

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

MARCH 10, 2015

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Jordan, Bowlby, Ingalls, Luttrupp, Messina, Ward, O'Brien (Student Rep.) Cousins (Alt. Student Rep.)

APPROVAL OF MINUTES:

February 10, 2015

PUBLIC COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: Miller Development
Location: 3113 N. Government Way
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to C-17 (Commercial at 17 units/acre) zoning district.
QUASI-JUDICIAL, (ZC-1-15)
2. Applicant: Dorothy Dahlgren, Director Museum of North Idaho
Location: 332 N. Hubbard Avenue
Request: A proposed Community Assembly/Religious Assembly special use permit in the R-8 (Residential at 8 units/acre) zoning district.
QUASI-JUDICIAL, (SP-1-15)
3. Applicant: City of Coeur d'Alene
Location: Burlington Northern Railroad
Request: A proposed annexation from County Industrial to City C-17 (Commercial at 17 units/acre) zoning district
LEGISLATIVE, (A-1-15)

ADJOURNMENT/CONTINUATION:

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

****The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



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**PLANNING COMMISSION
MINUTES
FEBRUARY 10, 2015
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Michael Ward
Peter Luttrupp
Tom Messina
Jon Ingalls
Cole O'Brien, Student Rep.

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Sean Holm, Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT:

Christian Cousins, Alt. Student Rep.

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Ingalls, seconded by Luttrupp, to approve the minutes of the Planning Commission meeting on January 13, 2015. Motion approved.

STAFF COMMENTS:

Community Planning Director Anderson stated that staff is looking at requiring site limits to the pocket housing ordinance. She announced that a workshop has been scheduled for the Four Corners/BLM Corridor on February 25th at 6:00 p.m. in the Community Room at the library.

Commissioner Luttrupp commented that he read an article stating that Community Planning Director Anderson recently attended a conference in Nashville and inquired if Ms. Anderson could explain what the conference was about.

Planning Director Anderson responded that she was given the opportunity, along with Nicole Kahler, Project Manager for Coeur d'Alene 2030 Visioning project, to attend an all-expense paid trip to Nashville for America's Best Communities prize contest. She explained that Coeur d'Alene was chosen out of two communities for the opportunity to apply for a \$50,000 economic revitalization grant. She stated that this would be a great opportunity for the city.

PUBLIC COMMENTS:

None

PUBLIC HEARINGS:

1. Applicant: CDA Cottage Company
Location: 1008 Davidson Avenue
Request: A proposed 4-lot preliminary plat "E. Davidson Addition"
QUASI-JUDICIAL, (S-1-15)

Planner Holm presented the staff report and answered questions from the Commission.

Commissioner Bowlby commented that there is a pocket housing project close to where she lives and inquired how the applicant will manage the snow load.

Planner Holm explained that the homeowner's association will be required to take care of the snow removal as this is a private street.

Commissioner Ingalls commented the staff report explains how density is calculated for this project and inquired if staff is concerned with the reduced lot size.

Planner Holm stated that staff gets concerned if the setbacks can't be made, but based on these calculations, the required setbacks will be met.

Commissioner Ingalls stated that two of the lots facing Davidson have frontage, but the lots further back don't, and questioned how it's determined what is the front and back for these lots.

Planner Holm explained that the internal boundaries are used to determine the front and back of the lot.

Public testimony open:

Eric Olson, applicant representative, stated that the homeowner's association will be responsible for the snow removal which will be placed in the swales. He stated that the vision of the developer was to create a courtyard appearance for this project. This parcel is perfect for this type of development and will be a win/win for the city and future buyers.

Commissioner Ingalls asked if the applicant is agreeable with the conditions listed in the staff report.

Mr. Olson stated that the applicant accepts the conditions in the staff report.

Commissioner Ingalls inquired if the lots could be combined to form one homeowners association.

Mr. Olson stated that he would bring that suggestion back to the applicant. He concurred it would make sense to combine the lots.

Gibson Blankenship inquired if the applicant will install a fence between the properties since the existing fence is in bad shape, and if an old maple tree could be removed to help clean up the lot.

Lorin Perrotta stated that he is concerned that this development will have a negative impact to his property value and how close the homes will be to each other.

Rebuttal:

Mr. Olson stated that the developer intends to place a 6 foot fence in the back of the property and will discuss with the applicant the issue of the maple tree. He sympathizes with the concerns of the neighbors and that it is the wishes of the developer to make this a high-end project, just like the other housing developments he has done in the city.

Public testimony closed.

Commissioner Bowlby stated that there is a very nice housing development similar to the one proposed that looks great. She understands the neighbors concerned but is confident that this applicant will produce a high end project as done in the past.

Motion by Ingalls, seconded by Ward, to approve Item S-1-15. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

- 2. Applicant: CDA Cottage Company
- Location: 1018 Davidson Avenue
- Request: A proposed 3-lot preliminary plat "W. Davidson Addition"
QUASI-JUDICIAL (S-2-15)

Planner Holm presented the staff report. There were no questions for staff.

Public testimony open:

Eric Olson, stated that this is similar to the last request and asked if the commission had any questions.

Commissioner Ingalls inquired if the applicant would be acceptable to a seventh condition for a 6 ft. fence.

Mr. Olson stated that he is confident if the property needs a fence, the applicant will put one on the property.

Linda Perry stated that her sunlight and privacy will be affected if this property is built and is concerned her property values will be affected. She commented that her home is over 100 years old and if this project is approved, she is asking the developer to buy her property since it won't have any value.

Commissioner Messina stated that he is sympathetic to her feelings but explained that from looking at the site plan, he estimated 38 feet between her home and the proposed building. He stated that the developer will also provide a fence that will give some added privacy.

Commissioner Ingalls commented he feels that this developer is going to provide an upscale development for this property compared to someone else who buys the property that could build a duplex or triplex that would not be as appealing. This is an R-12 zoning district.

Bill Barr stated that he lives in the house on top of the hill and in the past has witnessed many accidents from the road being too narrow. He also commented there are a lot of children in the area and he is concerned about their safety.

Rebuttal:

Mr. Olson stated that he feels the wishes of the developer is to be a good neighbor and if there are any concerns to please contact him to go over the issues.

Public testimony closed.

Motion by Ingalls, seconded by Luttrupp, to approve Item S-2-15. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 6:50 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: LORI BURCHETT, PLANNER
DATE: MARCH 10, 2015
SUBJECT: ZC-1-15 – REQUEST FOR A ZONE CHANGE FROM R-12 TO C-17 ZONING DISTRICT
LOCATION: A ± 1.78-ACRE PARCEL AT 3113 GOVERNMENT WAY AND LEGALLY DESCRIBED AS **PARCEL 1:** THE SOUTH HALF OF LOT 5, AND NORTH 35 FEET OF LOT 4, THOMAS ADDITION. **PARCEL 2:** THE EAST HALF OF THE NORTH HALF OF LOT 5, AND THE EAST HALF OF THE SOUTH HALF OF LOT 6, THOMAS ADDITION.

APPLICANT:
Miller Development Group, LLC
2900 N. Government Way, Suite 310
Coeur d'Alene, ID 83815

PROPERTY OWNER(S):
Same as Applicant

DECISION POINT:

Miller Development Group, LLC is requesting approval of a proposed zone change from R-12 (Residential at 12 units/acre) to C-17 (Commercial at 17 units/acre) zoning district.

GENERAL INFORMATION:

The applicant has applied for a zone change from Residential 12 (R-12) to Commercial 17 (C-17). The future intent of the property is to develop ministorage.





REQUIRED FINDINGS:

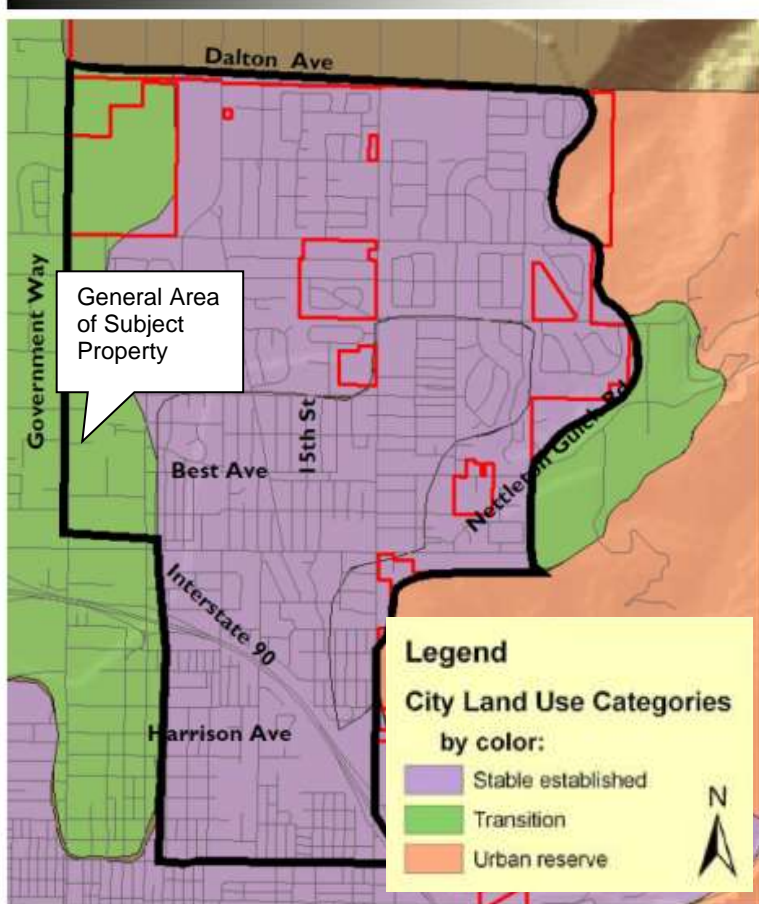
A. **Finding #B8A:** The proposal (is) (is not) in conformance with the Comprehensive Plan.

