

**PLANNING COMMISSION
MINUTES
OCTOBER 13, 2020
Virtual (Zoom.us) and In-Person
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Lewis Rumpler
Peter Luttrupp

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Fleming, seconded by Ingalls, to approve the minutes of the Planning Commission meeting on September 8, 2020. Motion approved.

ENVISION CDA UPDATE:

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

- She thanked the Planning Commission for attending the leadership briefing last week with the City Council, CDA 2030 and staff.
- The leadership briefing included an update from Alex Dupey of MIG on where they are at with the project and discussed results taken from a community survey done this summer which highlighted variations of the land use alternatives being developed.
- After the briefing staff felt that more of a refresher was needed on what the differences are between the new Comprehensive Plan versus the existing Comprehensive Plan.
- They will be sending out additional information, including the framework document that is the outline of what to expect in the new plan, as well as the policy framework that has been developed, with additional information on what to expect moving forward on the project.
- The next meeting has not been scheduled and staff is thinking to schedule meetings with each of the groups individually because of group restrictions with COVID.

STAFF COMMENTS:

Ms. Anderson provided the following comments.

- The Planning Commission meeting scheduled for November 10th includes two zone change requests plus some “housekeeping” items to the zoning code.

COMMISSION COMMENTS:

None.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

1. Applicant: Harmony Homes, LLC
Location: 7278 Atlas Road
Request: A proposed 7.69-acre annexation from County Ag to City R-8 LEGISLATIVE, (A-1-20)
 - a. A proposed PUD “Delcardo Village PUD” QUASI-JUDICIAL, (PUD-3-20)
 - b. A proposed 42-lot preliminary plat “Delcardo Village” QUASI-JUDICIAL, (S-3-20)

A-1-20

Tami Stroud, Associate Planner, provided the following statements.

- Merle Van Houten, on behalf of Harmony Homes, LLC is requesting approval of a proposed +/- 7.69-acre annexation from County Agricultural to city R-8 zoning district (Residential at 8 units/acre).
- Because the requests involve multiple land use actions (3 total), some of which stop at the Planning Commission (unless appealed), with the annexation that continues on to the City Council, staff made an effort to write the staff reports in a manner that split the requests into their two respective parts.
- Ms. Stroud went through the required findings for annexation.
- The City Comprehensive Plan map designates the area as Ramsey-Woodland.
- Ms. Stroud noted the various staff comments located in the staff report and said that all departments did not have any issues with the request.
- The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone, per Chris Bosley, City Engineer.

PUD 3-20 & S-3-20

Tami Stroud, Associate Planner, provided the following statements.

- Merle Van Houten, on behalf of Harmony Homes, LLC is requesting approval of Delcardo Village Planned Unit Development and a 42-lot (6-tract) preliminary plat to be known as “Delcardo Village”.

Requested Deviations through the PUD Request:

- 1. Setbacks:** The applicant has asked to modify the setbacks required by code for the townhome lots. The requests are:
 - a. A reduction of side yard setbacks from 5’ and 10’ to 5’ and 0’ (common wall) for all lots.
 - b. A reduction of rear yard setbacks from 25’ to 10’ for the townhome lots.
- 2. Minimum Lot Size:** As explained above, the applicant has asked to modify the minimum lot size required by 17.05.150 for the townhome lots. The request is:
 - a. 4,436 SF average per townhome unit
 - b. 3,619 SF (smallest lot)
 - c. 5,100 SF (largest lot)
- 3. Minimum Lot Frontage:** The applicant has requested a reduction in the required lot frontage requirement for the proposed PUD. The requests are:
 - 42.5’ (street frontage width) for 34 lots
 - 38.5’ (street frontage width) for 8 lots.
- 4. Private Streets:**
 - A reduction from a standard 55-foot public right-of way to private roads in the form of tracts, having a width of 46.5 feet, 43 feet and 38 feet.
- 5. Gated Entry:**

The applicant has requested a gated entry for the proposed PUD.

 - Ms. Stroud noted that the City Comprehensive Plan designates the area as Ramsey-Woodland.
 - The proposed project will consist of developing approximately 334,976 square feet; 54,885 square feet will be developed as open space which is approximately 16.2%. The open space tracts for the proposed development will consist of a 6’ wide pedestrian path allowing users to walk the perimeter of the development.
 - The path will connect to the Atlas Road trail next to the vehicular entrance in the development's southwest corner.
 - There will also be park benches, garden boxes, decorative landscaping and an ornate entry feature.
 - A pedestrian gate will be constructed across the path near the PUD's main entrance, which is also gated.
 - There is a map depicting the pedestrian pathway, proposed garden boxes and landscape area. The open space areas are noted on the preliminary plat.
 - **Total Usable Open Space:** 16.2% of the site (54,885SF/1.26 acres) will be private usable open space for all users of the development.
 - Ms. Stroud noted the various staff comments in the staff report, with each department stating that they can serve the property.

- If approved, there are 16 conditions for consideration.

Ms. Stroud concluded her presentation.

Commission Comments:

Commissioner Ingalls asked if the deviations are similar in regard to the deviations, setbacks, lot sizes, private streets etc. Ms. Stroud said they are similar.

Commissioner Ingalls asked how projects approved in the past with similar deviations are doing today, and if there have been any complications. Ms. Stroud explained that a preapplication meeting is required with the applicant to discuss issues that might come up down the road.

Commissioner Fleming noted a comment in a letter they received where the homeowner was concerned that if the project is approved it would have an impact on their water pressure, which is currently not great. She asked how they would get assurance from the water district that the property can be adequately served. Ms. Stroud commented that the applicant submitted a “will serve” letter from Hayden Lake Irrigation District stating that the property could be adequately served and noted that the applicant was present for further questions. Commissioner Fleming said that there is a large amount of green grass that is a “water gobbler” and that they should be looking at more conscientious ways to conserve water because of lack of rainfall and drier summers, and how it will affect the aquifer.

Chairman Messina questioned the deviation for a ten-foot setback for the townhouses and asked if that ten feet is measured from the property line, or from where the building pad starts. He said that from looking at the site plan it looks like a path going around the perimeter of the property. Ms. Stroud explained that they are intending to have a rear yard setback of ten feet, and behind the property is a six-foot-wide path around the perimeter with a buffer in the rear, and they will be providing shorter fences, which the applicant could address.

Public testimony open.

Merle Van Houten, applicant, provided the following statements:

- He thanked staff for a great presentation.
- He provided a brief introduction to “Delcardo” Village, which is a 42- lot development comprised of twin-style homes with property lines running down the common wall.
- The main feature of the Planned Unit Development (PUD) is a 6-foot-wide walking path around the perimeter of the property for people to use, including some landscaping features such as benches and garden boxes, with a gated entrance as noted on the renderings.
- The architectural style will be the same which will be approved by the Homeowners Association (HOA)
- The homes will be designed with two beds/two baths per unit, plus a two-car garage and a full driveway for off-street parking. The project is conveniently located by city parks and some neighborhood stores.
- It is also a request for annexation of 7.69 acres to R-8 and an offer of 16.2% open space.
- The property is located next to Sunshine Meadows to the northeast, CDA Place to the south, and The Landings to the west.
- Mr. Van Houten noted two important items: 1) They currently have a 70’ foot right-of-way for Atlas Road which is considered an arterial road, and 2) There is no opportunity for vehicular/pedestrian connectivity to any side other than from Atlas Road, which is the only egress/ingress into the property.
- He referenced a rendering showing the entrance, which is gated, and explained the amenities that are included.
- They will place either a vinyl or wood fence surrounding the property.
- The project will be a great extension for the city.
- All of the Comprehensive Plan policies listed in the staff report have been met.

- The project will be constructed in a single phase with the infrastructure going in next summer and construction planned to start with market demand.
- They intend to provide 50 feet of greenspace, with no plans in the future to widen Atlas Road per Chris Bosley, City Engineer.
- Everyone who has a backyard will have a privacy fence and a gate with access to the walking path.
- Mr. Van Houten said they don't want a "cattle chute" feel when walking down the 20' foot wide path behind the development so they will lower the backyard fence to 4' feet in height to contain pets but provide something that is open so people can interact with their neighbors to provide a more user-friendly community.
- The development will be similar to Parc Rose in Coeur d'Alene Place which has a gated entrance with enough area at the front of the entrance to safely turn around.
- The development will have four different floor plans to choose from, which all offer 2 beds/2 baths minimum with a 2-car garage, a front porch and a back patio. The square footage of each home will range anywhere from 1200 to 1600 feet of living space, not including the garage.
- Mr. Van Houten provided renderings showing the types of homes to be built in the development with the styles comparable to other homes in the area.
- All roads in the development will be private and maintained by an HOA
- Parking will be allowed on both sides of the street.
- Emergency access was discussed with the Fire Department and per the fire code it states that the development must have two approaches onto Atlas Road since they don't have an opportunity to connect to Coeur d'Alene Place, with the requirement to have a primary access to the south and an emergency access road to the north that is 20 feet wide and set apart.
- The fire access roads will have signage which says "fire lane no parking or snow storage" but will allow them to use the path as a pedestrian path.
- Water will be provided from the Hayden Lake Irrigation District that issued 42 meters for domestic use plus three irrigation meters. He explained that in regard to the comment submitted by a citizen regarding their water pressure, their property is out of the Hayden Lake Irrigation District's boundary. The boundary for Hayden Lake Irrigation District is a shared property line so they are on another system because the Hayden Lake Irrigation jurisdiction doesn't go any farther south than the property.
- The applicant concluded his presentation.

Commission Comments:

Commissioner Ingalls said that he was concerned with the Sunshine Meadows development and explained that if he was living in one of those houses, he might have concerns with a home built 10 feet from their property line. He clarified that the setback was 10 feet with the rear face of the house from the property line at Sunshine Meadows would be 30 feet. Mr. Van Houten noted on the map that there is a 20 foot wide open space tract and then there is a 10 foot wide rear yard setback behind the house, so they will have at least 30 feet from the back of the wall to the subdivision boundary. They are increasing the minimum distance.

Chairman Messina said that it was stated that the development will have a lower fence on the property so the people living in the homes can see the walking path. He added that it is a lot of distance between the neighbors' existing fence to the property so they aren't right against each other. Mr. Van Houten explained that people living in the surrounding subdivision moved in expecting to have a standard subdivision, but they will be provided a privacy fence adjoining them.

Chairman Messina asked about the existing trees and if those trees will stay around the perimeter since they aren't in the "house construction" zone. Mr. Van Houten explained that as they get into the design it is their desire to keep trees and if construction forces them to take down the trees, they will replace those plantings.

Commissioner Fleming suggested looking at ADA requirements to provide a good size front door, good turning radius in the bathrooms and level enough to be able to roll through the house. She commented that it would be a great development for people with disabilities. She further commented that it was mentioned that the development is designed to initiate communication but she didn't see a place to commune as a group and that it puts pressure on other parks that already have a lot of usage. She said that she would like to see a big enough place for the community to get together, rather than their back yard. She commented that she is for preserving the aquifer and asked the applicant to look at alternatives to grass. She added it is a "home run" as a development since it is single-level and will appeal to all people who are looking for a single-level home that requires special needs.

Duffy Smock, applicant, addressed the water concerns and commented that he will provide landscaping that is low maintenance and that the development is not intended to be a 55 or older community. He added that they will be doing the front and back yards as hardscape requiring less water.

Aaron Riggs said he owns two acres on the corner bordered by the subdivision and asked if there will be a privacy fence around the property.

Mr. Smock said there would be a fence.

Commissioner Fleming asked if the applicant would be using non-flammable materials on the side of the house since the buildings are 10 feet apart. She said that she doesn't like vinyl because it burns easier.

Mr. Smock said that they will follow building codes that state the inside of the building is required to have a firewall and separation for noise, and the exterior will be made out of hardy board.

Public testimony closed.

Discussion:

Commissioner Ingalls stated the positives and said the property is what Sean Holms, Senior Planner, would call a "doughnut hole" and that some of those properties belong in the city to clean things up. Those properties are being served by the city. He concurred that R-8 zoning, which the property is surrounded by, and it would allow for 51 units on the property. He commented that he lives in Parc Rose and those gated communities aren't for everyone but are for people who don't want to be burdened by landscaping maintenance, and he feels that since he lives in a community like the proposed development, he is a good judge.

Chairman Messina said that he concurred with all comments and likes the project. He agreed with a single story with big buffer areas in the back.

Commissioner Mandel concurred and commented that they can't stop the growth and the development will be a good opportunity for an infill project.

Motion by Fleming, seconded by Ward, to approve Item A-1-20. Motion approved.

ROLL CALL:

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| Commissioner Fleming | Voted |
| Commissioner Ingalls | Voted |
| Commissioner Mandel | Voted |
| Commissioner Ward | Voted |

Motion to approve carried by a 4 to 0 vote.

Motion by Ingalls, seconded by Fleming, to approve Item PUD-3-20. Motion approved.

ROLL CALL:

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| Commissioner Fleming | Voted |
| Commissioner Ingalls | Voted |
| Commissioner Mandel | Voted |
| Commissioner Ward | Voted |

Motion to approve carried by a 4 to 0 vote.

Motion by Mandel, seconded by Ward, to approve Item S-3-20. Motion approved.

ROLL CALL:

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| Commissioner Fleming | Voted |
| Commissioner Ingalls | Voted |
| Commissioner Mandel | Voted |
| Commissioner Ward | Voted |

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 7:00 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant