

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

FEBRUARY 9, 2021

NOTE: The City is utilizing Governor Little's Stage 2 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room. Therefore, we are still encouraging the public to participate electronically. While participating electronically the public comments will be taken during that section of the meeting by indicating a raised hand through the Zoom meeting application. Public comments will not be acknowledged during any other time in the meeting.

Join by Computer <https://cdaidorg.zoom.us/j/97048690470?pwd=OUI4TmZQRWpVZmY5dXFDMTRIZ1lwQT09>

Join by Phone (Toll Free): 888-475-4499 or 877-853-5257

Webinar ID: 970 4869 0470

Password: 605796

Public Hearing Sign-Up Sheet: <https://www.cdaid.org/signinpublic/>

5:30 P.M. CALL TO ORDER:

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

PLEDGE:

APPROVAL OF MINUTES: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

January 12, 2020

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

ENVISION CDA UPDATE:

ADMINISTRATIVE: : ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

1. Applicant: Charlie Rens
Request: An interpretation for Lots 1&6 for PUD-3-14 (Lilac Glen)
ADMINISTRATIVE, (I-1-21)

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

Reminder: Please use the virtual meeting sign-up sheets for public hearing items.

<https://www.cdaid.org/signinpublic/>

1. Applicant: City of Coeur d'Alene, Water Department
Location: 4591 N. Atlas Road
Request: A request for a variance to allow a 0' foot setback on the south east corner of the property to install a new 750 KW Generator
QUASI-JUDICIAL, (V-1-21)

2. Applicant: Dodge Heritage, LLC/JB Dodge Company, LLC
Location: Northeast corner of Wilbur Avenue and Highway 95
Request: A proposed 21.6-acre annexation from County Agriculture, Commercial & Light Industrial to City R-17 and C-17.
LEGISLATIVE, (A-1-21)

3. Applicant: City of Coeur d'Alene & Ignite cda
Location: 2598 E. Seltice Way
Request:
 - A. A modification to the Atlas Waterfront Development PUD.
QUASI-JUDICIAL, (PUD-4-19m.1)

 - B. A modification to the preliminary plat known as "Atlas Waterfront master preliminary plat."
QUASI-JUDICIAL, (S-3-19m)

ADJOURNMENT/CONTINUATION:

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

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



MINUTES



**PLANNING COMMISSION
MINUTES
JANUARY 12, 2021
Virtual (Zoom.us) and In-Person
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Michael Ward (Zoom)
Peter Luttrupp
Lewis Rumpler (Zoom)
Brinnon Mandel (Zoom)

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

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 December 8, 2020. Motion approved.

PUBLIC COMMENTS:

STAFF COMMENTS:

Hilary Anderson, Community Planning Director provided the following statements.

- We have four items scheduled on the February 9th Planning Commission meeting that include an amendment request for the Atlas Waterfront to include the city owned triangle parcel.
- We have a scheduled a Virtual Historic Preservation public meeting on Thursday, January 14th with details listed on our website under Historic Preservation Commission page and on the City's Facebook page.
- She stated that we have scheduled another Virtual Coeur Housing public meeting on January 27th starting at 5:30 with neighborhood groups and community members. We will also be creating a Facebook event as it gets closer to the meeting date.

COMMISSION COMMENTS:

ENVISION CDA COMMITTEE UPDATES:

Ms. Anderson provided the following comments:

- She stated that the month of February will be a busy month. We have scheduled two workshops with City Council to get them caught up on the items discussed recently with the commission that included the policy framework document and land use scenarios and later that month will be scheduling a workshop with the Planning Commission.

PUBLIC HEARINGS

1. Applicant: Atlas Investments, LLC.
Location: Margaret Avenue & Honeysuckle Drive
 - A. A proposed 18-lot Planned Unit Development known as “Honeysuckle Commons PUD”
QUASI-JUDICIAL (PUD-1-21)
 - B. A proposed 18-lot preliminary Plat “Honeysuckle Commons”
QUASI-JUDICIAL (S-1-21)

Tami Stroud, Associate Planner, provided the following statements.

- Nick Forsberg with Atlas Investments, LLC is requesting approval of Honeysuckle Commons Planned Unit Development and 18-lot (2-tract) preliminary plat to be known as “Honeysuckle Commons
- Below are the requested modifications that the applicant is requesting.
 - A residential development on private streets consisting of two (2) single-family dwellings and 16 townhome units.
 - A reduction of the front yard setbacks from 20’ to 15’.
 - A reduction of side yard setbacks from 5’ and 10’ to 5’ and 0’ (common wall 0’) for the townhomes).
 - A reduction of the side yard setbacks from 5’ and 10’ for the proposed single-family dwellings:
 - Lot 13 (Single family lot) side yard setback of 5’ and 0’
 - Lot 18 (Single family lot) side yard setback of 5’/5’
 - A reduction of the rear yard setback from 25’ to 10’ for the proposed development.
 - A reduction of minimum lot size from 5500 SF per single-family unit (11,000 for duplex). The applicant is proposing:
 - 3,502 SF per townhome lot (average lot size)
 - 2,557 SF per townhome lot (smallest lot size)
 - 7,506 SF per townhome lot (largest lot size)
- She stated that the Comprehensive Plan designates this area as: NE Prairie.
- The property is constrained by the presence of a gas line owned by Yellowstone Pipe Line (YPL) spanning across the center of the 2.94-acre parcel.

- A preliminary approval was provided to the applicant from YPL for the HOA Common Open Space area to be located within the YPL easement.
- She shared comments from Chris Bosley, City Engineer, regarding traffic and streets
 - As noted above, the subject property is bordered by Honeysuckle Drive to the west (a local, residential street) and Margaret Ave to the north (a minor arterial). Using the ITE Trip Generation Manual, traffic from this proposed development is estimated at 9 AM and 10 PM peak hour trips. Both streets have the available capacity for this minor increase in traffic. The Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.
 - The subject property is bordered by Honeysuckle Drive to the west (a local, residential street) and Margaret Ave to the north (a minor arterial). Using the ITE Trip Generation Manual, traffic from this proposed development is estimated at 9 AM and 10 PM peak hour trips. Both streets have the available capacity for this minor increase in traffic. The Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.
- Ms. Stroud stated if approved there are 18 conditions.

Ms. Stroud concluded her presentation

Commission Comments:

Commissioner Ingalls inquired if the applicant will be providing an easement on Violet Street and stated after reviewing the staff report thought it was the other way around since Violet already exists. Ms. Stroud stated that's a great question for our City Engineer, Chris Bosley who is on Zoom and can answer these questions.

Commissioner Ingalls referenced the Yellowstone letter and understands the details to be worked out with the applicant regarding the pipeline and noted on lot 18 there is a proposed garage and questioned if that garage will be removed. Ms. Stroud stated that you are correct and that the applicant is here who can explain what will be done with the proposed garage and provide more information from their discussions with the representatives of the Yellowstone Pipeline. Commissioner Ingalls inquired if this lot would be considered a "flag lot". Ms. Stroud explained that since this is a Planned Unit Development (PUD) the applicant is allowed to deviate from the standard requirements.

Commissioner Luttrupp noted on page two of the staff report it states what we have to consider if approving a PUD, what will be the benefits to the community and questioned if you know what are the benefits if this PUD is approved. Ms. Stroud replied that is a good question for the applicant to answer.

Chris Bosley, City Engineer, explained since Violet is a private street the city is not going to say that you can't park on that street and that there isn't an easement for that street which just "exists" on the back of a couple lots which feeds to the east and why he is requiring an easement to guarantee access for those people who still lives there. He commented that the applicant might have more information and how they deal with it.

Commissioner Fleming inquired about street lighting and do we have the authority to require them to place street lights on a private street. Mr. Bosley commented that he is not sure if we can require street lighting on a private street and will look into that, but agrees that a street light at the corner of Violet would be beneficial for safety reasons.

Commissioner Luttrupp inquired about the width of the driveways and if there will be enough room to park a vehicle.

Mr. Bosley explained that the city requires a 20-foot driveway which the applicant has provided and is aware that some vehicles can exceed that especially, if a person has a long bed truck that would impede into the sidewalk.

Public testimony open.

Dale Rainy, applicant, provided the following statements:

- He clarified if that the easement on Violet is an easement which sits on this piece of property that he owns and not aware of an easement granted to the property owners beyond it but is willing to create an easement to the properties to the east to provide access.
- He commented that the city requirement for the width of a driveway is 20 feet which is typical for most subdivisions in the area and have met that requirement.
- He answered a previous question asked on what will be a benefit to the community if this project is approved, and explained that with the the addition of townhomes and condominiums will provide a mid-market product for people who aren't able to afford a single-family home and don't want to live in rental housing with the cost of these homes cheaper than a single-family home and added that the city has a shortage of housing and with the approval of this project will help.
- He stated that this property is close to the high school located across the street from a church, and a block away from high density apartments and commercial.
- He stated this property was a challenge to design because Yellowstone Pipeline required a 50-foot easement on either side of the pipeline to the house with the approval to build a detached garage 25 feet from the pipeline. He added that they also requested not to place a driveway on their pipeline so they revised the layout of the driveway for lot 18 to not cross over the pipeline which will reroute the driveway from Margaret to Honeysuckle.
- He stated that the density on this property is less than 3 acres which would allow 23 units and with the design restrictions we are only proposing 18 units and that the requirement for open space for a PUD is 10% and with this project will double that requirement.
- He explained that we will also be providing a park that will be maintained with all units designed to be looking into the park with all units having access to the park.

The applicant concluded his presentation.

Commission Comments:

Commissioner Luttrupp inquired if other properties have restrictions similar from Yellowstone Pipeline.

Mr. Rainy explained that most easement requirements in the city and Post Falls are 50-60 feet wide and the reason why they required ours to be 100 feet they stated that the EPA had changed their rules, etc.

Commissioner Luttrupp inquired how many units can you build under the current code and how many can you build with the PUD.

Mr. Rainy answered under the current code is 23 units and with the PUD is 18 units. Commissioner Luttrupp inquired why are you going down in units. Mr. Rainy explained that with the constraints of the pipe line the lots would not allow the 5500 sq.ft. lots that are odd shaped and felt that the PUD was the appropriate tool to use to allow some creativity.

Commissioner Ingalls inquired about getting access on Violet and questioned if it is a paved road.

Mr. Rainy stated that the road is paved and that we don't need approval because Violet is on our property.

Commissioner Ingalls stated since Violet is on your property would you be granting access to the other property owners. Commissioner Ingalls inquired about lot 18 and that you will be eliminating one garage questioned why was it even on the plans.

Mr. Rainey explained because there was space on the lot for an additional garage.

Commissioner Fleming inquired if you would be willing to put in two street lights on the two Honeysuckle corners where there is more traffic.

Mr. Rainey stated that he could do that.

Chairman Messina questioned if we can condition the placement of two street lights.

Mr. Adams said that the code states that street lamps in residential areas are to be included where practical and maybe an Engineering traffic decision that can be requested, but may have to get permission from Engineering for that condition.

Mr. Rainey stated that there were some comments submitted from the public concerned about snow storage, parking etc. He stated that this property is designed with a curb and landscape strip with drywells where snow will be stored.

Commissioner Luttrupp explained that we usually we have a number of public comments at these meetings which is great. He questioned how do we let the applicant know that we have these questions.

Ms. Anderson replied that the applicant received copies of all comments.

Nick Forsberg stated Mr. Rainey answered most questions and Chad Pollock with Yellowstone Pipeline is on the line for questions.

Walter Howard stated objective 1.11 in the Comprehensive Plan Community Design he feels this policy doesn't support the PUD request because high density PUD of 18 lots in the 3 acres is not in context with the low-density neighborhood on the southside of Margaret Avenue. The absence of the PUDs front yards is not in context with either side of Margaret Avenue and the proposed townhome designs are not similar to the style of the other homes in the neighborhood. He added as an engineer applauds what the applicant has done with a creative design solution but is opposed to the project. He stated that the applicant posted the required notice of public hearing in a location on the property that could not be seen by many people which discouraged public participation and the applicant did meet the letter of the law which on the notice doesn't specify a specific posting location and feels that the applicant didn't meet the intent of the law and posted it in an unseen location. He commented that in the future hopes staff to suggest all developers to post notice in highly visible areas and have a bigger posting notice.

Chairman Messina inquired if the city decides on the size of the sign to be posted on a property.

Ms. Anderson explained that staff prints the signs and the applicant is required to post the sign on the property and return an affidavit of posting. She added that we have not in the past had any question about a minimum size for the sign to be which is bright yellow.

Ms. Adams stated that city code simply requires that the sign be placed on the premises with no specifics on that and once posted complies with city code.

Commissioner Luttrupp suggested in the future maybe we can look at the posting requirements in the code.

Ms. Anderson added that public notices were sent out and that the mailings were sent out a week earlier because of the holiday.

Commissioner Mandel inquired if the applicant changes the location of the posting notice to be more visible.

Ms. Anderson stated that is correct and moved the notice twice.

Diane Pryor stated the notice was originally posted on the corner of Violet Avenue and Honeysuckle with Violet being a private road and since it is a private road people wouldn't look that direction. She added that she did call Planning and the applicant did move the sign farther on Honeysuckle south of the stop sign but no one on Margaret and call staff again who advised her to talk with the applicant and moved the sign to Margaret for the people who live on Ezy and Anne who would be impacted. She added this is not a big sign and I placed a poster that said "read this sign" and went around to all the neighbors to ask them to submit comments. She stated that she lives on Margaret and her concerns are that this PUD proposal is in conformance with the character of the neighborhood and that the PUD should not be allowed to require a higher development density because the surrounding neighborhood is an R-3 density. She stated there are 4000 cars per day on Margaret and bugged the city engineer to lower the speed limit to 25 flashing signs on her street and would be willing to have that sign place on her property so was put up in early spring. She is also concerned about the 4 driveways that will be on the Margaret side of this development with seven driveways on Honeysuckle and sees a potential of car accidents on the corner of Margaret and Honeysuckle with the addition of these driveways with people trying to pull out on Honeysuckle. She stated that the style of these two story ultra-modern looking townhomes don't flow with the existing homes in this neighborhood and would request that the design of the homes be more compatible with the other homes. She is opposed to this request.

Jeff Baily stated he likes the idea of lower cost housing but the density is not compatible with the surrounding neighborhood and is opposed to this request.

Rebuttal:

Mr. Rainey provided the following comments:

- He stated that they are requesting 5500 sq. ft. per townhome unit not 11,000 per sq. ft. as previously stated.
- He stated that he used to live in this area and if you look at the location of this property that has a proximity to many things including duplexes and are in the position to be mid density. He stated that there are duplexes on Margaret Avenue.
- He stated that there were questions about the style of these home and that most homes in this area are 30-40 years old and what we are proposing is a contemporary design that is a popular design for today.

Commissioner Luttrupp inquired if we have a requirement for off street parking.

Ms. Anderson answered that the applicant has met that requirement which is two spaces per unit and didn't ask for a deviation for parking like other PUD's have in the past.

Mr. Rainey explained that you can design a home that requires two parking spaces and a one car garage allowing parking in front of the garage which counts as two spaces, so if you have a two-car garage you have four parking spaces.

Ms. Anderson stated that is true and that they are providing more parking than what is required by code.

Commissioner Ward inquired the land dedicated for open space does that include the Yellowstone Pipeline property.

Ms. Anderson replied that is correct and Yellowstone said they were agreeable to include the open space property counting as open space.

Commissioner Ingalls inquired if the open space includes the Yellowstone property which is the applicant's property.

Mr. Rainey clarified that the easement is on their property.

Anthony Bevacqua stated he lives on Margaret and traffic is bad and is concerned if this is approved will all the trees be gone and how is the traffic flow going to work with the roundabout. He questioned how much will the houses be when done.

Mr. Rainey explained the roundabout won't be affected and that Yellowstone requested that we remove trees 25 feet from either side of the pipeline, but will try and leave as many mature trees as possible. He stated that traffic will be impacted with the addition of these units, but it will be job of the city to manage the streets and provide things to mitigate traffic if needed. He added that this property has been vacant for a while with the idea that one day the property will be developed.

Mr. Bosley stated that he looked in the ITE Manuel which the number of trips was estimated between the hours of 9:00 a.m. and 10:00 p.m. including peak hours would be an estimate of 4000 trips per day on Margaret.

Public testimony closed.

Discussion:

Commissioner Ingalls stated as he was looking at the comments submitted through email there are a couple clarifications. He added that someone stated in the comments that this was a zone change which is a PUD with R-8 zoning which allows up to 23 units and they are proposing 18 units so he would say this is a "down" density. He stated that the City Engineer commented on traffic and stated that this is a busy street but with the addition of a few more cars will not be an impact since there will be less cars than what is proposed. He stated for him traffic is not a big deal including density and what is a concern is the "fit finish" size scale the fit etc. and around this neighborhood there is a blend of various styles of homes. He explained in the past have approved a lot of similar infill projects and this property is a little "quirky" that has an easement through the property that created some difficulties for the design of the homes on the property. He questioned if the site is unique enough to merit a little flexibility and, in this case, feels this project meets that need.

Commissioner Luttrupp stated this PUD is in an established neighborhood and inquired if Commissioner Ingalls is aware of other PUD's similar but not compatible with the other homes. Commissioner Ingalls stated on Prairie Avenue Cottage Grove which was next to Sunshine Meadows where we had dialogue with the applicant about the problems with the backward "L" that had a different setback and Active West did something similar in the Gibbs Hill area where we had approved a few "pockets" PUDs.

Chairman Messina concurs with some of the comments and that if this PUD included single family homes is would be acceptable and looking at the design of the homes which are more modern and concurs this is a unique piece of property that could be compatible with the neighborhood.

Commissioner Fleming stated she concurs with Commissioner Ingalls that this property had some design challenges but we desperately need affordable smaller homes and that this property will fill that need.

Commissioner Mandel stated she concurs with Commissioner Fleming that the housing mix we need now that the property would respond to that need. She added this is a unique property and after reading the narrative and solves some of the challenges in our area and likes the approach.

Commissioner Ward stated the affordability issue is being addressed.

Commissioner Rumpler commented that he lives in this area and concurs that that the density is

appropriate since this is an infill project.

Motion by Fleming, seconded by Ingalls, to approve Item PUD-1-21. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

Motion by Ingalls, seconded by Mandel, to approve Item S-1-21. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.


To view the entire Planning Commission meeting please click [here](#).

ADJOURNMENT:

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

The meeting was adjourned at 7:18 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



ADMINISTRATIVE

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PLANNING COMMISSION MEMORANDUM

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: FEBRUARY 9, 2021
SUBJECT: I-1-21: INTERPRETATION OF DENSITY BY LOT AND ADDITIONAL ARCHITECTURAL ELEVATION FOR "LILAC GLENN" (PUD-3-14)
LOCATION: PROPERTY ASSOCIATED WITH NORTH LILAC LANE, EAST OF I-90, SOUTH OF PENNSYLVANIA AVENUE.

OWNER/APPLICANT:

Bob & Carole Schimmick/
Charlie Rens dba Image Homes
4678 W. Mill River Ct.
Coeur d'Alene, ID 83814

DECISION POINT:

The applicant, Charlie Rens, seeks to clarify two items for the Lilac Glenn PUD. The first is: density of a specific R-8PUD lot, and second: provide an additional architecture rendering showing 2-stories plus materials for the entirety of the approved Planned Unit Development (PUD) duplex lots.

HISTORY:

In June of 2014, the Planning Commission reviewed and approved the request for a preliminary plat, special use permit, and Planned Unit Development known as "Lilac Glenn" PUD a 13.03-acre development that included single family homes, duplexes, and two minimal care facility sites. Planning Commission also recommended approval to City Council for annexation and zone change. Much of the subject property on the east side of the project was constrained by slope (hillside ord.) plus the French Gulch floodway on the northern end. The usable and natural open space areas measure approximately 3.3 acres which represents 25% of the site.

As part of the approval of the preliminary plat, it allowed for three vacant single family home sites which would be accessed from Fernan Hill Road. On the south side of the project were existing homes and a proposed duplex (now complete/occupied) as part of the Foss Addition. A cul-de-sac existed there which has now been removed, and a new ROW constructed, to provide access to the north that connects to the intersection of 23rd Street and Pennsylvania Avenue. As with any preliminary plat or PUD, staff has limited flexibility to allow for minor changes that may be needed if there are issues that come up as a site is improved. This constrained site was no exception.

The lane needed slight realignment to deal with contours, the cul-de-sac improvements were removed to allow for less intrusion into the hillside, and one of the single-family R-3PUD lots was allowed to migrate adjacent to the Foss addition, leaving two homesites above and allowing three sites below where there used to be two. This was allowed at a 1:1 ratio which did not affect density.

The vacant property was sold to a new owner following the recordation of the final plat.

REQUEST:

➤ **Single Family/Duplex (single lot)**

The applicant is requesting an interpretation from the Planning Commission to allow for a duplex on the R-8PUD lot identified above in yellow (Block 2, Lot 6). As described in the history segment above, this lot was “swapped” with a single home site along Fernan Hill Road. The lot in question measures 9,713.88 SF. The minimum lot size in an R-8 zone is 11,000 SF, however, the PUD process allows for density to be determined by using the aggregate size of the project.

13.03 Acre site (-2.77 acre Minimal Care SUP) = 10.26 acres

Prior: 20 units (mix of single family/duplex) = 1.95 units/acre average

This Request: 21 units (mix of single family/duplex) = 2.04 units/acre average

Note: This lot was installed with two water meters per the subdivision improvement plans and was an oversight by the prior owner, design professionals, and city staff.

➤ **Design**

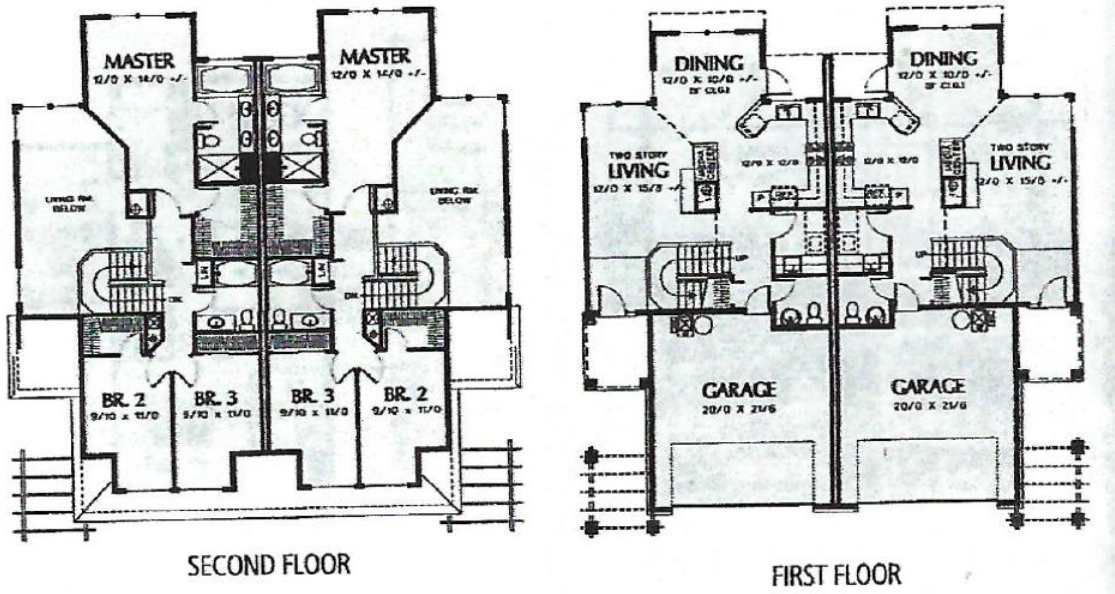
The other item that Planning Commission is being asked to interpret is the allowable architectural standards for the duplex units. The original approval provided for a side-by-side configuration using a ranch/rambler exterior:



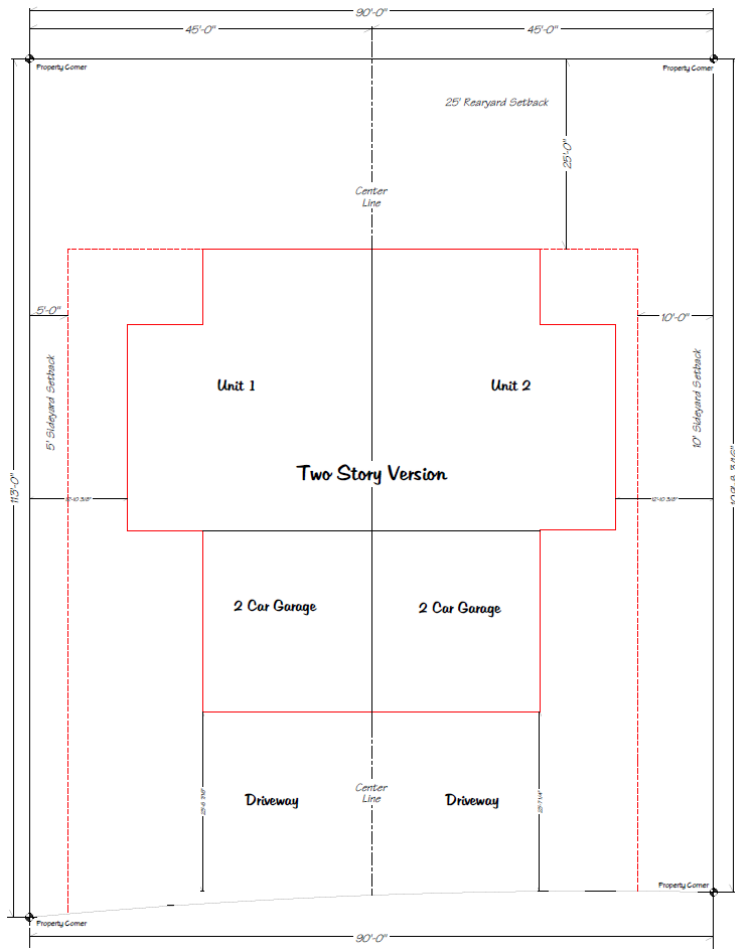
The applicant seeks allowance for a second story duplex in a contemporary front loaded design:



Illustrative floor plan:



General site plan layout (single lot/one owner):



DECISION POINT RECOMMENDATION:

The Planning Commission must consider this request to approve or deny the interpretation to allow additional design flexibility for the Lilac Glenn PUD, and to allow for a duplex on Block 2, Lot 3 as identified in this staff report.



PUBLIC HEARINGS



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**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI A. STROUD, ASSOCIATE PLANNER
DATE: FEBRUARY 9, 2021
SUBJECT: V-1-21: SIDE YARD SETBACK VARIANCE FOR A FACILITY IN THE R-8 ZONE
(RESIDENTIAL AT 8 UNITS/ACRE) ZONING DISTRICT
LOCATION: +/- .23 ACRE PARCEL AT 4591 N ATLAS ROAD

APPLICANT/OWNER:
City of Coeur d'Alene Water Department
Kyle Marine, Assistant Water Director
710 E Mullan Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

The City of Coeur d'Alene's Water Department is requesting a variance to the required setback on the south property line for the installation of a backup power generator in order to meet the State of Idaho's requirements. The required side yard setback in the R-8 zoning district is 25' for a nonresidential activity, rather than the requested 0' setback.

AERIAL MAP:



AERIAL SITE PHOTO:



GENERAL INFORMATION:

The subject property is a .23 acre site located on N. Atlas Road. In July of 1971, the City of Coeur d'Alene drilled a well on the N. Atlas Road site. In 1987, the City Water Department obtained an Essential Service Special Use Permit to bring this nonconforming facility for an above-ground Essential Service activity into compliance. With new regulations triggered by the State of Idaho, the city is required to install a generator on the site for backup power to ensure continued operation of this well in the event of an emergency. The Variance request asks that the Water Department be allowed to place the generator at a 0' setback on the south side of the property rather than the required 25' setback. The Generator will be on a concrete pad and hardwired to a transfer switch. It will be inside a sound attenuated enclosure to mitigate noise. There will not be a cover over the Generator. (See graphic of proposed generator on page 4)

PROCEDURE FOR CONSIDERATION OF A VARIANCE:

As outlined in the City Code under Section 17.09.615 and consistent with state law, an application for a variance from a provision of this title with respect to a modification of the requirements of this title as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking provisions, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots or the size of lots, shall be considered by the Planning Commission with an appeal allowable to the City Council.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. Circumstances warranting a variance would be natural and physical site characteristics such as a rock outcropping, topography, or a natural spring. Even the size of a

parcel or inability to enlarge it could be considered a “physical characteristic” of the site. The need for a variance may not be self-imposed.

SITE PHOTOS:

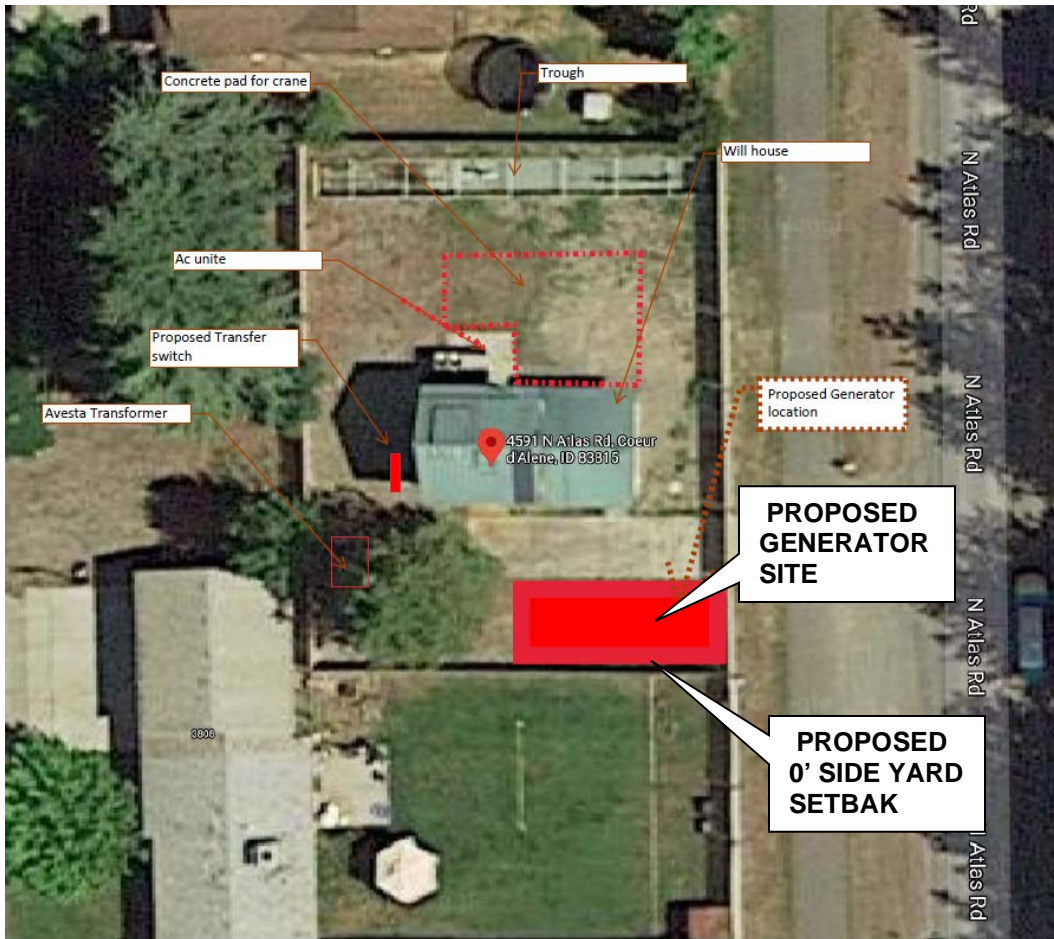
Looking west on Atlas Road at the Water Departments existing well house.



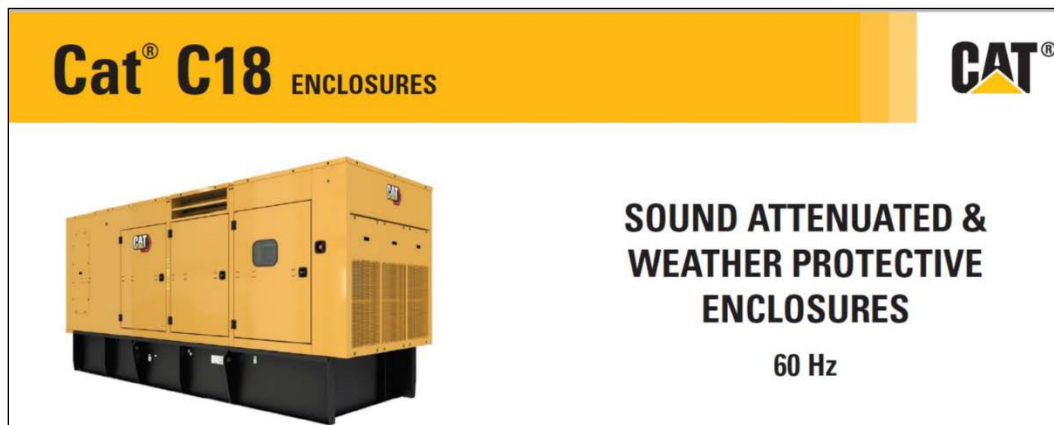
View looking northwest along Atlas Road at the well house.



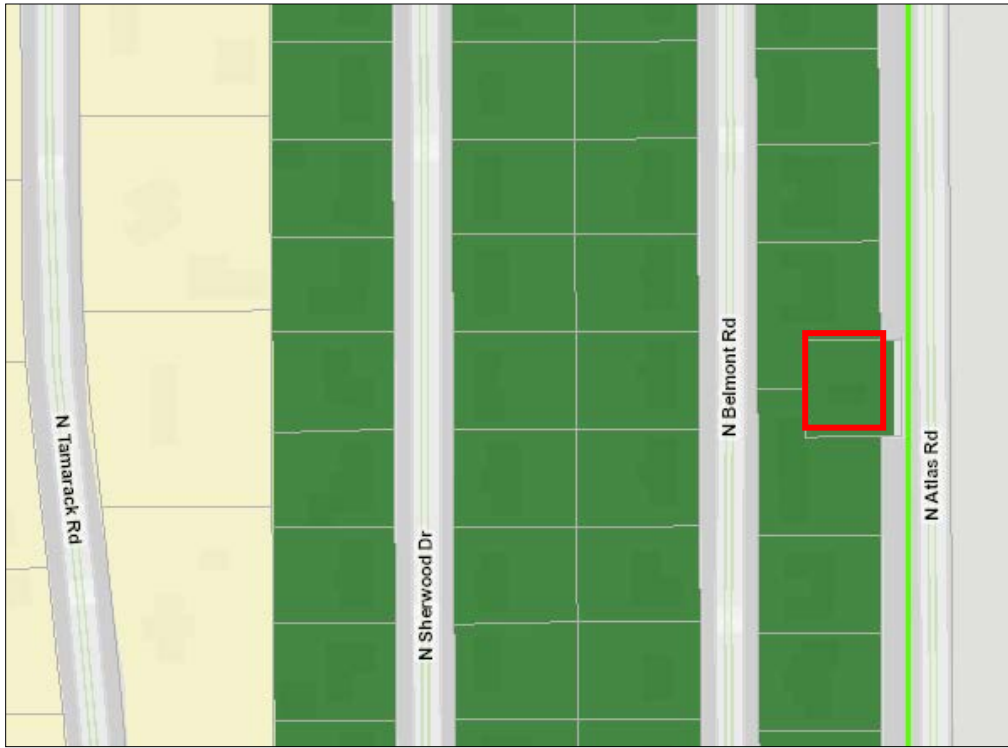
SITE PLAN:



SIDE ELEVATION OF THE PROPOSED ENCLOSURE FOR THE GENERATOR:



ZONING (subject property is zoned R-8)



EXISTING LAND USE (blue indicates public facility, yellow indicates single-family residential, and brown indicates duplex)



PERFORMANCE ANALYSIS:

Land uses in the area include residential - single-family, duplex housing, agricultural (Forest Service Nursery) and vacant land.

Current use on the subject property is a city water well, which is currently one of the three (3) top producing wells within the city. This well is an essential service and is required to provide potable water to city residents.

The subject property is currently zoned R-8 (Residential at 8 units/acre) zoning district. The zoning classification’s setbacks and height requirements for a principal structure (facility) are as follows.

Minimum yard requirements for nonresidential activities in an R-8 District shall be as follows:

- A. Front: The front yard requirement shall be twenty feet (20’).
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25’).
- C. Side, Street: The street side yard requirement shall be twenty five feet (25’).
- D. Rear: The rear yard requirement shall be twenty five feet (25’). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space (see section 17.06.480 of this title). (Ord. 1889

The well has been in operation at this location since 1971. The State is now requiring installation of a generator to ensure continued functionality of the well in the event of an emergency. The site has constraints that may necessitate placing it closer to the property line than the Zoning Code requires for a nonresidential activity. The existing well house is located in the center of the subject property. There is an AC unit located on the north side of the well house and a blow-off trough further north on the site. There is also an Avista transformer on the west side of the lot. The Water Department has indicated that they will endeavor to have as great of a setback as possible from the property line.

REQUIRED FINDINGS FOR A VARIANCE:

Pursuant to Section 17.09.620, Variance Criteria, a variance may be granted only when the applicant has demonstrated that **all** the variance criteria conditions are present in the affirmative:

Finding B8A: There is an undue hardship because of the physical characteristics of the site.

Idaho code section 67-6516 establishes the authority to grant a variance subject to the following:

“Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.”

The subject property is flat. It is bordered on three sides by residential property and by Atlas Road on the fourth side. The existing well house has been on this site since 1971 and encloses one of ten wells providing water to the City. There is a gated access on the east side of the property to allow for maintenance of the well.

The applicant noted in the Narrative submitted with the application that the undue hardship would be the requirement to meet the side yard setbacks of 25' for a nonresidential setback for the installation of the required generator. The State of Idaho is requiring the backup generator be installed onsite in case of an emergency, which allows for dedicated standby power to continue to provide water to a portion of the city this well site serves. (See State of Idaho requirements)

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not there is an undue hardship because of the physical characteristics of the site.*

Finding B8B: **The variance is not in conflict with the public interest.**

Within the area surrounding the subject property, there are single-family homes, duplexes and agricultural property on the east side of Atlas Road (Forest Service land). The subject property is zoned R-8, with R-8 zoning within the surrounding the area. This well has been in operation at the subject property since 1971 and it would be prohibitively expensive to move the well to a different site even if another site was available and adequate. The well is considered an essential service and continued operation is critical to water customers, including properties surrounding the well. The State of Idaho is requiring the generator.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the variance is in conflict with the public interest.*

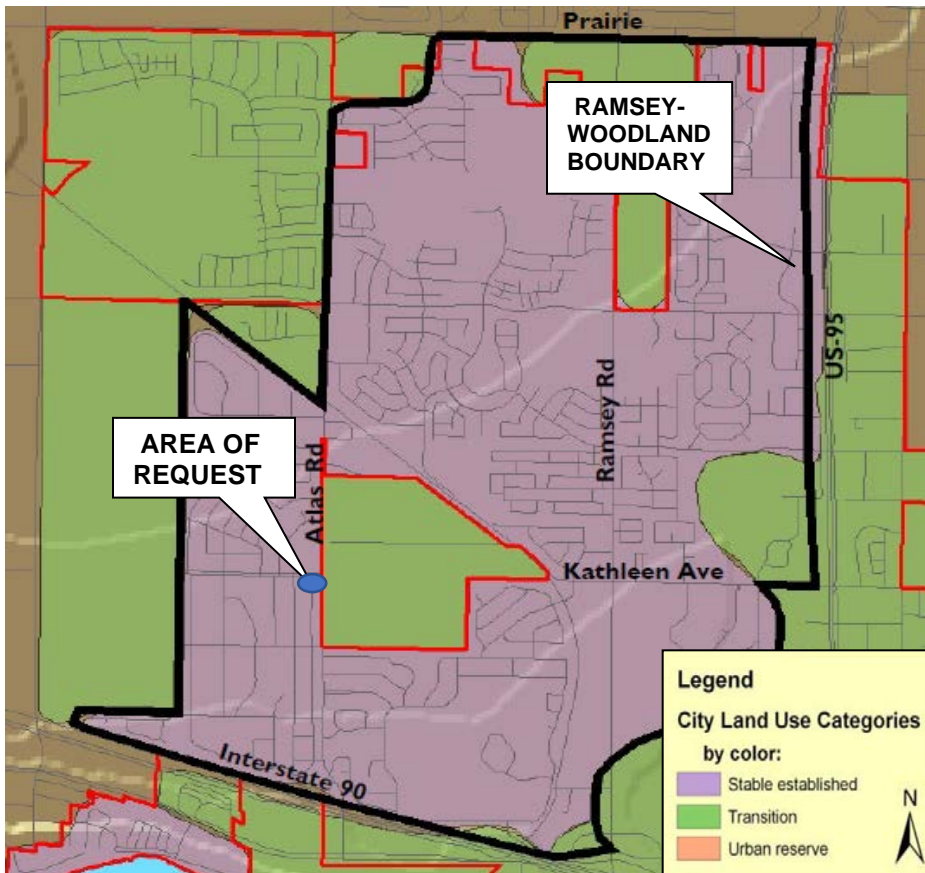
Finding B8C: **The granting of said variance will be in conformance with the comprehensive plan.**

Land Use: Ramsey- Woodland. Stable Established:

Stable Established Areas:

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 use are not expected to change greatly within the planning period.

Land Use: Ramsey- Woodland. *Stable Established:*



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.

Applicable 2007 Comprehensive Plan Goals and Objectives:

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 3.12

Education:

Support quality educational facilities throughout the city, from the pre-school through the university level.

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 residences (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 or not the granting of said variance will be in conformance with the Comprehensive Plan.

Ordinances and Standards Used In Evaluation:

- 2007 Comprehensive 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

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make appropriate 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**



CITY OF COEUR D'ALENE

WATER DEPARTMENT

**3145 N HOWARD ST
COEUR D'ALENE, IDAHO 83815
208-769-2210 — FAX 208-769-2336**

The city of CDA water Dep is requesting permission to have a zero set back on the south E corner of the property to install a new 750 KW Generator. The state of Idaho requires us to have back up power to our top 3 producing wells to accommodate any long-term power outages and be self-sufficient in an emergency situation. We currently have one well with back up power in this zone and are planning to have another at our new Hutter well site. We are planning to have the transfer switch & Concrete pad installed this year and a new Generator installed in 2022. The Generator that we are specing out is in a 750 KW Diesel Generator 75dba sound attenuated enclosure with a total cost over \$165,000. The Generator would only run once a month for maintenance and in emergency situations to supply water as needed.

Thanks

Kyle Marine

City of CDA Water Dep

- e. Flexibility and convenience of operation and safety of operators; and (3-20-20)T
- f. Separate room(s) for chemical storage and feed equipment that may be required based on type of chemicals and associated hazards. (3-20-20)T

06. Electrical. Main switch gear electrical controls shall be located above grade, in areas not subject to flooding. All electrical work shall conform to the requirements of the National Electrical Code or to relevant state/local codes. The National Electrical Code is available from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (617)770-3000, <http://www.nfpa.org>. (3-20-20)T

07. Reliability and Emergency Operation. New community water systems constructed after April 15, 2007 are required to have sufficient dedicated on-site standby power, with automatic switch-over capability, or standby storage so that water may be treated and supplied to pressurize the entire distribution system during power outages. During a power outage, the water system shall be able to meet the operating pressure requirements of Subsection 552.01.b. for a minimum of eight (8) hours at average day demand plus fire flow where provided. A minimum of eight (8) hours of fuel storage shall be located on site unless an equivalent plan is authorized by the Department. Standby power provided in a public drinking water system shall be coordinated with the standby power that is provided in the wastewater collection and treatment system. (3-20-20)T

a. The Department may require the installation of standby power or storage facilities in existing systems if the frequency and duration of power outages a system experiences constitute a health hazard. (3-20-20)T

b. Existing community public water systems that are substantially modified after April 15, 2007 shall meet the requirements of Subsection 501.07. in those portions of the system affected by the modifications. (3-20-20)T

c. New sources and booster pumps intended to increase system capacity shall be provided with standby power or equivalent unless, during a power outage, the public water system or distribution system pressure zone can already meet the minimum operating capacity and pressure requirements in Subsection 501.07 for a minimum of eight (8) hours at average day demand plus fire flow where provided for each pressure zone. (3-20-20)T

d. For both new and existing public water systems, the Department may reduce the requirements of Subsection 501.07 if the system can demonstrate the capacity to adequately protect public health during a power outage. Any decision by the Department will be based on, but not limited to, the following considerations: (3-20-20)T

i. An adequate emergency response and operation plan and the capacity to implement that plan. (3-20-20)T

ii. The adequacy of the system's cross connection control program and the capacity to protect public health in the event of a system wide depressurization. (3-20-20)T

iii. Demonstration of historical and projected reliability of the electrical power supplied to the water system. (3-20-20)T

iv. A strategy for providing information to the public during power outages, including instructions to stop irrigation, boil water, etc., until notified otherwise. (3-20-20)T

v. The level of reliability acceptable to consumers. This can be accomplished with either a vote of the majority of consumers for privately owned and operated systems or a decision by the governing body for publicly governed systems. (3-20-20)T

vi. Other considerations that may be pertinent, including connections to other public water systems, agreements to provide water in emergency situations, and the availability of dedicated portable auxiliary power. (3-20-20)T

08. On-Site Analysis and Testing Capabilities. Each public water system shall have equipment and

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: FEBRUARY 9, 2021

SUBJECT: A-1-21 – ZONING PRIOR TO ANNEXATION OF 21.6 ACRES FROM COUNTY AGRICULTURAL, LIGHT INDUSTRIAL, AND COMMERCIAL TO R-17 AND C-17

LOCATION: PROPERTY LOCATED IMMEDIATELY NORTHEAST OF THE INTERSECTION OF HIGHWAY 95 AND WILBUR AVENUE.

APPLICANT:
Dodge Heritage LLC / JB Dodge Company LLC
P.O. Box 1254
Coeur d’Alene, ID 83816

ENGINEER:
Lake City Engineering, Inc.
126 E. Poplar Avenue
Coeur d’Alene, ID 83814

DECISION POINT:

The applicant is requesting approval of an annexation of 21.6 acres in conjunction with zoning approval from County Agricultural, Light Industrial, and Commercial Zones to City R-17 Residential and C-17 Commercial zoning districts.

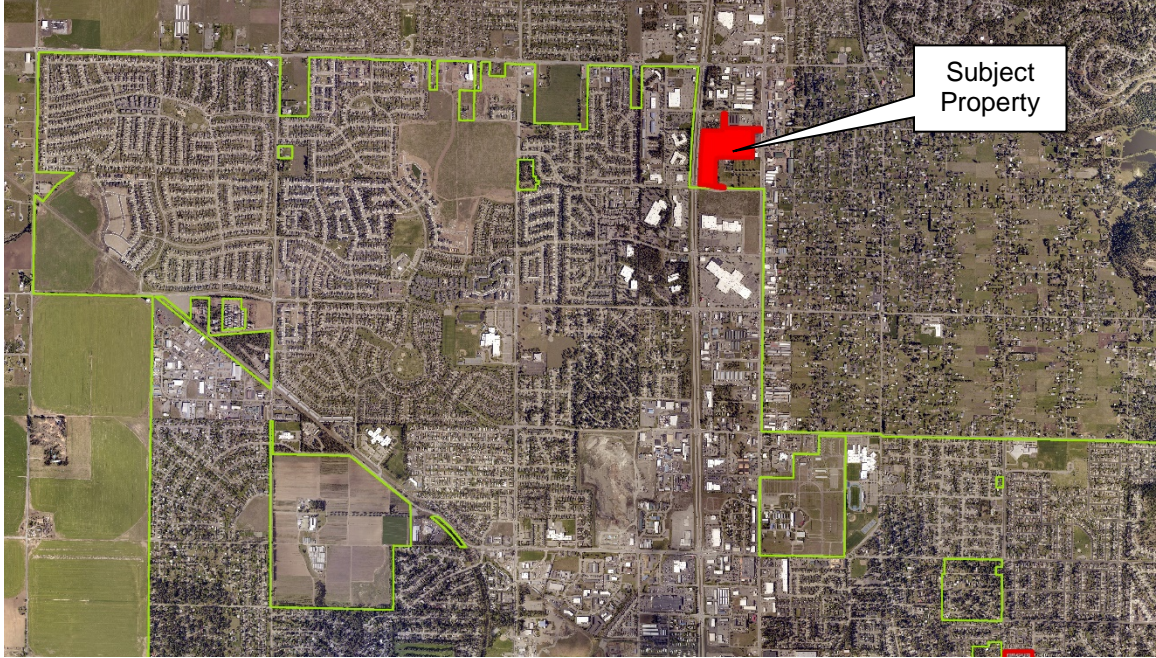
BACKGROUND INFORMATION:

The subject property is currently vacant and located in the unincorporate area of the county. The subject site is adjacent to the city limits on the west and south side of the subject site. The property is currently zoned Agriculture, Light Industrial and Commercial, all in Kootenai County. The subject site is located within the City’s Area of City Impact (ACI).

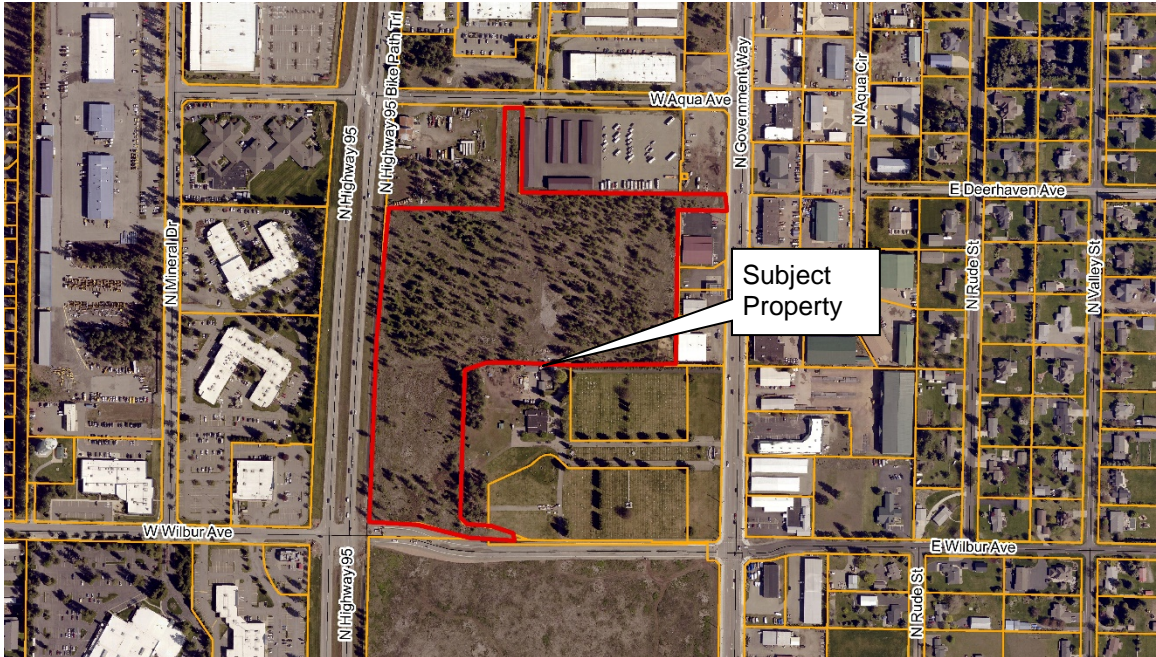
The applicant is proposing two zoning districts as part of this annexation request, the R-17 and C-17 zoning districts. Approximately 5.4 acres is proposed to be C-17 that will allow for commercial and retail uses located in the southwest part of the subject site that is adjacent to the intersection of Wilbur and US-95. The remainder of the property, approximately 16.2 acres is proposed to be R-17. See proposed zoning map on page five for locations of the two zoning districts.

The applicant has indicated that the R-17 zone portion of this site will allow for a future multi-family development that will provide additional affordable workforce housing. The applicant is proposing three access points to the subject site, one access off of Wilbur Avenue, one off of Government Way, and one off of Aqua Avenue. See applicant’s Narrative that is an attachment at the end of this report.

PROPERTY LOCATION MAP:



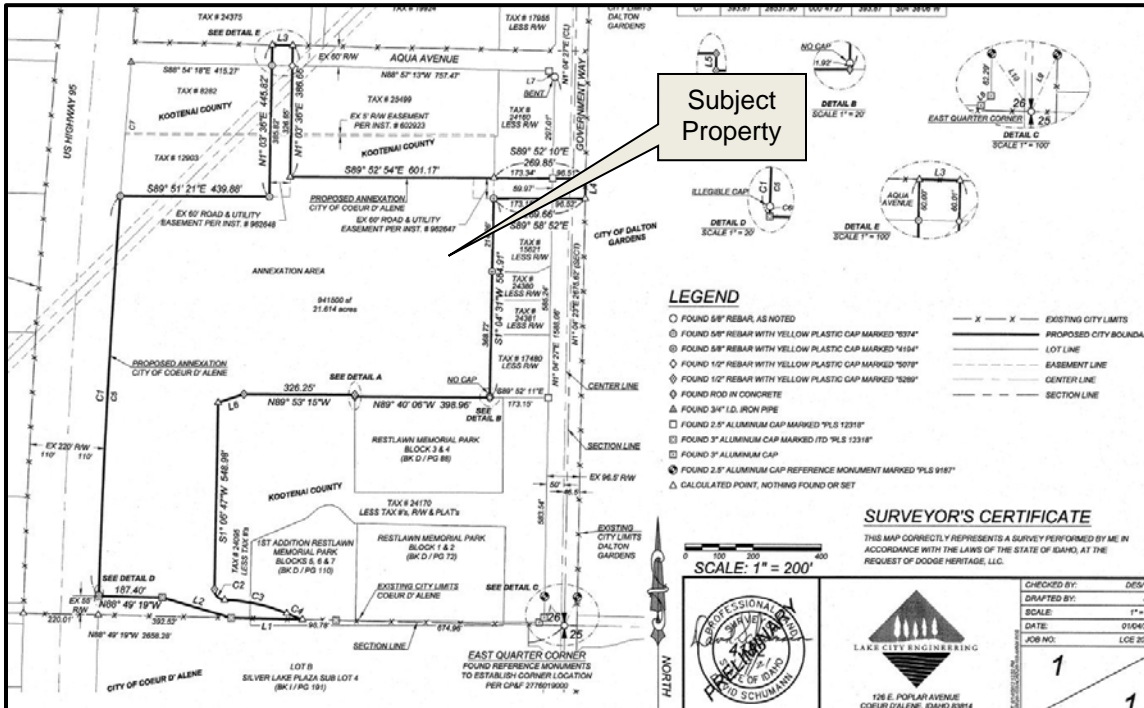
AERIAL PHOTO:



BIRDSEYE AERIAL:



ANNEXATION MAP:



EXISTING ZONING MAP: County Zoning Districts



PROPOSED ZONING MAP:



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

Proposed R-17 Zoning District:

The R-17 district is intended as a medium/high density residential district that permits a mix of housing types at a density not greater than seventeen (17) units per gross acre.

Principal permitted uses in an R-17 district shall be as follows:

- Administrative
- Childcare facility
- Community education
- Duplex housing
- Essential service
- Home occupation
- Multiple-family
- Neighborhood recreation
- Pocket residential development
- Public recreation
- Single-family detached housing as specified by the R-8 district

Permitted uses by special use permit in an R-17 district shall be as follows:

- Automobile parking when the lot is adjoining at least one point of, intervening streets and alleys excluded, the establishment which it is to serve; this is not to be used for the parking of commercial vehicles
- Boarding house
- Commercial film production
- Commercial recreation
- Community assembly
- Community organization
- Convenience sales
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders' facility
- Ministorage facilities
- Mobile home manufactured in accordance with section 17.02.085 of this title
- Noncommercial kennel
- Nursing/convalescent/rest homes for the aged
- Rehabilitative facility.
- Religious assembly
- Residential density of the R-34 district as specified
- Three (3) unit per gross acre density increase
- Religious assembly
- Retail gasoline sales
- Single-family detached housing (as specified by the R-8 district)
- Specialty retail sales
- Veterinary office

17.05.290: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-17 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area for Principal Facilities	In Rear Yard
Single-family and duplex structure	32 feet	n/a
Multiple-family structure	45 feet	n/a
For public recreation, community education or religious assembly activities	45 feet	n/a
Detached accessory building including garages and carports	32 feet	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

- A. Minimum yard requirements for single family and duplex residential activities in an R-17 District shall be as follows:
1. Front: The front yard requirement shall be twenty feet (20').
 2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
 3. Side, Street: The street side yard requirement shall be ten feet (10').
 4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

- C. Multiple-family housing at seventeen (17) units per acre:
1. Front: The front yard requirement shall be twenty feet (20').
 2. Side, Interior: The interior side yard requirement shall be ten feet (10').
 3. Side, Street: The street side yard requirement shall be twenty feet (20').
 4. Rear: The rear yard requirement shall be twenty feet (20'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off-street parking

D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

Proposed C-17 Zoning District:

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

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

- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.

- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders' facility.
- Laundry service.
- Ministorage facilities.
- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Pocket residential development (as specified by the R-17 district).
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office

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

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

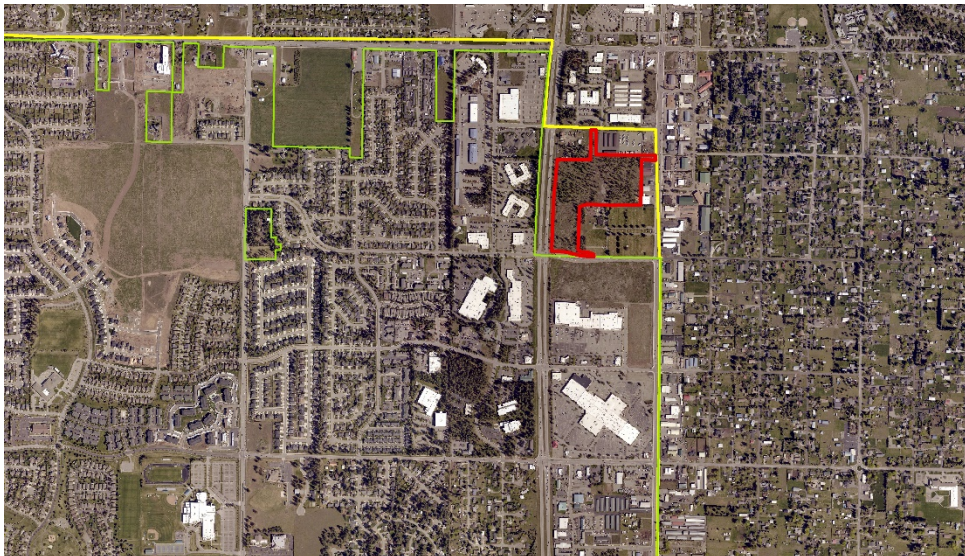
REQUIRED FINDINGS FOR ANNEXATION:

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

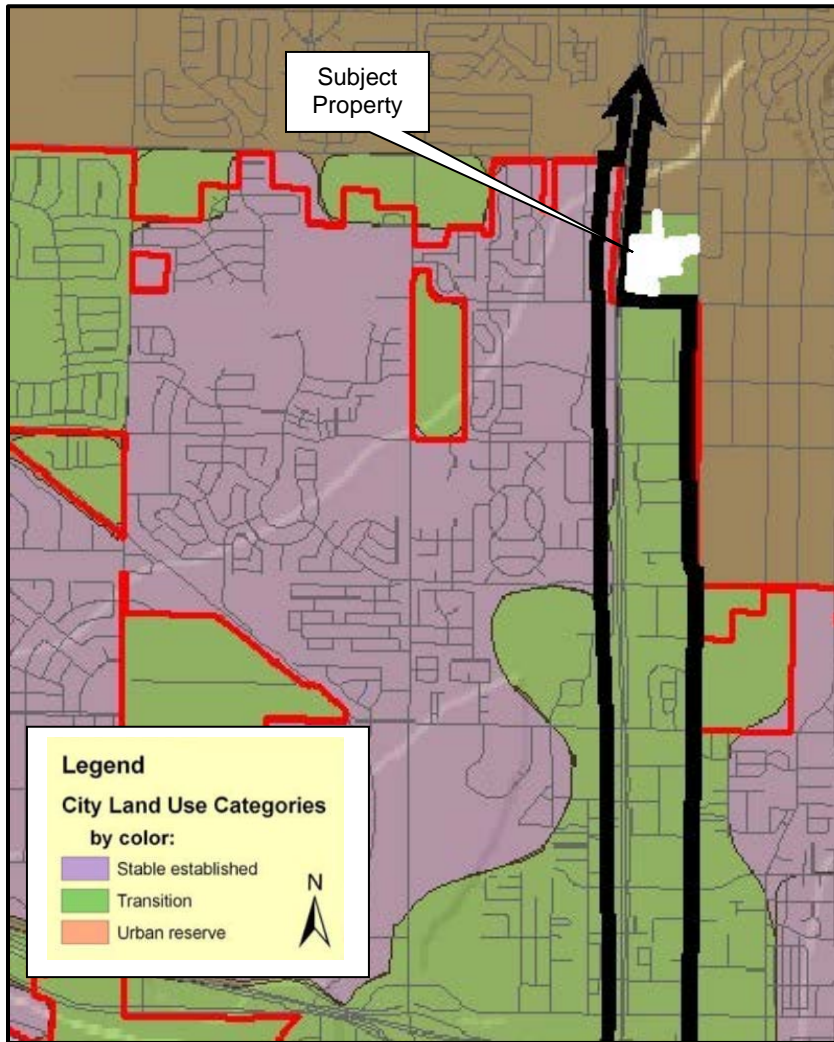
2007 COMPREHENSIVE PLAN LAND USE CATEGORY:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this property within the US 95 Corridor area.

AREA OF CITY IMPACT MAP:



COMPREHENSIVE PLAN MAP: US 95 Corridor



Transition:

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

US 95 Corridor Today:

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

US 95 Corridor Tomorrow:

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

The characteristics of the US 95 Corridor will be:

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

2007 Comprehensive Plan Goals and Objectives that apply:

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 2.01 - Business Image & Diversity:

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

Objective 2.02 - Economic & Workforce Development:

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

Objective 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 needs 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 4.01 City Services:

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

Objective 4.02 - City Services:

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

Objective 4.06 - Public Participation:

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

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

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

STORMWATER:

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

STREETS:

The subject site is currently undeveloped. The site has frontage along the north side of Wilbur Ave with access points to Government Way and Aqua Ave. Wilbur Ave and Government Way are both newly constructed, so street improvements for those streets will not be necessary. However, Aqua Ave is in the jurisdiction of Lakes Highway District and the City of Hayden. The applicant will need to work with those agencies regarding access and frontage improvements. Access to Wilbur Ave must be outside the functional area of the signalized intersection, per City Code 17.44.280. The Streets and Engineering Department has no objection to this annexation request.

-Submitted by Chris Bosley, City Engineer

WATER – City of Coeur d Alene:

The property for proposed annexation lies within the City of Coeur d'Alene's water service area, but the City does not have sufficient infrastructure in proximity to adequately serve the property. Therefore, the City relinquishes service capability to North Kootenai Water and Sewer District. The applicant's engineer has indicated that they will work with North Kootenai Water & Sewer District to obtain water service for the subject site.

-Submitted by Terry Pickel, Water Superintendent

WATER – North Kootenai Water and Sewer District:

The purpose of this letter is to provide written documentation of North Kootenai Water District's intention to provide water service to Dodge property proposed development. For locational reference, the property is east of Highway 95 and west of Government Way, south of Aqua Circle and north of Wilbur Avenue. Prior to issuing a will serve letter, the District Engineer has been directed to conduct a project feasibility study. It will be required the property is annexed into the District. (See North Kootenai Water and Sewer District – Intent to Serve Letter in attachment at end of this report)

-Submitted by Jessie Camburn, District Manager: North Kootenai Water and Sewer District

SEWER:

The nearest public sanitary sewer is located in Government Way. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. A sewer easement will be required to reach 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. This project will require the extension of public sewer "To and Through" this annexation as proposed.

-Submitted by Larry Parsons, Utility Project Manager

PARKS:

The Parks Department has no requirements for this annexation.

-Submitted by Monte McCully, Trails Coordinator

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector

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

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

PHYSICAL CHARACTERISTICS:

The site slopes to the east and there is an approximately a twenty-foot elevation drop on the subject property. (See topography map on page 13) There are no topographical or other physical constraints that would make the subject property unsuitable for the annexation request. Site photos are provided on the next few pages showing the existing conditions.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: View from the east part of property looking west



SITE PHOTO - 2: View from the northwest corner of subject site looking east



SITE PHOTO - 3: View from the northeast corner of property looking west



SITE PHOTO - 4: View from the northeast corner of property looking southeast



SITE PHOTO - 5: View from the northeast corner of property looking south



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

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

TRAFFIC:

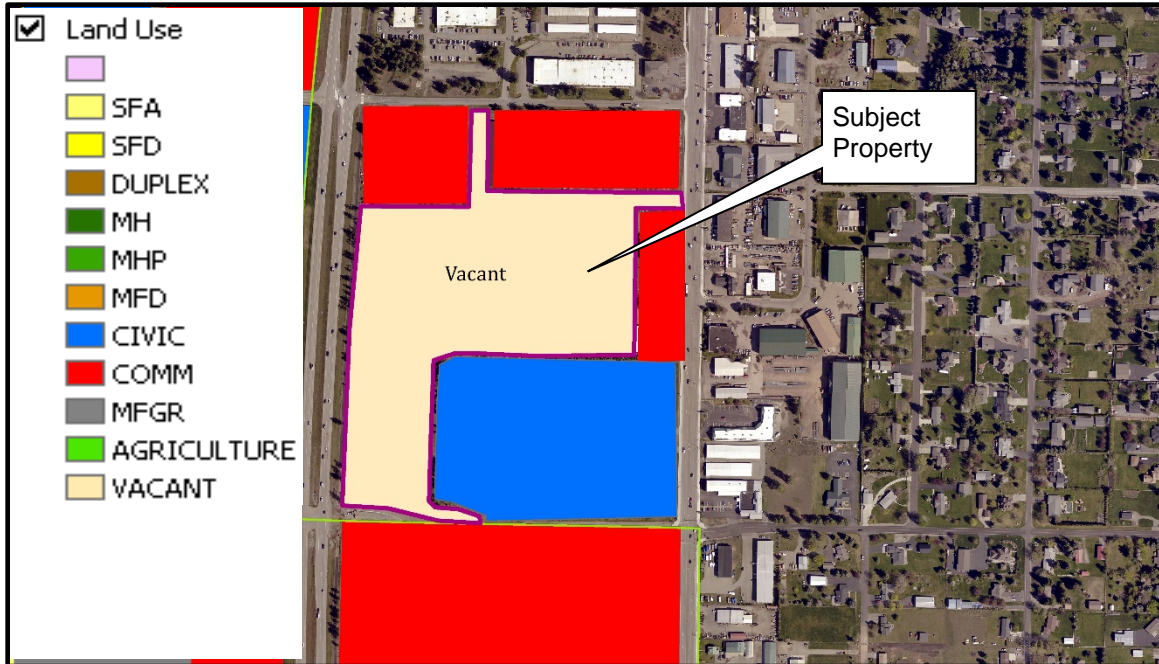
The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone. Without knowing more specifics about the proposed development, traffic generation can't be accurately estimated, but based the request for zoning of R-17 for residential and C-17 for the commercial portion, the increase in traffic is expected to be easily accommodated on Wilbur Ave and Government Way. The Streets & Engineering Department has no objection to the annexation as proposed.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

See the "US 95 Corridor Today" descriptions from the 2007 Comprehensive Plan listed in finding #B8 as well as the photos of subject property. The surrounding properties to the north, east, south, and west have commercial and civic uses located on them.

GENERALIZED LAND USE PATTERN:



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

ORDINANCES & STANDARDS USED FOR EVALUATION:

- 2007 Comprehensive Plan
- Transportation Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2018 Coeur d'Alene Trails Master Plan

RECOMMENDATIONS FOR ITEMS TO INCLUDE ANNEXATION AGREEMENT:

1. The applicant obtains a will serve letter for water service from the North Kootenai Water and Sewer District.
2. This project will require the extension of public sewer "To and Through" this annexation as proposed.
3. A sewer easement will be required to reach the subject property.
4. Sewer Policy #719 requires a 20'-wide utility easement centered over all public the sewer mains (30' if shared with Public Water) or RAIV dedicated to the City.
5. Sewer Policy #716 requires only one appropriately sized service lateral will be allowed to serve each legally recognized parcel (lot). "One Lot...One Lateral". Installation of "extra" sewer service laterals for future use on any singular parcel is prohibited.

ACTION ALTERNATIVES:

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

Attachments: Applicant's Narrative
North Kootenai Water and Sewer District – Intent to Serve Letter

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

**APPLICANT'S
NARRATIVE**

DODGE PROPERTY ANNEXATION

PROJECT NARRATIVE

Coeur d'Alene, Idaho

January 4, 2021



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

INTRODUCTION

Lake City Engineering, Inc., is hereby requesting the annexation of approximately 21.6 acres of property into the City of Coeur d'Alene. The subject property is located northeast of the intersection of US-95 and Wilbur Avenue, and is currently vacant.

SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel #: 51N04W-26-2000
Address: Northeast corner of Wilbur Avenue and US-95
Area: 21.6 acres
Current Zoning: Agriculture, Commercial, Light Industrial (all County)
Proposed Zoning: R-17 Residential and C-17 Commercial
Legal Description: Tax #19006, excepting right-of-way

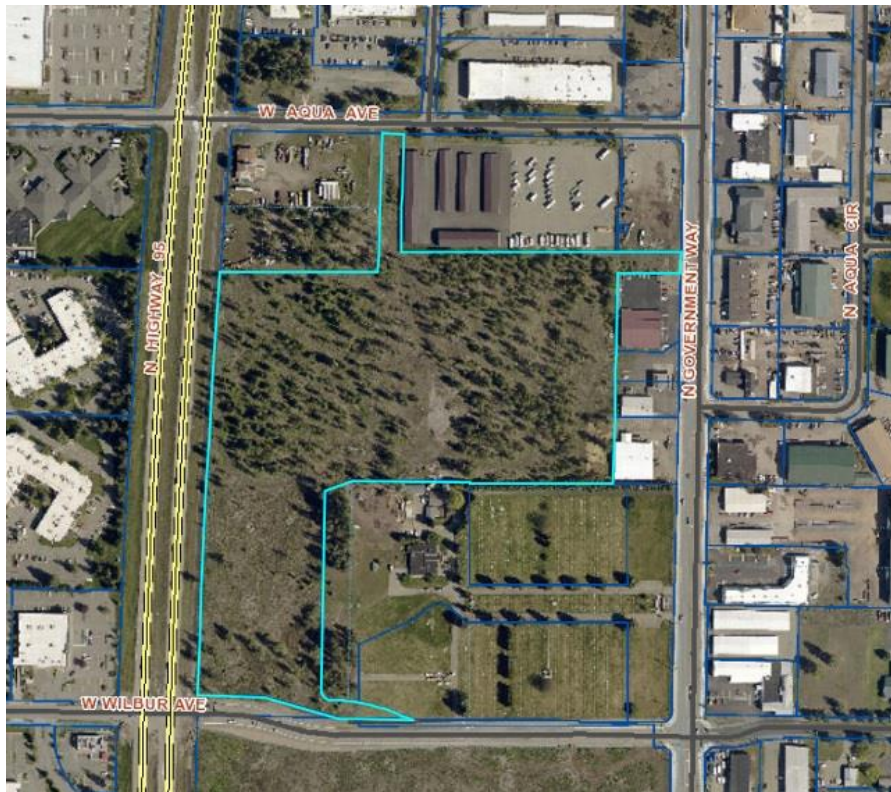


Figure 1: Vicinity Map

PRE-DEVELOPMENT CONDITIONS

The subject property is currently vacant. Three access points are planned for this property, off Wilbur Avenue, Government Way and Aqua Avenue.

Frontage improvements on Wilbur Avenue, including sidewalks, swales and curb & gutter, were completed in conjunction with the construction of the Wilbur Avenue extension that connected Government Way to US-95. Government Way was also recently improved and will not require additional improvements. The access point into the property off Aqua Avenue will require additional frontage improvements during the development phase of the project.

Figure 2 below shows the current site conditions.

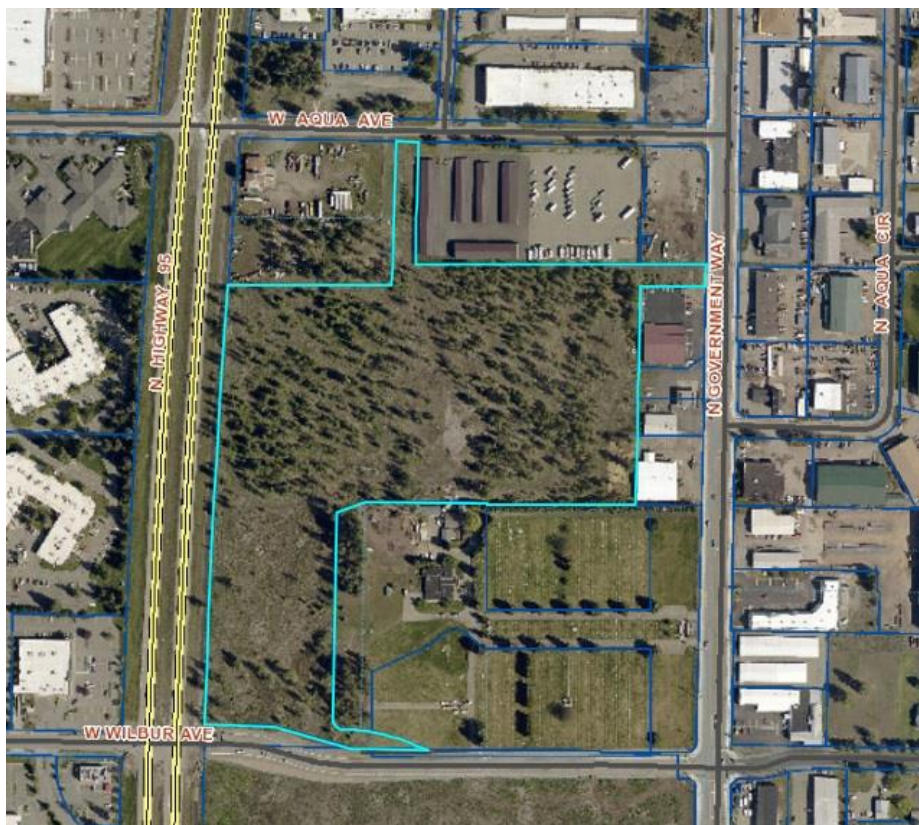


Figure 2: Existing Site Conditions

ZONING CLASSIFICATION

The property is currently zoned Agriculture, with two small access corridors zoned Light Industrial and Commercial, all in Kootenai County. The piece is located at the northeast corner of US-95 and Wilbur Avenue, and is adjacent to the Coeur d'Alene City Limits. The surrounding property consists of commercially zoned parcels to the southeast and East, and Light Industrial zoned property to the North.

The project proponent is requesting zoning classifications of R-17 and C-17, as shown in Figure 3 below. Approximately 5.4 acres is proposed to be zoned C-17 and will allow for commercial and retail development at the intersection of Wilbur Avenue and US-95. The remainder of the property, approximately 16.2 acres, is proposed to be R-17 to allow for a future multi-family development that will provide additional affordable workforce housing that is needed.



Figure 3: Proposed Zoning

The requested zoning classifications are in conformance with the goals and policies of the Comprehensive Plan and are compatible with the surrounding land uses.

COMPREHENSIVE PLAN ANALYSIS

The property lies in the *Transition* area along the northern boundary of the *US-95 Corridor* area per the City of Coeur d'Alene 2007 Comprehensive Plan. Neighborhood characteristics for this land use are expected to change greatly within the planning period, including number of building lots, the street network and general land use. As an infill project to the *US-95 Corridor*, the proposed zoning would be consistent with the Comprehensive Plan and would be appropriate for both multi-family and commercial uses.

The City of Coeur d'Alene 2007 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 1.11 – 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.

The sidewalks and street lights constructed as part of the recently completed Wilbur Avenue extension have made pedestrian access between US-95 and Government Way possible. The subject property would build upon this access by providing additional commercial businesses and additional multi-family housing with similar pedestrian features throughout.

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 northeastern boundary of the City of Coeur d'Alene. This annexation is considered infill and will allow for the development of this property to match that of the existing surrounding land uses.

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

Sewer is currently stubbed into the subject parcel from Government Way and will be provided by the City of Coeur d'Alene. Water is currently available in Aqua Avenue and is proposed to be served by the Aqua Water District, which is managed and controlled by the North Kootenai Water and Sewer District. Both the City of Coeur d'Alene and the Aqua Water District have the capacity to serve this future development. Existing dry utilities are located adjacent to the subject property in Wilbur Avenue, Aqua Avenue and Government Way.

Goal #2 – Economic Environment

Objective 2.01 – Business Image & Diversity: Welcome and support a diverse mix of quality professional trade, business and service industries, while protecting existing uses of these types from encroachment by incompatible land uses.

Objective 2.02 – Economic 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.

A portion of the proposed annexation will be C-17 Commercial and therefore dedicated to business uses that will be similar to the existing ones found along the US-95 corridor. The portion of the proposed annexation zoned R-17 Multi-Family Residential will contain pedestrian- and bicycle-friendly features such as sidewalks, lighted streets and crosswalks.

Goal # 3 – Home Environment

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 3.03 – Managed Growth: Direct development of large chain warehouse (“big box”) business outlets to zones that will protect neighborhoods.

The subject property is surrounded by mixed zoning, including both light industrial and commercial uses. A mix of multi-family and commercial development is a natural fit for this area and will provide affordable, centrally located housing and several commercial business opportunities that can offer a variety of services to those residents.

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.

Population growth and the housing it requires continues to be a challenge for Kootenai County and the City of Coeur d’Alene. Annexing the proposed parcel will allow for the development of additional affordable residential options.

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

Infrastructure improvements in both Government Way and Wilbur Avenue were recently completed, making sewer and dry utilities services to the subject property easily accessible and available.

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.

The recent infrastructure improvements to both Government Way and Wilbur Avenue provided sidewalks, curb & gutter, on-street parking and street lights, all of which promote the safe and efficient access to the subject property. Access off US-95 to the subject property is avoided, per the guidelines of the Idaho Transportation Department.



North Kootenai Water & Sewer District

13649 N. Meyer Rd. • Rathdrum, ID 83858
Phone: (208) 687-6593 • Fax: (208) 687-6597
www.nkwsd.com

February 2, 2021

Mike Behary, AICP, MURP
Associate Planner
710 Mullan Ave
Coeur D'Alene ID 83814

Dear Mr. Behary:

The purpose of this letter is to provide written documentation of North Kootenai Water District's intention to provide water service to Dodge property proposed development. For locational reference, the property is east of Highway 95 and west of Government Way, south of Aqua Circle and north of Wilbur Avenue.

Prior to issuing a will serve letter, the District Engineer has been directed to conduct a project feasibility study.

It will be required the property is annexed into the District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jessie Camburn', written over a light blue horizontal line.

Jessie Camburn
District Manager

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PLANNING COMMISSION STAFF REPORT

FROM: HILARY ANDERSON, COMMUNITY PLANNING DIRECTOR

DATE: FEBRUARY 9, 2021

SUBJECT: ATLAS WATERFRONT PUD & SUBDIVISION AMENDMENTS

- PUD-4-19m.1 "ATLAS WATERFRONT" PUD AMENDMENT
- S-3-19M "ATLAS WATERFRONT" PRELIMINARY MASTER PLAT AND 1ST ADDITION AMENDMENT

LOCATION: 60.9 ACRES LOCATED AT 2598 E SELTICE WAY. THE SUBJECT PROPERTY IS ALSO DESCRIBED AS: IMMEDIATELY SOUTH OF SELTICE WAY AND WEST OF THE CENTENNIAL TRAIL AND NORTH OF THE SPOKANE RIVER. THE SUBJECT SITE IS COMMONLY KNOWN AS 3074 W. SELTICE WAY AND IS REFERRED TO AS THE ATLAS MILL SITE.

APPLICANTS/OWNERS:
City of Coeur d'Alene
710 E. Mullan Avenue
Coeur d'Alene, ID 83814

PROJECT ENGINEER:
Phil Boyd, P.E.
330 E. Lakeside Avenue
Coeur d'Alene, ID 83814

ignite cda
105 N 1st Street
Coeur d'Alene, ID 83814

TWO DECISION POINTS:

Approval of amendments to the Planned Unit Development to include the 4.6-acre triangle parcel and clarify allowed uses and development standards within the development areas as noted in the attached table.

AND;

An amendment to the preliminary master plat to be known as "Atlas Waterfront" and the 1st Addition to include the 4.6-acre triangle parcel and modify the roadway network, development areas and lotting pattern.

PUD AMENDMENT & SUBDIVISION AMENDMENT OVERVIEW:

PUD Amendment

The PUD Amendment for the Atlas Waterfront project would revise the final Development Standards for the project to include the triangle parcel and allow some slight changes to the standards for the development areas to respond to market conditions and phase 1 of the project. The addition of the triangle parcel allows the option for 15-18 single-family homes or 10-11 single-family homes and

16-20 townhomes. This could result in as many as 695 residential units. With the increased acreage by adding in the 4.6-acre triangle parcel, the overall density of the project would drop slightly to less than 11 units per acre.

As noted below, this PUD Amendment #2 adds in the triangle parcel, which would be Development Areas 16, 18 and 19. The additional land would allow improvements to the project layout and create new Development Areas 14 and 15. The following information summarizes the proposed additional land uses and deviations as well as justification. This information is also found in table form in Attachment 2.

- **Triangle Parcel (Areas 16, 18 and 19) (NEW AREAS):**

- Subject to Single Family Development standards Frontage Type C and Front Load SF Building Type, and Townhouse/Duplex Frontage Type B
- Replace and deviate from Hillside Ordinance Provisions
- Lots -Single Family
 - Width 35' min 55 max
 - Depth 75' min 185' max
 - Area: 2625 SF min
- Lots -Townhouses and Duplexes
 - Width 25' min 50 max
 - Depth 60' min 185' max
 - Area: 1500 SF min
- Building Height: 45 feet max
- Setbacks (Minimum Yard) - Front-Loaded Condition
- Front - garage door: 20' min. (measured from back of sidewalk)
- Front - ground-level porches and projections:
Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street.
The width of the projection or porch shall be equal to or greater than half the width of the garage door.
- Side: 6' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 15' min.
- Corner Lots
- Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy.
- A building's primary (front) facade may be orientated to the side street.
- Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these
- Off-Street Parking (quantity and dimensions)
- • See Coeur d'Alene City Code - Chapter 17.44

Justification:

- Maintain consistency with Atlas Waterfront Development PUD and allow for the property to be developed as single-family residential only

- o or a mix of single-family and townhouses.
 - o ignite cda will complete geotechnical studies and establish building envelopes on the plat.
 - o Ignite cda will evaluate trees and develop a tree preservation and restoration plan. Preserved trees will be protected on the plat.
- **Areas 1, 2 and 6:**
 - o Allow fireplace boxout or chimney to encroach up to 1.5 feet into the side setback
 - o Setback: Front Porches and Projections - 5' min
 - o Side, Street – 5' min
 - o In Area 1 and 2, livable space allowed above porches in “Secondary” lots (north and east of the alley) when a rear deck is added.
 - Justification:**
 - o The bulk of the home is still setback, but this encroachment will provide some flexibility.
 - o This gives the homeowner more covered patio as well as deck space.
 - o Provides more opportunity for façade modulation on corner lots.
 - o Secondary lots have potential views to the south with desirable outdoor deck space. Livable space above porches will allow home square footage to remain equivalent if a rear deck is constructed.
- **Areas 3 and 4:**
 - o Allow rear loaded SF on north side of the alley.
 - o Allow townhome on south side of alley for entire block, townhome live/work or small-scale
 - o mixed use on SE Corner of Area 4 with minimum 500 sf of retail/restaurant on ground floor.
 - Justification:** Addition of the triangle parcel resulted in a revised road configuration that makes rear load SF appropriate in this location.
- **Area 5:**
 - o Allow TH, MF, MU, TH on 5A and 5B. Require a minimum of 1,500 sf of retail or restaurant on SW corner or 1,000 SF interior with minimum 500 sf exterior public/private plaza/dining area.
 - o Allow 5A and 5B to be merged provide acceptable pedestrian corridor is provided to Mt. Hink public space.
 - o Allow a cottage court configuration at 5A (with required retail) and at 5B.
 - Justification:** Standards do not currently define retail requirement. Defining retail/restaurant requirements will provide greater clarity on what is expected. MF ownership product (condo) with tuck under parking will be prioritized to achieve density.
- **Area 7:** Allow MF with parking within the building and 45-foot max building height.
 - Justification:** Provides flexibility to provide more product type flexibility depending on how Areas 3,4 5A and 5B develop.

- **Area 12:**
 - Max building height within 450 ft of OHW increased from 35 feet to 45 when the building sufficient pitched roof elements, as determined by the Planning Director, to provide roof articulation.
 - Authorize the Planning Department to count up to 15% of on-street parking fronting the parcel towards satisfying Area 12 commercial/retail parking requirements.
 - Measure the front setback from the back of sidewalk instead of the property line.

Justification:

- Provides greater architectural flexibility by avoiding flat roof buildings.
- Provides greater site and building design flexibility wherein the overall building or site design character warrants the parking trade off.
- In most locations, the back of sidewalk and property line are close to each other. At area 12, the property line is several feet west of the back of sidewalk. This revision will allow more consistency in the development.

- **Area 13:**

- Max building height within 450 ft of OHW increased from 35 feet to 45 when the building has sufficient pitched roof elements, as determined by the Planning Director, to provide roof articulation.
- Authorize the Planning Department to count up to seven on-street parking spaces fronting the parcel towards satisfying Area 13 commercial/retail parking requirements if the Area 13 owner funds construction of 12 to 14 diagonal parking spaces fronting Atlas Waterfront Park
- Allow ground floor residential provided there is a minimum 1,500 sf of ground floor retail or food and beverage in the same building
- Increase the front setback to 32.5 feet when on-site diagonal parking is provided for food and beverage/retail uses only.
- Allow a standalone food and beverage/retail building.
- Allow tandem parking, within a building, for residential condominium units

Justification:

- Provides greater architectural flexibility by avoiding flat roof buildings.
- Provides greater site and building design flexibility wherein the overall building or site design character warrants the parking trade off.
- Provides flexibility to accommodate the economic challenges of food and beverage/retail buildings.
- On-site parking, which requires increased front setback, is necessary to meet food and beverage/retail parking standards and preserve public open space on the parcel.
- Provides flexibility to accommodate the economic challenges of food and beverage/retail buildings.
- Allows two parking spaces per condominium unit to fit within small garage foot print, which will reduce condominium owners from parking on the street.

- **Areas 14 & 15 (NEW AREAS):**
 - Lots -Single Family
Width 35' min 55' max
Depth 75' min 125' max
Area: 2625 SF min
 - Lots -Townhouses and Duplexes
Width 25' min 40' max
Depth 75' min 125' max
Area: 1875 SF min
Building Height: 40 feet max
Setbacks (Minimum Yard) - Front-Loaded Condition
 - Front - garage door: 20' min. (measured from back of sidewalk)
 - Front - ground-level porches and projections:
Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street.
The width of the projection or porch shall be equal to or greater than half the width of the garage door.
 - Side: 6' min.
 - Side separation between buildings if there is no property line: 12' min.
 - Rear: 15' min.
 - Corner Lots
 - Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy.
 - A building's primary (front) facade may be orientated to the side street.
 - Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these
 - Off-Street Parking (quantity and dimensions)
 - See Coeur d'Alene City Code - Chapter 17.44
- Justification:** Similar standards to Areas 7 and 8 with additional height to recognize the areas back up against a slope and houses behind are 40 feet higher.

This PUD Amendment #2 also requests a modification to the Hillside Ordinance that would apply to the triangle parcel. The request is to replace and deviate from the Hillside Ordinance provisions to allow the project to be developed in a manner that complements the rest of the Atlas Waterfront project. Geotechnical studies will be completed and building envelopes will be shown on the final plat and the trees will be evaluated and a tree preservation and restoration plan will be developed. Preserved trees will be protected and noted on the final plat.

Subdivision Amendment:

The proposed amendment to the preliminary master plan and 1st Addition includes the 4.6-acre triangle parcel, modifies the internal roadway network slightly, creates additional development areas and allows slight changes to the prior development areas south of the triangle parcel. It also allows

the future option to split Area 13 into two parcels.

Applicant Narrative Excerpt:

Application Narrative

The triangle parcel is surrounded by the Atlas Waterfront development on the south, west and east sides. Seltice Way is its north border, and the parcel can easily access the City's street and trail network. The parcel will be developed with 5,000 to 10,000 sf single family lots and, as an option, four to five townhomes on +/-10,000 sf lots and will have +/- 12,000 sf of passive open space. The proposed facilities will include residential homes and standard City streets and sidewalks. A north south "hill climb" corridor will provide pedestrian connection from Seltice Way south through the Atlas Development Areas 3 and 4 to Atlas Waterfront Park. The City will provide water and sewer utilities and stormwater will be primarily onsite roadside swales. The Triangle Parcel lots will become part of the Atlas Waterfront HOA.

Note: *The total unit count anticipated is up to 695 residential units, which is reflected in this PUD Amendment #2. This is well below the number of units that the project could have supported under the C-17 zoning district at 17 units per acre, which would have allowed as many as 1,098.*

READER'S NOTE:

This staff report is largely unchanged from the version that went to the Planning Commission in November 2019 for the initial PUD and Subdivision approval and again in March 2020 for a minor PUD amendment and interpretation in order to provide the full analysis required for the commission to make findings. It is noted below where there are changes or no changes to the information, analysis and/or conditions. See highlighted text.

HISTORY:

In 2018, the City of Coeur d'Alene, in collaboration with ignite cda, purchased the Atlas Mill site which had operated as a lumber mill for more than 100 years and which had closed in 2005. The mill site was annexed into the City in 2017 and assigned as a C-17 (Commercial at 17 units/acre) zoning district. In 2017/18 the mill site was master planned to determine the financial feasibility of the property being included in an urban renewal district (URD). Considerable public input was solicited for the public spaces. The intent of the City and ignite cda is to transfer blocks of development in phases over the next couple years as site development efforts progress, instead of selling the property all at once.

The Atlas Waterfront project is intended to create a unique and desirable neighborhood with a significant waterfront public open space. The City acquired the parcel to achieve two objectives: 1. Preserve the waterfront for the community; and 2. Stimulate private investment on a former mill site that has been vacant for more than a decade. The PUD will allow the higher densities necessary to make the project financially feasible, while protecting the most valuable real-estate, the waterfront, from development and preserving it for the public.

BACKGROUND INFORMATION:

The subject site is located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River with the River's Edge development bordering the property to the west. The 60.9-acre site is currently vacant and undeveloped, and the acquisition opens the door for

economic development and public access to the river. The former railroad right-of-way that runs through the property was acquired by and annexed into the City in 2015 to provide opportunities for parkland, a trail, and public access through to the waterfront. The project will be developed under the C-17 (Commercial at 17 units/acre) zoning district with the “Atlas Waterfront Neighborhood Development Standards” in place for the development of residential uses including single-family dwellings, townhomes, commercial, and multi-family units. The Atlas Waterfront project will be primarily residential with opportunities for office/retail on the western edge and near Seltice Way. In addition, two “commercial only” nodes are located adjacent to the waterfront park as both locations are desirable restaurant locations.

The Atlas Waterfront PUD development will include three different frontage types: Residential fronting Riverfront Drive (rear-loaded); Residential fronting interior streets (rear-loaded); and Residential fronting interior streets (front-loaded), with additional frontage options based upon lot circumstances, as noted in the Development Standards.

The “Development Areas Key Plan” notes the area of development on the Atlas Mill Site property and the standards that apply to each of those areas including the use, building types, lots (width, depth, area) for the townhouses and duplexes, setbacks, and building height showing different ways that buildings and lots can be configured to meet the design intent and development standards.

The development will include 25-acres of open space including a 12-acre waterfront park, and upland open spaces to provide pedestrian circulation routes in addition to sidewalks. The waterfront park provides a grassy open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The very northeast area of the site is anticipated as a 7.7-acre public space with a use that will be determined by the City Parks and Recreation Department. However, it is also possible that the site could be improved for future development that will be evaluated as the project is developed.

The project will be developed in phases as shown on the Revised Phasing Map (page 17) over an 8 to 10-year schedule, depending on market conditions. The property will be sold by ignite CDA, the urban renewal district, through a request for proposal (RFP) process, in partnership with the City of Coeur d’Alene.

CHANGED – UPDATED TEXT

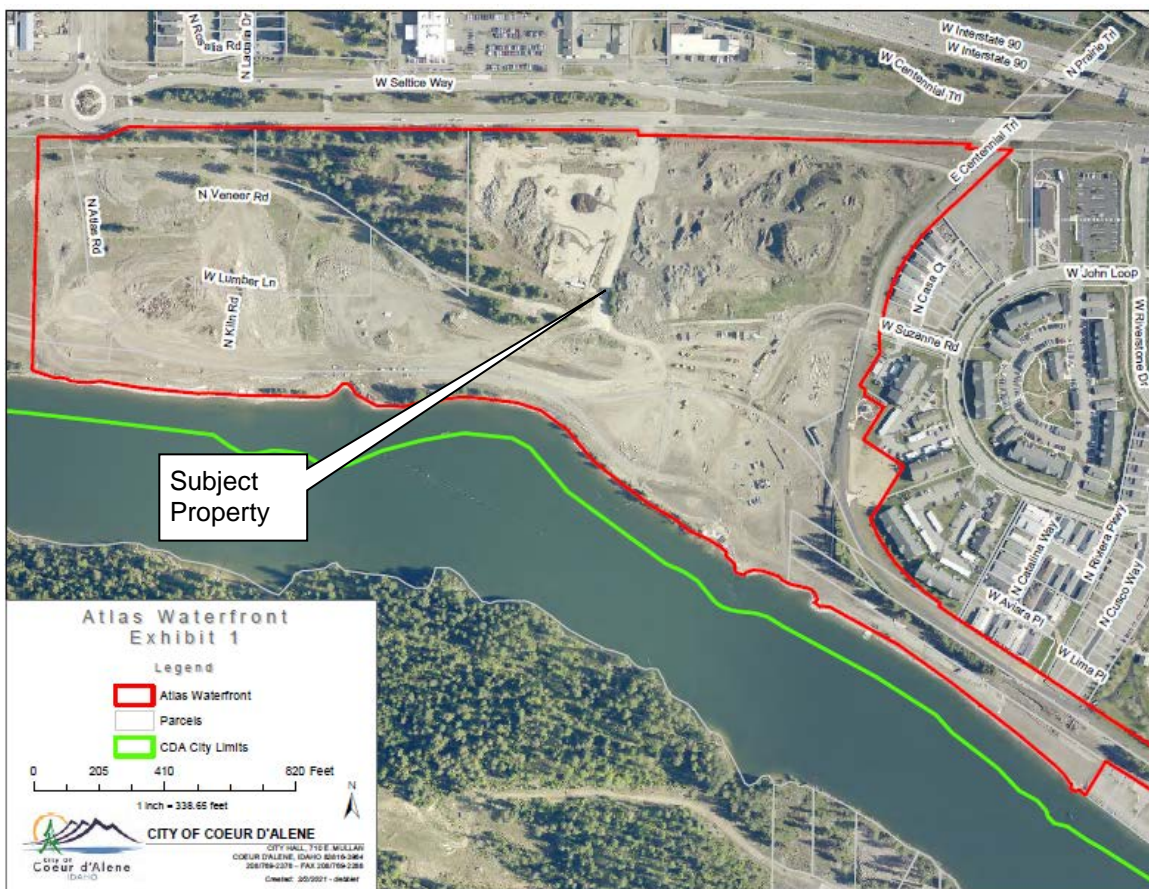
The Planning Commission approved the PUD and Preliminary Plat in November 2019 and approved the first PUD amendment and an interpretation in May 2020.