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as North East Prairie~ Transition

Use: NE Prairie Transition:

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

Land Use: NE Prairie



NE Prairie Today

This area is composed of a variety of zoning districts with a majority of residential density at three to eight units per acre (3-8:1). Lower density development becomes more prominent moving north. The NE Prairie provides a range of housing choices that includes a number of large recreation areas and small pocket parks.

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

NE Prairie Tomorrow

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

The characteristics of NE Prairie neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

2007 Comprehensive Plan Goals and Objectives that apply:

Goal #1: Natural Environment

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

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 1.16

Connectivity:

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

Goal #2: Economic Environment

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

Objective 2.01

Business Image and Diversity:

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

Objective 2.04

Downtown & Neighborhood Service Nodes:

Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city.

Objective 2.05

Pedestrian & Bicycle Environment:

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

Goal #3: Home Environment

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

Objective 3.01

Managed Growth:

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

Objective 3.05

Neighborhoods:

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

Objective 3.06

Neighborhoods:

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

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.10

Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.11

Historic Preservation:

Encourage the protection of historic buildings and sites.

Goal #4: Administrative Environment

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

Objective 4.06

Public Participation:

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

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

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

STAFF COMMENTS:

WATER: The property currently has a single domestic water service extended from Government Way. Future development of the property will require extension of adequate water facilities but is not required for the proposed zone change.

-Submitted by Terry Pickel, P.E., Assistant Water Superintendent (2/27/2015)

STORMWATER

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

TRAFFIC/STREETS

The ITE Trip Generation Manual does not categorize storage facilities; therefore, volume

estimates for the project are unavailable. However, vehicle movements to/from facilities of this nature tend to be sporadic in nature and not concentrated during peak vehicle movement times.

Evaluation:

As a component of the site development, the developer in conjunction w/ the City, will be constructing 2nd Street to a full street section along the easterly boundary of the subject property between Anton and Neider Avenues. This connection will provide for multiple access links to arrive and depart the proposed facility. Also, the fact that Neider Avenue to the north is fully signalized will facilitate traffic movements off of 2nd Street. With this roadway and the adjacent connecting streets, traffic volumes should transition smoothly from the area.

-Submitted by Chris Bates, Engineering Project Manager (3/3/2015)

FIRE

The Fire Department has no comments or conditions attached to this zone change request. Any and all requirements per the International Fire Code 2012 Edition shall be reviewed and assessed during the permit process.

-Submitted by Bobby Gonder, Fire Inspector (2/24/2015)

WASTEWATER: The Wastewater Utility has no objections to this Zone Change as proposed. Any wastewater conditions will be addressed during the permitting process.

-Submitted by Mike Becker, Utility Project Manager (2/24/2015)

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

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

PHYSICAL CHARACTERISTICS:

There are no topographical or other physical constraints that would make the subject property unsuitable for the request.



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:

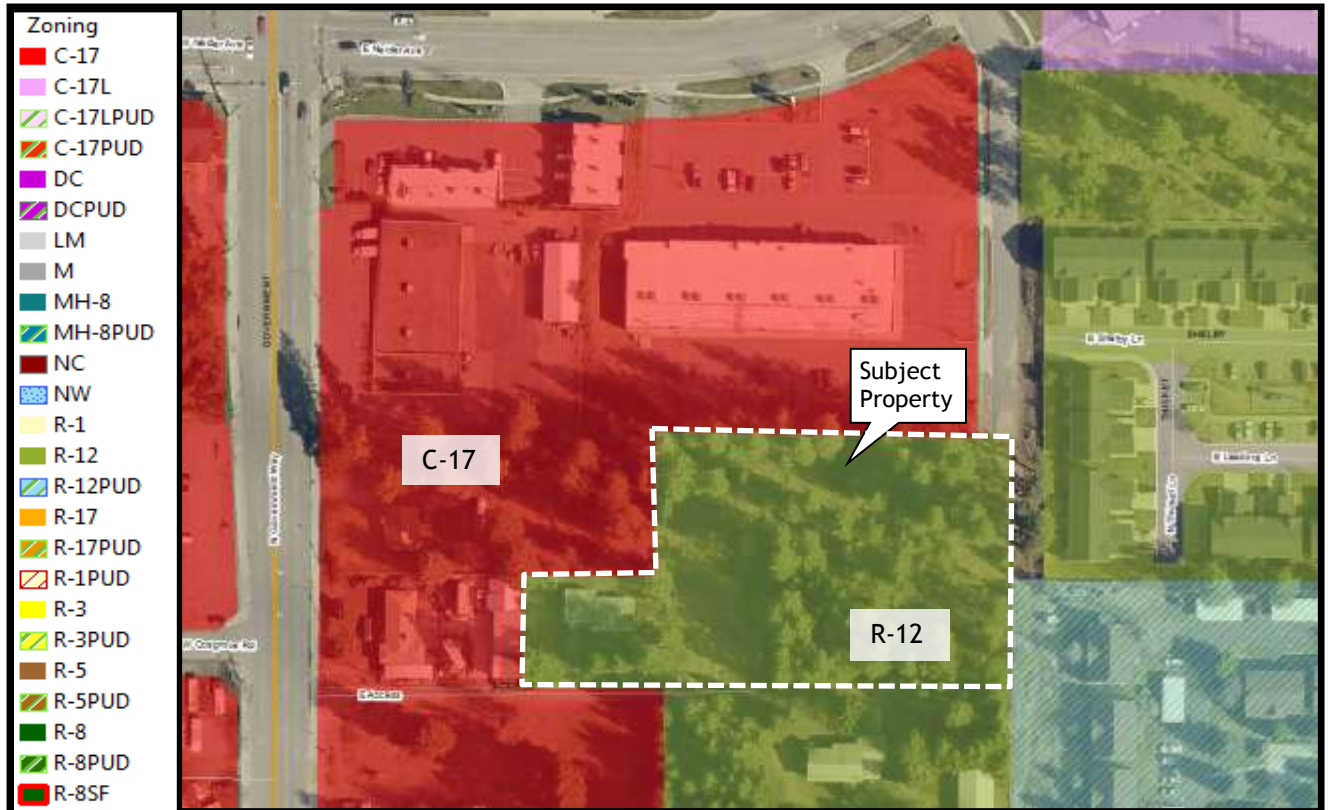
The proposed zone change will not impact traffic generation from the subject property.

3. Photo from Government Way towards subject property access road:



EXISTING LAND USES

4. Zoning:



Existing Residential 12 (R-12) Zoning District

This district is intended as a residential area that permits a mix of housing types at a density of not greater than 12 dwelling units per gross acre.

This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

<i>Principal uses</i>	<i>Accessory uses</i>	<i>Special Use Permit</i>
single family housing	carport, garage and storage structures (attached or detached)	boarding house
duplex housing	private recreation facility (enclosed or unenclosed)	child care facility
pocket housing	accessory dwelling unit	community assembly
home occupations as defined in Sec. 17.06.705		community education
essential services (underground)		community organization
civic administrative offices		commercial recreation
neighborhood recreation		convenience sales
public recreation		essential service (above ground)
single family housing		>6 ft. fence to enclose game area
duplex housing		handicapped or minimal care facility
pocket housing		juvenile offenders facility
home occupations as defined in Sec. 17.06.705		noncommercial kennel
essential services underground)		religious assembly
civic administrative offices		restriction to single family
neighborhood recreation		2 unit per gross acre density increase (only for pocket housing)
		bed & breakfast facility
		group dwelling – detached housing
		commercial film production
		boarding house
		child care facility
		community assembly
		community education
		community organization
		commercial recreation
		convenience sales

Proposed Commercial 17 (C-17) Zoning District:

This 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 17 units per gross acre.

Principal Uses

This district should be located adjacent to arterials; however, joint access developments are encouraged.

<i>Principal Uses</i>		<i>Special Use Permit</i>	<i>Parking</i>
Residential Activities	Sales Activities	Residential Activities	Single Family & Duplex
single family housing (as specified in the R-8 district)	ag. supplies & commodity sales	residential density at R-34	2 paved off-street spaces for each unit.
duplex housing (as specified in the R-12 district)	automobile & accessory sales		
pocket residential	business supply retail sales	Civic Activities	Pocket
multiple family (as specified in the R-17 district)	construction retail sales	criminal transitional facility	1 space for each 1 bedroom unit. 2 paved spaces for 2+ bedrooms.
home occupation	convenience sales	extensive impact	
boarding house	department stores	wireless communication facility	Multi-Family
group dwelling	farm equipment sales		studio: 1 paved spaces are required for each unit.
	food & beverage sales, (on & off site consumption)	Service & Sales Activities	1 bedroom: 1.5 paved spaces are required for each unit.
Civic Activities	retail gasoline sales	adult entertainment service & sales	2+ bedroom: 2 paved spaces are required for each unit.
child care facility	home furnishing retail sales	auto camp	
community assembly	finished goods retail sales	veterinary office utilizing some outdoor space	General commercial uses
community education	specialty retail sales		retail sales (non-restaurant): 1 paved off-street space for each 330 sq. ft. of gross floor area.
community organization	Service Activities:	Wholesale & Industrial Activities	restaurant: 1 sp. /330 or 1 sp. / 200 if over 1000 sq. ft. of floor area.
essential service	administrative & professional offices	custom manufacturing	office 1 space / 330 sq. ft. of floor area.

handicapped or minimal care facility	automotive fleet storage	underground bulk liquid fuel storage
hospital / health care juvenile offenders facility	automotive parking automobile rental	warehouse/storage
neighborhood recreation	automobile repair & cleaning	
nursing/ convalescent homes	banks & financial institutions	
public recreation	building maintenance service	
rehabilitative facility	business support service	
religious assembly	commercial film production	
Accessory Uses	commercial recreation	
carport, garage and storage structures (attached or detached)	communication service	
private recreation facility (enclosed or unenclosed)	consumer repair service	
management office	convenience service	
open areas and swimming pools	funeral service	
temporary construction yard	general construction service	
temporary real estate office	group assembly	
apartment for resident caretaker	kennels: commercial & noncommercial	
accessory dwelling unit	laundry service	
	motel/hotel	
	mini-storage facility	
	personal service establishments	
	veterinary clinic (indoor)	
Commercial Design Guidelines		
Some items affected: sidewalk width/design, street trees/buffer yards, landscaping, windows/blank walls, entrances facing street.		

