

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

**AUGUST 10, 2021**

**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.

*NOTE: The City is utilizing Governor Little's Stage 4 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing guidelines of 6' within the physical meeting room, and limiting seating, seating will be first come first serve. The meeting can be viewed live through Facebook live and/or the City's YouTube channel or on Spectrum Cable Channel 1301. The meeting is rebroadcast on Spectrum Cable channel 1301 and on YouTube through a link on the city's website ([www.cdaid.org](http://www.cdaid.org)).*

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

**ROLL CALL:** Messina, Fleming, Ingalls, Luttrupp, Mandel, Rumpler, Ward

**PLEDGE:**

**APPROVAL OF MINUTES:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.  
July 13, 2021

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

**ENVISION CDA UPDATE:**

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

*Reminder: Please use the virtual meeting sign-up sheets for public hearing items.*  
<https://www.cdaid.org/signinpublic/>

1. Applicant: CDA Enterprises, LLC  
Location: 455 W. Cherry Lane  
Request: A proposed zone change from R-12 to C-17  
QUASI-JUDICIAL, (ZC-6-21)
  
2. Applicant: Kootenai Youth Rec, Vince Hughes  
Location: 3525 W. Seltice Way  
Request: A proposed 4.183 acre annexation from County Commercial to  
City C-17  
LEGISLATIVE, (A-3-21)

**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.

***Given the COVID-19 guidance and emergency proclamation from Governor Little, the Commission meeting and public hearings will take place virtually using the Zoom online meeting network. They will also be broadcast live on Facebook and will be posted on the City's YouTube channel.***



# MINUTES



**PLANNING COMMISSION  
MINUTES  
JULY 13, 2021  
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  
Peter Luttropp  
Brinnon Mandel (Zoom)

**STAFF MEMBERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

Mike Ward  
Lewis Rumpler

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Luttropp, seconded by Fleming, to approve the minutes of the Planning Commission meeting on June 8, 2021. Motion approved.

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

Hilary Anderson, Community Planning Director provided the following statements.

- She stated in August we will have two public hearings a zone changes and annexation request.
- She updated the Commission on the Regional Housing and Growth Issues Partnership who have had three meetings looking at how open space on the Prairie can be preserved, who the land owners are and different tools to use for possible preservation, management proposals on recreation and sport facilities. She added, we are compiling that information into a “white paper” and if there are members of the partnership or other entities that want to pursue that the information and contacts will be available. She added we are also working on local worker housing using the tools in place on what should we be looking at as a region and community to add to our codes.

- She stated that all the information and recordings of these meetings are posted on KMPO's website. Recently they have added instructions to help with doing a search for the partnership because people have commented that it was not easy to look for items, and hopes with the changes it will be easier for people to find what they are looking for.

**ENVISION CDA COMMITTEE UPDATES:**

Ms. Anderson provided the following statements:

- She announced that our Envision CDA, Comprehensive Plan update with CDA 2030 is moving forward with the completion of our Virtual Open House. We were able to get 160 surveys completed which is great with people commenting on the proposed action items and participating in the on-line mapping. She added that the survey results are being assessed to look at the top priorities and how they were ranked.
- She added that we were working with CDA 2030 to reach out to different organizations that have been listed as potential lead and supporting partners, and we are looking at possible dates for the joint meeting with council that will be a working session with Planning Commission and CDA 2030 board. Based on that input, we will hopefully schedule public hearings with the Planning Commission and City Council.

Chairman Messina noted at the last meeting Terry Pickel, Water Superintendent mentioned that he would like to schedule a workshop with the Planning Commission on the usage of open space. Ms. Anderson suggested maybe we can schedule them at our next meeting in August for a discussion. Commissioner Luttrupp added that it was also mentioned a discussion on ways to reduce the usage of water.

Commissioner Ingalls stated that the conversation was brought up during the presentation by the Water Department who presented the Special Use Permit for the new Huetter Well and doesn't think we need a formal workshop but just a "check in".

Ms. Anderson stated that if you read through the action items in the draft plan for Envision 2030, there are some action items geared towards water conversation and using different landscaping materials that might require lower water usage when looking at the Planned Unit Development Standards (PUD) for open space to try and lower water consumption. She added that we can meet with the Water Department to see what they would like to do.

**PUBLIC COMMENTS:**

None.

**PUBLIC HEARINGS**

1. Applicant: Escalade Properties, LLC  
 Location: 3221 N. 4th  
 Request: A proposed zone change from R-12 to R-17  
 QUASI-JUDICIAL, (ZC-5-21)

Tami Stroud, Associate Planner stated the applicant is requesting approval of a zone change from the R-12 to the R-17 zoning district.

Ms. Stroud provided the following statements:

- The 0.47-acre parcel is located off of 4<sup>th</sup> Street south of Neider Avenue.

- There is an existing single-family dwelling located on the parcel which will be removed. Escalade Properties, LLC, purchased the parcel in July of 2019, with the intent to build a multifamily project.
- The requested zone change is necessary to build the multifamily project. R-12 zoning does not permit multifamily residential.
- The City's Comprehensive Plan Map designates this area as Northeast Prairie Transitional.
- She stated that all city departments reviewed the request and didn't have any concerns.
- She stated that there are no conditions.

Ms. Stroud concluded her presentation

**Commission Comments:**

None.

**Public testimony open.**

Paul Malen, applicant provided the following statements:

- He stated that the reason we wanted to do a zone change is to construct multi-family homes since there is a shortage of available homes thought it was best to help with the shortage of affordable housing.
- He commented that he talked to staff to see how many units we could put on the property and they said eight but by the time you put in the infrastructure would be in the four to six range.

The applicant concluded his presentation.

Commissioner Ingalls noted in the applicant's narrative it states "to build units similar to the attached four-plex units" and questioned the meaning of "attached" Mr. Malen explained in the packet he submitted with the application had renderings for some four-plex's we are constructing on 15<sup>th</sup> and that statement in the narrative was a reference to those renderings.

Commissioner Ingalls stated he was confused and thought the properties were attached and asked if the requested density increase was not really for a density increase, but was to allow for multi-family because an R-12 doesn't allow multi-family.

Mr. Malen answered that is correct.

Brian Donnell stated he lives three houses down from this property and noted that they don't have any parking and people will be parking on the street and with the approval of this request will have more traffic added to an already congested area.

**Rebuttal:**

Mr. Malen explained that we we will provide adequate parking for the units per the city requirements to be eight parking stalls but with the addition of infrastructure would lower those parking stalls to the four to six range.

Chairman Messina noted that we received a comment in our packet from a person who lives next door who was addressing the property line that your project will be on their property line.

Mr. Malen stated that he is aware of that comment and explained when that garage and fence was built was on their property line but if approved that fence will be relocated correctly with the garage demolished.

Commission Ingalls stated so the encroachment will get fixed not created.

Mr. Malen commented that is correct and was preexisting to us purchasing the property.

Ms. Anderson commented that staff is aware of this and that it happens all over the city with existing historical properties.

**Public testimony closed.**

**Discussion:**

Commissioner Ingalls commented that we have a lack of housing inventory in the community and have had discussions about “missing middle” and workforce housing etc. and that with the addition of more inventory, it will help. It does not worsen the situation. He envisions that maybe these units won’t be the definition of affordable housing means but would create opportunities that are more affordable than a lot of other choices we see in town.

Chairman Messina commented by adding units to the inventory is a plus and what someone can afford is another topic.

Commissioner Luttrupp congratulated Ms. Anderson on her work with the group she is working with trying to come up and define what the issues with some solutions for the housing shortage.

Commissioner Mandel echoed the other commissioners and stated that adding more housing product types is important in helping take pressure off the housing market.

**Motion by Fleming, seconded by Ingalls, to approve Item ZC-5-21. Motion approved.**

**ROLL CALL:**

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

**ADJOURNMENT:**

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

The meeting was adjourned at 6:08 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



# **PUBLIC HEARINGS**





## PLANNING COMMISSION STAFF REPORT

**FROM:** TAMI STROUD, ASSOCIATE PLANNER

**DATE:** AUGUST 10, 2021

**SUBJECT:** ZC-6-21 ZONE CHANGE FROM R-12 TO C-17

**LOCATION:** +/- 0.366 ACRE PARCEL OFF OF CHERRY LANE AND WEST OF HIGHWAY 95: LOCATED AT 455 W. CHERRY LANE

**APPLICANT/OWNER:**

CDA Enterprises, LLC Mike Delay  
1719 S. Rocky Bridge Dr.  
Spokane Valley, WA 99212-3253

**DECISION POINT:**

The applicant is requesting approval of a zone change from the R-12 to the C-17 zoning district.

**BACKGROUND INFORMATION:**

The 0.367-acre parcel is located off of Cherry Lane and west of Highway 95. North Fruitland Lane is west of the subject property. There is an existing single-family dwelling located on the parcel.

The applicant has stated that they have no specific development plans for the subject property at this time.

**LOCATION MAP:**



**AERIAL PHOTO:**



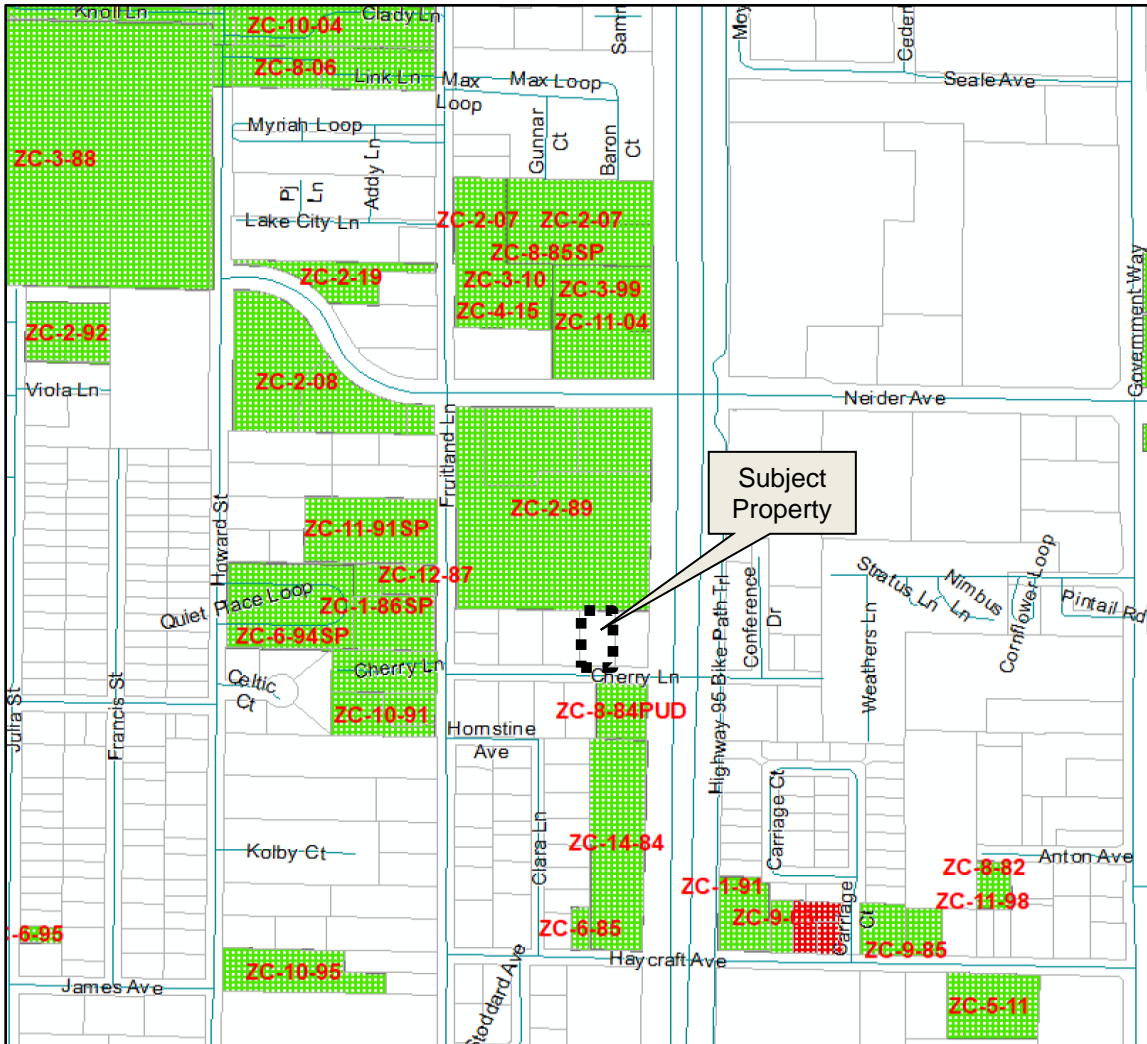
**PRIOR LAND USE ACTIONS:**

The subject property is surrounded by previous zone change requests that were all approved. As noted on the map on the map on the following page and the list of zone changes below, the changes took place between 1984 and 2019. The majority of the zone changes were from MH-8 to R-17. There were a few to MH-8 to C-17 zone changes. The most recent zone change was from MH-8 to R-17 in 2019.

**Zone Changes:**

ZC-14-84	R-12 to C-17	Approved
ZC-8-84PUD	R-12 to C-17	Approved
ZC-2-89	R-12 to C-17	Approved
ZC-10-91	MH-8 to R-12	Approved
ZC-11-91	MH-8 to R-17	Approved
ZC-2-07	MH-8 to C-17	Approved
ZC-2-08	MH-8 to R-17	Approved
ZC-4-15	R-17 to C-17	Approved
ZC-1-16	MH-8 to R-12	Approved
ZC-2-19	MH-8 to R-17	Approved

**PRIOR LAND USE ACTIONS:**



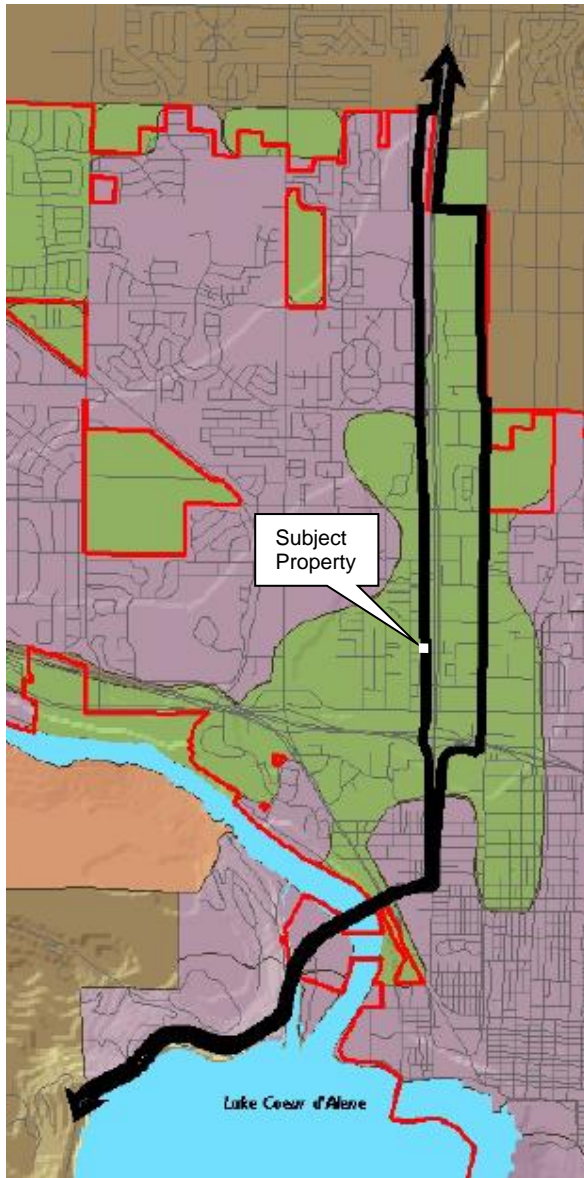
**REQUIRED FINDINGS:**

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

**2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:**

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as US-95 Corridor:

## Land Use: US 95 Corridor:



### Transition:

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



### US 95 Corridor Today:

US Highway 95 has become a high impact gateway into the community as well as the major north-south highway through north Idaho. It is also the main arterial that connects communities to the north of Coeur d'Alene to I-90 and is the state's principal route to Canada. Northwest Boulevard and I-90 are major intersections within city limits. Large scale native trees along this corridor help to offset the negative impacts associated with a major thoroughfare. Presently the highway is a bottleneck for both local and through traffic.

### US 95 Corridor Tomorrow:

The city of Coeur d'Alene will be working during the next planning period until the year 2027 with the Idaho Department of Transportation to design an efficient transportation system through the city.

***The characteristics of the US 95 Corridor will be:***

- Ensuring that access to businesses along the highway corridor is protected.
- Ensuring the city is not divided by this highway.
- Designing a system for the safe and efficient traffic flow through the city with a separate arterial for through traffic.
- Encouraging retention and planting of native variety, evergreen trees.
- Anticipating that US 95 traffic will be possibly diverted to a future bypass.
- Careful planning is needed to the south of Coeur d'Alene due to the continued development of Blackwell Island.
- Careful planning is needed to the south of Coeur d'Alene because access to these areas is limited to the US 95 bridge over the Spokane River.
- Retaining and expanding landscaping along both I-90 and US 95.
- Provide for safe crossings of US 95 for pedestrian and bicycle traffic.

**COMPREHENSIVE PLAN GOALS & OBJECTIVES:**

***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 1.11**

**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 1.14**

**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 & 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 2.02**

**Economic & Workforce Development:**

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

**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 3.03**

**Managed Growth:**

Direct development of large chain warehouse ("big box") business outlets to zones that will protect neighborhoods.

**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 3.16**

**Capital Improvements:**

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

**Goal #4: Administrative Environment**

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

**Objective 4.01**

**City Services:**

Make decisions based on the needs and desires of the citizenry

**Objective 4.06**

**Public Participation:**

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

**Evaluation:**

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

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

**STORMWATER:**

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

*- Submitted by Chris Bosley, City Engineering*

**STREETS:**

The subject property is bordered by Cherry Lane to the south. Frontage improvements will be required along the property to meet City standards. Cherry Lane will need to be widened to the north to match the street section immediately to the east, including curb and gutter, sidewalk, and streetside stormwater swale.

*- Submitted by Chris Bosley, City Engineering*

**WATER:**

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed Zone Change.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**SEWER:**

The subject property is connected to public sewer on Cherry Lane. Wastewater has the capacity and willingness to serve this property.

*-Submitted by Larry Parsons, Wastewater Utility Project Manager*

**FIRE:**

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

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

*-Submitted by Bobby Gonder, Fire Inspector / MIAAI – CFI*

**POLICE:**

There are no concerns with the proposed zone change request.

*-Submitted by Lee White, Police Chief*

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

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

**PHYSICAL CHARACTERISTICS:**

The site is generally flat. There is an existing single-family structure on the subject property. There are also various trees and other vegetation existing on the site. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to C-17.

**PHOTO 1:** Looking north at the subject property from the south side of Cherry Lane.





**SITE PHOTO 2:** Looking west near the center of Cherry Lane looking with the subject property on the right.



**SITE PHOTO 3:** Looking northeast along Cherry Lane with the subject property on the left and a commercial use further east across Highway 95 in the distance.



**SITE PHOTO 4:** Looking north from Cherry Lane at Gross Doughnuts and the Texas Roadhouse restaurant further north along Highway 95.



**SITE PHOTO 5:** Looking south near the intersection of Cherry Lane and Highway 95 at Harbor Freight Tools, a commercial use near the subject property with primary access off of Cherry Lane.



**SITE PHOTO 6:** Looking north along the Highway 95 frontage from Cherry Lane at the commercial businesses along Highway 95.



**SITE PHOTO 7:** Looking northeast near the intersection of Cherry Lane and Highway 95 toward the commercial uses on the east side of Highway 95.



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

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

**TRAFFIC:**

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. Although the property is only 0.39 acres in size, if combined with an adjacent lot and/or developed to its maximum potential in retail, such as a convenience store, drive-thru coffee shop, or drive-thru bank, the property could generate hundreds of trips per day.

Without knowing the intent of this property or the potential traffic impacts, the Streets & Engineering Department cannot comment on the zone change as proposed.

*-Submitted by Chris Bosley, City Engineering*

**NEIGHBORHOOD CHARACTER:**

*From 2007 Comprehensive Plan: US 95 Corridor Today:*

US Highway 95 has become a high impact gateway into the community as well as the major north-south highway through north Idaho. It is also the main arterial that connects communities to the north of Coeur d'Alene to I-90 and is the state's principal route to Canada. Northwest Boulevard and I-90 are major intersections within city limits. Large scale native trees along this corridor help to offset the negative impacts associated with a major thoroughfare.

Presently the highway is a bottleneck for both local and through traffic.

**SURROUNDING LAND USES:**

The subject property is located near the commercial corridors of Highway 95, Appleway and Neider Avenue. It is located at 455 N. Cherry Lane just west of Highway 95. Gross Doughnuts abuts the property to the east. A large retail center with commercial uses such as Grocery Outlet, Texas Roadhouse and the Dollar Store are located directly to the north, with the commercial parking lot for those uses abutting the rear yard of the subject property. Harbor Freight Tools is located on the southwest corner of Highway 95 and Cherry Lane. There are three (3) single family dwellings directly to the west of the subject property. *See Land Use Map on the next page.*

The applicant has not determined a proposed use should the zone change be approved.

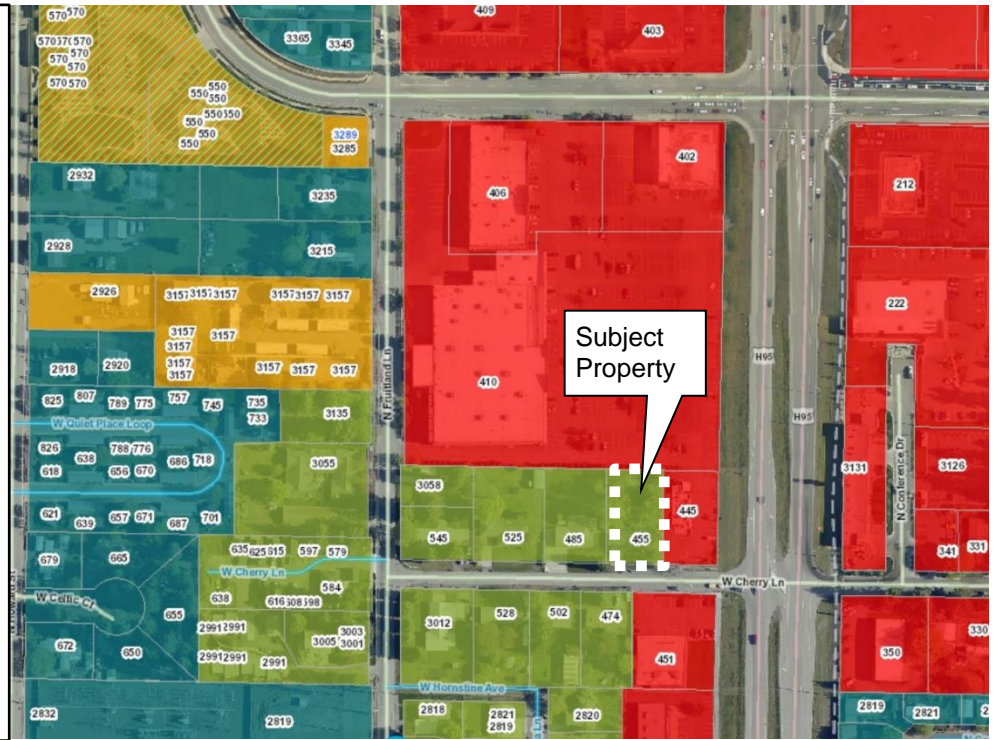
**GENERALIZED LAND USE PATTERN:**

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



**ZONING MAP:**

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



Approval of the zone change request would allow the uses by right to change from R-12 uses to C-17 uses (as listed below).

**Existing R-12 Zoning District:**

The R-12 district is intended as a residential area that permits a mix of housing types at a density not greater of twelve (12) units per gross acre.

**17.05.180: PERMITTED USES; PRINCIPAL:**

Principal permitted uses in an R-12 district shall be as follows:

- Administrative Office
- Duplex housing
- Essential service
- Home occupation
- Neighborhood recreation
- Public recreation
- Single-family detached housing

**17.05.190: PERMITTED USES; ACCESSORY:**

Accessory permitted uses in an R-12 district shall be as follows:

- Accessory dwelling unit.
- Garage or carport (attached or detached).
- Private recreation facility (enclosed or unenclosed).

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

Permitted uses by special use permit in an R-12 district shall be as follows:

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

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

Minimum yard requirements for residential activities in an R-12 District shall be as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
3. Side, Street: The street side yard requirement shall be ten feet (10').
4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

**17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space.

**Proposed C-17 Zoning District:**

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

**17.05.500: PERMITTED USES; PRINCIPAL:**

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

- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores, on/off site consumption.
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders facility.
- Laundry service.
- Ministorage facilities.
- Mobile food court.
- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.

- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office. (Ord. 3560, 2017)

**17.05.510: PERMITTED USES; ACCESSORY:**

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

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

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

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

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

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

MAXIMUM HEIGHT

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

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

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

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

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

For remaining uses:

1. Front: The front yard requirement shall be ten feet (10') except where a majority of the property of the same block is already developed to the property line, in which case the front yard setback is zero feet (0').
2. Side And Rear: The side and rear yard requirements shall be zero feet (0') except as required by life safety or uniform building codes and except when the side or rear abuts a lot in a different district that requires rear or side yards, in which case the property in this district shall have setbacks as specified in section 17.06.475 of this



title. In no circumstance shall an eave extend over a property line or result in stormwater impacts offsite. The building shall be set back five feet (5') minimum from the eave to the property line where the roof slopes towards the property line. If a metal roof is being used, the setback or installation of snow brakes shall be determined by the Building Department.

- D. For horizontal mixed use projects with both multiple-family housing and commercial uses, the setbacks shall be those which are applicable to the individual use in that portion of the project.
- E. There will be no permanent structures constructed within the corner cutoff.

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

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

Structure Type	Structure Location
	In Buildable Area For Principal Facilities
For residential uses	As specified by the R-17 district
For the remaining uses	No height limitation

**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.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.

**STREETS:**

4. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
5. All required street improvements shall be constructed prior to issuance of, or, in conjunction with, building permits.
6. An encroachment permit is required to be obtained prior to any work being performed in the existing right-of-way.

**STORMWATER:**

7. 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

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2007 Comprehensive Plan  
Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2017 Trails & Bikeways Master Plan

**ACTION ALTERNATIVES:**

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

Attachment: Applicant's Narrative

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A decorative border composed of a grid of purple diamonds in two shades, surrounding a central light purple rectangular area.

**APPLICANT'S  
NARRATIVE**

City of Coeur d'Alene, Zone Change Application, Reason for Request  
455 W. Cherry Lane, Coeur d'Alene, ID 83814  
Parcel #C4050000061B, Zoned R-12

This parcel is zoned R-12. It is in the **US 95 Corridor** under the City's CP (Comprehensive Plan). This Corridor is defined under the CP as in "**Transition**". This area in Transition includes 455 W. Cherry Lane, one of a handful of residential lots that will be changing and ultimately all the area is expected to be zoned commercial, C-17. This R-12 parcel's borders are as follows: to the east it is bordered by Gross Donuts, C-17, known as 445 W. Cherry Lane and adjacent to Hwy 95; to the north it is bordered by a large retail center (Grocery Outlet, Harbor Freight Tools, Texas Roadhouse, etc.), C-17; and to the south (across the street) is another commercial user. The CP's purpose/intent of this category, **Transition**, is to continue the change envisioned by the City. The goals and objectives of the CP are met with a zone change from R-12 to C-17: (1) no impact on the environment; and (2) economic growth is encouraged. This zone change is in keeping with the existing zoning of the C-17 parcels immediately adjacent and nearby. Rezone from R-12 to C-17 is in character with the surrounding land use and zoning and in harmony with the CP's goals and objectives for this corridor, the **US 95 Corridor**.

Thank you. CDA Enterprises, LLC, owner/applicant for zone change. 06.29.2021.

**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** MIKE BEHARY, ASSOCIATE PLANNER

**DATE:** AUGUST 10, 2021

**SUBJECT:** A-3-21 – ZONING PRIOR TO ANNEXATION OF 4.18 ACRES FROM COUNTY COMMERCIAL TO C-17.

**LOCATION:** PROPERTY LOCATED AT 3525 W SELTICE WAY.

**APPLICANT:**  
Kootenai Youth Recreation Organization  
ATTN: Vince Hughes, KYRO President  
P.O. Box 491  
Post Falls, ID 83877

**Architect:**  
Longwell Trapp Architects  
ATTN: Cory Trapp  
8382 N Wayne Drive, Suite 204  
Hayden, ID 83835

**DECISION POINT:**

The applicant is requesting approval of an annexation of 4.18 acres in conjunction with zoning approval from County Commercial to C-17 Commercial zoning district.

**BACKGROUND INFORMATION:**

The subject property is currently the home to Frontier Ice Arena and located in the unincorporated area of the county. The subject site is adjacent to the city limits on the west and southwest side of the subject site. The property is currently zoned County Commercial. The subject site is located within the City's Area of City Impact (ACI).

The current Frontier Ice Arena has operated at this site since 2001 and replaced an older facility that operated on the site many years prior to the construction of the new rink. The applicant has indicated that the continued growth in Kootenai County and the surrounding area has created a demand for an additional ice rink.

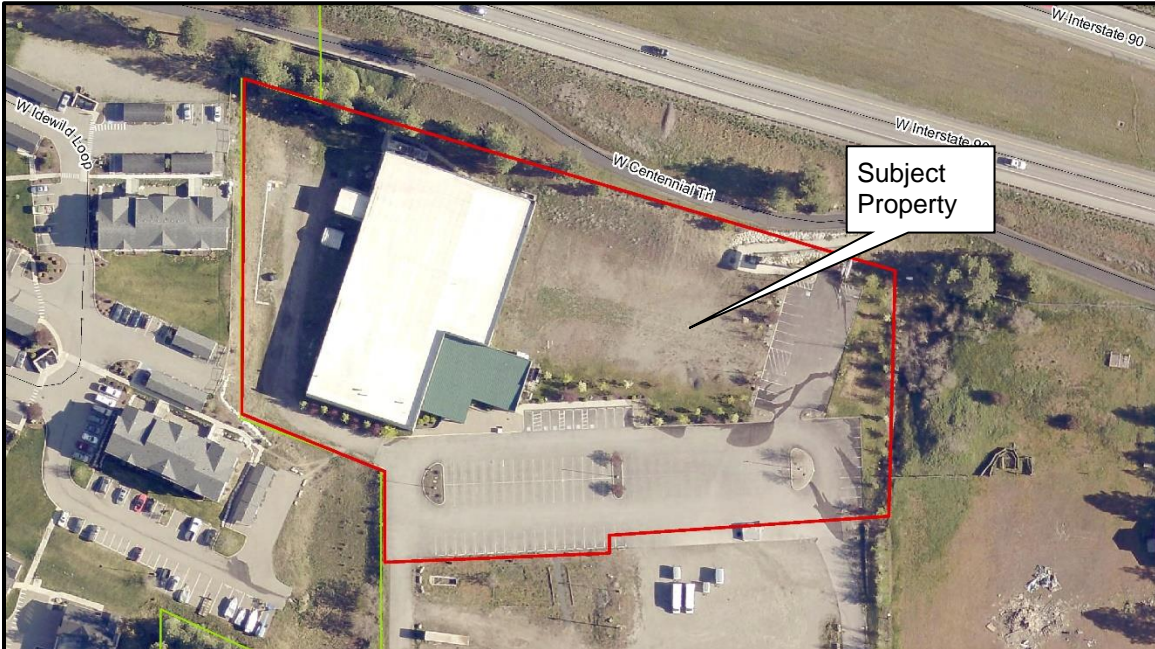
The Ice Arena would like to expand and add a second sheet of ice to serve the growing needs of the hockey and ice skating in the community. In order to expand, the Frontier Ice Arena is required to connect to the City of Coeur d'Alene sewer system as the existing septic drain field does not have the capacity to accommodate the increased building size.

The applicant is proposing a C-17 zoning district designation. The zoning ordinance classifies an ice arena use as commercial recreation, which is a permitted use in the C-17 zoning district. See the applicant's narrative that is an attachment at the end of this report for the full details of their request.

**PROPERTY LOCATION MAP:**



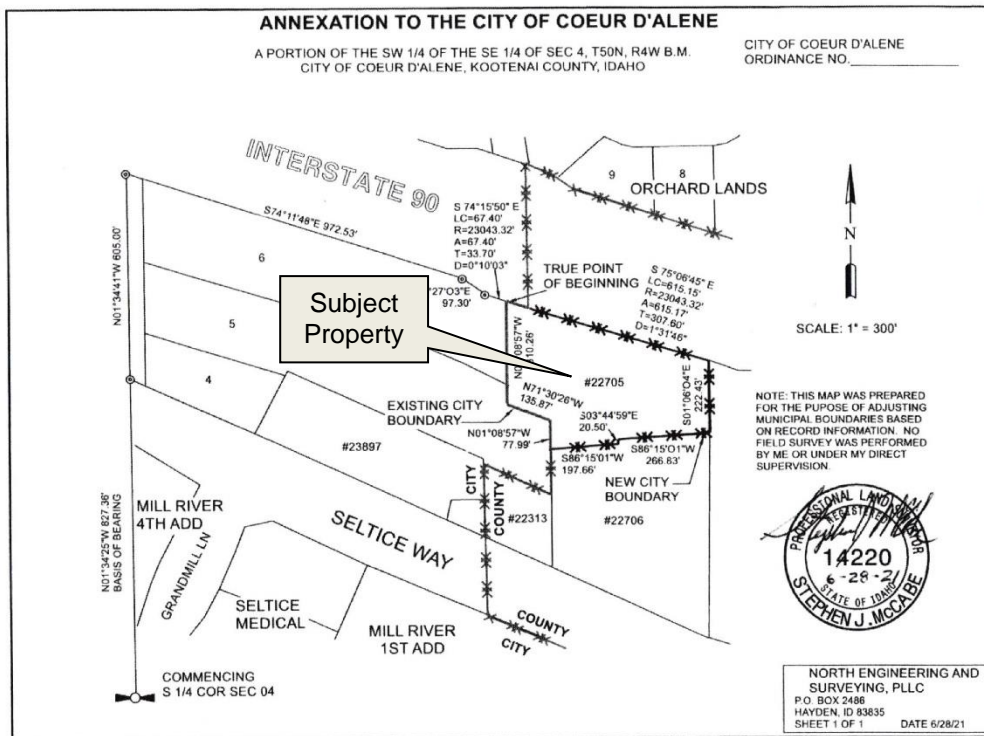
**AERIAL PHOTO:**



**BIRDSEYE AERIAL:**

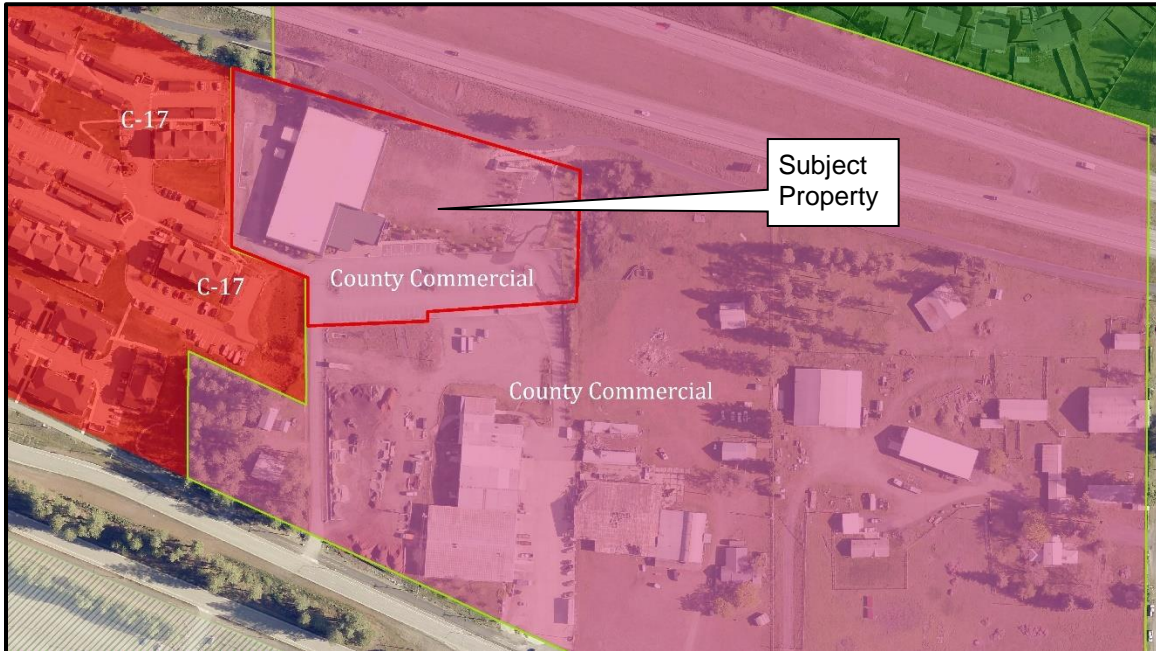


**ANNEXATION MAP:**

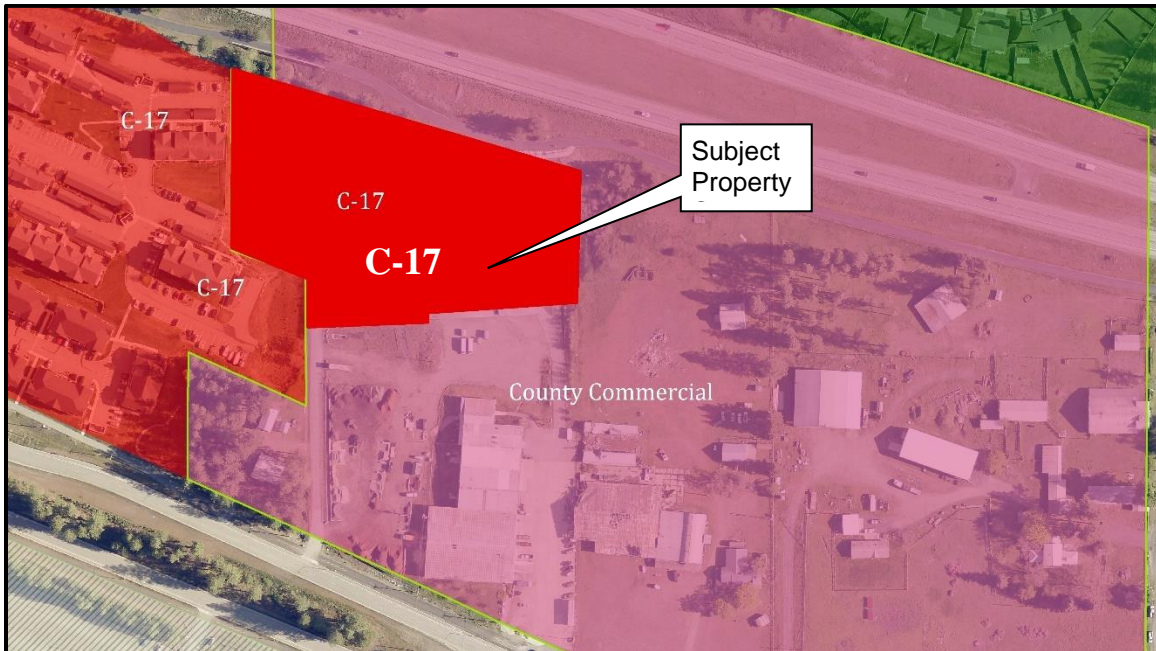




**EXISTING ZONING MAP: County Zoning Districts**



**PROPOSED ZONING MAP:**



Approval of the requested C-17 Zoning in conjunction with annexation would allow the following potential uses of the property. The proposed C-17 zoning is shown on the map above. The proposed zoning district is consistent with the existing zoning of all of the surrounding properties in the vicinity of the subject property.

**Proposed C-17 Zoning District:**

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

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

- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- **Commercial recreation.**
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders' facility.
- Laundry service.
- Ministorage facilities.
- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Pocket residential development (as specified by the R-17 district).
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office

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

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

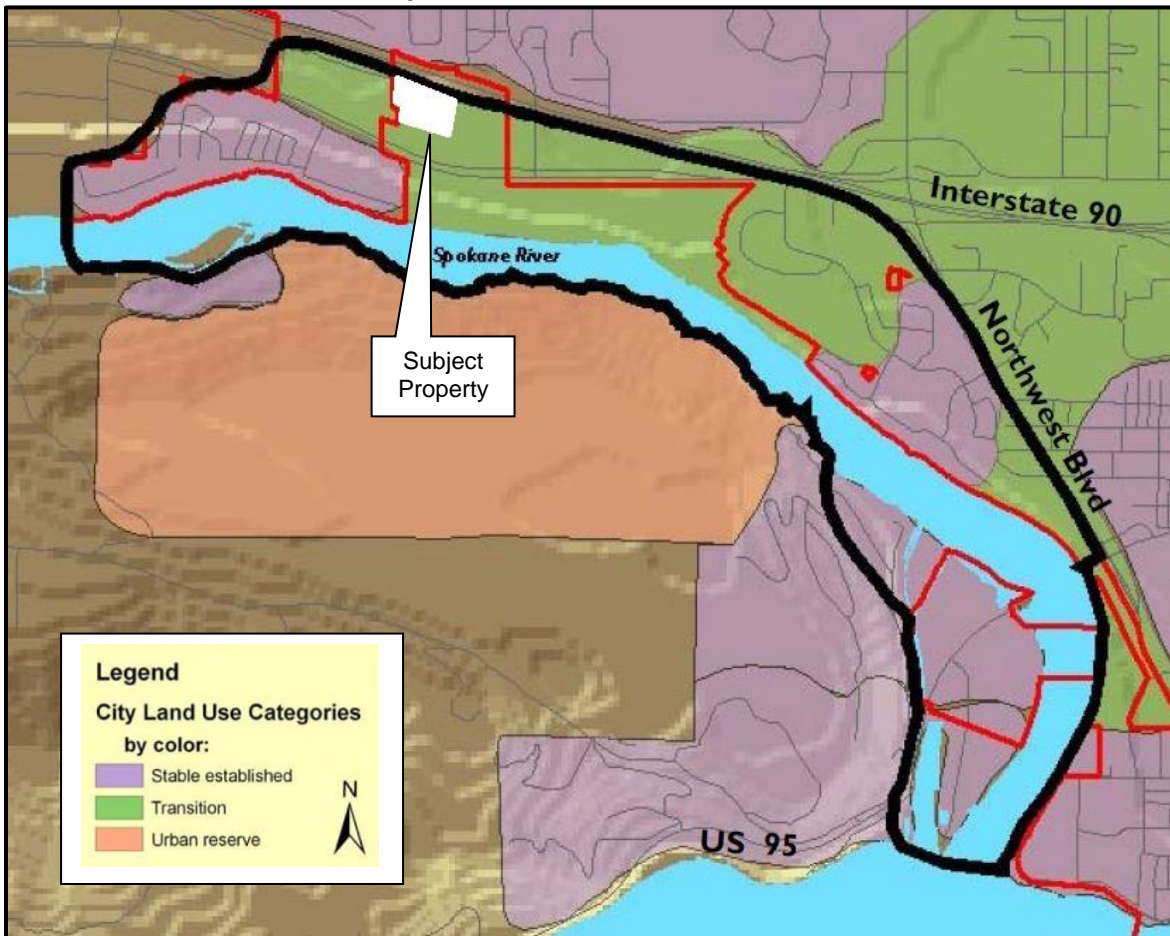
**REQUIRED FINDINGS FOR ANNEXATION:**

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

**2007 COMPREHENSIVE PLAN LAND USE CATEGORY:**

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this property within the Spokane River area.

**COMPREHENSIVE PLAN MAP: Spokane River**



***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.

**Spokane River Today:**

This Spokane River District is in a state of flux from its historic past use as a site of four major water front 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 acres to 160+ acres provide opportunities for large scale master planning.

**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 neighborhoods 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, 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.
- Neighborhoods will retain and include planting of future, large-scale, native variety trees.

## **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 1.11 - 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 1.14 - Efficiency:**

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

### ***Goal #2: Economic Environment***

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

#### **Objective 2.01 - Business Image & Diversity:**

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

#### **Objective 2.02 - Economic & Workforce Development:**

Plan suitable zones and mixed-use areas, and support local workforce development and housing to meet the needs of business and industry.

### ***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 3.16 - Capital Improvements:**

Ensure infrastructure and essential services are available prior to approval for properties seeking development.

### ***Goal #4: Administrative Environment***

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

#### **Objective 4.01 City Services:**

Make decisions based on the needs and desires of the citizenry.

#### **Objective 4.02 - City Services:**

Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).

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

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

**STORMWATER:**

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

*-Submitted by Chris Bosley, City Engineer*

**STREETS:**

The subject site is currently developed and has no frontage on Seltice Way, both to the west and the east. An easement must be provided through a neighboring property to Seltice Way to provide access. The Streets and Engineering Department has no objection to this annexation request.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

The property for proposed annexation lies within the City of Coeur d'Alene's water service area. The city of Coeur d'Alene's Water Department currently serves the ice arena at 3525 Seltice Way.

*-Submitted by Kyle Marine, Assistant Water Superintendent*

**SEWER:**

The public sanitary sewer is located in the bike path north of Seltice Way. A sewer stub is already supplied to this property. The subject property is within the City of Coeur D' Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

*-Submitted by Larry Parsons, Utility Project Manager*

**PARKS:**

There is currently a pedestrian connection to the Centennial Trail and a shared lot for trail users. The Parks Department has no objection to this annexation request.

*-Submitted by Monte McCully, Trails Coordinator*

**FIRE:**

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals. The Fire Department has no conditions at this time. The CDA Fire Department will work with the development team utilizing the current adopted Fire Code (2018 Edition) for access, fire protection and hydrant placement at building permit time. The Fire Department has no objection to this Annexation request as proposed.

*-Submitted by Craig Etherton, Fire Inspector*

**POLICE:**

The Police Department has no requirements for this annexation.

*-Submitted by Lee White, Chief of Police*

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

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

**PHYSICAL CHARACTERISTICS:**

The site slopes to the south and there is an approximately a fifty-foot elevation drop on the subject property. (See topography map below) There are no topographical or other physical constraints that would make the subject property unsuitable for the annexation request. Site photos are provided on the next few pages showing the existing conditions.

**TOPOGRAPHIC MAP:**



**SITE PHOTO - 1:** View from the southwest part of property looking north.





**SITE PHOTO - 2:** View from the southwest part of subject site looking northeast.



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



**SITE PHOTO - 4:** View from the northeast part of property looking west



**SITE PHOTO - 5:** View from the northeast of property looking southwest.



**SITE PHOTO - 6:** View from the south side of Seltice Way looking north at the existing driveway.



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

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

**TRAFFIC:**

The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone and no changes in use have been proposed. The Streets & Engineering Department has no objection to the annexation as proposed.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

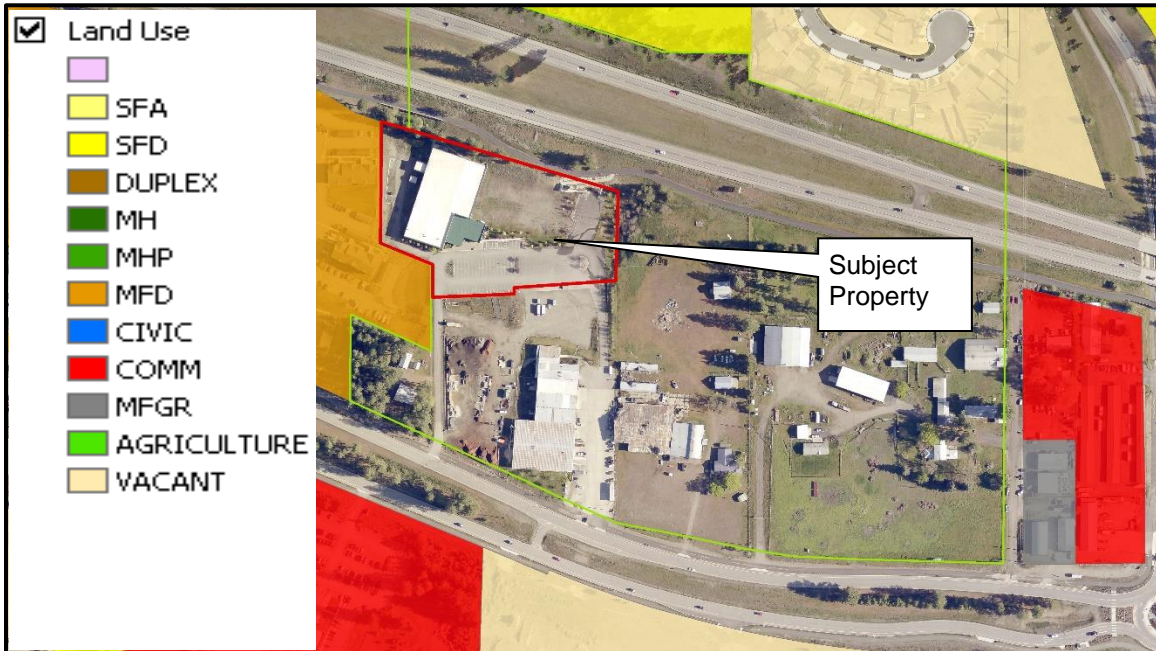
See the "Spokane River Today" descriptions from the 2007 Comprehensive Plan listed in finding #B8 as well as the photos of subject property. The surrounding properties to the south have commercial and civic uses located on them. The properties to the west and

to the east have residential uses located on them. Interstate 90 and Centennial Trail is located to the north.

There is an existing public access point for the Centennial Trail and trailhead parking for the public at the northeast corner of the subject property. This is an important connection for the community and trail users. There is a recommended item for consideration in the annexation agreement included at the end of this staff report related to preservation of the trail connection and trailhead parking for the public.

The property is accessed through another property to the south in two locations along Seltice Way. Approval of this requested annexation won't change the access; however, it will make it such that the property to the south is in the County and the subject property is in the City. There is a recommended item for consideration in the annexation agreement included at the end of this staff report related to providing copies of any shared access easement and parking agreements with neighboring properties to ensure legal access to the property and any agreements related to parking on either property that might impact the Ice Arena. The project will be required to meet all City code requirements, including parking.

**GENERALIZED LAND USE PATTERN:**



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

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

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  
2018 Coeur d'Alene Trails Master Plan

**RECOMMENDATIONS FOR ITEMS TO INCLUDE ANNEXATION AGREEMENT:**

1. Sewer Policy# 716 requires only one appropriately sized service lateral will be allowed to serve each legally recognized parcel (lot). "One Lot...One Lateral". Installation of "extra" sewer service laterals for future use on any singular parcel is prohibited.
2. Appropriate Sewer Cap Fees will be Due at time of Building Permits.
3. The public trail connection and trailhead parking for the Centennial Trail must be preserved as part of the requested annexation and proposed expansion of the Ice Arena.
4. The applicant is being requested to provide copies of any shared access easement(s) and parking agreement(s) with adjacent properties to provide proof of access and detail any parking obligations or overflow parking areas.

**ACTION ALTERNATIVES:**

Planning Commission will need to consider this request for zoning in conjunction with annexation and make findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Attachments: Applicant's Narrative



**APPLICANT'S  
NARRATIVE**



KOOTENAI YOUTH RECREATION ORGANIZATION, INC  
208-765-4423  
info@kyro.org  
P.O. Box # 491  
Post Falls, Idaho 83877

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June 28, 2021

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

**RE: Annexation Narrative for  
Frontier Ice Arena  
3525 W. Seltice Way  
Coeur d'Alene, Idaho 83814**

Dear Sirs,

The Frontier Ice Arena is requesting annexation into the City of Coeur d'Alene. The Ice Arena would like to expand and add a second sheet of ice to serve the growing needs of the hockey and ice skating in our community. In order to expand, the Frontier Ice Arena is required to connect to the City of Coeur d'Alene sewer system as the existing drain field does not have the capacity to accommodate the increased building size.

We are requesting annexation into the City of Coeur d'Alene as a C-17 zone. The current zoning of the apartment complex, located in the City of Coeur d'Alene, to the west is C-17, Interstate 90 borders our property to the North, existing commercial property in Kootenai County is located to the south and the property located to the east is open land that was a former stockyard. The current Frontier Ice Arena has operated at this site since 2001 and replaced an older facility that operated on the site many years prior to the construction of the new rink. The continued growth in Kootenai County and the surrounding area has created a demand for an additional ice rink.

### **Comprehensive Plan Responses**

#### **Goals and Objectives:**

##### **Goal #1 – Natural Environment**

The expansion of the existing Ice Rink will not impact environmental quality or create hazardous materials. Storm water is currently directed to grassy swales and any future parking will be treated in grassy swales to protect water quality and the aquifer. The site is not located on the waterfront and will not have an impact. The existing building is located in a depression from an old gravel pit and views and vistas are preserved over the top of the Arena from Interstate 90.

## Goal #2 – Economic Environment

The Frontier Ice Arena has been operating in the current location for 20 years. By annexing into the City of Coeur d'Alene the Frontier Ice Arena will be able to add a second ice rink increasing our economic impact on the city and region. Additional employees will be required to operate the expanded ice arena. The second ice rink will allow for more hockey games, tournaments and open ice skating time bringing more visitors to the City.

## Goal #3 – Home Environment

The annexation of the Frontier Ice Arena will not have an impact on neighborhoods and home environments. The Ice Arena has been located in this area for over 20 years and is surrounded by commercial activities and a recently constructed apartment complex to the west. Some residential areas exist along the river on the south side of Seltice Way and the residential area to the north is separated from the Ice Arena site by Interstate 90.

## Goal #4 – Administrative Environment

The Frontier Ice Arena borders the City limits of Coeur d'Alene on its western property line. City sewer is available from Seltice Way and a sewer stub out already exists for connection to the Ice Arena. The Ice Arena is already connected to the city for water service.

### **Special Areas:**

The site is not located in any of the Special Areas identified in the Comprehensive Plan.

### **Land Use: Spokane River District**

The Comprehensive Plan indicates that our site is located in the Spokane River District. The site is located next to the Centennial Trail and has an access point to the trail off of the existing parking lot that will be maintained. The existing Ice Arena is accessed from Seltice Way through the parking lot and driveway of the commercial development to the south through a shared access agreement. The building is screened from Seltice Way by existing commercial buildings, the natural topography and mature pine trees. The site and building sit approximately 50 feet below the road level of Interstate 90, which further screens the building from the surrounding area.

In conclusion, we would like to thank you for considering our request for annexation into the City of Coeur d'Alene. The growing need for an additional ice rink can only be met through annexation into the City of Coeur d'Alene. Our record of 20 years of operation proves we are here to stay and we want to continue to grow and provide additional skating capacity for our community.





# **PUBLIC COMMENTS**



## STUHMILLER, SHANA

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**From:** Craig Shoquist <craigshoquist@gmail.com>  
**Sent:** Monday, August 02, 2021 3:22 PM  
**To:** STUHMILLER, SHANA

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

455 w. Cherry Lane, CDA ID 83815. Hello. My name is Craig Shoquist and my family has owned the house listed at the address I've already mentioned for close to 40 years. My grandparents owned it, and after they both passed away, my mother got the house.. She lived in it for over 20 years before she was taken from me by covid last December. I recently sold the house to Mike Delay. Im just writing you to let you know that I completely agree with, and give my support to changing the zoning of the property to commercial property from residential. The way this area has been growing and expanding, frankly I'm surprised that it hasn't already happened. So I completely support his efforts at changing the zoning. Thank you very much.

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

**ZC-6-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on, August 10, 2021, and there being present a person requesting approval of Item ZC-6-21, a request for a zone change from R-12 to C-17 zoning district

APPLICANT: CDA ENTERPRISES, LLC , Mike Delay

LOCATION: +/- 0.366 ACRE PARCEL OFF OF CHERRY LANE AND WEST OF HIGHWAY 95: LOCATED AT 455 W. CHERRY LANE

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B7.**

- B1. That the existing land uses are Commercial and Residential
- B2. That the Comprehensive Plan Map designation is US-95 Corridor:
- B3. That the zoning is R-12.
- B4. That the notice of public hearing was published on, July 24, 2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, August 1, 2021 ,which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on August 10, 2021.

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

**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 1.11 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 1.14 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 trails systems.

**Goal #2: Economic Environment**

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

Objective 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

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 3.03

Managed Growth:

Direct development of large chain warehouse ("big box") business outlets to zones that will protect neighborhoods.

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 3.16 Capital Improvements:  
Ensure infrastructure and essential services are available for properties in development.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:  
Make decisions based on the needs and desires of the citizenry.

Objective 4.06 – Public Participation:  
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision making process.

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

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

Special conditions applied are as follows:

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

**ROLL CALL:**

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Mandel	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____

Chairman Messina Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

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

\_\_\_\_\_  
CHAIRMAN MESSINA

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

**A-3-21**

**A. INTRODUCTION**

This matter having come before the Planning Commission on August 10, 2021, and there being present a person requesting approval of ITEM A-3-21 , a request for zoning prior to annexation from County Commercial to City C-17.

APPLICANT: KOOTENAI YOUTH RECREATION ORGANIZATION

LOCATION: 3525 W/ SELTICE WAY

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

**The Planning Commission (adopts) (does not adopt) Items B1 to B7.**

- B1. That the existing land uses are Commercial and Residential.
- B2. That the Comprehensive Plan Map designation is Spokane River area.
- B3. That the zoning is County Commercial.
- B4. That the notice of public hearing was published on July 24, 2021 , 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 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on August 10, 2021.

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

**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 1.11 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 1.14 Efficiency:

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

**Goal #2: Economic Environment**

Our Comprehensive Plan preserves the city's quality workplaces and policies, and promotes opportunities for economic growth.

Objective 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

Plan suitable zones and mixed use areas, and support local workforce development and housing to meet the needs of business and industry.

**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 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in development.

**Goal #4: Administrative Environment**

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

Make decisions based on the needs and desires of the citizenry



Objective 4.02 - City Services:

Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling and trash collection).

Objective 4.06 – Public Participation:

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

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

- Criteria to consider for B9:**
1. Can water be provided or extended to serve the property?
  2. Can sewer service be provided or extended to serve the property?
  3. Does the existing street system provide adequate access to the property?
  4. Is police and fire service available 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 Kootenai Youth Recreation Organization for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Suggested provisions for inclusion in an Annexation Agreement are as follows:

1. Sewer Policy# 716 requires only one appropriately sized service lateral will be allowed to serve each legally recognized parcel (lot). "One Lot...One Lateral". Installation of "extra" sewer service laterals for future use on any singular parcel is prohibited.
2. Appropriate Sewer Cap Fees will be Due at time of Building Permits.
3. The public trail connection and trailhead parking for the Centennial Trail must be preserved as part of the requested annexation and proposed expansion of the Ice Arena.
4. The applicant is being requested to provide copies of any shared access easement(s) and parking agreement(s) with adjacent properties to provide proof of access and detail any parking obligations or overflow parking areas.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Mandel	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____

Chairman Messina Voted \_\_\_\_\_ (tie breaker)

Commissioners \_\_\_\_\_ were absent.

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

\_\_\_\_\_  
CHAIRMAN TOM MESSINA