Ignite cda contracted with T. LaRiviere for the Waterfront Park and shoreline stabilization, which is now complete and open to public use. Many of the infrastructure improvements for phase one are complete and the first phase of residential and mixed-used development is slated to begin in 2021. A Request for Proposals for Phase 1 development was released on November 15, 2019 with responses due by December 20, 2019. Ignite cda worked with a proposal review/scoring committee comprised of one City Council member, two city staff, two ignite cda Board Members (one of which is also a Planning Commissioner), the ignite cda Executive Director, and the consultants reviewed the development proposals and made recommendations for Areas 1, 2, 6, 8 and 10. It was determined that Area 12 wouldn’t be awarded to a mixed-use proposal that included multifamily residential, which was not anticipated in the Development Standards and an offer that was below the land value as determined by Heartland consultants. At a special call meeting on February 20, 2020, the ignite cda board accepted recommendations from a subcommittee who reviewed development proposals for phase 1. The board directed Tony Berns to reissue an RFP for Area 12

and to further engage Heartland Consulting will now begin the negotiation process with developers for the first phase of development. Agreements to Negotiate Exclusively “ANE’s” were entered into for developers for phase 1 for Areas 1, 2, 6, 10, 12 and 13. Development of Phase 1 infrastructure and the park improvements were largely completed by the end of December 2020. Building permits for Areas 1, 2, 6, 10, 12, and 13 are expected to be pulled in the first and second quarters of 2021.

The City entered into a land exchange with the adjacent River’s Edge developer to the west of the Atlas Waterfront project to trade the triangle piece for the City-owned former railroad right-of-way swath of property through the center of the River’s Edge property. The land exchange was supported because it would make each of the projects whole and allow improved circulation and development potential for both properties. The City Council approved the land transfer on January 5, 2021 and directed staff to prepare the necessary legal documents. The City Council also directed staff to transfer the property to ignite cda to include in the Atlas Waterfront project for inclusion in the PUD for future development.

AERIAL MAP:



DRONE PHOTO LOOKING TOWARD RIVERSTONE AND THE LAKE:



DRONE PHOTO FROM ATLAS ROAD & SELTICE WAY ROUNDABOUT



PLANNED UNIT DEVELOPMENT REQUESTS:

CHANGED – UPDATED TEXT

PUD Amendment #2 includes the triangle parcel along Seltice Way into the project design. The addition of this 4.6-acre parcel opens up new opportunities for residential development and improves the roadway alignment and lot layout of adjacent development areas.

As noted above, the requested PUD Amendment #2 for the Atlas Waterfront project would revise the final Development Standards for the project to include the triangle parcel and make some improvements to the internal circulation and adjustments to development areas in the project.

The proposed amendments, if approved, would be integrated into the Development Standards and a new version would be incorporated into the project approval.

PUD-2-19: PLANNED UNIT DEVELOPMENT FINDINGS:

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 commission:

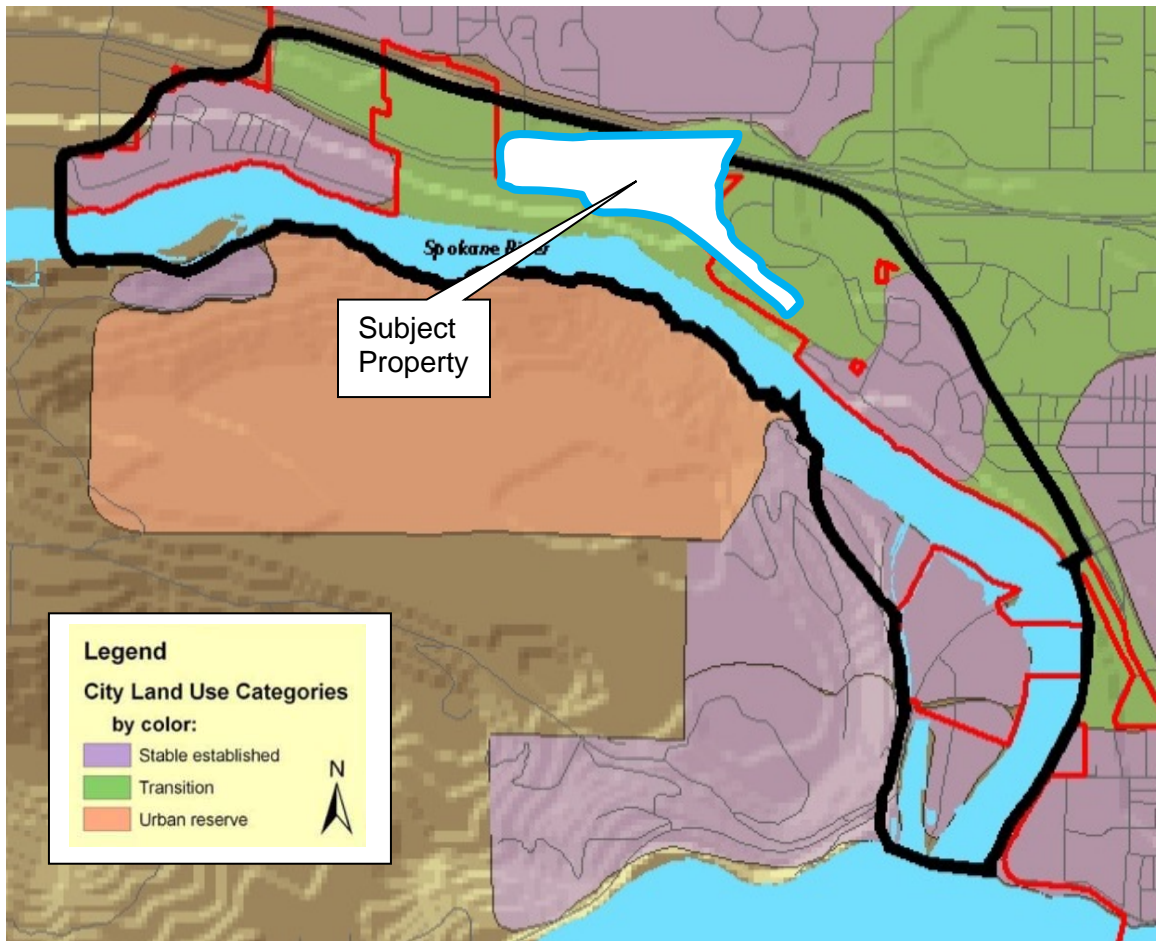
REQUIRED FINDINGS (PUD):

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property and portion of the Spokane River are both within the City of Coeur d'Alene's Area of City Impact Boundary.
- The City's 2007 Comprehensive Plan designates this area as the Spokane River District.
- The subject property falls within the "Transition" Land Use Category as described below.
- The subject property is also within the Shoreline boundary, which is a special area.

2007 COMPREHENSIVE PLAN MAP: SPOKANE RIVER DISTRICT



Transition Areas:

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

Spokane River 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 neighborhoods will be:

- Various commercial, residential, and mixed uses.
- Public access should be provided to the river.
- That overall density may approach ten to sixteen dwelling units per acre, but pockets of denser housing are appropriate and encouraged.





- That open space, parks, pedestrian and bicycle connections, and other public spaces will be provided throughout, especially adjacent to the Spokane River.
- That the scale of development will be urban in nature, promoting multi-modal connectivity to downtown.
- The scale and intensity of development will be less than the Downtown Core.
- Neighborhood service nodes are encouraged where appropriate.
- That street networks will be interconnected, defining and creating smaller residential blocks and avoiding cul-de-sacs.
- That neighborhoods will retain and include planting of future, large-scale, native variety trees.

NEIGHBORHOOD CHARACTER:

2007 Comprehensive Plan: Spokane River District Today

This Spokane River District is in a state of flux from its historic past use as a site of four major water front sawmills and other industrial uses. In place of sawmills, recently subdivided property in this area along portions of the shoreline is developing into commercial, luxury residential units, and mixes use structures. Recent subdivisions aside, large ownership patterns ranging from approximately 23 acres to 160+ acres provide opportunities for large scale master planning.

Special Areas: Areas of Coeur d’Alene Requiring Unique Planning

Comprehensive Plan (2007-2027)		Page 27
<p>Special Areas: Areas of Coeur d’Alene Requiring Unique Planning</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Shorelines</p> <p>The City of Coeur d’Alene is known for its shorelines. They are an asset and provide a multitude of benefits. Community pride, economic advantages, transportation, recreation, and tourism are just a few examples of how shorelines affect the use and perception of our city.</p> <p>Public access to and enhancement of our shorelines is a priority. Shorelines are a positive feature for a community and they must be protected. To ensure preservation, the city has an ordinance that protects, preserves, and enhances our visual resources and public access by establishing limitations and restrictions on specifically defined shoreline property located within city limits.</p> <p>To increase desired uses and access to this finite resource, the city will provide incentives for enhancement. Efficient use of adjacent land, including mixed use and shared parking where appropriate, are just a few tools we employ to reach this goal.</p> <p>Policy:</p> <ul style="list-style-type: none"> • Make public access to river and lake shorelines a priority. <p>Methods:</p> <ul style="list-style-type: none"> • Shoreline ordinance will govern appropriate development in designated areas. </div> <div style="width: 50%;"> <ul style="list-style-type: none"> • Ensure scale, use, and intensity are suitable with location. • Promote protection and connectivity along shorelines. <p>Related Objectives:</p> <ul style="list-style-type: none"> • 1.01, 1.02, 1.03, 1.04, 1.05, 1.17, 3.14 </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  <p>Shoreline</p> </div> <div style="text-align: center;">  <p>Coeur d’Alene Lake & Spokane River shorelines</p> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  <p>Independence Point</p> </div> <div style="text-align: center;">  <p>Coeur d’Alene Ironman starting line</p> </div> </div> <div style="margin-top: 20px;"> <p>Special Point of Interest</p> <ul style="list-style-type: none"> • The Coeur d’Alene shoreline, measuring 5.16 miles within city limits, contains 2.36 public shoreline miles. </div>		

2007 COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.01 Environmental Quality:

Minimize potential pollution problems such as air, land, water, or hazardous materials.

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 1.04 Waterfront Development:

Provide strict protective requirements for all public and private waterfront developments.

Objective 1.05 Vistas:

Protect the key vistas and view corridors of the hillside and water fronts that make Coeur d'Alene unique.

Objective 1.09 Parks:

Provide an ample supply of urbanized open space in the form of squares, beaches, 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 1.12 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 1.15 Natural Terrain:

Wherever possible, the natural terrain, drainage, vegetation should be preserved with superior examples featured within parks and open space.

Objective 1.16 Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trails systems.

Objective 1.17 Hazardous Areas:

Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.

Goal #2: Economic Environment

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

Objective 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

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

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Objective 2.06 Cooperative Partnerships:

Encourage public/private partnerships to procure open space for the community while enhancing business opportunities.

Goal #3: Home Environment

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

Objective 3.01 Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.02 Managed Growth:

Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.

Objective 3.05 Neighborhoods:

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

Objective 3.06 Neighborhoods:

Protect the residential character of neighborhoods by allowing residential/commercial /industrial transition boundaries at alleyways or along back lot lines if possible.

Objective 3.08 Housing:

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

Objective 3.13 Parks:

Support the development acquisition and maintenance of property and facilities for current and future use, as described in the Parks Master Plan.

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 3.16 Capital Improvements:

Ensure infrastructure and essential services are available for properties in 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.

Goal #4: Administrative Environment

Our Comprehensive Plan advocates efficiency and quality management.

Objective 4.01 City Services:

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

Objective 4.06 - Public Participation:

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

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.**

To the South:

The subject site is adjacent to the Spokane River on its southern boundary. The Spokane River is primarily used for recreational activities and has the Navigable Water Zoning District designation.

To the North:

The subject site is adjacent to Seltice Way on its northern boundary. Seltice Way is an arterial road that has been recently rebuilt as a complete street. The site plan indicates that there will be two access points onto Seltice Way. The properties along the north side of Seltice Way have residential and commercial uses on them with commercial zoning that is in the County.

To the East:

To the east of the subject site are the Riverstone and the Bellerive subdivisions, as well as the Centennial Trail and an existing dog park. Uses within Riverstone include multi-family apartments, a retirement community, single family dwellings, restaurants, a mixed use village with retail uses, and other commercial and professional office uses.

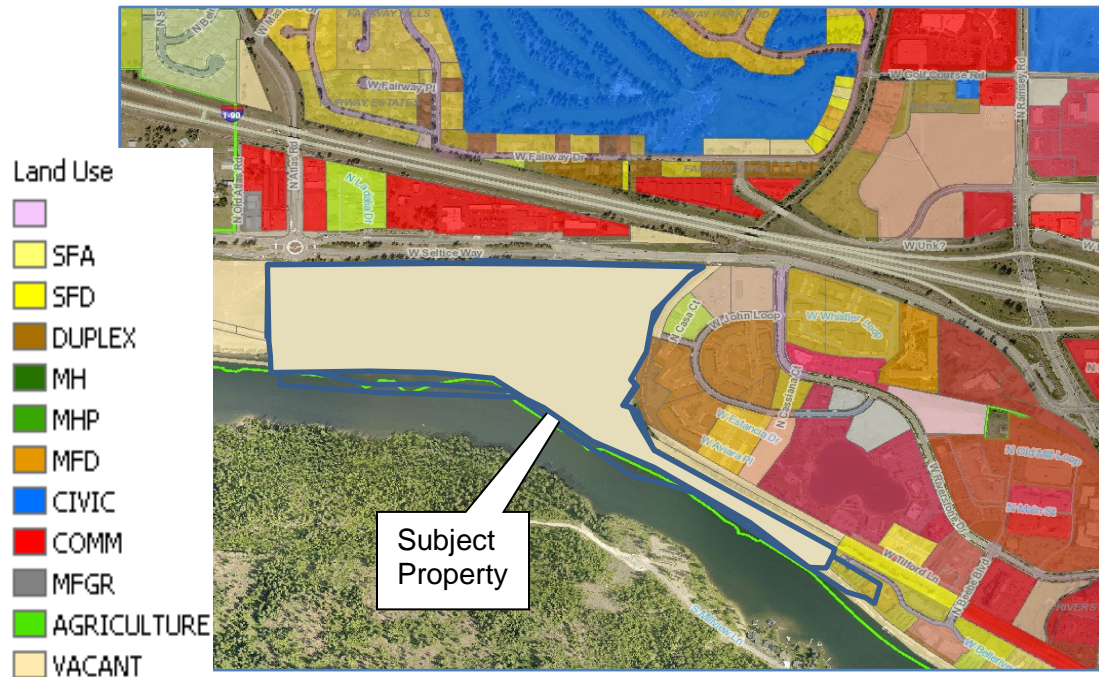
To the West: CHANGED

To the west of the subject site is the 22 acre site owned by Lanzce Douglass which is currently in the site development and building permit stage. The project was approved for 384 apartments, a mini-storage facility and 28 single-family residential lots and two open space tracts to be known as "Rivers Edge".

Further to the west beyond the recently approved PUD and subdivision are single family dwellings and a commercial office space that is used as a call center. The properties to the west that have

single family dwellings on them are zoned R-8PUD. The commercial call center property is zoned C-17LPUD. There is also a vacant undeveloped property, formerly a railroad right-of-way, owned by the City that will be developed with a 12-foot wide multi-use trail. See *Generalized Land Use Map on the next page*.

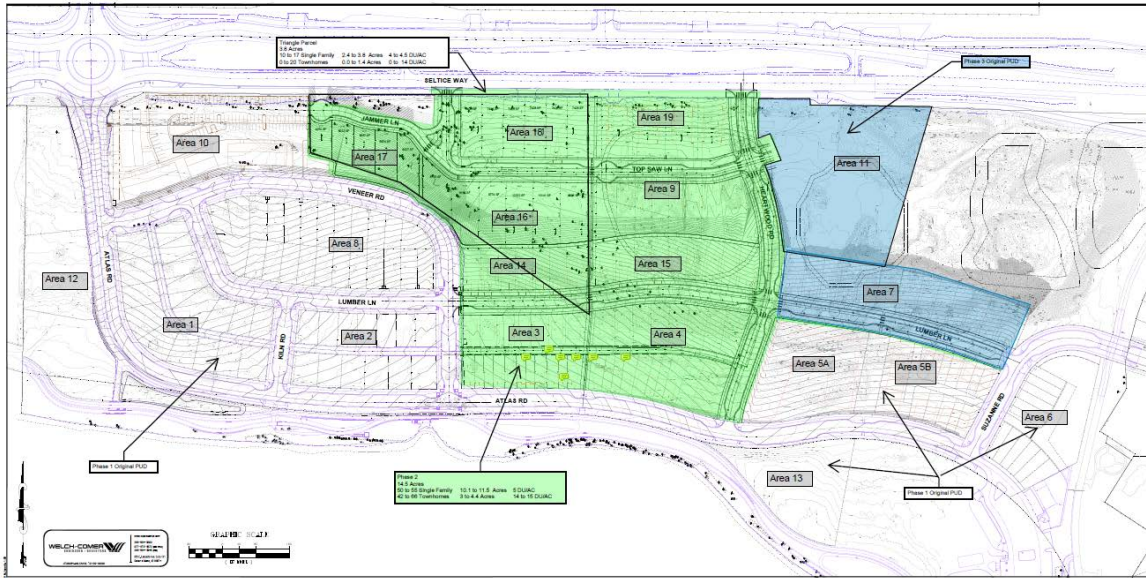
GENERALIZED LAND USE MAP:



ATLAS MILL SITE ILLUSTRATIVE PLAN (PRIOR TO THE TRIANGLE PARCEL):



PHASING PLAN: CHANGED



CHANGED – UPDATED TEXT

As noted previously, the proposed amendments would apply to the triangle parcel, which will result in new development areas and changes to the overall project layout, and minor changes to the other areas in the project to respond to market conditions and the phase 1 developers.

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 higher along Seltice Way and slopes downward toward the Spokane River to the south. The pre-existing grade had an approximately forty-five foot (45') elevation drop on the subject site as shown on the Topographic Map. Some grading work has been done on the site to prepare it for development and remove pits that existed from the previous mill operations. The grade changes across the site will be advantageous to providing more views of the river and shoreline. There are no topographical or other physical constraints that would make the subject property unsuitable for the PUD request.

TOPOGRAPHIC MAP:



The proposed parcels within the triangle parcel would exceed 15% slope and therefore would be subject to the Hillside Ordinance. However, this PUD Amendment #2 requests a deviation from the Hillside Ordinance for the project. As noted previously, the request is to replace and deviate from the Hillside Ordinance provisions to allow the project to be developed in a manner that complements the rest of the Atlas Waterfront project. Geotechnical studies will be completed and building envelopes will be shown on the final plat and the trees will be evaluated and a tree preservation and restoration plan will be developed. Preserved trees will be protected and noted on the final plat. Also see analysis under Finding #B7D.

CHANGED – UPDATED PHOTOS TO SHOW RECENT PROGRESS

SITE PHOTO 1:



SITE PHOTO 2:



SITE PHOTO 3:



SITE PHOTO 4:



SITE PHOTO 5:



SITE PHOTO 6:



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.

STORMWATER: NO CHANGES

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Development of the subject property will require that all new storm drainage be retained on site. This issue will be addressed at the time of plan review and site development of the subject property.

-Submitted by Chris Bosley, City Engineer

STREETS: NO CHANGES

The subject property is bordered by Seltice Way to the north. The existing street was recently redeveloped to City standards and no alterations will be required. All internal streets within the development will be constructed to City approved standards. Streets and Engineering has no objections to the PUD

-Submitted by Chris Bosley, City Engineer

TRAFFIC: CHANGED - UPDATED TEXT

A traffic study was completed for this property by Welch Comer and Associates in January, 2019. The addition of this property to the overall development plan is expected to have little impact since the higher density development previously proposed for that site was taken into consideration in the traffic study. Additionally, a recommended mitigation measure proposed in the traffic study was to optimize traffic signal timing on the Northwest Boulevard/Ramsey Road corridor near I-90. The City entered into an agreement with the Idaho Transportation Department to upgrade those six traffic signals in the corridor and give control to the City. Work was completed in early 2020 and has improved traffic flow in the corridor. Streets and Engineering has no objections to the proposed PUD.

-Submitted by Chris Bosley, City Engineer

WATER: CHANGED – UPDATED TEXT

There is adequate capacity in the public water system as a whole to support domestic, irrigation and fire flow for the project, including the addition of the triangle parcel. The 12” main extension to the east that was previously anticipated and required when the apartment project was slated for the triangle parcel will now be abandoned because it won't be necessary to serve the proposed single-family and townhouse uses on the 4.6 acres. A thorough review of the recently supplied hydraulic study will likely confirm that current and planned improvements should support the project.

-Submitted by Kyle Marine, Assistant Water Superintendent and Terry Pickel, Water Department Director

WASTEWATER: CHANGED – UPDATED TEXT

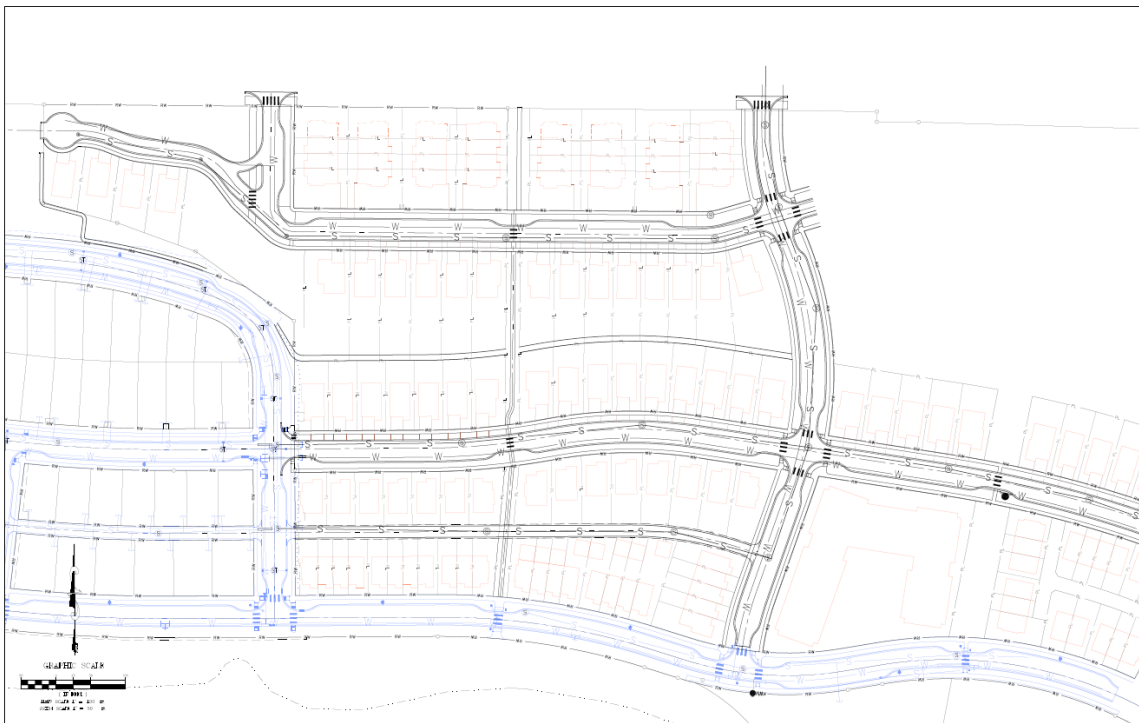
Wastewater Department Comments:

1. Sewer Policy #719 requires an “All-Weather” surface permitting unobstructed O&M access to the public sewer.
2. City Resolution 14-025 requires all EDUs discharging wastewater within the Mill River Lift Station Sewer Service Area to pay into the capacity system upgrades to the Mill River Lift Station.

3. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
4. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
5. As stated in the March 2, 2020 Atlas Proposed PUD Amendment No. 1, the Wastewater Department concurs that the Riverside Pump Station has the potential capacity to serve up to 390 Atlas Dwelling Units (DU's). However, per Welch Comer's August 27, 2020 Riverside Pump Station Capacity Report, the build-out sewer flows from the aforementioned 390 Atlas DU's when combined with the Bellerive Development flows will exceed the City's mandatory standby storage response time. In the event the Riverside Pump Station experiences a power outage, an emergency standby generator with automatic transfer switch and related operational controls will be necessary operate the pump station during power outages until the City crews arrive. As stated in the report, installation of this equipment should be contingent upon the Atlas PUD Amendment # 2.
6. Presently, the current pumps have reached their useful life and the Wastewater Department has replaced the pumps. The new pumps, rated at 345 gallons per minute (gpm)plus or minus, will pump into the existing 4" force main at nearly 7.4 feet per second (fps). Due to the abrasive nature of sewer, higher velocities tend to shorten the life of the force mains. Typically, design velocities range 4 to 5 fps.
7. 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 and the aforementioned evaluation; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 2 as proposed. Any further increase in density may require additional hydraulic modeling the sewer flows acceptable to the Wastewater Utility and upsizing of public sewer.

-Submitted by Larry Parsons, Utility Project Manager

UPDATED UTILITY MAP: CHANGED



FIRE: NO CHANGES

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, turning radiuses, no parking-fire lanes, snow storage and gate access), 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 process, utilizing the currently adopted International Fire Code (IFC) for compliance.

There is a need for a +/- 1-acre lot close to Seltice Way for CD'A Fire Department's future fire station #5. If there is an opportunity as part of this project or nearby development projects, the Fire Department would like to be involved in discussions about a future fire station.

-Submitted by Bobby Gonder, Fire Inspector / IAAI – CFI

PARKS: NO CHANGES

The Parks Department requires a 12-foot wide shared-use path, with sections up to 16 feet wide at the Southeast end, and an 8-foot wide gravel walking path along the waterfront for this development.

The asphalt mix used in the trail should have 3/8-inch rock instead of the typical 3/4-inch. This is referred to as driveway mix and provides a smoother surface for bicycles, wheelchairs, skateboards, rollerblades and strollers. Our standards require 4 inches of compacted gravel and 2 inches of asphalt. It is also helpful to sterilize the surface under where the trail will go to prevent weeds from growing through and damaging the trail.

-Submitted by Monte McCully, Trails Coordinator

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.**

CHANGED – REVISED TEXT

The original project had a total of 39% of open space. The addition of the 4.6-acre triangle parcel reduces the overall percentage of open space slightly but the project exceeds the required open space minimum by providing more than 38% open space and will have other benefits as noted elsewhere in this staff report. The open space will consist of 25-acres of public open space areas, including 12 acres of open space along the waterfront to include a waterfront park, and upland open spaces to provide pedestrian circulation routes in addition to sidewalks. The waterfront park provides a grass open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The very northeast area of the site is anticipated to be a future 7.7-acre public space with a use that will be determined by the City Parks and Recreation Department. However, it is also possible the area will be available for development as part of a

future phase, which will be determined as the project progresses. See Attachment 2 for the Open Space Improvements.

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.**

CHANGED – REVISED TEXT

The approved Atlas Waterfront PUD is consistent with the City Code parking requirements for land uses in the project with some flexibility with parking requirements for food/beverage uses by allowing up to 50% of the required parking for food and beverage sales (on-site consumption) over 1,000 square feet to be provided in the public realm. This PUD Amendment, if approved, would allow a few additional deviations for commercial/retail parking requirements within Areas 12 and 13, and residential condominium parking in Area 13.

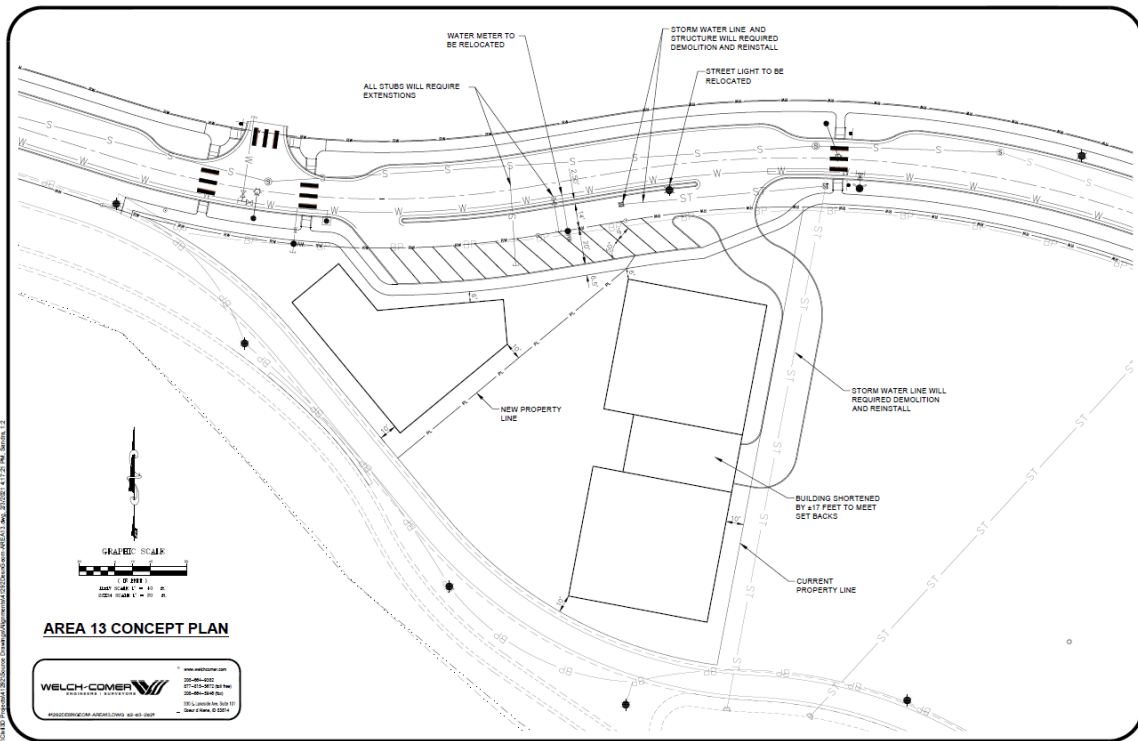
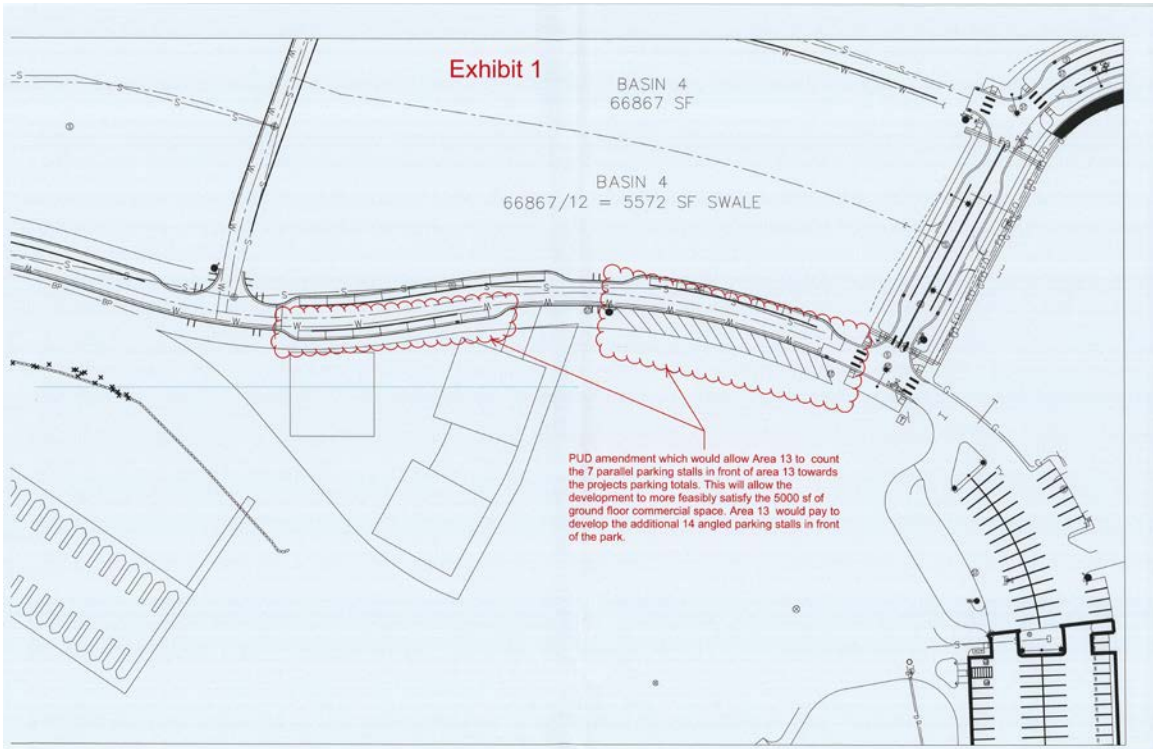
This PUD Amendment #2 would allow up to 15% of the on-street parking fronting Area 12 to count towards satisfying the commercial/retail parking requirements. It also allows up to seven on-street parking spaces fronting the parcel to count towards satisfying the Area 13 commercial/retail parking requirement if the Area 13 owner funds construction of 12-14 diagonal parking spaces fronting Atlas Waterfront Park, and allows for tandem parking within a building for residential condominium units. The other parking requirements would remain unchanged.

These changes to parking for Areas 12 and 13 would make the desired commercial/retail uses required by the project be more viable and encourage parking for residential condominium uses in Area 13 to be within the building or below grade rather than taking up valuable surface property. The PUD Amendment would respond by adjusting the road right-of-way to accommodate additional on-street parking and parking along the frontage for Area 13. These proposed deviations to parking are not anticipated to result in negative parking impacts elsewhere in the project.

Proposed On-Street Parking Option for Areas 12



Proposed On-Street Parking Options for Areas 13



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.

NO CHANGES

The common, privately owned property will be maintained by a Master Association controlled by the City/ignite CDA until such time that the ignite CDA districts sunset (River District 2027 and Atlas District 2038) and/or the private land ownership exceeds 80% of the for sale land area, at which time the private property owners will assume control of the Master Association. The City/ignite CDA will have the ability, at their sole discretion, to transfer the Master Association control to private party(s) if they determine it is the best interest of the City/ignite CDA.

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.

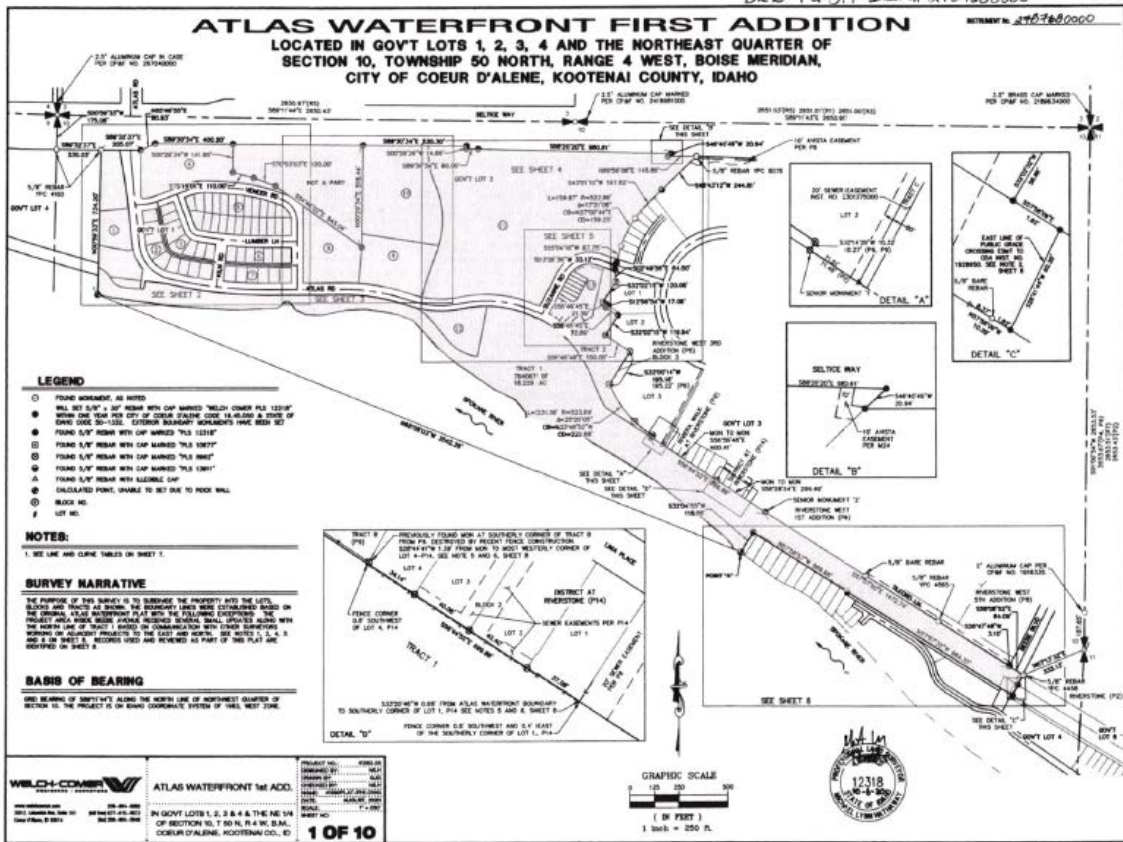
S-3-19 SUBDIVISION FINDINGS:

REQUIRED FINDINGS (Subdivision):

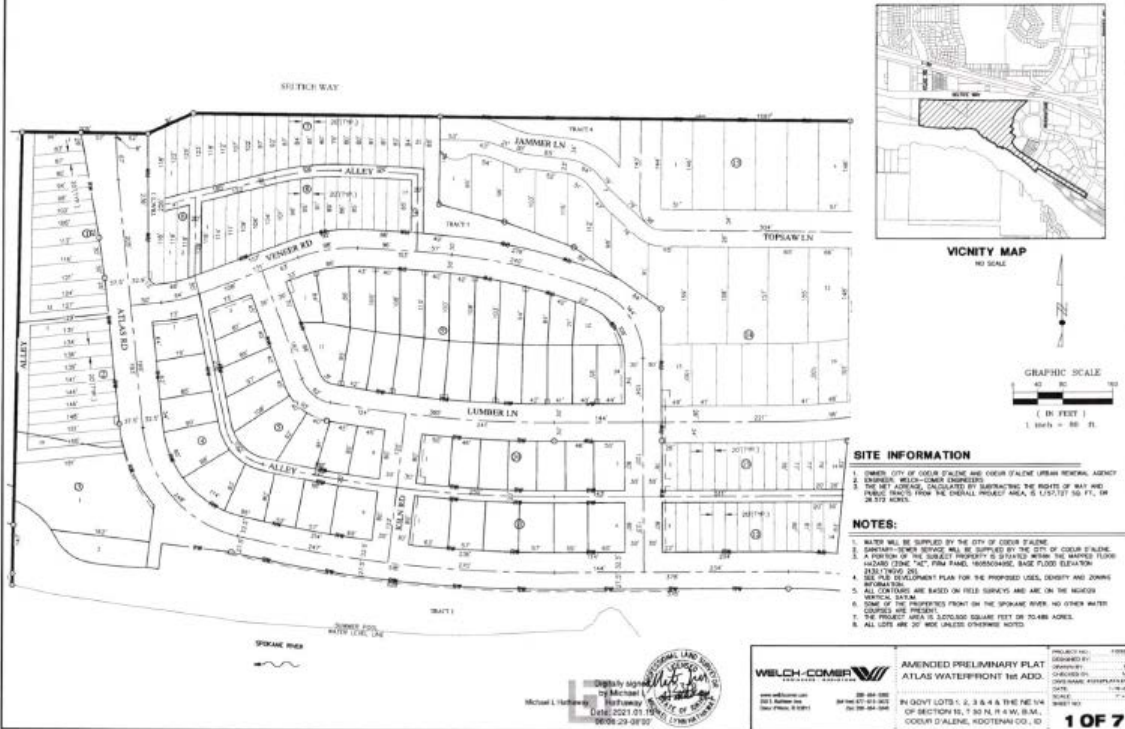
Finding #B7A: That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

CHANGE - EXHIBITS ONLY

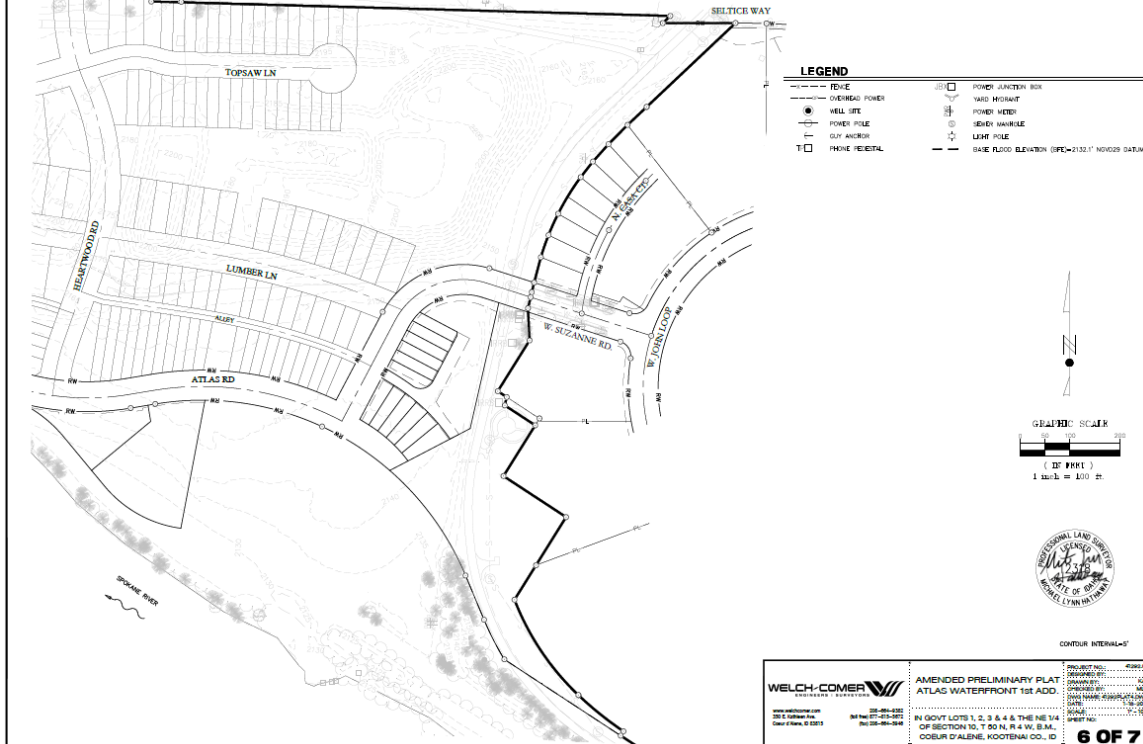
AMENDED PRELIMINARY PLAT FOR "ATLAS WATERFRONT FIRST ADDITION":

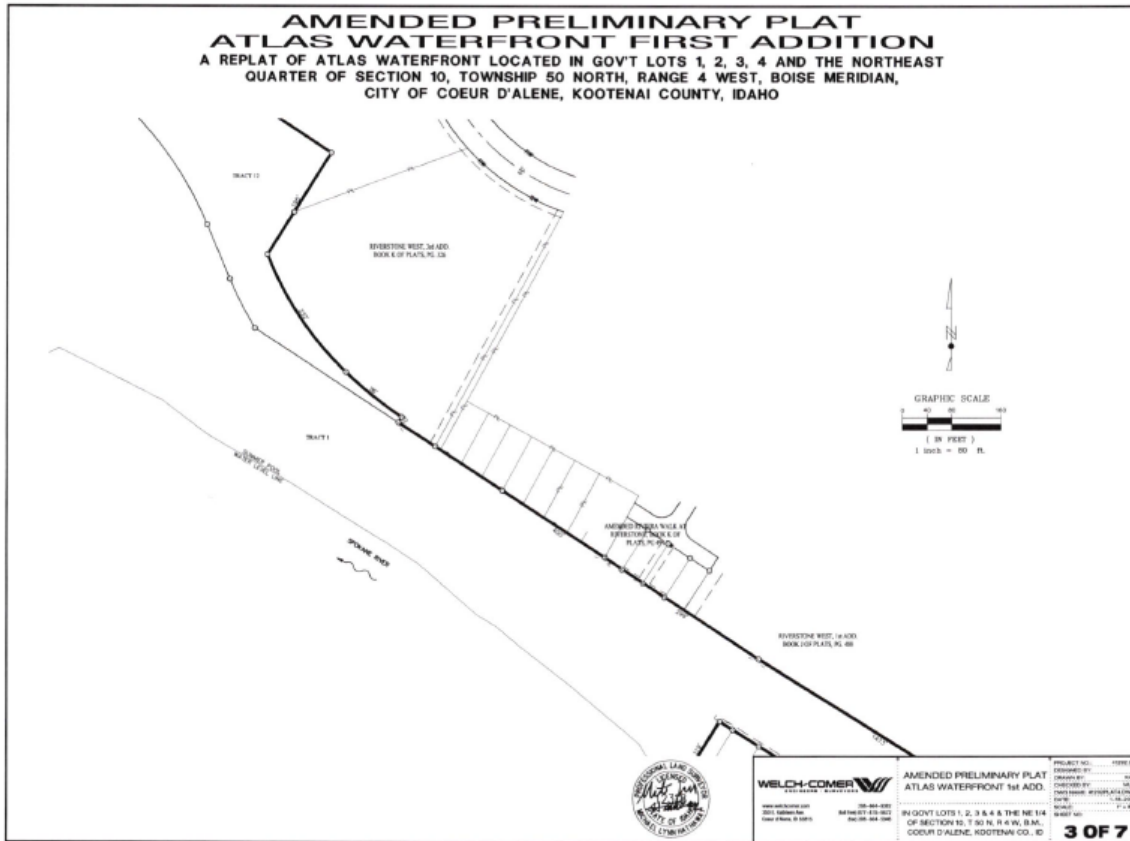


**AMENDED PRELIMINARY PLAT
ATLAS WATERFRONT FIRST ADDITION**
A REPLAT OF ATLAS WATERFRONT LOCATED IN GOV'T LOTS 1, 2, 3, 4 AND THE NORTHEAST
QUARTER OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

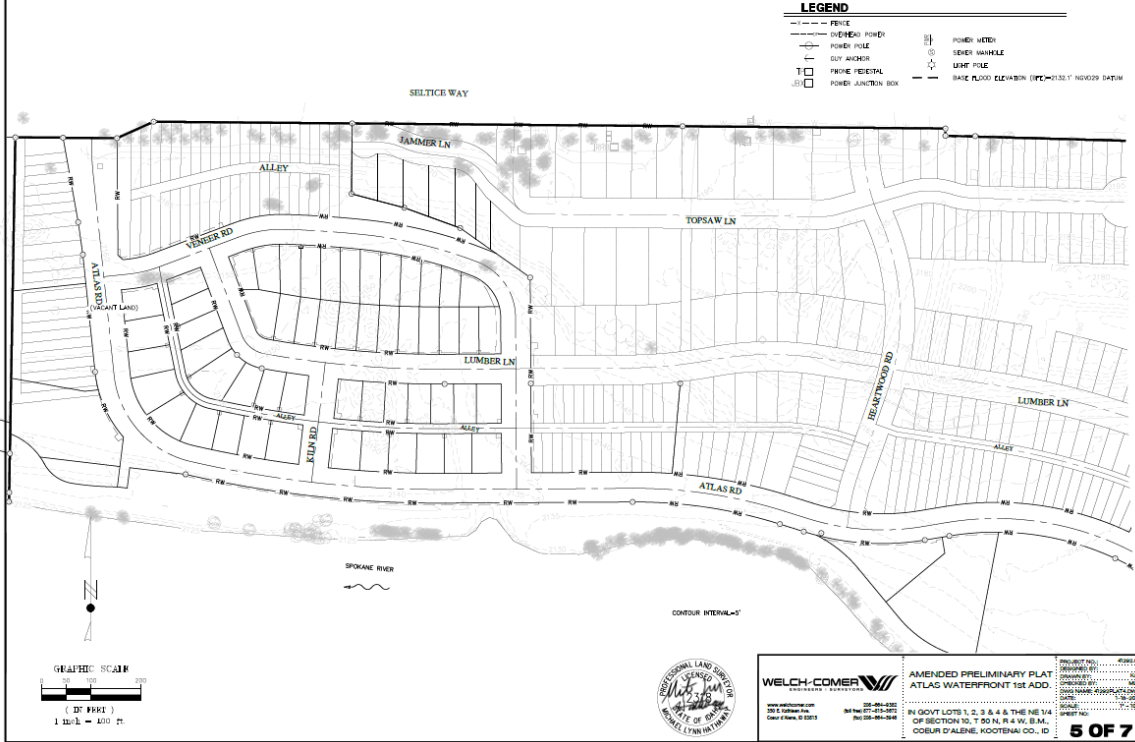


**AMENDED PRELIMINARY PLAT
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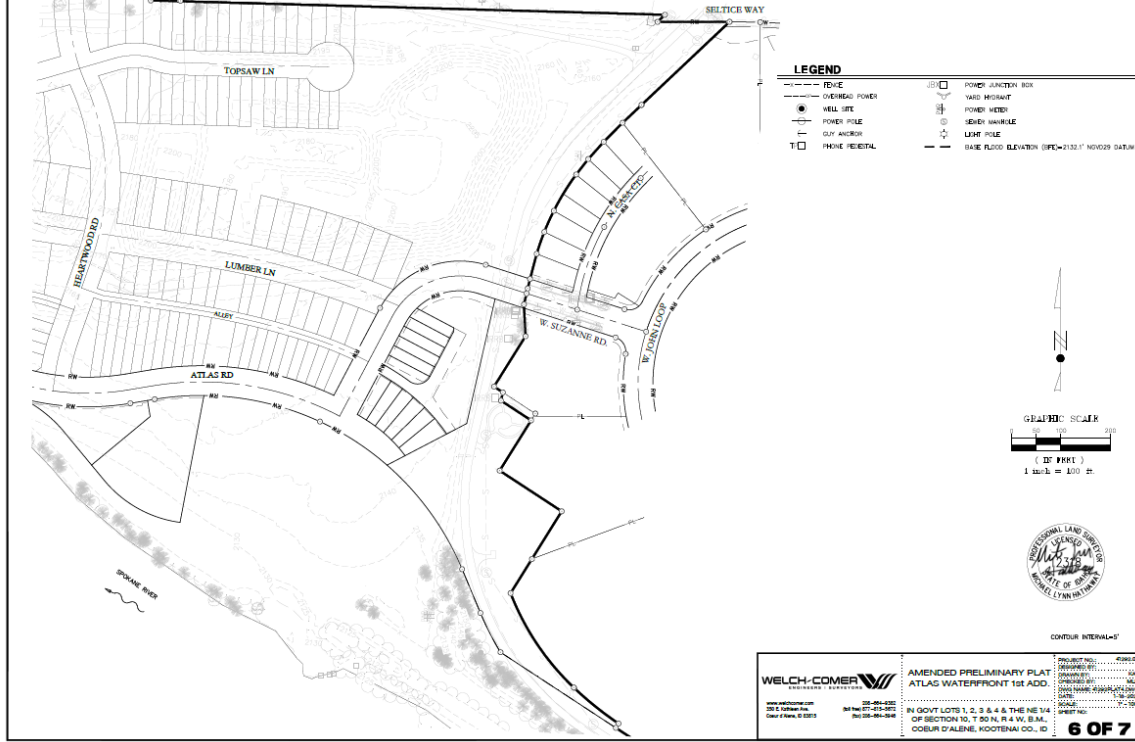


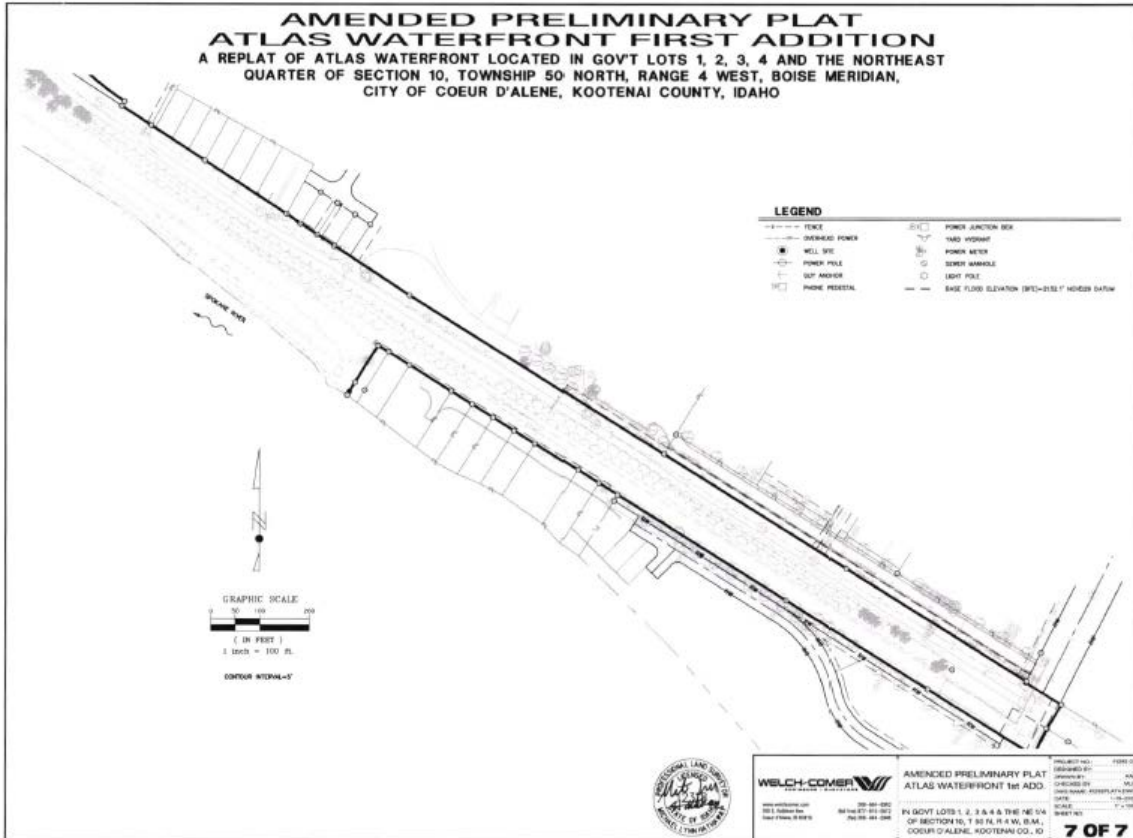


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A REPLAT OF ATLAS WATERFRONT LOCATED IN GOV'T LOTS 1, 2, 3, 4 AND THE NORTHEAST
QUARTER OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO





The preliminary plat submitted contains all of the general preliminary plat elements required by the Municipal Code.

-Submitted by Chris Bosley, City Engineer

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.

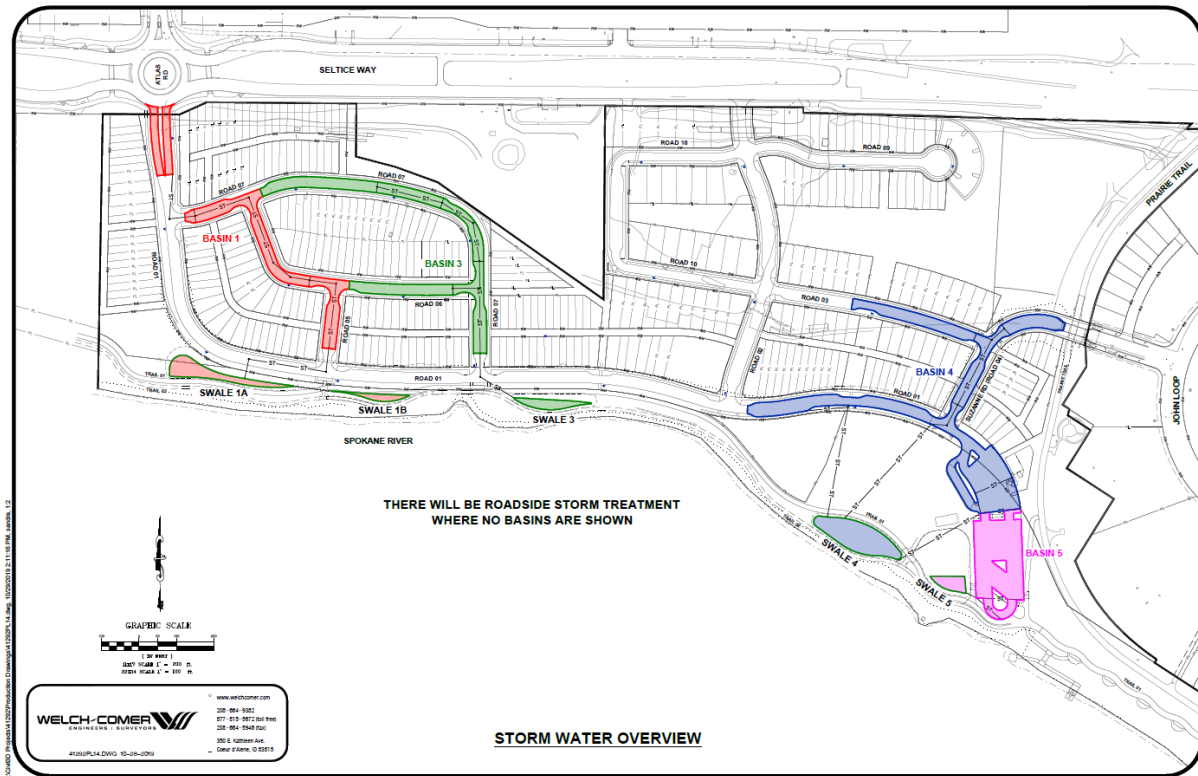
Finding #B7B: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

STORMWATER: NO CHANGE

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site. Development of the subject property will require that all new storm drainage be retained on site. This issue will be addressed at the time of plan review and site development of the subject property.

-Submitted by Chris Bosley, City Engineer

STORMWATER UTILITY OVERVIEW:



STREETS: **NO CHANGE**

The subject property is bordered by Seltice Way to the north. The existing street was recently redeveloped to City standards and no alterations will be required. All internal streets within the proposed development will be constructed to City approved standards. Streets and Engineering has no objections to the proposed PUD. The alleys will be 16' wide and paved, exceeding the City standard.

-Submitted by Chris Bosley, City Engineer

TRAFFIC: **CHANGED – REVISED TEXT**

A traffic study was completed for this property by Welch Comer and Associates in January, 2019. The addition of this property to the overall development plan is expected to have little impact since the higher density development previously proposed for that site was taken into consideration in the traffic study. Additionally, a recommended mitigation measure proposed in the traffic study was to optimize traffic signal timing on the Northwest Boulevard/Ramsey Road corridor near I-90. The City entered into an agreement with the Idaho Transportation Department to upgrade those six traffic signals in the corridor and give control to the City. Work was completed in early 2020 and has improved traffic flow in the corridor. Streets and Engineering has no objections to the proposed PUD.

-Submitted by Chris Bosley, City Engineer

WATER: **CHANGED – UPDATED TEXT**

There is adequate capacity in the public water system as a whole to support domestic, irrigation and fire flow for the project, including the addition of the triangle parcel. The 12" main extension to

the east that was previously anticipated and required when the apartment project was slated for the triangle parcel will now be abandoned because it won't be necessary to serve the proposed single-family and townhouse uses on the 4.6 acres. A thorough review of the recently supplied hydraulic study will likely confirm that current and planned improvements should support the project.

-Submitted by Kyle Marine, Assistant Water Superintendent and Terry Pickel, Water Department Director

WASTEWATER: CHANGED – UPDATED TEXT

Wastewater Department Comments: (Also see PUD Finding #B8D)

1. Sewer Policy #719 requires an “All-Weather” surface permitting unobstructed O&M access to the public sewer.
2. City Resolution 14-025 requires all EDUs discharging wastewater within the Mill River Lift Station Sewer Service Area to pay into the capacity system upgrades to the Mill River Lift Station.
3. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
4. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
5. As stated in the March 2, 2020 Atlas Proposed PUD Amendment No. 1, the Wastewater Department concurs that the Riverside Pump Station has the potential capacity to serve up to 390 Atlas Dwelling Units (DU's). However, per Welch Comer's August 27, 2020 Riverside Pump Station Capacity Report, the build-out sewer flows from the aforementioned 390 Atlas DU's when combined with the Bellerive Development flows will exceed the City's mandatory standby storage response time. In the event the Riverside Pump Station experiences a power outage, an emergency standby generator with automatic transfer switch and related operational controls will be necessary operate the pump station during power outages until the City crews arrive. As stated in the report, installation of this equipment should be contingent upon the Atlas PUD Amendment # 2.
6. Presently, the current pumps have reached their useful life and the Wastewater Department has replaced the pumps. The new pumps, rated at 345 gallons per minute (gpm)plus or minus, will pump into the existing 4” force main at nearly 7.4 feet per second (fps). Due to the abrasive nature of sewer, higher velocities tend to shorten the life of the force mains. Typically, design velocities range 4 to 5 fps.
7. 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 and the aforementioned evaluation; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 2 as proposed. Any further increase in density may require additional hydraulic modeling the sewer flows acceptable to the Wastewater Utility and upsizing of public sewer.

-Submitted by Larry Parsons, Utility Project Manager

FIRE: NO CHANGE

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, turning radiuses, no parking-fire lanes, snow storage and gate access), 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 process, utilizing the currently adopted International Fire Code (IFC) for compliance.

There is a need for a +/- 1 acre lot close to Seltice Way for CD'A Fire Department's future fire station #5. If there is an opportunity as part of this project or nearby development projects, the Fire Department would like to be involved in discussions about a future fire station.

-Submitted by Bobby Gonder, Fire Inspector / IAAI – CFI

PARKS: NO CHANGE

The Parks Department requires a 12 foot wide shared-use path, with sections up to 16 feet wide at the Southeast end, and an 8 foot wide gravel walking path along the waterfront for this development.

The asphalt mix used in the trail should have 3/8 inch rock instead of the typical 3/4-. This is referred to as driveway mix and provides a smoother surface for bicycles, wheelchairs, skateboards, rollerblades and strollers. Our standards require 4 inches of compacted gravel and 2 inches of asphalt. It is also helpful to sterilize the surface under where the trail will go to prevent weeds from growing through and damaging the trail.

-Submitted by Monte McCully, Trails Coordinator

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.**

NO CHANGE

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. Because the proposed development is a PUD initiated by the City and ignite cda, city staff were involved in the creation of the design standards for the development and reviewing the preliminary plat. Streets and Engineering has no objection to the preliminary plat and modifications the subdivision improvement standards through the PUD.

-Submitted by Chris Bosley, City Engineer

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:

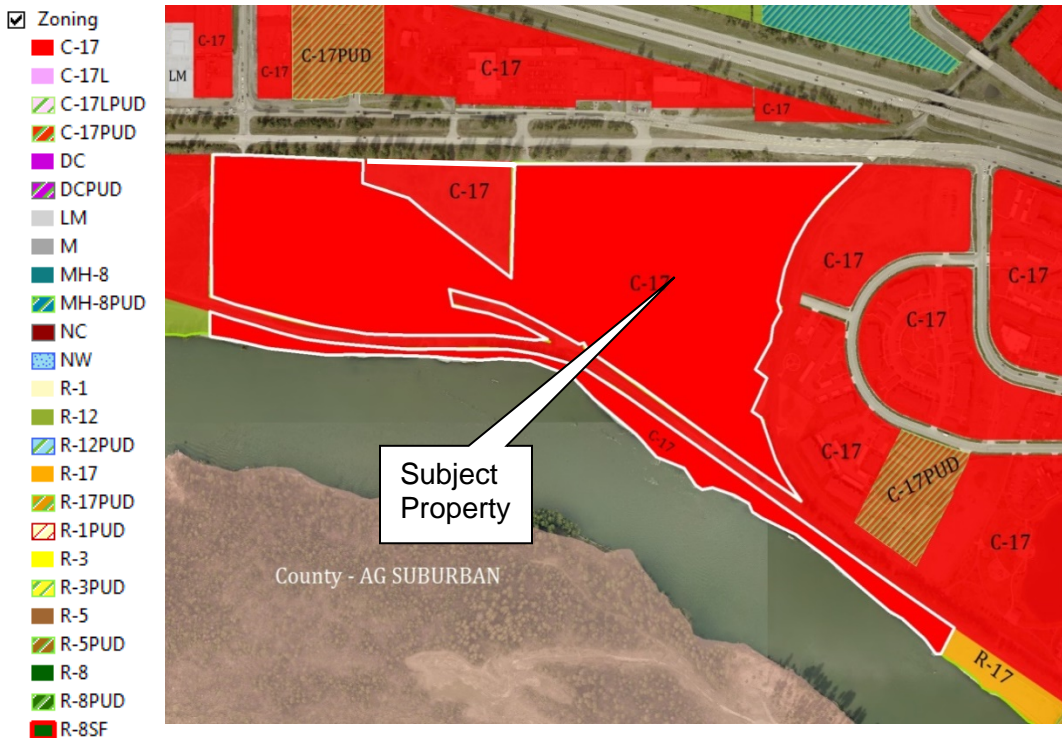
The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

CHANGE – UPDATED UNIT COUNT AND OVERALL DENSITY

The Atlas Waterfront project includes a modification to the required zoning standards through the PUD process as noted in the Requested Deviations Table (see Attachment 2) for the residential and commercial uses. The development standards outline the Building Types, Circulation and Landscaping for the proposed development. The C-17 zoning district does not require a minimum lot size requirement.

The existing C-17 zoning district allows a mix of housing types at a density of not greater than 17 units per acre. A multi-family facility in the C-17 District follows the R-17 Zoning district for density requirements. Single family and duplex housing follow the R-8 Zoning district density requirements. The proposed density for the site is less than 11 dwelling units (du) per gross acre. The overall residential unit count of up to 695 dwelling units is shown on the Residential Density Map, which indicates the maximum number of residential units by block.

EXISTING ZONING:



C-17 ZONING DISTRICT:

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

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
- 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.
- Outdoor storage or building when incidental to the principal use
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district

17.05.520: PERMITTED USES; SPECIAL USE PERMIT:

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

- Adult entertainment sales and service.
- Auto camp.
- Criminal transitional facility.
- Custom manufacturing.
- Extensive impact.
- Residential density of the R-34 district

- Underground bulk liquid fuel storage
- Veterinary hospital.
- Warehouse/storage.
- Wireless communication facility

17.05.320: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for multi-family housing in the C-17 zoning district defers the R-17 district standards, which are as follows:

1. Front: The front yard requirement shall be twenty feet (20').
2. Side, Interior: The interior side yard requirement shall be ten feet (10').
3. Side, Street: The street side yard requirement shall be twenty feet (20').
4. Rear: The rear yard requirement shall be twenty feet (20'). However, the rear yard will be reduced by one-half (1/2) when adjacent to public open space.

17.44.030: OFF STREET PARKING - RESIDENTIAL USES:

D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

R-8 RESIDENTIAL ZONING DISTRICT

This district is intended as a residential area that permits a mix of housing types at 8 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, landslide hazard, and landslide hazard.

17.05.100: PERMITTED USES; PRINCIPAL:

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

- Single family housing. (NOTE: Fort Grounds & Pine Grove only – a single family only designation applies to the majority of the area; duplexes are not permitted. ADU's are a permitted use).
- Duplex housing.
- Home Occupations, as defined in Sec. 17.06.705.
- Essential services (underground).
- Civic administrative offices.
- Neighborhood recreation.
- Public recreation

17.05.110: PERMITTED USES; ACCESSORY:

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

- Carport, garage and storage structures (attached or detached).
- 2. Private recreation facility (enclosed or unenclosed).
- 3. Accessory dwelling unit (ADU).

17.05.120: PERMITTED USES; SPECIAL USE PERMIT:

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

- Boarding house.
- Child care facility.
- Community assembly.
- Community education.
- Community organization.
- Convenience sales.
- Essential service (above ground).
- Handicapped or minimal care facility.
- Juvenile offender facility.
- Noncommercial kennel.
- Religious assembly.
- Restriction to single family.
- Group dwelling.
- 2 units per gross acre density increase.
- Bed & breakfast facilities.

17.05.130: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-8 District shall be as follows:

MAXIMUM HEIGHT

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet ¹	n/a
For public recreation, community education or religious assembly activities	45 feet ¹	n/a
Detached accessory building including garages and carports	32 feet ¹	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.150: SITE PERFORMANCE STANDARDS; MINIMUM LOT:

The minimum lot requirements in an R-8 District shall be 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.

17.05.160: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

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

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

B. There will be no permanent structures erected within the corner cutoff areas.

C. Extensions into yards are permitted in accordance with section 17.06.495 of this title.

R-12 RESIDENTIAL ZONING DISTRICT

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

17.05.180: PERMITTED USES; PRINCIPAL:

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

- Civic Administrative Offices
- Duplex housing
- Essential service
- "Home occupation", as defined in this title
- Neighborhood recreation
- Public recreation
- Single-family detached housing as specified by the R-8 district

17.05.190: PERMITTED USES; ACCESSORY:

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

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

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

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

- Boarding house
- Childcare facility
- Commercial film production
- Commercial recreation
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility

- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.210: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-12 district shall be as follows:

MAXIMUM HEIGHT

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet ¹	n/a
For public recreation, community education or religious assembly activities	45 feet ¹	n/a
Detached accessory building including garages and carports	32 feet ¹	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.230: SITE PERFORMANCE STANDARDS; MINIMUM LOT:

Minimum lot requirements in an R-12 District shall be as follows:

- A. 1. Three thousand five hundred (3,500) square feet per unit except for single-family detached housing.
2. Five thousand five hundred (5,500) square feet per single-family detached lot.
- B. All buildable lots must have fifty feet (50') of frontage on a public street, unless an alternative is approved by the City through the normal subdivision procedure or unless a lot is nonconforming

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

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

1. Front: The front yard requirement shall be twenty feet (20').
 2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten foot (10') minimum.
 3. Side, Street: The street side yard requirement shall be ten feet (10').
 4. Rear: The rear yard requirement shall be twenty five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space.
- B. There will be no permanent structures erected within the corner cutoff areas.
- C. Extensions into yards are permitted in accordance with section 17.06.495 of this title.

SHORELINE REGULATIONS:

17.08.205: TITLE, PURPOSE AND APPLICABILITY:

- A. The provisions of this article shall be known as *SHORELINE REGULATIONS*.
- B. It is the purpose of these provisions to protect, preserve and enhance visual resources and public access of the Coeur d'Alene shoreline, as defined herein, by establishing certain limitations and restrictions on specifically defined shoreline property located within the city limits.
- C. The provisions of this article do not apply to:
 - 1. The Coeur d'Alene municipal wastewater treatment plant; and
 - 2. Other facilities or structures on city owned property intended to provide or secure physical or visual access to the shoreline. (Ord. 3452, 2012)**

17.08.210: DISTRICT BOUNDARY DEFINED:

- A. These shoreline regulations shall apply to all property located within one hundred fifty feet (150') of the shoreline of Lake Coeur d'Alene and the Spokane River.
- B. In the case of properties crossed by the shoreline district boundary, only those portions which are within the district itself shall be subject to the shoreline regulations.
- C. For the purposes of the shoreline regulations, the shoreline is determined by the average summer storage level of Lake Coeur d'Alene at elevation two thousand one hundred twenty eight (2,128) WWP datum (2,125 USGS datum).

17.08.215: OVERLAY DISTRICT ESTABLISHED:

The shoreline district shall overlay the underlying zoning district. The shoreline regulations shall apply in addition to the underlying zoning district regulations. In case of conflict between regulations, the more restrictive shall apply.

HILLSIDE OVERLAY ZONE REGULATIONS **NEW**

17.08.900: TITLE AND PURPOSE:

The title of this article shall be the HILLSIDE OVERLAY ORDINANCE. The purpose of these regulations is to establish a Hillside Overlay Zone and to prescribe procedures whereby the development of lands within the Hillside Overlay Zone occurs in such a manner as to protect the natural and topographic development character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by ensuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, that it prevents surface water degradation, severe cutting or scarring, and to reduce the risk of catastrophic wildfire in the wildland-urban interface. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the City. (Ord. 3091 §2, 2003)

17.08.905: APPLICABILITY:

The provisions of this article shall apply to all land within the Hillside Overlay Zone as shown in exhibit A of this section and to all lands annexed into the City limits after May 1, 2005. Lands with an average slope of less than fifteen percent (15%), within the Hillside Overlay Zone, are exempt from these regulations.

Staff comments:

As noted previously, this PUD Amendment #2 also requests a modification to the Hillside Ordinance that would apply to the triangle parcel. The request is to replace and deviate from the Hillside Ordinance provisions to allow the project to be developed in a manner that complements the rest of the Atlas Waterfront project.

This is an unusual application of the Hillside Ordinance. The triangle parcel is only subject because it was annexed in after May 1, 2005 and the slope exceeds 15% in some areas. The requested deviation from the Hillside Ordinance would not result in any environmental or slope stability issues, or visual impacts to surrounding areas. Geotechnical studies will be completed and building envelopes will be shown on the final plat and the trees will be evaluated and a tree preservation and restoration plan will be developed. Preserved trees will be protected and noted on the final plat.

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.

CONDITIONS: **CHANGED – UPDATED TEXT (noted with strikethroughs and underlines)**

- 1) Any additional main extensions 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 building permits.
- 2) An unobstructed City approved “all-weather” access shall be required over all public sewers.
- 3) Mill River Lift Station Surcharge Fees will be required on all EDUs discharging sewer into the Mill River Service Area during the building permit process.
- 4) This Project shall be required to comply with the City’s One Lot-One Lateral Rule.
- 5) All public sewer plans require IDEQ or QLPE Approval prior to construction.
- 6) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to install an emergency standby generator with automatic transfer switch and related operational controls at the Riverside Pump Station.
~~Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to pay for the incremental cost of upsizing of the Riverside Pump Station force main from a 4” to 6” diameter pipe.~~
- 7) The minimum width of the cul-de-sac on Jammer Ln. shall not be less than 96 feet.
- 8) Single access road over 150 feet requires a FD approved turn-around.
- 9) Turning radiuses for FD is 25’ interior and 50’ exterior.
- 10) Minimum street width for FD access is 20’ with no parking allowed on both sides of the street. 20’ to 26’ width – no parking on one side of the street.
- 11) Fire hydrant placement is based on the required minimum fire flow. Maximum distance between fire hydrants is 600 feet. ~~Fire hydrant placement based on required fire flow will be determined during each phase.~~
- 12) Building address numbers shall face the street that they are addressed to.
- 13) Over 30 single family residents on a single fire department access road requires a secondary FD egress road (20’ minimum).
- 14) Build a 12-foot shared-use path and an adjacent 8-foot gravel path along the waterfront.
- 15) Use ‘Driveway Mix’ asphalt in the construction of the paved trail.
- 16) Sterilize the ground with herbicide before laying down gravel and asphalt.

NOTE: With the aforementioned improvements outlined in the conditions above, the City of Coeur d'Alene Wastewater Department presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 2 as proposed.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2007 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2017 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

The Planning Commission will need to consider the PUD amendment request and make findings to approve, deny, or deny without prejudice. The findings worksheet is attached.

The Planning Commission will also need to approve or deny the interpretation request.

Attachments:

Attachment 1 -- Applicant's Narrative: Letters from Phil Boyd, Welch-Comer Engineers Atlas Proposed PUD Amendment No. 2 dated January 5, 2021

Attachment 2 -- Atlas Waterfront Requested Deviations Table (PUD Amendment #2)

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

**APPLICANT'S
NARRATIVE**

Atlas Waterfront PUD Amendment #2 Application Narrative

Amendment #2 does not modify the proposed density, activities or public and private opens spaces. The original PUD facility, building and public and provide open spaces remain the same. Pedestrian circulation is improved by adding the potential for a north-south hill climb at the west side of the triangle parcel. Vehicle circulation is greatly improved by connecting Lumber Lane from Veneer Road east to Suzanne Road.

Proposed utilities have not substantially changed and an updated concept layout is provided.

The management structure has not changed.

The addition of the triangle parcel to the Atlas Waterfront development allowed a better street network configuration which results in a better land use configuration. Amendment #2 proposes development standards revisions that will permit the new land use configurations.

Ignite cda's Phase 1 land sales identified desirable revisions to the development standards that enhance the economic viability of the projects. Proposed revisions include minor changes to setbacks and additional land uses (e.g. MF to area 7) that will provide ignite cda's development committee flexibility to award land sales necessary to achieve the desired product diversity.

Development Area	Current PUD Land Use & Deviations <i>PUD Amendment #1 in italics</i>	Proposed Additional Land Use & Deviations	Justification
Triangle Parcel (Areas 16, 18 & 19)	Not currently a part of the Atlas Waterfront PUD.	<ul style="list-style-type: none"> • Subject to Single Family Development standards Frontage Type C and Front Load SF Building Type, and Townhouse/Duplex Frontage Type B • Replace and deviate from Hillside Ordinance Provisions <ul style="list-style-type: none"> • Lots -Single Family Width 35' min 55 max Depth 75' min 185' max Area: 2625 SF min • Lots -Townhouses and Duplexes Width 25' min 50 max Depth 60' min 185' max Area: 1500 SF min <p>Building Height: 45 feet max Setbacks (Minimum Yard) - Front-Loaded Condition</p> <ul style="list-style-type: none"> • Front - garage door: 20' min. (measured from back of sidewalk) • Front - ground-level porches and projections: Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street. The width of the projection or porch shall be equal to or greater than half the width of the garage door. • Side: 6' min. • Side separation between buildings if there is no property line: 12' min. • Rear: 15' min. <p>Corner Lots</p> <ul style="list-style-type: none"> • Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy. • A building's primary (front) facade may be orientated to the side street. • Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, 	<ul style="list-style-type: none"> • Maintain consistency with Atlas Waterfront Development PUD and allow for the property to be developed as single-family residential only or a mix of single-family and townhouses. • ignite cda will complete geotechnical studies and establish building envelopes on the plat. • Ignite cda will evaluate trees and develop a tree preservation and restoration plan. Preserved trees will be protected on the plat.

		<p>corner lots should have an appropriate width to accommodate these</p> <p>Off-Street Parking (quantity and dimensions)</p> <ul style="list-style-type: none"> • See Coeur d'Alene City Code - Chapter 17.44 	
Areas 1, 2 & 6	<ul style="list-style-type: none"> • Fireplace encroachment not allowed • Setback: Front Porches and Projections - 9' min • Setback: Side (Interior or Street) - 6' min 	<ul style="list-style-type: none"> • Allow fireplace boxout or chimney to encroach up to 1.5 feet into the side setback • Setback: Front Porches and Projections - 5' min • Side, Street – 5' min • In Area 1 and 2, livable space allowed above porches in "Secondary" lots (north and east of the alley) when a rear deck is added. 	<ul style="list-style-type: none"> • The bulk of the home is still setback, but this encroachment will provide some flexibility. • This gives the homeowner more covered patio as well as deck space. • Provides more opportunity for façade modulation on corner lots. • Secondary lots have potential views to the south with desirable outdoor deck space. Livable space above porches will allow home square footage to remain equivalent if a rear deck is constructed.
Areas 3 & 4	<ul style="list-style-type: none"> • TH, MF, Retail, Restaurant, & MU at S.E. Corner. • Atlas Development Stds 	<ul style="list-style-type: none"> • Allow rear loaded SF on north side of the alley. • Allow townhome on south side of alley for entire block, townhome live/work or small-scale • mixed use on SE Corner of Area 4 with minimum 500 sf of retail/restaurant on ground floor. 	<ul style="list-style-type: none"> • Addition of the triangle parcel resulted in a revised road configuration that makes rear load SF appropriate in this location.
Area 5	<ul style="list-style-type: none"> • Retail SW Corner, TH, MF, MU on west half (5A), TH on east half (5B) 	<ul style="list-style-type: none"> • Allow TH, MF, MU, TH on 5A and 5B. Require a minimum of 1,500 sf of retail or restaurant on SW corner or 1,000 SF interior with minimum 500 sf exterior public/private plaza/dining area. • Allow 5A and 5B to be merged provide acceptable pedestrian corridor is provided to Mt. Hink public space. • Allow a cottage court configuration at 5A (with required retail) and at 5B. 	<ul style="list-style-type: none"> • Standards do not currently define retail requirement. Defining retail/restaurant requirements will provide greater clarity on what is expected. MF ownership product (condo) with tuck under parking will be prioritized to achieve density.
Area 7	<ul style="list-style-type: none"> • SF and Duplexes 	<ul style="list-style-type: none"> • Allow MF with parking within the building and 45-foot max building height. 	<ul style="list-style-type: none"> • Provides flexibility to provide more product type flexibility depending on how Areas 3,4 5A and 5B develop.
Area 12	<ul style="list-style-type: none"> • Residential • Retail • On site food and beverage • Office • Hospitality • Atlas Development Stds. • <i>Mixed Use: Upper floor residential allowed with ground</i> 	<ul style="list-style-type: none"> • Max building height within 450 ft of OHW increased from 35 feet to 45 when the building sufficient pitched roof elements, as determined by the Planning Director, to provide roof articulation. • Authorize the Planning Department to count up to 15% of on-street parking fronting the parcel towards satisfying Area 12 commercial/retail parking requirements. 	<ul style="list-style-type: none"> • Provides greater architectural flexibility by avoiding flat roof buildings. • Provides greater site and building design flexibility wherein the overall building or site design character warrants the parking trade off. • In most locations, the back of sidewalk and property line are close to each other. At area 12, the

	<p><i>floor retail/food and beverage/office.</i></p> <ul style="list-style-type: none"> • Increase building height to 45 feet +/-450 feet north from the ordinary highwater mark (OHWM) 	<ul style="list-style-type: none"> • Measure the front setback from the back of sidewalk instead of the property line. 	<p>property line is several feet west of the back of sidewalk. This revision will allow more consistency in the development.</p>
Area 13	<ul style="list-style-type: none"> • Specialty retail sales • On-site food and beverage • Atlas Development Stds. • <i>Mixed Use: Upper floor residential or office allowed with ground floor original PUD allowed land uses.</i> • <i>Hotel</i> 	<ul style="list-style-type: none"> • Max building height within 450 ft of OHW increased from 35 feet to 45 when the building has sufficient pitched roof elements, as determined by the Planning Director, to provide roof articulation. • Authorize the Planning Department to count up to seven on-street parking spaces fronting the parcel towards satisfying Area 13 commercial/retail parking requirements if the Area 13 owner funds construction of 12 to 14 diagonal parking spaces fronting Atlas Waterfront Park • Allow ground floor residential provided there is a minimum 1,500 sf of ground floor retail or food and beverage in the same building. • Increase the front setback to 32.5 feet when on-site diagonal parking is provided for food and beverage/retail uses only. • Allow a standalone food and beverage/retail building. • Allow tandem parking, within a building, for residential condominium units 	<ul style="list-style-type: none"> • Provides greater architectural flexibility by avoiding flat roof buildings. • Provides greater site and building design flexibility wherein the overall building or site design character warrants the parking trade off. <p>Provides flexibility to accommodate the economic challenges of food and beverage/retail buildings.</p> <p>On-site parking, which requires increased front setback, is necessary to meet food and beverage/retail parking standards and preserve public open space on the parcel.</p> <p>Provides flexibility to accommodate the economic challenges of food and beverage/retail buildings.</p> <p>Allows two parking spaces per condominium unit to fit within small garage foot print, which will reduce condominium owners from parking on the street.</p>
Areas 14 and 15	<ul style="list-style-type: none"> • New Areas 	<ul style="list-style-type: none"> • Lots -Single Family Width 35' min 55 max Depth 75' min 125' max Area: 2625 SF min • Lots -Townhouses and Duplexes Width 25' min 40 max Depth 75' min 125' max Area: 1875 SF min Building Height: 40 feet max 	<p>Similar standards to Areas 7 and 8 with additional height to recognize the areas back up against a slope and houses behind are 40 feet higher.</p>

		<p>Setbacks (Minimum Yard) - Front-Loaded Condition</p> <ul style="list-style-type: none"> • Front - garage door: 20' min. (measured from back of sidewalk) • Front - ground-level porches and projections: Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street. The width of the projection or porch shall be equal to or greater than half the width of the garage door. • Side: 6' min. • Side separation between buildings if there is no property line: 12' min. • Rear: 15' min. <p>Corner Lots</p> <ul style="list-style-type: none"> • Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy. • A building's primary (front) facade may be orientated to the side street. • Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these <p>Off-Street Parking (quantity and dimensions)</p> <ul style="list-style-type: none"> • See Coeur d'Alene City Code - Chapter 17.44 	
All Areas	<ul style="list-style-type: none"> • Atlas Development Stds. • <i>Add fencing and gated road restrictions as noted below.</i> 	<ul style="list-style-type: none"> • n/a 	

Per City Code 17.06.815 Fencing Regulations with the following modifications:

- A. **FENCES NEXT TO SIDEWALKS** If fences are used to provide privacy, control circulation, provide security, and emphasize entryways next to sidewalks, the following guidelines must be met:
1. **Visual Impact of Fences:** If fences are used, they must be more visually transparent than opaque when located adjacent to public streets.
 2. **Stepped Fences Required:** Fences shall be "stepped" rather than sloping with the grade.
 3. **Wire/Industrial Fences Prohibited:** Wire fences constructed of "industrial" type materials such as chain link are not allowed when located adjacent to public streets.
- B. **FENCE HEIGHT**
1. **Residential and Non-Residential uses:** Front yard no more than 4 feet and 6 feet for side/rear yard.

No road gates are allowed for roads servicing a development area (block).

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

V-1-21

A. INTRODUCTION

This matter having come before the Planning Commission on February 9, 2021, and there being present a person requesting approval of ITEM V-1-21, A request for a Side Yard Setback variance for a facility in the R-8 zoning district.

APPLICANT: CITY OF COEUR D'ALENE WATER DEPARTMENT, KYLE MARINE, ASSISTANT WATER DIRECTOR

LOCATION: +/- .23 ACRE PARCEL AT 4591 N ATLAS ROAD

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

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

- B1. That the existing land uses are residential - single-family, duplex housing, agricultural (Forest Service Nursery) and vacant land.
- B2. That the Comprehensive Plan Map designation is Ramsey – Woodland, Stable Established.
- B3. That the zoning is R-8.
- B4. That the notice of public hearing was published on, January 23, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, January 27, 2021 which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on February 9, 2021.

B8. Pursuant to Section 17.09.620, Variance Criteria, a variance may be granted only when the applicant has demonstrated that all the variance criteria conditions are present in the affirmative:

B8A. That there **(is) (is not)** an undue hardship because of the physical characteristics of the site. This is based on

Criteria to consider B8A:

1. **Is there a topographic or other physical site problem that would justify a variance? e.g. steep slopes or rock outcrops**

B8B. That the variance **(is) (is not)** in conflict with the public interest. This is based on

Criteria to consider B8B:

1. **Does the request allow the applicant to have a special right or privilege (reduced setbacks) that would not be given to other property owners in the area with similar circumstances?**
2. **Does it provide for orderly growth and development that is compatible with uses in the surrounding area?**
3. **Does it protect property rights and enhance property values?**

B8C. That the granting of said variance **(will) (will not)** be in conformance with the Comprehensive Plan. This is based on

Objective 1.11 Community Design:

Employ current design standards for development that pay close attention to context, sustainability, urban design, and pedestrian access and usability throughout the city.

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

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

Objective 1.16 Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trails systems.

Objective 3.12 Education:
Support quality educational facilities throughout the city, from the pre-school through the university level.

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.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of CITY OF COEUR D'ALENE WATER DEPARTMENT for a variance, as described in the application should be **(approved)(denied)(denied without prejudice)**.

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

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

A-1-21

A. INTRODUCTION

This matter having come before the Planning Commission on February 9, 2021, and there being present a person requesting approval of ITEM A-1-21, a request for zoning prior to annexation from County Agricultural, Light Industrial, and Commercial to City R-17 and C-17.

APPLICANT: DODGE HERITAGE LLC / JB DODGE COMPANY LLC

LOCATION: PROPERTY LOCATED IMMEDIATELY NORTHEAST OF THE INTERSECTION OF HIGHWAY 95 AND WILBER AVENUE.

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

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

- B1. That the existing land uses are Residential and Commercial.
- B2. That the Comprehensive Plan Map designation is NE Prairie area.
- B3. That the zoning is County Agricultural, Light Industrial, and Commercial.
- B4. That the notice of public hearing was published on , January 23, 2021 which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on February 9, 2021.

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

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 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

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

Objective 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 3.10 - 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 for properties in 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 _____ for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

1. The applicant obtains a will serve letter for water service from the North Kootenai Water and Sewer District.
2. This project will require the extension of public sewer "To and Through" this annexation as proposed.
3. A sewer easement will be required to reach the subject property.
4. Sewer Policy #719 requires a 20'-wide utility easement centered over all public the sewer mains (30' if shared with Public Water) or RAIV dedicated to the City.
5. Sewer Policy #716 requires only one appropriately sized service lateral will be allowed to serve each legally recognized parcel (lot). "One Lot...One Lateral". Installation of "extra" sewer service laterals for future use on any singular parcel is prohibited.

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

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

PUD-4-19m.1

A. INTRODUCTION

This matter having come before the Planning Commission on February 9, 2021, and there being present a person requesting approval of: PUD-4-19m.1 a request for an amendment to a planned unit development known as "Atlas Waterfront" PUD.

APPLICANT: CITY OF COEUR D'ALENE AND IGNITE CDA

LOCATION: 60.9 ACRES LOCATED AT 2598 E SELTICE WAY. THE SUBJECT PROPERTY IS ALSO DESCRIBED AS: IMMEDIATELY SOUTH OF SELTICE WAY AND WEST OF THE CENTENNIAL TRAIL AND NORTH OF THE SPOKANE RIVER. THE SUBJECT SITE IS COMMONLY KNOWN AS 3074 W. SELTICE WAY AND IS REFERRED TO AS THE ATLAS MILL SITE.

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

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

- B1. That the existing land uses are commercial, residential and mixed uses.
- B2. That the Comprehensive Plan Map designation is Spokane River District - Transition
- B3. That the zoning is C-17
- B4. That the notice of public hearing was published on, January 23, 2021,, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on January 30, 2021, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on February 9, 2021.

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:

Goal #1: Natural Environment

Our Comprehensive Plan supports policies that preserve the beauty of our natural environment and enhance the beauty of Coeur d'Alene.

Objective 1.01 Environmental Quality:

Minimize potential pollution problems such as air, land, water, or hazardous materials.

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 1.04 Waterfront Development:

Provide strict protective requirements for all public and private waterfront developments.

Objective 1.05 Vistas:

Protect the key vistas and view corridors of the hillside and water fronts that make Coeur d'Alene unique.

Objective 1.09 Parks:

Provide an ample supply of urbanized open space in the form of squares, beaches, 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 1.12 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 1.15 Natural Terrain:

with superior examples featured within parks and open space.

Objective 1.16 Connectivity:

Promote bicycle and pedestrian connectivity and access between neighborhoods, open spaces, parks, and trails systems.

Objective 1.17 Hazardous Areas:

Areas susceptible to hazardous conditions (e.g. flooding, landslides, earthquakes, etc.) should be left in a natural state unless impacts are mitigated.

Goal #2: Economic Environment

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

Objective 2.01 Business Image & Diversity:

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

Objective 2.02 Economic & Workforce Development:

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

Objective 2.05 Pedestrian & Bicycle Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Objective 2.06 Cooperative Partnerships:

Encourage public/private partnerships to procure open space for the community while enhancing business opportunities.

Goal #3: Home Environment

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

Objective 3.01 Managed Growth:

Provide for a diversity of suitable housing forms within existing neighborhoods to match the needs of a changing population.

Objective 3.02 Managed Growth:

Coordinate planning efforts with our neighboring cities and Kootenai County, emphasizing connectivity and open spaces.

Objective 3.05 Neighborhoods:

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

Objective 3.06 Neighborhoods:

Protect the residential character of neighborhoods by allowing residential/commercial industrial transition boundaries at alleyways or along back lot lines if possible.

Objective 3.08 Housing:

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

Objective 3.13 Parks:
Support the development acquisition and maintenance of property and facilities for current and future use, as described in the Parks Master Plan.

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

Goal #4: Administrative Environment
Our Comprehensive Plan advocates efficiency and quality management.

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

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

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**

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 THE CITY OF COEUR D'ALENE AND IGNITE CDA for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**

CONDITIONS: CHANGED - UPDATED TEXT (noted with strikethroughs and underlines)

- 1) Any additional main extensions 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 building permits.
- 2) An unobstructed City approved "all-weather" access shall be required over all public sewers.
- 3) Mill River Lift Station Surcharge Fees will be required on all EDUs discharging sewer into the Mill River Service Area during the building permit process.
- 4) This Project shall be required to comply with the City's One Lot-One Lateral Rule.
- 5) All public sewer plans require IDEQ or QLPE Approval prior to construction.
- 6) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to install an emergency standby generator with automatic transfer switch and related operational controls at the Riverside Pump Station.

~~Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to pay for the incremental cost of upsizing of the Riverside Pump Station force main from a 4" to 6" diameter pipe.~~

- 7) The minimum width of the cul-de-sac on Jammer Ln. shall not be less than 96 feet.
- 8) Single access road over 150 feet requires a FD approved turn-around.
- 9) Turning radiuses for FD is 25' interior and 50' exterior.
- 10) Minimum street width for FD access is 20' with no parking allowed on both sides of the street. 20' to 26' width – no parking on one side of the street.

- 11) Fire hydrant placement is based on the required minimum fire flow. Maximum distance between fire hydrants is 600 feet. Fire hydrant placement based on required fire flow will be determined during each phase.
- 12) Building address numbers shall face the street that they are addressed to.
- 13) Over 30 single family residents on a single fire department access road requires a secondary FD egress road (20' minimum).
- 14) Build a 12-foot shared-use path and an adjacent 8-foot gravel path along the waterfront.
- 15) Use 'Driveway Mix' asphalt in the construction of the paved trail.
- 16) Sterilize the ground with herbicide before laying down gravel and asphalt.

NOTE: With the aforementioned improvements outlined in the conditions above, the City of Coeur d'Alene Wastewater Department presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 2 as proposed.

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

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

S-3-19m

A. INTRODUCTION

This matter having come before the Planning Commission on February 9, 2021 , and there being present a person requesting approval of ITEM:S-3-19m a request for an amendment to the preliminary plat known as "Atlas Waterfront".

APPLICANT: CITY OF COEUR D'ALENE AND IGNITE CDA

LOCATION: 60.9 ACRES LOCATED AT 2598 E SELTICE WAY. THE SUBJECT PROPERTY IS ALSO DESCRIBED AS: IMMEDIATELY SOUTH OF SELTICE WAY AND WEST OF THE CENTENNIAL TRAIL AND NORTH OF THE SPOKANE RIVER. THE SUBJECT SITE IS COMMONLY KNOWN AS 3074 W. SELTICE WAY AND IS REFERRED TO AS THE ATLAS MILL SITE.

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

The Planning Commission (adopts) (does not adopt) Items B1 to B6.

- B1. That the existing land uses are commercial, residential and mixed uses.

- B2. That the zoning is C-17

- B3. That the notice of public hearing was published on January 23, 2021 , 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 February 9, 2021.

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 **(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. 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 for the City of Coeur d'Alene and 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:

CONDITIONS: **CHANGED - UPDATED TEXT (noted with strikethroughs and underlines)**

- 1) Any additional main extensions 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 building permits.
- 2) An unobstructed City approved "all-weather" access shall be required over all public sewers.
- 3) Mill River Lift Station Surcharge Fees will be required on all EDUs discharging sewer into the Mill River Service Area during the building permit process.
- 4) This Project shall be required to comply with the City's One Lot-One Lateral Rule.
- 5) All public sewer plans require IDEQ or QLPE Approval prior to construction.
- 6) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to install an emergency standby generator with automatic transfer switch and related operational controls at the Riverside Pump Station.

~~Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to pay for the incremental cost of upsizing of the Riverside Pump Station force main from a 4" to 6" diameter pipe.~~

- 7) The minimum width of the cul-de-sac on Jammer Ln. shall not be less than 96 feet.
- 8) Single access road over 150 feet requires a FD approved turn-around.
- 9) Turning radiuses for FD is 25' interior and 50' exterior.
- 10) Minimum street width for FD access is 20' with no parking allowed on both sides of the street. 20' to 26' width – no parking on one side of the street.
- 11) Fire hydrant placement is based on the required minimum fire flow. Maximum distance between fire hydrants is 600 feet. ~~Fire hydrant placement based on required fire flow will be determined during each phase.~~
- 12) Building address numbers shall face the street that they are addressed to.
- 13) Over 30 single family residents on a single fire department access road requires a secondary FD egress road (20' minimum).
- 14) Build a 12-foot shared-use path and an adjacent 8-foot gravel path along the waterfront.
- 15) Use 'Driveway Mix' asphalt in the construction of the paved trail.
- 16) Sterilize the ground with herbicide before laying down gravel and asphalt.

NOTE: With the aforementioned improvements outlined in the conditions above, the City of Coeur d'Alene Wastewater Department presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 2 as proposed

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