year traffic has been routed to Ramsey Road.

Mr. Holm explained that Complete Streets is not just about connectivity. He stated that the I.T. team would like to see conduit be a part of any street improvement so even if the street is not put in that conduit would be available in the future.

Water Department:

Terry Pickel, Water Superintendent, provided the following comments for items that are of interest to the Water Department with the Comprehensive Plan Update:

- Every 10 years the Water Department updates the Water Comprehensive Plan. The last one was done was in 2012; next update due in 2022.
- Cap fee/Water rate fees are done every 5 years. In the plan, they look at the future buildout.
- Key tools – Water System Comprehensive Plan. Established updated Development Guidelines that included the Water Conservation Plan. Part of the Water Conservation Plan is irrigation. He would ask the commission to reconsider greenspace requirements to support water conservation efforts, perhaps encourage percentage of xeriscaping.
- 41 million gallons pumped on peak day in 2017; peak capacity is 43 million gallons.
- Planning boundary for the Water Department is consistent with the sewer boundary for build out.
- Recommended improvements: Additional wells and storage to give enough capacity, need additional water rights
- Splitting Stanley Hill/Fernan Hill area high zone, which are already overloaded. Will be putting another tank and booster station in that area.
- What we can do on Blackwell to provide water for the people who live in that area.
- We are still looking for two water sources. Working on the water rights adjudication.
- Financial obligations this year includes operating expenses, capital costs and financial targets. We are doing a rate study for 5 years to make sure we have enough cash for routine maintenance and construction costs. Looking at cap fees to be increased for future growth.
- Drilling a test well on Huetter Road.
- Irrigation efficiencies – people tend to over water their lawns. Average of 5 to 7 million gallons pumped per day in winter. 32 to 41 million gallons pumped on peak days in summer.

Wastewater Department:

Mike Anderson, Wastewater Superintendent, provided the following comments for items that are of interest to the Wastewater Department with the Comprehensive Plan Update:

- Collection system and treatment plant – We have a master plan to help maintain and develop our collection system.
- Collection System – We have a conventional sewage system. Most of our flow to the Treatment Plant utilizes over 200 miles of gravity sewer augmented with 10 Sewerage Lift Stations-There are essentially five (5) major sewer drainage basins. We will be updating the Wastewater Master Plan in 2018.
- The Collection System Master Plan will be provided to developers to tell them what we are looking for.
- He explained an area we are concerned about is in the Northwest Quadrant. He explained this area is on the river and along Huetter and is a prime property for developing. He explained if the zoning was changed in this area we would update our models to see what areas need to be addressed.

- He provided a rendering showing all the capital improvement plans that we have throughout the city.
- He explained how a treatment plant works and that we were the first to have primary and secondary treatment in the Northwest US. Primary treatment is defined when all the solid materials are pulled from the water. Secondary Treatment is biological with some chemical treatment. Secondary treatment allows bugs to eat the remaining solids and settle. After the secondary stage, we can achieve 98% removal of the solids.
- Tertiary Membrane Treatment Filtration – Will also help with the removal of solids.
- We currently are allowed 1,250 pounds of CBOD per day on an average month, 350 pounds of ammonia per day and 50 pounds of Phosphorus per day. In the future we will be required to reduce 1,250 pounds per day per month down to 226 and the Phosphorous down to 3 pounds per day. We are doing this to protect the river.
- He explained that one thing we will be looking at when we update our master plan is the reuse of water. He feels that the water we produce is a lot cleaner water than river water.

Councilmember Woody McEvers' comments:

- He stated that previously council didn't want any building on hillsides to protect views/vistas.
- He said that we need to think about our roots and history and that Coeur d'Alene used to be blue collar working folks. We don't have to be everything to everybody.
- He remembers the Comprehensive Plan before wasn't as specific as it is now. He stressed how important water and sewer is.

Parks/Urban Forestry:

Katie Kosanke, Urban Forester, provided the following comments for items that are of interest to the Parks & Recreation Department/Urban Forestry with the Comprehensive Plan Update:

- She stated after reading the Comprehensive Plan it seems a little broad and that on every page was something on parks, trails, and the beauty of Coeur d'Alene.
- The Parks and Recreation Department is in the process of updating their master plan. It should be included in the Comprehensive Plan by reference along with the new Ped/Bike Master Plan, Natural Open Space and Forestry Plan.
- New Parks we are working on include: Hawks Nest; Legacy Place Park expansion; and Veterans Centennial Park.
- Special Areas: BLM Property; River Corridor; parkland open space and access to water.
- Active sports - ballfields are needed, additional soccer fields are needed, pickleball courts are needed, and look at a facility to house both pickleball/tennis.
- Forest Cemetery – All the plots have been sold. There is a vision to expand space in Forest Cemetery by converting the pass-through cart path into useable land for additional niche walls for cremations.
- Trails:
 - New Trails - Seltice Way and Fernan Trail;
 - The City will be accepting the US95 trail after future improvements which will be a major connector North/South;
 - Canfield Trails - working on improvements to enhance connectivity;
 - Foothills trail, north south on the east side follows the freeway great potential for path;
 - River trail.
- Urban Forestry, Green infrastructure, tree preservation, continue/increase planting efforts, increased care. We can use trees as infracture to eliminate storm water and us as a buffer. We have 14 percent canopy cover. The city needs to dedicate a crew to care for trees.

Closing Statement:

Mr. Holm stated that staff is sending out a survey to 300+/- individuals requesting feedback for the current plan. It will be open until the end of March. Staff will review & compile responses and send the condensed version to Planning Commission.

ADJOURNMENT:

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

The meeting was adjourned at 2:06 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

DRAFT

**PLANNING COMMISSION
MINUTES
APRIL 10, 2018
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Peter Luttrupp
Lewis Rumpler

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Fleming, seconded by Mandel, to approve the minutes of the Planning Commission meeting on February 13, 2018. Motion approved.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

Ms. Anderson provided the following statements:

- She introduced the new Planning Technician, Jake Plagerman
- April 23rd: Atlas Waterfront Public Open house starting at 6:00 p.m. held in the Library Community Room.
- April 24th: Joint Workshop scheduled with City Council and Ignite CDA, starting at 5:00 p.m. on the Atlas Waterfront project at North Idaho College at the Student Union Building.
- May 8th Planning Commission Meeting: we have scheduled one and possibly two public hearings.
- East Sherman now has a new website (eastsherman.org) providing project information, background, and a way to volunteer.
- A Design Studio is scheduled for East Sherman that is a multi-day event that includes Community Builders and their consultants who will be here for several days.
- Wednesday, April 18th 5:30-7:00 p.m. at the Chamber in the Visitors Center there will be an open house that will be interactive and open to the public on East Sherman.

PUBLIC COMMENTS:

None.

ADMINISTRATIVE:

1. Applicant: Lanzce Douglass
Request: A request for a one-year extension for SP-1-17, 2772 W. Seltice (Atlas Mill)

Tami Stroud, Planner, stated that Atlas Mill Development Corporation is requesting a one (1) year extension of SP-1-17 (R-34 Density Increase Special Use Permit) approved January 10, 2017, which went into effect on June 4, 2017, when the annexation agreement and annexation ordinance were recorded.

Ms. Stroud provided the following statements:

- The above-noted special use permit is set to expire on June 4, 2018.
- Due to active and ongoing dialogue with the City on a possible land swap involving the subject property, the applicant is requesting an extension of the SUP approval for one (1) year to **June 4, 2019**, which would allow additional time to come to mutually agreeable terms with the City.
- Section 17.09.230 of the city's code allows the Planning Commission to extend the Special Use Permit approval for one year, without public notice, upon written request filed at any time before the permit has expired.
- If approved the prior conditions approved with this permit would still apply.

Ms. Stroud concluded her presentation and asked if the commission had questions.

Commission Comments:

None.

Motion by Ingalls, seconded by Ward, to approve Item SP-1-17 for a (1) year extension. Motion approved.

PUBLIC HEARINGS:

1. Applicant: Greenstone-Kootenai II
Location: Directly West of the Intersection of Wilbur Avenue and Ramsey Road
Request: A proposed 457-lot preliminary plat "CDA Place"
QUASI-JUDICIAL (S-1-18)

Mike Behary, Planner, stated that Schneidmiller Land Co. & Schneidmiller Brothers and Greenstone-Kootenai II are requesting approval of a 130.54 acre 12 phase subdivision in the Coeur d'Alene Place PUD. As part of the request, the applicant has proposed 429 single family lots, 3 C-17 lots, 6 C-17L lots, and 10 R-17 lots.

Mr. Behary provided the following statements:

- The subject property is located west of Ramsey Road, east of Courcelles Parkway, south of Alps Street, and north of Hanley Avenue as depicted in the area map.
- The property is predominantly flat and currently being used for agriculture.
- This is the last large parcel within the CDA Place PUD to be developed and was envisioned to be primarily single family, with portions of R-17 (multi-family), and C-17 and C-17L (commercial).

- Coeur d' Alene Place was annexed in 1992 in Item A-4-92.
- In 1994 the applicant applied for a PUD in Item PUD-2-94. The original PUD was approved and the overall development included a total of approximately 760 acres.
- This proposed subdivision consists of +/-130 acres and is part of the original 1994 PUD. The proposed subdivision is consistent with the originally approved PUD.
- He listed the previous actions that were approved for Coeur d'Alene Place.
- He provided a copy of the location map
- He provided a copy of the preliminary plat for "Coeur d'Alene Place"
- He stated that this project has 12 phases proposed.
- He noted in the staff report the various city departments who made comments.
- He listed the required findings for this project.
- He presented a copy of the zoning map showing what the zoning is surrounding this property.
- He stated that there are 13 conditions associated with this project, and noted that the applicant does not agree with the condition requiring a traffic study.

Mr. Behary concluded his presentation and asked the commission if they had any questions, and informed that commission that Chris Bosley, City Engineer, would like to address them about the requested condition.

Chris Bosley, City Engineer, explained that he has requested as a condition that a traffic study be conducted for Wilbur Avenue and Ramsey Road. That intersection has become very busy especially with people who are trying to cross Ramsey mid-block between Hanley and Prairie, and a signal might be necessary to reduce the danger. He understands that a traffic study was performed in 1994 when the PUD was approved, but in the last 20 years traffic has increased.

Commissioner Ingalls asked if a traffic study comes back and the study says we need a signal at the intersection at Wilbur and Ramsey how would we move this project forward and if impact fees could be used to cover the cost of a traffic signal.

Mr. Bosley commented if a signal is required, the developer should have to pay for it. He stated if a development comes in and a traffic light is warranted later, that cost comes out of Streets/Engineering budget which is expensive and takes money away from road maintenance.

Commission Comments:

No further questions for staff.

Public Testimony open.

Kevin Schneidmiller, applicant representative, provided the following statements:

- He showed a copy of the Coeur d'Alene Place preliminary plat that is 750 acres built out over the 20+ years. This project, if approved, will be completed in 5-8 years depending on market conditions.
- He stated the 9.59 acres of open space is proposed.
- He explained the proposed uses are consistent with the existing zoning.
- He stated that they calculate the density to be 4.27 units/acre and 5.27 units/acre residential.
- The open space is below the 10% required and explained anytime you do a large master plan, it's very difficult to have 10% open space for every phase we bring forward. He projected at the end of buildout we will be close to 14% open space.
- He showed a map of the development. North/South from Courcelles will have a sewer line and talked with Wastewater and the developer to the north to partner with them and build a sewer line

so Vista Meadows subdivision will not have to use a lift station.

- He stated that this project will be done in 12 phases, consistent with prior preliminary plats brought forward. He stated that they intend to start development from the south moving to the north. He explained that with phase 11 and 12 that is zoned C-17 and C-17L, will be held to the end of the development since those lots are market driven and don't know if they will remain their current zoning.
- The 429 lots will be front entry and served by public streets.
- He stated that they reviewed the conditions and agrees with all of them except the condition that is stated on page 5 of the staff report regarding traffic. He stated he does not agree a traffic study should be required because when we first proposed CDA Place in 1994 a traffic study was done that included these last 500 lots. He stated these are not new lots being added to the project but part of the original preliminary plat done in 1994 that covered 640 acres. He stated that in 1998 they came forward for an amendment to the PUD and an amended traffic study was done. He stated that since that last traffic study, CDA Place has not added anymore impact to traffic at the Wilbur and Ramsey intersection. The traffic studies done in '94 and in '98 did not see a need for a signal at Wilbur and Ramsey and agrees that through the years there has been a lot of new growth to the north with the addition of other developments and feels that it's not fair for them to pay for a traffic light.

Jerry Alexander commented that he is concerned with the addition of so many homes and feels a traffic study needs to be done.

Tom Abell commented that he is concerned with the traffic impact on Canfield Avenue.

Margaret Fedje explained that where she has to use Calispell to get out on Ramsey Road, some days she can't get out because traffic is bad especially with the high school kids getting out and it gets very congested. She commented on safety concerns and we need a traffic light on Canfield.

Stephan Romero commented that he has one question "Where will these kids go to school?" He has two kids at Lake City High School and that the schools are already overcrowded and suggested that all new developments be discussed with the school district.

Vincent Street commented that he has a number of concerns that schools are overcrowded, traffic is a nightmare, questioned what about the Environmental Sewage where is all of this going to go and Emergency services does the city need to add more police and fire personnel to handle growth.

Sandy Rustad commented that she is also concerned with traffic and that Canfield is in poor condition especially when people park on both sides of Canfield. She stated that she has lived here for 16 years and hopes that the developers will not build two story homes behind her house that will take away her privacy.

Mary Beth Bouwens commented that she is concerned with the many potholes on Canfield and cars parked on both sides of the street. She is also concerned with the schools becoming overcrowded, and when parents are loading/unloading their children in the morning and afternoon and trying to access the soccer field the road is busy. She has spoken with staff at Skyway Elementary where her kids go to school and was told they will not allow any additional portables added to the school because of drainage. Her daughter can't get a seat in the classroom and wants to know where we are going to put these students. She agrees that a traffic study needs to be done.

Leann Able commented that she was attracted to the amenities this development provided and is also concerned with the busy intersection at Canfield and Ramsey. She explained that she works to the north, and when coming home on Canfield, has had some close calls with people waiting at the stop sign on the East side of Ramsey on Canfield zooming in front of her and concerned with her safety.

Rebuttal:

Kevin Schneidmiller provided the following statements:

- He stated that they're not disputing traffic, but questioned who is responsible for solving the issue. He explained that there has been recent development on the east side of Ramsey Road and questioned why a traffic study was not presented then. He stated that they want to work with the city for a solution.
- He stated that his family and this company have been supportive of school systems in all the communities they are involved in and is responsible for getting Lake City High school built at its present location and feels it is not Greenstone's responsibility to solve all these issues.
- He stated that they like to develop pocket parks and explained that they are more effective because you can space them in an 800 ft. radius. He stated that they are purposing two pocket parks one will be 1-1/2 acres and the other one-acre.
- He stated that they continue to improve their trail system to support a way for kids to get safely to school.

Commission Comments:

Commissioner Ingalls commented that he is comfortable with the amount of open space that Coeur d'Alene Place has provided and that they are very generous. He commented that he lives in this area and also agrees that a traffic signal should be placed at Wilbur Avenue. He explained that in the applicant's narrative they intend to provide a new east/west route between Hanley and Prairie, which is good. He questioned how it can go forward if this project is approved with this condition.

Mr. Schneidmiller stated if the condition stands, they have the ability to look at the commission's decision and appeal. He provided the following statements:

- We came to the city with a proposal 20+ years ago that required a traffic study done on the entire project including these 429 homes. The traffic study made certain recommendations of improvements that needed to be made that included the Wilbur and Ramsey intersection and from that study a signal was not warranted and based on a number of homes that we were going to build which included 2,000 homes plus some multifamily homes.
- He stated their issue is how the condition is worded which is vague. He commented that he is confident that if a traffic study is done, the impact of these 429 lots will not be an issue with the Wilbur Ramsey intersection.
- He stated in past years they have had nine modifications come forward for Coeur d'Alene Place and the question of traffic has not been an issue.

Chairman Messina commented that since he has been on the commission, this is the first time he has seen a condition that a traffic study be required. He commented that he lives in this area and admits it is a congested area, but it's the result of several different developments. He questioned the timeline for this development to be completed.

Mr. Schneidmiller stated they are estimating project completion in 5-8 years.

Commissioner Ingalls stated that finding B7B states: "The provisions for sidewalks, streets, alleys, right of way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities are/are not adequate". He stated that they heard a lot of testimony that Canfield and Ramsey are congested. He commented if Canfield is an example of a feeder to Ramsey, then Wilbur is a "super-feeder". He doesn't know how this commission can make finding B7B, that the streets are adequate.

Mr. Schneidmiller commented that he understands the position the commission is in for making a decision. He stated that this project in the past has provided adequate streets, sewer, water etc. He understands the traffic concerns but feels that the city shouldn't make this development responsible for the entire amount.

Ms. Anderson asked if she could respond to the commissioners' question about traffic studies for any other projects in the past. She explained that there were two projects that fronted Prairie Avenue that required traffic studies to see how traffic generated from their developments would impact the traffic on Prairie Avenue. She commented that a traffic study was required for Staybridge Suites in Riverstone due to concerns of how close the hotel would be to the signal at Lakewood. She stated that it is not an unusual request for a traffic study. She commented that Mr. Adams recently had a meeting with Mr. Bosley to see if he would be able to clarify his condition for consideration to the commission based on comments heard tonight.

Mr. Bosley amended and then read the revised condition that states: "A traffic impact study must be completed by the applicant to determine the need for a traffic signal at Wilbur Avenue and Ramsey Road. If the study determines that a signal is warranted, it shall be installed by the applicant prior to the projected year of need. The study should be completed prior to construction of the proposed development". He commented that he understands the applicant's position is to not have to pay the entire cost of the signal. The problem is that we have streets like Canfield that have a lot of pot holes and trying to keep up with growth and repair those roads is costly. He explained that a big project comes in and if we had to pay for a traffic signal I, it could delay repairs in other places.

Commissioner Mandel questioned if the burden of the full cost of the traffic study was the responsibility of the applicant.

Mr. Bosley stated that he doesn't remember how past conditions were written but on the Staybridge Suites project that staff required a traffic impact study and when that study came back, it stated that the traffic was not going to overburden Riverstone Drive or the signal at Lakewood.

Ms. Anderson asked Mr. Bosley to clarify who would have been responsible for the cost if there was a signal required for the Staybridge project.

Mr. Bosley stated the applicant would be responsible for the cost.

Commissioner Fleming inquired how much is a traffic light.

Mr. Bosley stated a signal would likely cost \$300,000.

Commissioner Fleming explained that this project was started 20 years ago and there have been other developments surrounding this property. She questioned why the last man has to pay for everyone with growth coming from Hayden, Post Falls and downtown. She feels that this is a problem throughout the entire city and why should this portion of town be responsible for the entire city's traffic problem. She stated that the problem is coming from North/South.

Commissioner Ward stated he feels that traffic is not just isolated in this area and everyone is affected.

Commissioner Mandel stated if the focus is on Wilbur and Ramsey because of traffic that promoted a traffic study. She feels that traffic issues go beyond Wilbur and so for the purposes of this applicant, and the findings, we have to make sure there is a larger, comprehensive traffic study done.

Mr. Bosley explained that a traffic study would be done to see if a traffic signal is warranted for the Wilbur/Ramsey intersection. He understands that there is a lot more traffic coming from the north/south and, independent of this, that the traffic that comes up on Wilbur to Ramsey and how do they get home safely.