Previous actions:



Generalized land use:



Existing/adjacent land uses:

The existing land uses in the area are primarily single-family, commercial uses, RV park, and some vacant properties.

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

APPLICABLE CODES AND POLICIES:

Utilities

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

Streets

3. All new streets shall be dedicated and constructed to City of Coeur d'Alene standards.
4. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

Stormwater

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

PROPOSED CONDITIONS: None from Engineering.

PROPOSED CONDITIONS: None

ORDINANCES & STANDARDS USED FOR EVALUATION:

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

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**

PROPERTY INFORMATION

- 1. Gross area: (all land involved): 1.947 acres, and/or _____ sq.ft.
- 2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 1.788 acres, and/or _____ sq. ft.
- 3. Total number of lots included: 2 parcels
- 4. Existing land use: 1 single family resident, mostly vacant
- 5. Existing Zoning (check all that apply): R-1 R-3 R-5 R-8 **(R-12)** R-17 MH-8
NC CC C-17 C-17L DC LM M
- 6. Proposed Zoning (check all the apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
NC CC **(C-17)** C-17L DC LM M

JUSTIFICATION

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

This project would provide for objectives 1.11, 1.12, and 1.14 of
of Goal 1, objective 2.04 of Goal 2, and objectives 3.01, 3.08, and
3.10 of Goal 3. It does this by providing a complementary use to
adjoining developments that have a sizeable population density. This
development will also allow flexibility for people in transitional
housing situations by providing nearby storage and access to person-
al items. The requested zoning matches existing zoning to the North,
West, and South while maintaining 2nd Street as a transitional
buffer to high-density residential use.

Note: The 2007 Comprehensive Plan is available by going to www.cdavid.org under Departments / Planning

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

A. INTRODUCTION

This matter having come before the Planning Commission on, March 10, 2015 , and there being present a person requesting approval of a proposed zone change from R-12 (Residential at 12 units/acre) to C-17 (Commercial at 17 units/acre) zoning district.

APPLICANT: MILLER DEVELOPMENT GROUP, LLC

LOCATION: A ± 1.78-ACRE. PARCEL AT 3113 GOVERNMENT WAY AND LEGALLY DESCRIBED AS **PARCEL 1:** THE SOUTH HALF OF LOT 5, AND NORTH 35 FEET OF LOT 4, THOMAS ADDITION. **PARCEL 2:** THE EAST HALF OF THE NORTH HALF OF LOT 5, AND THE EAST HALF OF THE SOUTH HALF OF LOT 6, THOMAS ADDITION

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

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

- B1. That the existing land uses are primarily single-family, commercial uses, RV park, and some vacant properties.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-12 (Residential at 12 units/acre) zoning district.
- B4. That the notice of public hearing was published on, February 21, 2015, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, February 25, 2015, which fulfills the proper legal requirement.
- B6. That 141 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 20, 2015.
- B7. That public testimony was heard on March 10, 2015.

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

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use. This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available and adequate to the property?

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

Criteria to consider for B10:

1. Topography
2. Streams
3. Wetlands
4. Rock outcroppings, etc.
5. vegetative cover

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

Criteria to consider for B11:

1. Traffic congestion
2. Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed
3. Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of MILLER DEVELOPMENT GROUP, LLC for a zone change, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION
STAFF REPORT**

FROM: LORI BURCHETT, PLANNER
DATE: MARCH 10, 2015
SUBJECT: SP-1-15 –REQUEST FOR A COMMUNITY ASSEMBLY/RELIGIOUS ASSEMBLY SPECIAL USE PERMIT IN THE R-8SF ZONING DISTRICT.
LOCATION: A ±0.241 ACRE PARCEL LOCATED AT 322 HUBBARD IN SHERMAN PARK ADDITION.

APPLICANT:
Dorothy Dahlgren, Museum of North Idaho
P.O. Box 812
Coeur d’Alene, ID 83816

PROPERTY OWNER(S):
Same

DECISION POINT:

The Museum of North Idaho is requesting approval of a Community Assembly and Religious Assembly Special Use Permit in the Residential 8-SF zoning district. The request, if granted, would allow the applicant to continue its current uses and construct a detached accessory structure (restroom facility).

GENERAL INFORMATION:

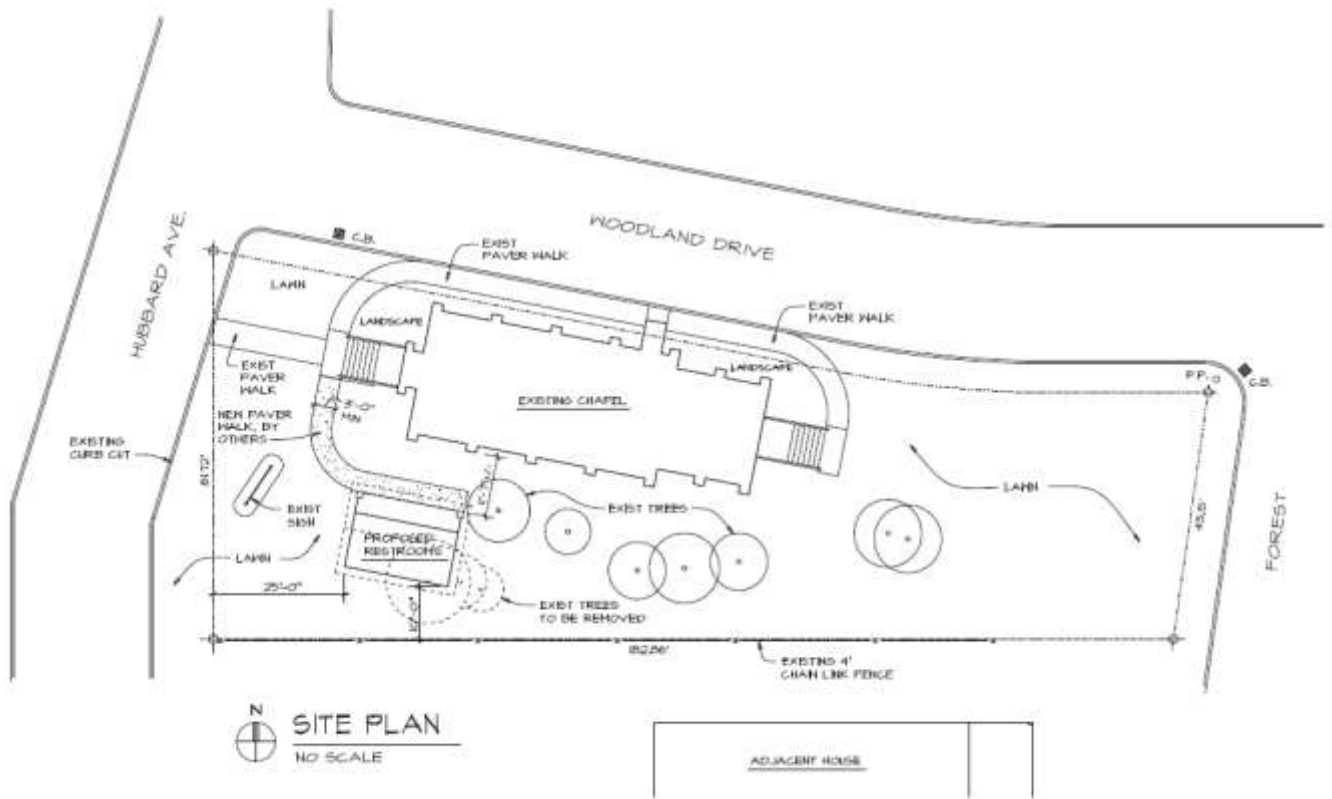
The applicant has applied for a special use permit to continue its current use of the facility as community and religious assembly. The church facility was built in 1880 and is a historic structure.



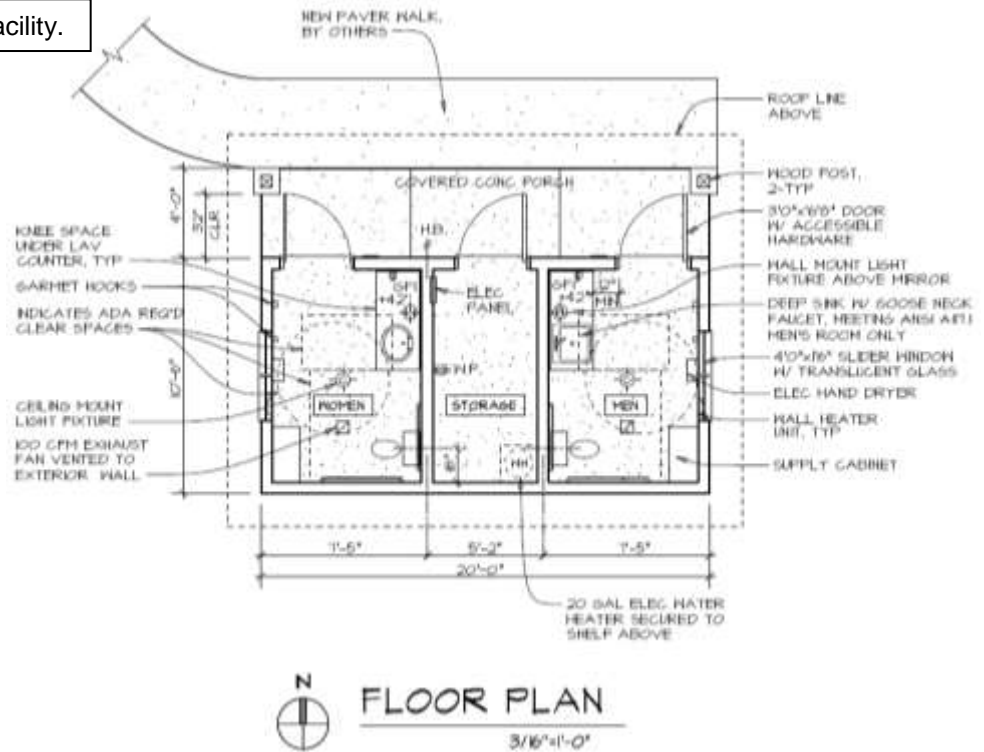
The Chapel has been continuously used for religious assembly and community assembly for several years. Based on a

review by planning staff in 2010, these uses are considered to be legal non-conforming. Prior to the adoption of the current zoning ordinance in 1982, the property was zoned R-1, which allowed Community Assembly and Religious Assembly uses “by right.” Because these uses pre-date the 1982 change in zoning regulations, they may be continued, subject to the City’s nonconforming use regulations, unless the uses have been “abandoned.” A use will be considered abandoned if the use of the structure for its designed purpose is discontinued for a period greater than ten years. According to information provided to staff, including financial records, newspaper advertisements, letters, and rental/use history, it appears that at the time of the 1982 zoning change the chapel was being used by the Unity Church of North Idaho as its meeting place. Other religious groups and associations have occupied this space since and continued similar religious and community meeting uses.

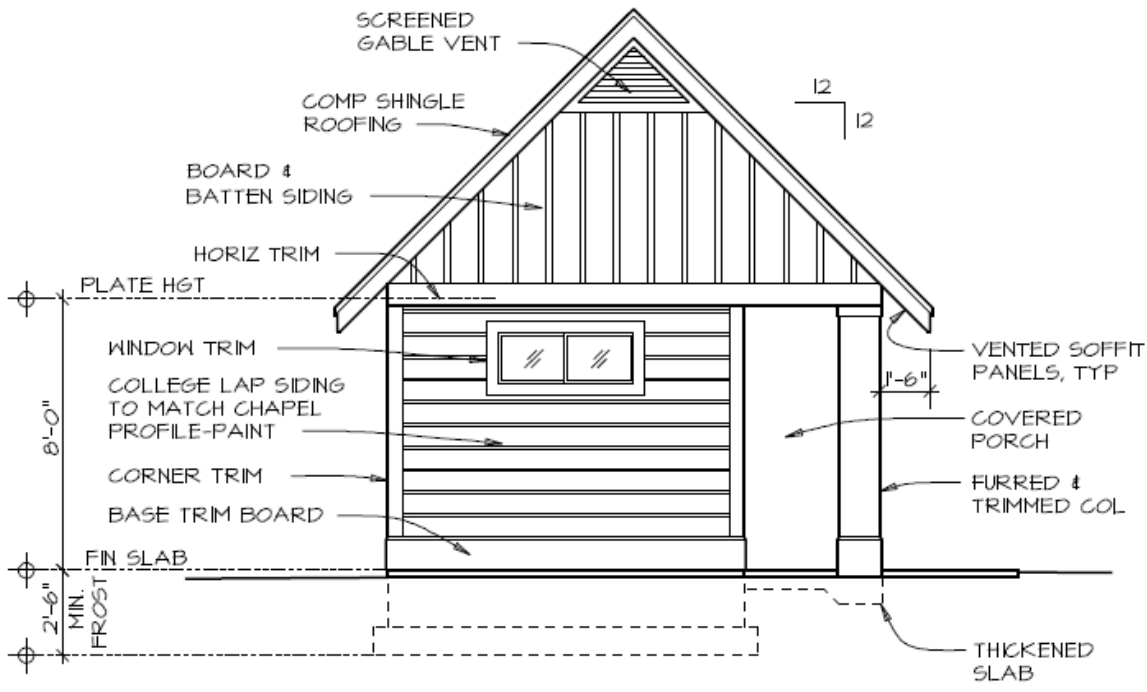
Site plan showing area of request.



Site plan of future restroom facility.

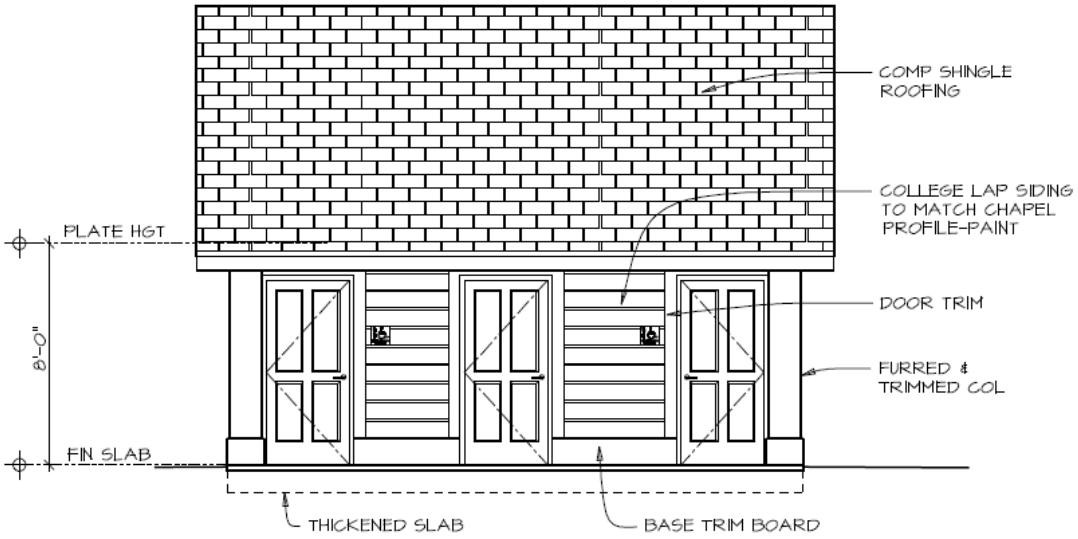


East Elevation of future restroom facility.



EAST ELEVATION

North Elevation of future restroom facility.



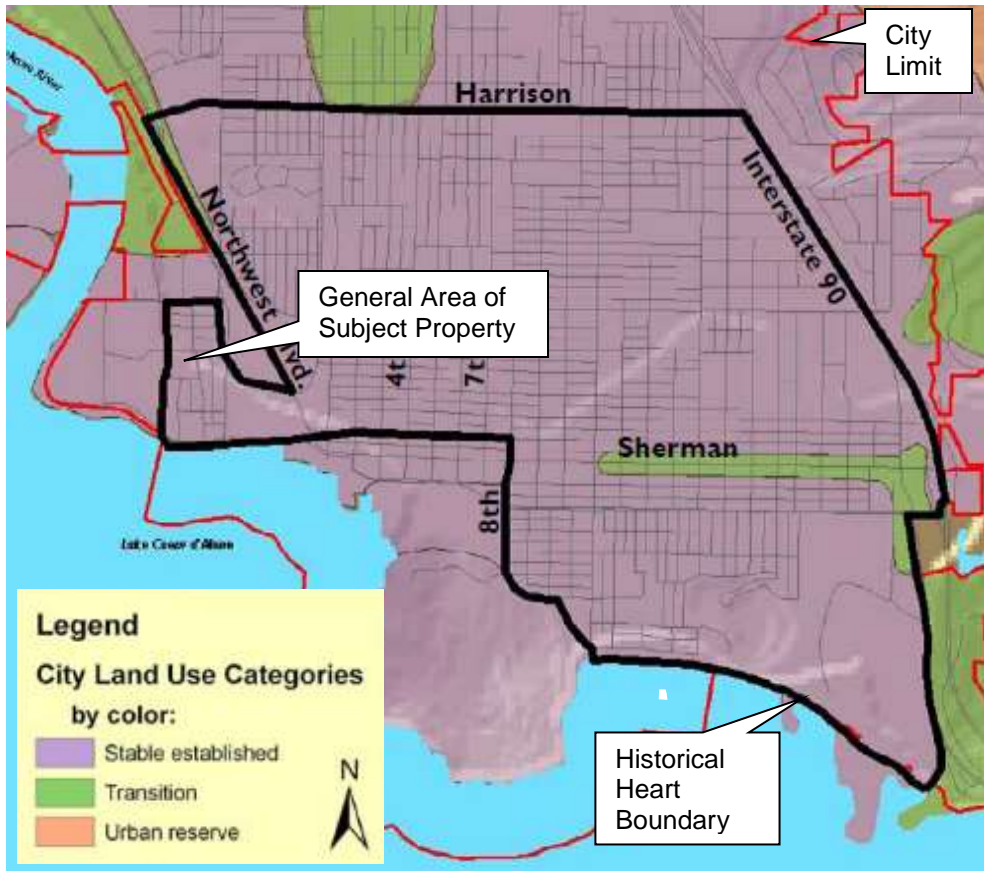
NORTH ELEVATION

REQUIRED FINDINGS:

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

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

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as Historical Heart-Stable Established:



Land Use: Historical Heart

Stable Established:

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

Historical Heart Today:

The historical heart of Coeur d'Alene contains a mix of uses with an array of historical residential, commercial, recreations, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys in the norm in this area. Neighborhood schools and parks exist in this

location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

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

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

Historical Heart Tomorrow

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

Northwest Boulevard and I-90 are gateways to our community and should reflect a welcoming atmosphere.

