

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

**JANUARY 9, 2024**

**THE PLANNING & ZONING COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY**

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

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

**ROLL CALL:** Messina, Fleming, Ingalls, Luttropp, Coppess, McCracken, Ward

**PLEDGE:**

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

December 12, 2023 – Planning & Zoning Commission Meeting

December 13, 2023 – Joint Workshop for the Planning and Zoning Commissions of Coeur d'Alene, Hayden, Post Falls, Rathdrum, Athol, and Kootenai County

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**PUBLIC HEARINGS: \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1. Applicant: GS4 Property, LLC  
Location: SE corner of the intersection of 15<sup>th</sup>. Street and Best Avenue  
Request: A proposed zone change from a NC (Neighborhood Commercial) to C-17 QUASI-JUDICIAL, (ZC-1-24)

**Presented by: Mike Behary, Associate Planner**

**RECESS TO WORKSHOP ON FINDINGS: (following a 10-minute break)**

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

*\*Please note any final decision made by the Planning & Zoning Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.*

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# MINUTES



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**PLANNING & ZONING COMMISSION  
MINUTES  
DECEMBER 12, 2023  
LOWER LEVEL – LIBRARY COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

Tom Messina, Chairman  
Jon Ingalls, Vice-Chair  
Lynn Fleming  
Phil Ward  
Peter Luttrupp  
Sarah McCracken  
Mark Coppess

**STAFF MEMBERS PRESENT:**

Hilary Patterson, Community Planning Director  
Sean Holm, Senior Planner  
Traci Clark, Administrative Assistant  
Randy Adams, City Attorney

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Commissioner Luttrupp, seconded by Commissioner McCracken, to approve the minutes of the Planning Commission meeting on November 14, 2023. Motion carried.

**PUBLIC COMMENTS:**

None.

**STAFF COMMENTS:**

Hilary Patterson, Community Planning Director, provided the following comments:

- The December 13<sup>th</sup> Joint Workshop with the Planning Commissions in Kootenai County will be held at the County Administration Building at 5:30 p.m.
- The January 9<sup>th</sup> Planning Commission Meeting will have two items on the agenda, a zone change request and a PUD (Planned Unit Development) Amendment request.
- The Impact Fees have been delayed. City Council heard the Capital Improvement Plans and we received feed back to rework some of the Parks Capital Improvement Projects. We have been working with the consultant team. Council has also directed us to remove the Julia Overpass planning fees from the Transportation CIP. We are working with the consultant team to update that information. The hearings for the ordinance amendment will be held on January 2, 2024 and adoption of the Capital Improvement Plans and fees will be on January 16, 2024.

**COMMISSION COMMENTS:**

Commissioner Fleming asked would the Impact fees come back to the Commission.

Ms. Patterson stated no, unless the City Council directs them back to the Commission.

Commissioner Luttrupp asked about the Rivers Edge project that had committed to providing Workforce Housing. Have they progressed far enough to construction and renting that we can assess how they are doing with that project?

Ms. Patterson answered that the Rivers Edge project request for a zone change and associated density increase has not gone to the City Council yet. They are currently building what was already approved. It would be another year at least for those reports to start coming forward.

Commissioner McCracken asked about the Cell Tower application and if that was still going to be heard in January.

Ms. Patterson answered no, the applicant withdrew their application.

**ADMINISTRATIVE: \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1. Applicant: Birkdale Commons Subdivision & PUD Extension  
Request: Extend the Preliminary Plat and PUD approval for the project known as Birkdale Commons (S-3-22 and PUD-4-22)

Ms. Patterson, Community Planning Community Planning Director, provided the following statements:

- The request before the Planning & Zoning Commission is to approve or deny the request of Lake City Engineering for a one-year extension of the approved Birkdale Commons PUD (PUD-4-22) and Subdivision (S-3-22).
- On November 8, 2022, the Coeur d'Alene Planning Commission held a public hearing on the above requested items and approved them by a 6 to 1 vote with the following conditions:
  1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
  2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
  3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
  4. Since annexation has occurred, the designated parcel is eligible for a water main extension. A single service currently exists for the proposed lot # 1 which will not require cap fees. All other lots will require individual services with cap fees due at time of building permits. As this will be a private street, a 20' public utility easement centered on the water main, (30' if combined with public sewer), must be granted where no permanent structures such as building footings, car ports or garages are allowed. All improvements will be at the developer's expense and will be conveyed to the City upon final acceptance. Applicable fire hydrants must be operational prior to granting building permits.
  5. An unobstructed City approved "all-weather" access shall be required over all public sewers.

6. All public sewer plans require IDEQ or QLPE Approval prior to construction.
  7. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
  8. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
  9. Public sewer shall be run to and through this project and installed to all city specifications and standards.
  10. A public access easement shall be granted to allow the dead-end road/fire turnaround to the south to be extended in the future, if the lot to the south desires to develop.
- For the PUD and Subdivision, the Planning Commission may extend its approval for one-year upon the finding that upon receiving written request filed prior to the expiration of the approvals and showing of unusual hardship not caused by the owner or applicant.
  - The Subdivision Code Section 16.20.040 authorizes the Planning Commission to grant the applicant up to five (5) extensions of twelve (12) months each for the Preliminary Plat as long as the plat complies with current development requirements.
  - The Zoning Code Section 17.09.478 authorizes the Planning Commission to grant the Applicant a one-year extension of the PUD without public notice and upon stating conditions requiring the extension. This is the first request extension for the PUD and Subdivision/Preliminary Plat.
  - The applicant has submitted a request for the extensions prior to the approvals expiring. The letter states that the reason for the extension is that the owner is intending to build Birkdale Commons and Birkdale Commons North simultaneously. Birkdale Commons North PUD and Subdivision was approved by the Planning Commission at the November 2023 meeting and the annexation was approved by the City Council on December 5, 2023. While waiting for approval from the City on the Birkdale Commons Preliminary Plat and PUD, the project proponent began negotiations on the property to the north (Birkdale Commons North). Due to the timeline for annexation, the preliminary plat and PUD for Birkdale Commons North, they are now at risk of the original approvals expiring. The requested extension is so that both projects can be built together. (See attached extension request from the applicant.)
  - It should be noted that when the PUD and Subdivision were approved in 2022, the City sent a letter informing the owner and applicant that the approval date was November 22, 2023, which included the appeal timeframe. That was the interpretation at the time. Since then, the City Attorney has determined that approval dates should be based on the date of the decision. In this case, if the extension is approved, the new expiration date would be November 8, 2024.
  - The Commission has two alternatives:
    - The Commission may, by motion, grant a one-year extension of the approved PUD and Subdivision to November 8, 2024.
    - The Commission may, by motion, deny the one-year extension. If denied, the items would expire and the applicant must reapply for the PUD and the Subdivision

Ms. Patterson concluded her presentation.

**Commission Comments:**

Commissioner Ingalls stated the advantages to these two projects, Birkdale and Birkdale North, being built simultaneously. He sees very little down side risk of doing this and the code allows five 1-year extensions, this

is just one. The one thing that he would ask is just as an educational question for the future is what is the unusual hardship. Is the challenge of the coinciding time lines of two annexations and two PUD's, two development plans and one build the hardship, or would an unusual hardship be something like the applicant had a medical issue? He questioned if they needed to get hung up on the unusual hardship.

Ms. Patterson stated it might be a good question for attorney Randy Adams, but the Commission has made this determination before when there has been a hardship for the issue of Covid and the supply chain, etc. In this case the applicant is here tonight if you would like to hear from him regarding those issues. The struggle was the applicant coming in with the property from the South and one of the property owners decided not to proceed with the Planned Unit Development and Subdivision. Logistically right now it does make sense to go forward with this.

Mr. Adams stated that the ordinances for the PUD and Subdivision extensions do not use this term. There is no requirement to show an unusual hardship in the case of an extension for a subdivision. All they have to show is that the preliminary plat complies with current development requirements and all other conditions of approval for the PUD. It says as long as you make it timely it can be granted.

Ms. Patterson stated that the hardship language might be in the Special Use Permit.

Mr. Adams clarified it was not a requirement for the PUD or Subdivision extensions.

Commissioner Ingalls commented he is not trying to create waves; he just wanted some clarity. He is in full support.

Commissioner Fleming stated there is less disturbance to the neighborhood by building these two projects as one. You will have it built in one fell swoop. By combining the projects, there would be fewer left turns onto 15<sup>th</sup> Street.

**Motion by Commissioner Fleming, seconded by Commissioner Coppess, to approve the 1-year extension (PUD-4-22 & S-3-22) to November 8, 2024. Motion carried.**

**ROLL CALL:**

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 7 to 0 vote.

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

1. Applicant: Jay Lange  
Location: 707 N. 4<sup>th</sup> Street  
Request: A proposed zone change from residential R-17 (MO) to commercial C-17L (MO) QUASI-JUDICIAL, (ZC-1-23)

Sean Holm, Senior Planner, provided the following statements:

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



- The 0.21-acre parcel is located on the west side of 4<sup>th</sup> Street and north of E. Foster Avenue.
- There is an existing single-family dwelling located on the parcel which is currently being rented.
- Should the zone change request be approved, the owner would like to use the existing structure for a Professional and Administrative Office Use.
- The main floor of the existing structure is 1400 SF +/- with a 1400 SF basement. Future plans may be to construct a new office building to include residential living space above and/or behind.
- The applicant is aware that any future commercial use of the property would trigger improvements to accommodate the public including ADA.
- The subject property is currently zoned R-17 and is located in the Midtown Infill Overlay District (MO).
- The subject property is within the existing city limits.
- There are 4 findings that must be met for the zone change. Findings #B8A - #B811.

Findings #B8: Is the proposal in conformance with the Comprehensive plan policies? The 2022-2042 Comprehensive Plan – Land Use Category is Urban Neighborhood, which is highly walkable with multifamily building types, green spaces and parking areas, gridded street patterns, a mix of housing types and convenient access to goods, services, and dining for nearby residents. Compatible zoning is R-17 and R-34SUP; NC, CC, C17, and C17L.

Applicable goals and objectives include Goal C1 1, Objective C11.1, Goal CI 3, Objective CI 3.1, Goal GD 1, Objectives GD 1.1 and GD 1.5, Goal GD 2 and Objective GD 2. These relate to inclusive community involvement, making Coeur d'Alene a livable community for families with median and below income levels, preserving existing housing stock and providing new workforce and affordable housing opportunities, developing a mix of land uses that balance housing and employment, and ensuring high quality infrastructure to support growth.

Additionally, there is a bicycle, walking and transit network in this neighborhood.

Findings #B9: Are public facilities and utilities available and adequate for the proposed use?

City staff from Streets and Engineering, Water, Fire, Parks, Police and Wastewater Departments have reviewed the application regards to public utilities and public facilities. Each department had indicated that there are public facilities and public utilities available and are adequate for the proposed zoning C-17L.

Findings #B10: Do the physical characteristics of the site make it suitable for the request at this time?

The site is generally flat as is the over-all location. Midtown has seen significant change and investment over the last decade, from public corridor improvements, rehab of several out-of-date storefronts, to a substantial under construction mixed-use project.

Findings #B11: Would the proposal adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and/or existing land uses?

City staff indicates that the proposed zone change itself would not adversely affect the surrounding area with regard to traffic.

The subject property is within the Midtown Overlay (MO) District. The purpose of the overlay regulations is to establish infill overlay districts and to prescribe procedures whereby the development of lands within these infill overlay districts can occur in a manner that will encourage

infill development while protecting the surrounding neighborhoods. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the city.

The intent of the MO district is to create a lively, neighborhood business district with a mixture of uses, including retail, services, and residential. Storefronts would be relatively continuous along the street within the core of the district. Housing would be encouraged both above and behind commercial uses. Traffic calming measures would be applied and there would be an emphasis on creating a streetscape that would offer safety, convenience and visual appeal to pedestrians.

Mr. Holm noted that the applicant stated in his narrative that his daughter would like to open a professional office in the future, and would like the option in the future to possibly provide some kind of living units to the rear. Mr. Holm noted that the applicant is aware that he will have to meet setbacks, parking, etc. in the Midtown Overlay District.

Mr. Holm stated that Commissioner Fleming reached out to him today via phone call regarding the code with a question about juvenile offenders' facility since the code contradicts itself a bit. He explained to her that C-17L does allow a juvenile offenders facility, but the Infill Overlay District that sits on top of this specifically prohibits that use. The overlay district is the most restrictive and is the one that governs.

Mr. Holm explained that the allowed uses in an infill overlay district are based on a floor area ratio meaning that the size of the lot determines the ability or the amount of floor area that you are allowed to build on any given property. The subject property measures approximately 9,000 square feet and, subject to meeting setbacks, parking requirements, heights, etc., these are the theoretical numbers that they would have to live within. For a non-residential use, the basic multiplier is .5 (or half) of the subject property that could be the floor area for a non-residential use. The residential use has a basic multiplier of 1.0. There are bonuses that are identified for upgraded building materials, public art, and public access that would bump up that multiplier to a maximum of 3.0. This applies to all subject properties in the Midtown Infill Overlay District subject to the underlining zone and what it does allow.

Mr. Holm concluded his presentation.

### **Commission Comments:**

Commissioner Ward asked if the applicant's property is rezoned and used for an office, what requirements are put in place for the applicant to change the use, such as landscaping, etc.?

Mr. Holm stated the applicant would have to provide the improvements such as landscaping, if it's asphalt, we have not required anyone to remove asphalt to install landscaping, they do have to provide parking. Parking is one (1) stall per 330 square feet. The structure itself would have to be upgraded to meet the minimum ADA standards.

Commissioner Coppess asked about Finding B10 (Do the physical characteristics of the site make it suitable for the request at this time). He asked if there was configuration of an existing structure, could that pose challenges for future parking. In the letter from Mr. Lange, he talks about a hammer head drive, can you explain what that is?

Mr. Holm replied that hammer head parking is a term that the fire department uses. A car needs to be able to turn around and get out in a forward fashion. The fire department does not want vehicles backing out into 4<sup>th</sup> Street. The applicant would have to provide an ADA stall and a number of stalls that are required by the square footage. The stalls are 9x20, access aisles are 12ft in either direction.

Commissioner Coppess wanted to know Mr. Holms thoughts on taking away residential homes in this neighborhood and turning them into commercial lots and meet the parking and landscaping requirements.

Mr. Holm replied there is ample opportunity to provide the landscaping and parking for the proposed uses. The city would require this project to meet the parking lot and landscaping requirements. He compared the subject property to the neighboring property that had put parking in the front yard. The subject property has the ability to have those parking stalls.

**Public testimony open.**

Jay Lange, applicant, introduced himself and was sworn in. The applicant has owned the property for four (4) years. He would like the property to be rezoned because his daughter has received her Master's in Mental Health and addiction, and she would like to start her own business and this property would be ideal.

Christine Schader, introduced herself and was sworn in. Her main concern is parking. She has some concerns with the large condos that were recently put in, also Izzy's restaurant that brings in all of the traffic and parking issues. She supports Mr. Lange but is worried about the future and what if he sells this property. She has seen some very large buildings put up, for example the structure on Foster Avenue, the apartments across the Street from Izzy's. She said these are residential lots and asked what would happen on a commercial lot. (She has handed some photos to Mr. Holm to give to the Commissioners). She said she didn't think the subject property could fit the required parking for the commercial use and future residential, unless the garage was removed to allow for parking at the rear. She noted that people going to and from Mr. Lange's property encroach onto her property. She also questioned the need for a zone change. She read the zoning code and said the current residential zoning would allow for an office.

Chairman Messina asked Ms. Schader to clarify where her property line is located in the front of her property.

Ms. Schader showed the commission where her property line was in relation to Mr. Lange's property and driveway. She also noted that most of this property is behind the structure.

Mr. Holm clarified that with the current R-17 zoning a civic office space is allowed, which is more of a 501(c)(3). It does not allow all office uses. That is the difference. He

Ms. Schader read from the City of Coeur d'Alene R-17 form and noted under principal uses that home occupations are allowed, central services, and rehabilitation facilities are allowed with Special Use Permits. It appears that it is already allowed for what they intend to use it for. She is asking why does the zoning need to be changed, if down the road the property sells and someone wants to put a high rise in like we have seen popping up all over town recently.

Commissioner Luttrupp states that the city has certain codes and requirements. When an applicant goes through a process to get a building permit it has to go through the city and meet the certain criteria or it will be refused. There are rules and codes in place. If an individual wants to build a big house, if it meets the code, they can do it. If they do not meet the codes, they are not permitted to go further on the building.

Ms. Schader replied that the building that went in on Foster and 1<sup>st</sup>, is meeting all of the requirements right up the very inch. That is such an eye sore and pushing the element, to have that on a residential lot. If you pushed all the rules on a commercial lot, that is her concern.

Commissioner Coppess stated to Ms. Schader that he heard her say she was from Sagle ID, and realizes she owns the building next door, he wanted to know the zoning of her property.

Ms. Schader answered that her property is zoned C-17L.

Commissioner Coppess asked Ms. Schader to acknowledge that Mr. Lange is seeking the same zoning that she has.

Commissioner McCracken asked Ms. Schader if someone is living in her building.

Ms. Schader answered they have an apartment in the basement that she and her husband live in half time. Upstairs she has a Financial Planning Firm.

Cliff Schader, introduced himself and was sworn in. The property he and his wife own is 715 N. 4<sup>th</sup> Street and is next door to Mr. Lange. They have owned it for about 13 years. He explained the original owners of Mr. Lange's property was built and owned by the Hough's who built it in 1945. They built a little tiny garage that was built to fit a model T. Currently Mr. Lange's tenants are trying to put 3 full size trucks on the front parking lot that was built to fit a model T. His main concern is parking, since the multi-unit complex went in on the corner of Read and 4<sup>th</sup>, a small home sat on the corner and now this six multi-unit complex on this lot with 1 parking spot per unit. He said the parking for the apartment project is not sufficient. , The parking is backed up into his property which is about 4 houses back and the street parking is full of parked cars. His primary issue is Mr. Lange's property has limited parking. He will have to put a short fence up for his own client's to be able to park properly.

Chairman Mesina stated that there are requirements regarding parking. He admits that the parking ordinance is not 100% correct. There are so many parking spaces that are required for so many square feet, based on the usage. When the applicant sits down with the city, parking, landscaping and what he wants to do as a business, he is going to be told how many spots he needs and how that is addressed.

Mr. Schader stated that whoever is in charge of the parking codes needs to reevaluate it. The parking requirements need to be doubled or tripled. It is not close to reality.

Chairman Mesina replied that the commission struggles with parking but the code is in place until it is changed.

Mr. Schader stated he will be the guy to get that code changed, and stated that whomever came up with that parking code should lose his job.

Kristin Oliver, introduced herself and was sworn in. She stated that she is a nurse and is representing the Oliver Family Trust, Pamela Oliver owns the property on 3<sup>rd</sup> St. around the corner from where this proposed project is. She asked the commission if it was correct that essential services or health care could be provided on this property without the zone change.

Commissioner Fleming replied, no.

Ms. Oliver stated that her concern is the owner is proposing to have her daughter run a business, but at some point, additional houses may be added. Her family has been in the house for over fifty years and parking on 3<sup>rd</sup> Street is unattainable at times. She has received multiple threatening messages from new neighbors not to park on the street. She is concerned with the homes in her neighborhood that have turned into short term rentals, they bring in four or more cars to park at a time not just two.

Lynn Schwindel, introduced himself and was sworn in. He stated he does not oppose to what Mr. Lange wants to do, he just wants to make a comment on traffic., He said traffic should be considered more in the findings as parking is. When 4<sup>th</sup> Street was rebuilt about 9 years ago, they did provide some traffic calming, but he lives there 24 hours a day, and it does not work. There is a popular business that is a problem all of the time, since they do not have enough parking spaces. There are cars parked on the street and it forces pedestrians to walk between the cars or walk into the street to get around. The Midtown Overlay came up with a pilot parking plan with permits for some residents but it only lasted about 2 years on a trial period. Business in the Midtown Overlay and existing buildings were not required to comply with all of the new parking regulations. This has presented some problems. Anytime you add something it will create more traffic. The 800 block, they made the sidewalks extra wide, so the street is very narrow. When people open their car doors after parking, you will have to stop your car because there

is not enough room to drive past the parked cars on the street. He asked that the commission would take traffic into more consideration in the findings in the future.

Chairman Messina read one more name off the signup sheet for the individual that did not wish to testify.

Mr. Lange stated he understands people are concerned with parking. He is trying to be rezoned just like the Shader's. He feels he will have parking in the driveway and would not create a parking issue on the street. The traffic should be minimal with the type of business that would go into his building. If his daughter is doing counseling, she will only have 1 client at a time.

**Public testimony closed.**

**Commission Comments:**

Commissioner Ward stated he is familiar with the area. Until recently, he lived close to Capones restaurant. If the intent is to have counseling in the building, you will not see 20 people at one time. The amount of people would be limited to 1 client every hour. The code requires a certain number for an office type use and the applicant would have to satisfy that number of parking spaces. 4<sup>th</sup> Street is in the Midtown Overlay District, from Sherman to Foster, where the intent is to have professional offices and small business that provide pedestrian type use. This encourages people to walk, not use their vehicle. He agreed that Izzy's restaurant's parking is a problem. He noted that the apartment complex across the Street had to provide adequate parking by the code. He believes the entire strip of 4<sup>th</sup> Street is going to be change in the future and many of the homes may be converted to small businesses, which is consistent with the Overlay District. Professional offices, well maintained with a residential appearance and possibly some retail uses that allow people to walk to get what they need. Mr. Lange's request is consistent with all of these factors. If Mr. Lange sells this property, whoever wants to build on it, is going to have to jump through a lot more hoops.

Commissioner Ingalls stated he agrees with Commissioner Ward. He is in support of this rezoning, it makes sense. The applicant is surrounded by C-17L. The Commission looks at all the facts and this isn't about parking. If the property sold to a family who has 5 kids and they all have their driver licenses, the parking for the single-family residential use would be a problem. If someone wanted to tear the house down and had a R-17 lot, they could build an apartment tomorrow. The city requires so many parking stalls. Whether it goes to R-17 to C-17L, that alone does not drive parking improvements. This is not about parking but the right use for the building. He supports this zone change.

Commissioner Fleming stated she agrees that the property is moving from R-17 to C-17L. Mr. Lange could tear down the garage out back and have plenty of parking.

Commissioner Coppess asked Mr. Holm to speak about the process for findings review. He wants to know how you look at traffic and parking.

Mr. Holms replied from the city stand point, when a request comes in for a zone change a number of departments are asked to review the request and provide comments and concerns related to the findings. There is a finding that talks about traffic. The City Engineer responded that a zone change by itself does not change or drive parking, it's the use that comes at the time of the permit. The potential is that Mr. Lange could tear down the existing building and rebuild apartments now with the R-17 zoning using the FAR (floor area ratio) as long as he is providing the parking and it is meeting the code. The traffic itself is determined by the Trip Generational Manual. Each type of use has the peak traffic, either in the morning or at night. This is what a particular use would drive per unit or square foot. We look to the professionals in this case to provide that feedback to us. The traffic impact is going to be tied to the use.

Commissioner McCracken stated she agrees with the other commissioners. She wanted to know the difference between R-17 and C-17L on the parking requirements.

Mr. Holms replied that multifamily is by bedroom. If there were five bedrooms, they would need five

parking spaces under the code. The Commercial is one (1) space per 330 sq ft for the interior floor and the existing building is 1400 sq feet.

**Motion by Commissioner Ingalls, seconded by Commissioner Coppess, to adopt Item ZC-1-23.  
Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 7 to 0 vote.

**ADJOURNMENT/CONTINUATION:**

Motion by Commissioner Fleming, seconded by Commissioner Luttrupp. Motion approved.

The meeting was adjourned at 6:36 p.m.

Prepared by Traci Clark, Administrative Assistant



# MINUTES



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**MINUTES OF THE JOINT WORKSHOP FOR THE PLANNING AND ZONING COMMISSIONS OF  
CITY OF COEUR D'ALENE, CITY OF HAYDEN, CITY OF POST FALLS, CITY OF RATHDRUM, CITY OF ATHOL,  
AND KOOTENAI COUNTY  
KOOTENAI COUNTY ADMINISTRATION BUILDING, 451 N. GOVERNMENT WAY, ROOMS 1A AND 1B  
December 13, 2023  
5:30 PM**

The Planning & Zoning Commissions of Coeur d'Alene, Hayden, Post Falls, and Rathdrum convened for a multijurisdictional workshop to learn about the Regional Housing & Growth Issues Partnership (RHGIP) efforts, explore possible tool kit solutions, and have an open dialogue.

The following P&Z Commission Members were in attendance:

**Coeur d'Alene**

Tom Messina, Chair  
Jon Ingalls, Vice-Chair  
Lynn Fleming  
Peter Luttrupp  
Sarah McCracken  
Phil Ward  
Mark Coppess

**Hayden**

Mary Howard

**Post Falls**

Ray Kimball  
James Steffensen  
Nancy Hampe  
Vicky Jo Carey

**Other Community Leaders Present:**

Ed DePriest, Hayden Councilperson  
Alan Davis, Hayden Mayor Elect  
Samatha Steigleder, Post Falls City Council  
Kiki Miller, Coeur d'Alene City Council  
Daniel Finley, Hauser City Council  
Kathy LaFortune, Latah County Commissioner, District 1

Greta Gissel, Executive Director Connect Kootenai  
James Casper, Habitat for Humanity  
Maggie Lyons, Panhandle Area Housing Alliance (PAHA)  
Tess Reasor, HomeShare Kootenai County  
Victoria O'Banion, Manufactured Home Park Task Force  
Gynni Gilliam, President, CDAEDC  
David Callahan, Kootenai County Community Development Director  
Field Herrington, Post Falls City Attorney  
Chris Gabbert, Post Falls Deputy City Attorney  
Shelly Enderud, Post Falls City Administrator  
Bob Seale, Post Falls Community Development Director  
Jon Manley, Post Falls Planning Manager  
Anna Stahl, Post Falls Planner  
Troy Tymesen, Coeur d'Alene City Administrator  
Randy Adams, Coeur d'Alene City Attorney  
Hilary Patterson, Coeur d'Alene Planning Director  
Virginia Loustalot, Coeur d'Alene Planning Technician  
Donna Phillips, Hayden Community Development Director

Cendra Graham, Hayden Planner  
Rory Crockett, Rathdrum Associate Planner/Code Enforcement  
Dawn Eaton, Spirit Lake Deputy Clerk  
Joseph Johns, Post Falls URA  
Tony Berns, Ignite cda  
Scott Krajack, NIBCA and Ryn Built Homes  
Christina Petit, Post Falls Chamber of Commerce  
Cody Riddle, Moscow Deputy City Supervisor  
Jake Garringer, North Idaho Field Director, Governor Little's Office  
Melissa Cleveland, Welch Comer Engineers

**Citizens Present**

Richard Rolland  
Jan Scharnweber

**WORKSHOP:**

**Opening Remarks/Workshop Goals:** Greta Gissel from Connect Kootenai gave opening remarks to welcome the group. Introductions of all in attendance.

Chairman Messina opened the meeting for Coeur d'Alene Planning Commission.

Ms. Gissel then highlighted the goals the workshop, including:

- To provide a summary of work-to-date
- Hear presentations on specific Solutions Toolkit items,
- Learn about housing solutions currently being utilized and next steps
- Ask questions
- Have the ability to engage in dialogue with one another

Ms. Gissel explained that there are many organizations working on housing issues. Today the 100% AMI is \$93,900. Workforces housing is focused on 80% to 120% of AMI. Other programs work for lower income households.

**2023 Update University of Idaho Report for Kootenai County Housing**

Maggie Lyons from Panhandle Area Housing Alliance described that growth is here and will continue. All we can do is appropriately respond to the issues, which includes ensuring people can afford to live where they work. Restricting the number of houses constructed will not reduce demand and stop growth. We need to manage the change that is inevitable. There will be multiple solutions to the issues.

There is now a 2023 updated housing report completed by the University of Idaho. Ms. Lyons went over the key takeaways of the report, which included: Average home price in 2016 was \$256,000 and is \$665,000 in 2023. Only 20% of households can afford to buy a home today as compared to 75% in 2016. 44% of Kootenai County residents cannot afford average current rent of \$1,580.

Gynni Gilliam of CDAEDC explained the economic impact of lack of housing affordability which has led to 5,340 unfilled jobs which has a total economic loss of \$1.8 million.

Ms. Lyons explained that the increase of income needed to purchase a home is staggering. Need increased supply, not decrease. Building permits in the community have decreased in the past three years. She said it's absolutely possible to build homes that our community can afford.

### **Tool Kit Items**

#### **Panhandle Affordable Housing Alliance (PAHA) – Home Ownership Solutions for Lower to Middle Income Households**

Ms. Lyons described one option is shared-equity homes, which ensure a home stays affordable every time it sells. In Community Land Trusts, only the home is sold and the land is owned by a land trust. Fee simple is where land and home are sold, but there are deed restrictions that restrict the future sale of the home. 70% of shared-equity home buyers are first time home buyers. PAHA has purchased 28 lots in Post Falls, and they hope to have 50% shared-equity homes. Ms. Lyons expressed that Councils and P&Z's will have to help because affordable housing needs density and zoning exceptions and reductions in impact fees.

#### **Habitat for Humanity – Financing/Townhomes**

James Casper explained that raw land has seen up to a 300% increase since 2019, which has forced development towards townhomes or other configurations instead of large single-family homes if affordability is a priority. People cannot afford single-family homes right now but could potentially afford a less expensive townhome.

#### **ROC Northwest – Residential-Owned Communities & Legislative Updates**

Victoria O'Banion of ROC Northwest which is a national program for "resident owned communities" which helps residents in manufactured house communities form a cooperative to purchase the land within the community. Manufactured home parks need to be preserved because the residents cannot afford anything else. Ms. O'Banion has been working on legislation that would require landowner to notify the residents of an intent to sell. This would still require the residents to form a cooperation and notify the landowner with the intent to purchase annually. Without housing for local workers, the community will die. This is a win for landowners, Idaho residents, and municipalities.

#### **Accessory Dwelling Units – Plans for the Future**

Ms. Gissel explained that accessory dwelling units are one solution for local worker housing. Now more than 25 ADU plans have been provided to Connect Kootenai for free. Past presidents of NIBCA will evaluate the plan options and select four. Ms. Gissel will work with the local municipalities to approve the plans in advance so that when people want to build an ADU there will be less of a barrier to do so. The ADU plans selected will be creative, practical, efficient, and aesthetically pleasing. ADUs can provide housing to local workers and seniors. Pathways to housing should be fair and equitable to everyone.

#### **Efforts for Flexibility in Housing/Building Types**

Jon Manley, Planning Manager for City of Post Falls explained tiny homes and Post Falls' cottage code are an alternative to traditional multifamily. Miracle at Britton (PAHA's development mentioned previously) was completed under mixed residential zoning. Post Falls has removed the minimum house size and reduced lot size. Post Falls created guiding design standards for cottage homes that include private yard requirements, green infrastructure incentives, centralized open space, rear and side loaded product, and product that fronts green spaces. Additionally, they can be placed on lots as small as 2,400 square feet. Post Falls wants to preserve the financial long-term viability of these types of developments. Post Falls currently allows for cottage homes (800-1400 square feet), but still working on

tiny homes (less than 800 square feet). Also, allows for cottage homes and ADUs. Typically, densities are 9 to 14 dwelling units per acre.

Hilary Patterson, Planning Director for City of Coeur d'Alene, explained that the City is looking into allowing twin homes in the code. This is similar to duplexes, except that each side is on its own lot with zero lot line construction. R-17 already allows for townhome/twin homes, but the other residential zones (R-8 and R-12) do not. There would need to be considerations for stormwater, roof pitches, alley-loaded lots, cul-de-sac lots and historic neighborhoods.

### **Homeshare Kootenai County**

Tess Reazor, Executive Director of HomeShare Kootenai County, explained that HomeShare is a federally-recognized 501(c)3 and was the first in Idaho. Boise just started one, as well. This program is about helping people. This enables two or more unrelated people to share housing for their mutual benefit. Every home sharing arrangement is unique. In one year, HomeShare has assisted over 17 people with housing, while most programs of its kind take three years before their first match. Average rent is \$850 per month and includes utilities. There are currently 22 available home providers and 42 participants seeking. This program helps both the homeowner than cannot afford their mortgage and also people seeking housing that are struggling to pay rent. A lot of participants are on the verge of leaving the area if they cannot find housing.

### **Developer Incentives, Update from NIBCA & Shuttered Projects**

Scott Krajack of Ryn Built Homes gave an update on ideas for incentives to allow for lower cost homes. He met with Kootenai County, Coeur d'Alene, Hayden, Post Falls and Rathdrum to discuss possible developer incentives. The list of available incentives for each of the jurisdictions are on the Connect Kootenai website.

Now, NIBCA is planning to develop a "shuttered projects" list. These are projects that were turned down and evaluating the project and help re-look at the project and vet if the communities would potentially allow the project to move forward if affordable housing elements were added.

### **Developer Driven Programs to get Local Workers into Homeownership**

Kiki Miller, City of Coeur d'Alene Councilperson, explained that there are 20 different items on the toolkit page. She described next steps to include: database of approvals/denials/end results, building the support networks for prequalified buyers (mortgage lenders team), further the clearinghouse of developer programs, funding options and assistance, and housing options currently available. She explained that Coeur d'Alene Realtors Association is planning fundraising in 2024 to be able to provide \$100,000 for "silent second" mortgages to help people get into housing. This could be a game changing funding option.

### **Discussion and Q&A**

Discussion on code changes that need to occur to be able to support local working housing. For instance, short term rental housing is an issue in Coeur d'Alene. Potentially allowing duplexes and twin homes to be allowed anywhere single-family housing is allowed.

Ms. Miller said potentially aligning codes to allow for multigenerational housing is an option to consider.

Mr. Ed DePriest, Hayden Councilperson, explained that this is a complex issue. He said a lot of people have moved here in the last few years and it has pushed long-term locals into rentals because the housing market increased so much. He said it has to be more than just facilitating more density.

Ms. Miller explained that there are toolkit options for all different types of solutions.

Mary Howard, Hayden Planning Commissioner, asked if there are options that don't open the door for investment properties, but do help the local workers. Ms. Lyon described that Miracle on Britton type developments have requirements run with the home forever, which limits investment properties.

Ms. Miller explained that a development agreement is a tool that can allow for housing to be 80% to 120% of AMI. Mr. DePriest said that he has not seen affordable housing presented at all in Hayden. Ms. Lyons indicated that Miracle on Britton is intended to be an example of how it can work and if developers could set aside some of the housing as attainable/local worker housing it could be one solution.

Ms. Lyons indicated that we need to build 18,000 homes in the next 10 years to address the housing shortage. 70% of the 18,000 need to be worker housing homes. Need roughly 1,300 local worker houses constructed per year.

Mr. Casper said that the market is currently failing at providing a home in the range people can afford. That is why there needs to be other options to bring the costs down such as deed restricted housing. The problem is much bigger. The point is, how long are we willing to allow this issue to go on before we come up with solutions?

Mr. Manley explained that part of the problem in Post Falls is that the housing stock in Post Falls is relatively new. Many people who work in Post Falls live in Spokane because the housing stock is older and costs can be lower.


Sarah McCracken, Coeur d'Alene Planning Commissioner, discussed allowing twin homes on single family home lots is a low hanging fruit that could have a real impact. Twin homes would allow for individual home ownerships rather than duplexes that are oftentimes owned by investors.

Mr. Kimball described an option that allows for a homestyle/development that would be in the market range people could afford. He described bungalow/cottage style homes on smaller lots.

Mr. Casper said that investors will be less interested in smaller homes so one way to attract the home buyer rather than the investor is to build smaller homes. Ms. O'Banion agreed and said she has a podcast that discusses that topic that she can send to anyone who wants it.

Coeur d'Alene Commissioner Peter Luttrupp motioned to adjourn the meeting and Coeur d'Alene Commissioner Lynn Fleming seconded. Chairman Messina adjourned the meeting at 7:28 PM.


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# **PUBLIC HEARING**

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# STAFF REPORT



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**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**FROM:** MIKE BEHARY, ASSOCIATE PLANNER

**DATE:** JANUARY 9, 2024

**SUBJECT:** ZC-1-24: ZONE CHANGE FROM NC (NEIGHBORHOOD COMMERCIAL) TO C-17

**LOCATION:** PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 15<sup>TH</sup> STREET AND BEST AVENUE

**APPLICANT & OWNER:**  
GS4 Property LLC  
3310 N Atlas Road  
Coeur d'Alene, ID 83814

**ARCHITECT:**  
Rex Anderson  
Fusion Architecture, PLLC  
221 N Wall Street, Suite 345  
Spokane, WA 99201

**DECISION POINT:**

The applicant is requesting approval of a zone change from NC (Neighborhood Commercial) to C-17.

**BACKGROUND INFORMATION:**

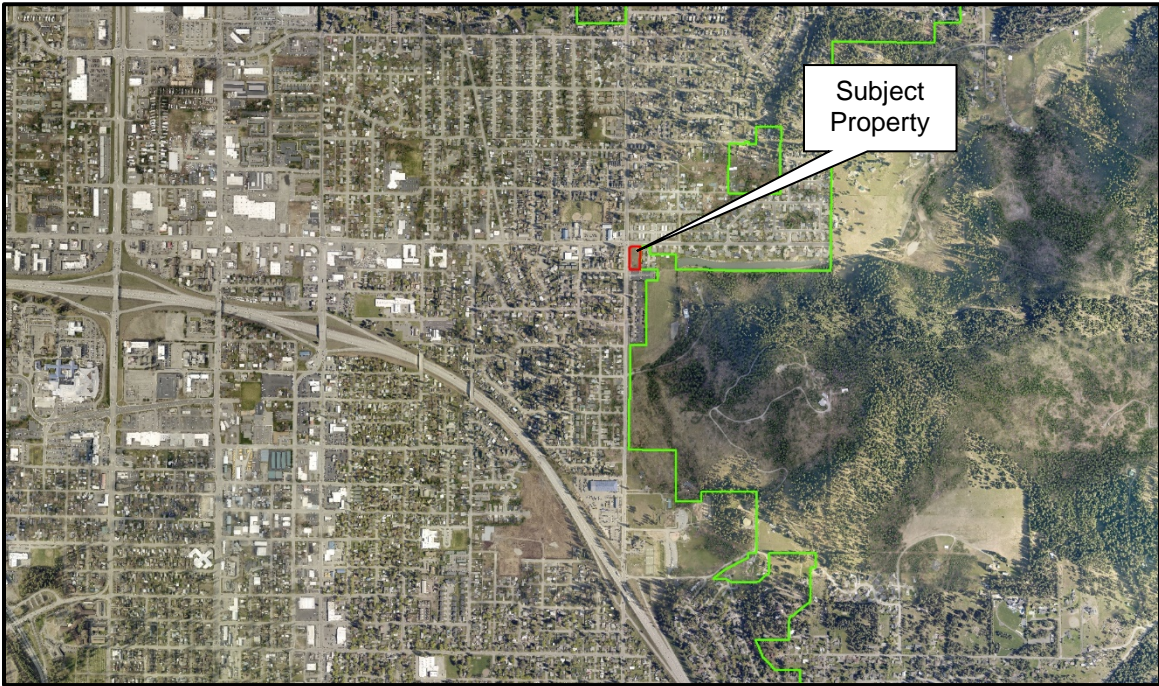
The subject property is vacant and is located on the southeast corner of the intersection of 15<sup>th</sup> Street and Best Avenue. The subject site is .93 acres in area and is relatively flat. The site is adjacent to two duplexes and one single family dwelling that are located in the county to the east. To the south is a multi-family apartment complex that is located within the city limits. There is a gas station on the northwest corner of intersection of 15<sup>th</sup> Street and Best Avenue that is zoned C-17.

The subject site is currently zoned Neighborhood Commercial (NC) and was annexed into the city in 2011 in item A-1-11. The applicant is now requesting that the C-17 zoning district be applied to the subject site.

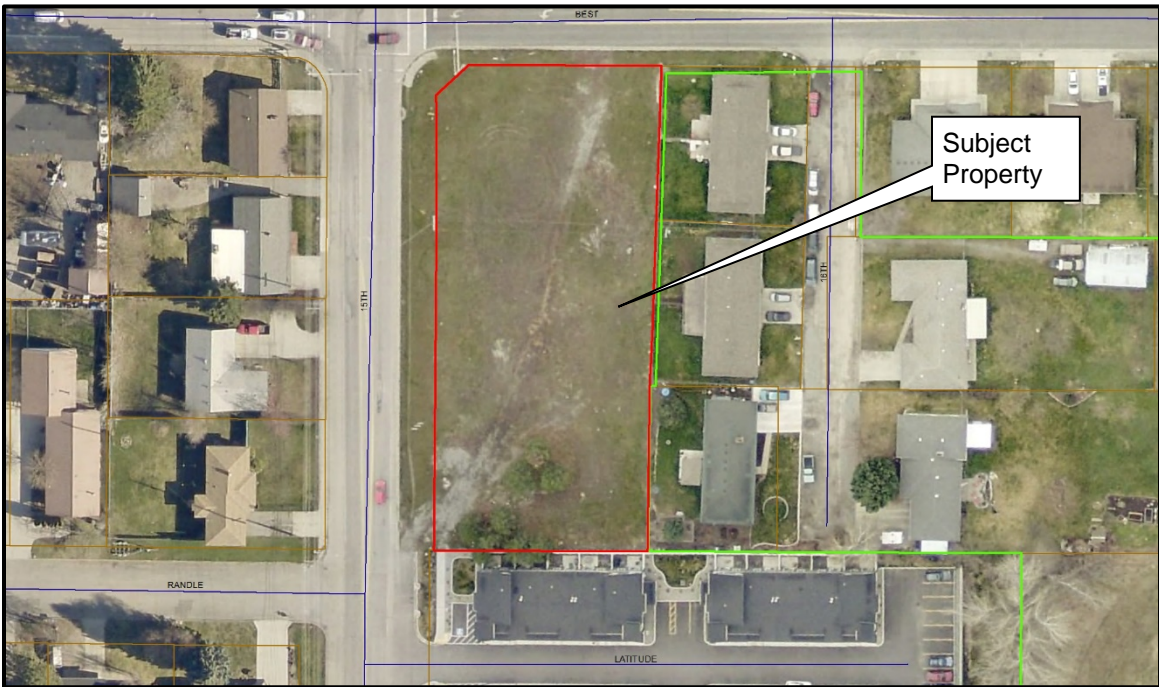
The applicant has indicated that if this zone change request is approved, then they intend to build a gas station with a mini mart and a quick serve restaurant on the subject site. However, it should be noted that if the zone change is approved all uses within the C-17 zoning district would be allowed. (See *the C-17 permitted uses on page 21*)

The applicant has submitted a site plan and a narrative as part of this request. See the attached site plan and narrative by the applicant at the end of this report for a complete overview of their annexation request.

**PROPERTY LOCATION MAP:**



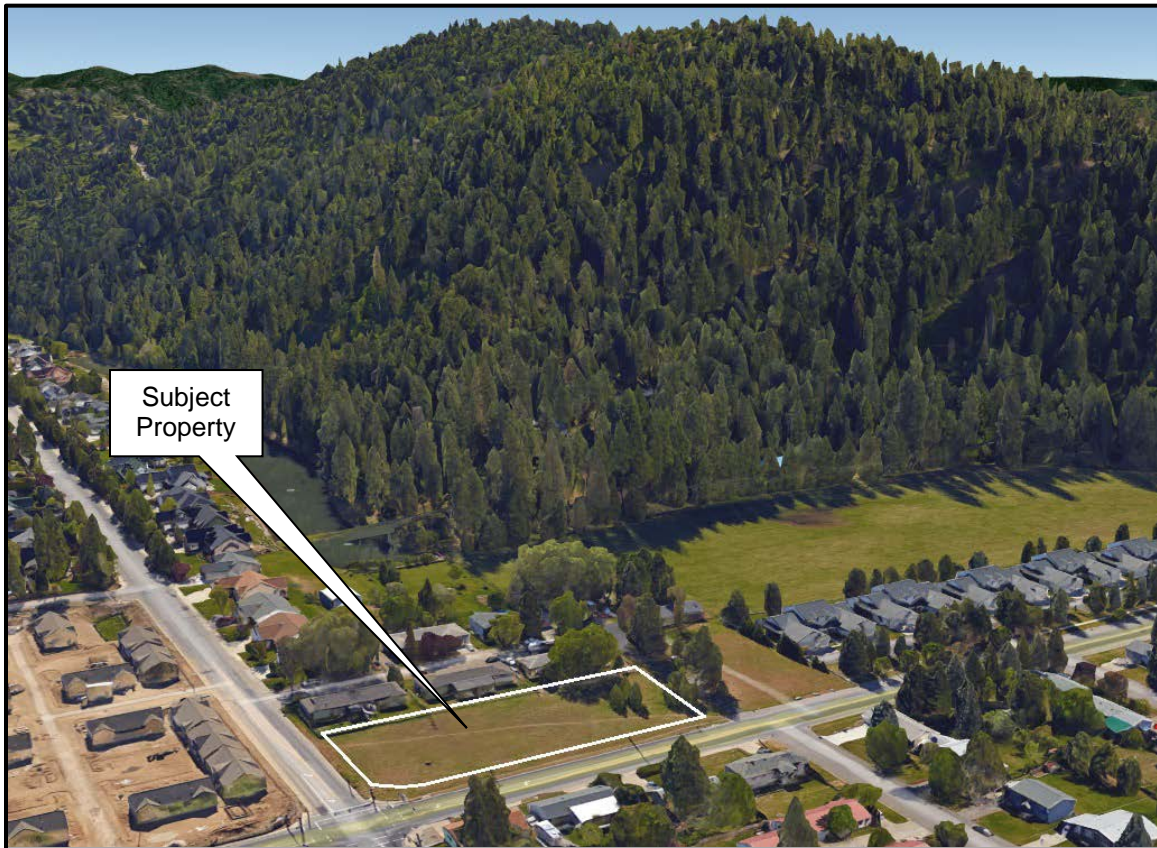
**AERIAL PHOTO:**



**BIRDS EYE AERIAL: Looking North**



**BIRDS EYE AERIAL: Looking Southeast**



**PRIOR ZONE CHANGE REQUESTS**



<u>Hearing</u>	<u>Request</u>	<u>City Council</u>
ZC-2-82	R-12 to C-17	Approved

# ZC-1-24 ZONE CHANGE FINDINGS:

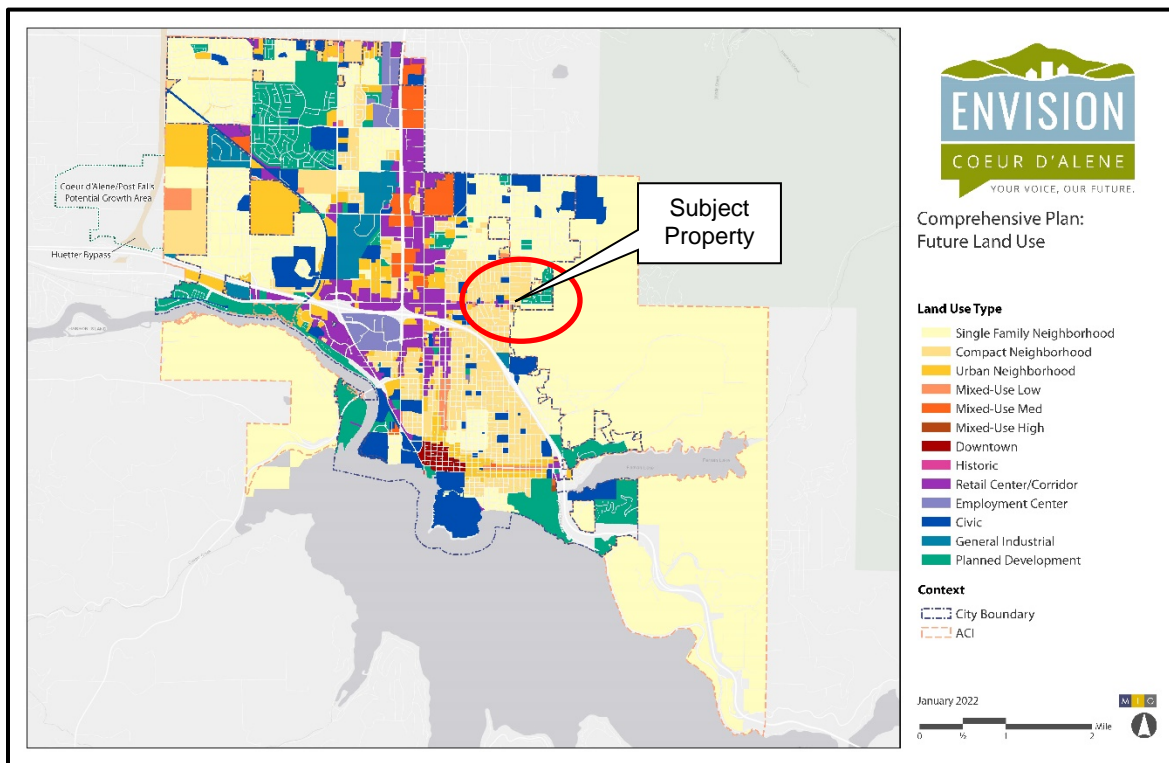
## REQUIRED FINDINGS FOR A ZONE CHANGE:

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

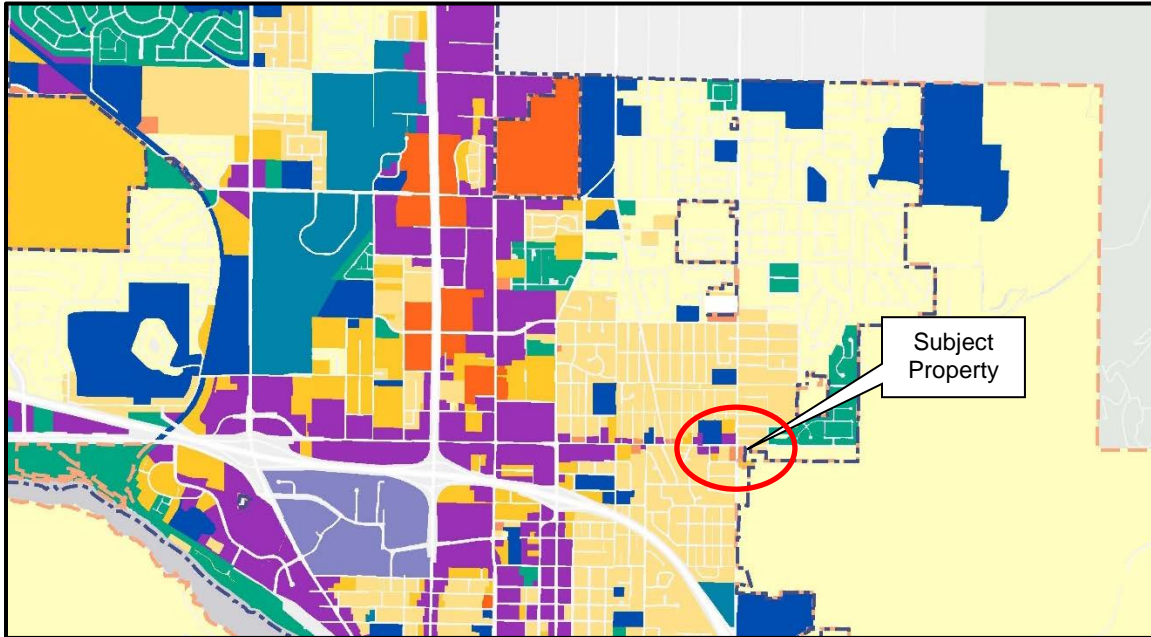
## 2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is located within the existing city limits.
- The City's Comprehensive Plan designates the subject property in the Mixed-Use Low place type.

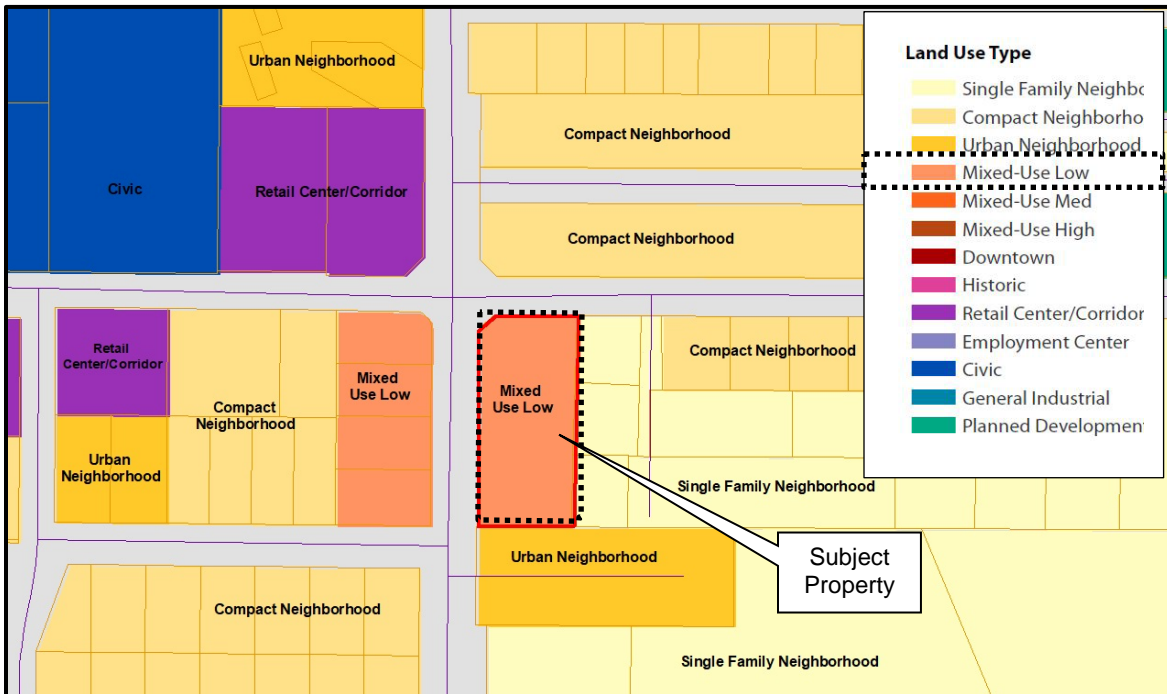
## 2042 COMPREHENSIVE PLAN LAND USE MAP:



**2042 COMPREHENSIVE PLAN LAND USE MAP: *Mixed-Use Low***



**2042 COMPREHENSIVE PLAN LAND USE MAP: *Mixed-Use Low***



The subject site lies within the Mixed Use Low place type as designated in the 2042 Comprehensive Plan.



## 2042 Comprehensive Plan Place Types:

The Place Types in the Comprehensive Plan represent the form of future development, as envisioned by the residents of Coeur d’Alene. These Place Types will in turn provide the policy level guidance that will inform the City’s Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

### Place Type: Mixed-Use Low

Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

### Compatible Zoning Districts within the “Mixed-Use Low” Place Type:

- C17 and C17L; NC and CC Zoning Districts.

### Key Characteristics of “Mixed-Use Low” Place Type:

#### Mixed-Use Low



#### Key Characteristics

Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

#### Transportation

- Gridded main streets and mid-block pedestrian connections
- High ease-of-use pedestrian and bicycle facilities



#### Typical Uses

- Primary: Retail, commercial, office, restaurant, multifamily residential
- Secondary: Civic uses, parking

#### Building Types

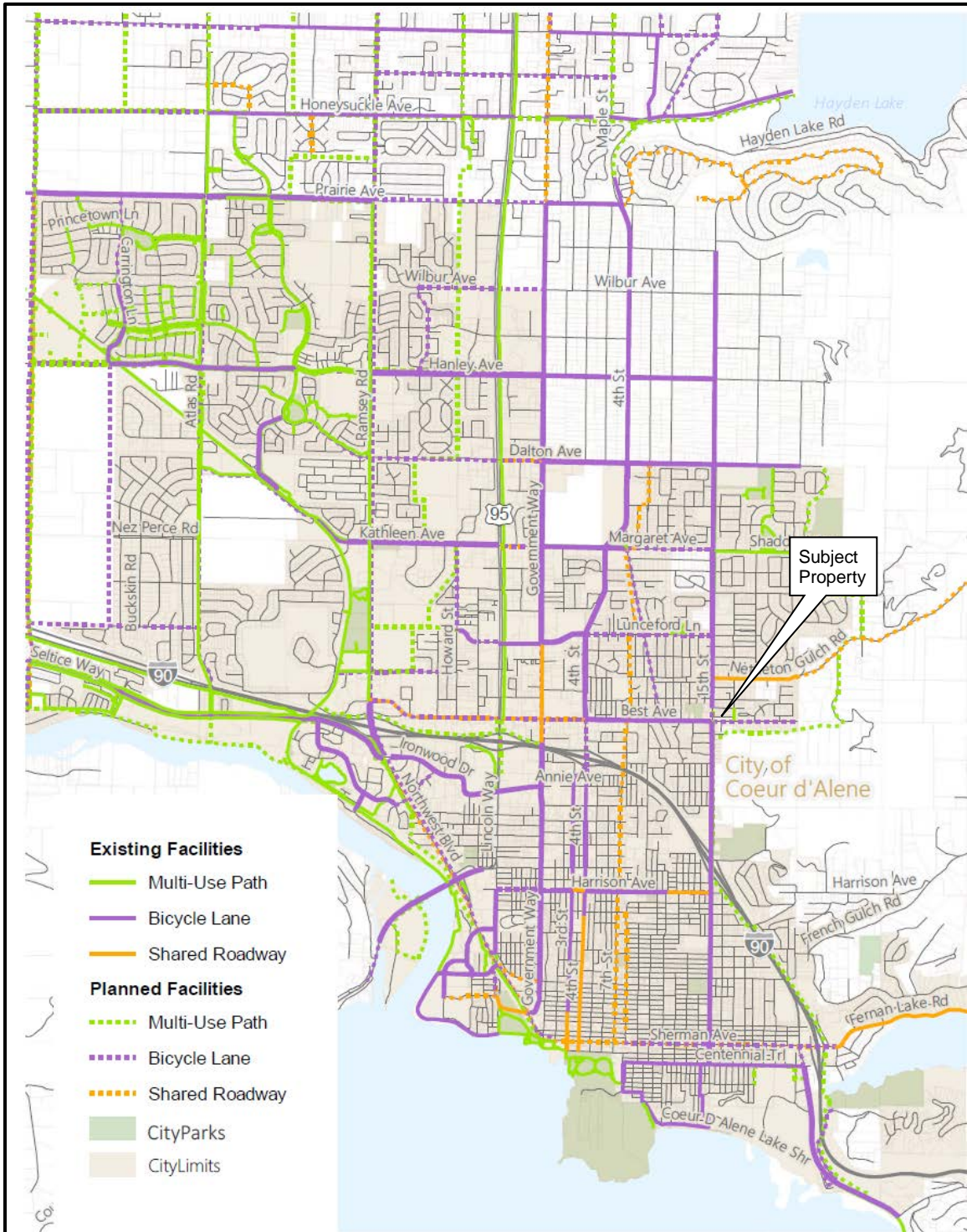
- Up to four stories, retail and commercial on the ground floor, with residential units above

#### Compatible Zoning

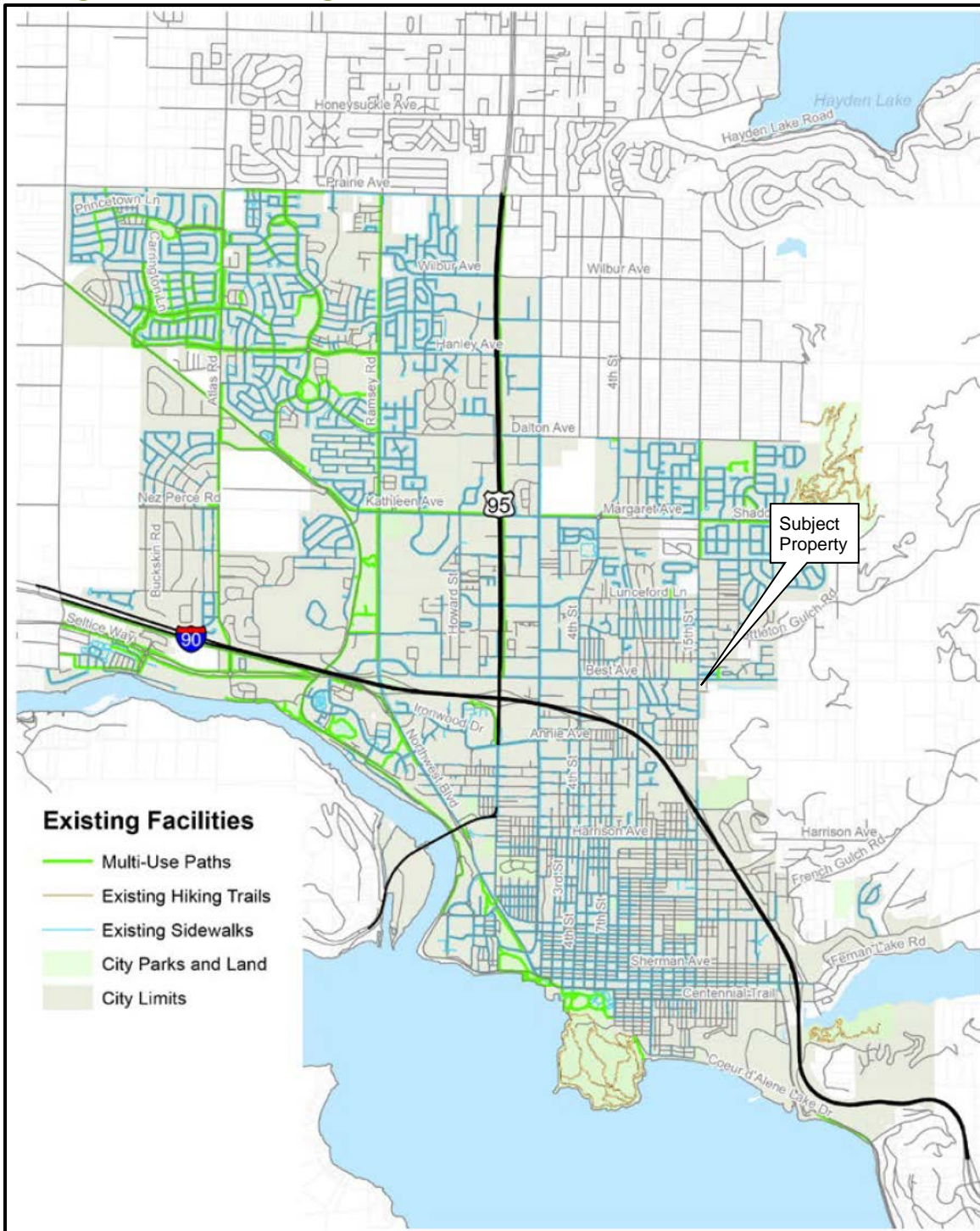
- C17 and C17L; NC and CC

# Transportation

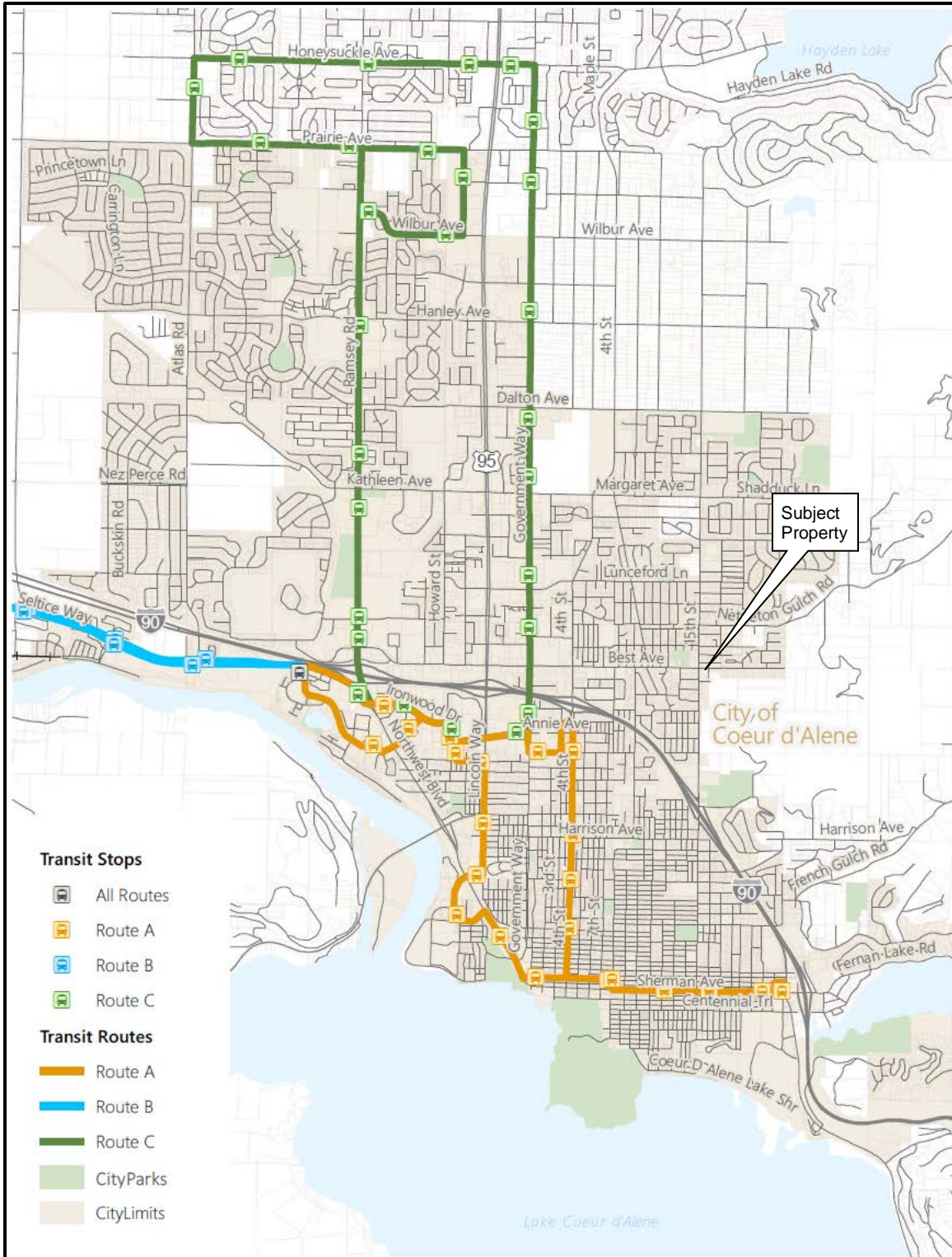
## Existing and Planned Bicycle Network:



**Existing and Planned Walking Network:**



**Existing Transit Network:**



## 2042 Comprehensive Goals and Objectives that apply:

### Comprehensive Plan Policy Framework:

#### Community & Identity

**Goal CI 1:** Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

**Objective CI 1.1:** Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

**Goal CI 3:** Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

**Objective CI 3.1:** Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

#### Growth & Development

**Goal GD 1:** Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

**Objective GD 1.1:** Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

**Objective GD 1.5:** Recognize neighborhood and district identities.

**Goal GD 2:** Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

**Objective GD 2.1:** Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

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

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

#### **STORMWATER:**

City code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject property is bordered by 15th Street to the west and Best Ave to the north. Frontage improvements including sidewalk and stormwater swales will be required at the time of construction.

*-Submitted by Chris Bosley, City Engineer*

**WATER**

There is adequate capacity in the public water system to support commercial, residential, irrigation, and fire flow for the proposed zone change.

There is an existing 12" main on the west side of the property paralleling 15<sup>th</sup> Street approximately 5' behind the curb and a 12" main on Best Avenue. There are two 2" services currently stubbed in to the property as well as a 6" Fireline stub. Any additional main extensions and /or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.

*-Submitted by Glen Poelstra, Assistant Director, Water Department*

**SEWER:**

The nearest public sanitary sewer is located in 15<sup>th</sup> Street to the west of subject property. The Subject Property is within the City of Coeur d'Alene and in accordance with the 2023 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this zone change request as proposed.

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Craig Etherton, Deputy Fire Marshal*

**POLICE:**

The Police Department does not have an issue with the proposed zone change.

*-Submitted by Jeff Walther, Police Captain*

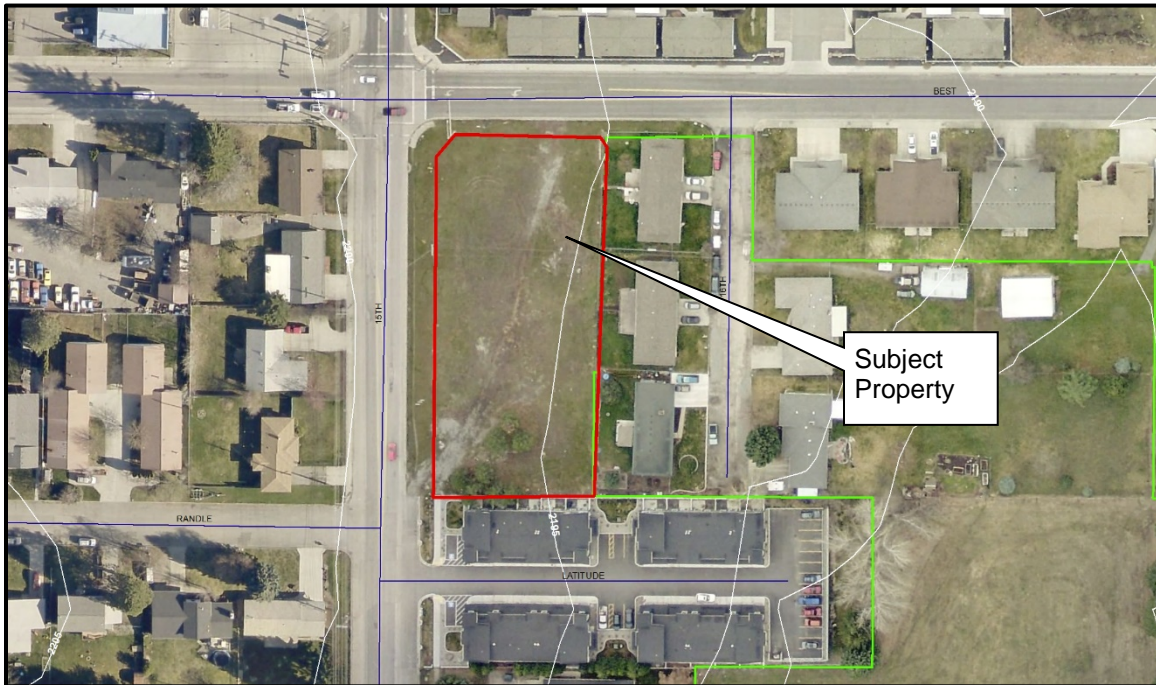
**Evaluation:** *Planning and Zoning Commission will need to determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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

**PHYSICAL CHARACTERISTICS:**

The site is general flat and has a slight slope to the east. (See topography map below).  
The site is vacant of buildings and is in a natural state with grass and trees located on it.  
Site photos are provided on the next few pages showing the existing conditions.

**TOPOGRAPHIC MAP:**



**SITE PHOTO - 1:** View from the northeast corner of property looking south.



**SITE PHOTO - 2:** View from the northeast corner of property looking west along Best Avenue.





**SITE PHOTO - 3:** View from the north central part of property looking south.



**SITE PHOTO - 4:** View from the northwest corner of property looking east.



**SITE PHOTO - 5:** View from the center of property looking northwest.



**SITE PHOTO - 6:** View from the southwest corner of property looking north along 15<sup>th</sup> Street.



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

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

**TRAFFIC:**

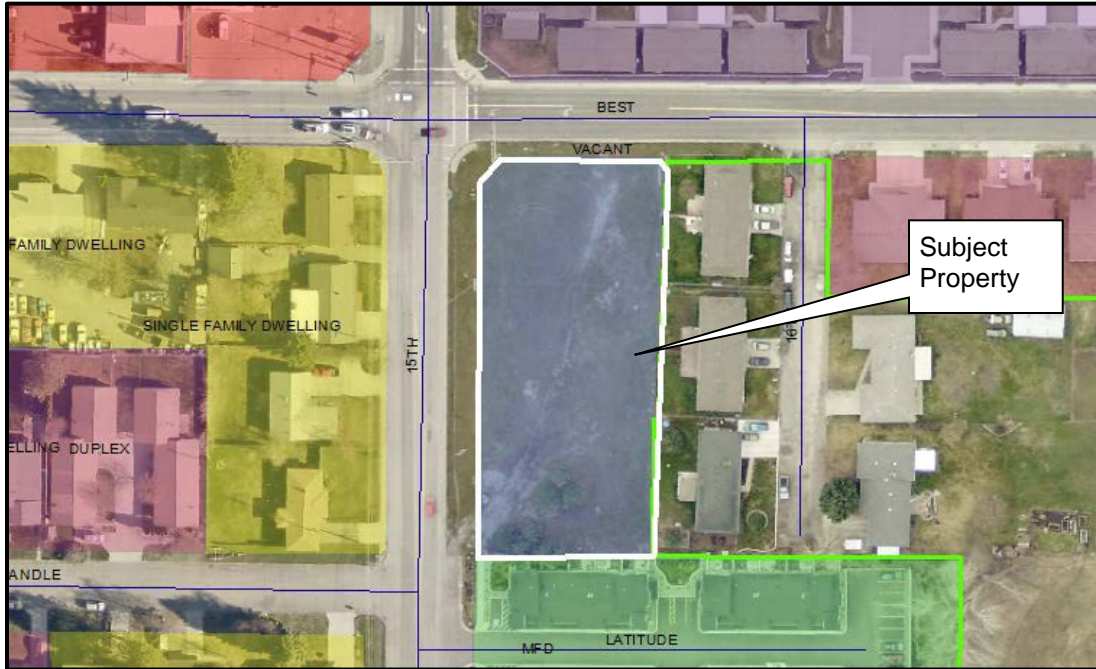
The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant depicts eight fueling positions (four pumps) in the site plan as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips. It is unlikely that this use will adversely affect traffic on 15<sup>th</sup> Street. 15<sup>th</sup> Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15<sup>th</sup> Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15<sup>th</sup> Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Ave intersection.

*-Submitted by Chris Bosley, City Engineer*

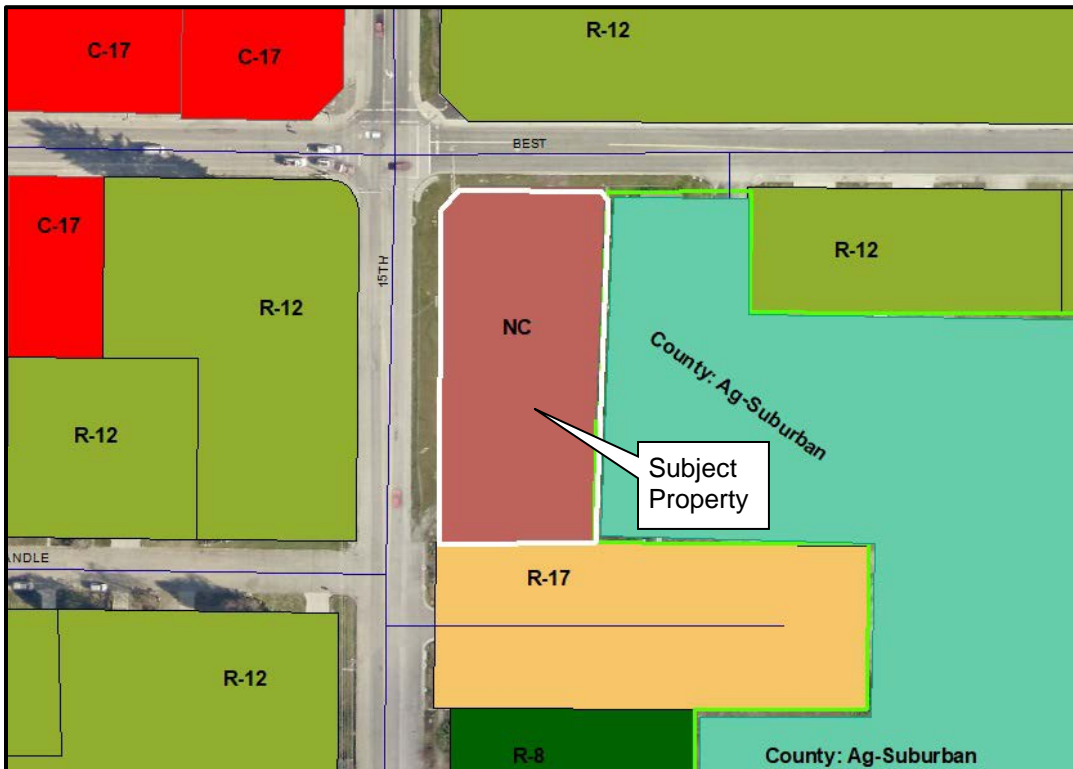
**NEIGHBORHOOD CHARACTER:**

The neighborhood is a mix of commercial and residential uses. A gas station mini-mart is located on the northeast corner of the intersection of 15<sup>th</sup> Street and Best Avenue. To the south is a multi-family apartment complex along with some duplex housing units. The remaining properties to the north, east, and west have residential uses located on them (See existing land use map located below).

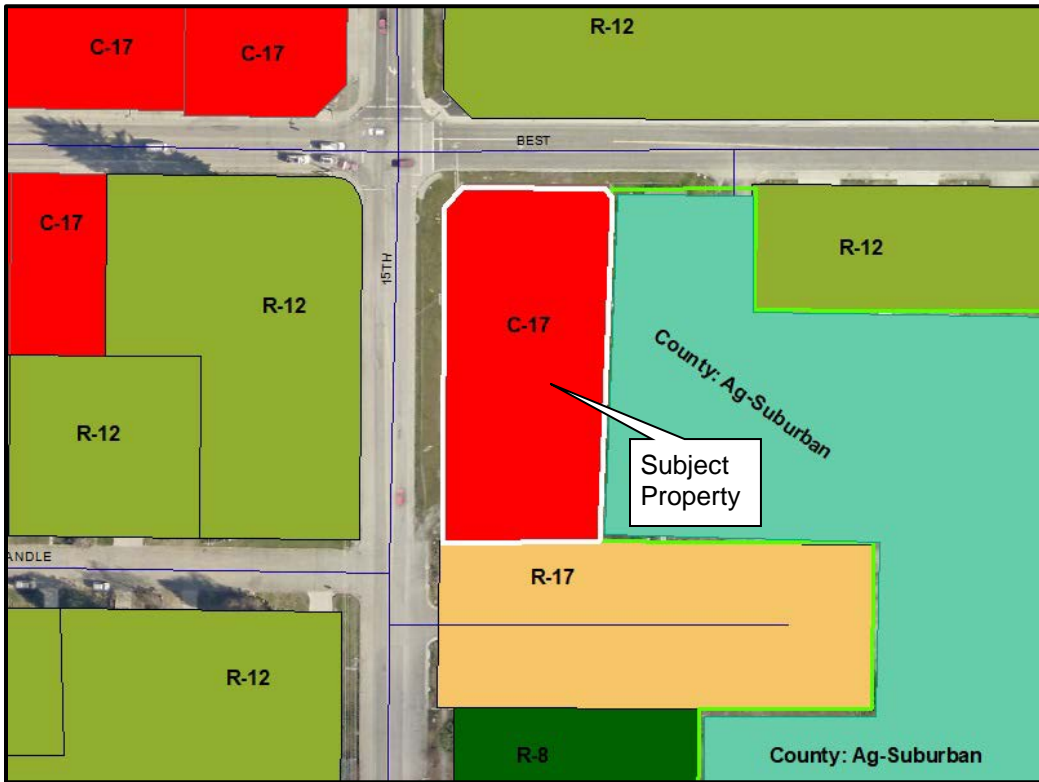
**GENERALIZED LAND USE PATTERN:**



**EXISTING ZONING MAP:**



**PROPOSED ZONING MAP:**



**Existing Neighborhood Commercial (NC) Zoning District:**

The neighborhood commercial district is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving.

Uses permitted by right:

- Commercial and professional office
- Daycare
- Medical/dental
- Parks
- Personal services
- Residential  
(Above the ground floor only-new construction)
- Retail

Uses permitted by special use permit:

- Religious institutions
- Schools

× Additional Prohibited Uses: In addition to the uses listed above, any other uses that the Planning Director determines are not in conformity with the purpose and

The following uses are prohibited in NC districts:

- Commercial parking
- Detention facilities
- Gasoline service stations
- Industrial
- Ministorage
- Outdoor storage or display of goods, other than plants
- Sales, repair or maintenance of vehicles, boats, or equipment
- Warehouses

intent of the district are prohibited. The decision of the Planning Director may be appealed by following the administrative appeal procedure.

### **Hours of Operation**

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

### **Floor Area**

Maximum Floor Area Ratio: The floor area ratio (FAR) for nonresidential uses in an NC district is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.

Maximum Floor Area: The maximum floor area shall not exceed four thousand (4,000) square feet for retail uses. All other nonresidential uses shall not exceed eight thousand (8,000) square feet.

### **Parking**

Nonresidential Uses: Nonresidential uses must provide at least three (3) parking stalls per one thousand (1,000) square feet of floor area.

Permitted Residential Uses: Permitted residential uses must provide 1.5 stalls per dwelling unit.

### **Development & Design Standards**

- A. At least fifty percent (50%) of any first floor wall facing an arterial street must be glass.
- B. If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.
- C. Surface parking should be located to the rear or to the side of the principal building.
- D. Trash areas must be completely enclosed by a structure constructed of materials similar to the principal building. Dumpsters must have rubber lids.
- E. Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.
- F. Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.
- G. Wall mounted signs are preferred, but monument signs no higher than six feet (6') are allowed. Roof mounted signs and pole signs are not permitted.
- H. Signs shall not be internally lighted, but may be indirectly lighted.

**Height requirements**

- A. The maximum height for all uses in an NC district shall not exceed thirty two feet (32').

The proposed C-17 zoning district is consistent with the existing commercial zoning of the surrounding properties in the vicinity of the subject property. Approval of the requested C-17 zoning would allow the following potential uses of the property.

**Proposed C-17 Zoning District:**

- A. 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.
- B. This district should be located adjacent to arterials, however, joint access developments are encouraged.
- C. A variance may be granted to partially waive off street parking and/or lot coverage requirements for commercial developments utilizing common parking facilities.
- D. Residential developments in this district are permitted as specified by the R-17 district.
- E. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service, and industry uses, except residential uses for four (4) or fewer dwellings. (Ord. 3288 §36, 2007; Ord. 1691 §1(part), 1982)

**17.05.500: PERMITTED USES; PRINCIPAL:**

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

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

- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- 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. (Ord. 3560, 2017)

**17.05.510: PERMITTED USES; ACCESSORY:**

- Accessory permitted uses in a C-17 district shall be as follows:
- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district. (Ord. 3288 §38, 2007; Ord. 1691 §1(part), 1982)

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

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.

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

Maximum height requirements in a C-17 district shall be as follows:

MAXIMUM HEIGHT

Structure Type	Structure Location
For residential uses	As specified by the R-17 district
For the remaining uses	No height limitation

**17.05.550: SITE PERFORMANCE STANDARDS; MINIMUM LOT:**

Minimum lot requirements in a C-17 district shall be as follows:

- Residential lot requirements are as specified for the R-17 district.
- For the remaining uses, there are no minimum lot requirements except as required by state or federal laws.



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

- A. Minimum yard requirements in a C-17 district shall be as follows:
- B. Single-family and duplex structures must meet the minimum yard requirements for a single-family structure established by the R-3 district.
- C. For multiple-family housing, see the R-17 district.

For remaining uses:

- 1. Front: The front yard requirement shall be ten feet (10') except where a majority of the property of the same block is already developed to the property line, in which case the front yard setback is zero feet (0').
- 2. Side And Rear: The side and rear yard requirements shall be zero feet (0') except as required by life safety or uniform building codes and except when the side or rear abuts a lot in a different district that requires rear or side yards, in which case the property in this district shall have setbacks as specified in section 17.06.475 of this title. In no circumstance shall an eave extend over a property line or result in stormwater impacts offsite. The building shall be set back five feet (5') minimum from the eave to the property line where the roof slopes towards the property line. If a metal roof is being used, the setback or installation of snow brakes shall be determined by the Building Department.
- D. For horizontal mixed use projects with both multiple-family housing and commercial uses, the setbacks shall be those which are applicable to the individual use in that portion of the project.
- E. There will be no permanent structures constructed within the corner cutoff.

**17.05.565: BASIC DEVELOPMENT STANDARDS; DESIGN GUIDELINES AND DEPARTURES:**

- A. Establishment Of Design Guidelines: The city council shall adopt by resolution a list of design guidelines that are applicable to all developments within the C-17 district. Each design guideline must be met by the proposed development. However, the design guidelines are intended to provide some flexibility in application provided that the basic intent of the guidelines is met. Compliance with these design guidelines will be determined by the planning director or the design review commission as provided by section 17.09.315 of this title. If the project is reviewed by the planning director, an appeal may be taken to the design review commission by an aggrieved party by following the appeal procedures specified in section 17.07.945 of this title.
- B. Design Departures: An applicant may request a design departure from any of the design guidelines adopted pursuant to this section. The planning director will review all requests for design departures on projects not subject to design review commission review under section 17.09.315 of this title. In order for the planning director to approve a design departure, he or she must find that:
  - 1. The project must be consistent with the comprehensive plan and any applicable plan;
  - 2. The requested departure meets the intent of statements relating to applicable development standards and design guidelines;
  - 3. The departure will not have a detrimental effect on nearby properties or the city as a whole;
  - 4. The proposed departure is part of an overall, thoughtful and comprehensive approach to the design of the project as a whole; and
  - 5. If a deviation from a building design guideline is requested, the project's building(s) exhibits a high degree of craftsmanship, building detail, architectural design, or quality of materials that are not typically found in standard construction. In order to meet this standard, an applicant must demonstrate to the planning director that the project's design offers a significant improvement over what otherwise could have been built under minimum standards and guidelines.

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

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2042 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  
2018 Coeur d'Alene Trails Master Plan

**ACTION ALTERNATIVES:**

The Planning and Zoning Commission will need to consider this request and make findings to recommend that the City Council (does) (does not) adopt the C-17 zoning.

The Planning and Zoning Commission may also recommend conditions for this zone change request pursuant to Title 17 (Zoning Code) Section 17.09.140: CONDITIONAL REZONING, which states, "The City Council may impose conditions upon rezoning where such conditions are required to ensure that proposed uses of the area are consistent with community needs and its public health, safety, and general welfare. The Planning Commission may recommend conditions upon rezoning, for the City Council's consideration."

Attachments: Applicant's Application, Narrative, and Site Plan



# APPLICANT'S APPLICATION

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RECEIVED  
DEC 01 2023

BY: **ZONE CHANGE APPLICATION**

**STAFF USE ONLY**  
Date Submitted: 12-1 Received by: 12-1 Fee paid: \$1,506.00 Project # ZC-1-24

**REQUIRED SUBMITTALS**

**Application Fee: \$ 1,200.00**  
Publication Fee: \$300.00  
Mailing Fee: \$6.00 per hearing

*\*Public Hearing with the Planning Commission and City Council required*

*\$ 1,506.00*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
  1. All property owners within 300ft of the external boundaries. *\* Non-owners list no longer required\**
  2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including zoning, how proposal relates to the 2007 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and Policies and how they support your request.
- A legal description:** in MS Word compatible format.
- A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

**DEADLINE FOR SUBMITTALS**

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

**PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:**

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posed on the property is also required and must be returned to the Planning Department.

### APPLICATION INFORMATION

PROPERTY OWNER: GS4 PROPERTY LLC		
MAILING ADDRESS: 3310 N ATLAS ROAD		
CITY: COEUR D'ALENE	STATE: IDAHO	ZIP: 83814
PHONE: 208.819.1753	FAX:	EMAIL: ASINGH1720@GMAIL.COM
APPLICANT OR CONSULTANT: REX ANDERSON		ARCHITECT STATUS: ENGINEER OTHER
MAILING ADDRESS: 221 N. WALL ST. , SUITE 345		
CITY: SPOKANE	STATE: WA	ZIP: 99201
PHONE: 509.808.0270	FAX:	EMAIL: REX@FUSIONARCH.COM

### FILING CAPACITY

- Recorded property owner as to of \_\_\_\_\_
- Purchasing (under contract) as of \_\_\_\_\_
- The Lessee/Renter as of \_\_\_\_\_
- Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

### SITE INFORMATION:

PROPERTY LOCATION OR ADDRESS OF PROPERTY: SE CORNER OF 15TH AND BEST INTERSECTION		
EXISTING ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input checked="" type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
PROPOSED ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input checked="" type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
TAX PARCEL #: C00000073105	EXISTING ZONING: NEIGHBORHOOD COMMERCIAL	TOTAL NET AREA/ACRES:
GROSS AREA/ACRES: .93	CURRENT LAND USE: VACANT LAND	ADJACENT LAND USE: C-17, R-12, R-17
DESCRIPTION OF PROJECT/REASON FOR REQUEST:  OWNER WOULD LIKE TO CONVERT THIS PROPERTY FROM NEIGHBORHOOD COMMERCIAL TO C-17. THE OWNER WOULD LIKE TO DEVELOP A MARKET SIMILAR TO THE STORE THEY PUT IN AT THE CORNER OF ATLAS AND SELTICE. THIS STORE WILL PROVIDE FRESH PRODUCE, QUICK SERVE FOOD TO ORDER, CONVENIENCE ITEMS, ELECTRIC CAR CHARGING STATION, COFFEE AND FUEL FILLING STATION.		

**REQUIRED CERTIFICATIONS:**

**OWNERSHIP LIST:**

Attached is a listing of the addresses of all property owners within 300 feet of this request as described under "Submittals".

The list was compiled by TITLE ONE on 12/1/2023  
(title company) (date)

**RESIDENTS LIST:**

Attached is a listing of the addresses of all residences that are not owner-occupied within 300 feet of this request as described under "Submittals".

The list was compiled by TITLE ONE on 12/1/2023  
(name) (date)

**CERTIFICATION OF APPLICANT:**

I, Rex Kristian Anderson, being duly sworn, attests that he/she is the applicant of this  
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: Rex Kristian Anderson  
(applicant)

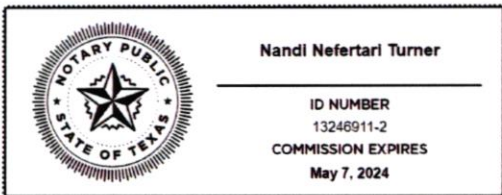
Notary to complete this section for applicant:

Subscribed and sworn to me before this 1st day of December, 2023.  
Texas NT

Notary Public for Idaho Residing at: Fort Bend County

My commission expires: 05/07/2024

Signed: [Signature]  
(notary)



Notarized online using audio-video communication

**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Address: \_\_\_\_\_

Signed by Owner: \_\_\_\_\_

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for Idaho Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Signed: \_\_\_\_\_  
(notary)

*For multiple applicants or owners of record, please submit multiple copies of this page.*

I (We) the undersigned do hereby make petition for a zone change of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:**

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Anjandeep Singh Telephone No.: 208 819 1753

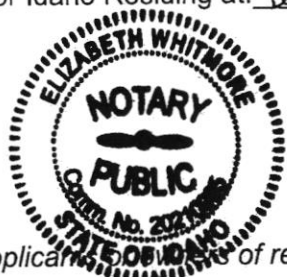
Address: C 000000 73105

Signed by Owner: [Signature]

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 1<sup>st</sup> day of December, 2023.

Notary Public for Idaho Residing at: Boonville 912 NW BLVD, Coeur d'Alene, ID 83814



My commission expires: 3-1-2027

Signed: Elizabeth Whitmore  
(notary)

\*For multiple applications of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for a zone change of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rex K. Anderson, AIA, LEED BD+C  
Fusion Architecture, PLLC  
221 N. Wall St., Suite 345  
Spokane, WA 99201

December 1, 2023

Hillary Patterson  
Community Planning Director  
City of Coeur d' Alene  
710 E Mullan Ave.  
Coeur d'Alene, Idaho 83814

RE: Zone Change Narrative – Parcel Number C00000073105

Dear Ms. Patterson,

This letter along with the enclosed documents make up our zone change application for parcel number C00000073105. It is the intent of the owner of this parcel, Andy Singh with GS4 Property, LLC, to change the zoning from Neighborhood Commercial (NC) to C-17. The owner of this property will be building a market that will include fresh produce, quick serve food to order, convenience items, electric car charging capabilities, coffee and fuel filling station. In addition to the gas station, Andy is anticipating an opportunity to develop a quick serve restaurant on the same piece of property

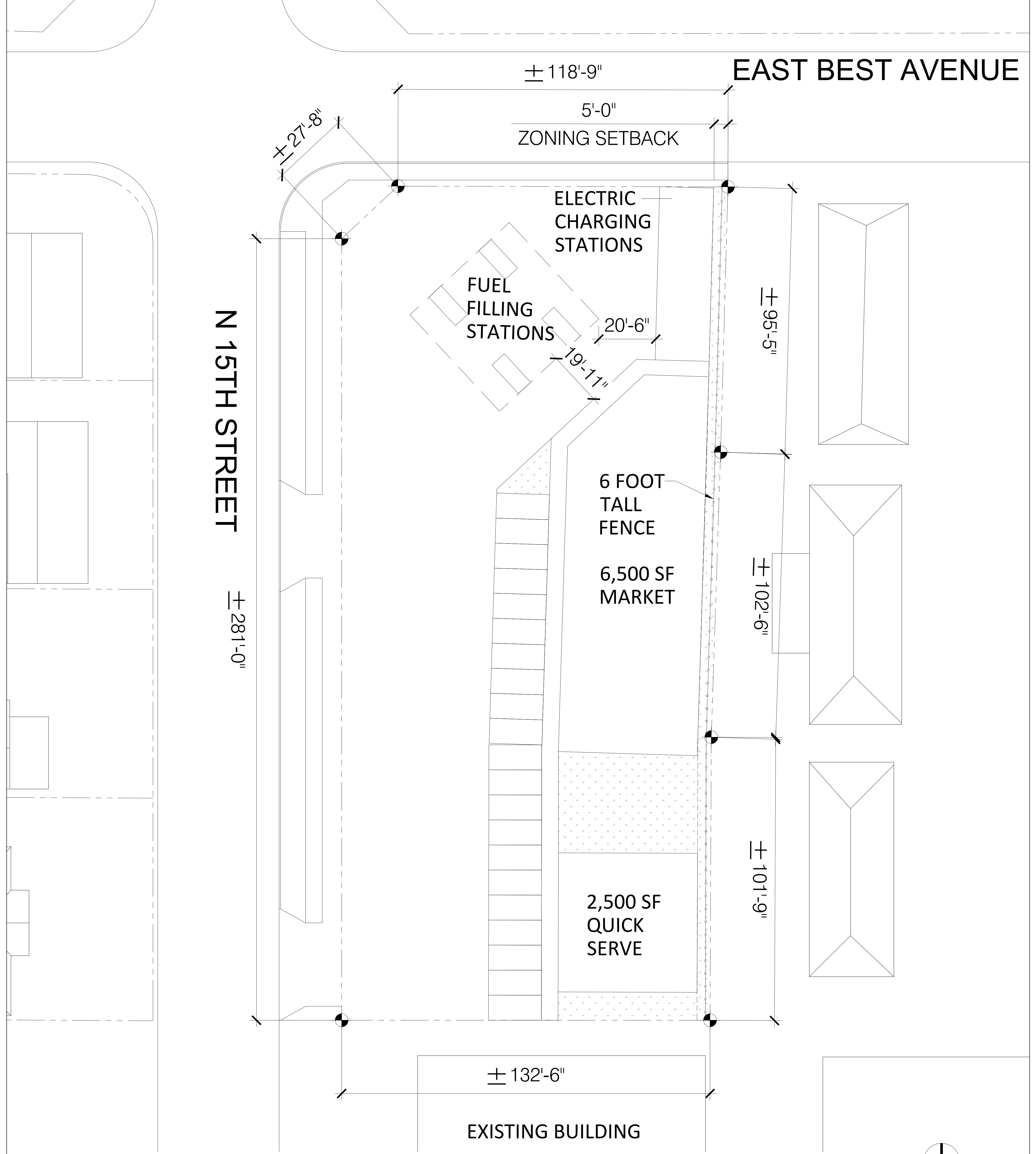
Based on the input that Andy Singh received in a previous meeting with you, he understands that he would be developing this project near existing neighborhoods. It is Andy's intent to develop a project similar to the previous project that he recently built at the northwest corner of Atlas and Seltice, also in Coeur d'Alene. This recently built store has quickly become a popular store in its own neighborhood, featuring interesting architecture, a wide selection of snack and beverage options, quick serve food options and coffee. In this new store, Andy will be incorporating similar aspects as his existing store in addition to those recommended by you to be a good neighbor and fit in with the existing context, aspects such as a) low profile signage, b) no LED reader boards, c) fuel refilling will not be excessive – limiting the number of filling stations d) electric car charging potential, e) the fuel canopy lights will be turned off after 11pm.

When comparing this project with the the 2022 – 2042 comprehensive plan, we see this project as one that will fit in with the retail vision that is identified in the comprehensive plan. Currently there is another parcel positioned diagonally across this intersection, at the northwest corner, that is also C-17.

Please let me know if you have any questions.

Sincerely,

Rex Anderson



**1** SITE PLAN  
1" = 16'-0"

**SYMBOLS LEGEND**

- PROPERTY BOUNDARY
- REQUIRED SETBACK
- 6' TALL FENCE
- LANDSCAPING SOFTSCAPE
- POINT ON PROPERTY BOUNDARY

<p><b>A-100</b></p>	<p><b>SITE PLAN</b></p>	<p>CHECKED BY: RA</p>	<p>DRAWN BY:</p>	<p>PROJECT NUMBER: 2023-24</p>	<p>CLIENT:</p>	<p>PROJECT: <b>15TH AND BEST GAS STATION</b> PARCEL: C0000073105 COEUR D'ALENE, IDAHO</p>	<table border="1" style="font-size: 8px;"> <thead> <tr> <th colspan="2">ISSUED / REVISED</th> </tr> <tr> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>PRE-DEVELOPMENT</td> <td>12/01/23</td> </tr> <tr> <td>PRE-DEVELOPMENT</td> <td>12/15/23</td> </tr> </tbody> </table>	ISSUED / REVISED		DESCRIPTION	DATE	PRE-DEVELOPMENT	12/01/23	PRE-DEVELOPMENT	12/15/23	<p>221 N. WALL ST. #345   SPOKANE WA 99201 www.fusionarch.com rev@fusionarch.com 509.473.9399</p>	<p><b>Fusion</b> ARCHITECTURE</p>
ISSUED / REVISED																	
DESCRIPTION	DATE																
PRE-DEVELOPMENT	12/01/23																
PRE-DEVELOPMENT	12/15/23																

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# **PUBLIC COMMENTS**



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**From:** kim seely  
**To:** [CLARK, TRACI](#)  
**Subject:** Item ZC-1-24 SE corner of 15th and Best Ave  
**Date:** Thursday, December 28, 2023 8:21:47 PM

---

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.**

To whom it may concern,

I am truly outraged by the zone request from GS4 Property LLC to have it zoned for Commercial use.

This is not the place to potentially put in another gas station/store when Nom Nom is literally across the street. This neighborhood is full of families. To add another one is just going to make the intersection busier and more hazardous to us that cross the street to walk with our small children and pets.

I really hope that is taken into consideration before allowing the request to be approved. Please don't over build our beautiful city.

Thank you,  
Kim Seely  
1422 E Randle Ave.

**From:** ross morton  
**To:** [CLARK, TRACI](#)  
**Subject:** Item # ZC-1-24  
**Date:** Friday, December 29, 2023 1:30:07 PM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings,

My name is Ross Morton and I am a lifelong resident of North Idaho (39 years). I am a resident of Coeur D' Alene at 2938 E Silvertip Ave. and I am writing in opposition for the proposed zone change at the SE corner of 15th & Best. I believe the property is best suited for residential purposes as that is the greatest need at this dire hour of the severe home affordability crisis that we are facing. As you know, there is limited land available for new residential construction and Coeur D' Alene is constrained by mountains and the lake for further development. If we consider what is the greatest need—much needed residential land to help address the affordability crisis, or another gas station and convenience store directly across the street from an existing gas station, it's clear to see the former is the most reasonable path forward. Add in environmental and traffic concerns, and I believe it's evidently clear and rational to decline this rezone request.

Thank you for your time and consideration.

Best Regards,

Ross Morton

Sent from my iPhone



**From:** Jonathan Gray  
**To:** [CLARK, TRACI](#)  
**Subject:** Re: Planning Commission Meeting (01/09/2024)  
**Date:** Friday, January 5, 2024 1:14:02 AM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To: Whom it may concern at the CDA Planning Commission  
From: Jonathan Gray (CDA resident)

Hello and thank you for taking the time to read this short memo.

Recently, I heard about GS4 Property, LLC's request to have a certain lot rezoned. As I understand it, the parcel in question is located at the SE corner of 15th Street and Best Avenue.

Although I'm uncertain about the requestor's intentions for the parcel, my request is that the commission not rezone it. I live close to said parcel and I do not want to see more commercial development on an already well-traveled 2-way road with other existing commercial developments close by.

Furthermore, the C-17 zoning allocation is, in my opinion, too broad and therefore exposes that neighborhood to undue future risk, even if GS4 Property, LLC's intended development may offer short-term benefits to nearby residents.

Thanks again for taking the time to hear and consider my concerns.

Sincerely,  
Jonathan Gray

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

**ZC-1-24**

**A. INTRODUCTION**

This matter having come before the Planning and Zoning Commission on, January 9, 2024, to consider ZC-1-24, a request for a zone change from NC (Neighborhood Commercial) to C-17 zoning district.

APPLICANT: GS4 Property LLC

LOCATION: A parcel of land in the Northwest Quarter of Section 7, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, as adjusted on Record of Survey, Book 21, page 85, records of Kootenai County, and located on the southeast corner of the intersection of 15<sup>th</sup> Street and Best Avenue, being Tax # 20177.

**A. FINDINGS OF FACT:**

**The Planning and Zoning Commission finds that the following facts, A1 through A23, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.**

- A1. The notice of public hearing was published on December 23, 2023, which fulfills the legal requirement for the zoning change request.
- A2. The notice of public hearing was posted on the property on December 28, 2023, which fulfills the proper legal requirement.
- A3. Forty-eight (48) notices of public hearing were mailed to all property owners of record within three hundred feet (300') of the subject property on December 26, 2023, which fulfills the legal requirement.
- A4. Notice of intent to rezone the property was sent to all political subdivisions providing services within the planning jurisdiction, including school districts, at least fifteen (15) days prior to the public hearing scheduled by the Commission.
- A5. Public testimony was received at a public hearing on January 9, 2024.
- A6. The subject property is +/- .93 acre.
- A7. The subject property is within the City Limits and bordered by 15th Street to the west and Best Ave to the north.
- A8. The existing zoning is Neighborhood Commercial.
- A9. The Comprehensive Plan Future Land Use Map designation is the Mixed-Use Low Place Type.
- A10. The Place Types in the Comprehensive Plan represent the form of future development, as

envisioned by the residents of Coeur d'Alene. These Place Types will, in turn, provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

- A11. Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access. Compatible zoning districts in the Mixed-Use Low Place Type includes C-17, C-17L, NC and CC.
- A12. The Comprehensive Plan Goals, Objectives and Policies that are applicable to this matter are as follows:

### **Community & Identity**

#### **Goal CI 1:**

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

##### **Objective CI 1.1:**

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

#### **Goal CI 3**

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

##### **OBJECTIVE CI 3.1**

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

### **Growth & Development**

#### **Goal GD 1**

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

##### **OBJECTIVE GD 1.1**

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

##### **OBJECTIVE GD 1.5**

Recognize neighborhood and district identities.

#### **Goal GD 2**

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

## **OBJECTIVE GD 2.1**

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

- A13. The neighborhood is a mix of commercial and residential uses. A gas station mini-mart is located on the northwest corner of the intersection of 15<sup>th</sup> Street and Best Avenue. To the south is a multi-family apartment complex along with some duplex housing units. The remaining properties to the north, east, and west are residential in nature.
- A14. Frontage improvements, including sidewalk and stormwater swales, will be required at the time of construction.
- A15. There is adequate capacity in the public water system to support commercial, residential, irrigation, and fire flow for the proposed zone change. There is an existing 12" main on the west side of the property paralleling 15<sup>th</sup> Street approximately 5' behind the curb and a 12" main in Best Avenue. There are two 2" services currently stubbed in to the property as well as a 6" Fireline stub. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
- A16. The nearest public sanitary sewer is located in 15<sup>th</sup> Street to the west of subject property. The Subject Property is within the City of Coeur d'Alene and is in accordance with the 2023 Sewer Master Plan. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this zone change request as proposed.
- A17. Fire department access to the site (road widths, surfacing, maximum grade and turning radiuses), and fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance.
- A18. The Police Department does not have concerns with the proposed zone change.
- A19. The site is generally flat and has a slight slope to the east. The site is vacant, and is in a natural state with grass and trees located on it.
- A20. The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the application shows eight fueling positions (four pumps) in the site plan, as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips. It is unlikely that this use will adversely affect traffic on 15<sup>th</sup> Street.
- A21. 15<sup>th</sup> Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15<sup>th</sup> Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15<sup>th</sup> Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Ave intersection.
- A22. Both the NC and C17 zoning districts have design guidelines, performance standards, and parking requirements to minimize impacts to neighboring properties.
- A23. Per the applicant's narrative and testimony, the owner intends to develop a project with

design aspects to be a good neighbor, such as using a low-profile signs, no LED reader boards, limiting the number of fuel stations, and turning off fuel canopy lights after 11:00pm.

**B. CONCLUSIONS OF LAW:**

**Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.**

- B1. This proposal **(is) (is not)** in conformance with the Comprehensive Plan Goals, Objectives, and Policies.
- B2. Public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
- B3. The physical characteristics of the site **(do) (do not)** make it suitable for the request.
- B4. The proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and or existing land uses

**C. DECISION**

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested zone change does comply with the required evaluation criteria and recommends that the City Council (does) (does not) adopt the C-17 zoning.

***(NOTE: The Planning and Zoning Commission may also recommend conditions for this zone change request where such conditions are required to ensure that the proposed uses of the area are consistent with the community needs and its public health, safety and general welfare.)***

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Findings and Order.

**ROLL CALL:**

Commissioner Fleming	Voted
Commissioner Ingalls	Voted
Commissioner Luttrupp	Voted
Commissioner Coppess	Voted
Commissioner McCracken	Voted
Commissioner Ward	Voted
Chairman Messina	Voted

Motion to approve carried by a \_\_\_\_\_ to \_\_\_\_\_ vote.