Commissioner Fleming agrees that when this development is built-out a signal will be needed at that intersection, but feels we can't wait until then. She stated that the cost of a traffic light shouldn't be the burden of the developer.

Commissioner Ingalls stated “life is not fair” and that the traffic on Ramsey is today what it was on Highway 95 twenty years ago. He commented that a lot of growth has happened on the eastside coming off of Wilbur and explained 20 years ago, you could make a left turn off of Wilbur and feel safe, but that has changed. He is comfortable with the open space and feels this is a great project. He commends the developer for working with wastewater staff to not require the use of a lift station for another development to the north. He supports the rewritten condition from the Mr. Bosley

Public Testimony closed.

Discussion:

Commissioner Mandel commented after hearing previous testimony regarding overcrowding in the area schools, that she has children who also attend the area schools and shares the same concerns and hopes the people who have testified tonight share their concerns with the school district. She inquired if the City could comment on how the City’s involvement with the school district’s process for long range planning and how this will fit in with our Comprehensive plan. She noted we received a comment from DEQ regarding finding number 10 and questioned its relevance, inquiring if their comment would satisfy condition number 10.

Ms. Anderson stated in our city code for construction, that a water truck is required to be onsite to help control dust. She explained that city staff and administration do work with the school district. They recently had a meeting with the school district and looked at possible sites and properties to have schools at those locations. She added that the school district has a long range planning committee and has invited staff to be a part of that committee. She stated with our Comprehensive Plan study we will be working close with the school district. We need to make sure there are sites available for future schools.

Motion by Ingalls, seconded by Ward, to approve Item S-1-18. Motion approved with the amended condition.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

2. Applicant: Miller Stauffer
Location: 401 W. Garden Avenue
Request: A proposed R-34 Density Increase Special Use Permit
QUASI-JUDICIAL (SP-3-18)

Mike Behary, Planner, stated that Patrick Acuff is requesting approval of a special use permit to allow a density increase to R-34 that will allow a proposed 8 unit multi-family apartment building in the C-17 commercial zoning district.

Mr. Behary provided the following statements:

- The applicant has owned this property since 1980.
- The existing site has three structures that include an eight unit apartment building, a single family dwelling, and a storage building.
- The applicant is proposing to demolish the existing structures on this site and build a new 4-story 8-unit apartment building.
- The proposed special use request will allow for a total of 10 units on this site. However, the

applicant is proposing to allow a total of 8 residential units on the subject site.

- The current zoning allows for a total of 5 residential units on this size parcel. It should be noted that this request will be a net reduction of one unit from what currently exists.
- The proposed apartment building will be four stories tall and will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for multi-family structures.
- The subject property has been used for multi-family and single family residential purposes for many years.
- The applicant has indicated that the current structures on the subject site are outdated and the site is in need of redevelopment.
- He presented a photo showing where the property is located on the site.
- He showed a copy of the site plan.
- He showed a rendering of the building elevation intended for the apartments.
- He presented a copy of the zoning map showing the surrounding zoning of the property.
- He discussed the findings required for this project.
- He stated that the Comprehensive Plan states this property as Stable Established.
- He showed various photos of the property.
- He stated that there are four (4) conditions for this project.
- Mr. Behary concluded his presentation and asked if the commission had any questions.

Commission Comments:

Commissioner Ingalls questioned the parking and that condition number four states that the property has 16 parking spaces and noticed when looking at the site plan there are only 15.

Mr. Behary explained when they apply for a building permit they will need to provide the appropriate number of parking spaces depending on unit types – the current concept would require 16 parking spaces based on the code requirement. The applicant can answer any questions on the parking.

Public testimony open.

Dick Stauffer, applicant, provided the following statements:

- He stated that this is an odd shaped parcel that sits behind Paul Bunyan and a challenge to develop.
- This parcel has been developed with the county campus that has been doing improvements the last few years.
- He described the townhomes that will be two bedroom units and explained how to get the extra parking space per code once you drop down to one bedroom you can regain that parking space.
- He explained that the applicant looked at all options for this parcel and what is presented is the best option.
- He stated that the applicant felt a fourplex would look small and out of place and that a commercial development would have parking challenges.
- He stated that when this is completed it will be a high density development and because of the park location and the views across the street, it fits with the urbanism that people want to live downtown.
- He stated that the existing development is non-conforming.
- He showed a rendering of the building and explained it would provide 13 parking spaces.

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

Commission Comments:

None.

Public Testimony closed.

Discussion:

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

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

3. Applicant: Frame & Smetana, Russ Helgeson
Location: N. of Intersection of Canfield Avenue and Grove Way
Request: A modification to Cottage Grove PUD
QUASI-JUDICIAL (PUD-2-07m.1)

Tami Stroud, Planner, stated that Frame and Smetana, on behalf of Paramount Enterprises, LLC, is requesting modification to the Cottage Grove PUD, an existing 46 lot subdivision (with additional tracts for open space/road) on a private street in the C-17L PUD (Commercial Limited at 17 units/acre) zoning district.

Ms. Stroud provided the following comments:

- This request seeks approval of a modified PUD conceptual site plan that would increase density from 6 commercial pad sites known as “Cottage Grove” commercial lots, to 5 townhome lots (27 residential units) and provide the ability to change the current configuration and consolidate two lots into one townhome lot.
- She presented an aerial photo and various site photos of the property.
- She presented the zoning map indicating surrounding property zoning.
- The Comprehensive Plan states this property is considered Stable Established.
- She cited the various findings associated with this request.
- She showed a copy of the original “Cottage Grove” PUD plan.
- The Cottage Grove subdivision is currently zoned C-17L PUD. The approval of the original PUD allowed specific deviations from traditional zoning standards with regard to lot frontage, a private street, parking arrangements, etc.
- The PUD was originally envisioned to be a 21 single-family development with 8 commercial lots, however; the PUD was modified in February 2007, August 2011, March 2012, and February of 2014, creating 40 single-family residential lots and six limited commercial lots with surrounding open space tracts.
- The site is fully-improved with a private street (W. Grove Way), sidewalks, fences, gates street lighting, water features, and common area landscaping which were completed after approval of PUD-2-07 & S-4-07 (See photos above).
- A total of 3.95 acres (+/- 39% of the gross area of the 10 acre subject property) of open space was an element of the approval currently defined by tracts. W. Grove Way (the private street) is contained within a tract as well.
- A homeowner’s association was created to manage, control, and maintain the use of all common areas.
- She explained the current “Cottage Grove” PUD.
- She showed photos of the existing commercial office buildings.

- She explained what the applicant is requesting with this modification:
 - Change the designated commercial pads to allow for residential use for townhomes (see conceptual site plan).
 - Change the configuration of two existing lots through a forthcoming Boundary Line Adjustment, or Short Subdivision.
 - Increase the approved PUD density by allowing 5 townhome lots (27-units) within the “Cottage Grove” PUD development. There are 40 existing single-family dwelling units. This request yields 6.7 residential units per acre.
- She provided a copy of the conceptual layout, Townhome site plan and renderings of what the townhomes will look like when completed.
- She noted the various findings and staff comments in the staff report.
- She stated that there are three (3) conditions associated with this project.
- Ms. Stroud concluded her presentation and asked if the commission had any questions.

Commission Comments:

Commissioner Fleming stated that she has a comment about the rendering showing the buildings and questioned if the green color between the buildings is supposed to be a parking lot. She inquired if we should add a condition stating that the applicant needs to show where the 10% open space is located.

Ms. Stroud stated that they could add a condition; however; staff would be verifying that the open space requirement has been met when the Final Development Plan is submitted.

Commissioner Ward commented from looking at the rendering of the townhomes that there is an area of green space behind, around, and on the sides of the townhomes. He concurs that there needs to be a condition stating to verify the 10% open space requirement.

Commissioner Fleming inquired if the 10% open space is just for the new portion or does this requirement include the existing development.

Ms. Stroud clarified that it would include the entire development.

Commissioner Ingalls referenced the sketch of a site plan in the staff report and would like to see a number on the site plan of the parking spaces, so he could see if they meet the parking requirement.

Ms. Stroud explained when the applicant is ready to get building permits the parking will be verified.

Commissioner Ingalls commented that after reading many of the comments on this project, many people were concerned about the style and color of the townhome from the rendering in the staff report.

Ms. Stroud stated that in 2011, the building character sketch that was provided in the staff report was mentioned in the applicant’s narrative. She felt that it was important to bring this forward because many people sent comments in with concerns how the building will look. She feels that before the look was for a northwest feel with rock etc., and with this owner they could come in with a modification of the design and use.

Commissioner Ingalls stated this request seems to be more of a “lock in” regarding the character and likes the second map submitted by the applicant.

Public testimony open.

Russ Helgeson, applicant representative, provided the following statements:

- He stated that this has been before the commission many times over the years with modifications.
- He explained that this property sat vacant for several years and went from 22 to 40 residential lots and 6 commercial lots.

- He stated in 2014 the original developer was going to sell the residential lots and that with the last modification approved a property line was added separating the residential lots from commercial lots.
- He commented that all infrastructure has been put in with the residential portion that has a gate on either side with a gate internally located on Grove Avenue that is a one-way gate so the people can go out, but nobody can come in.
- The reason for the modification is that nothing has happened with the commercial lots and that the new owner has proposed townhomes that are smaller with a configuration to the site plan that eliminate two building sites to provide a better fit for the townhouse concept.
- He stated that he would like to address a few of the comments provided to him from staff. The concerns fall into three categories: Parking – He explained that each unit requires at least two parking spots with a garage and a driveway portion that will count as the second parking spot. He added that the existing parking areas will provide an additional 30 or 40 additional parking spots. On street parking - Will not be allowed since the roads were narrow. They provided rolled curbs throughout the project and some available parallel parking spots on the side of the road off the curb line. These are concrete parking areas. In Cottage Grove there are 9 parking spaces on the side of the road.
- He addressed the character of the building including the colors and design and explained in the previous PUD had specifications on what they wanted and that the architect provided additional renderings. He stated that this project is still in the preliminary stages with no architectural plans developed only the renderings for this hearing. He feels that they still have time to get community input before a decision is made.
- A need for an HOA and CC&R's for this part of the development and the intent is to create a new HOA for this side of the development.
- He explained that he doesn't have the exact numbers for open space and from looking at the site plan that was submitted feels there is a lot of space and would estimate would exceed the open space.