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

The characteristics of Historical Heart neighborhoods will be:

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

2007 Comprehensive Plan Goals and Objectives that apply:

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 2.01

Business Image & Diversity:

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

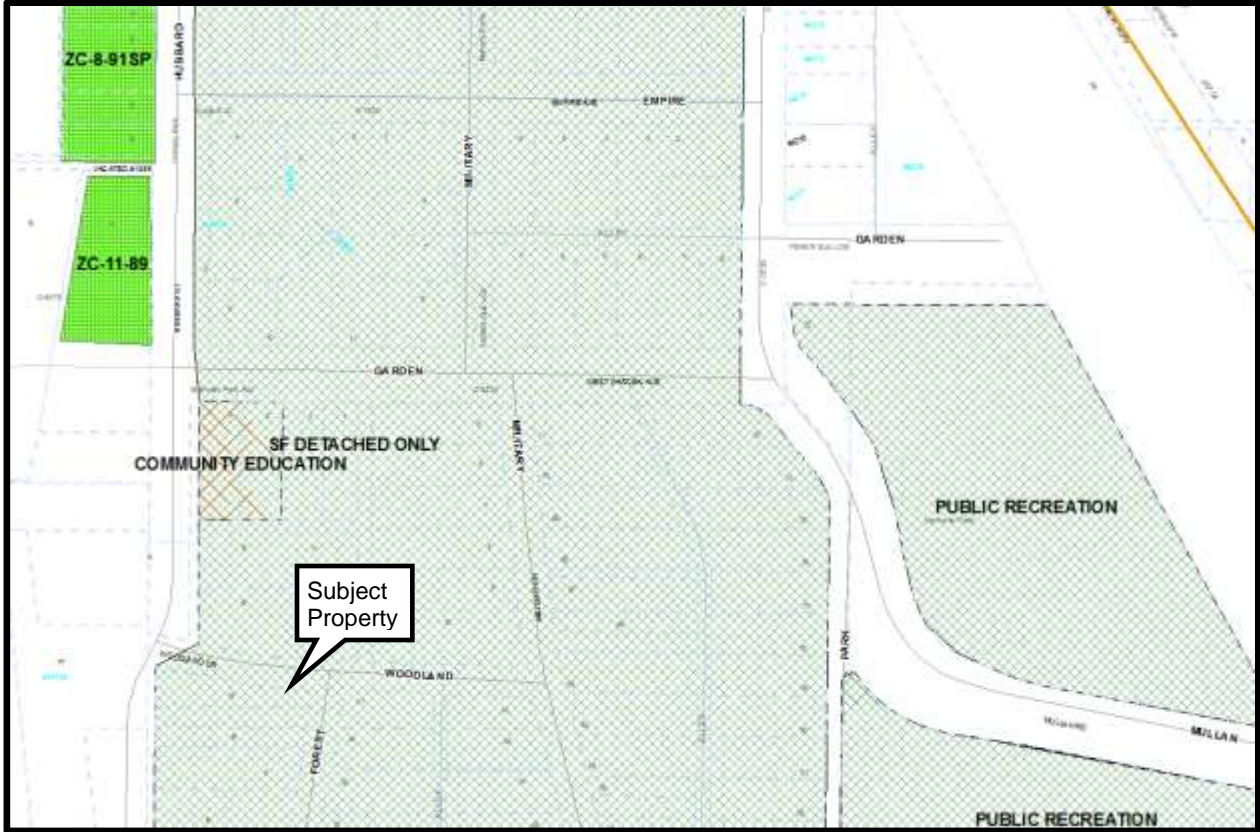
B. Finding #B8B: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

1. Location, setting, adjacent uses, & previous actions:

The area surrounding the request is relatively flat and developed with residential and civic (educational) uses. The vicinity yields two zones: Residential 8-Single Family (R-8SF) and Residential 17 (R-17) located to the west of the request (as shown on the zoning map below).

A variety of uses are located in the Fort Grounds neighborhood: single family residential, North Idaho College, and public recreation facilities are examples of uses in the vicinity of this request.

Land use decisions in the vicinity:



2. Aerial of site:



3. Photos of site:



4. Zoning:



5. Generalized land use:



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

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

STAFF COMMENTS:

WATER: Adequate water facilities are in place to provide domestic, irrigation and fire protection. No additional requirements are warranted.

-Submitted by Terry Pickel, Assistant Water Superintendent (2/27/2015)

ENGINEERING: Engineering has no objections to this Special Use Permit request. There are no proposed conditions.

-Submitted by Chris Bates, Engineering Project Manager (3/3/2015)

FIRE

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

It appears to this office the restrooms are a separate building and not attached to the existing structure. All conditions such as Fire Department access and fire flow (fire hydrants) have already been met prior to this. There will be no conditions attached to this Special Use Permit from the Fire Department.

-Submitted by Bobby Gonder, Fire Inspector (2/17/2015)

WASTEWATER: The Wastewater Utility has no objections to this Special Use Permit and presently we have adequate wastewater capacity and willingness to serve this project as proposed. Any wastewater conditions will be addressed during the permitting process.

-Submitted by Mike Becker, Utility Project Manager (2/25/2015)

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

CONDITIONS:

No staff conditions proposed.

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

ORDINANCES AND STANDARDS USED IN EVALUATION:

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

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**

JUSTIFICATION:

Proposed Activity Group(s): Community and Religious Assembly

Prior to approving a special use permit, the Planning Commission is required to make Findings of Fact. Findings of Fact represent the official decision of the Planning Commission and specify why the special use permit is granted. The **BURDEN OF PROOF** for why the special use permit is necessary rests on the applicant. Your narrative should address the following points (attach additional pages if necessary):

A. A description of your request: To bring the historic Chapel's non-conforming use into compliance with current zoning and to allow a detached restroom facility to support the chapel on going use, as depicted on site plan.

B. Explain how your request conforms to the 2007 Comprehensive Plan:
The Chapel was constructed in 1880 and is one of the original structures remaining from Ft. Sherman. Maintaining its already established use, and preservation reinforces the neighborhood's unique mix of historic, architectural and cultural features as described on page 32 of 2007 Comp. Plan. (see below).

C. Explain how the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties: As stated in Part B, the request will maintain an established use. The proposed restroom addition will be small in scale, and will reflect the architectural elements, materials & color of the historic chapel. Project will fit the scale of the neighborhood.

D. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities, and services:
The chapel sits at its original 1880 location and has been adequately served by existing streets. All utilities and services currently exist at the site.

E. Any other information that you feel is important and should be considered by the Planning Commission in making their decision.

1. Revenue received by the Museum of N.I. from the Community and Religious Assembly uses goes to a dedicated account for the ongoing preservation and maintenance of the Chapel and grounds. An accessible restroom facility will support the chapel's use into the future.
2. See also attached Chapel History narrative.

B. Con't: The Chapel & supporting uses and its context within the historic neighborhood district is an important element of the fabric making up the "Historic Heart" of CdA (pages 42 & 43 Comp. Plan)

Short Version

The Fort Sherman Chapel, built in 1880, is one of the three remaining buildings of Fort Sherman. It is the oldest church in Coeur d'Alene. For almost twenty years the chapel was used by soldiers and their families for church services, weddings and funerals. It also served as a school for children of military personnel and early residents of Coeur d'Alene in the early 1880s. The buildings on Fort Sherman were sold at a public auction on June 6, 1905. The chapel was purchased by Thomas Kerl, a Spokane businessman. From 1928, when it was sold to the Fort Ground Lutheran Church, the chapel has had several owners including the Athletic Round Table. In 1984, the ART deeded the chapel to the Museum of North Idaho. All fees from weddings and meetings in the Chapel are used to support the building.

Long version

Fort Sherman Chapel History Museum of North Idaho

The Fort Sherman Chapel, known as the "Little Red Chapel", was constructed in 1880 at an estimated cost of \$1,709.30. It was used for the post library, reading room, school and lecture hall for military science classes as well as for religious services. From 1880 to 1896 the Chapel was used continuously by the soldiers and their families serving as a place for religious services, funerals and weddings. General William T. Sherman, for whom the post was named, worshipped within its walls, while on an inspection tour in 1883.

Fort Sherman was abandoned in 1900 and in 1905 the Department of Interior put the buildings and land up for public auction. Thomas T. Kerl and his partner David Ham, prominent land developers, came from Spokane to the auction by train. Kerl brought a bodyguard with him to guard the gold he carried in his suitcase to purchase the two lots, which became the Sherman Park Addition. One of these lots contained the Chapel. In 1926 the Chapel was sold to the Fort Ground Lutheran Church. In 1928 the bell from the Central School, which had burned during the holidays, was given to the Lutheran Church for the Chapel and placed in the newly constructed belfry.

When the Fort Ground Lutheran Church no longer held services in the Chapel other denominations held their services in the Church until their own churches could be established. In 1934 the American Lutheran Church, with headquarters in Iowa, acquired the Chapel and offered the building and lot for the sum of \$750. At this time the Episcopal Church held services in the Chapel.

Local historian, Alice Nash and others lobbied local community leaders for the preservation of the Chapel beginning in 1934. By 1937 sufficient community support for the public purchase of the Chapel for use as a museum was still not forthcoming. However, an attempt by Fort George Wright in Spokane to obtain and move the Chapel, caused a storm of protest from local individuals.

In 1938 the City approved purchase of the Chapel provided the funds came from the community. The VFW pledged half of the money needed but still fell short of the target. Idaho legislation was introduced in 1939 by State Senator F. H. LaFrenz to obtain \$1,500 for the purchase and repair of the Chapel for use as a museum. The legislation failed.

In 1942 it was suggested the government buy the Chapel for use by the Navy at the Farragut Naval Training Station. Alice Nash objected to moving the building saying; "While I would hate to see the Chapel removed from its historic root, that would be preferable to seeing the citizens of Coeur d'Alene let it go to wrack and ruin (by people) who evidently prefer to expand the beer parlors rather than the historic places in the county."

In 1942 the Athletic Round Table, the City Club and Burl C. Hagadone obtained the property. The deed was held in trust by the Athletic Round Table with the intent that the structure eventually be turned over to the city. It was during the 1940s that a belfry replaced the decorative cornice.

Ron MacDonald recalls; "Well, I remember the day a real estate man by the name of W.K. Stacy came to the Athletic Round Table Club with the story that some businessman was buying the Chapel and was going to tear it down and build an apartment house on that location. The Athletic Round Table purchased the Chapel. It was in very bad shape, all the windows were broken out, and the altar had a lot of unsightly words on it. The pews were all gone, only the old organ and an old wood burning stove were left in it and the bell."

The Fort Sherman Chapel Commission was appointed in 1946 to discuss ways to preserve the Chapel. It had been suggested that the Chapel be moved to a more suitable location where it could be better maintained by the park department as well as more convenient for public visitation. Again, Alice B. Nash was trying to raise money to move the Chapel to the City Park and turn it into a museum.

In 1954 the City appointed a museum/chapel board to move the Chapel to a location south of the County Court House. The Athletic Round Table offered to present the City with the Chapel if they would move it. It was estimated that two thousand dollars would be needed to move the building and provide a new foundation. Planners expected the North Idaho Historical Society to operate a museum out of the building.

Ron MacDonald recalled that in 1961 "the Hydromaniacs provided new electrical fixtures, rewired, made new pews, and laid carpet. Ted Anderson cleaned the obscene words from the altar and redid the gold leaf. The A.R.T. replaced the front steps, porch and back steps and repainted the building with the help of a lot of beer and sandwiches from the Club. The A.R.T. hired professionals to put a new roof on and to replace some timbers underneath. A church group that rented the Chapel put in a toilet and a gas heater in lieu of rent." The Unity Church of North Idaho occupied the Chapel from 1982 to 1997.

One of the final acts of business of the Athletic Round Table was to donate this National Register of Historic Places site to the Museum of North Idaho in 1984.

A feasibility study, funded by the Idaho State Historic Preservation Office in 1990, outlines the restoration of the Chapel. Following the work plan, the roof and decking were replaced in 1990 with like materials. The original 1880 foundation was made of timber posts and by 1992 they were badly deteriorated. The building was raised off the posts and a concrete foundation was poured. The front and back steps were also replaced at this time based on research from photographs. Landscaping was completed in 2000. It was painted in 2006 including repairs to architectural elements and painting the latticework.

Please consider adding your name to the many individuals and groups who have contributed to the preservation and restoration of the Chapel. The Kootenai County Historic Preservation Commission, through the Idaho State Historic Preservation Office, the Athletic Round Table, the Idaho Heritage Trust, Unity Church of North Idaho, numerous individual donations and present and past Fort Ground residents have helped preserve this landmark. All fees from weddings and meetings in the Chapel are used to support the building.

S G N - D N - F

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

A. INTRODUCTION

This matter having come before the Planning Commission on, March 10, 2015, and there being present a person requesting approval of ITEM: SP-1-15, a request for a Community Assembly and Religious Assembly Special Use Permit in a Residential 8-SF zoning district. The request, if granted, would allow the applicant to continue its current uses and construct a detached accessory structure (restroom facility).

APPLICANT: MUSEUM OF NORTH IDAHO

LOCATION: A ±0.241 ACRE PARCEL LOCATED AT 322 HUBBARD IN SHERMAN PARK
ADDITION

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

(The Planning Commission may adopt Items B1 to B7.)

- B1. That the existing land uses are single family residential, North Idaho College, and public recreation facilities
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is R-8 (Residential at 8 units/acre).
- B4. That the notice of public hearing was published on, February 21, 2015, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on February 26, 2015, which fulfills the proper legal requirement.
- B6. That 55 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 20, 2015.
- B7. That public testimony was heard on March 10, 2015.

B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

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

Criteria to consider for B8B:

1. Does the density or intensity of the project "fit " the surrounding area?
2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

Criteria to consider B8C:

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can police and fire provide reasonable service to the property?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of the MUSEUM OF NORTH IDAHO for a special use permit, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION
STAFF REPORT**

DATE: March 10, 2015
TO: Planning Commission
FROM: Tami Stroud, Planner
SUBJECT: **A-1-15-** Annexation of +/- 9.557 acres of former railroad property lying between the east end of Mill River Subdivision and Riverstone Development.

APPLICANT: City of Coeur d'Alene **OWNER:** BNSF Railway Company
710 E. Mullan Avenue
Coeur d'Alene, ID 83815

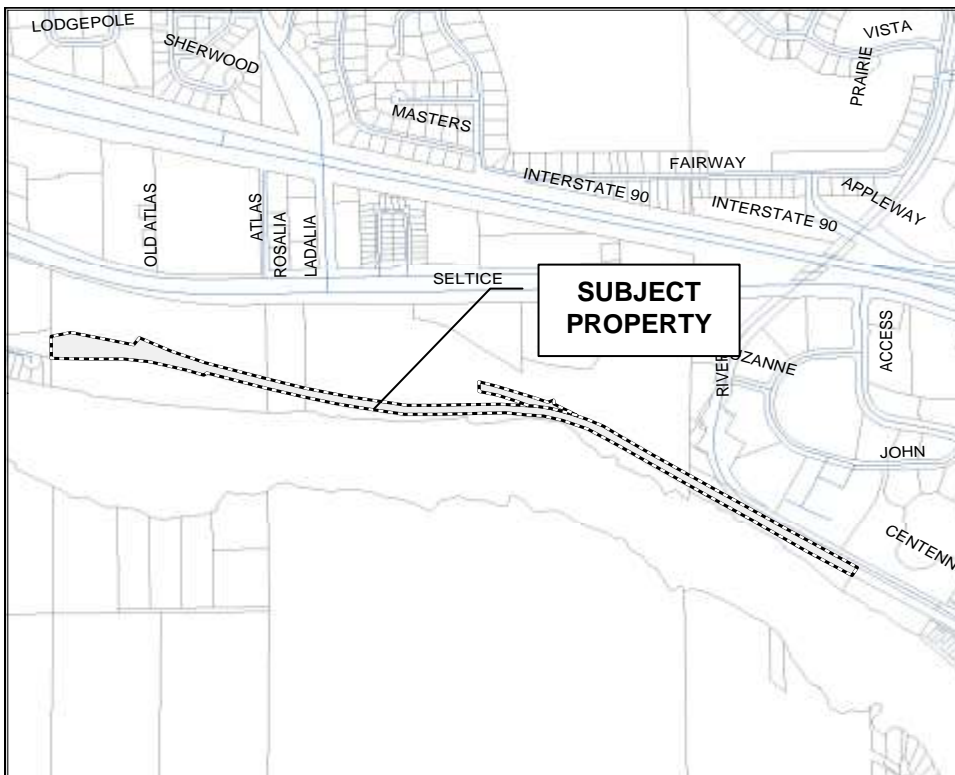
ZONING REQUEST:

The City of Coeur d'Alene is requesting zoning prior to annexation from County Industrial (I) to City C-17 (Commercial at 17 units/acre) zoning district. The property is more specifically described as a portion of the former railroad property lying between the east end of the Mill River Subdivision and the Riverstone development along the Spokane River.

DECISION POINT:

City of Coeur d'Alene is requesting approval of Zoning Prior to Annexation from County Industrial (I) to City C-17 (Commercial at 17 units/acre) zoning district.

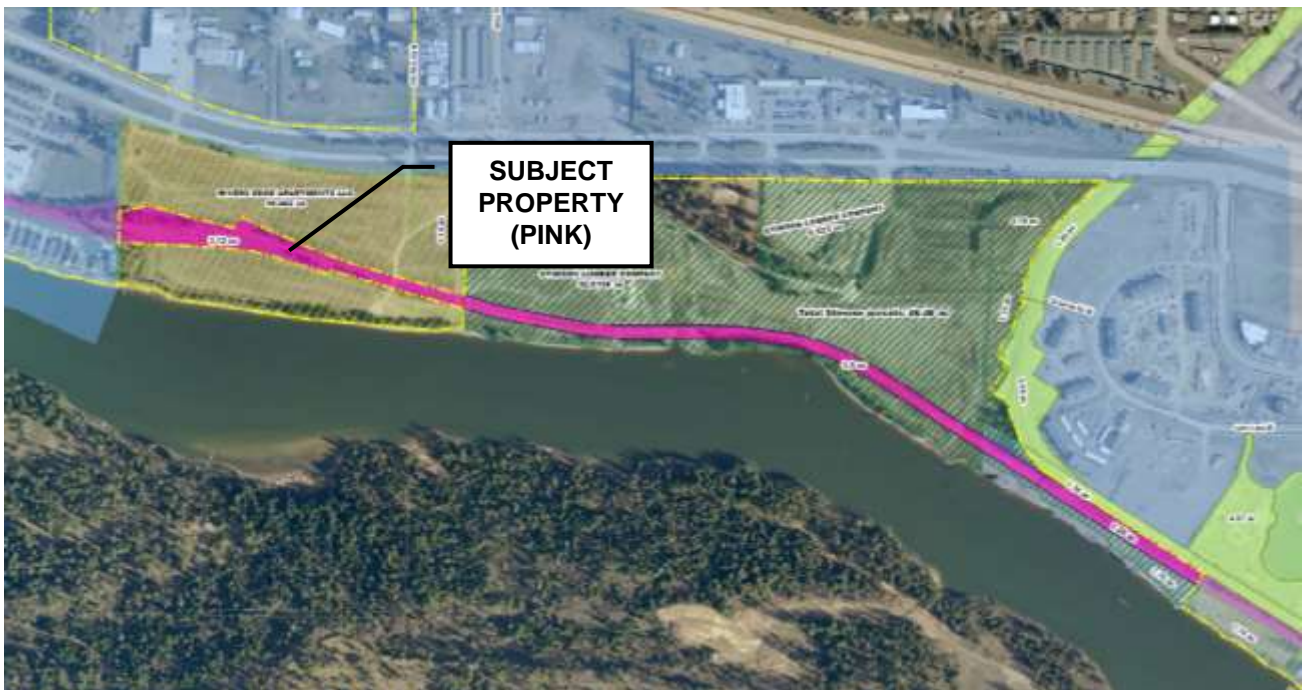
Property map:



A. SITE PHOTO (Aerial):



B. Subject property (PINK):



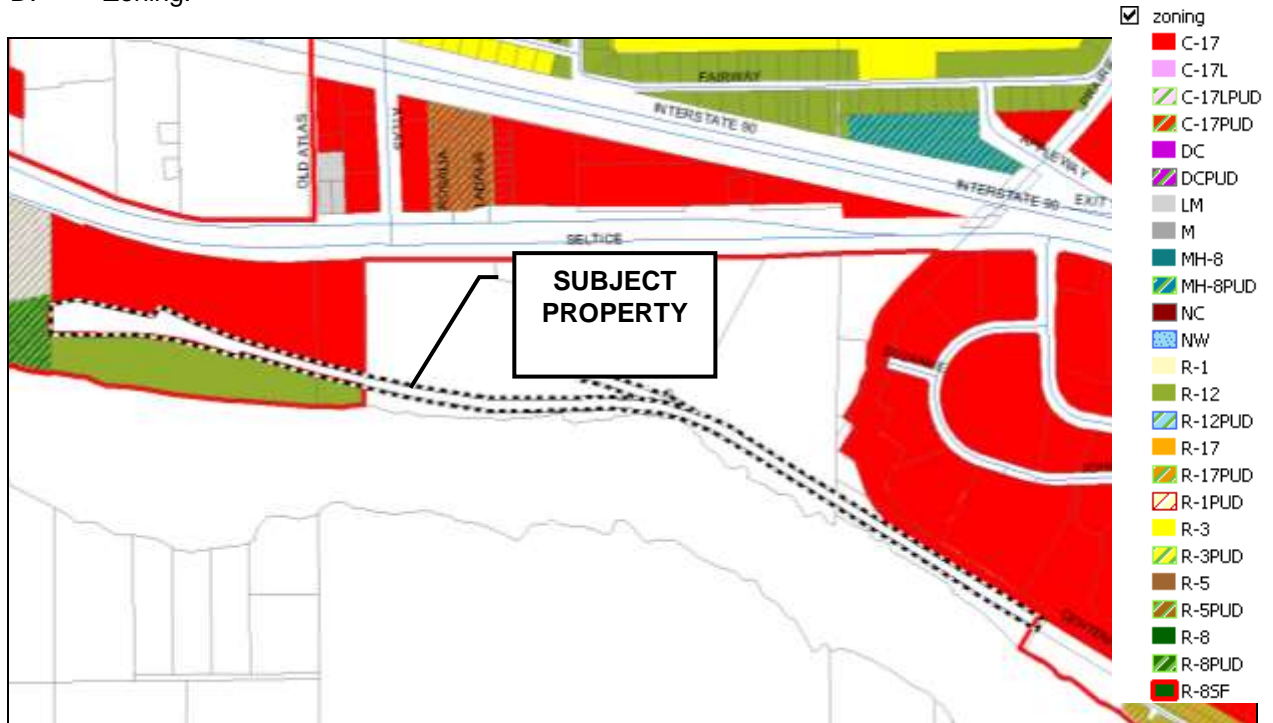
GENERAL INFORMATION:

- A. Applicant/Owner: City of Coeur d'Alene
710 E. Mullan Avenue
Coeur d'Alene, ID 81815
- B. The subject property is located on the south side of Seltice Way; previously the site of a portion of Burlington Northern Railroad.
- C. Land uses in the area include commercial to the north and across Seltice Way and Riverstone Development further to the east. Mill River Subdivision to the west. Vacant unincorporated property is to the north, and south of a portion of the subject property.

Prior actions on surrounding property:

- 1. A-1-13 – R-12 & C-17 –Washington Trust property- approved in June of 2013.
- 2. A-3-04 –C-17–+/- 77 Acre Parcel known as the Central Pre-Mix Site - approved in November of 2004.

D. Zoning:



Purpose and Intent:

The requested C-17 zoning 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. It should be located adjacent to arterials; however, joint access developments are encouraged:

Uses permitted by right:

1. Single-family detached housing (as specified by the R-8 District).
2. Duplex housing (as specified by the R-12 District).
3. Cluster housing (as specified by the R-17 District).
4. Multiple-family (as specified by the R-17 District).
5. Home occupations.
6. Community education.
7. Essential service.
8. Community assembly.
9. Religious assembly.
10. Public recreation.
11. Neighborhood recreation.
12. Commercial recreation.
13. Automobile parking when serving an adjacent business or apartment.
14. Hospitals/health care.
15. Professional offices.
16. Administrative offices.
17. Banks and financial institutions.
18. Personal service establishments.
19. Agricultural supplies and commodity sales.
20. Automobile and accessory sales.
21. Business supply retail sales.
22. Construction retail sales.
23. Convenience sales.
24. Department stores.
25. Farm equipment sales.

26. Food and beverage stores, on/off site consumption.
27. Retail gasoline sales.
28. Home furnishing retail sales.
29. Specialty retail sales.
30. Veterinary office.
31. Hotel/motel.
32. Automotive fleet storage.
33. Automotive parking.
34. Automobile renting.
35. Automobile repair and cleaning.
36. Building maintenance service.
37. Business support service.
38. Communication service.
39. Consumer repair service.
40. Convenience service.
41. Funeral service.
42. General construction service.
43. Group assembly.
44. Laundry service.
45. Finished goods wholesale.
46. Group dwelling-detached housing.
47. Mini-storage facilities.
48. Noncommercial kennel.
49. Handicapped or minimal care facility.
50. Rehabilitative facility.
51. Child care facility.
52. Juvenile offenders facility.
53. Boarding house.
54. Commercial kennel.
55. Community organization.
56. Nursing/convalescent/rest homes for the aged.
57. Commercial film production.

Uses allowed by special use permit:

1. Veterinary hospital.
2. Warehouse/storage.
3. Custom manufacturing.
4. Extensive impact.
5. Adult entertainment sales and service.
6. Auto camp
7. Residential density of the R-34 district as specified
8. Underground bulk liquid fuel storage-wholesale
9. Criminal transitional facility
10. Wireless communication facility

Evaluation:

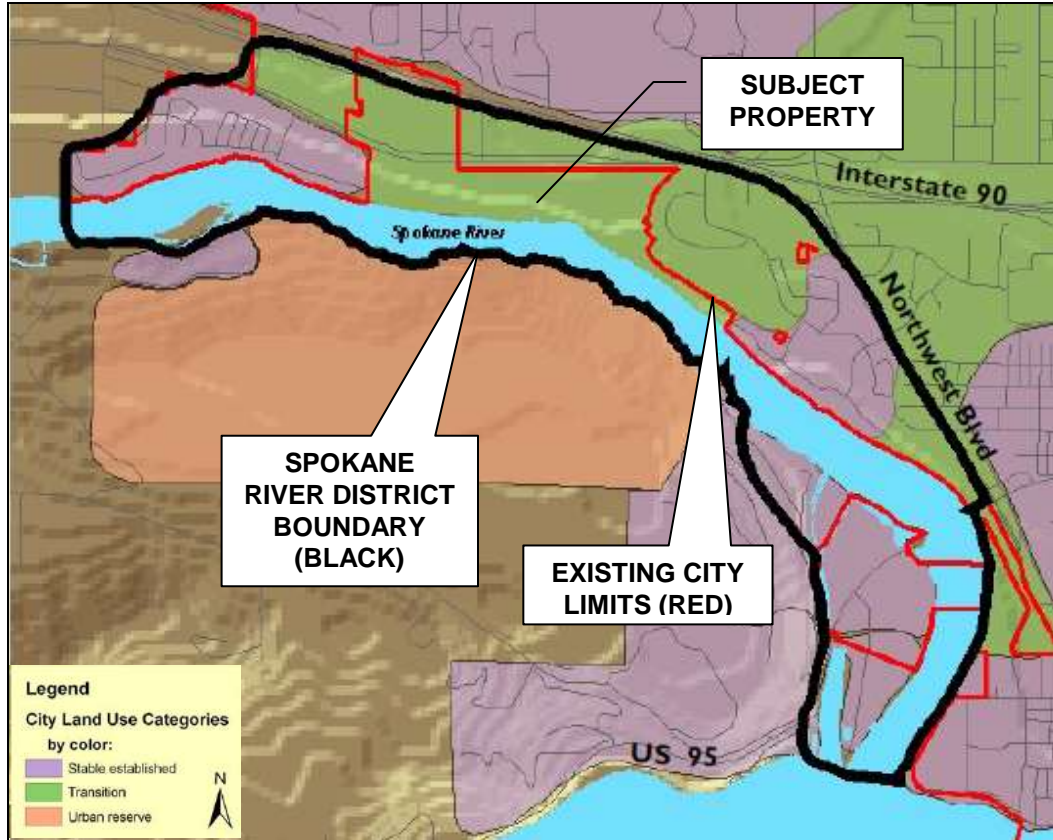
1. The requested zoning for the subject property is C-17. The C-17 (Commercial) zoning district is consistent with the neighboring properties.

