

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

**OCTOBER 9, 2018**

**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:**

September 11, 2018

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

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

1. Applicant: Dave and Yvonne Palmer  
Location: Fernan Hill Road  
Request: A proposed 2.50 acre annexation from County Agricultural Suburban to City R-1 zoning district.  
LEGISLATIVE, (A-2-18)

**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 Stuhlmeier at (208)769-2240 at least 72 hours in advance of the meeting date and time.***



# MINUTES



**PLANNING COMMISSION  
MINUTES  
SEPTEMBER 11, 2018  
LOWER LEVEL – COMMUNITY ROOM  
702 E. FRONT AVENUE**

**COMMISSIONERS PRESENT:**

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

**STAFF MEMBERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

Lewis Rumpler

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Luttrupp, seconded by Fleming, to approve the minutes of the Planning Commission meeting on August 14, 2018. Motion approved.

**COMMISSION COMMENTS:**

None.

**STAFF COMMENTS:**

Hilary Anderson, Community Planning Director provided the following statements:

- Ms. Anderson stated on October 9, 2018 we have two public hearings scheduled, one is an annexation request that was to be heard tonight, but will be continued to next month, and a zone change, special use permit, and a Limited Design PUD for RiversEdge Apartment project located west of Atlas Waterfront.
- East Sherman - We have launched a pilot project this week located on the 1600 block of Sherman Avenue between 16<sup>th</sup> and 17<sup>th</sup> street. She explained that they are testing some concepts that came out of all the public involvement of what people want to see on East Sherman. One of the issues is more parking, so we will be testing diagonal parking on the south side of the street with parallel parking remaining on the north side with temporary curbing to show what it could look like if you extend the curbs. We have painted some artistic cross walks and by providing curb extensions will help shorten the crossing distance. We will be adding planters; a parklet for outside seating in front of Moontime, and other planters with landscaping materials and benches along the corridor. She stated there will be some signs posted before 15<sup>th</sup> Street and on the

Eastside of the project to let people know there are some traffic revisions ahead for the pilot project of some maneuvering of the travel lanes because the center lane will be eliminated on this block.

- She stated that we will be having the 4<sup>th</sup> annual Park(ing)It on Sherman event on Friday, September 21<sup>st</sup> from 4-9 p.m. She added on our web page there are links to the pilot project and all the organizations, businesses and individuals that having been helping make the project happen.
- She announced there is an open house to get public input on the traffic study for Atlas Waterfront and Riverstone. This workshop will be held at North Idaho College in the Student Union Building in the Driftwood Bay conference room. The meeting will be open house format, so people can drop in from 5-7p.m.

### **PUBLIC COMMENTS:**

None.

### **PUBLIC HEARINGS**

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

Hilary Anderson, Community Planning Director stated that The City of Coeur d'Alene is requesting approval of zoning prior to annexation of +/- 48 acres from County Industrial to City C-17 (Commercial at 17 units/acre) on the property commonly known as the Atlas Mill site. The City is also requesting approval of zoning prior to annexation of +/- 46 acres of Spokane River along the shoreline with NW (Navigable Water) zoning.

Ms. Anderson provided the following statements:

- **NOTE:** *The request for zoning prior to annexation of the Atlas Waterfront property came to the Planning Commission on August 8, 2017. The City has since decided it is necessary to annex in a portion of the Spokane River in conjunction with the former mill site. Annexation of this section of the shoreline and river is necessary for shoreline stabilization efforts along the Atlas Waterfront property and property to the west and to allow for police and fire response to the shoreline, potential future docks, and the navigable waterway within the city limits. Extending the city limits into the river along the shoreline will also create a contiguous city limits boundary, which is important for enforcement of city ordinances and emergency response.*
- The City of Coeur d'Alene purchased the former Atlas Mill site (now referred to as the Atlas Waterfront property) in May 2018. The property is comprised of approximately 48 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 48 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 subject property is located in Kootenai County, but is surrounded by the city limits. The City also owns the former railroad right-of-way that runs through this property, which is already, zoned C-17. 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.
- The Atlas Waterfront property is a former mill site that has been vacant since 2005. The Atlas Mill was founded in 1909 and supplied railroad ties to the Northern Pacific Railroad. It was used to produce cedar and pine boards for siding, fencing, decking and trim. When it closed, 120 living-wage jobs were lost in the community.
- This annexation request also includes a portion of the Spokane River along the shoreline between Mill River and the existing city limits south of the US 95 bridge. The length of the shoreline to be annexed is approximately 3 miles long and extends out 75 feet into the Spokane River, which equates to approximately 48 acres.
- Annexation of the Atlas Waterfront property into the City of Coeur d'Alene would allow for City water and sewer utilities to be extended to the property. Without municipal utilities, the property cannot be properly developed. When the City considers annexation of property it reviews many issues, including what type of zoning should be assigned to the property, the types of public amenities that might be included, what types of infrastructure might be required depending on the type of zoning and potential level of development, how annexation meets the vision of the City's Comprehensive Plan, and more. It is also important that the property is within the city limits to allow development of the properties consistent with City standards.
- 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. The city's shorelines are an asset to the community. Public access and enhancement of the shorelines are priorities and they must be protected. The Shoreline Ordinance was adopted to protect, preserve, and enhance the visual resources and public access by establishing limitations and restrictions on shoreline property within the city. Efficient uses of adjacent land, including mixed-use development and shared parking where appropriate, are some incentives to enhance the shoreline. The policy under this Shorelines Special Area is to "make public access to river and lake shorelines a priority."
- 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.
- She stated that the City's Comprehensive Plan designates this area as Transition- Spokane River District
- She noted that there are a total of 13 items that are included as part of the Annexation Agreement from 2017 with two additional items added which is a total of 15 items for consideration in the Annexation Agreement.

Ms. Anderson concluded her presentation and stood for questions:

Commission Comments:

Chairman Messina inquired if staff could explain the 40 ft. and 150 ft. shoreline setback and the wording in condition number 11 that states The Planning Commission recommends the elimination of any residential development along the shoreline from and including the former railroad right-of-way as mentioned in condition 9 to clarify the open space. He questioned what is going to stay undeveloped with the 40 ft. and 150 ft. right-of-way.

Ms. Anderson stated that the property south of the railroad “spur” would not be developed.

Commissioner Fleming inquired if all of these setbacks were measured from the 100 year flood.

Ms. Anderson answered yes and states it in the code.

Commissioner Ingalls stated for clarification the city owns this property, so it makes sense for this property to be annexed and is a “no brainer”. He commented last year at the previous hearing for this property, we heard testimony that this property should be zoned R-1, which is very restrictive and that C-17 together with a (Planned Unit Development) PUD to refine the property. The PUD gives the control to the land that makes the public feel at ease, so this project doesn’t go off the “rails”.

Mr. Anderson explained that R-1 is intended for the area that is going to be preserved like the green belt and the open space for public use. She commented if the property is zoned R-1 it would scare off a lot of developers since R-1 is very restrictive, so C-17 with the PUD would be ideal.

Commissioner Ingalls stated at our last meeting for this property the term “third place opportunities” was mentioned and thinks it is a value. He described places considered to be open to the public such as a commercial business and referenced on the map showing the pads designated for commercial opportunities. He questioned if these are in jeopardy of Mr. Gaede’s recommendation about the city owning the waterfront in perpetuity.

Ms. Anderson stated that Mr. Gaede is in the audience and could clarify his intent and explained that this would be a commercial pad with open space around it.

Commissioner Ingalls stated that he would like to adopt Mr. Gaede’s comment as a recommendation to council as long as we can maintain “third place opportunities” and the city own the waterfront.

Ms. Anderson commented that some of these other uses and layout could change. The concept was critical as part of the Urban Renewal planning process to make sure the numbers are going to work, but the biggest thing the council has said “Lets lock in the open space for the public” to make sure there is access to the waterfront.

Chairman Messina had a question as to whether if the property is sold if the person buying the property would have to come back requesting a PUD. He questioned how that process would work.

Ms. Anderson explained that in the annexation agreement it might include a provision stating that a PUD needs to be developed for the entire site that would build in some flexibility if some of the parcels were sold.

Chairman Messina stated if someone buys a parcel and wants to change something and questioned if staff would make that determination if it is not a major change or would the decision have to come back to the commission.

Ms. Anderson stated if it is a major change the request would need to come back to the commission and that minor changes can be approved administratively. She explained staff is trying to get through this phase and once the PUD is developed would give some direction.

Chairman Messina stated that he would like to see all changes come back to the Planning Commission.

Commissioner Luttrupp questioned who will form the PUD.

Ms. Anderson stated that the city working with Ignite and a consultant team would help develop the PUD.

Commissioner Luttrupp inquired about the open space that we have been discussing, and questioned will that be in jeopardy with the creation of a PUD.

Ms. Anderson explained that the city would plat the property as a tract which makes more sense for the open space, so someone couldn't come back and try to develop it.

Commissioner Luttrupp questioned if someone buys a parcel would they be allowed to change the PUD.

Ms. Anderson explained that this is a request for an annexation and not a PUD, so later those details will be discussed what is included in a PUD. She stated the more protection we include in the annexation agreement like, as an example, dedicating a certain area for open space to not include development that is important.

Commissioner Mandel questioned now that the city is including the shoreline with the annexation would the PUD include the waterfront.

Ms. Anderson explained that it is more intended to be included for the shoreline stabilization efforts to allow for docks and doubts the PUD boundary would include the full extent to be included in the annexation for the river.

Commissioner Ward questioned if the annexation request would include the 40' foot setback along the shoreline.

Ms. Anderson explained that the PUD will allow people to do some work within the shoreline including docks.

Public testimony open:

Mark Hall stated that he is in favor of the project that will be a great addition to the city. He commented that his concern is how this project will impact the traffic in the Riverstone Development.

Clark Emerson stated he is opposed and feels this property has a lot of loose ends. He explained that he has been a developer for 20 years, and as a developer would use a PUD as a tool to maximize density to

help minimize the costs to develop the project. He stated that he lives on Bellerive Lane with homes that are built that don't have driveway aprons with people parking on the sidewalk. He suggested that the commission put in as a condition in the annexation agreement that developers not be able to manipulate the PUD to their benefit, which will be a detriment to the public.

Ruth Pratt stated she lives in Riverstone and like many of her neighbors, have been concerned about the preliminary plan coming forward. She commented that she is in favor of the annexation that has the potential to provide a continuation of the greenbelt and public open space and realizes that there would be development to offset the cost of the project. She stated that they have seen a number of plans for this property and understands nothing is final. She explained that her group, the residents of Riverstone and the Riverstone Masters Association and the Centennial Trails Foundation are concerned how this project will impact the Centennial Trail as it goes through Riverstone. They are concerned that the Centennial Trail will turn into a road after looking at the current plan and don't want the trail moved which is a hub for five different areas that use the trail. She added that they are concerned with the removal of trees and the traffic study is paramount. She stressed that they are most concerned about the trail that runs through and by Riverstone and hopes it not become a thoroughfare or major connection point into the Atlas Mill site.

Lloyd Stewart stated he has the same concerns heard in previous testimony. He explained that his house sits on the Centennial Trail and is one in 10-15 people in a wheel chair who uses the trail daily. He stated if the trail was turned into a road he would have to move. He added that he was told when he purchased his house it would be on the Centennial Trail. He spoke with Monte McCully who is the Trails Coordinator for the city and that he stated "once you have a trail it doesn't ever go away". He explained the process for him to get access on the Centennial Trail, he went to the city and no less than five department heads signed off for him to do a paved path from his backyard to the Centennial Trail which cost him \$3000.00 dollars and if the trail was turned into a road he stated would "destroy his life". He stated that staff didn't mention the possibility of the trail being taken out and that Suzanne might be an access into it. He stated that he is not opposed to the project, but is concerned how it will impact the Centennial Trail.

Roger Smith stated in his neighborhood they call the Atlas Mill project "The once and forever opportunity". He emphasized that the Planning Commission has a lot of power such as a Council Resolution that was adopted that gives very specific direction to preserve public acquisition of the shoreline area to keep public access available and include the principals of the Comprehensive Plan. He commented that the Comprehensive Plan is an "umbrella" He added the idea of preserving as public land city owned public land and all the land between the rail road right of way (ROW) and the river. Received input on that subject many times, including a letter submitted by Mr. Gaede who promoted that idea. He stated that he is confident that the Planning Commission wants to preserve the waterside of the railroad that should remain public land. He commented that the big question tonight is a PUD and should there be a single PUD that staff puts together for the entire area, or do we leave it to multiple individual PUD's prepared by various developers who will buy a lot. He suggested there be one PUD that the city creates so developers prior to purchase would know what the limitations are up front. He is in favor of the annexation, but preserving public access is a must.

Chet Gaede stated that he would like to clarify, at the last meeting, he submitted a letter that stated a condition added to the annexation should include the shoreline the right-of-way and everything south to the river should remain public. He stated that he would like to simplify that statement and have someone make a motion that a condition of annexation say that" the shoreline is to remain public in perpetuity". He



commented that he is not defining what the shoreline is and feels by doing this will solve some problems that he sees with this development.

He addressed the Shoreline Ordinance protecting the 40 feet and 150 feet and how it got messed up in Bellerive. He explained that the Shoreline Ordinance doesn't apply to the city, so if the city owns the property they don't have to worry. He explained the commercial property located on the map that went out to the water, if the city owned the property and developed it under a lease, than the Shoreline Ordinance wouldn't apply. You could build docks. He suggested that the Commission make the motion the property will remain public and go the extra mile and say "Everything from the ROW remains public" he will cheer. He noted in the conditions for annexation if the property on the water was included in the recommendation for items 1-13. He suggested that the commission might want to clarify those don't apply to the river, but to the Atlas Mill site.

He added the Navigable Water zone (NW) should consider other places like Bellerive and Mill River and what the impact will be on them. He stated that he lives in Mill River and questioned if they can put a dock on their private beach. If you have a PUD in place not sure how to address the Shoreline Ordinance Protection and the definition of NW says "normal use" and stated to be "careful". He commented a PUD suggested that the commission clarify any development needing a PUD feels that one blanket PUD won't work and might have been appropriate a year ago, when the property had another owner and city was going to buy it and make a plan. Watching this plan develop through staff, Welch Comer and Ignite some of those phases are years out and that the market may change from townhouses to single family homes or to condominiums. He stated that he understands this property has to "pencil out" to make some money or the city will get in trouble. He suggested instead of a big PUD, a PUD prior to any development. He thinks this is a great project.

Chairman Messina questioned if some of the statements we heard in previous testimony if we can adopt any of those particular items to put in our findings.

Randy Adams, Deputy City Attorney stated the commission's duty tonight is to make a recommendation for zoning and when City Council votes on the annexation directs legal to prepare an annexation agreement. He explained tonight the commission can make recommendations to voice their opinion on all the previous statements, but all the commission is required to do tonight is voting on what the appropriate zoning will be when the property is annexed into the city. He explained there are some legal restrictions tying public/private property up forever. He stated that the council will have to make those considerations.

Mr. Gaede stated that he was suggesting that the Planning Commission make these as recommendations and is aware the Planning Commission is not writing the Annexation Agreement.

Chairman Messina inquired if we can make recommendations to council that would be appropriate.

Mr. Adams answered that is correct.

Sara Shaw stated that they use the Centennial Trail all the time and that she recently moved back to this area. She commented that people move here for the beauty. She added that the development is fine, but what she is hearing from previous testimony is that some of the projects along the river have produced more than what was anticipated. She commented that "we can't undo" once it's done. Please preserve the beauty of the riverfront.

Clark Emerson stated that many people are not familiar with PUD's or traffic studies. He explained that there are 10 different types of traffic studies. He commented that the traffic studies they did would go anywhere from six months to a year. He suggested the city look at doing a "Manuel" traffic study that would observe peoples driving habits. Driving habits around Riverstone are "scary".

Deb Vernon stated that she lives on Bellerive Lane and there is a development going in behind her residence to the West and North West. She explained that she walked across Beebe and Riverstone Drive and took her forever to get across the road. Traffic is terrible.

James Mckenzie questioned if the city owns the "spur" along the river and commented that it's a great spot on the west side of town that has close access to the water. He stated to please keep the waterfront open, so we have access and a non-motorized access.

Mike Hansen commented he is a longtime resident and is "pro change" and commented when this project is completed will be fabulous. He explained the problem is not just the problem with traffic and agrees traffic is crazy. He stated "If you build it, they all will come here". Parking is a problem.

Bruce Bodtker stated that he lives on the trail and after hearing previous testimony, people want connectivity. He added we want a healthy life style and be able to commute by wheel chairs, biking, walking and hiking and don't need a road to take away our trail.

Al Sikes stated he is in favor of the annexation. He questioned the part of the annexation that looks like it includes a strip of land where the railroad was located and if that piece of land would be zoned C-17 and stated if it is, that is a narrow piece of land that would remove many trees making this property a dense area and Bellerive worse.

Ms. Anderson stated that piece is already in the city.

Earl Huel stated he appreciates the thoroughness of the commission and the process is very impressive. He stated that he doesn't understand the process and questioned if the property along the water also be developed at the same time the property is developed.

Public testimony is closed.

Ms. Anderson stated in previous testimony, there were a number of comments about traffic impact and that City Engineer, Chris Bosley, Melissa Cleveland from Welch Comer who is heading the traffic impact study are here to answer specific questions. She explained that the project does have other connections proposed not just off of Seltice Way, and explained that there is a connection off of Suzanne that connects into Riverstone, which connects to John Loop. She noted two access points on Seltice Way and a connection to the West. She explained that the conceptual design has shown a possible future connection that ties into Beebe, but that it is not part of this annexation request and is intended to be an optional consideration for Council as part of the conceptual design. It will be evaluated with the traffic study to see if an additional connection is required, and if it is required and the council wanted to proceed with it would be evaluated.

She stated the PUD is critical to establish something initially for the whole site and maybe it would make sense to have smaller areas for more "refined" PUD's. She commented that this is a good way to handle such a large site and would predict some market changes as the project continues through the years. She

added we don't want it to be so restrictive and intend to have some language in the PUD that would lock in what the project should look like, top priorities, vision of the project, where should the roadway network be, open space connectivity etc. and uses that weren't desired. She stated the point Mr. Gaede made was good for the first 13 items for consideration in the annexation agreement and stated that those recommendations should not apply to the Navigable Water and it might be good to provide further clarification. She explained that parking has been discussed with parking shown on the map for the park. We don't want to have a parking impact. She stated that a decision needs to be made on the annexation and zoning, plus the items recommended for the annexation agreement.

Chairman Messina inquired if staff could explain the history of how the Atlas Mill area got developed.

Ms. Anderson explained that the Atlas Waterfront Project started a year and a half ago, when the city decided to purchase the property and staff immediately started doing a lot of community outreach to get input on the project with the help from community organization representatives like a COR vision group that brought together numerous community organizations to get input on what the values and vision for the site. That was the first "Big Picture" looking at the site and had multiple meetings since that time to get input on what should happen on this site. She explained that the information has been refined, so Welch Comer is working with Heartland Consultants and GGLO on the design and financial feasibility. They looked at not just this site and the surrounding uses in the community to see what exists right now and what the demand for uses will be in the future. She stated we know that townhouses are in high demand and in Coeur d'Alene and only a few exist. The design and financial feasibility team decided maybe this could work well to create an urban feel and would be single family ownership properties, in addition to single family detached product. The thought there should be a variety of different sizes and residential product types. The rectangular parcels could be either apartment flats or condominiums only a few stories tall, nothing too dense but would allow for that option of housing. She stated on the edge of the property is intended to be commercial such as professional offices, retail, and restaurants. The intent is to have people biking, walking, and coming from neighborhoods and Riverstone to take advantage of the amenities. She added a lot of the open space and shoreline treatments came out of public input.

Chairman Messina questioned if the C-17 zoning and the residential that was just mentioned if there was any consideration to height restrictions and setbacks etc. based on previous testimony stating at Bellerive the setbacks are close with cars parked on the sidewalk because of the short driveways. He questioned if this property will be intended for a "Blanket" PUD that council might approve and not have any direction for the height and setbacks. He stated that a mixed use project is great will take along time to develop and things will change. He personally would like a PUD but the choice between a blanket PUD if it is a good choice or not.

Ms. Anderson stated the PUD would come back to the commission for approval. She explained the heights would be for a three-four story maximum for the condo apartment loft style. She suggested that if the commission wanted they could add those items now as recommendations to be considered in the annexation agreement.

Chairman Messina questioned if this goes forward with these recommendations would the slide showing the conceptual plan would that be approved by council with the annexation or is it more of a reference point and any PUD would have to come back to the commission.

Ms. Anderson explained that this is a conceptual plan, so it wouldn't be locked in with the annexation.

Commissioner Ward stated once a PUD comes forward it would include a specific plan and that this request is just an annexation.

Public testimony is closed.

Discussion:

Commissioner Ingalls stated he appreciates all the great comments which are valid, but feels we are getting ahead of the game. He noted that the drawing presented is a concept drawing and not the final plan. He stated last year, the Commission unanimously approved C-17 and felt it was the right decision and to move it long. He likes the recommendations and maybe not go over the height and likes Mr. Gaede's recommendations and maybe change his recommendation to say we can't require ownership/perpetuity and recommend to say that the shoreline remain public ownership.

Commissioner Mandel stated that she is excited that we are accomplishing some of the goals of the Comprehensive Plan. She noted after comparing the recommendations from last year and the two added with this application including recommendation number 11 that we still capture the intent and spirit of protecting the public access, use and shoreline connectivity. She noted recommendation number 5, 7, 11, 12 and feels we are adhering to those principals. She questioned if we can't be more explicit in terms of perpetuity and ownership and the intent for public access/ownership in the recommendations. She added that connectivity of the Centennial Trail is captured in recommendation number 7 but questioned if we need to be more explicit and make sure the Centennial Trail is not disrupted at that juncture but recognized that the drawing presented is a conception. She stated what is presented to us tonight to move the request forward.

Commissioner Fleming concurs with the previous comments, but would add a recommendation that we look at heights and from having experienced living by water to respect views from the top to the bottom, so that the person who builds in front of the person who is already on board doesn't get their view blocked. She explained that this is a natural site that drops down in altitude, so why not let the taller buildings be at the back of the site. She feels we covered all the concerns stated with these 17 recommendations.

Commissioner Luttrupp stated that he concurs with the recommendation of C-17 zoning and that these recommendations going forward to council is very important for us and the community. He stated that he would like a further discussion about height, which has been an issue in the past.

Commissioner Ward stated that the property owned by the Merritt brothers next to this property we had conversations with them about their height limitations and may have to revisit and allow certain height to exist as it goes up the hill could block their views. We need to be aware this is not a "domino" affect.

Commissioner Mandel stated that when the PUD comes back will address the issue of height, but it is not our decision tonight.

Commissioner Ingalls suggested a "good faith" recommendation that records and memorializes the idea of public ownership at the shoreline and as the PUD and conception master plan for this area be developed with caution for building heights.

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

ROLL CALL:

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

Motion to approve carried by a 5 to 0 vote

2. Applicant: Ron Ayers  
Location: 1750 N. Pinewood Court  
Request: A proposed R-34 Density Increase special use permit in the R-17 zoning district  
QUASI-JUDICIAL (SP-9-18)

Mike Behary, Associate Planner stated that Miller Stauffer Architects representing Ronald Ayers is requesting approval of a special use permit to allow a density increase to R-34 that will allow a maximum of 22 multi-family units on the subject site.

- The applicant has owned the subject site since 2006 and the existing site has been vacant for many years.
- The applicant is proposing to build two apartment buildings on this site with parking located underneath the structures.
- The applicant has indicated that the two proposed structures will have a varied mix of unit types ranging from studio units up to three bedroom units.
- The existing zoning allows for a total of 11 units and the proposed special use request will allow for a total of 22 units on this site.
- One of the proposed apartment buildings will be three stories and the other proposed apartment building will be four stories. Each of the buildings will be allowed a maximum height of 63 feet in accordance with the proposed R-34 zoning height restrictions for multi-family structures.
- The subject property is located in close proximity to the many medical facilities that are in the vicinity of the subject site.
- The applicant has indicated that the proposed development will have the potential to provide housing for the medical workers in this area.
- He noted that the Comprehensive Plan designates this area as Transition, Appleway-North 4<sup>th</sup> Street
- He stated that there are four conditions for approval.

Mr. Behary concluded his staff report and stood for questions.

Commission Comments:

There were no questions for staff.

Public testimony open:

Michael Walker, applicant representative provided the following statements:

- He described the surroundings using an aerial map
- He stated that the zoning surrounding the property is C-17.

- The existing site is vacant, with three mobile homes to the east, and single family to the south, and to the North is apartments.
- He feels the R-34 is a good fit for the site.
- He noted on the map where the applicant intends to build a hotel, restaurant and an existing coffee stand.
- The design is a mix of different sizes from one bedroom to three bedrooms with an elevated structure to provide access to the adjacent property owner to the east and necessary parking for this project.
- Materials used would be wood, brick and a mix of different materials which is still in the planning stages that could change. He stated that they have stepped back the building to help preserve the vistas for the surrounding neighborhood.

Mr. Walker concluded his presentation and stood for questions.

Commission Comments:

Commissioner Fleming inquired about access to the street and noticed from looking at the site plan the street is coming off of the easterly side of the site and from looking at the map there is no road for the street to dump into.

Mr. Walker explained there is Emma Avenue that connects to US95 and Northwest Boulevard and Davidson connect to Northwest Boulevard and US95.

Commissioner Fleming explained that the site plan shows come off to Emma but shows another access easement.

Mr. Ward noted on the map where the easement is located on the property showing where the properties will connect.

Public testimony closed.

**Motion by Fleming, seconded by Ward, to approve Item SP-9-18. Motion approved.**

ROLL CALL:

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

Motion to approve carried by a 5 to 0 vote.



3. Applicant: CDA School District 271  
 Location: 2008, 1950 & 1914 Prairie Avenue  
 Request: A proposed 7.18 acre annexation from County Agricultural to City R-8 zoning district.  
 LEGISLATIVE, (A-3-18)
- B. A proposed Community Education special use permit in the R-8 zoning district.  
 QUASI-JUDICIAL, (SP-10-18)

Sean Holm, Senior Planner stated that Coeur d'Alene School District #271 is requesting approval of a proposed +/- 7.18 acre annexation from County Agricultural to city R-8 zoning district (Residential at 8 units/acre). This request has been filed in conjunction with a Special Use Permit for Community Education (SP-10-18).

**Mr. Holm provided the following statements for A-3-18:**

- The reason for the annexation request is that the Coeur d'Alene School District #271 plans to construct a new elementary school on the subject properties to accommodate growth in the northwest area of the District's boundaries. This will help to resolve current capacity issues at existing elementary schools. The request consists of a total of three parcels currently in Kootenai County at the northern edge of city limits.
- It is important to note that there are multiple agencies and an adjacent property owner that will ultimately be working together, if this request is approved, to provide services and access to the site.
  - **Lakes Highway District:**  
 Attached is a letter from Eric Shanley, Director of Highways for Lakes Highway District, outlining their requirements for Prairie Avenue. The Highway District and SD #271 have been working together to provide safe access to the site while maintaining vehicular and pedestrian movements for this principal arterial.
  - **Hayden Lake Irrigation District (HLID):**  
 HLID is the water purveyor in this area. They will provide the site with potable water for domestic and irrigation purposes. Attached is a "Will Serve" letter provided by Brandon Rose, HLID Superintendent. As part of this service, an agreement is in place with the City's Wastewater Utility to report usage which is used to determine billing for wastewater services rendered on site.
  - **Neighboring Parcel(s) to the West (Vista Meadows):**  
 A recently approved subdivision for Vista Meadows (Phase I) provides connectivity to the proposed annexation, and the current plan is to use these internal roads which have not been improved yet, to gain access to the site. Additionally, the wastewater service will need to be extended north from the CDA Place PUD, to Vista Meadows, and then to the school site.
- These agreements are between the developer(s) and the school district, the city has no control of the timing or financing for this to occur. However, as part of the Vista Meadows subdivision request, a deviation was approved by Planning Commission for Vista Meadows Boulevard and Cedar View Avenue (road names are still under review and may change).

This deviation will allow for road/intersection design flexibility to provide safe access to the school site for both vehicles (Busses and parent drop offs) as well as children arriving by foot or bicycle.

- He stated that the Comprehensive Plan designates this area as Transition, Ramsey-Woodland today.
- He stated that there are no items to be included in the Annexation Agreement.

Mr. Holm concluded his presentation and asked if the Commission had any questions for the annexation portion of this request.

Commission Comments:

Commissioner Ingalls commented that there is a number of entities involved that they applicant will have to work with on this project. He questioned in our findings we have to make a black/white finding that says "Public Facilities and Utilities are/or are not available and adequate". The staff report says that sewer "is not readily available to this property. He inquired how we are supposed to make that finding, or do we interpret the verbage is "Can sewer service is being provided or extended to serve the property". He questioned how can we make a finding that sewer is available.

Mr. Holm stated the applicant is here and this is something that they have been working on daily and might have additional information that has come forward since the staff report has been written. He explained that staff has discussed with Coeur d'Alene Place and Vista Meadows who is putting a portion of their land in an easement, so there is no inhibitor for that line to be extended, but the line has not been extended.

Commission Luttropp inquired if we could add sewer as a condition.

Mr. Holm stated that this request is for an annexation and the Planning Commission can only make recommendations for items to be added to the Annexation Agreement. He stated that the second half of this request is for a Special Use Permit and if the Commission feels that would like to add a condition this is where they can add it.

Commissioner Mandel questioned if we should be specific with those entities and with the city that we can meet that criteria.

Mr. Holm explained that under staff comments he wrote that to buy time because this will go forward to council and hoping that they will get there approvals as this moves forward. He added this is a public entity and treated different and the city will not provide those utilities. He explained that the school district will have to pass a bond or something to get utilities that will be up to them. The school district is here to answer those questions.

Ms. Mandel stated that if the commission wanted they could put conditions with the special use permit.

Mr. Holm stated that is correct.

Public Testimony open:

Megan O'Dowd applicant representative provided the following statements:



- She stated staff did a great job on their presentation.
- The School District had to purchase three parcels totaling 7.18 acres.
- She explained on the northern part of the property there will be duplexes and single family homes.
- She stated a new elementary school would benefit both the existing and the future development of these areas and help stabilize the transition areas.
- She explained the benefits of having the school in this area are the increased open space, strengthen communities, and promoting connectivity.
- She estimated the number of jobs provided will be close to two million in new job opportunities with the addition of a new elementary school.
- She explained that they went to the voters a few years ago, and obtained a bond approval with 77% approval.
- She stated their goal was to find a site in the Northwest area of the district to help alleviate the crowding of the schools, so by annexing into the city will help us achieve what the voters wanted.
- She commented that the School District has had conversations with Vista Meadows and agreed to a shared sewer agreement, but because of the sizing of the pipe that final agreement has not been reached. She stated that Vista Meadows is required to bring sewer “to and through” their site and will be linking onto their extension through Cedar View Street.
- Hayden Lake Irrigation District stated that the School District is applying to the board for approval and will meet all requirements for the Fire Department.
- She stated that Prairie is in the Lakes Highway District and they have attended a meeting and have submitted a traffic study that will be revisited by the highway district at their next meeting.
- An elementary school would help the community.
- R-8 is consistent with the neighborhood and will go with staff’s wishes.

Ms. O’ Dowd concluded her presentation and stood for questions.

Commissioner Ingalls stated that he agrees a school is needed, but we do have a finding that is pretty clear stating if utilities are available and adequate. He noted in the staff report, it states sewer is not available and in previous testimony heard there was a tentative agreement saying that utilities are available. He stated that he doesn’t want to slow this down, but in previous testimony we had an annexation agreement going forward with some recommendations for the annexation agreement. He questioned would the school district be comfortable with a recommendation that said “That the Planning and Zoning Commission makes a recommendation that the applicant demonstrates final agreement with Vista Meadows on a sewer extension prior to recordation of the annexation”.

Ms. Dowd stated that she wouldn’t have any problem with that recommendation requiring the district to demonstrate an agreement that we will bring sewer through Vista Meadows.

Commissioner Ingalls stated that it would be a recommendation added to the annexation agreement.

Ms. O’Dowd explained that the roads aren’t completed with Vista Meadows and talked with the engineer of Vista Meadows and they have submitted a plan because the school district and Vista Meadows were discussing what size of sewer pipe should use. She commented that Vista Meadows was recently annexed into the city and didn’t have any sewer/water in place so we would like something similar. The only discussion related to sewer they have had with Vista Meadows is the size of pipe to be used.

Mr. Holm clarified Vista Meadows had two different scenarios – they were able to use a pump house and pump out through Alps or go through Coeur d’Alene Place. They had two options available and staff would require a bond for which one they chose when it was time to record the plat. He explained with this annexation, there won’t be a plat or subdivision coming forward so there is not the ability for the city to apply conditions or get bonding because there is not request to subdivide.

Ms. O’ Dowd stated that she is confident that the school district can bring forward an agreement that Vista Meadows is going to allow us to connect to sewer through their system.

Commissioner Ward inquired how Vista Meadows got their agreement with Hayden Lake Irrigation and questioned if they had to do the same thing.

Mr. Holm explained that they did instead of a conditional letter they got a "Will Serve" letter.

Public testimony closed.

Discussion:

Commissioner Ingalls stated he is in favor of this project and that it cleans up the city boundary. He feels in terms of integrity we still have to make that finding and know that the sewer is not available. He explained that if sewer is available at the time the annexation records can we still have integrity.

Mr. Adams stated that the intent is to make sure that sewer is ultimately available and not blocked off for any other reason. He explained that it doesn't mean it has to be available today it has to be theoretically available as opposed to being landlocked. He commented that the commission is within their integrity to find that it is available based on staffs comments that there are several paths to provide Wastewater.

Commissioner Ingalls inquired if it would be acceptable to put a condition with the special use permit that says "they demonstrate this agreement with Vista Meadows that as some point in time etc.

Mr. Adams answered yes you can but they wouldn't be able to build if they don't have sewer.

Commissioner Ingalls stated so the issue of sewer takes care of itself.

Mr. Adams stated that is correct.

Mr. Ward inquired if staff knew when Vista Meadows will get their permit.

Mr. Holm stated they are in final design for their subdivision improvements.

Commissioner Ingalls stated that he would remove the recommendation for sewer since the issue will take care of it's self once they apply for a permit.

**Motion by Mandel, seconded by Ingalls, to approve Item A-3-18. Motion approved.**

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

**Mr. Holm provided the following statements for SP-10-18:**

- The reason for this special use permit request is that the Coeur d'Alene School District #271 plans to construct a new elementary school on the subject properties to accommodate growth in the northwest area of the District's boundaries. This will help to resolve current capacity issues at existing elementary schools. The request consists of a total of three parcels currently in Kootenai County at the northern edge of city limits.
- He noted that there is one condition for approval.

Mr. Holm concluded his presentation and stood for questions:

Commission Comments:

Commissioner Fleming stated that Vista Meadows is like the "draw bridge" if it doesn't drop down what happens do we watch the school property sit and questioned if there is a backup plan if they can't get sewer/water from Vista Meadows.

Mr. Holm stated staff has looked at other opportunities to service the site, and mentioned a piece of property that is still in the county between the two properties that could service the property. He explained that there is a big apartment project planned next to this project and the rule is "to and through" He stated there are options available, but is not 100%

Chairman Fleming stated that it is nice to have a backup plan.

Mr. Holm explained that a special use permit expires after one year if there is not a permit or they can request to get a one year extension. He stated there is a two year window that the permit is valid.

Public Testimony open:

Megan O'Dowd applicant representative provided the following statements:

- She explained they have been in discussions with the Highway District for months. They had a concept design off of Prairie Avenue because of discussions with the Highway District that is why the access is now from the internal city piece through the extension of Cedar View Drive trying to accommodate the traffic concerns from Lakes Highway District. The only access off of Prairie is the service access which is right in/right out.
- She stated that by having one year and if the agreement with Vista Meadows doesn't happen, we do have a back plan and explored going east, but for cost reasons could be more expensive for tax payers. She noted that Vista Meadows has plans to develop this fall, and hopefully we will be able to cost share with them as planned.
- There is an existing line on the southern end of the property and the discussion with Hayden Lake Irrigation is that the lines are old and would want us to upgrade those lines and move those to the north of the property, which the school district has budgeted for that.
- The school district is excited to get started and with additional bond money trying to upgrade other sites. They want to use the money wisely. We had a great meeting with staff last week and able to tweak the design of the school.

Commissioner Ingalls stated we have a finding that we have to make that says this property is compatible in character with the surrounding neighborhood. He stated that the neighborhood doesn't exist yet and if those six lots to the West had houses on those vacant lots he questioned if those people would be here tonight and maybe they wouldn't think a school would be compatible. He stated maybe the school district

is getting a "pass" because those houses don't exist. He believes they will work with Vista Meadow and that this project is compatible.

Ms. O'Dowd stated that most developers like a school moving in next to them, which insures lot sales. She commented that the surrounding developments like Sunshine Meadows to the west and Coeur d'Alene Place to the south is compatible. She added that they feel the school will be a great buffer for the surrounding properties.

Jon Mueller stated when you look at duplexes they might be owner occupied duplex or all rental but have protections of the ordinances that are established. He explained that the school district was looking at smaller sites because they are easy to take care of. He added the price of land and the burden the purchase has been a challenge. He stated over the last 15 months the school district has been looking at different sites and coming to the conclusion maybe not. He explained that this site fell into place with a few challenges, but feels the property can be developed and respond to a large amount of growth. The board hasn't made a decision yet, but wants to have some sites available. He stated if everything works we could start construction fall of '20. The city has been fabulous and staff has been great to work with to solve these problems. He added this site with respect to the connection to the north stated that the Lakes Highway District was concerned about safety and had concerns with the connection to the bike path. They are looking at doing valet drop off for traffic management. We have worked hard on this new next generation school. Staff told them that the parcels to the east that will develop first and that Mike Becker, Wastewater made a decision they will come first and you guys can have your service to Vista Meadows. He stated that is how the discussion came together for the school district.

Public testimony closed.

Discussion:

**Motion by Fleming, seconded by Luttrupp, to approve Item SP-10-18 Motion approved.**

ROLL CALL:

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


Motion to approve carried by a 5 to 0 vote.

**ADJOURNMENT:**


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

The meeting was adjourned at 8:44 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



# **PUBLIC HEARING**



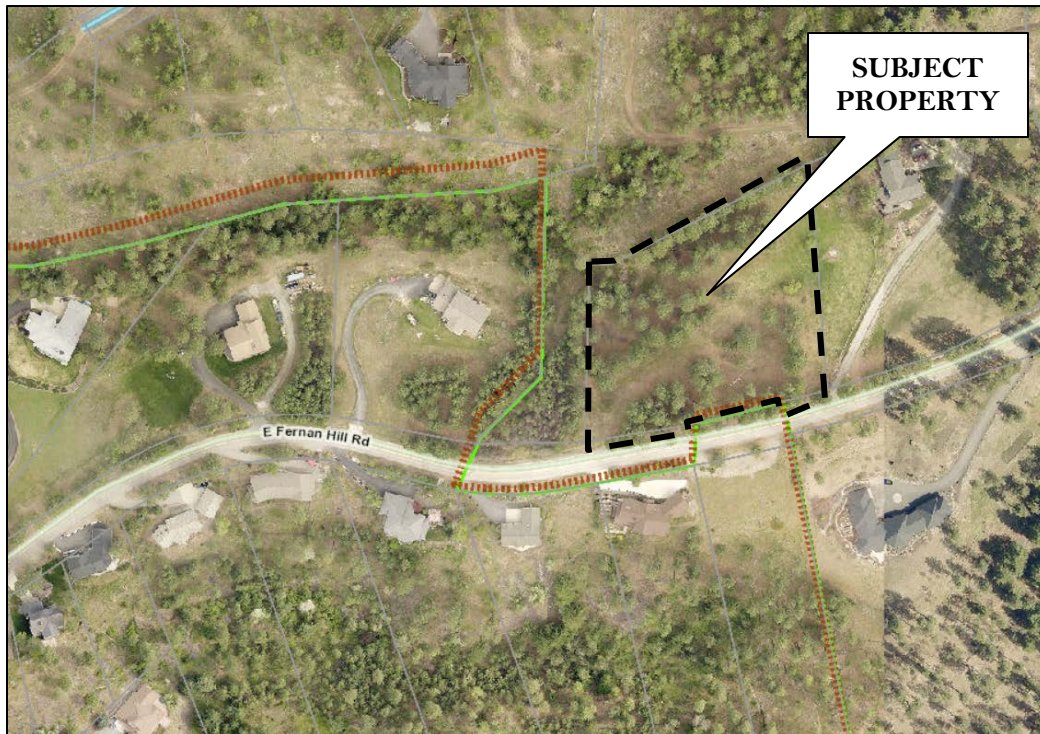
**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** TAMI STROUD, ASSOCIATE PLANNER  
**DATE:** OCTOBER 9, 2018  
**SUBJECT:** A-2-18 – ZONING PRIOR TO ANNEXATION OF A 2.50 ACRE PARCEL FROM COUNTY RURAL & AG-SUBURBAN TO R-1  
**LOCATION:** +/- 2.50 ACRE PARCEL LOCATED ON THE NORTH SIDE OF FERNAN HILL ROAD.

<b>APPLICANT:</b>	<b>OWNER:</b>
Scott Lenz 407 E. Lunceford Coeur d’Alene, ID 83815	Dave and Yvonne Palmer 6320 N. Sunrise Terrace Coeur d’Alene, ID 83815

**DECISION POINT:**  
Scott Lenz on behalf of Dave and Yvonne Palmer are requesting approval of a proposed +/- 2.50 acre annexation from County Rural & AG-Suburban to city R-1 zoning district (Residential at 1 units/acre).

**AREA MAP:**

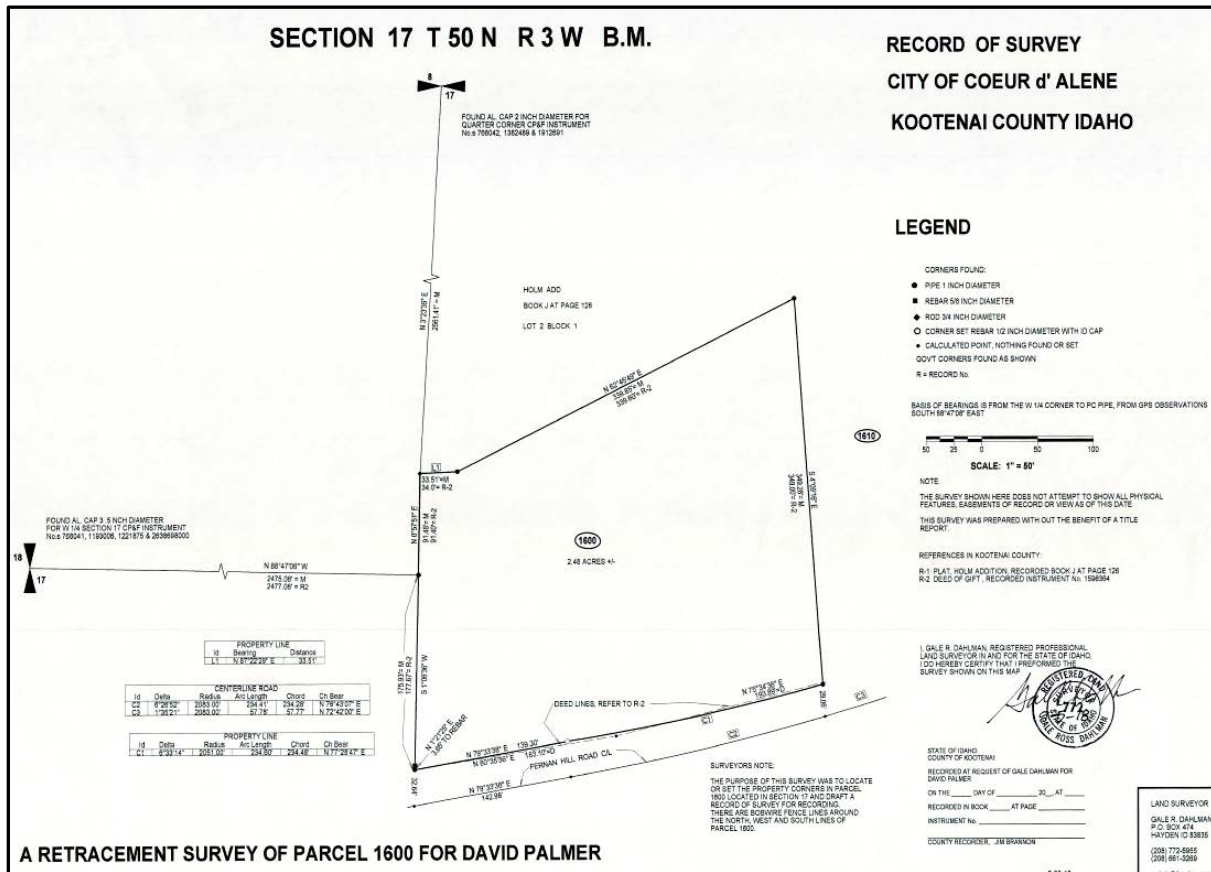




**GENERAL INFORMATION:**

Scott Lenz on behalf of Dave and Yvonne Palmer are proposing to annex a +/- 2.50 acre parcel as shown in the annexation map below.

**ANNEXATION MAP:**



**ANNEXATION HISTORY MAP:**



**17.05.010: GENERALLY: Residential R-1**

This district is intended as a residential area that permits single family detached housing at a density of 1 dwelling units per gross acre.

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

**Proposed R-1 Zoning District:**

1. Purpose:

- This district is intended as a residential area that permits single-family detached housing at a density of one dwelling unit per gross acre.
- This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.



2. Uses permitted by right:
  - Single-family detached housing
  - Home occupations.
  - Public recreation.
  - Neighborhood recreation.
  - Essential service (underground)
  
3. Uses permitted by Special Use Permit:
  - Bed & breakfast facility per. 17.08.500
  - Commercial film production
  - Community education
  - Essential service (above ground)
  - Greater than 6 ft. tall fence to enclose game area
  - Noncommercial kennel
  - Religious assembly

Minimum lot size for the R-1 (Residential at 1 units/acre) zoning district requires 34,500 sq. ft. per dwelling unit. All buildable lots must have 75 feet of frontage on a public street, unless alternative is approved by the City through the normal subdivision procedure. (i.e., cul de sac and flag lots) or, unless the lot is a valid nonconforming lot.

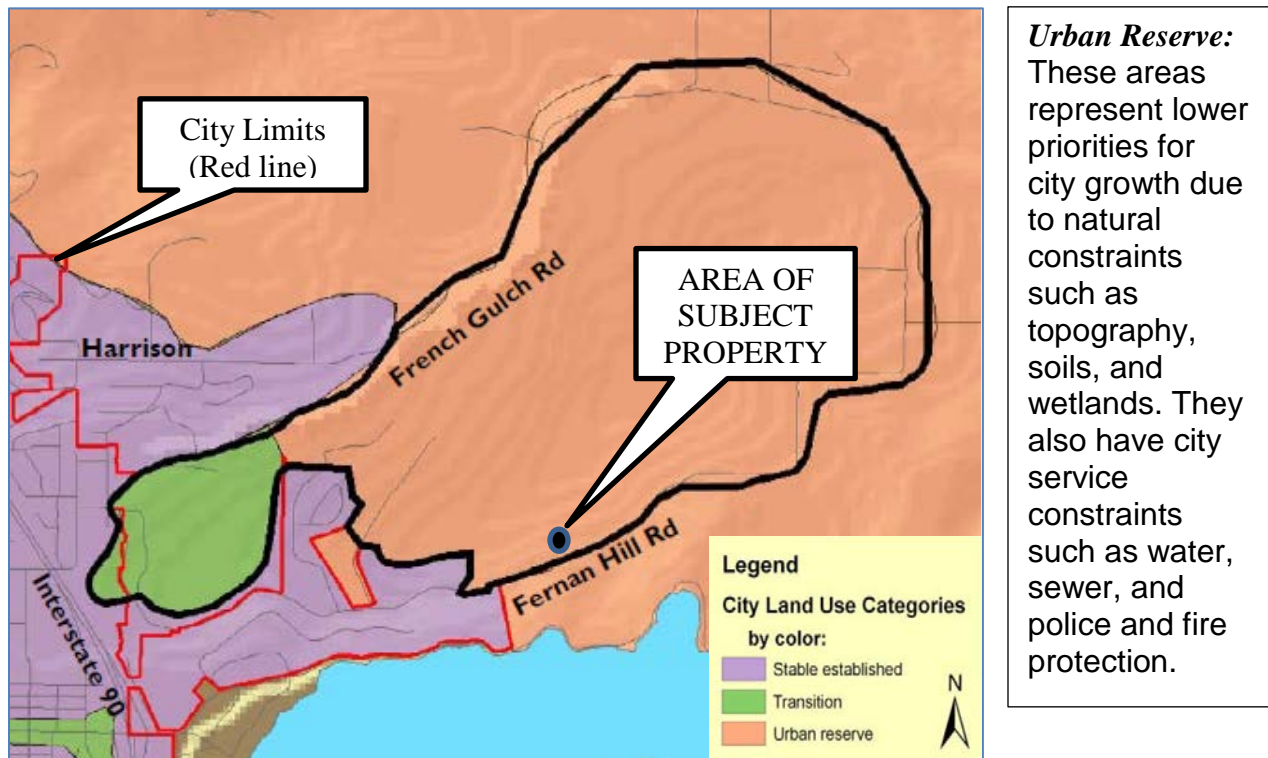
**REQUIRED FINDINGS FOR ANNEXATION:**

**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: **Fernan Hill Bench – Urban Reserve**

## Comprehensive Plan Map: Fernan Hill Bench –



### Fernan Hill Bench Today:

This area is generally located between French Gulch and Fernan Hill roads and extends east from Interstate 90 approaching the Area of City Impact (ACI) boundary. The area is sparsely developed with single-family dwellings on lots ranging in size from two acres to several hundred acres. The Fernan Hill Bench consists of gently rolling terrain with adjacent, increasingly steep slopes. Coniferous forest dominates a majority of this area.

### Fernan Hill Bench Tomorrow:

Future development will require infrastructure and hillside development, and will present tree and open space preservation challenges. The area is generally envisioned to continue to develop as a lower density, single-family area with care taken to preserve the natural vegetation, views, and open space on steeper slopes.

### The characteristics of Fernan Hill Bench neighborhoods will be:

- That overall density in this area will be approximately one dwelling unit per five acres (1:5). However, in any given development, higher densities up to three units per acre (3:1) are appropriate where site access is gained without significant disturbance, terrain

is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.

- As the area grows, parcels not suitable for development should be preserved for open space through conservation easements, clustering, acquisitions, etc.
- Provision of infrastructure to this area will make development difficult because of a significant increase in topographical extremes east of Fernan Hill Estates subdivision.
- Potential traffic issues must be addressed prior to development as “downstream” neighborhoods will be impacted.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

### **Significant Policies:**

- Objective 1.05 -Vistas:  
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d’Alene unique.
- Objective 1.06 -Vistas:  
Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.
- Objective 1.10 - Hillside Protection:  
Protect the natural and topographic character, identity, and aesthetic quality of hillsides.
- 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 3.02 – Managed Growth:  
Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.
- Objective 3.04 - Neighborhoods:  
Encourage the formation of active neighborhood associations and advocate their participation in the public process.
- Objective 3.05 - Neighborhoods:  
Protect and preserve existing neighborhoods from incompatible land uses and developments.

- Objective 3.07 – Neighborhoods:  
Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.
- 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 4.01 - City Services:  
Make decisions based on the needs and desires of the citizenry.
- Objective 4.02 - City Services:  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).
- Objective 4.06 - Public Participation:  
Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision- making process.

**Evaluation:** *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 residential development will typically utilize curb adjacent swales to manage the site runoff.

**TRAFFIC:**

The proposed annexation would not likely adversely affect the surrounding area with regard to traffic. Fernan Hill Road has the available capacity to accommodate additional traffic generated from the subject site.

**STREETS:**

The subject site is currently undeveloped. The site has frontage along the north side of Fernan Hill Road. Any necessary improvements to this site would be addressed during the subdivision and/or site development process. The Streets and Engineering Department has no objection to this annexation request as proposed.

*-Submitted by Chris Bosley, City Engineer*

**WATER:**

There is adequate capacity in the public water system to support domestic irrigation for the proposed annexation. This proposed annexation is at the end of a boosted zone and will most likely need a private booster approved by DEQ at the property to supply adequate PSI to the property.

There is an existing 8" water main in E. Fernan Hill Road. Any additional main extensions, Booster stations and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional Service will have cap fees due at the time of building permit issuance.

*-Submitted by Kyle Marine, Asst. Water Superintendent*

**WASTEWATER:**

The nearest public sanitary sewer is located within the Fernan Hill Right-of-Way which borders the southerly boundary of the Subject Property.

The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

*-Submitted by 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 CD'A FD can address all concerns at site 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 2.50 acre parcel is located at the on the north side of Fernan Hill Road and is currently vacant. There is approximately 372' of street frontage. The subject property is heavily wooded. The subject property, if annexed, will be subject to the City's Hillside Regulations if the slope is greater than 15%. There is approximately a 35 foot elevation difference from the high point to the low point (See zoning/contour map on page 10) on the subject property. The physical characteristics of the site appear to be suitable for the request at this time.

**PHOTO OF SUBJECT PROPERTY:**

*View of the subject property looking north along Fernan Hill Road.*



**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.

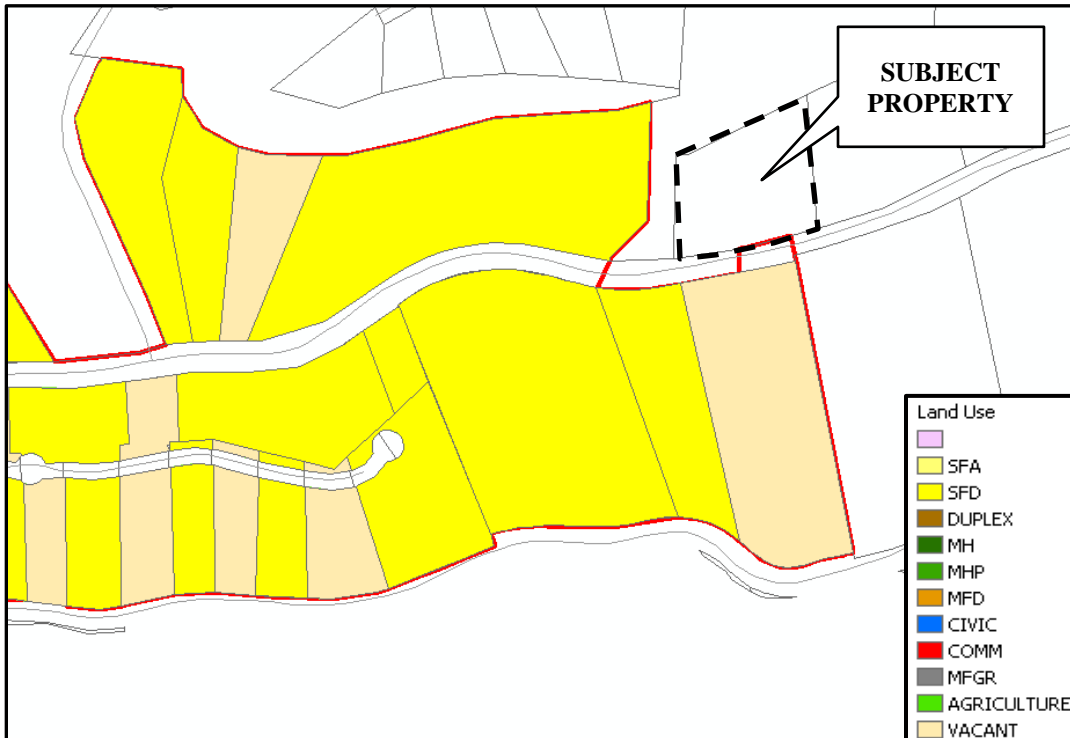
**TRAFFIC:**

The proposed annexation would not likely adversely affect the surrounding area with regard to traffic. Fernan Hill Road has the available capacity to accommodate additional traffic generated from the subject site.

**NEIGHBORHOOD CHARACTER:**

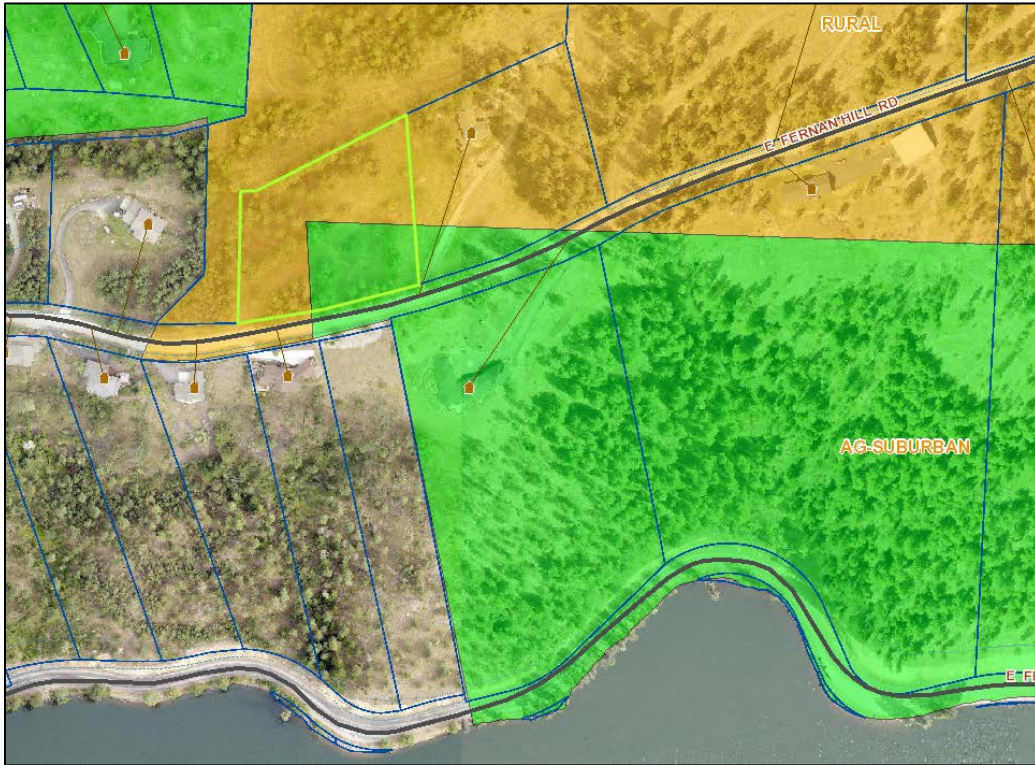
The subject property is currently vacant. The property owner is requesting the R-1 zoning district to allow for a future single-family home. The property is in an area of single-family residences that are zoned R-1 on the north side of Fernan Hill Rd. and R-3 on the south side of Fernan Hill Road. The proposed zoning is R-1 which allows 1 unit per gross acre and single family only would be consistent with the surrounding densities. The County zoning surrounding the property is County AG-Suburban and Rural.

**GENERALIZED LAND USE PATTERN:**

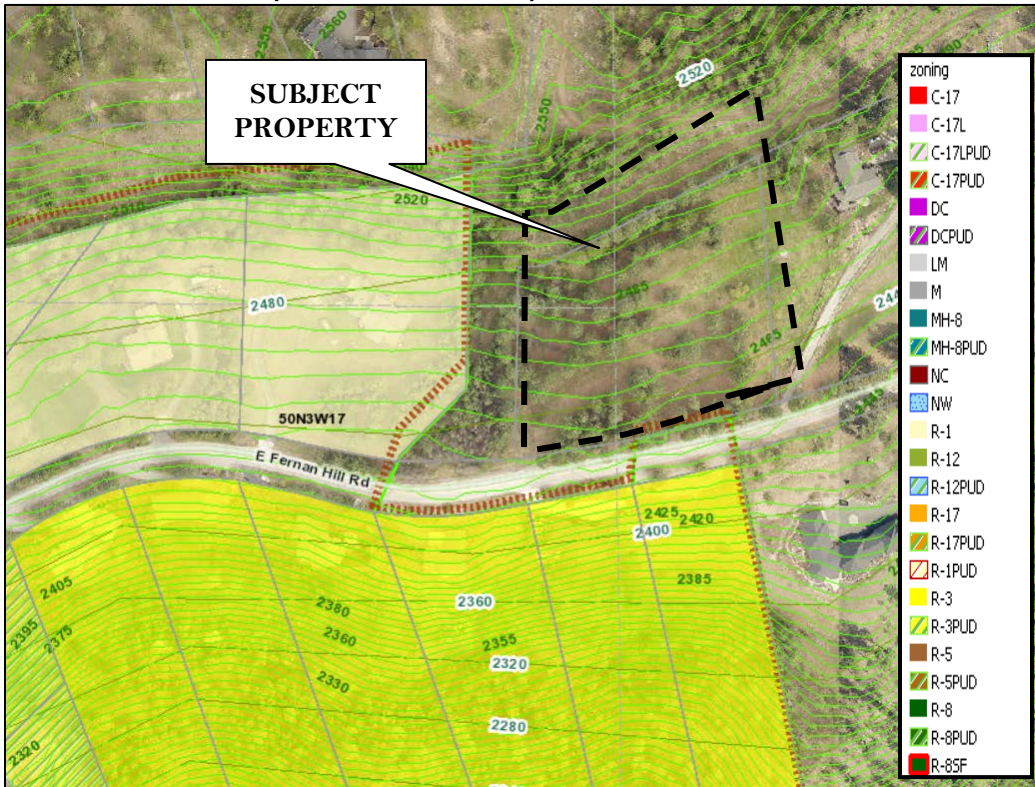




**COUNTY ZONING MAP:**



**EXISTING ZONING (WITH CONTOURS):**





**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.*

**PROPOSED ITEMS FOR AN ANNEXATION AGREEMENT:**

Any future changes to the lot configuration, shall be required to meet all Subdivision Standards.

**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 approve, deny or deny without prejudice. The findings worksheet is attached.

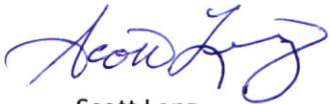
## Narrative

We are requesting R-1 Zoning which is compatible with the parcels in the neighborhood. The neighborhood legal description is Albert Holm Estates.


This property is part of the Fernan Hill Bench. The property fits under the City's goal as a lower density single family parcel. Additionally, the property has a natural building site and would preserve the trees that are closest to the road.

Our intent is to build a home and keep the natural beauty of the parcel intact.


Thank you,



Scott Lenz



# **FINDINGS**



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

**A. INTRODUCTION**

This matter having come before the Planning Commission on October 9, 2018 and there being present a person requesting approval of ITEM A-2-18, a request for zoning prior to annexation from County Rural and Ag-Suburban to City R-1.

APPLICANT: DAVE AND YVONNE PALMER

LOCATION: +/- 2.50 ACRE PARCEL LOCATED ON THE NORTH SIDE OF FERNAN HILL ROAD.

**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
- B2. That the Comprehensive Plan Map designation is Fernan Hill Bench-Urban Reserve.
- B3. That the zoning is County Rural and Ag-Suburban.
- B4. That the notice of public hearing was published on August 25, 2018, 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 9, 2018.

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

- Objective 1.05 -Vistas:  
Protect the key vistas and view corridors of the hillsides and waterfronts that make Coeur d'Alene unique.
- Objective 1.06 -Vistas:  
Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.
- 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 3.02 –Managed Growth:  
Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.
- Objective 3.04 -Neighborhoods:  
Encourage the formation of active neighborhood associations and advocate their participation in the public process.
- Objective 3.05 - Neighborhoods:  
Protect and preserve existing neighborhoods from incompatible land uses and developments.
- Objective 3.07 –Neighborhoods:  
Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.
- 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 4.01 - City Services:  
Make decisions based on the needs and desires of the citizenry.
- Objective 4.02 - City Services:  
Provide quality services to all of our residents (potable water, sewer and stormwater systems, street maintenance, fire and police protection, street lights, recreation, recycling, and trash collection).

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

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

**Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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



**C. ORDER: CONCLUSION AND DECISION**

The Planning Commission, pursuant to the aforementioned, finds that the request of Dave and Yvonne Palmer 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:

- Any future changes to the lot configuration, shall be required to meet all Subdivision Standards.

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