Josh Beebe commented that in 2008, we were cautious what we did with this development because of the economy from 2007 to 2011, and all they did on the property during that time was mow the grass. He explained when they decided to sell the property to Viking Construction, they were cautious, because we had a vision of what we wanted to see on this property and Viking did a great job. When they got ready to develop the commercial piece they felt the applicant was going to do the best for the development and the residents of Cottage Grove. We support the project.

Chris Schneider stated that he appreciates Mr. Helegeson's history of the development and stated:

- He stated Cottage Grove has 40 homes and with most retired and they do have an HOA.
- He stated that the HOA received 30% written input that was passed on to the commission to review.
- He stated that the majority of the homeowners knew this property would be developed and because of the parking lots assumed it would be professional office spaces similar to what exists.
- He commented that the proposed townhomes if offered at a good price is a good option and believe the future owners of these townhomes will share the same pride of ownership.
- He stated their concerns are as follows:
 - They are concerned with the exterior design, colors and appearance. They suggest a modern design and color shown in the original renderings where consistency to what they have in their community, the surrounding offices and homes. They would like the townhomes to have more "Northwest" feel utilizing earth tones, more horizontal than vertical siding and more traditional accents versus the modern accents.
 - Landscaping – They realize the drawings are renderings with the exterior suggest the overall landscaping maintain a "woody" feel consistent with the surrounding area. They encourage the developer to maintain the large trees as possible to maximize the green space and sufficient landscaping to create an overall attractive appearance.
 - The road outside our gate that exits onto Canfield the association had many questions

from the HOA: Parking – which has already been brought up. There will be up to 54 vehicles and seems to be not sufficient parking for each townhome without residents parking on Grove Way and/or outside of Canfield outside the exit. He explained in their community their HOA doesn't allow parking on the stamped concrete because of damage, oil drips etc. If there will be any restrictions on boat/RV parking and good to hear will be a review of the CC&R's. Hopefully will make them compatible with our subdivision. The exit from Grove Way onto Canfield was mentioned earlier because of traffic, they feel this is already an unsafe intersection primarily because of cars that park on the Northside of Canfield and would appreciate the city require no parking on either side of the street.

- Grove Way – He stated that the residents own their portion of Grove Way and is responsible for all the costs of that road. He questioned if the proposed development own their portion as well or will it revert to the city. He questioned if that use of Grove Way be limited or restricted by the new development if so would like to have input on the plans for maintenance of the road, snow removal, and if they could coordinate both communities since we will be doing the same thing.
- Privacy – The residents that are by the exit gate and wondered if the developer was going to make accommodations like a privacy gate or hedge. The city stated that there would not be any dumpsters on the property.
- Infrastructure – He explained when the development became single family homes it required a modification resulting in problems with sewer, cable, and other issues. Some of the infrastructure is connected to the infrastructure in the proposed community. He stated they had irrigation issues. The HOA stated that the new development would have an impact on our shared, water, sewer and cable. He knows the city has codes and feel confident this issues will be addressed.
- CC&R'S – He stated that their CC&R's restrict Short term Rentals Vrbo's and Airbnb's they recommend a similar restriction be placed on this development.

Bill Graves stated that he appreciates Mr. Schneider's comments. He stated that as a real estate agent looked at Cottage Grove thinking what could go there and felt townhomes were a good fit. He referenced the rendering of the building that looks brown and recently drove by those buildings the doors are red and the building color is orange. He explained in the original drawings they showed a black and red rendering. He feels that the developer should be allowed to pick any color he wants as long as it complies with the existing neighborhood. He stated next door there are red and blue apartments and behind Cottage Grove there are bright yellow apartments. He feels that they want to do the right thing for this property and not overtake the density, and address the parking issues that have been brought forward. He feels that they are more of a 3-1 ratio with parking that should not be an issue.

Rebuttal:

Russ Helgeson provided the following statements:

- He stated as they develop the HOA and CC&R's that go with the development will coordinate with the existing HOA to discuss road maintenance and snow plowing.
- The question was brought up if Grove Way would go the city and feels the city would not accept this road, because the road is narrow and they don't intend to ask the city to take it. Grove Way would remain private and the HOA would need to maintain that road.

Commissioner Ingalls commented this is a huge opportunity partnering with the existing neighbors and a need on both sides to work together. He commented that there is a balance to not become over reaching. He questioned since Grove Way is a private street will each of these developments that are single family and the new townhomes are going to operate separately. He stated if he bought the townhome section and owns that part of Grove Way and questioned what enables the residents in the single family community the right to pass through there. He questioned if they're going to be some protection for those folks with an easement that should be recorded that preserves their right to transit that portion of Grove.

Mr. Helegeson stated that is a good question that hasn't come up in the earlier versions of the many modifications that have been done.

Commissioner Ingalls stated with these private roads we need to be cautious and as a condition should add to an easement should be recorded that enables and preserve the right to transit on Grove Way. Mr. Helegeson stated that he is confident that the owner would be open for that condition.

Commissioner Ingalls apologized for bringing that up, but in the past has had other places in the city that has been a big deal.

Ms. Anderson stated from looking at the plat and they are two different tracts so that is a concern that tract "O" is within the subject property and the other is a different tract. She concurs that an easement would help to ensure access.

Commissioner Ingalls stated that he would propose a 4th condition that states "Prior to recordation of final plat or pulling permits an easement in favor of the north HOA be recorded to preserve their vehicular access in perpetuity.

Erin Wuest commented that she bought two lots in the Cottage Grove subdivision and noticed that the greenspace requirement should be 10% she explained that we have driving gates and walking gates. She questioned if the greenspace is for the esthetics overall subdivision or the developer would want people to use the greenspace.

Commissioner Fleming explained that the open space is intended for the people who live in the development to use especially since this is a gated community.

Ms. Wuest explained where their gate stops before their subdivision begins especially when you are considering a percentage. She stated that she hopes the contractor continues with the "Northwest Lodge" look and in the older part is a Northwest Lodge townhome and hopes they consider instead of 27 units he might consider doing a two unit Northwest Lodge townhomes extending. She hopes that there is a plat for that would be a nice addition that would extend the existing neighborhood. Move the gate to Canfield and continue the esthetics.

Chairman Messina suggested discussing those changes with the developer.

Public Testimony closed.

Discussion:

Commissioner Fleming feels this is a great development and reinvent something that has been sitting vacant for years. She stated that it's not the job of the Planning Commission to specify the design, as we don't do design and we will leave that to the experts. She is confident that the developer has listened to the comments tonight. This is fresh and a special place to live. She is excited for this project since she feels that Coeur d'Alene has a shortage of townhomes.

Chairman Messina likes the project and is happy to see it developed.

Motion by Ingalls, seconded by Fleming, to approve Item PUD-2-07m.1. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye

Commissioner Mandel Voted Aye
Commissioner Ward Voted Aye

Motion to approve carried by a 4 to 0 vote.


ADJOURNMENT:

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

The meeting was adjourned at 8:17 p.m.

Prepared by Shana Stuhlmler, Public Hearing Assistant

DRAFT



ADMINISTRATIVE

MEMORANDUM

TO: PLANNING COMMISSION

FROM: TAMI STROUD, PLANNER

DATE: MAY 8, 2018

RE: S-2-16 – REQUESTED REMOVAL OF CONDITION #7 WHICH LIMITS THE MAXIMUM NUMBER OF DWELLING UNITS ON THE SUBJECT PROPERTY TO NO MORE THAN SIX (6) UNITS.

REQUEST:

John Williams, representing Riverwalk Townhomes, LLC, is requesting that the Planning Commission approve his request for the removal of Condition #7 on the previously approved plat known as “Bellerive 6th Addition,” consisting of a 2-lot, 4-tract subdivision.

HISTORY:

On May 10, 2016, the Planning Commission approved the request for a preliminary plat of “Bellerive 6th Addition,” a 2-lot, 4- tract subdivision within the “Bellerive” Planned Unit Development (PUD). The approval also included a condition limiting the number of residences on the subject property to 6 (six) and the maximum number of units for the “Courtyard Homes” to four (4). In addition, the subdivision staff report noted that “Boardwalk Homes” and/or “Courtyard Homes” could be built within the approved platted lots and are interchangeable housing types within the PUD.

Because the applicant submitted a replat (Bellerive 7th Addition) to gain two additional lots, he has also asked that the condition be removed to allow the potential of eight (8) units within the project, which would include four (4) “Boardwalk Homes” and a potential of four (4) “Carriage Homes”. All setback and shoreline regulations would still be required to be met.

The approved condition from Bellerive 6th Addition is listed below:

Condition #7:

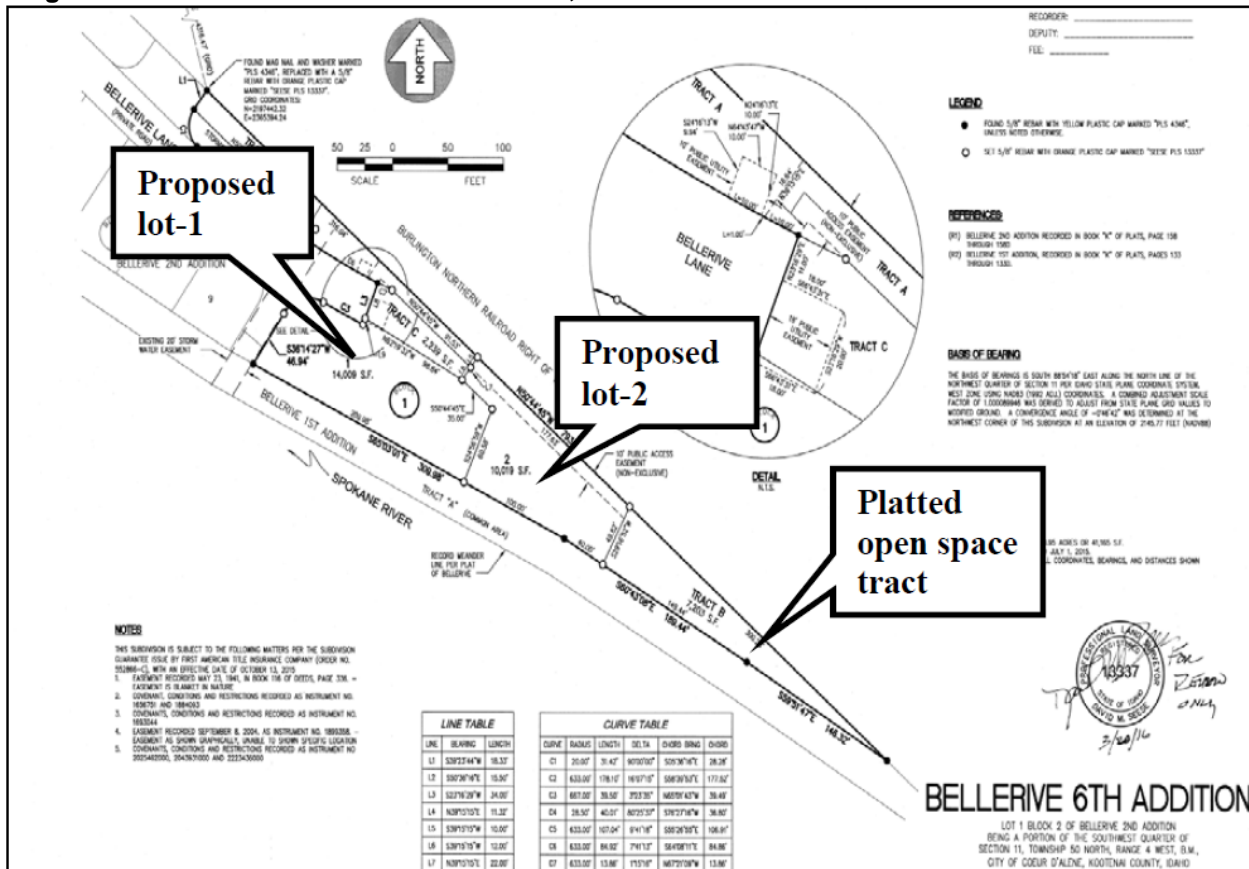
There shall be no more than six (6) total residences on the subject property and the maximum number of units for the “Courtyard Homes shall be limited to four (4).

The exhibits on the following pages show the subject property, the Bellerive 6th Addition plat, and the Bellerive 7th Addition which was approved by the City Council on May 1, 2018. It should be noted that Bellerive 7th Addition is a replat of lot 1 in Bellerive 6th Addition from one lot to three lots to create a total of four lots on the subject property.

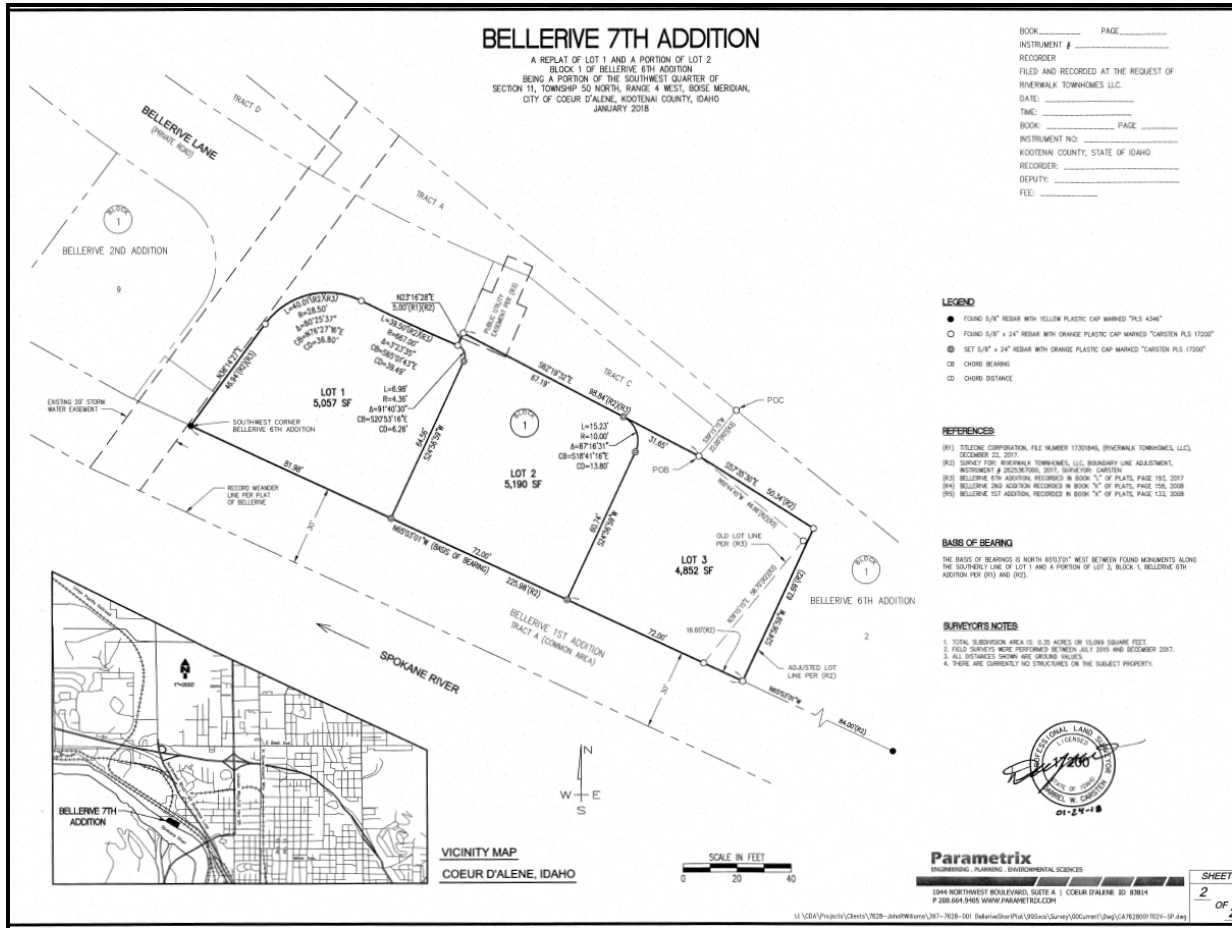
Aerial Photo: "Bellerive Planned Unit Development"



Original Plat: "Bellerive 6th Addition" A 2-lot, 4-Tract Subdivision



Approved Replat: "Bellerive 7th Addition" Plat (approved May 1, 2018 by the City Council)



PERFORMANCE ANALYSIS:

The applicant has contacted City staff to discuss the requested changes outlined in his letter. The Planning, Water, Wastewater, and Fire Departments have evaluated the proposal and have provided comments and conditions as shown on the following pages.

DEPARTMENT COMMENTS:

FIRE:

Per **IDAPA 18.01.50 SECTION 202 Driveway**. "A vehicular ingress and egress route that serves no more than five (5) single family dwellings, not including accessory structures." There is the possibility of allowing a variance for more than five single family dwellings (including carriage houses) on one driveway if every residential structure is protected with a NFPA 13R residential fire sprinkler system and fire alarm system. This variance would need to be approved by the Fire Chief.

See applicable sections of the International Fire Code in the attached Appendix.

The code states fire apparatus must be able to get around the structure from both sides and meet in the back. If, for the reasons stated, this cannot be done, a fire sprinkler system must be installed.

-Submitted by Bobby Gonder, Fire Inspector

WATER:

There are two (2) 1” services and one (1) 1” service available for the proposed lots. The 2” service cap fee is \$15,025.00

The developer is not required to extend the main because “Bellerive Lane” is not a through street.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

The City’s Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this project as proposed.

Wastewater conditions for the future development on the replatted lots are listed in the required conditions.

-Submitted by Mike Becker, Utility Project Manager

PROPOSED CONDITIONS:

FIRE:

The Fire Chief will grant a variance as to the maximum number of SFR on a single driveway from five (5) up to the potential of eight (8) units, on the condition that all SFR units (including carriage houses) must install a 13R Residential Fire Sprinkler system along with a fire alarm system.

PLANNING:

There shall be no more than eight (8) total residences on the subject property (contained within Bellerive 6th and 7th Addition in their entirety), with the maximum number of units for the “Boardwalk Homes limited to four (4), and “Carriage Homes” limited to four (4).

WATER:

The applicant is required to install a minimum of one service per lot. Cap fees are required to be paid prior to issuance of a building permit.

WASTEWATER:

Installation of sewer laterals to each newly created lot conforming to all current City Standards and Sewer Policies shall be approved and accepted by the City.

DECISION POINT RECOMMENDATION:

The Planning Commission must consider this request to approve or deny the request to remove condition #7 that limits the number of units to six (6) within Bellerive 6th. If the commission approves the request, it should be noted that the above stated conditions would apply to the subject property (contained within Bellerive 6th and 7th Addition in its entirety) since the removal of the condition would trigger the new conditions.