REQUIRED FINDINGS:

A. Annexation findings

Finding #B8: THAT THIS PROPOSAL (IS) (IS NOT) IN CONFORMANCE WITH THE COMPREHENSIVE PLAN POLICIES

C. 2007 Comprehensive Plan - Transition – Spokane River District:



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

1. The portion of the subject property to be annexed is within the Area of City Impact Boundary.
2. The 2007 Comprehensive Plan Map designates the subject property as Transition – Spokane River District as follows:

Spokane River District Today:

The Spokane River District is in a state of flux from its historic past use as a site of four major waterfront sawmills and other industrial uses. In place of sawmills, recently subdivided property in this area along portions of the shoreline is developing into commercial, luxury residential units, and mixed use structures. Recent subdivisions aside, large ownership patterns ranging from approximately 23 to 160+ acres provide opportunities for large scale master planning. The Spokane River is now under study by federal and state agencies to determine how the quality of the water may be improved. Through coordination with neighboring communities and working with other agencies, our planning process must include protecting the quality of the water from any degradation that might result from development along the river's shores.

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

Spokane River District Tomorrow:

This area is going through a multitude of changes and this trend will continue for many years. Generally, the Spokane River District is envisioned to be mixed use neighborhoods consisting of housing and commercial retail and service activities that embrace the aesthetics of the proximity to the Spokane River. As the mills are removed to make way for new development, the river shoreline is sure to change dramatically.

The characteristics of the Spokane River District will be:

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

Significant policies:

➤ ***Objective 1.03 – Waterfront Development:***

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

➤ ***Objective 1.4 – Waterfront Development:***

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

➤ ***Objective 1.05 – Vistas:***

Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.

➤ ***Objective 1.11 – Community Design:***

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

➤ ***Objective 1.12 – Community Design:***

Support the enhancement of existing urbanized areas and discourage sprawl.

➤ ***Objective 1.16 - Connectivity:***

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

- **Objective 2.05 – Pedestrian & Bicycle Environment:**
Plan for multiple choices to live, work, and recreate within comfortable walking /biking distances.
- **Objective 3.05 - Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.13- Parks:**
Support the development, acquisition, and maintenance of property and facilities for current and future use, as described in the Parks Master Plan.
- **Objective 3.14 - Recreation:**
Encourage city-sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space, passive parks, and water access for people and boats.

Evaluation:

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

Finding #B9: THAT PUBLIC FACILITIES AND UTILITIES (ARE) (ARE NOT) AVAILABLE AND ADEQUATE FOR THE PROPOSED USE.

SEWER:

The Wastewater Utility has no objections to this Annexation as proposed. Any wastewater conditions will be addressed during the Development Project Review process.

-Comments submitted by Mike Becker, Utility Project Manager

WATER:

The water Department had no concerns with the proposed annexation.

-Comments submitted by Terry Pickel, Assistant Wastewater Superintendent

STORMWATER:

The Engineering Department had no concerns with the proposed annexation.

TRAFFIC:

The Engineering Department had no concerns with the proposed annexation.

STREETS:

The Engineering Department had no concerns with the proposed annexation.

-Submitted by Chris Bates, Engineering Project Manager

FIRE:

The Fire Department had no concerns with the proposed annexation.

-Submitted by Bobby Gonder, Fire Inspector

Finding #B10: THAT THE PHYSICAL CHARACTERISTICS OF THE SITE (MAKE) (DO NOT MAKE) IT SUITABLE FOR THE REQUEST AT THIS TIME.

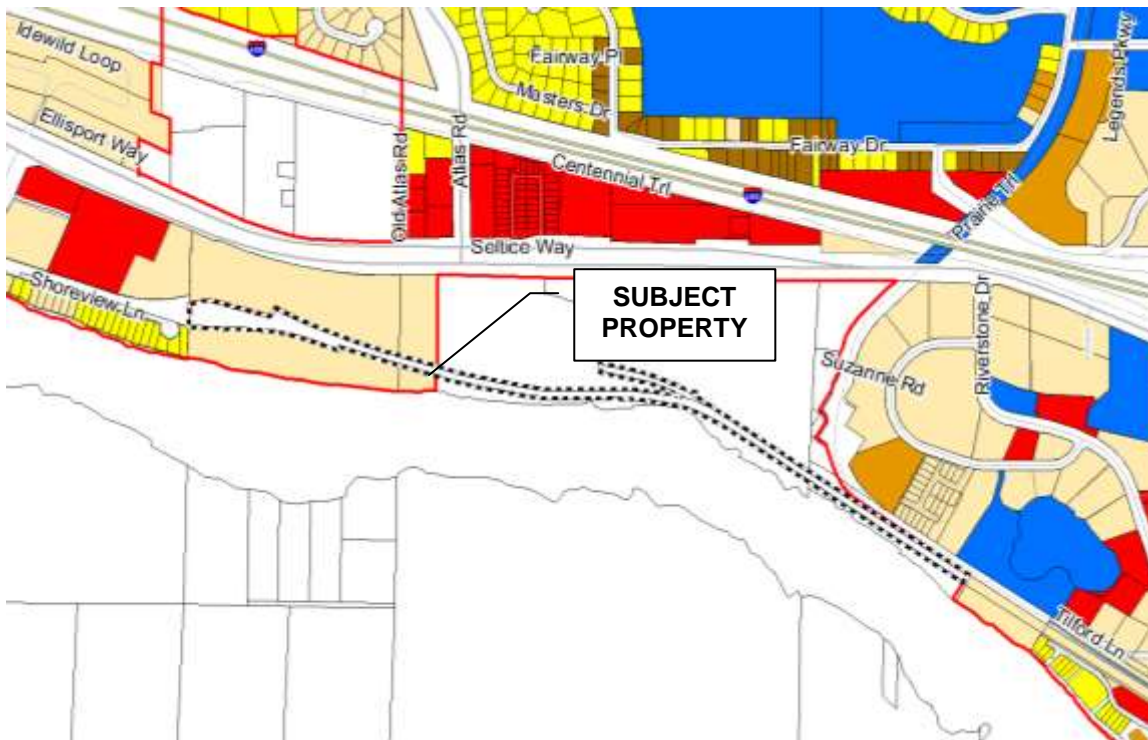
The subject property is a +/- 9 acre strip of land that runs between the west end of the Mill River subdivision and the east end of the Riverstone Development. The subject property is relatively flat and does not have any topographical issues.

Evaluation:

The physical characteristics appear to be suitable for the request at this time and the topography would not preclude development of the property.

Finding #B11: THAT THE PROPOSAL (WOULD) (WOULD NOT) ADVERSELY AFFECT THE SURROUNDING NEIGHBORHOOD WITH REGARD TO TRAFFIC, NEIGHBORHOOD CHARACTER, (AND) (OR) EXISTING LAND USES.

B. Generalized land use:



Evaluation:

The subject property was previously the site of the Burlington Northern Railroad property and is now vacant. A portion of the subject property is bordered by unincorporated industrial land previously the site of a lumber mill. The property on the western portion of the former railroad right of way bisects the former Washington Trust property which was annexed into the city in June of 2013. The property to the north of the site, and across Seltice Way is zoned C-17 (Commercial at 17 units/acre).

The subject property is adjacent to Seltice Way, which is designated as a minor arterial. The surrounding area has a diverse land use pattern ranging from single family dwellings, including a mobile home park to the west, commercial, manufacturing. If there were a neighborhood character in the area, it would be a mixture of residential, commercial and manufacturing uses that have been there for a number of years.

PROPOSED RECOMENDATIONS FOR AN ANNEXATION AGREEMENT:

NONE

ORDINANCES AND STANDARDS USED IN EVALUATION:


Comprehensive Plan - Amended 2007.
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.
Coeur d'Alene Bikeways Plan
Kootenai County Assessor's Department property records
Resolution No. 09-021, Complete Street Policy

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**



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

A. INTRODUCTION

This matter having come before the Planning Commission on March 10, 2015, and there being present a person requesting approval of ITEM: A-1-15, a request for zoning prior to annexation from County Industrial to City C-17 (Commercial at 17units/acre) zoning district.

APPLICANT: CITY OF COEUR D'ALENE

LOCATION: +/- 9.557 ACRES OF FORMER RAILROAD PROPERTY LYING BETWEEN THE EAST END OF MILL RIVER SUBDIVISION AND RIVERSTONE DEVELOPMENT.

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

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

- B1. That the existing land uses are commercial to the north and across Seltice Way and Riverstone Development further to the east. Mill River Subdivision to the west. Vacant unincorporated property is to the north, and south of a portion of the subject property.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County Industrial.
- B4. That the notice of public hearing was published on February 21, 2015, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That 88 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on February 20, 2015.
- B7. That public testimony was heard on March 10, 2015.

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

B9. That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
This is based on

Criteria to consider for B9:

1. Can water be provided or extended to serve the property?
2. Can sewer service be provided or extended to serve the property?
3. Does the existing street system provide adequate access to the property?
4. Is police and fire service available to the property?

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

Criteria to consider for B10:

1. Topography.
2. Streams.
3. Wetlands.
4. Rock outcroppings, etc.
5. vegetative cover.

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

Criteria to consider for B11:

1. **Traffic congestion.**
2. **Is the proposed zoning compatible with the surrounding area in terms of density, types of uses allowed or building types allowed?**
3. **Existing land use pattern i.e. residential, commercial, residential w churches & schools etc.**

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of THE CITY OF COEUR D'ALENE for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN