

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

APRIL 12, 2022

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

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

5:30 P.M. CALL TO ORDER:

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

PLEDGE:

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

March 8, 2022

PRESENTATION:

Regional Housing & Growth Issues Partnership

Presented by : Councilmember Miller and Gynii Gilliam, Executive Director of Cd'A EDC

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

ADMINISTRATIVE:

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

Presented by: Mike Behary, Associate Planner

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

Presented by: Mike Behary, Associate Planner

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

Presented by: Mike Behary, Associate Planner

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

1. Applicant: 15th Street Investments, LLC
Location: 3511 & 3522 N. 15th
Request:
- A. A proposed 3.2-acre annexation from County Ag Suburban to City R-12 LEGISLATIVE, (A-3-22)
 - B. A proposed 2.71 acre PUD known as "Birkdale Commons PUD" QUASI-JUDICIAL, (PUD-1-22)
 - C. A proposed 16-lot preliminary plat known as "Birkdale Commons" QUASI-JUDICIAL, (S-1-22)

Presented by: Mike Behary, Associate Planner

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

Presented by: Mike Behary, Associate Planner

ADJOURNMENT/CONTINUATION:

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

**The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhlmiller at (208)769-2240 at least 72 hours in advance of the meeting date and time.*

****Please note any final decision made by the Planning Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.***



MINUTES



**PLANNING COMMISSION
MINUTES
MARCH 8, 2022
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Phil Ward
Peter Luttrupp
Sarah McCracken

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Brinnon Mandel

CALL TO ORDER:

Chairman Messina at 5:30 p.m.

ELECTIONS:

Chair and Vice Chair

Motion by Luttrupp, seconded by Ward, to reappoint Chairman Messina as Chair and Commissioner Ingalls to Vice Chair. Motion approved

APPROVAL OF MINUTES:

Commissioner Luttrupp noted on page 7 of the minutes where it states “all comments” changed to “all commissioner comments”.

Motion by Luttrupp, seconded by McCracken, to approve the amended minutes of the Planning Commission meeting on February 8, 2022. Motion approved.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director provided the following statements.

- She announced we will have two public hearings for our next Planning Commission meeting on April 12th with one that is a multi-part request that includes an annexation, Planned Unit Development (PUD) and subdivision. The next hearing is a zone change. She explained the items heard tonight are based on the old Comprehensive Plan because when the applications that were submitted the new Comprehensive Plan wasn't adopted yet.
- She announced that the Regional Housing and Growth Issues Partnership is continuing to

meet and making progress looking at different tools for housing options, workforce and essential/professional housing in the community with a presentation at the City Council meeting next week and scheduling one with the Planning Commission. She added that there is a new website for this effort originally hosted by KMPO with the new website as: RHGIP.com has all the agendas/recordings for all meetings.

COMMISSION COMMENTS:

Chairman Messina commented at the hearing last month on the Comprehensive Plan thanked everyone for participating, which is an important part of our process and suggested in the future that future meetings be more civil and suggested to please do some research when testifying and remember if you have questions, staff is always accommodating to address those questions before the hearing. He added that we now have a new process when signing up to testify to please write your name, address and city you live in. Ms. Anderson clarified that the state requires for all public hearings that an individual provide a legal name and address on the signup sheet plus city of residence and added that people coming up to the podium don't have to state their full address. Chairman Messina inquired if they don't want to give name/city of residence what happens. Ms. Anderson stated that they won't be able to testify since they won't be in compliance with State requirements.

PUBLIC COMMENTS:

None.

ADMINISTRATIVE:

1. Applicant: Barghausen Consulting Engineers, Inc
Location: 335 E. Neider Avenue
Request: A request for an additional 335 parking stalls and landscaping plan ADMINISTRATIVE, (LS-1-22)

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

Costco Wholesale is requesting Planning Commission approval of the amount and spacing of landscaping for a parking lot with 335 parking spaces.

SUMMARY:

1. The amount of environmental landscaping that is required is 8,577 square feet and the applicant is providing 10,693 square feet.
2. The percent of area to be landscaped is 12.7% and the applicant is providing 15.8%.
3. The maximum distance allowed between any parking stall and a landscaping area is 100 feet and the applicant is providing a maximum distance of 50 feet.
4. The minimum amount of parking lot trees that is required is 29 and the applicant is providing 61 parking lot trees.

Mr. Behary concluded his presentation.

Commission Comments:

Commissioner Ingalls commented this is an administrative item with a narrow scope where we determine if the amount of landscaping proposed meets the minimum including the distance of trees. Mr. Behary concurred that the decision is based on the two standards in the presentation. Commissioner Ingalls noted a comment received about an entrance somewhere else into Costco which isn't part of our decision tonight. Mr. Behary answered that is correct.