Attachment:
Appendix – Applicable Fire Code Sections

APPENDIX – APPLICABLE FIRE CODE SECTIONS

International Fire Code (IFC) 2015 Edition

SECTION 503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet where any of the following conditions occur:
 - 1.1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 - 1.1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternate means of fire protection is provided.
 - 1.1.3. There are not more than two Group R-3 or Group U occupancies.

SECTION 912 - FIRE DEPARTMENT CONNECTIONS

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be *approved* by the fire chief.

912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the fire chief.

The FDC must be within 75 feet of a hydrant and be within 40 feet of where the fire truck is going to park.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an *approved* area for turning around fire apparatus.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE D103.4 – REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

<u>Length (feet)</u>	<u>Width (feet)</u>	<u>Turnaround required</u>
0-150	20	None required
51-500	20	120-foot hammer head, 60 foot 'Y' or 96-foot diameter cul-de-sac
501-750	26	120-foot hammer head, 60 foot 'Y' or 96-foot diameter cul-de-sac
Over 750		Special approval required

SECTION D103.1 Access road with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.



**APPLICANT'S
NARRATIVE**

March 28, 2018

City of Coeur d'Alene
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814

ATTN: Planning Commissioners

Dear Commissioners:

The purpose of this letter is to formally request the Planning Commission to confirm that the same property rights will be applicable to all owners of property within the Bellerive PUD.

HISTORY

- 2016 – Planning Commission approved the “Bellerive 6th Addition” which created two lots:
 - LOT 1: approved for up to 4 “Courtyard Homes” (i.e. multi-family; combination of stacked flats and townhomes with direct access garages in 2-3 story buildings)
 - LOT 2: approved for “Boardwalk Home” and optional “Carriage Home”
- 2016 to 2017 – Luxury townhomes were designed and marketed. Due to the ever changing real estate market, we uncovered a higher demand for single family residences in Bellerive.
- 2018 – City approved the Bellerive 7th Addition short plat which split LOT 1, Bellerive 6th Addition into three lots with the following condition:
 - “If more than six residential units are wanted over the four lots, a request to the Planning Commission will be required for a modification of the “Bellerive PUD”.

We respectfully request that if an owner of any lot in the Bellerive 7th Addition intends to build a “Boardwalk Home” (i.e. single family), they would have the option to create a “Carriage Home” (i.e. auxiliary dwelling over the garage) if they so desire.

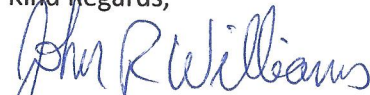
JUSTIFICATION

- Today, all single family lot owners within Bellerive have the option to build a “Carriage Home”.
- Bellerive PUD is approved for 412 dwelling units. (Today, there are less than 200 platted.)
- Approved zoning (C-17 with PUD overlay) allows up to 17 residential dwellings per acre.
- If all 4 lot owners built a “Carriage Home”, the density “over the four lots” would be 9.04/acre.
- Restricting specific lot owners within a PUD of specific entitlements may not be legal.

This request does not impact any other approved elements of the Bellerive PUD. Please feel free to contact me if you have any questions or require additional information.

Thank you for your time and thoughtful consideration.

Kind Regards,

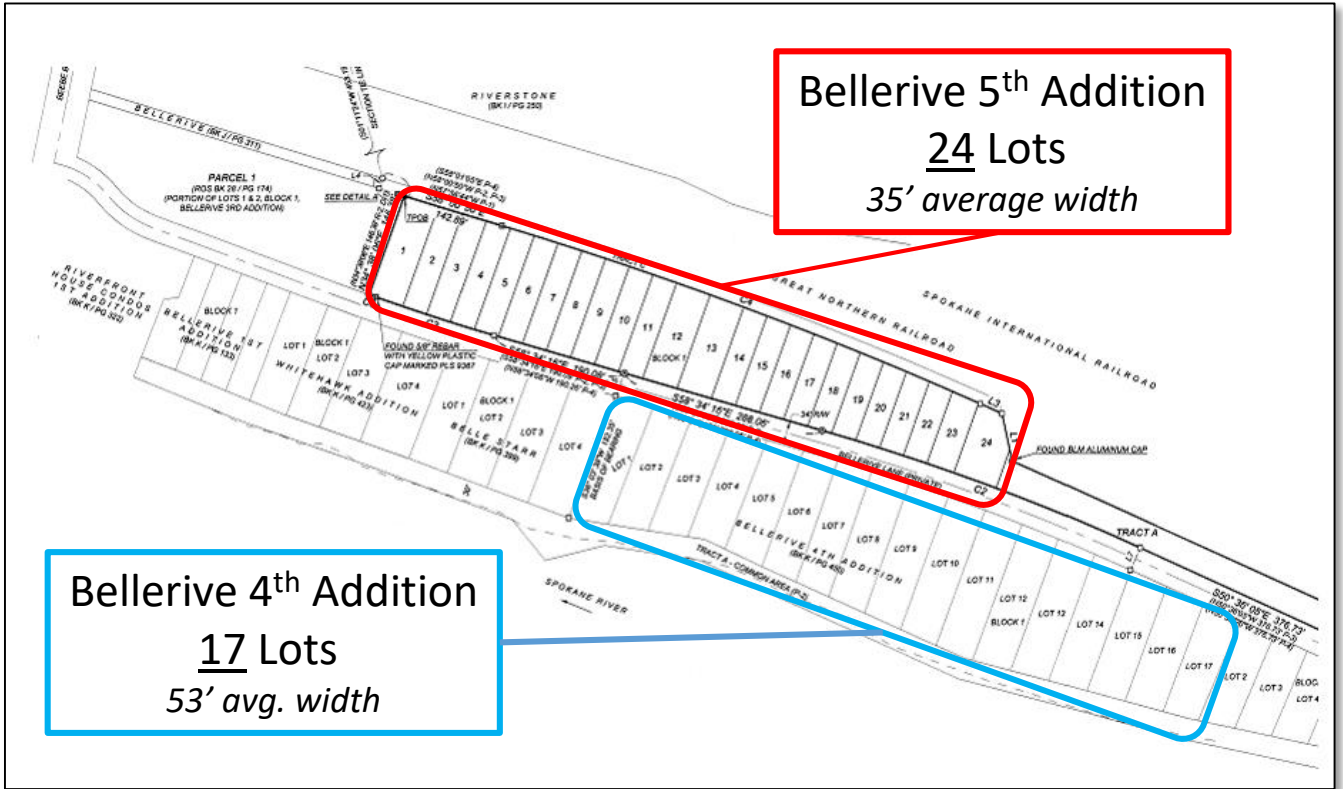


John R. Williams

Riverwalk Townhomes, LLC

EXHIBIT A

By right, all 41 Lot owners in the Bellerive 4th and 5th Additions have the option to create a “Carriage Home”.



Restricting the density to six “over the four lots” will deny this same right to only 2 of the 3 Bellerive 7th Lot owners.

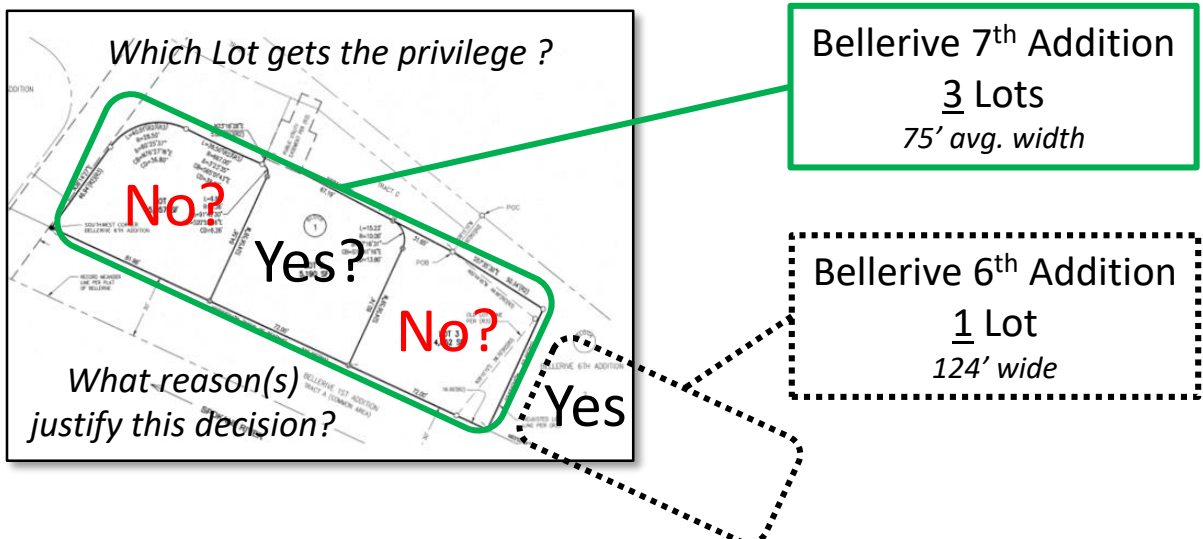


EXHIBIT B

Since 2016, Riverwalk Townhomes, LLC has invested well over \$200,000 on improvements for Public benefit. Most on adjacent property (owned by others) and without any gratitude from the City.



Realigned Centennial Trail



Repaired Broken Section of Trail



Enhanced Access to Spokane River



Extended Boardwalk 360'

We respectfully request that the Planning Commissioners and City:

- *Allow the future owners of the four lots we created to enjoy the same rights and privileges as all other Bellerive owners.*
- *Accept our proposal to re-purpose an already installed, "private" wastewater lateral to serve Lot 3 at the end of the cul-de-sac.*



PUBLIC HEARINGS



**PLANNING COMMISSION
STAFF REPORT**

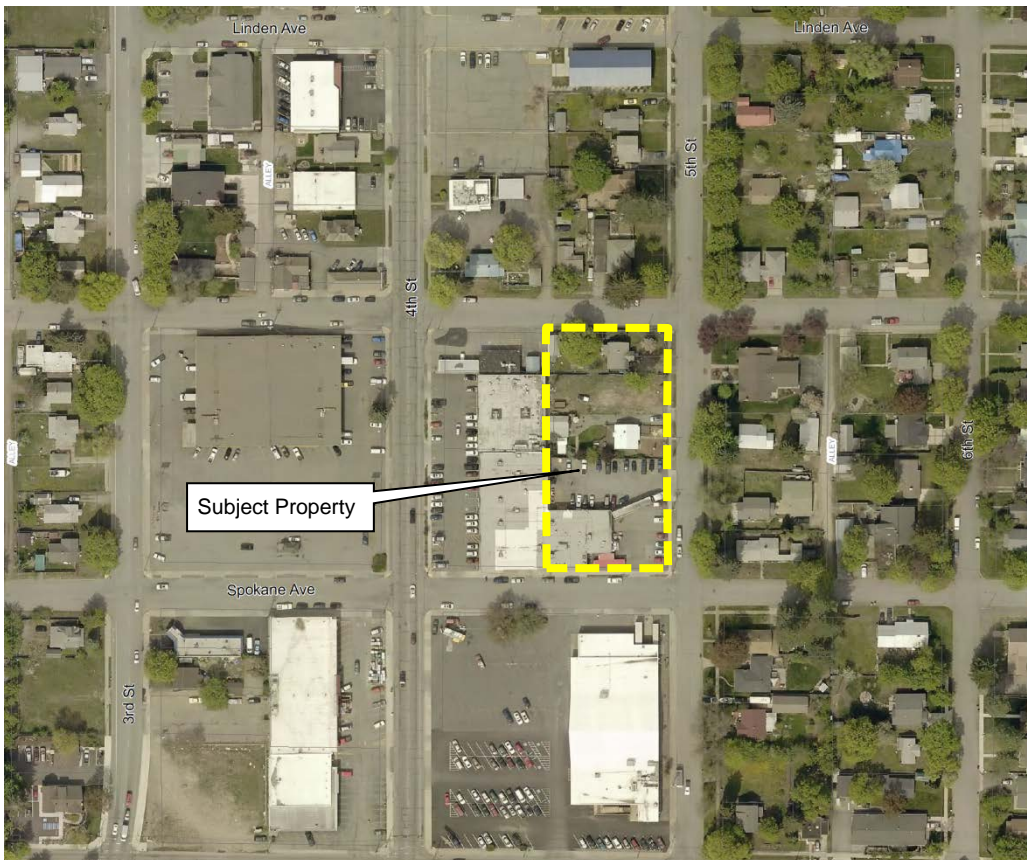
FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: MAY 8, 2018
SUBJECT: ZC-1-18 - ZONE CHANGE FROM R-17 TO C-17 (0.964 ACRE)
LOCATION: SIX EXISTING PARCELS ALONG THE WEST SIDE OF 5TH STREET BETWEEN E. WALNUT AVENUE AND E. SPOKANE AVENUE (1/2 BLOCK)

APPLICANT/OWNER:
Joseph D. Hamilton
1316 N. 4th Street
Coeur d'Alene, ID 83814

DECISION POINT:

Mr. Hamilton is requesting a zone change of property in city limits (map below) that is adjacent to, and partially including, his existing business "Pilgrims Market", from R-17 (Residential at 17 units/acre) to C-17 (Commercial at 17 units/acre).

AERIAL PHOTO:



BACKGROUND INFORMATION:

The R-17 to C-17 zone change request is located east of the existing Pilgrims Market on 5th Street. The request is for the east half of the block as shown in the aerial photo. The southern portion of this area has been used as commercial parking for years. Mr. Hamilton has acquired additional parcels over time to gain ownership of the ½ block request. A special use permit for Community Assembly/Education for Pilgrim's Natural Market (SP-5-15) was approved in 2015 by the Planning Commission to allow the store to have a market garden where they will grow vegetables onsite in the ground and in a greenhouse which will be sold in the store and provide a space for community education.

Excerpt from SP-5-15 about the existing business and parking:

Pilgrim's Natural Market (Per applicant):

Pilgrim's opened in 1999 and currently employs about 90 people with an annual payroll contribution to the community of more than 2.25 million dollars. I have always been a very civic and community minded person, and my business practices and community involvement and impact reflect that. Here are a few ways that I and Pilgrim's make a difference right here.

As a firm believer in community education and empowerment, I established Pilgrim's Education Center about nine years ago. Since that time, this community space has hosted over 500 events with a combined attendance of over 9,000 community members and speakers. We have presented everything from educational events for local medical doctors to beekeeping classes to cooking classes and tastings. Although Pilgrim's Market is not a non-profit company it does fulfill similar roles as many civic organizations and works very closely with many in the community

In addition to this valuable education space, I and my business have given back to our community and city by donating hundreds of thousands of dollars, as well as products and services, directly to local and regional civic and religious non-profit organizations - including the City of Coeur d'Alene.

This special use permit request is just the first step. I want to see the city planning code be amended to allow others to engage in these activities ultimately but this permit gets me started faster. With perhaps a year's worth of experience prior to the code being amended I will be in a great position to offer education and encouragement to others.

Existing Parking Ratio (Per applicant):

There are a grand total of 89 existing parking stalls onsite that support 24,000 SQ FT (Pilgrim's Natural Market's existing business). 73 stalls are required for Pilgrim's Natural Market leaving an "extra" 16 stalls.

PRIOR LAND USE ACTIONS NEAR SUBJECT PROPERTY:



Zone Changes:

ZC-5-87	R-12 to C-17L	Approved
ZC-6-88	R-12 to C-17	Approved
ZC-12-93	C-17L to R-12	Approved
ZC-9-04	R-12 TO C-17	Approved
ZC-6-07	R-12 TO C-17	Approved
ZC-8-07	R-12 to NC	Approved

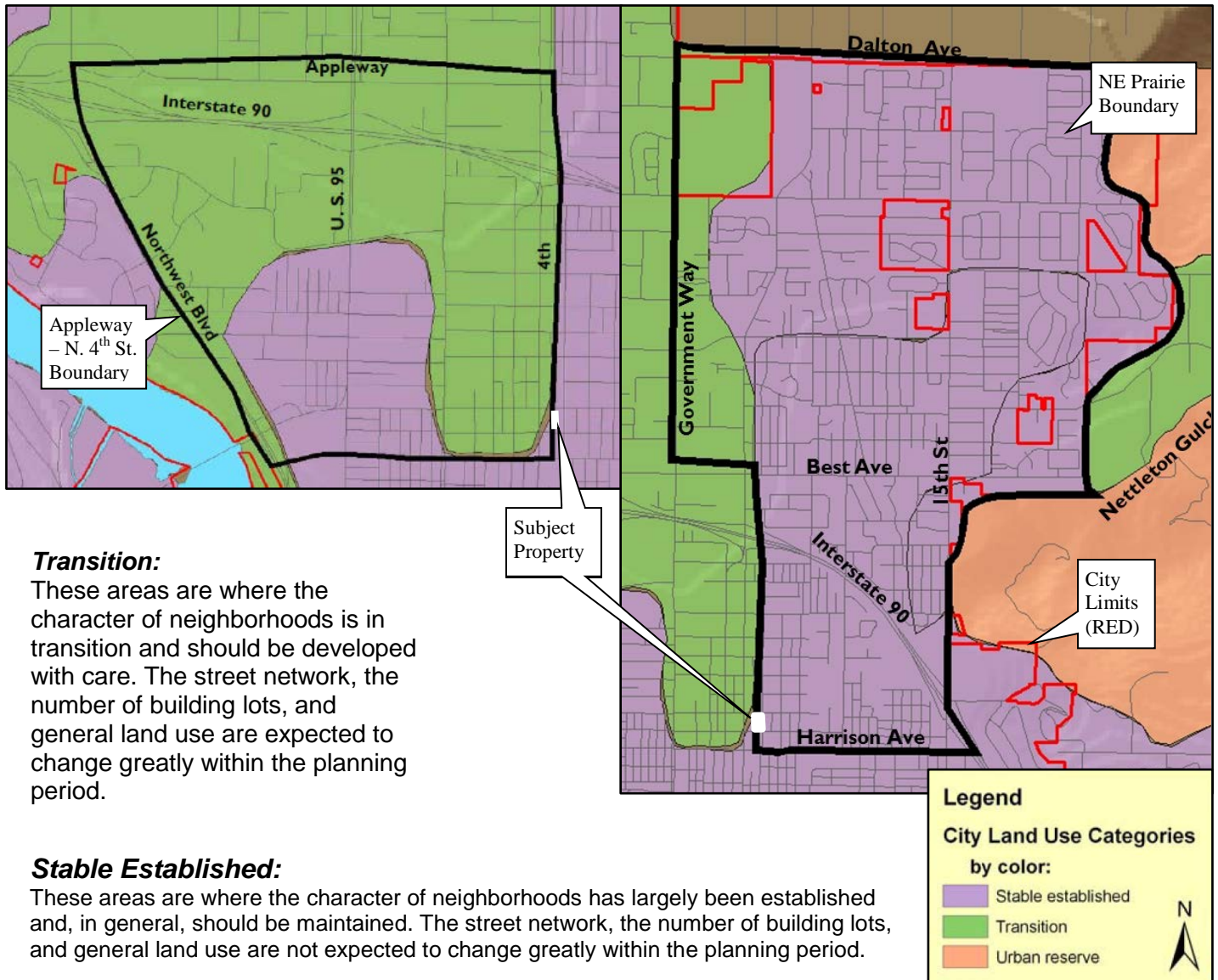
Special Use Permits:

SP-6-93	Bed & Breakfast	Approved
SP-3-97	Childcare	Approved
SP-9-02	Community/Religious Assembly	Approved
SP-5-15	Community Assembly/Education	Approved

REQUIRED FINDINGS:

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map splits this area between two land use areas as well as categories:
**NE Prairie & Appleway – North 4th Street
(Stable Established & 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.

Stable Established:

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

Land Use: Appleway - North 4th Street

Appleway - North 4th Street Today:

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

The south-west and south-central portions of the area consist primarily of stable, single-family housing at approximately five units per acre (5:1). The Winton Elementary School and park is located in this neighborhood. Various multi-family apartments, mostly constructed in the late 1970s and early 1980s, are located within the district. The most active area for construction within this district is the Ironwood corridor which consists of many health-care and professional offices west of US 95, with office and retail uses east of US 95.

Along the northern border, commercial use thrives due to the proximity of I-90 and US 95. Appleway Avenue is a hub for restaurants and service uses, and extends from Northwest Boulevard east to 4th Street where Appleway Avenue becomes Best Avenue.

The US 95 and Appleway intersection is one of the most congested intersections in Coeur d'Alene.

Appleway - North 4th Street Tomorrow

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

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

- That overall density will approach six units per acre (6:1) with infill and multi-family housing located next to arterial and collector streets.
- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

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

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

Land Use: NE Prairie

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 (3-8:1). 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.

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.

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.

Significant Comprehensive Plan policies for consideration:

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 2.01

Business Image & Diversity:

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

Objective 3.05

Neighborhoods:

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

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 a stormwater management plan to be submitted and approved prior to any construction activity on the site. The applicant will be required to include a stormwater management plan with any building permit submittal for the subject property.

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject property is bordered by 5th Street, which is a fully developed street section. No changes to the streets adjoining the subject property will be required.

-Submitted by Chris Bosley, City Engineer

WATER:

There is an existing 6" water main in 5th St. with adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed zone change.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

The Wastewater Utility has no objections to this Zone Change as proposed. The Wastewater Utility presently has the wastewater system capacity and willingness to serve this project.

-Submitted by Mike Becker, Utility Project Manager

FIRE:

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler

system) will be reviewed prior to building permit or site development, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

-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 (make) (do not make) it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site is generally flat with C-17 commercial to both the north and south along 4th Street. Along 5th Street, property to the north and east are zoned R-12 and supports single family uses. To the south, the entire city block is zoned C-17 and operates as a Goodwill store (retail use).

There are no topographical or other physical constraints that would make the subject property unsuitable for the request. Currently there is a parking lot, single family home, and a greenhouse under construction that was approved by a special use permit in 2015 (SP-5-15) with conditions.

See site photos on the next few pages.

SITE PHOTOS:

SE corner of subject property looking NW (Intersection of Spokane Avenue & 5th Street):



SE corner of property looking NW along 5th Street showing commercial parking lot:



Interior of property looking west toward the back of Pilgrims from 5th Street:



Interior of site looking west from 5th Street showing E. Walnut Avenue:



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 would not adversely affect the surrounding area with regard to traffic. 5th Street has the available capacity to accommodate additional traffic generated from the subject site. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

Photos of existing single family homes east of the subject property along 5th Street:



3rd and 4th Streets generally act as a commercial corridor connecting the downtown on the southern end from McEuen Park to E. Anton Avenue north of I-90. In this particular area, just north of the Midtown Infill overlay district, there is a mix of zoning on the west side of 5th Street. Zones include C-17 & C-17L (Goodwill & Panhandle Area Council), with a mix of single family homes zoned R-12.

On the east side of 5th Street the zoning is exclusively R-12 and is home to many single family structures and an occasional duplex. South of Harrison Avenue, the block between 4th and 5th Streets is split by the boundary of the Midtown Infill Overlay district, whereas the west side is in the district and zoned C-17, and on the east side, outside the district, is zoned R-12.

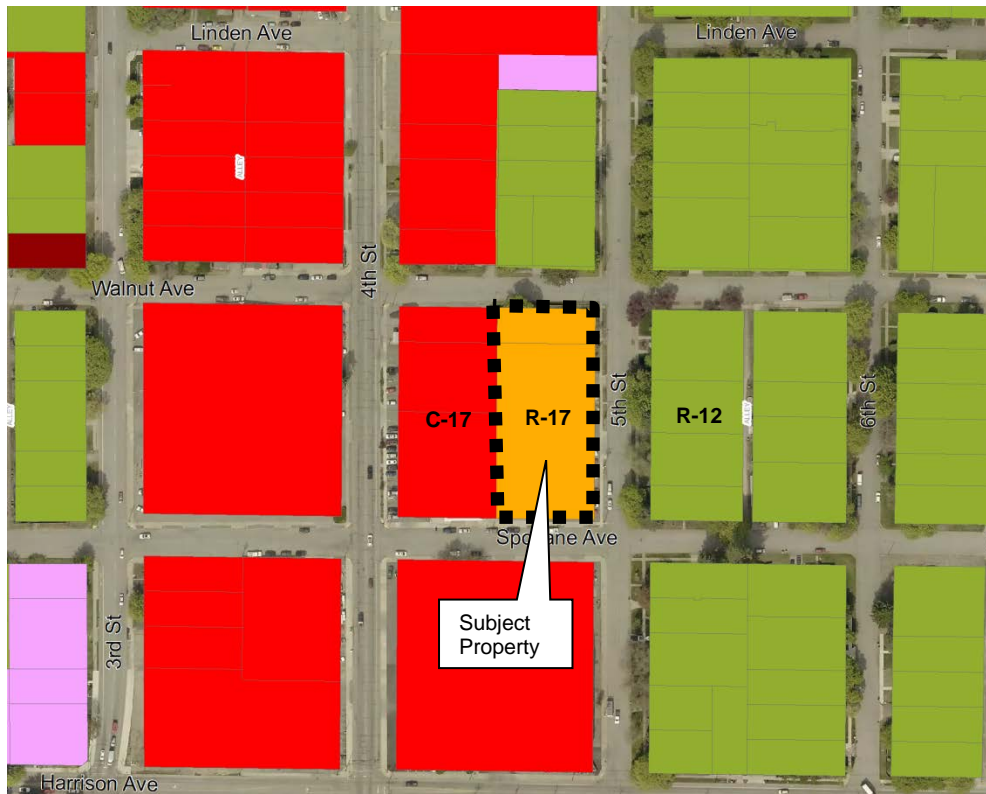
GENERALIZED LAND USE PATTERN:

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



ZONING:

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



Approval of the zone change request could intensify the potential use of the property by increasing the allowable uses by right from R-17 uses to C-17 uses (as 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
- 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

Proposed C-17 Zoning District:

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

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

- Administrative offices
- Agricultural supplies and commodity sales
- Automobile and accessory sales
- Automobile parking when serving an adjacent business or apartment
- Automobile renting
- Automobile repair and cleaning
- Automotive fleet storage
- Automotive parking
- Banks and financial institutions
- Boarding house
- Building maintenance service
- Business supply retail sales
- Business support service

- Childcare facility
- Commercial film production
- Commercial kennel
- Commercial recreation
- Communication service
- Community assembly
- Community education
- Community organization
- Construction retail sales
- Consumer repair service
- Convenience sales
- Convenience service
- Department stores
- Duplex housing (as specified by the R-12 district)
- Essential service
- Farm equipment sales
- Finished goods wholesale
- Food and beverage stores, on/off site consumption
- Funeral service
- General construction service
- Group assembly
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Home furnishing retail sales
- Home occupations
- Hospitals/healthcare
- Hotel/motel
- Juvenile offenders facility
- Laundry service
- Ministorage facilities
- Multiple-family housing (as specified by the R-17 district)
- Neighborhood recreation
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Personal service establishments
- Pocket residential development (as specified by the R-17 district)
- Professional offices
- Public recreation
- Rehabilitative facility
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

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

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

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.*

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 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.



**APPLICANT'S
NARRATIVE**

Zone Change Application Narrative

Back Side of 1313 North 4th Street and 1311, 1315, 1325 North 5th Street

I own Pilgrims Market and have been buying the properties Pilgrims occupies on 4th street as well as the properties behind the store on 5th street.

In November 2016 I was granted a special use permit for ¹³¹⁵1215 North 5th street for a market garden. Since that time I have been working on a garden on that property to supply fresh vegetables to the store. I also plan on using the garden as well as Pilgrim's Community Education Center and educational art installments inside the store for educational field trips to educate local students on ecological stewardship and how farming practices specifically affect our environment and wildlife.

Over the last couple years I was able to purchase the last remaining residential properties on 5th street on our block and the vision has expanded. The goal now is to have a greenhouse-type structure connect to the store on 4th street for dining for our deli customers year round. In the summer the doors to the greenhouse could open to the garden and expand onto patio amidst the garden.


I am applying for a zone change for the back half of 1310 North 4th Street to make it's zoning consistent with the historic use. The fifth street side of the property has been used for commercial parking for years but the zone change from R-17 to C-17 was never completed.

I am also applying for a zone change for the three residential lots behind the store on 5th street to allow for the greenhouse garden dining mentioned above.


Many properties between 4th and 5th street in this area are already zoned C-17 so this request would be consistent with prior development as well as with the 2007 comprehensive Plan for this area just slightly north of midtown.

Thank you,


Joe Hamilton



FINDINGS



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

A. INTRODUCTION

This matter having come before the Planning Commission on, May 8, 2018, and there being present a person requesting approval of ZC-1-18, a request for a zone change from R-17 to C-17 zoning district.

APPLICANT: JOSEPH D. HAMILTON

LOCATION: SIX EXISTING PARCELS ALONG THE WEST SIDE OF 5TH STREET BETWEEN E. WALNUT AVENUE AND E. SPOKANE AVENUE (1/2 BLOCK)

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 Stable Established and Transition.
- B3. That the zoning is R-17.
- B4. That the notice of public hearing was published which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, April 30, 2018, 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 May 8, 2018.

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

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 2.01

Business Image & Diversity:

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

Objective 3.05

Neighborhoods:

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

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 JOSEPH D. HAMILTON 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