

**PLANNING COMMISSION
MINUTES
APRIL 12, 2022
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
Brinnon Mandel

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Mike Behary, Associate Planner
Shana Stuhmiller, Public Hearing Assistant
Randy Adams, City Attorney

COMMISSIONERS ABSENT:

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Luttrupp, seconded by Mandel, to approve the minutes of the Planning Commission meeting on March 8, 2022. Motion approved.

PRESENTATION:

Reginal Housing & Growth Issues Partnership

Council Member Miller provided a presentation on the partnership and recent efforts, which can be viewed [here](#).

Commission Comments:

Commissioner Ingalls questioned if there has been any feedback received from developers regarding changes to our ordinances regarding heights, setbacks, etc. Council Member Miller commented that she has been involved with North Idaho Building Contractors Association (NIBCA) for many years and is aware that many contractors/developers are facing supply and labor shortages so this group is looking at any tools they can use to help with this problem.

Commissioner Luttrupp commented that he gets pleasure serving on this commission and when changes are needed, the commission would be seeking direction from council on how to change policy. He added that he would like some clarity on local worker housing, specifically a definition.

Commissioner Ward explained within the county are a lot of political jurisdictions and questioned if there is a lot of cooperation from all the various municipalities that if a plan is developed, they would work with it. Council Member Miller said the majority of the jurisdictions attend the monthly meetings. Solutions are discussed at those meetings and the group has discussed how to make it consistent where all jurisdictions are doing the same thing.

Commissioner Mandel stated that when we approve anything with any density or local worker housing there is strong resistance. She inquired if there is any “PR” aspect to help desensitize the public about these issues since this is a sensitive issue for everyone who lives here. Council Member Miller explained that this group isn’t a formal organization, or a funded organization, but a collaboration of people who have an understanding on how this housing crisis affects all of us. She added with the more people involved to find some solutions, hopefully this group will grow and become a resource that will eventually need to be funded with this council looking at this as a “big ask” to the budget.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director provided the following comments:

- Great presentation from Council Member Miller. She added that Sean Holm and she have been involved from the beginning as part of the working group.
- She noted now that the Comprehensive Plan is done staff will start working on a multi-generational housing code allowing family members that are different generations to live together in a housing unit that’s not a duplex or an ADU, plus staff will be bringing back the Coeur Housing Code.
- She announced we don’t have any hearings for May but we are looking at getting together either at 12:00 p.m. or later on our regular date to discuss development impact fees that need an update since the Planning Commission is tasked by our city code to serve as the Development Impact Fee Advisory Committee. She noted staff will also be looking at a Development Agreement Code maybe in May or June which is a tool allowed by State Statutes that can be used in conjunction with an Annexation Agreement or be done with a Special Use Permit, zone change or a Planned Unit Development (PUD).
- She announced that she is the chapter president for the Idaho Chapter of the APA and will be attending the National Conference later this month and hopefully bringing back some great ideas to share.

ADMINISTRATIVE:

1. Applicant: Aspen Homes
Location: 1808 N. 15th Street
Request: A request for a 60-day extension for A-2-22.
ADMINISTRATIVE

Mike Behary, Associate Planner made the following statements:

- Aspen Homes, LLC is requesting a 60-day extension for their project.

Commission Comment:

Motion by Fleming, seconded by Luttrupp, to approve a 60-day extension for Item A-2-22. Motion approved.

2. Applicant: Bear Waterfront, LLC
Location: 2252 W. Bellerive Lane
Request: An Interpretation for Mahogany Lane PUD ADMINISTRATIVE, (I-1-22)

Mike Behary, Associate Planner, presented the staff report and stated:

- The applicant is requesting an interpretation from the Planning Commission to not require a 2nd story step back for ADU's within this development.
- The original PUD approval did not specially request a modification from this requirement, however the building elevations of the ADU's that were submitted did not show a 2nd story step back configuration.
- The illustrations that were submitted using a standard straight wall construction due to the lot layout and the modern design of the architecture of the ADUs.
- The Mahogany Lane PUD exhibit D did not show a 2nd story setback in this cross-section exhibit. It was the applicant's intent not to provide the 2nd story step back for the ADU's in this development. However, in the applicant's narrative, the 2nd story step back was not mentioned in the list of desired modifications. The applicant has indicated that this was an oversight on their part. Further justification is that some of the ADU's will be located next to principal residences on Lots 4 and 7, within the project, that are not required to have a 2nd story step back.
- Additionally, the applicant is requesting an interpretation about the height of the ADU's.
- The applicant is requesting that ADU's could extend up to 29 feet to account for the grade changes across the site and the fact that there are no immediate neighbors that would be impacted by the height.
- The applicant has indicated that their intent was for the ADU's to be taller than 24 feet on some of the lots, even though that wasn't specifically stated in the application. But the exhibits provided with the PUD submittal showed an elevation with a height line of 32 feet.
- The ADU's would be adjacent to single-family homes that are allowed to have a height of 32 feet.
- The applicant would like a clarify that the 2nd story step back is not a requirement for ADU's as part of this development and that the ADU's could extend up to 29 feet.

Mr. Behary concluded his presentation

Commission Comments:

Commissioner Fleming stated that she would give up the step back but not the height change because its more ominous at 29' feet with the ADU sitting close to the road with the homes built in the hill so doesn't see a need for the additional feet.

Commissioner McCracken concurs that the style matches the homes and inquired would the views be blocked to the trail. Mr. Behary explained that the majority of the homes will be between 24' to 26' feet with one at 29' feet and noted on the map where the trail is elevated.

Commissioner Luttrupp questioned what is the reason for the interpretation. Mr. Behary explained the reason is that the applicant team realized what they presented at the original hearing did not reflect their intent for the ADU's related to 2nd story step backs and heights. Commissioner Luttrupp stated that he won't support either request.

Chairman Messina understands this was an oversight by the applicant and the commission. He asked at the hearing if the ADU guidelines will be followed and the applicant agreed. He concurs with

Commissioner Fleming would be able to give up the step back, but not the height since we do have the ADU Guidelines that need to be followed.

Commissioner Ward inquired if this was shown on the original plans. Mr. Behary explained this was shown on the exhibit at the Planning Commission meeting.

Commissioner Mandel inquired if that exhibit represents the intent as shown on the exhibit with the dotted lines. Mr. Behary explained that the homes aren't at the 32-foot height and explained that the majority of homes would be between 24 to 26 feet.

Commissioner Ingalls inquired what are the dimensions from the ground and realize that they would be different depending on the slope of the hill and that he would be more comfortable with the applicant having provided an exact measurement with the understanding that this request was for a PUD which allows deviations and if that had been clearly defined which is not clear.

Motion by Luttropp, seconded by Fleming, to deny Item I-1-22. Motion approved.

3. Applicant: Government Way Coeur d'Alene Hotel, LLC
Location: 2119 N. Government Way
Request: A request for a 1-year extension for SP-1-21 ADMINISTRATIVE, (SP-1-21)

Mike Behary, Associate Planner presented the staff report and stated:

- The applicant has submitted a letter requesting the extension with a statement explaining that due to the global supply chain disruptions coupled with intense inflationary pressures surrounding the costs of construction related materials have placed a brief pause on their development plans.
- They are closely monitoring the market to determine the most cost-effective timeframe to proceed with construction and are committed to see its completion as soon as feasible.

COMMISSION ALTERNATIVES:

1. The Commission may, by motion, grant a one-year extension of the approved special use permit to March 9, 2023.
2. The Commission may, by motion, deny the one- year extension. If denied, the item expires and the applicant must reapply for the density increase special use permit.

Mr. Behary concluded his presentation

Commission Comments:

Motion by Fleming, seconded by Ingalls , to approve a 1-year extension for Item SP-1-22. Motion approved.

Commissioner Ward left at 6:18 p.m.

PUBLIC HEARINGS

1. Applicant: 15th Street Investments, LLC
Location: 3511 & 3522 N. 15th

Request:

- A. A proposed 3.2-acre annexation from County Ag Suburban to City R-12 LEGISLATIVE, (A-3-22)
- B. A proposed 2.71 acre PUD known as "Birkdale Commons PUD" QUASI-JUDICIAL, (PUD-1-22)
- C. A proposed 16-lot preliminary plat known as "Birkdale Commons" QUASI-JUDICIAL, (S-1-22)

Mr. Behary explained before we start the public hearing, we received a request from the applicant who would like to table the PUD and Subdivision part of this application to the next Planning Commission Meeting on June 14th.

Motion by Ingalls, seconded by Fleming, to table items PUD-1-22 and S-1-22 to the next Planning Commission meeting on June 14th. Motion approved.

Chairman Messina opened the public hearing for Item A-3-22.

Mike Behary, Associate Planner presented the staff report for the annexation (A-3-22) and stated:

The applicant is requesting approval of the following:

- The annexation of 3.19 acres in conjunction with zoning approval from County Agricultural-Suburban to the R-12 zoning district.
- Currently the subject property is located in the unincorporated area of the county and consists of two parcels that have single family dwellings located on them. The subject site is 3.19 acres in area and is relatively flat. The site is adjacent to the city limits along its east and west property line.
- The property is currently zoned Agricultural-Suburban in the county. As part of the annexation request the applicant is proposing the R-12 zoning district be applied to the subject site. The subject site is located within the City's Area of City Impact.
- The City's Comprehensive Plan designates the subject property within two land use areas Compact Neighborhood, Mixed Use-Low

Mr. Behary concluded his presentation

Commission Comments:

Commissioner Luttrupp asked what is the current properties zoned surrounding this property. Mr. Behary replied they are R-12.

Public testimony open.

Drew Dittman applicant representative provided the following statements:

- He stated that he is here representing two properties.
- He explained originally planned to do an PUD and Subdivision but some last-minute housekeeping issues came up as it relates to the PUD and Subdivision and didn't want to give out wrong information so he asked staff to table these items to the next Planning Commission meeting on June 14th to have time to resolve the issues.

- He explained this request is for 3.2 acres as noted in the staff report and that the right of way was not added so it would be 3.3 acres.
- He stated that the property is currently zoned Ag Suburban and asking for R-12 zoning which is a good fit for this property that is surrounded by R-12.
- He explained based on the new Comprehensive Plan this property is split in two different land designations which are Compact neighborhood and mixed-use low which is centered toward the intersection off of Lunceford and based on the surrounding uses commercial would not work and why we have proposed R-12.
- He noted the property is flat with several out buildings with a house on each parcel and later when the PUD and Subdivision come back will explain what will be done with those homes.
- He stated that a benefit to the city for annexation is the parcel is surrounded by residential and will be a good fit for the area.

The applicant concluded his presentation.

Commission Comments:

There were no questions for the applicant.

Kathryn Taylor stated she lives on 12th street with her property backing up to this property who is concerned that this developer is going to get the other property owners to join in with the annexation to provide dense housing. She noticed that in the staff report there are a lot of exemptions for this property if approved. Chairman Messina explained that the applicant has requested at the start of the hearing to table the PUD and Subdivision to the next Planning Commission meeting on June 14th.

Rebuttal:

Mr. Dittman stated that the R-12 is surrounding this property and will fit well for this property.

Commissioner Luttrupp commented that he looks forward to the discussion on the PUD and Subdivision.

Public testimony closed.

Discussion:

Commissioner Fleming requested that the city engineer attend the Planning Commission meeting on June 14th to address various traffic issues.

Commissioner Ingalls stated he is in favor of this project and that the R-12 is compatible with the surrounding neighborhood.

Commissioner Mandel concurs and nice to have a Land use map as a reference to make decisions.

Commissioner Luttrupp commented that he is looking at annexations as a “business proposition” which is an economic benefit to the property owner and to the city. He added that he would suggest the city put in an annexation agreement thing reflected that reference the comprehensive plan and housing.

Motion by Ingalls, seconded by Mandel, to approve Item A-3-22. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner McCracken	Voted	Aye

Commissioner Luttrupp Voted Aye
Chairman Messina Voted Aye

Motion to approve carried by a 6 to 0 voted

2. Applicant: Bethel Baptist Church, Inc.
 Location: 525 E. McFarland
 Request: A proposed zone change from R-12 to R-17
 QUASI-JUDICIAL, (ZC-1-22)

Mike Behary, Associate Planner presented the staff report and stated:

- Bethel Baptist Church, Inc. currently owns the subject properties as well as the two adjacent parcels to the east that contain the Religious Assembly facility and supporting parking lot.
- A portion of the existing parking lot is located within the requested zone change. Parking Code for a Religious Assembly requires 1 parking stall per 10 seats (1:10) in the largest worship hall.
- The existing church has 150 seats which necessitates 15 stalls.
- If the zone change request is approved, the church site would retain 82 stalls, 67 in excess of the current parking requirement. A single-family home has been removed on the western most parcel with the foundation remaining.

Mr. Behary concluded his presentation.

Commission Comments:

Commissioner McCracken inquired when doing the calculation of units is the number based on the combination of the lots. Mr. Behary explained that duplex lots require 50 feet of frontage and that there isn't enough frontage to maximize the lot.

Public testimony open.

Neal McClellan applicant representative provided the following statements:

- He stated that he wanted to clarify that he isn't the owner of the church and is a representative of the church
- He thanked the city and staff for the report.
- He noted that this property is located to various services by walking and located a mile from Cherry Hill and is 2 miles to downtown.
- He stated there is a desperate need for housing and by approving this project will be minimal impact to the neighborhood and is consistent with the neighborhood.
- He has seen many young families moving into this neighborhood since its close to many services.
- He added that there is no opposition and is the best use for the property.

The applicant concluded his presentation.

Commission Comments:

Public testimony closed.

Discussion:

Commissioner Fleming commented this property will generate low traffic and be a great asset.

Commissioner McCracken concurs that this will be a great use for this property.

Motion by Fleming, seconded by McCracken , to approve Item ZC-1-22 Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

ADJOURNMENT:

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

The meeting was adjourned at 7:45 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant