

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

OCTOBER 10, 2017

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

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

5:30 P.M. CALL TO ORDER:

ROLL CALL: Messina, Fleming, Ingalls, Luttropp, Mandel, Rumpier, Ward

APPROVAL OF MINUTES:

8-8-17, PC Meeting
8-22-17, Workshop
9-12-17, PC Meeting

PUBLIC COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: The Estate of Marvin Paul Keough
Location: 7845 N. Ramsey Road
Request: A proposed 4.6 acre annexation from County Agricultural to City C-17 LEGISLATIVE, (A-3-17)
2. Applicant: Welch Comer
Location: S. of vacated Garden Avenue, E. of Park Drive
Request: A proposed zone change from R-3 to R-8 QUASI-JUDICIAL, (ZC-3-17)
3. Applicant: Welch Comer
Location: E. of Park Drive, W. of Northwest Boulevard
Request: A proposed 10-lot preliminary plat "Park Drive Addition" QUASI-JUDICIAL, (S-3-17)
4. Applicant: Idaho Waterfront LLC.
Location: W. of Tilford Lane
Request:
 - A. A proposed 1.66 acre PUD "Tilford Place PUD" QUASI-JUDICIAL, (PUD-2-17)
 - B. A proposed 13-lot preliminary plat "Tilford Place" QUASI-JUDICIAL, (S-4-17)

ADJOURNMENT/CONTINUATION:

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

Motion by _____,seconded by _____ , to adjourn meeting; motion carried unanimously.

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



MINUTES



**PLANNING COMMISSION
MINUTES
AUGUST 8, 2017
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Peter Luttrupp

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Mike Behary, Planner
Shana Stuhlmiller, Public Hearing Assistant
Mike Gridley, City Attorney
Bill Greenwood, Parks and Recreation Director
Terry Pickel, Water Superintendent
Kyle Marine, Water Department
Mike Becker, Wastewater Department
Craig Etherton, Fire Department

COMMISSIONERS ABSENT:

Michael Ward
Lewis Rumpler

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Fleming, seconded by Mandel to approve the minutes of the Planning Commission meeting on June 13, 2017 and July 11, 2017. Motion approved.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

- Staff has scheduled another workshop on Tuesday, August 22nd starting at 4:00 p.m. This workshop is a continuation of the Work Plan items discussed at the previous workshop on July 11th.
- Hilary Anderson, Community Planning Director stated we have one public hearing scheduled for the September 12th Planning Commission Meeting.
- Staff has scheduled a conference call with the City of Madison, Wisconsin who is also updating their Comprehensive Plan. She explained that Commissioner Mandel knew the Planning Director from Madison and thought it would be a good idea for staff to talk with them since they are also in the process of updating their Comprehensive Plan.

PUBLIC COMMENTS:

None.

PUBLIC HEARINGS

1. Applicant: City of Coeur d'Alene
Location: 3074 W. Seltice Way, Atlas Mill Site
Request: A proposed 46+/- acre annexation from County Industrial to City C-17 (Commercial at 17 units/acre) zoning district. LEGISLATIVE, (A-2-17)

Hilary Anderson, Community Planning Director, presented the staff report and stated that this is a proposed 46+/- acre annexation from County Industrial to City C-17 and provided the following statements.

- The City of Coeur d'Alene entered into a Purchase and Sale Agreement with Bad Axe LLC on May 4, 2017 to purchase land commonly known as 3074 W. Seltice Way, which is referred to as the Atlas Mill site.
- It is comprised of approximately 46 acres of vacant land located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River. Acquisition of the 46 acres of land opens the door for economic development and public access to the river which is something that has been deemed as a high priority in the CDA 2030 Vision and Implementation Plan.
- The City Council also adopted a resolution in 2014 (14-049) specifically directing City staff to work toward public acquisition of riverfront property, protection of the riverfront, and providing comprehensive planning for the river corridor.
- The City and Bad Axe LLC are in a six-month due diligence period.
- The subject property is located in Kootenai County, but is surrounded by the city limits.
- The City owns the former railroad right-of-way that runs through this property.
- The former right-of-way was acquired and annexed into the city in 2015 to provide opportunities for parkland, a trail, and public access to the waterfront.
- Annexation of the property into the City of Coeur d'Alene would allow for City water and sewer utilities to be extended to the property.
- Development of the Atlas Mill site will promote multi-modal connectivity to the downtown and connect neighborhoods to the west and east with a trail, parkland and public access to the river. Additionally, it will create opportunities for economic development and job creation.
- The Atlas Mill site is also within the Special Area known as Shorelines, which requires unique planning.
- In order for ignite CDA, the City's Urban Renewal Agency, to participate in the project; the agency's designated boundaries must be expanded to include this property. That cannot happen until the property is annexed into the City of Coeur d'Alene.
- As part of the six-month due diligence process, the current property owner has agreed to allow the City to begin annexing the property.
- City staff is managing the annexation process to ensure this moves forward as quickly as possible.
- She presented various photos showing where the property is located and existing conditions, a current Aerial Photo, a 1999 Aerial Photo showing the Atlas Mill in operation, the annexation map, a map showing the Annexation History surrounding the subject property, and a map showing an existing zoning map.
- She explained the Comprehensive Plan objectives.
- Ms. Anderson concluded her presentation and stood for questions..

Commission Comments:

Chairman Messina inquired if staff could explain the process for an annexation once it approved by the Planning Commission.

Ms. Anderson explained that the Planning Commission makes a recommendation to council if the proposed zoning is appropriate for the project. The Council will hear the request as a new hearing with public testimony allowed and review staff's recommendations for items to consider including in the annexation agreement. If the annexation is approved, an annexation agreement would be drafted and recorded, along with the annexation ordinance. She stated if the city decides not to go through with the sale the owner of the property may decide not to annex it into the city at all.

- Chairman Messina inquired if the annexation and agreement are all approved at one meeting or does that have to come back for another meeting.

Ms. Anderson explained that the approval of the annexation request would happen at the public hearing , and then staff would draft an annexation agreement and ordinance, which would come back to the City Council for approval at a subsequent meeting.

- Chairman Messina inquired once the annexation agreement and ordinance is approved would the city start the process for purchasing the property.

Ms. Anderson stated no, and explained that the city's goal was to get through the two public hearings by October 25th. The city has two dates to purchase the project and if the city waits until the later date, the price of the property will increase. The annexation agreement and ordinance may happen after the purchase is complete.

- Chairman Messina explained that until the City annexes the property into the city limits, nothing can be started on the property. He explained since going through the process at Riverstone he feels the commission has learned a few things about protecting the shoreline. He stated this is a pristine piece of property and does not want to make some of the mistakes that were made at Riverstone for this property. He questioned why the city chose C-17 and if approved, will the city sell some of the property.

Ms. Anderson answered that some of the property will be developed so that the purchase of the property can pencil financially and a portion would be dedicated for parks and open space, waterfront access and trail connections. She explained that staff felt C-17 was the most appropriate zoning district with a requirement for master planning through a Planned Unit Development (PUD) to be included in the annexation agreement so that the city has assurance what the property will look like.

- Commissioner Luttrupp clarified if it's the city intent to sell a portion of the property to Ignite.

Ms. Anderson stated that is correct.

Mike Gridley, City Attorney, explained that this piece of property is considered a "brownfield site" which used to be a mill and has been vacant, and overgrown with weeds. He commented that prospective buyers have looked at this property and for various reasons have struggled putting a deal together. He feels one of the city's main goals is to create an opportunity for development that will include job creation and how the city is involved is to implement the acquisition and sell it to Ignite. Any seller would put some restrictions on what we want out of that sale and Ignite as an Urban Renewal Agency will have some freedom and ability to then work with the private sector to work on what will be best for our community. He stated that there might be some residential uses on the property but feels the goal is to create jobs with maybe a campus such as a "tech" campus and that Kootenai Health has had some interest. He exemplified that we are creating a "canvas" that will be a successful place for someone to create more jobs.

- Commissioner Luttrupp inquired if we approve the zoning as requested, will the property owner

get the benefit. He questioned if there is anything that would result in the final annexation and zoning going to the current owner and not to ignite or the City.

Mr. Gridley commented that the property would go back to the owner if the deal falls through and the owner wants to annex the property into the city it would have to go through the same process and that those recommendations by staff will have to be agreed to if it is approved. He explained if this property goes back to the owner we will still have some control as in the way the property will be developed. He stated this is a unique position because the City is the applicant

- Commissioner Luttrupp clarified so if this is not approved, then the zoning is not approved and questioned if that is correct.
- Commissioner Mandel commented if this annexation is approved then the recommendations would go to Ignite CDA.

Mr. Gridley responded that is correct and explained that those recommendations are negotiated and then the annexation agreement gets recorded with the property.

- Commissioner Ingalls explained the history behind Riverstone and what with that property happened in the past he commented somethings were great and some not. He commented after reading the letter they received from the Friends of the Spokane River Corridor some of their key points is to not allow any construction between the BNSF right-of-way (ROW) and the river to remain open to the public. He inquired if the commission agrees that we could make a recommendation to council a condition that goes beyond the required ten acres of open space is too restrictive that should be a recommendation to adopt a condition that goes beyond the 10 acres to include the strip along the Spokane River.

Ms. Anderson noted on the map the strip of land that Commissioner Ingalls was addressing and explained that the recommendations that staff recommended that the City Council has a choice to take one or all of them. She feels that it is appropriate for the commission to make additional recommendations for their consideration.

- Chairman Messina explained that the Commission can add additional findings if they feel it's appropriate.
- Commissioner Ingalls stated that he would ask the question in a different way if the recommendation that the city-owned property along the BNSF strip and the land next to the Spokane River if we wanted this opened to the public would this work for the business model.

Ms. Anderson explained that Ignite is looking at how the various types of land uses would "pencil out". She doesn't know if ignite has all those numbers yet to make that determination. She commented if the commission feels strongly to make that recommendation to remember that to make it work it has to work for ignite and the city if it was worded in a correct way.

- Chairman Messina stated we can make recommendations to go forward in the Annexation Agreement but the Council has the final say of what goes into that agreement.

Mr. Gridley explained that the city has been working with a team of experts for the development of this property and from their discussions, they discussed ideas of places where the community can gather such as a brew pub or restaurant or whatever the community can come to. He explained that the city felt the C-17 gives more flexibility to incorporate something for everyone and anything the commission recommends the council will consider.

- Chairman Messina stated in the past the commission has had struggles with the meaning of "open space" and what it means to different people. He feels that with this property what he is

hearing from previous comments to have more public space. He stated that with Riverstone the developer had a dream and because of various circumstances some things changed and feels that he doesn't want to make those same mistakes with this property. He stated Riverstone was a good project, but feels some commissioners may feel we could have done better.

- Commissioner Luttrupp stated that once we acquire this property that is considered a "Brownfield Site," the city will make sure that there are no contaminants on the property.

Mr. Gridley exemplified as a property owner we will work with DEQ and that the mill was owned by Stimson Company and there was a contract with Marshall Chesron to buy it and they removed the mill, dug the ground up and found concrete and some petroleum and worked with DEQ to make sure the property was ok as part of their contract. He feels the city has a "high" level of confidence that there won't be any surprises on the property.

- Commissioner Luttrupp inquired about the mounds of dirt that are currently on the property.

Mr. Gridley explained that those piles are the foundations and footings from the mill that was there. He added that the concrete got ground up that can be used as structural fill. He added there is some log waste but no evidence of any toxic waste on the property.

Ms. Anderson stated that she wanted to clarify a statement she made about the trails and master plan. She noted in the staff report under department comments that the Parks Department stated that they got input from their commission as well as the public for the site. She commented if the commission wishes to add a recommendation to the annexation agreement stating: "That is could provide a regional park and could have public access, water access, beach park and accessible non boat launch and an accessible swim area with a jetty, a dog water park, and street trees." She added when the commission was talking about Riverstone and other things the group called River 47 had been looking at this site before and one of the other developers they had proposed a mixed use proponent in this area. She added they had proposed public docks that you could boat up to and different restaurants with some mixed use development. She stated they have heard this from different people that some mixed use would be a nice component. She stated if that is something else the commission would like to recommend this also as a recommendation to council.

Public testimony open.

Steve Gill stated that he works for the Department of Environmental Quality and supports this request and has been working with staff on this project and stated that they are working on an environmental report that will be done soon.

Terry Godbout stated he would like to give his public testimony time to Chet Gaede.

Susie Snedaker, commented a couple of years ago several people testified regarding the pristine Spokane River shoreline and they all felt this property is a legacy. She feels that it is a great opportunity for the city to purchase this property. She stated that she understands the process and would want R-1 zoning for the entire parcel to accepting a well thought out master plan that would mandate preservation of a public shoreline that achieves the adopted goals. She commented "Start stripped and tighten up later". She explained you can always loosen it up and start with an R-1 zoning and go from there. She stated that she was on the Planning Commission for 11 years, did her homework before each meeting before she would cast a vote. She explained during those 11 years as a commissioner regretted one vote which was the approval of Riverstone which still haunts her today. She asked that before the commission votes to consider the following: What if the proposed zoning is too broad and intense and what if it restricts Comprehensive Planning, and more importantly, "What if it doesn't protect the pristine shoreline, and what if the city lapses ordinances and mandates?" She feels if the commission decides to approve this zone change to include Resolution 14-09 to preserve a public shoreline and utilize Comprehensive Planning for each proposal.

Sherri Robinson stated she is in favor of the annexation and would like to give her public testimony time to Chet Gaede.

Chet Gaede is in favor of the project and feels this is a “once in a lifetime” opportunity for the city. He is also excited about the processes. He explained that the applicant is the City and that changes this whole process. This gives the city new responsibilities and new opportunities as a Planning Commission for example. If the commission decided this property should be zoned C-17 and the community thinks this is awful and he appeals the Planning Commission decision which goes to City Council which makes it strange because the city is the applicant. He stated he is asking the Planning Commission for their recommendations for this property.

He feels the Planning Commission has a couple options for this property such as a Planned Unit Development (PUD) that will need to come back to the commission for their approval. He feels by having a PUD will help protect the riverfront as noted in this letter. In his letter they addressed the Railroad Right of Way (ROW) and not the extension as noted on staff’s map. He stated instead of a PUD to protect the land along the river why not just say it’s for the public. He explained if a PUD is approved that will go with the next owner who is Ignite CDA. He stated that when the city was working on Memorial Field they didn’t sell it to Ignite CDA so they could develop it so instead Ignite CDA developed it for the city. He commented the city should keep that piece of shoreline property and not sell it.

He addressed the Shoreline Ordinance which is a great tool and if a PUD is issued that would erase the requirements in the Shoreline Ordinance. He stated this is what happened with Riverstone. He commented in a meeting with staff and the City Council where this property was discussed on who is buying it and zoning was discussed council set a goal of \$100 million dollars of taxable property. In that meeting the council didn’t give a timeline how long that would take they just know that the city and Ignite CDA will get their money back. He thinks that’s a great goal but in that same conversation they mentioned having homes along the riverfront. He stated that he disagrees with the council on their method to reach that goal and that the shoreline should remain open to the public. They also discussed having bars and pubs nice places to gather along the river and feels that these establishments have to be right on the river and suggested setting those establishments back by to the ROW which would still provide waterfront views. He stated tonight Resolution 14-49 has been discussed and the Parks Master Plan is a resolution, Ignite CDA’s implementation plan is a resolution.

He commented that he most concerned with Resolution 14-49 and the latest Planning Resolution 17-035 that is the trails master plan. He commented in the trails master plan it states they want a multi-use trail along the river. He questioned how we obtain that we keep the property. He feels all the goals they are discussing tonight the city keeping this property is important. He would like the commission to consider a recommendation tonight that states: “The property from the ROW and the river remains open to the public.” He feels in all of the Planning Commission documents has never seen a goal is to put houses along the riverfront. In conclusion, he is extremely excited about this project and the direction it is going and agrees with Ms. Snedaker’s comment to zone the property R-1 and feels by keeping it tight can always loosen when needed.

- Chairman Messina stated that he would like clarification if the commission is allowed to add conditions or just recommendations for this project.

Mr. Gridley answered that the commission can make recommendations not conditions. He clarified that the commission can suggest some conditions as recommendations.

Roger Smith stated he is in favor of the project and feels that this is a huge opportunity for the city. He explained this is a blank slate sitting on the river with 46+ acres in city ownership. He stated most cities would love to work with this and we should feel fortunate. He explained that the city does have a resolution that deals with the shoreline preservation and riverfront and within that resolution spelled out what can be done along the shoreline. He added that the city has the Comprehensive Plan that spells out the goals for open access along the river. He stated that he is opposed to the C-17 zoning and would prefer to see it R-1 and would also recommend that nothing be built from the ROW to the riverfront of that parcel and have

it in perpetuity. He exampled that he was in Bend Oregon recently and noticed on their water fronts they do have some mixed uses along their waterfront with a trail and natural landscaping between those uses and the shoreline. He commented everyone enjoys it but it's a win/win for the city and the public for property value.

Public testimony closed.

Discussion:

- Commissioner Ingalls inquired if Bill Greenwood, Parks Director could answer some questions. He stated Ms. Anderson mentioned some visionary things pertaining to parks. He inquired if boats will be allowed.

Mr. Greenwood explained that his discussion for this parcel was for a dock and not a boat launch. He explained in the past they missed an opportunity to have a kayak launch and hopefully we can still have this in this community and when staff was talking earlier about a boat launch he feels that staff was referencing this idea.

- Commissioner Ingalls stated he is relieved to hear that and wouldn't want a boat launch like what like the Third Street boat launch. He likes the idea of kayaks.

Mr. Greenwood explained this would be considered a passive use dock that wouldn't allow non-motorized stuff on the dock. He stated there is a lot of shoreline on this parcel and suggested separating the shoreline and has a dock that the public can pull up to and be far enough apart there wouldn't be any disturbance to other people.

- Commissioner Ingalls commented that in the past the commission has had a problem defining what "open space" means is and he would prefer to not see any houses on the water. He would agree to a place like The Harbor House in this area or something a little bigger if it was done right. He understands that the Harbor House has gotten some bad press recently and previously staff mentioned a place like Harbor House would be considered Third Places "Light" and inquired if the Parks Department likes those uses.

Mr. Greenwood explained the Harbor House did get some bad press this week and the reason is that we are successful and got busy and couldn't keep up. He explained it was a big weekend and we had a lot of staff, but spread too thin. The harbor house has been working well.

- Commissioner Ingalls questioned if a Harbor House would be a good fit for this project and something the public would enjoy.

Mr. Greenwood explained that by having the parcel zoned C-17 gives staff flexibility. He commented that the city has commercial docks at Independence Point and would be nice to have commercial vendors to provide kayaks and paddleboards plus it would give the city some revenue.

- Chairman Messina feels this property can be an extension for the public to get on the lake and not walk the streets. He explained that he would see people carrying kayaks across the street on Sherman. He feels it would be nice to have a retail center for the public that has parking close by that would be convenient. This is in control of the city that would still be considered open space but generates revenue for the city.

Mr. Greenwood stated this is good for the community that will generate some revenue, which is a good thing. He explained that the city beach is crowded and maxed out on any commercial activity we can do in that area. He feels that this property will help "thin out" create some other spots. He feels that C-17 gives us the flexibility and right now we are in the planning phase and excited for the possibilities. He feels that this property is an investment for the city and for the community. He stated that he would love to have the entire waterfront but nice to get some revenue generated. He stated that we are abiding to all of the

ordinances by providing some waterfront and pointed out on the aerial map a small portion of the property could be used as a beach and once used to pull logs out of the water. He exemplified another portion of the property is unbuildable and not accessible but could be considered public open space with viewing corridors. He feels there are so many things the city can do with this parcel and stated that everyone loves parks but it takes money to run them.

- Commissioner Fleming stated that this is an opportunity of a lifetime. She feels that this should not be debated and requires 190 feet of the shoreline to be dedicated as a park. She feels that this should be accessible and would agree to a dock that allows non-motorized boats. She feels this is the pinch point on the river and has taken her dog down there for a swim on occasion. She stated that she is concerned with safety and when she has taken her dog for a swim had to have him on a leash because the current is strong. This is a great opportunity that connects the city on all sides. She concurs that a PUD is necessary to have control over this piece of property.
- Commissioner Mandel stated that she feels everyone wants to achieve the same thing and this is an opportunity we don't want to squander. She understands the previous resolutions but there are questions and concerns about the "teeth" of those and the follow through. She explained in previous situations there has been a private developer versus now it the city who will own the property. She commented based on the ten recommendations there are some tools even with the C-17 zone that would enable us to achieve some of the conditions that have been stated in previous resolutions. She questioned if staff could explain the PUD process.

Ms. Anderson stated that the PUD is approved by the Planning Commission. She explained the difference between the limited PUD and a regular PUD is that with the limited design PUD there is very little detail so you don't have the same master planning. She explained that was staff's recommendation is that a PUD be required and not a limited PUD so the city would have more control over the property.

- Commissioner Mandel questioned by having a PUD would that still include the Shoreline Ordinance and Parks right-of-way.

Ms. Anderson stated that is correct. She suggested if the commission would like to modify any of the recommendations from staff they could reference the resolutions.

- Commissioner Luttrupp inquired how the zoning is affected by a PUD.

Ms. Anderson explained that it's like a layer where the property has the zone and a PUD is an overlay to the existing zoning. She explained if you had R-1 zoning and a PUD you would still be restricted.

- Commissioner Luttrupp clarified that you could still do a PUD even if the zone was an R-1 or C-17.

Ms. Anderson stated that in previous public testimony the idea was to start with a less zone such as an R-1 and once the project is designed it would have to be zoned a different zone and then do a PUD.

- Commissioner Luttrupp inquired if the parks are zoned C-17.

Mr. Greenwood stated the reason he supports a C-17 zone is for the tax base. He feels a C-17 gives the ability to be more creative and if you limit it. He stated he sees it a little differently and would like to see some revenue from this piece of property and explained there is a lot of land on that property for parkland. He heard in previous testimony to make the entire parcel park land and that's great but it means more land for his staff to take care of and a lot of money going out with no return. He feels that he would like to see a 10, 11 or 12 acre park. He explained that city park is about 12 acres including the beach.

- Chairman Messina feels if you come back with a PUD, the commission could put restrictions on what that PUD will look like. This is an opportunity that the city has with the conditions we can make or recommendations we can make. He feels tonight we have an opportunity to make

recommendations to council on what we think this property should look like.

Mr. Gridley explained the reason the city is looking to buy this property because other private parties have looked at this property and evaluated the risk and felt there is too much risk. He stated the city wants to achieve is minimizing some of that risks. He explained if the zone is R-1 that immediately puts more risk back on a future developer because they don't know if the commission will grant a higher zone on the other hand if you have a C-17 people will come in and gives them the flexibility. He stated that the city has the power to control this property by a PUD. He stated if the developer sees this as already zoned C-17 they are more likely to take the risk.

- Commissioner Luttrupp inquired how Ignite Cda will be involved in this process.

Mr. Gridley stated this is community visioning project and feels Ignite Cda will not be the developer. He described Ignite Cda's job is to create a canvass or "set the table" for people to come in and do things the community wants.

- Commissioner Luttrupp stated then maybe an R-1 zone is too constraining

Mr. Gridley explained if a developer wants to invest in a piece of property they want it to be entitled.

- Chairman Messina explained that if this property has a PUD it would come back to the commission for approval. He stated by allowing the city develop some parks on this property understands that parks don't generate any tax base and feels is cost money to maintain the parks. He stated by letting Ignite Cda to participate in this will allow Ignite CdA to sell some of the property for development so having parks can be doable. He feels this is a double edge sword yes, it would be great to have the entire parcel just for the public but we need to sell some in order to maintain the parks. We have to compromise.

Mr. Gridley concurred with Chairman Messina we need to get revenue back to pay for the park.

- Commissioner Ingalls feels C-17 is appropriate and explained we put a lot of effort around this dais he feels we have gone through a lot of analysis to come up with this decision. This property is surrounded by C-17. He stated personally he is less concerned about the zoning then maybes beefing up those recommendations in the Annexation Agreement that makes a strong statement that we highly recommend to council that we require a PUD. He commented in previous testimony really wants to see a Comprehensive Plan analysis and the city want that to so let's start with a clean slate and do visioning and already locked in a vision of R-1. He feels that R-1 is too restrictive and not the appropriate zoning. He feels by allowing this parcel to go through the PUD process the commission will get to see it from beginning to end and that is why he is comfortable with C-17. He would also want a statement added to the annexation agreement that says "No heavy boat launch," there be a trail along the riverfront and maybe have a "third place opportunity" as discussed weaved in there with a trail. He would also like to include no residential along the river.
- Commissioner Luttrupp inquired if Commissioner Ingalls would provide the language stating that no commercial uses allowed on the river.
- Commissioner Ingalls stated no because he would want to go down and sit at a Harbor House or maybe rent a bike, or maybe something a little bigger. He just doesn't want to see someone buying the property and boxing him out.
- Commissioner Luttrupp concurs with Commissioner Ingalls recommendations.
- Chairman Messina suggested if any commissioner has suggestions for recommendations to state them now.

- Commissioner Ingalls feels we need to trust the process and support staff in their visioning including public input.

Ms. Anderson thanked Mr. Gill for being here tonight who is from the Department of Environmental Quality who will be implementing a "Vision to Action" community visioning process. She explained they would start the visioning process once the city closes on the property and the community visioning would be focused on focus on public open space, recreation including access and not been determined yet who would take the lead on the PUD and master planning process. She stressed community planning and visioning is critical for this project.

- Commissioner Mandel stated that the C-17 with some conditions including the PUD where we have an opportunity to guide and manage the process as well as the risks. She stated on of the comments Mr. Gridley made about what risks we are not seeing. She feels having the city sit on an R-1 or more restrictive property could be challenging in terms of finances and risks and not be able to do something public with it because of lack of tax base or the ability to do something more creative. She feels we need to trust the process and we have the opportunity to shape that process and manage the risks and shape the future, and achieve multiple goals. She feels the Comprehensive Plan goals can be a conflict where there is tradeoffs and she sees this as an opportunity to achieve multiple goals with the zoning and public process and the city shaping that and us. This is an opportunity to achieve the goals with the city.
- Commissioner Fleming stated she supports the C-17. She explained that she has worked on half the houses in Bellerive and the cost of the brownfield has been more of a cost than they ever guessed and what they found under the ground was frightening. This property with the topography that this property inherits and the logs that are hidden under the mounds which will be there if its anything else likes the Mill site down the river it's a junk pile. Commercial construction has deeper pockets and R-1 is intended for the smaller developers with lower budgets and would be shocked at the cost of the cleanup. She stated with the C-17 will allow us to deal with roads and variation of heights. In support of the C-17 and understands the cost involved with development and that will bring parks access and parking to support the river and give it back to the city. She supports the PUD.

Motion by Ingalls, seconded by , to approve Item A-2-17. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 4 to 0 vote.

ADJOURNMENT/CONTINUATION:

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

The meeting was adjourned at 7:32 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
WORKSHOP MINUTES
AUGUST 22, 2017
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Lynn Fleming
Peter Luttrupp
Lewis Rumpler
Jon Ingalls
Michael Ward

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Mike Behary, Planner
Tami Stroud, Planner
Kelley Setters, Planning Technician
Randy Adams, Deputy City Attorney

COMMISSIONERS ABSENT:

Brinnon Mandel

CALL TO ORDER:

The meeting was called to order by Chairman Messina at 4:00 p.m.

WORKSHOP:

Workshop Purpose

- Continue to discuss Priority Projects for the remainder of 2017 and early 2018
- Discuss Next Steps

Continued Discussion of Planning Department Work Plan and Priority Projects:

Comprehensive Plan Update

- Commission Chair Messina asked the commission to provide suggested changes to the Comprehensive Plan for the next meeting.
- Ms. Anderson will provide examples of other cities to discuss at the next meeting.
- Ms. Anderson stated the City Council was in support of \$50,000 for a consultant to update the Comprehensive Plan for the 2017-2018 budget years and the total cost could possibly be split over two budget years.
- Commission members stated their interest in having joint workshops with other communities, Kootenai County and the school district to discuss growth and infrastructure needs as it relates to the Comprehensive Plan Update.

East Sherman Update

- Ms. Anderson updated the commission on the “Park(ing) It on Sherman” event which will take place on Friday, September 15th from 4-9pm. The event will have a dog parade and costume contest, beer garden, music, food trucks, and fishing demo.

Zoning Code Amendments

- Continued discussion from the 7-11-17 Workshop resumed on page 3 code section **17.05.080: Site Performance Standards; Minimum Yard.**- It was determined by the commission to have a 5 foot minimum setback vs. the current 0 foot minimum setback for accessory structures.

- **Accessory buildings - drainage and setbacks** – The commission asked staff to come back with additional language. Consider the ease and the slope of the roof. It needs to function.
- **17.06.425: Minimum Setback at Rear and Side Lot Lines** – The commission agreed that all accessory structures must be set back at least five feet from side and rear yard lot lines as stated in (Ord. 3415, 2011).
- **Clarify that setbacks are measured from the finished face of structure (not footings/foundation)** – The commission felt that the setback should be measured from the furthest wall and pop-out. The eaves also need to be considered since they dictate the placement of a structure.
- **Shipping Containers** - Provide the language on allowed uses. Possibly a special use permit could be required. The Commission discussed having a set of permitted uses along with what is required. Provide clarification on when they are not allowed. Provide a very limited set of options, limited uses, and special dispensation. They asked staff to come back with proposed text related to permitted uses, restricted uses, size, height, etc.
- **Gated communities and gated entries** – The commission concurred with staff's recommendation restricting gates for residential developments unless approved as part of a PUD, but added that if a person wanted to have a gated private drive that might be a consideration. Add standards and criteria.
- **Life safety requirements and ingress/egress within setbacks (e.g. 2 feet from property line)** – address impact to side yard setbacks – The commission suggested that staff look at the Building Department's requirement for side yard setbacks and use that criteria. The Commission asked staff to work with the Building Department on egress dimensions. Come back with proposed setback language.
- **Caretaker apartment** – The commission suggested that staff look at other caretaker's apartments in the city before setting a number – they shared examples of caretaker units at ministorage complexes on Fruitland and Cedarbloom. Consider changing the language from apartment to unit. Staff will come back with that information. It needs to be tied to an active commercial use. A caretaker unit also needs to be specifically limited to a residential unit for an employee of the business.
- **Should RV's be permitted as temporary dwelling units during construction or not?** – Staff recommends not allowing them as temporary dwelling units and feels if there are special accommodations, it may possibly be considered. The commission concurred.
- **Consider language similar to Post Fall's restricting RVs, boats, etc. as permanent place of habitation** - The commission concurred to take staff's suggestion and use the language from Post Fall's code that states; "Boats, trailers, RVs and other such spaces are not considered permanent places of habitation within the city. Residing in such other than RV's or camper trailers in lawfully established RV parks, is not permitted within city limits". Define temporary and permanent.
- **Combine CC (Community Commercial) with NC (Neighborhood Commercial) into one, or distinguish between the two districts and tighten NC standards. Or wait for second round of edits?** - The commission felt that they needed more discussion before making a decision on the CC and NC zoning districts. The commission also asked staff to look at page 39 of the Comprehensive Plan. If these zoning districts are changed or combined, that would not happen until after the Comprehensive Plan Update.
- **PUD and Open Space definition (fix per Planning Commission Interpretation)** - Chairman Messina feels that after reading the Comprehensive Plan open space is mentioned throughout the document and that definition needs work. Ms. Anderson stated that in some cities they are omitting

PUD's and requiring subdivisions to provide open space. We may want to consider this after the Comprehensive Plan is done. The commission asked about public versus private open space, and they asked staff to look at the City Code for references to open space separate from PUD projects. Define natural versus native, etc.

- **17.06.480: Reduced Rear Yard Adjacent to Open Areas** – The commission concurred to take staff's recommendation and replace "Minimum" with "Maximum".
- **ADU's** – Staff has received many requests for ADU's in basements. The commission feels that we shouldn't restrict ADU's in basements, but have a better definition. Staff feels it's preferred to clean up the easy stuff and comeback. Commissioner Rumppler suggested that staff look at Bend, Oregon's code. Most of the new development has ADUs. There are incentives for ADUs because it provides affordable housing in the community. Commissioner Fleming suggested that staff look at Vancouver, BC's code related to "laneway housing". More discussion is necessary to clarify how a residence with a large ADU in the basement is different than a duplex. Does it change the nature of a neighborhood? Chairman Messina suggested staff bring back a number for the square footage to be used in the basement and require the applicant to provide one parking space. Currently there are no parking requirements for ADU's.
- **Accessory Use** – The commission felt the size for an accessory use to require a building permit should be 120 square feet and the maximum height in the NC zoning district should be 18 feet for an accessory use.

The commission discussed and agreed to accept staff's recommendations for the Housekeeping items and items added after the 7-11-17 Workshop, as noted in the General Zoning Code Amendment worksheet. Under the discussion of what can and can't be deviated in the Subdivision Code through the PUD process, the commission agreed that there should be a minimum lot size square footage, driveway length, and setbacks, and they agreed the midblock walkways/pedestrian connections should not be waived through the process.

ADJOURNMENT:

The meeting adjourned at **6:00** p.m.

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

Prepared by Shana Stuhlmiller

**PLANNING COMMISSION
MINUTES
SEPTEMBER 12, 2017
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Lynn Fleming
Michael Ward
Peter Luttrupp
Lewis Rumpler
Brinnon Mandel

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Sean Holm, Planner
Shana Stuhlmiller, Public Hearing Assistant
Randy Adams, Deputy City Attorney
Chris Bosley, City Engineer
Mike Gridley, City Attorney

COMMISSIONERS ABSENT:

Jon Ingalls, Vice-Chair

CALL TO ORDER:

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

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

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

- The Park(ing) It on Sherman event is scheduled for this Friday, September 15th from 4-9 p.m.
- We have five items scheduled on the October 10, 2017 agenda.
- City staff recently worked with the Sunrise Rotary on a grant to for Rectangular Rapid Flashing Beacons (RRFBs) to create a safe pedestrian crossing on Harrison Avenue at Bryan Elementary School. The dedication took place prior to the start of the school year.

PUBLIC COMMENTS:

None.

ADMINISTRATIVE ITEM:

1. A request for a deviation from the requirements of Chapters 16.15 (Design Standards) and 16.40 (Improvement Standards) in the ACI (Area of City Impact) - Chris Bosley, City Engineer

Mr. Bosley explained that the owner of 6160 E. Long Shadowy Drive wishes to subdivide the subject property into four lots and is requesting that the City's Planning Commission grant a deviation to the requirement that properties subdivided outside of the city limits but with the City's Area of City Impact

(ACI) must improve their frontage roads to City standards.

Mr. Bosley provided the following statements:

- The subject property has over 1,500 feet of road frontage and is located approximately 670 feet from the nearest paved road, Mullan Trail Road, which does not meet City standards. In that direction, East Long Shadowy Road traverses through property owned by East Side Highway District (ESHD). There is no reported plan to improve that section of road by ESHD. The subject property is located approximately 4,500 feet from the city limits at its nearest point, measured in a straight line.
- Legal has reviewed the request and has determined that the City's Planning Commission may grant a deviation on this requirement. This request, if granted, would allow the property owner to subdivide the property without the requirement to improve E. Long Shadowy Drive to City standards. The Planning Commission's decision will be forwarded to Kootenai County.

Mr. Bosley concluded his presentation and asked if the commission had any questions.

Commission Comments:

Commissioner Luttrupp questioned if this type of request has ever happened in the city.

Staff stated that they are not aware of this type of request coming forward in the past.

The commission discussed the request and concluded that the road would likely need to be repaired by the time the subject property off of East Long Shadowy Road would be annexed into the City.

Motion by Luttrupp, seconded by Fleming, to approve a request for a deviation from the requirements of Chapters 16.15 (Design Standards) and 16.40 (Improvement Standards) in the ACI (Area of City Impact). Motion approved.

PUBLIC HEARINGS:

1. Applicant: City of Coeur d'Alene
Request: A modification to the Wireless Communications Ordinance
LEGISLATIVE (O-5-17)

Sean Holm, Planner, stated that this is a request for approval of the proposed revisions to the wireless telecommunications ordinance and provided the following statements:

- Mr. Holm in his staff report explained a brief history to include the passing of Ordinance # 2819. An emergency ordinance was adopted, placing a moratorium on future construction of towers until an ordinance could be put into place to regulate wireless facilities. The moratorium was set to expire on August 30, 1997.
- Mr. Holm stated Ordinance # 2831 was passed on August 21, 1997, which extended the moratorium until September 17, 1997. This provided staff and City Council an extension needed for crafting and approving the ordinance.
- Mr. Holm stated that the passing of Ordinance # 2833, on September 16, 1997, put into effect the Wireless Communication Facilities Regulations which govern the placement and construction of cell phone towers by establishing definitions, standards, and procedures. These regulations have

not been changed for nearly 20 years though Federal law has dramatically done so.

- Mr. Holm stated that staff recently conducted a complete review of the existing Wireless Communication Facilities Regulations with the assistance of an industry expert and the city's consultant, Bob Duchen, Vice President of River Oaks Communications Corporation.
- As part of that review process, Mr. Duchen worked with staff and other wireless providers to identify current industry standards, as well as upcoming technology and trends, best practices and to propose new municipal standards and regulations for the construction and placement of wireless infrastructure.

Mr. Holm concluded his presentation and introduced Bob Duchen, Vice President of River Oaks Communications Corporation.

Public Testimony open.

Bob Duchen, Vice President of River Oaks Communications Corporation, provided the following statements:

- Mr. Duchen thanked staff, Verizon and ATT for their comments.
- Mr. Duchen presented a PowerPoint overview of changing technologies and regulations related to wireless communications.
- He explained the definition of small cells which are around 28 cubic feet, they often involve poles, antennas, transmission equipment, power and fiber optic cables, and don't always include stealth features.
- Mr. Duchen showed a photo of a small cell facility.
- Mr. Duchen commented that his company, River Oaks Communications, is a Colorado-based firm with 30 years of experience and that he is the co-founder of the company.
- Mr. Duchen explained an overview of Federal Law: that included the Cable Acts of 1984 and 1992, Telecom Act of 1996, Middle Class Tax Relief and Job Creation Act of 2012, FCC Wireless Order – October 2014 and the Federal Rules -2015.
- Mr. Duchen addressed the FCC Report and Order No. 14-153 that was adopted October 17, 2014 and Released October 21, 2014. This became effective April, 2015.
- Mr. Duchen explained the definition of a tower that is: A tower could be everything from a flagpole to a monopine to a traditional tower. The key is that its primary purpose must be to support antennas and related facilities.
- Mr. Duchen explained the definition of a Base Station that is defined as: A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network.
- Mr. Duchen explained "The Order" (the 60 day Shot Clock) has no effect on local governments in the proprietary capacity. This means that if you are acting as a Landlord and a provider wants to lease space on your land or facilities (towers, buildings, etc.) there is no time constraint on working out the details of a lease.
- Mr. Duchen explained that the other comments from other providers have been incorporated in the ordinance presented tonight except the comments that were submitted tonight from ATT that will need to be reviewed.
- Mr. Duchen referenced in the staff report Section 6a – General Requirements which they are still discussing with staff to decide if half mile or one mile for placement of towers and the pros/cons of having cell towers closer together to provide more coverage versus if the towers were farther apart.
- Mr. Duchen referred the commission to the table on page 11 –New Tower Criteria explained in table 1.
- Mr. Duchen concluded his presentation and asked if there were any questions.

Commissioner Rumpler commented we have a lot of providers and depending if it's the one mile or half mile buffer, questioned if every provider wants coverage, how do we make it possible.

Mr. Duchen commented that we struggle with that. He explained that the city asks that the providers co-locate on a tower which is one way to provide coverage.

Mr. Duchen explained that there is a court case that prohibited cities from telling the providers how to build their system.

Commissioner Fleming clarified that if there were five providers and they each provide their own "blanket" of coverage layering and duplicating the same service. This could be a problem. She questioned how we can prevent this from happening when there are so many providers wanting to provide the same service.

Mr. Duchen stated he wished that he could give a good answer to the question.

Commissioner Luttrupp questioned if other cities that Mr. Duchen has helped are struggling with the same questions.

Mr. Duchen explained that all the municipalities he has been helping have been struggling with the same problems.

Commissioner Fleming questioned if a provider fails and abandons their equipment can that be passed on to another provider. She feels it's important that the city has a record of all providers in case something like this happens.

Mr. Duchen explained that there is an abandonment clause built into this ordinance that states if they don't use the facilities for 12 months, they can be removed by the city and charged.

Commissioner Mandel questioned if Mr. Duchen could explain the reason why the City of Spokane chose the half mile versus the mile to place small cell towers.

Mr. Duchen explained that he worked with the City of Spokane a few years ago and will have to look back on his notes for the reason why they chose half mile and apologized for not having that answer tonight.

Commissioner Rumpler explained that he lived in Spokane for a number of years and back then the City of Spokane was looking at the possibilities of going "digital" and stated maybe this is something the City of Coeur d'Alene can strive to get to in the future.

Chairman Messina stated that he is concerned with the distance between the towers and how high they can be and questioned if Mr. Duchen has contacted any other jurisdictions such as Post Falls or Hayden to see how they have dealt with this issue.

Mr. Duchen explained that he has contacted Warren Wilson, City Attorney for the City of Post Falls, and commented that they would like to mirror their wireless ordinance like the City of Coeur d'Alene's.

Commissioner Messina feels we are more aggressive since we have a smaller footprint than the county and understands the need to change.

Commissioner Ward commented about the previous presentation given by Mr. Bosley that addressed the ACI (Area of City Impact). He questioned if the ordinance would cover the ACI.

Ms. Anderson explained the agreement that the City has with the county for our Area of City Impact only addresses the street and the road standards this time. In the future, it is possible talking to the county and the other jurisdictions that it might be time to opening up the ACI agreements again and have each city look at their potential growth areas. She explained that the ACI does not grant Coeur d'Alene the ability to

place City standards on County properties without modifying the agreement.

Mr. Duchen explained that one thing they put in this ordinance is that an applicant needs to provide an inventory of their existing infrastructure that are either in the city limits or within one mile thereof. He explained they tried to plan for the future.

Mr. Gridley commented that he wanted to apologize for getting to the meeting late and explained the reason this draft ordinance is before the commission tonight is because of a request from a company called Mobility that wanted to construct 160 foot towers in our right of way and felt that they should be able to do that by right. These towers had huge bases and towers and before that happened staff decided that maybe it was time to update the current wireless ordinance to bring it up to date to protect the community. Staff thought 160 foot towers are not good for the community and why the city is working with Mr. Duchen an expert who knows a lot about this industry. The city is trying to get a head by bringing this forward now before something big happens. He stated that they are not trying to limit the industry.

Commissioner Messina inquired what the process is if someone wanted to do something different than what is in the ordinance.

Ms. Anderson explained that they tried to cover everything in this ordinance and if something different comes up in the future that is not addressed in the ordinance, it would have to go to the Planning Commission or may require a change to the ordinance.

Mr. Duchen feels once the providers understand the ordinance, when it comes time for permitting a tower, it provides for preferred locations, which is a quicker time to market. Or, if they want to try to place a tower in or near to residential zones, the process becomes more difficult. He feels providers will seek to take the easier path which is good for the providers and good for the city.

Lelah Vaga, Verizon representative, provided the following comments:

- She provided an overview of a wireless network and thanked staff and Mr. Duchen for taking this on. The ordinance is wonderful to our perspective and the way that it is prioritized lets us know what this community wants.
- She explained how wireless works and stated that each of the carriers leases different portions of the spectrums that are different wave lengths of frequency from the FCC. She explained that one carrier might carry a lot of data a shorter distance, where another carrier less distance but wider.
- She stated when it was mentioned about "the blanket" of coverage, that does not mean the same frequencies are layered on each other. There are varying frequencies.
- She talked about challenges they are facing and that wireless traffic is changing to a more data driven model. They are finding that users working from home demand much more bandwidth. Wireless data is expected to be seven times more in 2019 than 2015 because more people are using their devices differently.
- She explained another problem is putting too many macro sites together results in increased interference. She explained the old model you would put macro sites on hill tops and those things would go for miles.
- She explained a method to providing capacity has been to put in more macro sites at a lower height and tilt those antennas down.
- She stated when thinking about half mile versus one mile, to keep in mind we can meet our capacity needs by putting more towers in at a shorter height and directing them. She explained that this is a partial fix and no matter how close you put your macro sites together, the signals still

may run into each other and that's why small cells are important.

- She explained the benefit of using small cells is they can be put under the macro sites and that would provide capacity.
- She addressed a question previously asked what if a carrier goes away and explained based on the growth and data from the industry that capacity is still going to be needed. She cited as an example if one of their competitors disappeared those users would not disappear those users will still need service.

Commissioner Mandel inquired if there is a way to make co-location creative.

Ms. Vaga explained sometimes with macro co-location you are able to relocate on an existing macro site. She appreciates the way the code is written to allow this hierarchy to show if it is feasible to co-locate before we do a new tower. She stated that with small cells, you can co-locate, but doing so makes them bigger by adding additional antennas where the goal is to have them remain small.

Commissioner Fleming inquired if the base can be placed underground and commented that she has seen this done in other countries.

Ms. Vaga explained that underground equipment does exist, but does not do well in rainy climates and if used there tend to be a lot of maintenance problems.

Commissioner Rumpler inquired if one mile or a half mile between poles is preferred by Verizon.

Ms. Vaga commented that Verizon prefers half mile because it gives us more tools to be able to put in smaller towers that would absorb that capacity. Generally, they are in favor of anything that leaves options open to address the situation based on our needs in specific circumstances of the project, rather than a blanket designation. They have run into a problem working with other jurisdictions working with a one mile tower that is not necessarily where we need it for our coverage. She stated that Verizon's recommendation is that the way the ordinance is written works and if a project doesn't meet the criteria, they will need to meet with staff for review.

Commissioner Rumpler inquired if there are any technology trends we should be aware of such as an antenna size or radio size. He questioned if there is talk of miniaturization.

Ms. Vaga stated that the trend is for more data use across the board and more RF frequencies that allow for higher data capacity and what that means is that signals don't travel far and explained you want a signal that carries a high amount of data.

Commissioner Ward inquired if there are any creative ideas being used to help make these poles look better. He questioned if traffic light poles could be considered since the poles are hollow in the middle.

Ms. Vaga explained that traffic poles are an option but many poles already have equipment housed inside them. She stated that there are many creative ideas for the design of poles such as shrouding or painting the pole to match the background where they are located. She stated that you can be creative as you want, but remember that the radio and antenna need to attach to something.

Public Testimony closed.

Discussion:

Commissioner Rumpler inquired if this ordinance as presented tonight is ready for adoption.

Ms. Anderson explained that the Planning Commission's recommendations from tonight's meeting will go

forward to Council. She stated like any recommendation, there can be some slight modifications or edits before it goes forward to council for their final decision.

Chairman Messina clarified that what needs to be decided is the choice between a mile or a half mile, to place a cell tower. He requested staff to work with Mr. Duchen for further clarification on the issues discussed tonight before this goes to council.

Mr. Anderson concurred that is correct and based on what other jurisdictions are requiring, a mile or half mile, suggested that perhaps a $\frac{3}{4}$ mile distance might work.

Commissioner Luttrupp inquired if we still have to make a decision on a half mile, versus one mile.

Commissioner Rumpler feels from reading the comments provided in the ordinance it seems that half mile might be the right choice.

Commissioner Luttrupp feels that this is a great product.

Commissioner Rumpler stated he would agree to the half mile since it is the most up to date and what Spokane is using.

Mr. Gridley feels that he doesn't know if we have enough information to pick half mile or one mile tonight and would recommend that staff be allowed to work with Mr. Duchen to work through that and bring it forward to Council.

Mr. Duchen commented that he would like to talk with Spokane to try and remember the rationale for the decision how they picked half mile and comeback and report those findings to the Planning Commission.

Motion by Fleming, seconded by Rumpler, to approve Item O-5-17. Motion approved.

ADJOURNMENT:

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

The meeting was adjourned at 7:12 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



PUBLIC HEARINGS



**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: OCTOBER 10, 2017
SUBJECT: A-3-17 – ZONING PRIOR TO ANNEXATION OF +/- 4.63 ACRES FROM COUNTY AGRICULTURE TO CITY C-17.
LOCATION: +/- 4.63 ACRE PARCEL LOCATED SOUTH OF PRAIRIE AVE. ON THE WEST SIDE OF RAMSEY ROAD COMMONLY KNOWN AS 7845 N. RAMSEY RD.

APPLICANT(S):

Owner:

The Estate of Marvin Paul Keough
7845 N. Ramsey Rd.
Coeur d'Alene, ID 83815

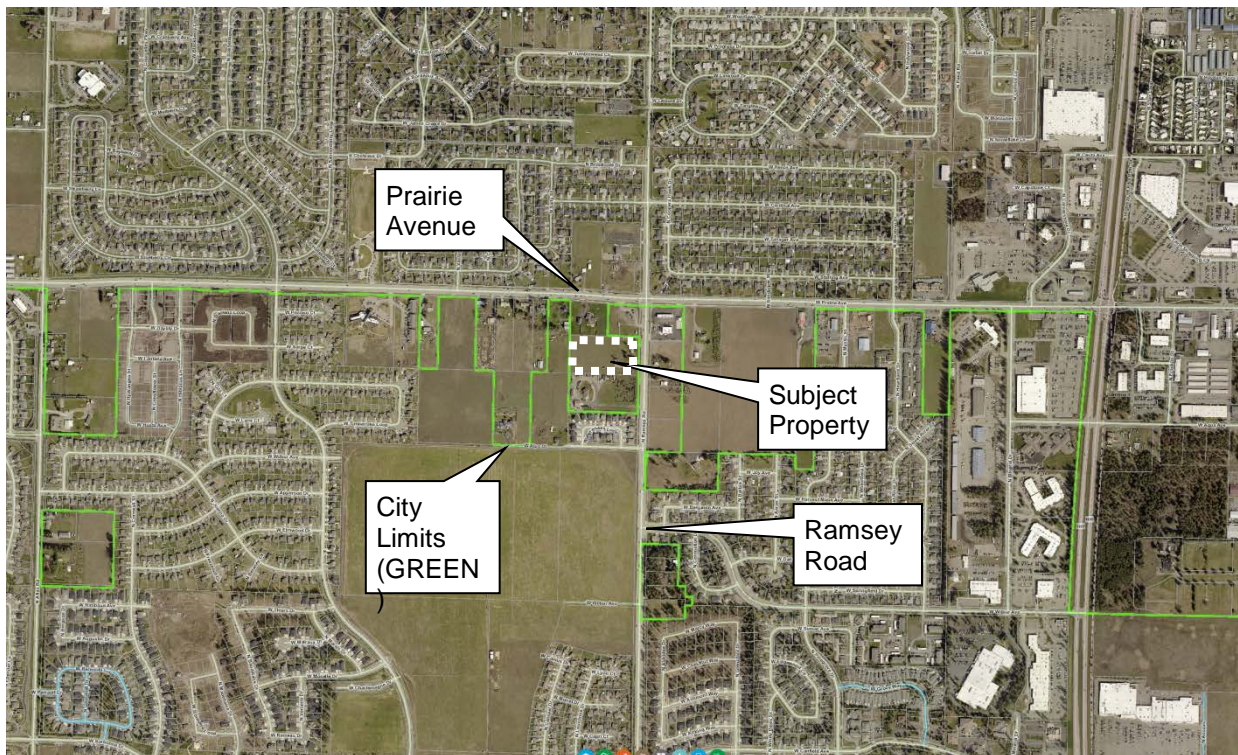
Consultant:

Lake City Engineering
126 E. Poplar Ave.
Coeur d'Alene, ID 83814

DECISION POINT:

The Estate of Marvin Paul Keough, through their representative Lake City Engineering, is requesting consideration of annexation for a +/- 4.63 acre parcel in Kootenai County, currently zoned Agricultural, to be incorporated into City Limits with a C-17 zoning designation.

VICINITY MAP:



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.

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.
- 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.

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.

CURRENT KOOTENAI COUNTY ZONING (Agriculture Zone):

CHAPTER 2

GENERAL ZONING DESIGNATIONS AND USES

Article 2.1 Agricultural Zone

8.2.101: GENERAL DESCRIPTION:

The Agricultural zone is a zoning district in which the land has been found to be suitable for uses related to farming, agriculture, forestry, silviculture, aquaculture, and other similar uses.

8.2.103: LOT SIZE AND OPEN SPACE REQUIREMENTS:

The minimum size for lots or parcels in the Agricultural zone created on or after January 3, 1973 shall be five (5.00) acres.

8.2.105: USES OF RIGHT ON EXISTING PARCELS OF LESS THAN FIVE (5.00)

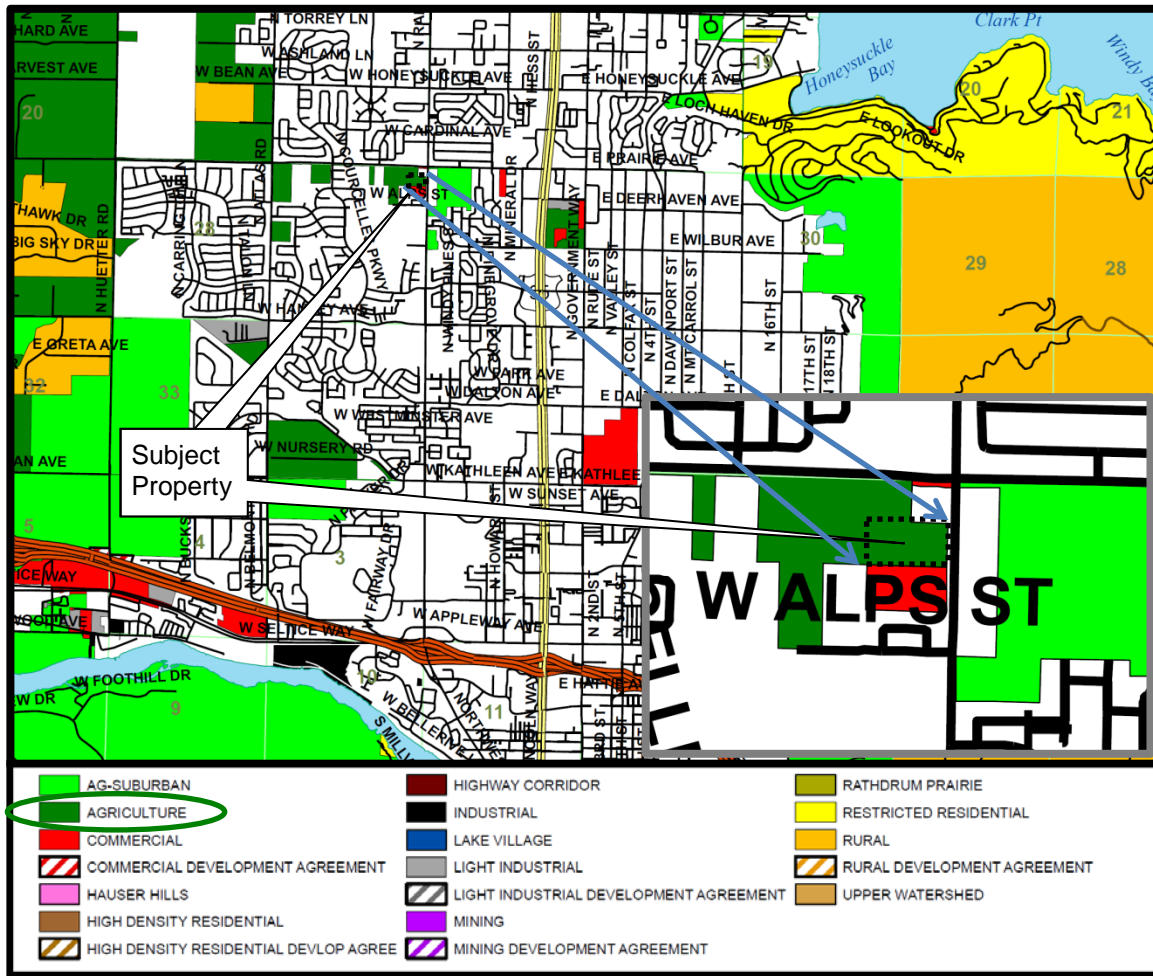
ACRES:

Parcels created prior to January 3, 1973 which are less than five (5.00) acres in size shall be regarded as conforming parcels for purposes of this title. However, only the following uses shall be permitted of right:

A. Primary uses.

1. General farming and forestry, provided that the minimum lot area for the keeping of livestock shall be three-fourths ($\frac{3}{4}$) acre.
2. One single-family dwelling, which may be a Class A or Class B manufactured home, with accessory buildings.

KOOTENAI COUNTY LAND USE MAP:



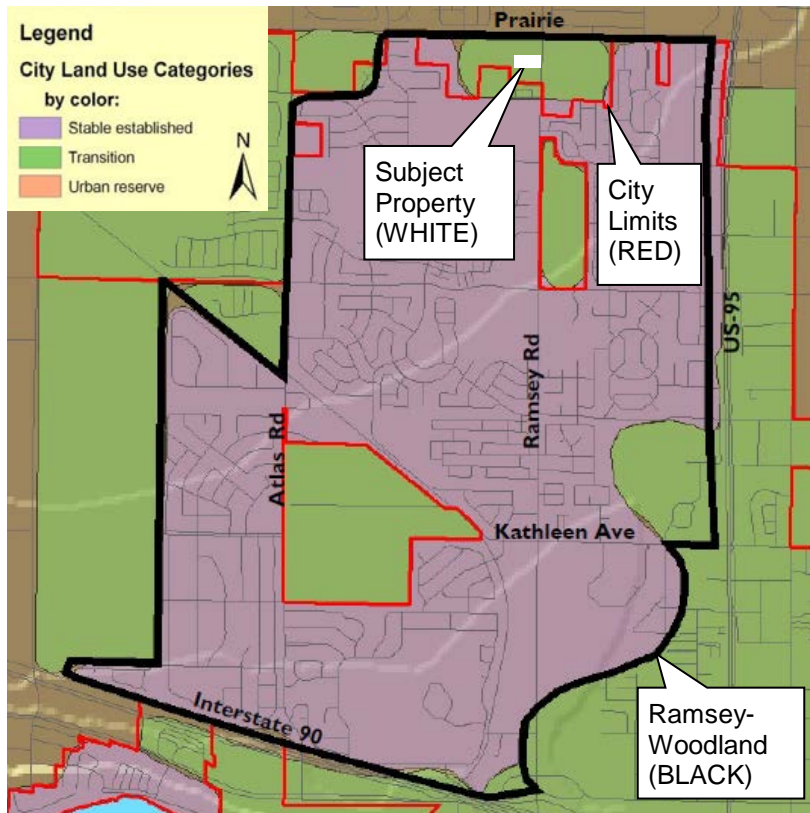
REQUIRED FINDINGS FOR ANNEXATION:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as: **Ramsey-Woodland:**

COMPREHENSIVE PLAN MAP - RAMSEY-WOODLAND:



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.

Land Use:

Ramsey - Woodland Today:

The development pattern in this area is mixed with established subdivisions, such as Coeur d'Alene Place, that are continuing to expand to the north. Passive and active parks have also been provided for the residents of these housing developments. Industrial uses are prominent to the west of Atlas Road with a mix of residential zoning on the south side of Hanley Avenue.

Neighborhood service nodes can be found throughout the Ramsey-Woodland area.

Ramsey - Woodland Tomorrow

Characteristics of the neighborhoods have, for the most part, been established and should be maintained. Development in this area will continue to grow in a stable manner. Lower density zoning districts will intermingle with the existing Coeur d'Alene Place Planned Unit Development (PUD) providing a variety of housing types. The northern boundary is the edge of the community, offering opportunities for infill.

The characteristics of Ramsey – Woodland neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.

- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

COMPREHENSIVE PLAN GOALS & OBJECTIVES:

- **Objective 1.02 - Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **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 1.13 - Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **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.
- **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.
- **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 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.10 - Affordable & Workforce Housing:**
Support efforts to preserve and provide affordable and workforce housing.

- **Objective 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **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: *Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

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

STORMWATER:

Stormwater will be addressed as the area proposed for annexation develops. It is anticipated that the development will typically utilize curb adjacent swales to manage the site runoff. 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 undeveloped. The site has frontage along the west side of Ramsey Road. Any necessary improvements to this site would be addressed during the subdivision and/or site development process. The Streets and Engineering Departments request additional right-of-way to be dedicated to the City of Coeur d'Alene with this annexation, to provide a consistent 100-foot right-of-way width, as exists north and south of the subject property, to allow for maintenance and operation of the existing shared-use path.

-Submitted by Chris Bosley, City Engineer

WATER:

Please find attached the "conditional will serve" letter from Haden Lake Irrigation Administrator Branden Rose concerning water service for the subject property.

The property proposed for annexation lies outside the City of Coeur d'Alene water service area and is serviced by Hayden Lake Irrigation District (HLID).

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

The nearest public sanitary sewer is located within the Ramsey Road which borders the easterly boundary of this annexation. 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 as proposed.

-Submitted by Mike Becker, 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 CDA FD will address all concerns at site development and building permit submittals.

-Submitted by Bobby Gonder, Fire Inspector

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

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

PHYSICAL CHARACTERISTICS:

The subject property is relatively flat with Ramsey Road to the east. Currently there is an existing single-family residence with associated accessory storage structure(s) and a cell phone tower on a portion of the property, while the remainder is vacant. A small grove of trees near the cell phone tower also exist on the parcel. The existing cell phone tower itself currently exceeds the minimum city standards (stealth design), however, the access does not (gravel driveway). Staff has suggested that the driveway and buffer yard landscaping be improved to city standards which is reflected in the "staff comments to consider in the annexation agreement", which can be found near the end of this staff report. It is also important to note that any future *commercial* development building permit(s), if this request is ultimately approved, will require buffer yard screening for the adjacent residential uses/zones.

Also see the “Ramsey-Woodland” descriptions from the 2007 Comprehensive Plan listed in Finding #B8 as well as the photos of subject property below. A land use and zoning map are provided in Finding #B11 to assist in depicting the context of the area.

PHOTOS OF SUBJECT PROPERTY:

Stealth cell phone tower onsite (Verizon) looking west showing gravel access:



Remainder of vacant area looking west behind cell phone tower:



Ramsey Road looking north toward Prairie Avenue showing asphalt trail :



Ramsey Road looking south showing asphalt trail and approach:



Existing vacant home on the site showing trail and paved access:



Evaluation: *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.*

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 would likely not adversely affect the surrounding area with regard to traffic. Ramsey Road has the available capacity to accommodate additional traffic generated from the subject site. Additionally, the site is located far enough from the Prairie Avenue intersection as to not affect its function. However, access to and from the subject property may be hindered during peak traffic times.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

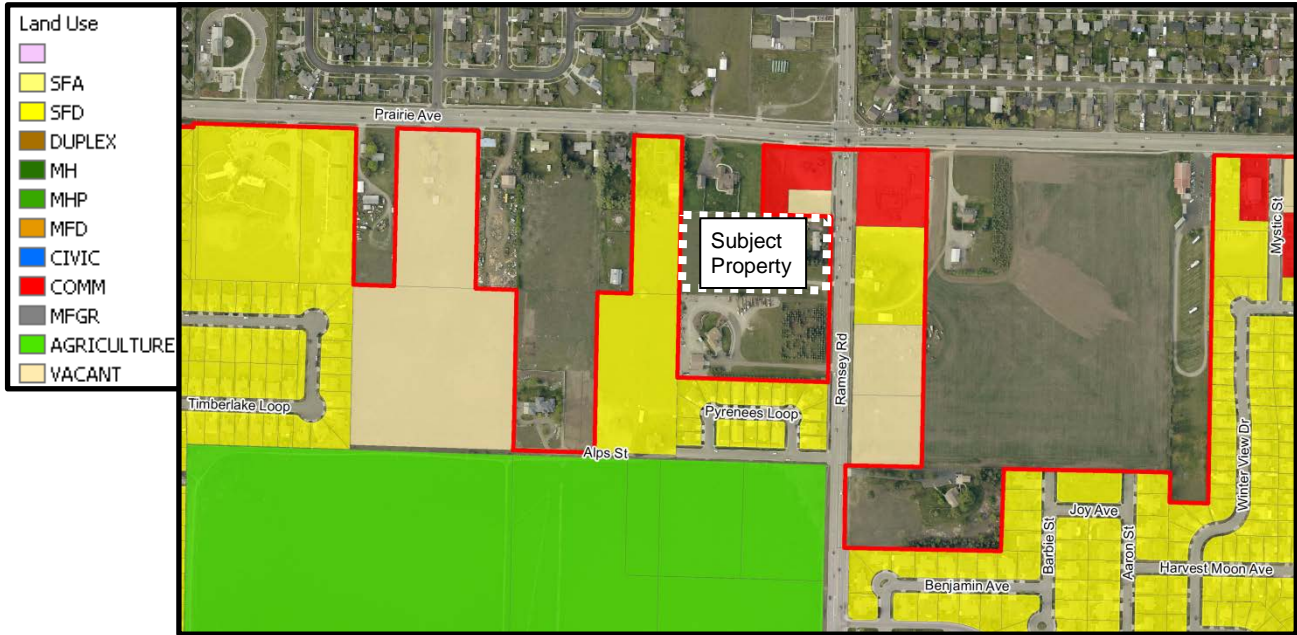
This is a rapidly changing area within Coeur d'Alene. Multiple annexations, subdivisions, and Planned Unit Developments have been approved in the area within the last five years. Some of the larger projects include: Garden Grove, Vista Meadows, Kerr Properties, and the Prairie Trails subdivision.

To the north of this request there is an existing coffee stand (in city "C-17") and a residential home (in county "Agriculture") both on parcels greater than one acre. To the south is a large parcel, similar in size to the subject property, and is currently in the county zoned agriculture. To the east, annexed property and a new gas station

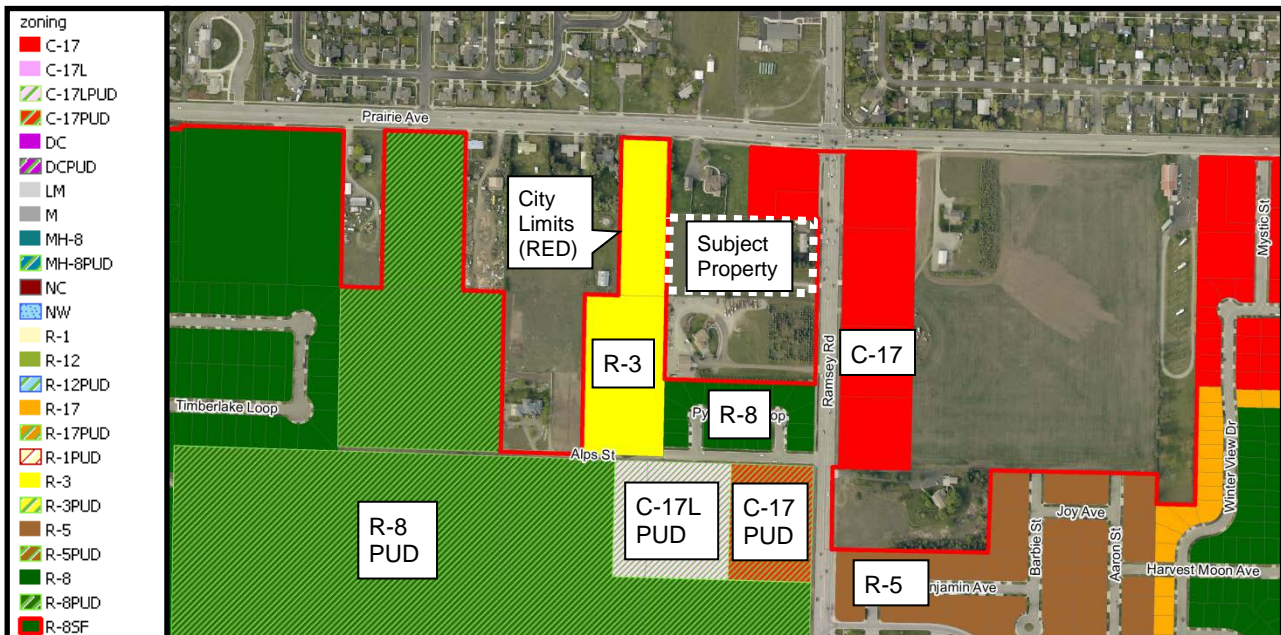
were recently approved. To the west, is an existing 2.78 acre parcel, zoned city R-3, with a home and a large accessory structure onsite.

See the “Ramsey-Woodland” descriptions from the 2007 Comprehensive Plan listed in Finding #B8 as well as the photos of subject property. A land use and zoning map are provided below to assist in depicting the context of the area.

GENERALIZED EXISTING LAND USES:



EXISTING ZONING:



Evaluation: *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.*

STAFF COMMENTS TO CONSIDER FOR ANNEXATION AGREEMENT:

Planning:

1. To bring the site into compliance with the city's minimum paving standards, the annexation agreement should require the cell phone tower access be paved, with either concrete or asphalt, and encompass all maneuvering areas associated with the above ground essential service wireless facility.
2. The buffer yard landscaping around the fence for the cell phone tower is in poor shape. Planning staff recommends that the dead bushes be replanted and the existing irrigation system is functioning properly to meet minimum city standards.

Streets & Engineering:

3. The Streets and Engineering Department requests five feet (5') of right-of-way to be dedicated to the City of Coeur d'Alene with this annexation, to provide a consistent 100-foot right-of-way width, as exists north and south of the subject property, to allow for maintenance and operation of the existing shared-use path.

ORDINANCES & STANDARDS USED FOR EVALUATION:

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

ACTION ALTERNATIVES:

Planning Commission must consider this request and make separate findings to recommend to City Council; Approval, denial or to deny without prejudice. The findings worksheet is attached.



**APPLICANT'S
NARRATIVE**

RAMSEY ROAD ANNEXATION

PROJECT NARRATIVE

Coeur d'Alene, Idaho

August 23, 2017



*126 E. Poplar Avenue
Coeur d'Alene, Idaho 83814
Phone: 208-676-0230*

INTRODUCTION

We are hereby requesting the annexation of approximately 4.6 acres of property into the City of Coeur d'Alene. The subject property is located at the southwest corner of the intersection of Prairie Avenue and Ramsey Road. Currently, there is an existing single-family residential house on a portion of the property, as well as a cell phone tower; however, the majority of the land is vacant.

SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel #:	0-3560-27-315-AC
Address:	7845 N. Ramsey Road Coeur d'Alene, ID 83815
Area:	4.63 acres
Current Zoning:	Agriculture (County)
Proposed Zoning:	C-17 Commercial
Legal Description:	The South half of Tract 315, together with the South 3' of the East half of the North half of Tract 315 of Hayden Lake Irrigated Tracts.



Figure 1: Vicinity Map

ZONING CLASSIFICATION

The property is currently zoned Agriculture in Kootenai County and is located at the northern boundary of the City of Coeur d’Alene City Limits. The surrounding property consists of commercially zoned parcels to the North (C-17), South (County Commercial) and East (C-17) and residential (R-3) to the West. The project proponent is requesting a zoning classification of C-17 for the subject property to allow for a future commercial development in accordance with the City of Coeur d’Alene Zoning Ordinance.

As can be seen from Figure 2, the requested zoning classifications are in conformance with the goals of the Comprehensive Plan and are compatible with the surrounding land uses.

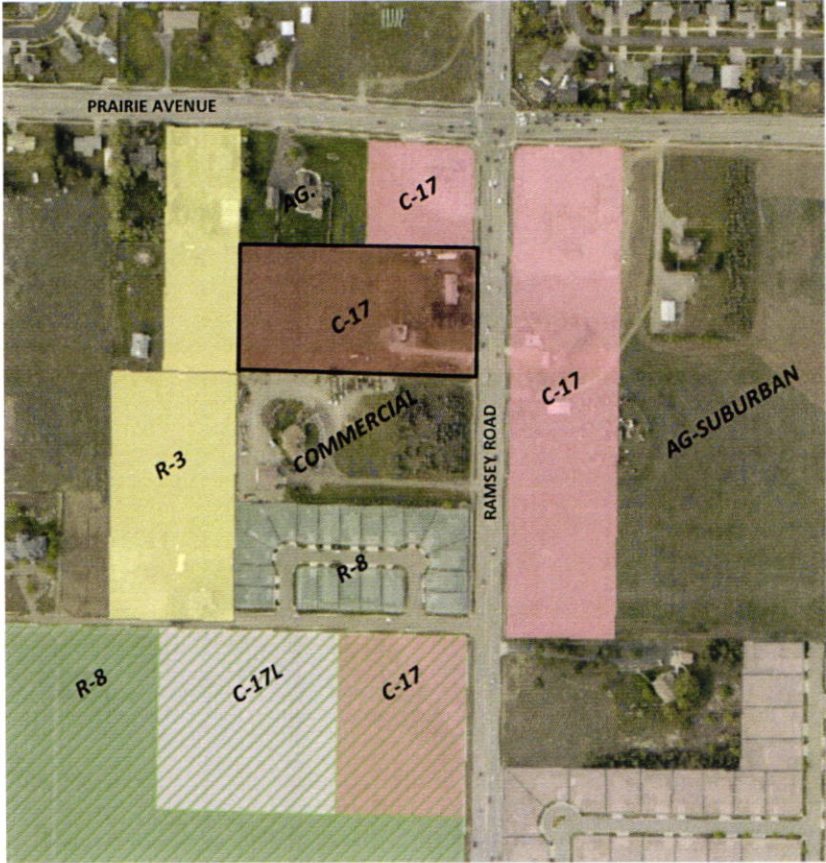


Figure 2: Proposed Zoning Map

COMPREHENSIVE PLAN ANALYSIS

The property lies in a *Transition* area along the northern boundary of the Ramsey-Woodland land use area per the City of Coeur d’Alene Comprehensive Plan. Neighborhood characteristics for

this land use tend to be single-family and multi-family housing with an overall density of 3 – 4 units per acre with pockets of higher density housing. Neighborhood service nodes and commercial uses should be placed where appropriate. The proposed zoning would be consistent with the Comprehensive Plan as this is located near the intersection of two major arterial streets, and is appropriate for commercial uses.

The City of Coeur d’Alene Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet, or exceed, the goals, policies and objectives as outlined in the Comprehensive Plan. The project proponent believes that the following Goals and Objectives (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

Goal #1 – Natural Environment

Objective 1.12 – Community Design: Support the enhancement of existing urbanized areas and discourage sprawl.

The subject property is currently an undeveloped County property located on the northern boundary of the City of Coeur d’Alene. This annexation will allow for the development of this property to match that of the surrounding land uses.

Objective 1.14 – Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas.

Existing utilities including sanitary sewer and domestic water are extended to this property in Ramsey Road, are readily available, and have the capacity to serve future development. This property is already included in the Sewer, Water and Transportation Master Plans for the City, and will be developed in accordance with the same.

Goal #2 – Economic Environment

Objective 2.02 – Economic and 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.

The subject property is located near the intersection of two major arterials with bicycle and pedestrian friendly facilities including bike trails, bike lanes and pedestrian walkways/paths.

Objective 2.04 – Downtown & Neighborhood Service Nodes: Prioritize a strong, vibrant

downtown and compatible neighborhood service nodes throughout the City.

Goal # 3 – Home Environment

Objective 3.05 – Neighborhoods: Protect and preserve existing neighborhoods from incompatible land uses and developments.

The proposed annexation and zoning will allow for the future development of the subject property in a similar character and style of the surrounding land uses and neighborhoods.

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.

The subject property is surrounded by mixed zoning including both residential and commercials uses.

PRE-DEVELOPMENT CONDITIONS

The subject property currently contains a single-family residence, an outbuilding, and a cell phone tower. Access to both the single-family residence and the cell tower are off of Ramsey Road. There are no other structures located on the property.

The Ramsey Road frontage improvements are complete and include curb and gutter, swales and walking paths. No additional improvements to Ramsey Road would be required during development of the subject property.

Figure 3 below shows the current site conditions.



Figure 3: Existing Site Conditions

HAYDEN LAKE IRRIGATION DISTRICT

2160 W. Dakota Ave.
Hayden, Idaho 83835
24 hr (208) 772-2612 ♦ FAX (208) 772-5348

“Conditional Will Serve”

September 28, 2017

RE: Request for Water Service to 7845 N. Ramsey Rd, Parcel Number 0-3560-27-315-AC in Hayden Lake Irrigation Amended Irrigated Tracks S2-TR 315, S 3 FT-E2-TR 315 ALL

Dear: Shawn Holm

This letter is a ‘Conditional Will Serve’ 7845 N. Ramsey Rd., Parcel Number 0-350-27-315-AC and it’s proposed rezoning. The parcel currently consists of one connection *residential/light industrial and one 2-inch Irrigation connection (not in use)* on 4.6389 acres.

The following are required documents needed for a ‘Formal Will Serve’:

1. Application for water service to proposed project
2. Developer agreement with Hayden Lake Irrigation District and Developer
3. Preliminary plan of proposed subdivision

Hayden Lake Irrigation District Does Not warrant water service infrastructure is currently available to the subject parcel. If adequate water service infrastructure is not currently available it will be the developer’s responsibility to install necessary water mains in accordance with current District standards.


Sincerely,




Branden Rose

Administrator

Hayden Lake Irrigation District



FINDINGS



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

A. INTRODUCTION

This matter having come before the Planning Commission on October 10, 2017, and there being present a person requesting approval of ITEM A-3-17, a request for zoning prior to annexation from County Agriculture to City C-17.

APPLICANT: THE ESTATE OF MARVIN PAUL KEOUGH

LOCATION: +/- 4.63 ACRE PARCEL LOCATED SOUTH OF PRAIRIE AVE. ON THE WEST SIDE OF RAMSEY ROAD COMMONLY KNOWN AS 7845 N. RAMSEY RD

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

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

- B1. That the existing land uses are Residential and Commercial.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on September 23, 2017, 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 October 10, 2017.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

Criteria to consider for B9:

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

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of THE ESTATE OF MARVIN PAUL KEOUGH 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:

Planning:

1. To bring the site into compliance with the city's minimum paving standards, the annexation agreement should require the cell phone tower access be paved, with either concrete or asphalt, and encompass all maneuvering areas associated with the above ground essential service wireless facility.
2. The buffer yard landscaping around the fence for the cell phone tower is in poor shape. Planning staff recommends that the dead bushes be replanted and the existing irrigation system is functioning properly to meet minimum city standards.

Streets & Engineering:

3. The Streets and Engineering Departments request five feet (5') of right-of-way to be dedicated to the City of Coeur d'Alene with this annexation, to provide a consistent 100-foot right-of-way width, as exists north and south of the subject property, to allow for maintenance and operation of the existing shared-use path.

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 Rumppler	Voted _____
Commissioner Ward	Voted _____

Chairman Messina Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, PLANNER

DATE: OCTOBER 10, 2017

SUBJECT: ZC-3-17 ZONE CHANGE FROM R-3 TO R-8

LOCATION: +/- .4 ACRE PORTION OF A PARCEL LOCATED IMMEDIATELY
NORTHEAST OF THE INTERSECTION OF PARK DRIVE AND
GARDEN AVENUE

APPLICANT/OWNER:
Ignite CDA
105 N 1st Street
Coeur d'Alene, ID 83815

ENGINEER:
Welch Comer
350 E Kathleen Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

Welch Comer representing Ignite CDA is requesting approval of a zone change from R-3 to R-8 zoning district.

BACKGROUND INFORMATION:

The subject property was recently part of a land exchange between the City of Coeur d'Alene and Ignite CDA. This land exchange was presented to the City Council prior to the Memorial Park renovations and the shared parking lot projects. At that time city council supported the land exchange and recognized the advantage for the city to proceed with the land exchange. The City Council formally approved the land exchange on October 3, 2017.

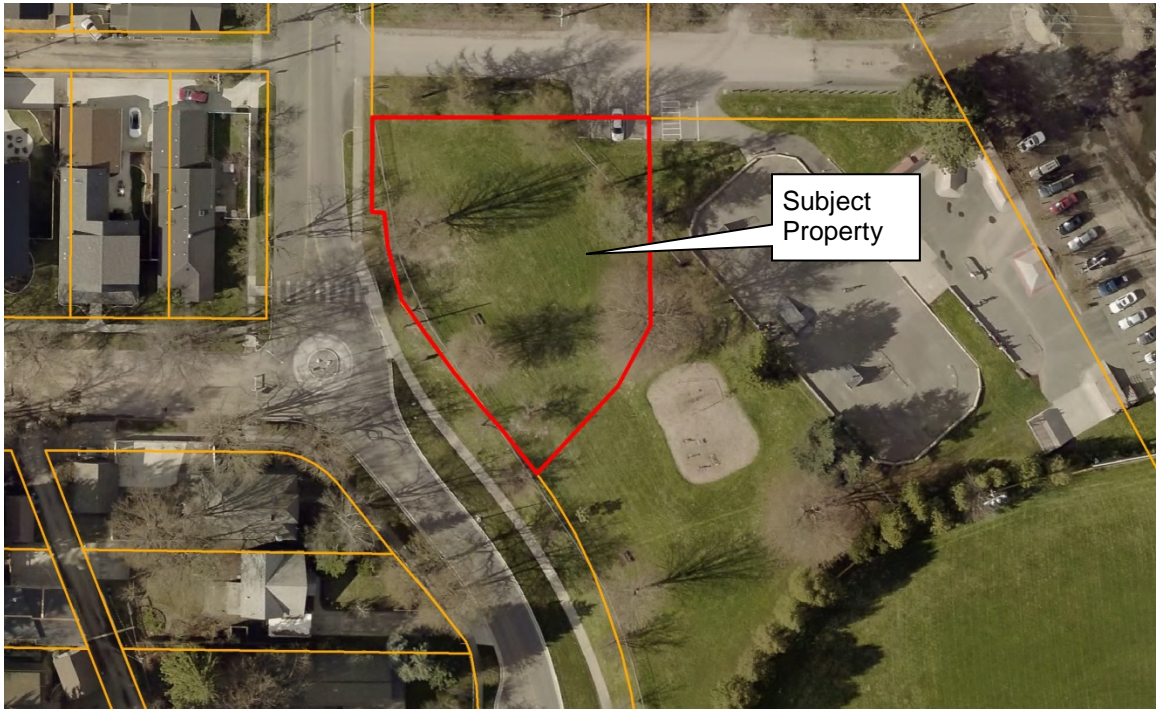
The land exchange has left the south portion of the property in the R-3 zoning district, which is the subject site of the proposed zone change. The applicant also owns the adjoining property to the north of the subject site. The north part of the applicant's property lies within the R-8 zoning district. The applicant has indicated they would like to have one uniform zoning district over their whole property. A uniform zoning district over their whole property will allow the applicant to include the subject property to be part of their proposed development.

The applicant is proposing to build a 10 lot subdivision that will be a part of the subject site and include property to the north of the subject site. The applicant has indicated that the subdivision will be restricted to single family residential use only. The applicant has made application for a 10 lot subdivision in item number S-3-17.

LOCATION MAP:



AERIAL PHOTO:



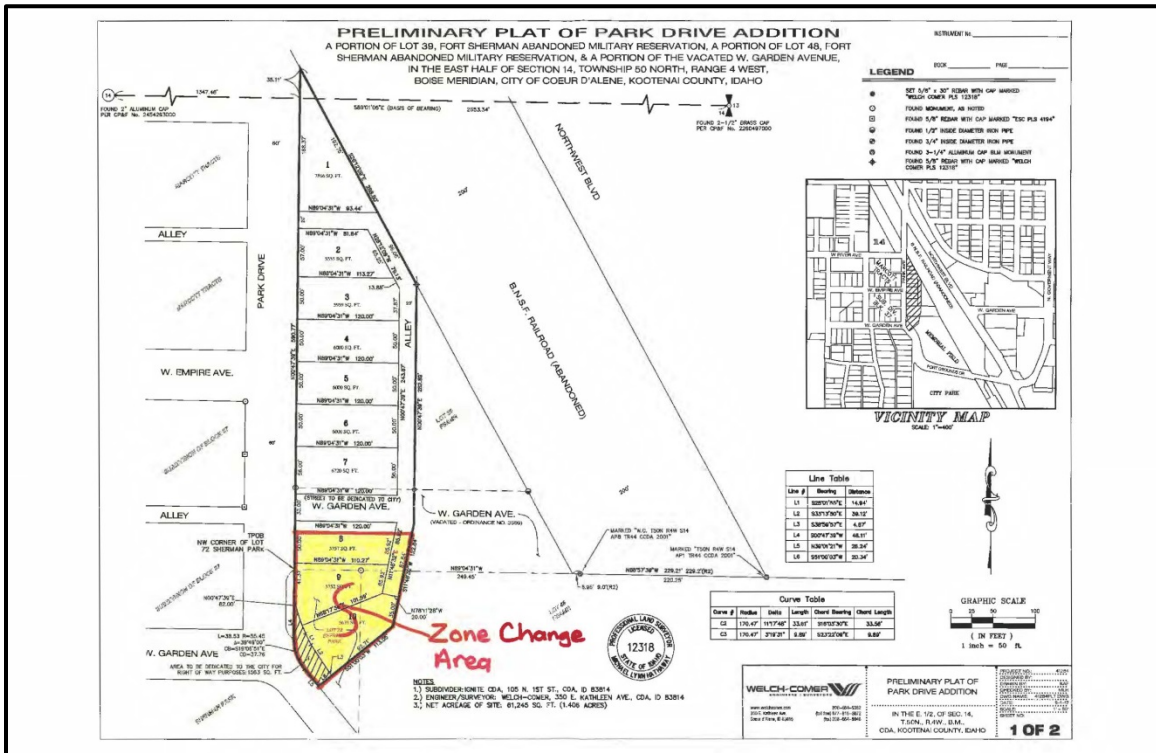
BIRDS EYE AERIAL PHOTO - 1:



BIRDS EYE AERIAL PHOTO - 2:



APPLICANT'S EXHIBIT OF PROPOSED ZONE CHANGE:

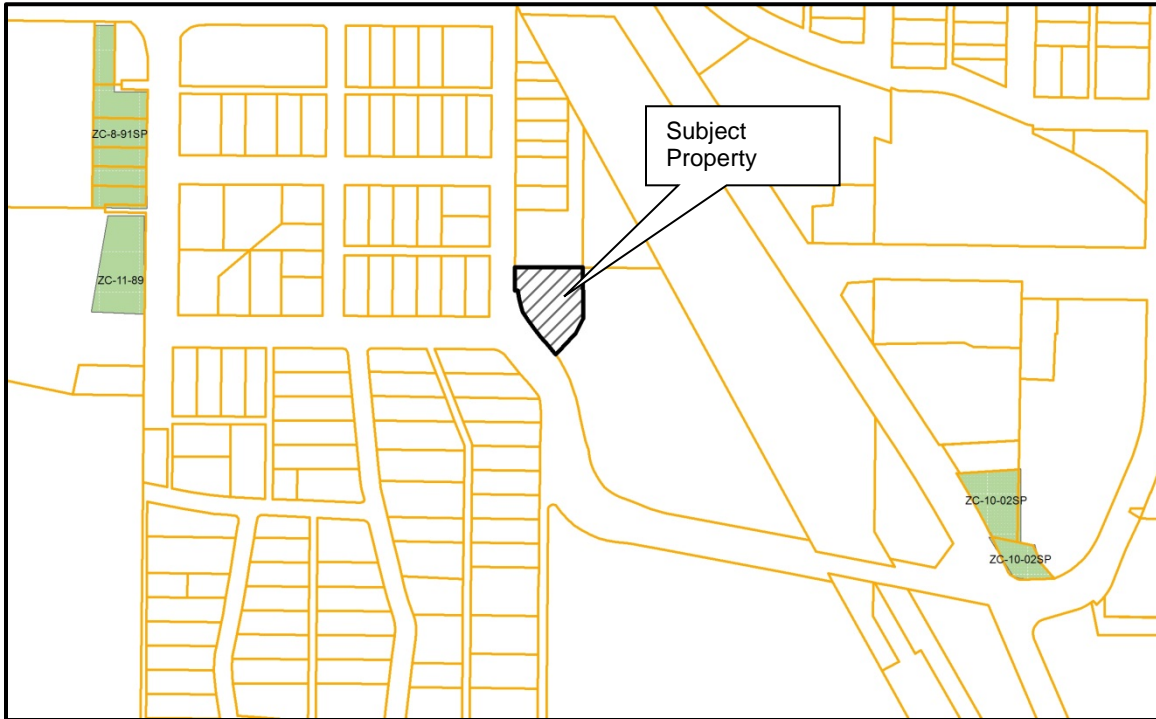


PRIOR LAND USE ACTIONS:

Planning Commission and City Council approved a zone change request in items ZC-11-89 and ZC-8-91SP west of the subject property from R-12 to R-17 in 1989 and in 1991 respectively. One more zone change was approved by the Planning Commission and City Council in 2002 to change the zoning from C-17L and C-17 to C-34 on the property to the east and south of the subject property in item ZC-10-02SP. As seen in the map provided below, the area is relatively established with a minor amount of approved zone changes in the vicinity of the subject property.

See *Prior Land Use Actions Map* on next page.

PRIOR LAND USE ACTIONS MAP:



Zone Changes:

ZC-8-91SP	R-12 to R-17	Approved
ZC-11-89	R-12 to R-17	Approved
ZC-10-02SP	LC-17L & C-17 to C-34	Approved

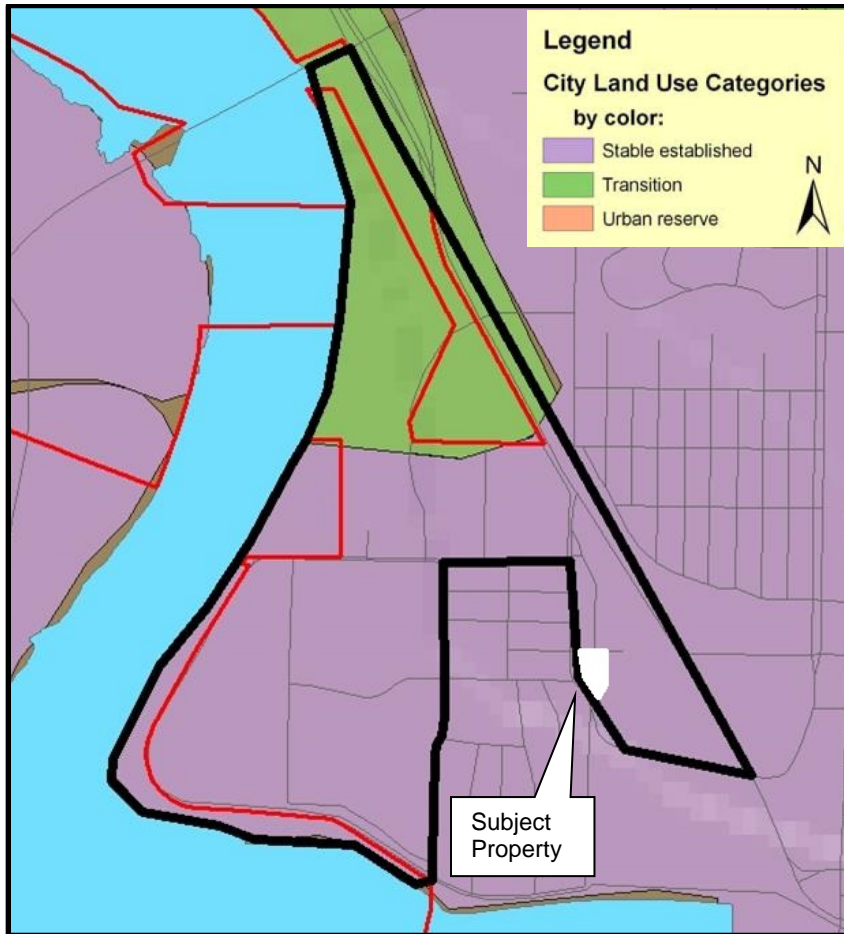
REQUIRED FINDINGS:

- 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 designates this area in the Education Corridor.
- The subject property is adjacent to the Historic Heart Area.

Comprehensive Plan Map: Education Corridor



Stable Established:

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

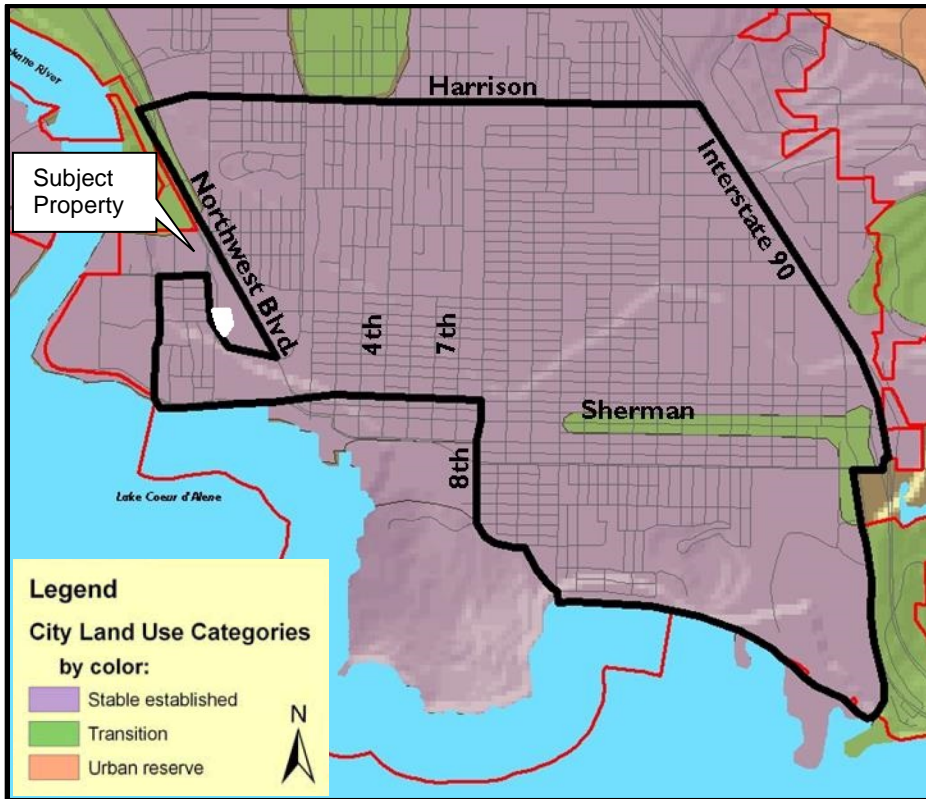
Education Corridor Tomorrow:

The Education Corridor is becoming an important asset to our community as institutions of higher learning continue to grow in this area. A study looking at future land use patterns in the Education Corridor is currently underway. This study should provide the needed framework to ensure compatibility with the existing neighborhoods, wastewater treatment plant, shoreline, and the planned higher educational uses.

The characteristics of the Education Corridor neighborhoods will be:

- An increasing number of uses related to the provision of higher education that are suitable in scale and density with the existing surrounding uses.
- Ensuring connectivity is maintained and improved throughout the corridor to provide multi-modal transportation options.
- Retaining and increasing trees and landscaping.

Comprehensive Plan Map: Historic Heart



Historic Heart Tomorrow:

Increased property values near Lake Coeur d'Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential, and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard and I-90 are gateways to our community and should reflect a welcoming atmosphere.

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

The characteristics of the Historic Heart neighborhoods will be:

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

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14 - Efficiency:

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

Objective 1.16 - Connectivity:

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

Goal #3: Home Environment

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

Objective 3.05 - Neighborhoods:

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

Objective 3.08 - Housing:

Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.

Objective 3.16 – Capital Improvements:

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

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:

Stormwater issues are not a component of the proposed zone change. Any storm issues will be addressed at the time of development on the subject property. City Code requires 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 Park Drive to the west. This existing roadway is a fully developed (full curb/sidewalk) street section. Any required improvements will be addressed through the Subdivision Improvement process at the time of development on the subject property. The Streets and Engineering Department has no objection to the zone change as proposed.

- Submitted by Chris Bosley, City Engineering

WATER:

Water infrastructure already exists and is capable of supporting the proposed zone change. All platted lots will have to have a water service. The Water Department has no objections to the zone change as proposed.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

Presently, public sewer is within Park Drive and Garden Avenue Right-of-Way (ROW). The City's Wastewater Utility has the wastewater system capacity and willingness to serve the subject site. The Wastewater Utility has no objections to the zone change request as proposed.

-Submitted by Mike Becker, Utility Project Manager

PARKS:

The Parks Department has no requirements for the proposed zone change and proposed development. The Parks Department has no objection to this zone change as proposed.

-Submitted by Bill Greenwood, Parks Director

FIRE:

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

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 building permit or site development, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector

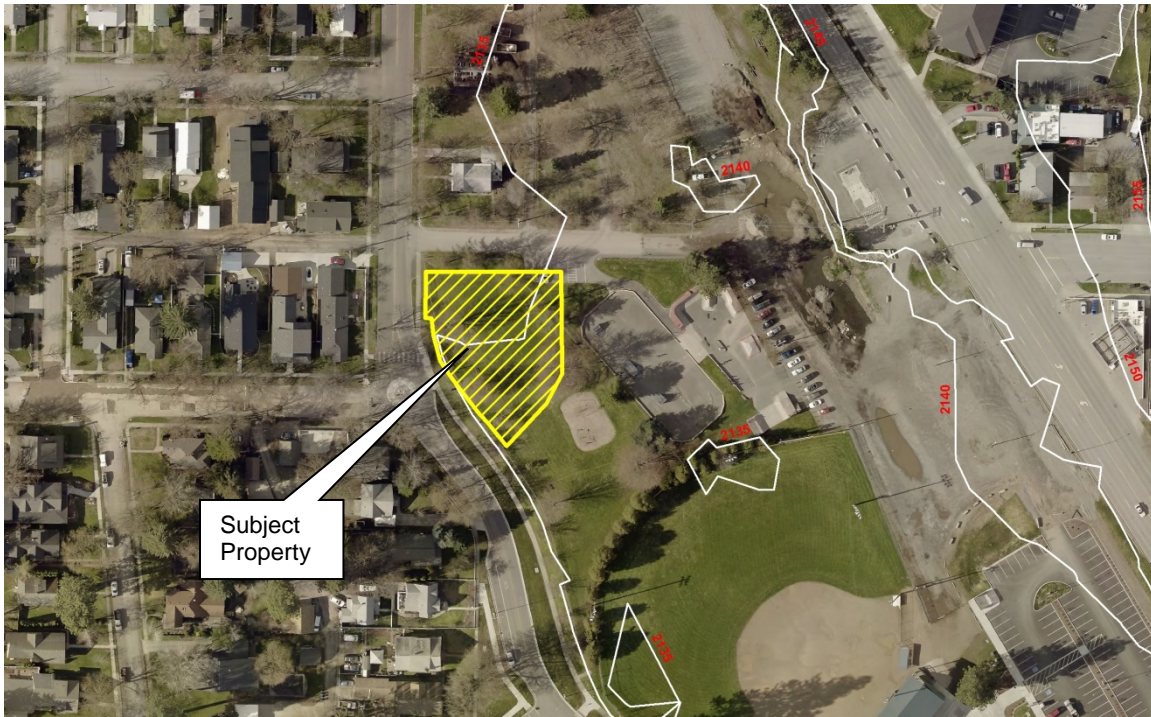
Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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 are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-3 to R-8.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: North part of property looking south.



SITE PHOTO - 2: Across Park Drive looking east.



SITE PHOTO - 3: South part of property looking north.



SITE PHOTO - 4: West part of property looking east.



SITE PHOTO - 5: Across Park Drive looking east along the north part of the subject site.



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 would not adversely affect the surrounding area with regard to traffic. Park Drive has the available capacity to accommodate additional traffic generated from the subject site. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

2007 Comprehensive Plan: Education Corridor Today

The Education Corridor is made up of multiple institutions of higher learning and is adjacent to the Coeur d'Alene wastewater treatment plant, the NIC campus, the Spokane River shoreline, and the Fort Grounds residential neighborhood.

The wastewater treatment plant has been at its present location since 1939. This facility is expanding to accommodate growth and provide more intensive treatment of wastewater.

2007 Comprehensive Plan: Historic Heart Today

The historical heart of Coeur d'Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

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

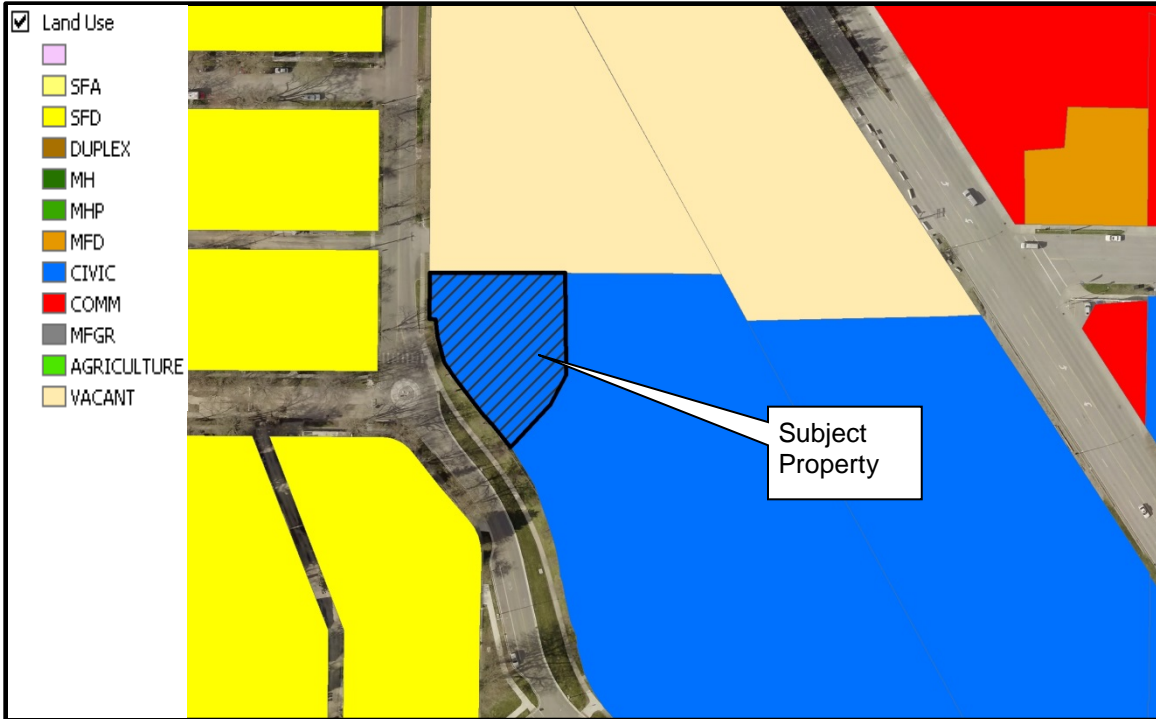
Numerous residential homes in this area are vintage and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

SURROUNDING LAND USES AND ZONING:

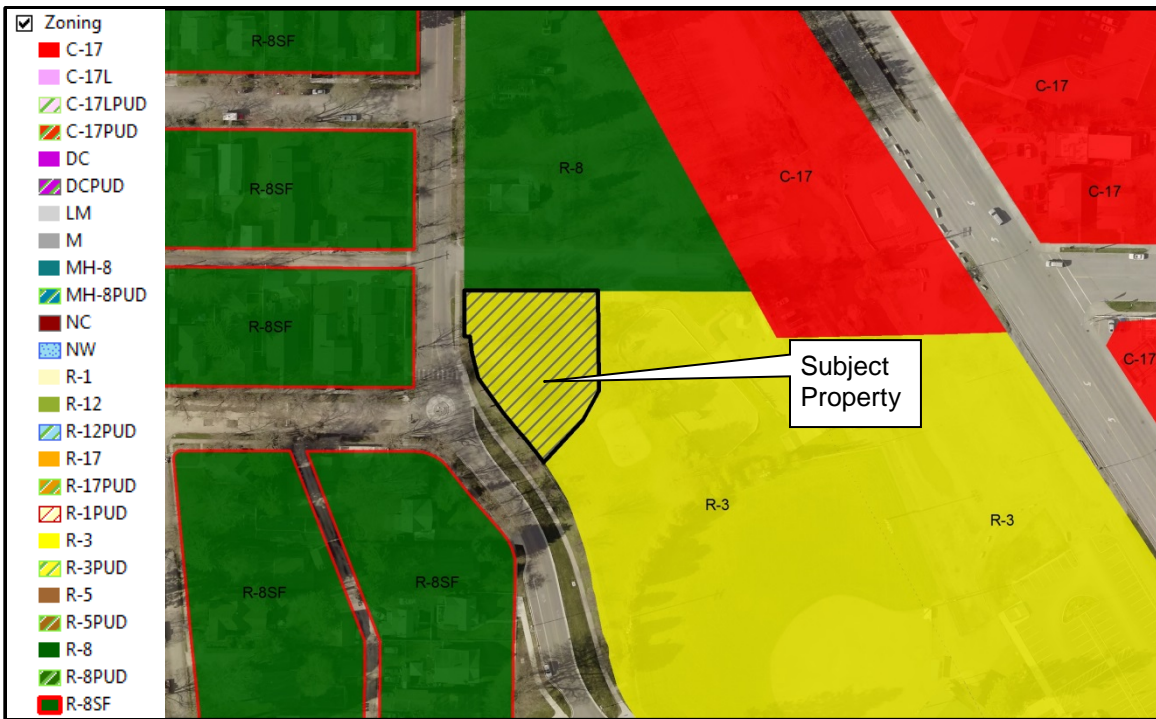
The properties to the west have single family dwellings on them and are used for single family residences. The properties to the north of the subject site are vacant and in part currently under site development work associated with the Memorial Park renovations. The property to the east and south of the subject site is the City's Memorial Field Park. The park is currently being renovated and is under construction. The park is tentatively scheduled to re-open in the spring of 2018. (See Land Use Map on next page)

The properties to the west are zoned R-8SF. The properties zoned R-8SF are designated for single family use only. The property to the north is zoned R-8. The property to the east and south is zoned R-3. (See Zoning Map on page 13)

GENERALIZED LAND USE PATTERN:



ZONING MAP:



Approval of the zone change request would allow the uses by right to change from R-3 uses to R-8 uses (as listed below).

Existing R-3 Zoning District:

The R-3 district is intended as a residential area that permits single-family detached housing at a density of three (3) units per gross acre. The gross acre calculation is intended to provide the subdivider flexibility, so when dedicating land for public use, the density may be made up elsewhere in the subdivision as long as the other site performance standards are met. This district is intended for those areas of the city that are developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

Principal permitted uses in an R-3 district shall be as follows:

- Administrative
- Essential service (underground)
- Home occupation
- Neighborhood recreation.
- Public recreation
- Single-family detached housing.

Permitted uses by special use permit in an R-3 district shall be as follows:

- Commercial film production.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Noncommercial kennel.
- Religious assembly.

Minimum lot requirements in an R-3 district shall be as follows:

- Eleven thousand five hundred (11,500) square feet. All buildable lots must have seventy five feet (75') of frontage on a public street, unless an alternative is approved by the city through normal subdivision procedure (i.e., cul-de-sac and flag lots), or unless a lot is nonconforming

Minimum yard requirements for residential activities in an R-3 district shall be as follows:

- Front: The front yard requirement shall be twenty feet (20').
- 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.
- Side, Street: The street side yard requirement shall be ten feet (10').
- 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 R-8 Zoning District:

The R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre. In this district a special use permit, may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property. Project review is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

Principal permitted uses in an R-8 district shall be as follows:

- Administrative.
- Duplex housing.
- Essential service (underground).
- "Home occupation"
- Neighborhood recreation.
- Public recreation.
- Single-family detached housing

Permitted uses by special use permit in an R-8 district shall be as follows:

- Adult entertainment sales and service.
- Auto camp.
- A two (2) unit per gross acre density increase.
- Boarding house.
- Childcare facility.
- Commercial film production.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (aboveground).
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Juvenile offenders' facility.
- Noncommercial kennel.
- Religious assembly.
- Restriction to single-family only

The minimum lot requirements in an R-8 district shall be as follows:

- Five thousand five hundred (5,500) square feet per unit per individual lot. All buildable lots must have fifty feet (50') of frontage on a public street, unless an alternative is approved by the city through normal subdivision procedure, or unless a lot is nonconforming.

Minimum yard requirements for residential activities in an R-8 district shall be as follows:

- Single-family and duplex structures must meet the minimum yard requirements for a single-family structure established by the R-3 district.
- Minimum distances between residential buildings on the same lot shall be determined by the currently adopted building code.
- There will be no permanent structures erected within the corner cutoff areas.
- Extensions into yards are permitted in accordance with section 17.06.495 of this title.

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
2010 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

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

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

**APPLICANT'S
NARRATIVE**

PARK DRIVE ADDITION ZONE CHANGE NARRATIVE

The Comp Plan identifies the proposed zone change area as Education Corridor, but it more likely belongs in the Historical Heart Land Use category and the Fort Grounds Unique Planning area. We will attempt to cover both categories.

Education Corridor Characteristics that will be satisfied include: 1. Improving the Park Drive connectivity by eliminating street driveway approaches. 2. Retaining existing street trees and defining building envelopes to discourage on lot tree removal.

Historic Heart Characteristics that will be satisfied include: 1. Matching the Fort Grounds lot sizes, and defining building envelopes to promote appropriate scale housing 2. Creating growth that will strengthen the neighborhood. 3. Creating a strong pedestrian connection from Park Drive to Memorial Park through the reconstructed alley.

Comprehensive plans goals that will be satisfied include: 1.06 and 1.07 Urban Forests: See above. 1.11 and 1.12: The project will meet existing City standards, match the neighborhood context, enhance the existing urban areas and discourage sprawl. 1.14 Efficiency: The project will utilize existing water, sewer, stormwater and road infrastructure. 1.16 Connectivity: The project includes a strong pedestrian connection from Park Drive to the new Memorial Park. 2.05 Pedestrian and Bicycle Enhancement: The project will replace all of the sidewalk fronting the lots. 3.05 Neighborhoods: The proposed project lot sizes, configuration and building envelopes will be very similar to the Fort Ground nationhood, protecting and preserving that existing neighborhood. 3.07 Neighborhoods: The project will create lots that allow walkable access to parks, the lake and downtown. 3.11 The project will preserve and expand what where historically single family parcels.

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

A. INTRODUCTION

This matter having come before the Planning Commission on, October 10, 2017, and there being present a person requesting approval of ZC-3-17, a request for a zone change from R-3 to R-8 zoning district.

APPLICANT: IGNITE CDA

LOCATION: +/- .4 ACRE PORTION OF A PARCEL LOCATED IMMEDIATELY NORTHEAST OF THE INTERSECTION OF PARK DRIVE AND GARDEN AVENUE

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

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

- B1. That the existing land uses are: single-family residential, a public charter school, vacant land, and a parks and recreation facility.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is R-8.
- B3. That the notice of public hearing was published on September 23, 2017, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, October 2, 2017, 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 October 10, 2017.
- B8. That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies as follows:

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

Criteria to consider for B9:

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

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

None.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttropp	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

**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, PLANNER

DATE: OCTOBER 10, 2017

SUBJECT **S-3-17 - 10-LOT, PRELIMINARY PLAT SUBDIVISION KNOWN AS
"PARK DRIVE ADDITION"**

LOCATION: +/- 1.77 ACRES LOCATED IMMEDIATELY EAST OF THE
INTERSECTION OF EMPIRE AVENUE AND PARK DRIVE.

APPLICANT/OWNER:
Ignite CDA
105 N 1st Street
Coeur d'Alene, ID 83815

ENGINEER:
Welch Comer
350 E Kathleen Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

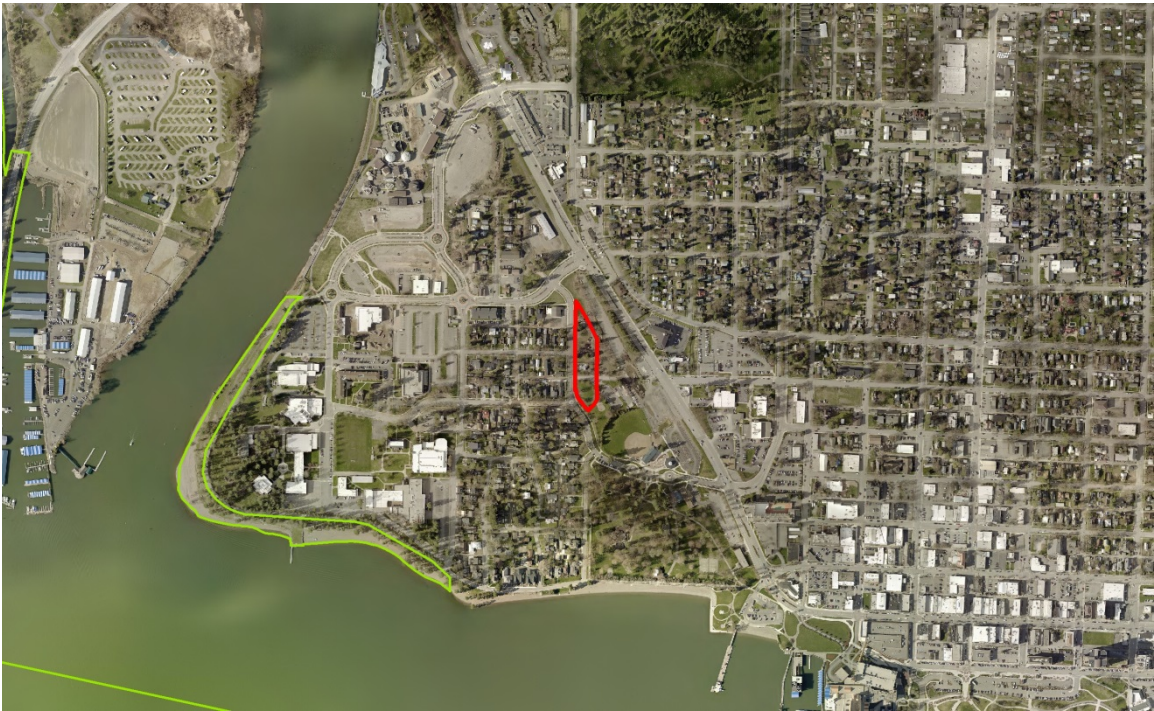
Welch Comer representing Ignite CDA is requesting approval of a proposed 10 lot subdivision known as "Park Drive Addition" on a 1.77 acre parcel.

GENERAL INFORMATION:

Land uses in the area include single-family residential, a public charter school, vacant land, and a parks and recreation facility. The property is located in the vicinity of the Fort Grounds neighborhood where the predominant use is single family residential. The majority of lots in the Fort Grounds have alleys associated with the street network.

"Park Drive Addition" is a proposed 10-lot subdivision. The proposed subdivision will have alley access toward the rear of lots. Building envelopes will be established on the final plat. The applicant has indicated that the subdivision is a result of a land trade between the City and the urban renewal district, Ignite CDA that is resulting in an improved Memorial Park area, which is currently under redevelopment.

LOCATION MAP:



AERIAL PHOTO:



BIRDS EYE AERIAL PHOTO - 1:



BIRDS EYE AERIAL PHOTO - 2:



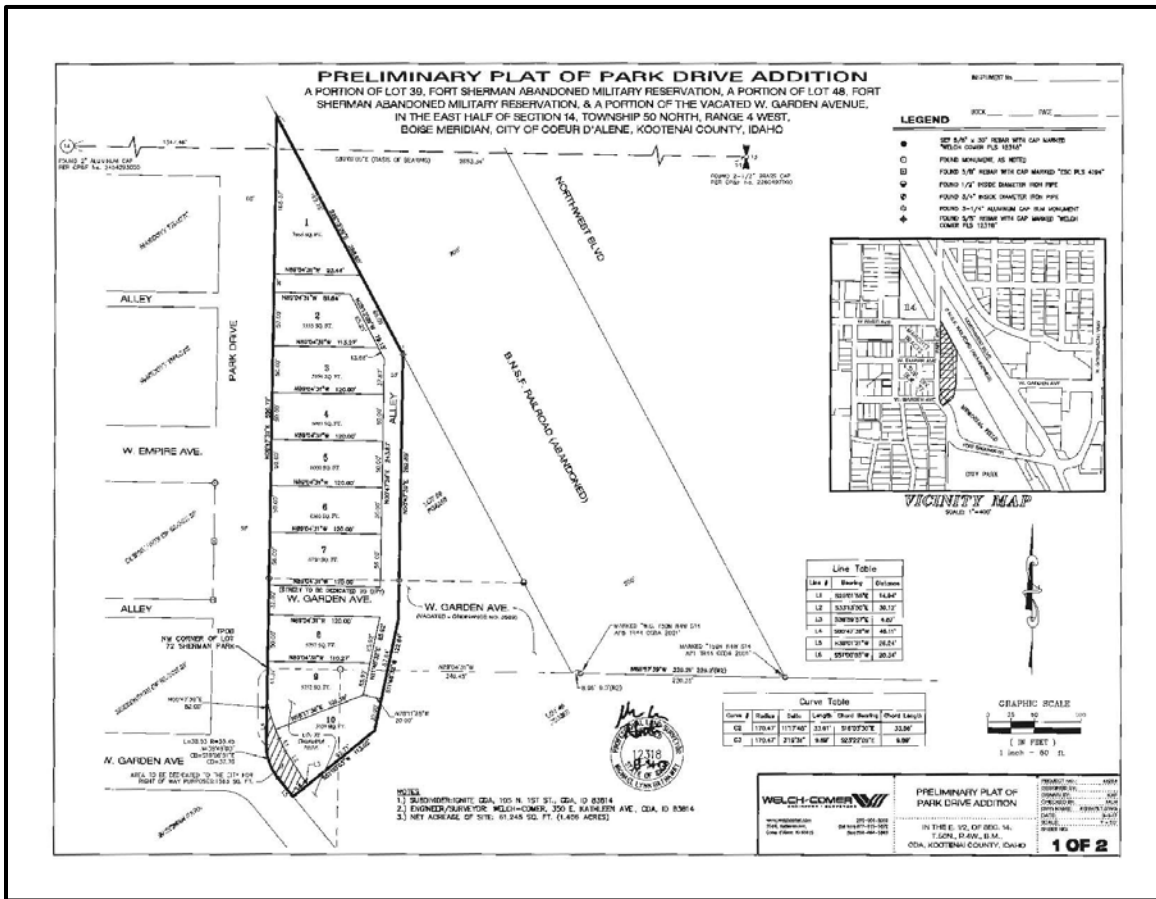
REQUIRED FINDINGS (Subdivision):

Finding #B7A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer or his designee.

The preliminary plat includes 10 lots and a public alley. The public alley and alley right-of-ways (ROW) will be dedicated to the City. Per the Streets and Engineering Department, the preliminary plat submitted contains all of the general preliminary plat elements required by Municipal Code.

- Submitted by Chris Bosley, City Engineering

PRELIMINARY PLAT OF "PARK DRIVE ADDITION" – PROPOSED 10-LOT SUBDIVISION WITH ALLEYS (S-3-17):



Evaluation: The Planning Commission must determine based upon the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer or his designee.

Finding #B7B: **That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

STORMWATER:

Stormwater treatment and containment will be addressed during development and construction on the subject property. The City Code requires 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 street sections and rights-of-way as shown on the preliminary plat submittal are acceptable to the Streets and Engineering Department. Any changes to the submittal will require approval of the City Engineer or designee. The Streets and Engineering Department has no objection to the subdivision as proposed.

-Submitted by the Engineering Department

WASTEWATER:

The nearest public sanitary sewer is located within the Park Drive and Garden Avenue right-of-way (ROW) which borders the westerly and southerly boundary of this subdivision, respectively. The City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this subdivision as proposed.

-Submitted by Mike Becker, Utility Project Manager

WATER:

Water infrastructure already exists and is capable of supporting the proposed subdivision. All platted lots will have to have water service for each lot. The Water Department has no objection to the subdivision as proposed.

-Submitted by Kyle Marine, Assistant Water Superintendent

FIRE:

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

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 building permit or site development, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the subdivision as proposed.

-Submitted by Bobby Gonder, Fire Inspector

PLANNING:

All lots in the proposed subdivision meet the requirements of the R-8 Zoning District with regard to minimum square footage and lot frontage (see Finding B7D below). The zone change to R-8 in Item ZC-3-17 must be approved prior to the Final Plat being recorded. The Planning Department has no objection to the subdivision as proposed.

-Submitted by Mike Behary, Planner

PARKS:

The Parks Department has no requirements for the proposed subdivision. The Parks Department has no objection to this subdivision as proposed.

-Submitted by Bill Greenwood, Parks Director

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities adequate where applicable.*

Finding #B7C: **That the proposed preliminary plat (do) (do not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.**

SUBDIVISION IMPROVEMENTS:

All subdivision infrastructure that is required to be installed for purpose of obtaining building permits for the subject lots can be installed through the site development permit process. Per the Engineering Department, the preliminary plat subdivision design and improvement standards have been met.

- Submitted by Chris Bosley, City Engineering

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal complies with all of the subdivision design standards and all of the subdivision improvement standards requirements.*

Finding #B7D: **The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

The "Park Drive Addition" preliminary plat is located in the R-8 Zoning District. Lot sizes in the proposed subdivision range from 5,555 square feet to 7,866 square feet and meet the minimum lot size requirements of 5500 SF, as required in the R-8 Zoning District. The proposed lots all have a minimum of 50 feet of frontage and meet the frontage and minimum lot width requirements in the R-8 District.

Minimum lot size: 5,500 sq. ft.
Street frontage: 50 feet on a public street

The R-8 Zoning District has the following performance standards, which will be met as building permits are issued on each lot:

Front yard setback:	20 feet
Side yard setbacks:	5/10 feet
Side street yard setback:	10 feet
Rear yard setback:	25 feet
Building height (maximum):	32 feet

17.05 Article IV. R-8 RESIDENTIAL:

17.05.090: GENERALLY:

- A. The R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.

- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.

- C. Project review is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

17.05.100: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-8 district shall be as follows:

- Administrative.
- Duplex housing.
- Essential service (underground).
- "Home occupation", as defined in this title.
- Neighborhood recreation.
- Pocket residential development.
- Public recreation.
- Single-family detached housing.

17.05.110: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-8 district shall be as follows:

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

17.05.100: PERMITTED USES; SPECIAL USE PERMIT:

Principal permitted by special use permit in an R-8 district shall be as follows:

- A two (2) unit per gross acre increase
- Boarding House
- Childcare facility
- Commercial film production
- Community assembly
- Community organization
- Convenience sales
- Essential service (aboveground).
- Group dwelling – detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restrictions to single family only

REQUESTED DEVIATIONS:

- None proposed

ZONING:



Evaluation:

The Planning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat meet the requirements of the applicable zoning district.

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.
4. All required utility easements shall be dedicated on the final plat.

STREETS

5. All new streets and alleys shall be dedicated and constructed to City of Coeur d'Alene standards.
6. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
7. All required street improvements shall be constructed prior to issuance of building permits.
8. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER

9. 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.

FIRE PROTECTION

10. Fire hydrants shall be installed at all locations as determined by the City Fire Inspector.

GENERAL

11. The final plat shall conform to the requirements of the City.

SUBDIVISION CONDITIONS:

WASTEWATER:

1. Extension of public sanitary sewer infrastructure and installation of sewer laterals to each newly created lot will be required prior to final plat approval.

PLANNING:

2. The zone change to R-8 in Item ZC-3-17 must be approved prior to the Final Plat being recorded.

ORDINANCES AND STANDARDS USED IN EVALUATION:

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
Coeur d'Alene Bikeways Plan
Resolution 14-049

ACTION ALTERNATIVES:

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




**APPLICANT'S
NARRATIVE**


PARK DRIVE ADDITION NARRATIVE

The proposed subdivision is a reconfiguration of nine existing lots and the addition of a tenth lot. The subdivision is a result of a land trade between the City and urban renewal district, ignite CDA that resulted in an improved park area that is currently under redevelopment

The current lot sizes range from 0.07 to 0.12 acres and are a combination of street and alley access. To better match the neighborhood character, the proposed lots will range in size from 5555 square feet to 7866 square feet and will be alley access only. Additionally, to maintain the existing neighborhood character and promote conservation of existing mature trees, building envelopes will be established on the final plat.



FINDINGS



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

A. INTRODUCTION

This matter having come before the Planning Commission on October 10, 2017, and there being present a person requesting approval of ITEM: S-3-17 a request for a 10-lot preliminary plat subdivision known as "Park Drive Addition".

APPLICANT: IGNITE CDA

LOCATION : +/- 1.77 ACRES LOCATED IMMEDIATELY EAST OF THE INTERSECTION OF EMPIRE AVENUE AND PARK DRIVE.

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

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

- B1. That the existing land uses are: single-family residential, a public charter school, vacant land, and a parks and recreation facility.
- B2. That the zoning is R-8.
- B3. That the notice of public hearing was published on September 23, 2017, which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B6. That public testimony was heard on October 10, 2017.

B7. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

B7A. That all of the general preliminary plat requirements **(have) (have not)** been met as determined by the City Engineer or his designee. This is based on

B7B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on

B7C. That the proposed preliminary plat **(do) (do not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. This is based on

B7D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on

Criteria to consider for B7D:

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of IGNITE CDA for preliminary plat approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

WASTEWATER:

1. Extension of public sanitary sewer infrastructure and installation of sewer laterals to each newly created lot will be required prior to final plat approval.

PLANNING:

2. The zone change to R-8 in Item ZC-3-17 must be approved prior to the Final Plat being recorded.

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

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, PLANNER
DATE: OCTOBER 10, 2017
SUBJECT: S-4-17 – 13 LOT, 6 TRACT, PRELIMINARY PLAT REQUEST FOR
“TILFORD PLACE”
PUD-2-17 – “TILFORD PLACE” PLANNED UNIT DEVELOPMENT
LOCATION: +/- 1.66 ACRES LOCATED ALONG WEST TILFORD LANE IN THE
RIVERSTONE DEVELOPMENT

APPLICANT:

Owner:
Idaho Waterfront, LLC
2197 N. Main Street
Coeur d’Alene, ID 83814

Representative/Engineer:
ATS, Inc.
PO Box 3457
Hayden, ID 83835

DECISION POINT:

Idaho Waterfront, LLC is requesting approval of a Planned Unit Development and a 13-lot (6 tract) preliminary plat to be known as “Tilford Place”, for two existing parcels totaling +/-1.66 acres.

AREA MAP:



GENERAL INFORMATION:

The subject property is located between two commercial uses within the Riverstone Development along West Tilford Lane. The proposed preliminary plat, if approved, would allow for 13 single-family residential lots. An application for a Planned Unit Development request has also been filed in conjunction with the preliminary plat.

PLANNED UNIT DEVELOPMENT REQUEST:

The applicant is requesting a PUD to allow for the following deviations from existing standards:

- Reductions to the required site performance standards as noted below:
- 5'/5' side yard setbacks (from 5'/10' per R-8 zoning).
- 15' rear yard to face of structure (from 25' per R-8 zoning).
- Reduction in lot sizes from 5,500 sf to typical lots sizes ranging from 3,000 sf to 4,200 sf.
- Frontage width from 40'-50' of private street frontage deviating from the require 50' of frontage on a public street.
- Private gated entrance.
- Private streets within a Planned Unit Development.
- Reductions to the required road Right-of-Way width from 55' to 20', 39' and 44'.
- Sidewalk on only one side of the street.

The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot by lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.

In making this determination, the Planning Commission should decide if the modifications requested represent a substantial change over what would be allowed if the regulations were applied on a lot by lot basis.

The chief benefits of this PUD for the applicant are:

- A reduction of the minimum 50' R-8 frontage requirement.
- A reduction of the 5,500 SF minimum R-8 lot size.
- Narrower roads.
- Sidewalk on only one side.
- Gated entrance.
- Reduced street width.

The Commission must decide if this request meets the intent of the PUD regulations and in so doing may wish to consider that certain benefits accrue to the city and the public by virtue of a planned unit development:

- Preservation of private open space.
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future through the approved final development plan.
- Ability to negotiate solutions that benefit all.

Requested Deviations through the PUD Request:

Zoning Standards:

1. R-8 Performance Standards: The applicant requests a reduction of site performance standards for lot size and frontage:

- Reduce the 50' frontage requirement to a range of 40' to 50' along a private street(s); and,
- Reduce the 5,500 SF minimum lot size to a range of 2,963 SF to 4,209 SF (3,463 SF average). The average buildable area per lot is 2,784 SF.

17.05.130: SITE PERFORMANCE STANDARDS; MINIMUM LOT:

Minimum lot requirements in an R-8 district shall be fifty five hundred (5500) square feet. All buildable lots must have fifty feet (50') of frontage on a public street, unless an alternative is approved by the city through normal subdivision procedure (i.e., cul-de-sac and flag lots), or unless a lot is nonconforming (see section 17.06.980 of this title). (Ord. 1691 §1(part), 1982)

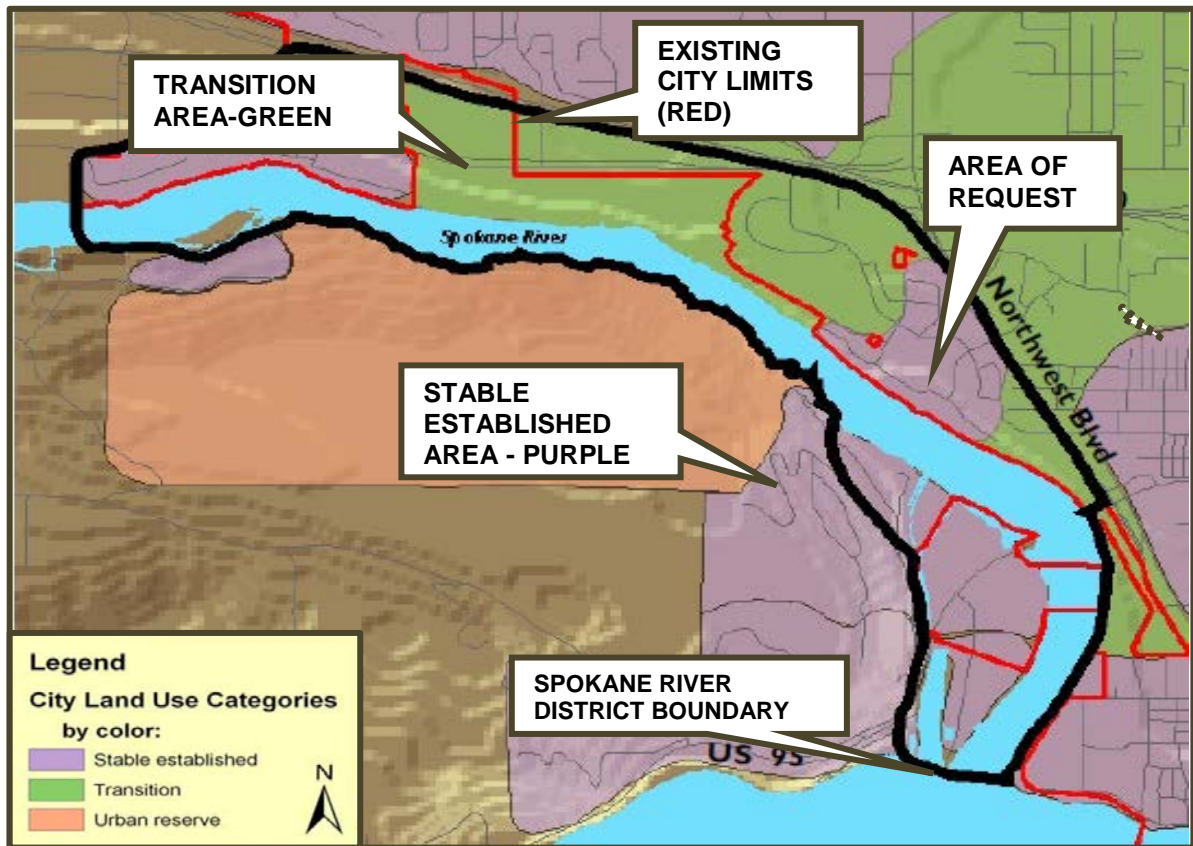
REQUIRED FINDINGS (PUD):

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is contiguous with existing city limits
- The City Comprehensive Plan Map designates this area as:
Spokane River District:

2007 COMPREHENSIVE PLAN MAP: SPOKANE RIVER DISTRICT – Stable Established



Stable Established:

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

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 Spokane River shoreline is sure to change dramatically.

The characteristics of the Spokane River District will be:

- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.
- That overall density may approach ten to sixteen dwelling units per acre (10-16:1), but pockets of denser housing are appropriate and encouraged.
- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.

- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks, and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees.

Significant Policies:

- **Objective 1.02 – Water Quality:**
Protect the cleanliness and safety of the lakes, rivers, watersheds, and the aquifer.
- **Objective 1.03 – Waterfront Development:**
Encourage public and private development to incorporate and provide ample public access, both physical and visual, to the lakes and rivers.
- **Objective 1.05 – Vistas:**
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d’Alene unique.
- **Objective 1.09 – Parks:**
Provide an ample supply of urbanized open space in the form of beaches, squares, greens and parks whose frequent use is encouraged by placement, design, and access.
- **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 1.13 – Open Space:**
Encourage all participants to make open space a priority with every development and annexation.
- **Objective 3.05 – Neighborhoods:**
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- **Objective 3.14 – Recreation:**
Encourage city sponsored and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities, hiking and biking pathways, open space passive parks, and water access for people and boats.
- **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.
- **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 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 3.08 - Housing:**
Design new housing areas to meet the city's need for quality neighborhoods for all income and family status categories.
- **Objective 3.16 - Capital Improvements:**
Ensure infrastructure and essential services are available prior to approval for properties seeking development.
- **Objective 3.18 - Transportation:**
Provide accessible, safe and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation, requesting input from authoritative districts and neighboring communities when applicable.
- **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 must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

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

LOCATION, SETTING, AND EXISTING USES:

The site is relatively flat and site grading on the site has been done. There are no topographical or other physical constraints that would make the subject property unsuitable for the subdivision and Planned Unit Development request(s).

The site has existing commercial uses to the north, east and west of the subject property. Northwest Bank, which recently opened is located to the west of the site, to the east is Advanced Health Care of CdA. To the north of the site is Advanced Dermatology and Skin Surgery, and to the northwest is the Pain Management of North Idaho clinic.

Snow storage will be located on the east and west ends of "Martin Place" and the perimeter of the development will be fenced along with a gated entry.

See both "NE Prairie (today and tomorrow)" descriptions from the 2007 Comprehensive Plan listed in finding #B8A above. Also, see the land use map, zoning map, and photos below of the subject property.

GENERALIZED LAND USE PATTERN:



EXISTING ZONING:



SITE PHOTO - 1: View from the southeast corner of property looking north toward the Pain Management of North Idaho building.



SITE PHOTO - 2: View from the subject site looking west toward Northwest Bank



SITE PHOTO - 3: View from the south portion of property looking northwest at subject property



SITE PHOTO - 4: View from Tilford Lane looking northeast toward Advanced Health Care of CdA



SITE PHOTO - 5: View from the southeast corner of property looking northwest toward Northwest Bank.



SITE PHOTO - 6: View from the southeast corner of property looking north toward the Pain Management of North Idaho building.



SITE PHOTO - 7: View from the northeast corner of the subject property looking southwest toward the Spokane River and Northwest Bank



Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.*

Finding #B8C: **The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The subject property is relatively flat with Tilford Lane to the south. Additional natural features of the site information can be found in finding #B8B starting on page 7 which include a description of the site and site photos.

Examples of the architecture type anticipated for the site (To be provided with Final Development Plan): Proposed one and two story homes.



Examples of the architecture type anticipated for the site (To be provided with Final Development Plan): Proposed one and two story homes.



Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal is compatible with natural features of the site and adjoining properties.*

Finding #B8D: **The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

See staff comments which can be found in finding #B7B (Subdivision: pg. 17-20) below.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.*


Finding #B8E: **The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

Proposed “ GrassGrid” within the open space area of Tract “F” for wastewater service access.

GrassGrid



Enhancing Our Environment

GrassGrid provides designers and developers with a grassed alternative to concrete and asphalt surfaces that is practical, aesthetically pleasing and environmentally friendly.



Stable GrassGrid Surface

Unstable Surface



Applications:

- Emergency and firelane access
- Vehicle overflow parking lots for commercial developments, homes, sports complexes, festival grounds, churches and more
- Golf cart paths and mountain bike trails
- Racetrack infield and pit areas
- Drainage channels
- Slope stabilization and erosion control
- Street shoulder parking



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TRACT LEGEND:

TRACT A = COMMUNITY OPEN SPACE - FENCED DOG RUN AREA WITH IRRIGATION AND AMENITIES.

TRACT B = COMMUNITY OPEN SPACE - FLOWER GARDEN WITH IRRIGATION AND I O X I O GREEN HOUSE AMENITIES AND ALL WEATHER SURFACE PATHWAY FOR MOTORIZED ACCESS TO SAID AMENITIES AND CITY SEWER MANHOLE ACCESS

TRACT C = COMMUNITY OPEN SPACE - VEGTABLE/HERB GARDEN WITH IRRIGATION AND I O X I O GREEN HOUSE AMENITIES.

TRACT D = STORMWATER/SWALE.

TRACT E = COMMUNITY OPEN SPACE - SITTING/PICNIC TABLE AMENITIES FOR USE BY NEIGHBORS AND CENTENNIAL TRAIL USERS.

TRACT F = PRIVATE ROADWAY & UTILITY EASEMENT (SEWER & WATER) TO THE CITY OF COEUR D'ALENE.

*FOR FURTHER DEFINITION OF OPEN SPACE AND USE, PLEASE REFER TO THE P.U.D. APPLICATION/NARRATIVE "RESERVATIONS DIAGRAM".

Assessment:

In February of 2016, the Planning Commission held a workshop to discuss and better define the intent, functionality, use, types, required improvements, and other components of open space that is part of Planned Unit Development (PUD) projects. The workshop discussion was necessary due to a number of requested PUD's and the Planning Commission being asked to approve "usable" open space within a proposed development.

Per the Planning Commission Interpretation (Workshop Item I-1-16 Open Space) the below list outlines what qualifies as Open Space.

- ≥ 15 FT wide, landscaped, improved, irrigated, maintained, accessible, usable, and include amenities
- Passive and Active Parks (including dog parks)
- Community Gardens
- Natural ok if enhanced and in addition to 10% improved
- Local trails

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal provides adequate private common open space area, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.*

Finding #B8F: Off-street parking (does) (does not) provide parking sufficient for users of the development.

There was no request made for changes to off-street parking requirements through the PUD. Single family homes require two (2) paved stalls per unit.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the off-street parking provides parking sufficient for users of the development.*

Finding #B8G: That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.

From the applicant's narrative:

Idaho Waterfront LLC will work with the City of Coeur d'Alene's Legal Department on all required language for the Homeowners Association (HOA) CCR's, which will be established and recorded to maintain open space tracts and the landscaping within those areas.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal provides for an acceptable method for the perpetual maintenance of all common property.*

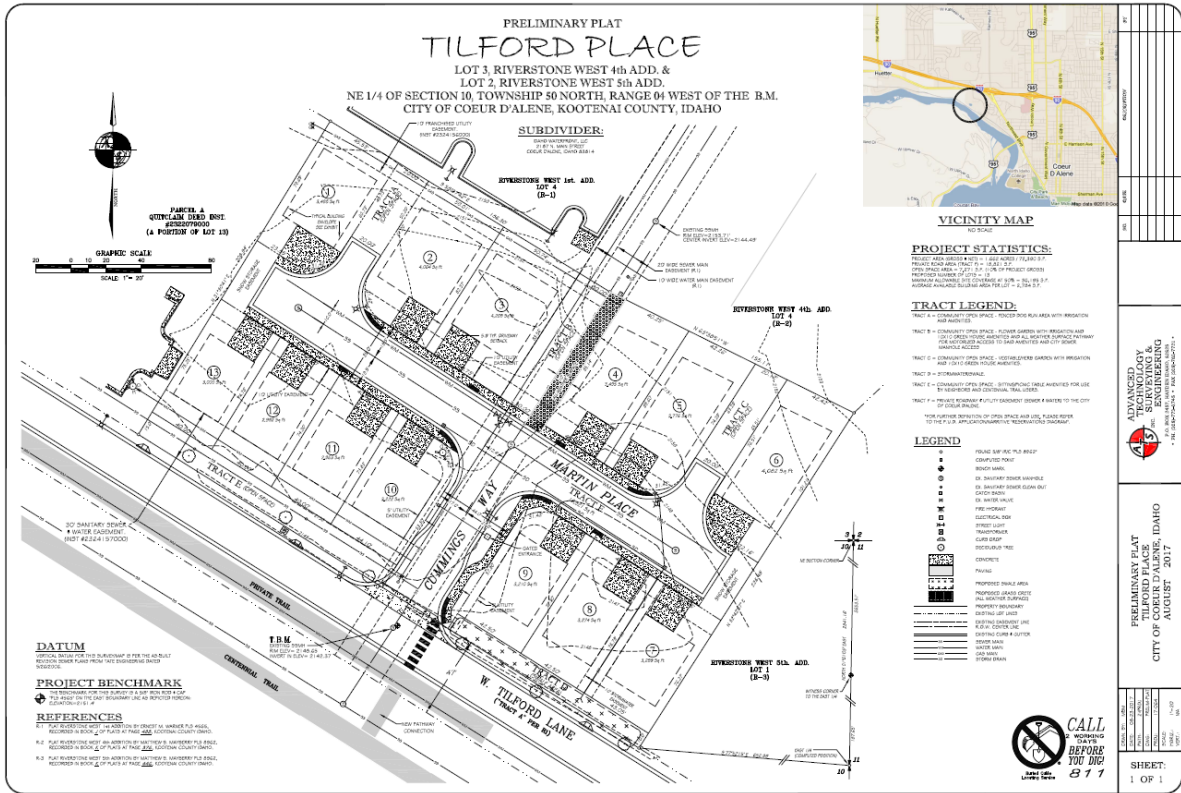
REQUIRED FINDINGS (Subdivision):

Finding #B7A: That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

Per Chris Bosley, City Engineer, the preliminary plat submitted contains all of the general preliminary plat elements required by the Municipal Code.

- Deviations from the required subdivision standards have been requested through the Planned Unit Development process.as noted in the PUD portion of the staff report (below).
 - Deviations include: reduction of required road width
 - Sidewalk on ONLY one side of the road.

PRELIMINARY PLAT FOR "TILFORD PLACE":



Evaluation: The Planning Commission must determine, based on the information before them, whether or not all of the general preliminary plat requirements have been met as attested to by the City Engineer.

Finding #B7B: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

STORMWATER:

City code requires all stormwater to remain on site. Stormwater will be addressed as the area proposed for annexation develops. It is anticipated that the residential development will typically utilize curb adjacent swales to manage the site runoff. 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:

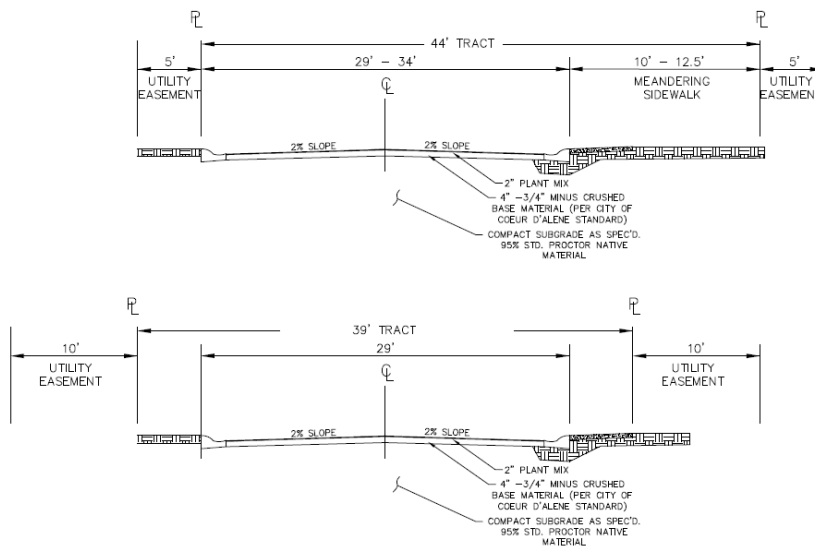
Tilford Lane currently includes curb and gutter and a shared-use path on the south side. Requirement for a sidewalk on the north side is not warranted since no connectivity will be provided from it. The requested crosswalk shown on the plat will provide the pedestrian and bicycle connectivity to Riverstone Park and beyond. The proposed streets within the development are acceptable in the context of this development.

-Submitted by Chris Bosley, City Engineer

Typical Street Section:

EXHIBIT

ROAD SECTIONS FOR TILFORD PLACE
NE ¼ OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 04 WEST, B.M.,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



TRAFFIC:

Tilford lane and Beebe Boulevard have the available capacity to accommodate the anticipated traffic (approximately 100 trips/day) generated from this 13-lot subdivision. Impacts are expected to be minor.

-Submitted by Chris Bosley, City Engineer

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed plat. Any proposed development of the parcel will require extension of the public water utilities at the owner/developer's expense.

There are existing 8-inch & 6-inch water mains that runs through the property.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

The City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this Subdivision, as proposed.

Presently, public sewer traverses across the property within a utility easement and all new public sewer infrastructure is proposed within Tract F.

In conformance with Sewer Policy 719, Construction of structures within the easement is prohibited. Permanently mounted signs, fences and monuments will not be allowed within the easement.

-Submitted by Mike Becker, 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 and/or building permit approval, utilizing the currently adopted International Fire Code (IFC) for compliance.

The Coeur d'Alene Fire Department can address all concerns at site and building permit submittals with approval of the recommended conditions.

-Submitted by Bobby Gonder, Fire Inspector

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.*

Finding #B7C: That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

Per engineering review, for the purposes of the preliminary plat, both subdivision design standards (chapter 16.15) and improvement standards (chapter 16.40) have been vetted for compliance.

While reviewing the “Riverstone” development plats (Riverstone West 1st Addition and Riverstone West 5th Addition), staff found there is conflicting language and some restrictions to access to the applicant’s Lot 3 in Riverstone West 4th Addition to Tilford Lane, which is referred to as Tract C in the 1st Addition and Tract A in the 5th Addition. This apparent oversight occurred when Tilford Lane was realigned in the past. These restrictions will need to be removed in order to provide legal access onto “Tilford Lane” for the proposed Tilford Place Subdivision. Additionally, Tilford Lane will need to be dedicated to the City as a public road as part of this request. (See condition at the end of the staff report)

Evaluation: *The Planning Commission must determine, based on the information before them, whether the proposed preliminary plat does or does not comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

Finding #B7D: **The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

All but one lot in the proposed preliminary plat do not meet frontage requirements of 50’ per lot in the request R-8 zone. Also, the proposed lot sizes are less than the R-8 standard, at 5,500 SQ FT per lot. The request for reduced performance standards is made through the proposed PUD (see below).

The density of the proposal is just below the threshold of meeting the minimum requirements for the R-8 zone as defined in PUD section of the Zoning Code.

The gross area of the subject property is +/- 1.66 acres. The total number of single family units requested is 13. The result is an average of 3,464 SF square feet per unit, of overall property within the development and 7.79 units per acre.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the lots proposed in the preliminary plat do or do not meet the requirements of the applicable zoning district.*

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.
4. All required utility easements shall be dedicated on the final plat.

Streets:

5. All new streets shall be dedicated and constructed to City of Coeur d'Alene standards.
6. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
7. All required street improvements shall be constructed prior to issuance of building permits.
8. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

Stormwater:

9. 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.

Fire Protection:

10. Fire hydrant(s) shall be installed at all locations as determined by the City Fire Inspectors.

General:

11. The final plat shall conform to the requirements of the City.
12. Prior to approval of the final plat, all required improvements must be installed and accepted by the City. The developer may enter into an agreement with the City guaranteeing installation of the improvements and shall provide security acceptable to the City in an amount equal to 150 percent of the cost of installation of the improvements as determined by the City Engineer. The agreement and security shall be approved by the City Council prior to recording the final plat.

PROPOSED CONDITIONS:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

Engineering:

3. Record a deed dedicating "Tilford Lane" (Tract C Riverstone West 1st Addition and Tract A Riverstone West 5th Addition) without restriction as a public road to the City of Coeur d'Alene. The deed shall lift prior encumbrances related to access to adjoining parcels from the previously noted plats.

Water:

4. Individual domestic water services to all residential lots and fire hydrants meeting CDA Fire Dept. spacing requirements will be required upon final plat approval prior to application for any building permits.

Wastewater:

5. All public sewer lines will require a minimum 20' wide easement or tract (30' wide when combined with public water lines) be dedicated to the City.
6. Installation of all sanitary sewer infrastructure will be required prior to final plat approval.
7. No structures within sewer easement will be permitted.
8. If fencing is installed along the perimeter of the development it must be removable if it's over a sewer easement to allow for sewer service access.

ORDINANCES & STANDARDS USED FOR EVALUATION:

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

ACTION ALTERNATIVES:

The Planning Commission must consider these requests and make separate findings to approve, deny or deny without prejudice. The findings worksheets are attached.

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

**APPLICANT'S
NARRATIVE**

PROPERTY INFORMATION:

1. Gross area (all land involved): 1.66 acres, and/or _____ sq. ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): _____ acres, and/or _____ sq. ft.
3. Total number of lots included: 13 lots, 6 tracts
4. Existing land use: Vacant

Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8
NC CC C-17 C-17L DC LM M NW

PROPOSED USE:

Please describe the concept of development proposed.

The concept of this development is to create a single-family community much like the surrounding areas.

Proposed uses and activities:

This project is designed to create open space to include a community garden area, dog run area, plenty of landscaping, picnic tables, irrigation and tracts for stormwater.


Proposed residential density: 7.79 dwelling units per acre.

Physical land alteration required by development:


Requested roads will be paved, but the land itself is flat so not much altering/leveling will take place. grass will be provided in open space areas and the like.

Proposed sq. ft./acres of open space 7271 sq. ft. _____ acres

On a separate sheet of paper please provide any other information, plans, and drawings fully conveying the scope of the project.



FINDINGS



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

A. INTRODUCTION

This matter having come before the Planning Commission on October 10, 2017, and there being present a person requesting approval of: PUD-2-17 a request for a planned unit development known as "Tilford Place PUD"

APPLICANT: IDAHO WATERFRONT, LLC

LOCATION: +/- 1.66 ACRES LOCATED ALONG WEST TILFORD LANE IN THE RIVERSTONE DEVELOPMENT

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

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

- B1. That the existing land uses are commercial to the north, east and west of the subject property.
- B2. That the Comprehensive Plan Map designation is Transition.
- B3. That the zoning is R-8.
- B4. That the notice of public hearing was published on, September 23, 2017, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on October 2, 2017, 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 October 10, 2017.
- B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the Comprehensive Plan. This is based upon the following policies:

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

- Criteria to consider for B8B:**
- | | |
|---------------------------------------|-----------------------|
| 1. Density | 6. Open space |
| 2. Architectural style | 7. Landscaping |
| 3. Layout of buildings | |
| 4. Building heights & bulk | |
| 5. Off-street parking | |

B8C The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties. In the case of property located within the hillside overlay zone, does not create soil erosion, sedimentation of lower slopes, slide damage, or flooding problems; prevents surface water degradation, or severe cutting or scarring; reduces the risk of catastrophic wildfire in the wildland urban interface; and complements the visual character and nature of the city. This is based on

- Criteria to consider for B8C:**
- | | |
|-----------------------------|-------------------------------------------|
| 1. Topography | 3. Native vegetation |
| 2. Wildlife habitats | 4. Streams & other water areas |

B8D The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing streets, public facilities and services. This is based on

- Criteria to consider for B8D:**
1. **Is there water available to meet the minimum requirements for domestic consumption & fire flow?**
 2. **Can sewer service be provided to meet minimum requirements?**
 3. **Can the existing street system accommodate the anticipated traffic to be generated by this development?**
 4. **Can police and fire provide reasonable service to the property?**

- B8E The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on
- B8F Off-street parking **(does)(does not)** provide parking sufficient for users of the development. This is based on
- B8G That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property. This is based on

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of IDAHO WATERFRONT, LLC for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

Engineering:

3. Record a deed dedicating "Tilford Lane" (Tract C Riverstone West 1st Addition and Tract A Riverstone West 5th Addition) without restriction as a public road to the City of Coeur d'Alene. The deed shall lift prior encumbrances related to access to adjoining parcels from the previously noted plats.

Water:

4. Individual domestic water services to all residential lots and fire hydrants meeting CDA Fire Dept. spacing requirements will be required upon final plat approval prior to application for any building permits.

Wastewater:

5. All public sewer lines will require a minimum 20' wide easement or tract (30' wide when combined with public water lines) be dedicated to the City.
6. Installation of all sanitary sewer infrastructure will be required prior to final plat approval.
7. No structures within sewer easement will be permitted.
8. If fencing is installed along the perimeter of the development it must be removable if it's over a sewer easement to allow for sewer service access.

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



FINDINGS



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

A. INTRODUCTION

This matter having come before the Planning Commission on October 10, 2017, and there being present a person requesting approval of ITEM: S-4-17 a request for a 13-lot 6 Tract, preliminary plat "Tilford Place".

APPLICANT: IDAHO WATERFRONT, LLC

LOCATION: +/- 1.66 ACRES LOCATED ALONG WEST TILFORD LANE IN THE RIVERSTONE DEVELOPMENT

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

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

- B1. That the existing land uses are commercial to the north, east and west of the subject property.
- B2. That the zoning is R-8.
- B3. That the notice of public hearing was published on September 23, 2017, which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B6. That public testimony was heard on October 10, 2017.
- B7. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:
 - B7A. That all of the general preliminary plat requirements **(have) (have not)** been met as determined by the City Engineer or his designee. This is based on
 - B7B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on
 - B7C. That the proposed preliminary plat **(do) (do not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. This is based on

B7D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on

Criteria to consider for B7D:

1. Do all lots meet the required minimum lot size?
2. Do all lots meet the required minimum street frontage?
3. Is the gross density within the maximum allowed for the applicable zone?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of IDAHO WATERFRONT LLC for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

Planning:

1. The creation of a homeowners association will be required to ensure the perpetual maintenance of the open space and other common areas.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.

Engineering:

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7. No structures within sewer easement will be permitted.
8. If fencing is installed along the perimeter of the development it must be removable if it's over a sewer easement to allow for sewer service access.

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