Commissioner Luttrupp inquired if the city has any authority on private property regarding traffic like they do on public streets. Mr. Behary explained that staff looks at if the entrances properly connect to the street and the parking lot design meets city standards. Commissioner Luttrupp inquired if the City Engineer comments on ingress/egress. Mr. Behary explained that the City Engineer does review new ingress/egress locations, but this is an existing approach. The applicant has been informed of the comment. Commissioner Luttrupp inquired if the Urban Forester was notified on the selection of trees for this project. Mr. Behary explained that the Urban Forester reviews the site plan for street trees and any recommendations the Urban Forester will notify the applicant.

Commissioner Ward noted that the landscaping exceeds the requirement and questioned if this landscaping plan includes the entire site, or just the expansion area. Mr. Behary explained this request is just for the expansion area. Commissioner Ward commented that Government Way is a busy road and using the parking in the Black sheep area that's a long walk to/from Costco and suggested maybe a pedestrian walkway could be added for people getting to/from the building safely.

Commissioner McCracken inquired about the existing approaches located on Government Way and Neider if those approaches were met when the original permit was issued. Mr. Behary explained that the existing approaches aren't up for consideration just the two items for landscaping.

Motion by Ingalls, seconded by McCracken , to approve Item: LS-1-22. Motion approved.

PUBLIC HEARINGS

1. Applicant: Ignite CDA
Location: 64.01 Acres Located South of Seltice Way, West of Riverstone, East of River's Edge, and Flanking the North Bank of the Spokane River. Affiliated Property Addresses are 2598, 2755 And 2850 W. Seltice Way.
Request: A modification to the Atlas Waterfront Development PUD QUASI-JUDICIAL, (PUD-4-19m.3)

Hilary Anderson, Community Planning Director provided the following comments.

- 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 subject property is more formally described as Blocks 5, 8, 9, 10, 11 and 12 and Tract 1 of Atlas Waterfront First Addition, recorded in Book I of plats, pages 519, 519A Through 519I, records of Kootenai County, Idaho. Together with that portion of the Government Lots 1 and 2 of Section 10, Township 50 north, Range 4 west, Boise Meridian, Kootenai County, Idaho, lying southerly of the right of way of Seltice Way and northerly of Atlas Waterfront First Addition, recorded in book I of plats, pages 519, 519A through 519I records of Kootenai County, Idaho.
- The approximately 64-acre site is actively under construction with phases 1 and 2. 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 project will be developed in phases as shown on the Revised Phasing Map (page 8). The property is being sold by ignite CDA, the urban renewal district, through a request for proposal (RFP) process, in partnership with the City of Coeur d’Alene. The intent of the city and ignite is to transfer areas of land for development in phases over the next couple of years as site development efforts progress.
- The Planning Commission approved the PUD and Preliminary Plat in November 2019 and approved the first PUD amendment and an interpretation in May 2020. It also approved an amendment to the PUD and preliminary plat in February 2021.
- 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.
- PUD Amendment #3 would revise the final Development Standards for the project to include Development Area 20 and make some slight changes to the standards for the development areas to respond to market conditions and phases 1 and 2 of the project, and provide clarification for development areas within phase 3. The addition of Area 20 allows the option for additional housing in the project responding to community needs. The amendment includes the requirement for pocket parks, clarifications on commercial/retail spaces and urban street forms, and additional dwelling types. It also provides for conditional height increases in Areas 5A and 13 if public benefits can be achieved to the satisfaction of ignite cda.
- Specifically, the amendment includes the following changes to the Development Standards:
 - **Areas 1 and 2:** Allow porch flatwork to extend into the front yard setback. Minimum 2-foot front yard setback for porches while requiring posts or other porch/roof encumbrances to have a 5-foot setback. Allow wrap around porches to extend into the side yard setback for corner lots so long as the porch does not impede on the vision triangle at the intersection. Minimum 2-foot side yard setback for porches while requiring posts or other porch/roof encumbrances to have a 5-foot setback. Also, require analysis of the vision triangle by the City Engineer.
 - **Areas 3 and 4:** Reduce the minimum lot townhome lot depth on the lots fronting Lumber Lane from 80 feet to 76 feet. Require minimum 12,500 square feet of pocket park
 - **Area 3:** Increase height from 40’ to 45’ to have the same height maximum as Area 4
 - **Area 5A:** Conditional height increase of maximum building height from 45 to 60 feet if there is some public benefit that can be reached through the ANE/DDA negotiations with ignite cda. Allow public space to be another option in addition to the street wall urban form listed in the PUD
 - **Area 6:** Require townhomes with rear frontage on Suzanne to have a prominent and direct pedestrian route from the public sidewalk to the alley front doors.
 - **Areas 7, 11 and 20:** Add cottage homes and cottage courts as a land use type/building type (also see map showing Area 20). Add front and rear loaded townhomes as building

- type. Add rear-loaded duplexes as building type use type. Cottage Courts access (Note: Units could front on green space, alleys, and roadways.)
- **Area 12:** Set a minimum commercial/retail space of 4,000 SF. Allow for 4-foot front yard setback.
 - **Area 13:** Conditional building height: Increase to 53 feet for 2,800 SF or 22% of the roof area, whichever is less, for pool roof deck. Conditional building height increase to 60 feet for 2,300 sf or 17% of roof area, whichever is less, for pool support facilities, food and beverage area, elevator, and stair tower. Height increases will only be allowed if an agreement can be reached with ignite cda that addresses public benefit.
 - **Area 20:** Added as a new development area for residential development with potential for essential worker housing.
 - **All areas:** Various techniques are being employed to treat and convey stormwater. The PUD narrative and stormwater overview map are updated to reflect these techniques. Detailed fence style, material and types will be included in the HOA master declaration document. Corner lots, alley parking and surface parking lots must be screened in conformance with the City's Commercial Design Standards Parking Lot Screening Requirement. Clarify that fencing cannot impede the vision triangle.
- She presented the Findings required for a PUD amendment and shared updated conditions on the project site. The development currently has 38% 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.
 - She noted there are 16 conditions associated with this request that haven't changed since the original hearing was approved.

Ms. Anderson concluded her presentation

Commission Comments:

Commissioner Ingalls commented that was great report and noted the finding B8D regarding utilities, streets and traffic would like clarity when the original project was approved with 630 units that didn't include Area 20 and with Area 20 included, the new total would be 544 units less than the original. Ms. Anderson answered that is correct – the density is going down.

Commissioner McCracken inquired about the proposed conditional height increases in Areas 5 and 13 and asked if there is an example of how this change would benefit the public. Ms. Anderson explained that one benefit is that the developer could provide additional fees based on the value of land and any extra money collected Ignite would be able to use the extra money for local essential worker housing or improvements to the parkland. She added any additional funds would have to be used within the district and if there are further questions the applicants are here to answer those questions.

Commissioner Luttrupp questioned if it was up to the City Council to determine what is a public benefit. Ms. Anderson explained that the City works with ignite to develop the land and that ignite negotiates with a developer using different tools which is done through an agreement to negotiate exclusively one step and then do a development disposition agreement. Commissioner Luttrupp commented that everyone involved with this project should be congratulated for the progress but inquired if there is a definition for "public benefit". Ms. Anderson explained that Mr. Boyd and Mr. Berns would be the ones to better address that question since they are more familiar with the process and clarified that she sits on a steering committee along with Christie Wood and Troy Tymeson who review the development applications and provide comments. Commissioner Luttrupp inquired about workforce housing and what is the criteria. Ms. Anderson explained that the Regional Housing and Growth Issues partnership is

looking at housing for local workers and is in the process of defining what is true workforce housing based on a person's income bracket. She added that we aren't looking at the true definition of workforce but what people can afford within their category and the price point. Commissioner Luttrupp stated in the future would like to work on a definition of workforce housing. Ms. Anderson concurred and will be doing more study on the definition.

Chairman Messina inquired if the city is still involved as the developer and owner for this project. Ms. Anderson explained we were the owner originally and then we gave over all the land excluding the parks.

Commissioner Fleming inquired when ignite has different developers submitting their proposals questioned who is reviewing the applications to make sure these buildings "speak" to one another. She explained that she doesn't want this development to look like an "HOA" where every house has a "shed roof" so they are all unique and not looking the same. Ms. Anderson explained that there is an Atlas Design Review Committee who is a combination of various professionals reviewing all submittals making sure each one is compliant with a lot of feedback from the group. Chairman Messina noted that he called staff and asked if there have been any requests for variations or changes to the development. Staff informed him that any changes have come through the PUD amendment process.

Public testimony open.

Phil Boyd applicant representative provided the following statements:

Mr. Boyd provided a PowerPoint highlighting three general categories associate with this PUD amendment request that included:

- Parcel Performance Standards (setback, frontage types, building height)
- Site Enhancements- Public Good and Good Urban Design
- Additional Land Development

To view the entire presentation please click [here](#).

Mr. Boyd concluded his presentation.

Commission Comments:

Commissioner McCracken asked when saying "twin homes" questioned if that was a reference to duplexes. Mr. Boyd answered that is correct.

Commissioner Ward inquired about Area 20 and thought that area was contaminated. Mr. Boyd explained none of the tests that have been done on Mt. Hink have showed any contamination. We have partnered with the Idaho Department of Environmental Quality Brownfield Group. They came in and did a bunch of tests on the material and couldn't find any contamination and explained when we start moving the dirt to the ITD pit that DEQ will continue to test it. We have a partnership with them to continually test for contaminants during the process. Commissioner Ward inquired when transporting the dirt from one site to the ITD pit if there is a possibility for some of that dirt spilling onto the road when transporting from one area into the other neighborhoods. Mr. Boyd explained we do have a plan for spillage and explained when trucks are going around a corner if something spills it is planned for frequent sweeping the street once day, twice an hour etc. to address the spillage that might occur.

Commissioner Luttrupp inquired if the city has a requirement to cover loads. Chairman Messina stated the county dump request loads need to be covered. Ms. Anderson clarified not sure the city has the requirement but staff will look into it.

Chairman Messina commented that the housing situation has changed including increased land values

and questioned if the applicant could clarify what will be the long-term benefit if the city has a great windfall with the dollars paid for the land, if any extra money can be used to purchase property to work with a developer to provide essential workforce housing.

Mr. Berns explained the long-term benefit is we are making money off of land sales from the development. Any extra money is reinvested to get things built within the project. He explained over the long term the City will benefit from tax increment. Those funds will be used to continue to build out the district and when completed they will be able to close the district early and turn all the money back to the taxing entities which will be a benefit to the city, county, highway district etc. He explained that moving Mt. Hink isn't inexpensive which will cost us \$5 million dollars to move the dirt.

Public testimony closed.

Discussion:

Commissioner Ingalls explained that we knew this project will change a number of times and include a number of amendments before this project is done. The project provides tax funding versus an abandoned mill site, and has money being used for public benefit. He added we haven't added more density but gained 38% open space and stated we are in great shape.

Commissioner McCracken concurs and addressed the issue of workforce housing which is a "moving target" because incomes change, interest rates change, market changes, etc. She stated with the intent to provide more dense housing options will help provide more housing.

Commissioner Luttrupp stated that he anticipates more amendments coming forward and that a PUD was the right tool to use based on all the positives produced.

Commissioner Fleming commented that she has concerns with Objective 3.08 Housing which states "Design new housing areas to meet the city's needs for all income and family status categories" and that this project is a shifting target with other cities having the same issues and to commend the city's approach to looking at townhouses and alternative structures so people can have a roof over their head and not to go somewhere else to achieve this. She commented that overall, this project is good and doesn't see any issues with the modifications presented.

Motion by Fleming, seconded by Luttrupp, to approve Item PUD-4-19m.3 Motion approved.

ROLL CALL:

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

Motion to approve carried by a 7 to 0 vote.

3. Applicant: Aspen Homes & Development, LLC
Location: 1808 N. 15th Street
Request: A proposed +/- 6.191-acre annexation from County Ag to R-1&R-17 LEGISLATIVE, (A-2-22)

Mike Behary, Associate Planner provided the following comments.

- The subject property currently has a single-family residence on it and is located in the unincorporated area of the county on 5.9 acres.
- The subject site obtains its access off of 15th Street. The subject site is adjacent to the city limits on the west and south sides. The property is currently zoned County Ag-Suburban and is located within the city's Area of City Impact (ACI).
- The subject site is located at the base of Best Hill and has some significant sloping topography on the northern and eastern part of the property. If annexation is approved, the 5.9-acre property will be subject to the Hillside Ordinance regulations.
- The part of the property that has the significant sloping topography contains 3.7 acres and the applicant is proposing R-1 zoning for this part of the property. The applicant has been working with the City Parks Department on dedicating this land to the city or the Parks Foundation for a natural area/park.
- The two acres adjacent to 15th Street is proposed to be zoned R-17 residential.
- This is a multi-family residential zoning district that allows up to 17 units per acre.
- The applicant is proposing to build a multi-family living complex on the two acres that would be zoned R-17 (See annexation map on page 4).
- The proposed R-17 zoned area of the property is relatively flat and gradually slopes toward the west. The two acres in the R-17 would allow up to 34 units.
- He stated that the City's Comprehensive Plan designates this property within the NE Prairie area and is within both the stable established and in the urban reserve area.
- He stated, if approved, there are 10 items to be considered for annexation.

Mr. Behary concluded his presentation

Commission Comments:

Commissioner Ingalls questioned the recommendation for the Annexation Agreement stating that the R-1 parcel may/may not be gifted to the city or Park's Foundation dedicated for a park and states "In the event that it's gifted for public use" that is an open statement and, in the narrative, it states if that dedication doesn't happen, the applicant might pursue single family in that steep area and asked if staff could explain. Mr. Behary explained that we have Monte McCully, Parks representative is here that can address that question where they are with negotiations and concurs developing single family homes in that area would be almost impossible since the land is very steep. Commissioner Ingalls asked, if based on how steep that parcel is, would it be accurate to say the parcel can't be developed and questioned if we are allowed to condition an annexation. Mr. Behary explained that you can make a recommendation as part of the Annexation Agreement to keep negotiations open regarding the parcel. Mr. Adams explained that the job of the commission is to determine the appropriate zoning and that's the council that approves annexations.

Commissioner Fleming questioned if there is a dividing line between the R-1 and the R-17 parcel and inquired if the line can be adjusted depending on how they want to develop the parcel. Mr. Behary noted that on the Annexation Map there is a line showing the proposed division of the parcels and that it can't be adjusted without a boundary line adjustment.

Commissioner Ward questioned if we could recommend annexation for the R-17 parcel and not the R-1 parcel. Mr. Adams explained that the commission will eventually have to designate the zoning of any property that is annexed. He added that the ordinances are unclear, but what is done is to establish the zoning first, so the applicant knows what to expect before he asks council to annex the property. Commissioner Fleming clarified if the R-1 parcel could be eliminated from the annexation request. Mr. Adams explained that it states on the application for the annexation of this parcel with two different zones requested. Ms. Anderson explained if it was R-17 for the entire site, and not split zoning, the applicant would be able to get more units on the property and that the applicant is asking to split the lot since the hillside portion is steep and unbuildable. That is why an R-1 zone was chosen.

Monte McCully, City Parks Department explained that we recently met with the developer and discussed that portion of the hillside coming into the city as natural open space and that we are interested in the parcel knowing that it won't be any benefit to the City by itself now, but in the future if other properties come forward in the same area to add to that parcel, it could create a benefit for recreation. Chairman Messina inquired what other properties around this parcel might be available. Mr. McCully noted the various properties in this area to potentially add to this parcel.

Commissioner Luttrupp explained that there are two ways a property owner can donate property one is to the city and the other is to the Parks Foundation. Mr. McCully explained that this donation would be given to the Parks Foundation and if we apply for a LWCF (Land and Water Conservation Foundation) Grant we would have leverage to use the value of the property if we want additional hiking trails etc.

Commissioner Ward questioned if the R-1 property is annexed will it be provided with utilities water, sewer etc. and if not approved they don't get those services. Mr. Behary stated that is correct. Commissioner Ward added if the parks department got the property and wanted to put a restroom facility on the property that required water and sewer would they need city services that acquire annexation. Mr. Behary answered that is correct. Chairman Messina inquired if they wanted a restroom on that parcel would we need an easement. Mr. Behary noted condition 7 in the staff report talks about the easement and access to that property is part of the recommendations.

Public testimony open.

Gordon Dobler applicant representative provided the following statements:

- He explained that when you annex have to have a zone and why we chose R-1 which is the cities least dense zone because this parcel is undevelopable and why the applicant has discussed offering this parcel as a donation for public use. He added we need to finish discussions with the city if they are interested in the donation.
- He explained utilities are off 15th street and accessible with the parcel fronting 15th Street with a requirement to improve once we get ready to develop, which would happen at the permit stage.
- He explained the reason they chose R-17 was based on the surrounding zoning which will be a good fit with the city property to the south which is also R-17, with Avista across the street that is C-17 with a portion of Avistas property that is zoned R-17, and many single families along 15th Street that are zoned R-17. He added further up on 15th there is the Creekside Development that is next to the road and is similar to the product the applicant is looking to put on this property.
- He stated traffic shouldn't be an issue since 15th Street is a collector.
- He commented that the applicant agrees with all the recommendations to be included in the annexation agreement, except for condition 2.
- He noted condition 2 listed in the recommendations referenced an error stating "the project will need to maintain a private service easement along the southern edge of the property to 1802" and explained that 1802 accesses across the Eagles flag lot and not ours, and therefore the applicant shouldn't provide an easement to 1802.

Mr. Dobler concluded his presentation.

Commission Comments:

Commissioner Ingalls stated that the R-1 portion is steep and not developable. He asked if the recommendation number 6 in the staff report could be modified to include a sentence at the beginning of that item stating, "The R-1 parcel would remain open space in perpetuity" and keep the language in that item regarding continuing to work with the city on possible dedication of the 3.7 acre area. He added if working with the City isn't an option, the first sentence "it stays open" gives us comfort that we won't see big homes developed there. Mr. Dobler stated they wouldn't have an objection to that change to the condition.

Chairman Messina questioned recommendations 6 and 7 and asked why those issues were not discussed prior to this hearing. Mr. Dobler explained that we had a discussion with the Parks Department in the pre-app meeting and the parks director was open to have this parcel dedicated to the city. But that he hadn't heard from the City since that meeting.

Commissioner Fleming stated if this is an R-17 zoning district, that means you can have 34 units where there might be kids who will be coming down from Dalton and commented that there aren't any crosswalks until you get to Best Avenue. She questioned if we can recommend something that makes cars stop so kids can get across the street safely. Mr. Behary explained that the city engineer does have some plans to slow traffic for this area with the planned improvements to 15th Street.

Commissioner Ward appreciates why the R-1 zoning was designated since it's limited and questioned where the access would be located for the R-17 zoned property and questioned if they would use the street to the south. Mr. Dobler explained we would have to use 15th Street, but have approached the Eagles to see if we can do a partnership to share the driveway with them to limit access on 15th. Commissioner Ward doesn't see an issue with an R-17 zone for this property located next to a public park next door for people to use who live in the proposed apartment next door. He added that he does have an issue with the R-1 parcel and if inquired by the city if the applicant will get more money for the property being in the city which will give more value to the property being in the city even if its unusable. Mr. Dobler explained the property is required to have a zone given to it as part of the annexation process with R-1 chosen because it is the less dense of the zoning districts.

Mr. McCully addressed a question asked by Commissioner Fleming regarding safety for kids on 15th Street and explained the Engineering Department has been working many years to improve 15th Street by increasing the width, adding curbs, adding multiuse paths to get people in/out safely from the development North to the cross light at Best Avenue.

Public Testimony:

Lynn Cop-Fullbrook explained that she and her husband share a property line with this project and it was not mentioned that their property is zoned R-3. We oppose rezoning the property and recommend no variance allowed to rezone this property. She stated, we have owned this property for a long time and this is our investment. The project and increased traffic and noise will have an effect on our property value. She added that building a multi-level home doesn't fit plus will have major environmental impacts with risks to our natural resources. Additionally, the land behind us is undevelopable. She added the risk to the water table and aquifer is a concern and the loss of open space. She inquired if any sun/shade studies have been done for the zone change based on the size of the structures that will impact the light to our home and garden and asked what will be done to protect our privacy. She asked about the impact of traffic on 15th Street and questioned the information presented before the commission. She explained that she travels and commutes on/off the Exit 14 ramp daily. She proposed that a traffic impact assessment should be conducted to ensure this new development doesn't cause excessive delay on nearby roads and increased transportation emissions due to idling. She added that the Eagles Pavilion gets a lot of use and 34 units is cramming a lot of people into the development. She commented that they are aware of the units that the applicant did further down 15th Street and that most people are parking on the street and adding to the congestion on 15th Street. So please consider plans for parking and road access to the property and how many access points will be needed. She noted another property located by the request is owned by Avista who have intentions developing and inquired if they will be expanding. She requested that the commission deny the zone for this property.

Commissioner Luttrupp thanked Ms. Cop-Fullbrook for her testimony and explained that our decision is to make a recommendation to City Council to approve annexation and before that we need to determine what the zone will be but the City Council will make the final determination to annex this parcel into the city and suggested she attend the council meeting to address her concerns.

Rebuttal:

Mr. Dobler expressed his concerns about traffic on 15th Street and is eager for the City to go forward with the improvements and does know that 15th Street will have a center turn lane, and he concurred with staff that indicated that there will be multi use path for pedestrian connectivity. He explained with regard to the impact to traffic, they would propose sharing access with the Eagles. But there is no guarantee of that. He addressed the natural preservation of habitat and said the project would preserve 4 acres that would accomplish that goal. He explained that we don't have a site plan for the R-17 property to assess the impacts to the neighbors, but will have to conform to site performance standards for the R-17 portion.

Chairman Messina assumes that the applicant has an idea of what will be planned for this property. Mr. Dobler commented that if we are successful at getting shared access with the Eagles, the units will be close to that access. Chairman Messina stated that he is aware parking is available close to Best Avenue but questioned if parking is allowed on the side of 15th Street. Ms. Anderson explained that when the improvements start on 15th Street, the parking won't be allowed on 15th.

Public testimony closed.**Discussion:**

Commissioner Ingalls noted on the map that the R-17 parcel has an existing single-family home on it and the parcel to the north is in the city and the parcel to the south are in the county that are both residential homes and is a lot "screaming" to be in the city. It is like "doughnut holes" that exist and that the parcel not in the city still gets their street sweeps, fixes the potholes, removes snow and both are essentially receiving city services. He commented another benefit would be to provide affordable housing and collector streets is the logical place for more housing and thinks this lot begs to be in the city and this would provide more housing plus provide open space.

Chairman Messina noted that recommendations 6 and 7 should have been more confirmed by the applicant and questioned if those recommendations would need to be resolved before this item goes

forward to City Council. Ms. Anderson explained if there are further discussions before the City Council hearing, that the conditions would be refined for Council to consider.

Commissioner Fleming commented that there are a lot of unknowns between the R-1 and the possibility of an easement. The way the frontages are sitting, there are too many unknowns and she wishes there was more clarity if the Eagles intend to share access and more certainty of the R-1 property. She said she feels the commission doesn't have enough information to make a decision.

Commissioner Ward stated he understands the homeowners' concerns, but look at the surrounding property that could be gone with something else, like apartments, in their place. He added that the R-17 is the proper zoning for this location and has to be zoned something. Plus, there will be more control when it gets to building permit process and this should go forward for recommendation.

Chairman Messina commented that it is great that the city is going to get a piece of property, useable or not, but still has concerns with recommendations 6 and 7 and cannot support this without those details.

Commissioner McCracken concurs that this parcel should be in the city and maybe there might be more discussion on another zoning district that is in between what is proposed.

Commissioner Ingalls suggested regardless if the applicant has come to us with a completed "deal" we heard Mr. Dobler state he would agree and be comfortable with adding the words "that the annexation agreement stipulates that the R-1 parcel remain open space ". He added the benefit to the city is assuming that council would agree with the modified language that would lock in the R-1. Commissioner Fleming inquired if we take out 6,7 and 8 and say it will be open space in perpetuity. Commissioner Ingalls explained that it should be left in there but lead with recommendation 6 to leave the parcel open in perpetuity etc., and if nothing else happens that parcel stays open space. Commissioner McCracken concurred to add that language and questioned if the property is annexed does the council get separate choices or are they two separate votes. Ms. Anderson suggested that the Planning Commission, no matter what the vote, needs to address what the zoning should be for this parcel. Mr. Adams explained that the job of the Planning Commission is to establish zoning and not making a recommendation to council to annex or not. He added that council can change the zone but the proposal is R-1 and R-17. The commission should just make a decision of what the property should be zoned and if the requested zones are appropriate or not. Commissioner McCracken inquired if we could make another recommendation for a lesser zone and request the applicant come back with other details figured out. Ms. Anderson explained that the zoning wouldn't be in affect until after the annexation which would go to council and decide if R-3 or another zone is appropriate and if it is approved less the applicant could come back and not want to be annexed into the city.

Motion by Ingalls, seconded by Ward, to approve item A-2-22

ROLL CALL:

Commissioner Fleming	Voted	No
Commissioner Ingalls	Voted	Aye
Commissioner McCracken	Voted	No
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	No


Motion failed due to a tie vote.

ADJOURNMENT:

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

The meeting was adjourned at 8:19 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



ADMINISTRATIVE

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STUHMILLER, SHANA

From: ANDERSON, HILARY
Sent: Friday, March 11, 2022 12:44 PM
To: STUHMILLER, SHANA
Subject: Applicant Request to Table Item A-2-22_FW: A-2-22 Zoning and Annexation Application

Follow Up Flag: Follow up
Flag Status: Flagged

From: Ken <ken@aspenhomes.com>
Sent: Friday, March 11, 2022 12:17 PM
To: BEHARY, MIKE <MBEHARY@cdaid.org>
Cc: ANDERSON, HILARY <HANDERSON@cdaid.org>; Erik <erik@aspenhomes.com>; Gordon Dobler <gordon@doblerengineering.com>
Subject: A-2-22 Zoning and Annexation Application

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

Mike
Aspen Homes and Development LLC would like to request a 60 day extension on our application for annexation and zoning of our property located at 1808 N 15th Street, reference A-2-22.

Thank you for your consideration in this matter.

Ken

Ken Hollenbach

Land Development Manager
1831 N Lakewood Dr, STE A
Coeur d' Alene, ID 83814
o: 208-664-9171
C: 208-625-7567
f: 208-664-9287
ken@aspenhomes.com
aspenhomes.com



PLANNING COMMISSION MEMORANDUM

FROM: MIKE BEHARY, ASSOCIATE PLANNER
DATE: APRIL 12, 2022
SUBJECT: I-1-22: INTERPRETATION OF ACCESSORY DWELLING UNIT (ADU)
HEIGHT AND 2nd STORY STEPBACK FOR "MAHOGANY LANE PUD"
(PUD-3-21)
LOCATION: LOCATED AT 2252 W. BELLERIVE LANE.

APPLICANT/OWNER:

Bear Waterfront, LLC
2936 W. Dakota
Hayden, ID 83835

CONSULTANT:

PLACE Landscape Architecture.
1325 W. First Ave
Spokane, WA 99201

DECISION POINT:

The applicant/owner for Mahogany Lane PUD is requesting an interpretation from the Planning Commission for the Accessory Dwelling Units (ADU's) within the project related to Building Height and the 2nd Story Stepback.

HISTORY:

In December of 2021, the Planning Commission reviewed and approved the request for a preliminary plat and Planned Unit Development known as "Mahogany Lane" PUD. The PUD consisted of a commercial lot along Beebe Boulevard and residential lots located at the end of Bellerive Lane. Some of the residential lots had accessory dwelling units (ADU's) associated with them. This interpretation focusses in on the ADU's that were approved within this development. More specially the height and the 2nd story stepback of the ADU.

As part of the approval of the original PUD, the applicant submitted building elevations of what the accessory dwellings would look like. These renderings of the ADU's indicate the buildings did not have a 2nd story stepback. The building elevations also showed that the ADU's were over 24 feet in height. The original Mahogany Lane PUD exhibit D showed in cross sections indicated the desired height of 29' for ADU's, however the table in the applicant's narrative indicated 24' in ADU building height.

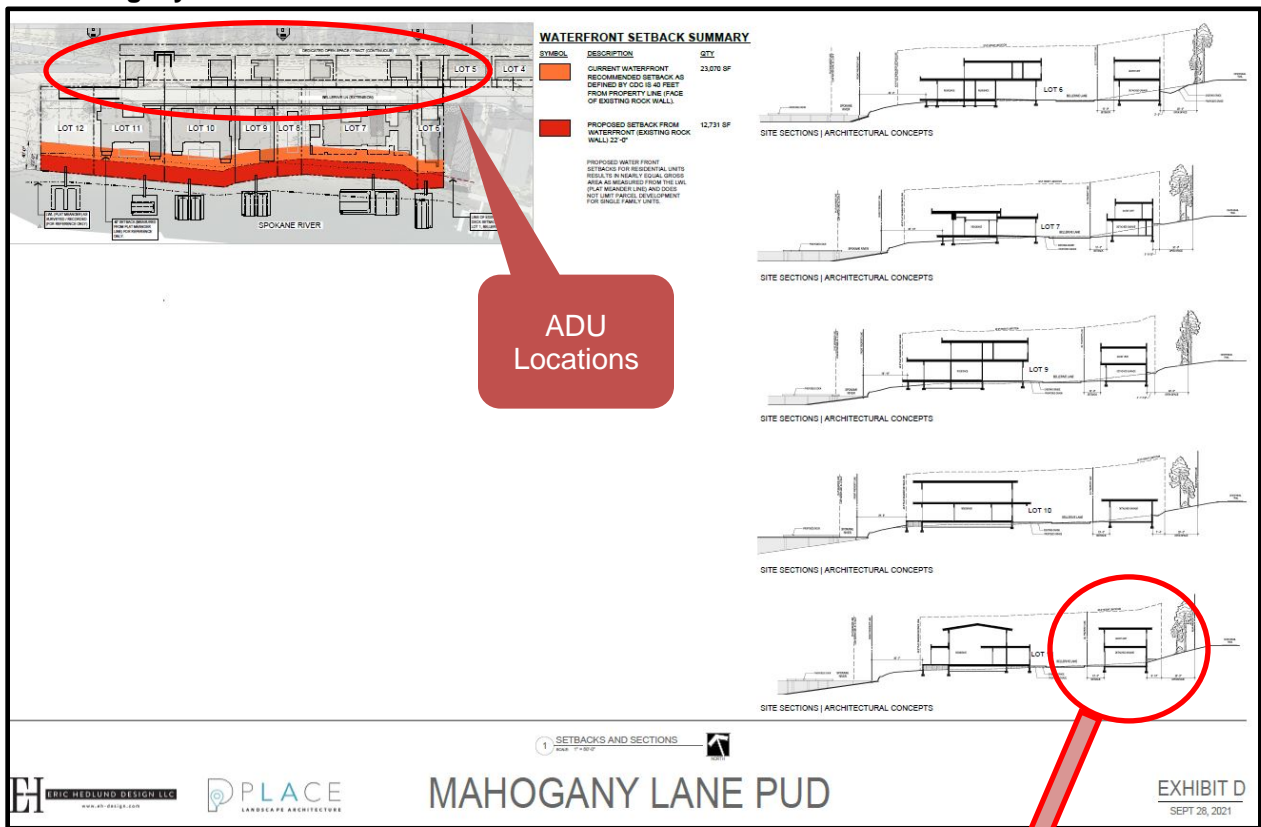
Staff has limited flexibility to allow for minor changes that may be needed if there are issues that come up as building plans are developed and as the site is improved. Below on pages 2 and 4 are some of the original building renderings and cross sections that were submitted with the original Mahogany Lane PUD, as approved by the Planning Commission.

ADU: Building Height

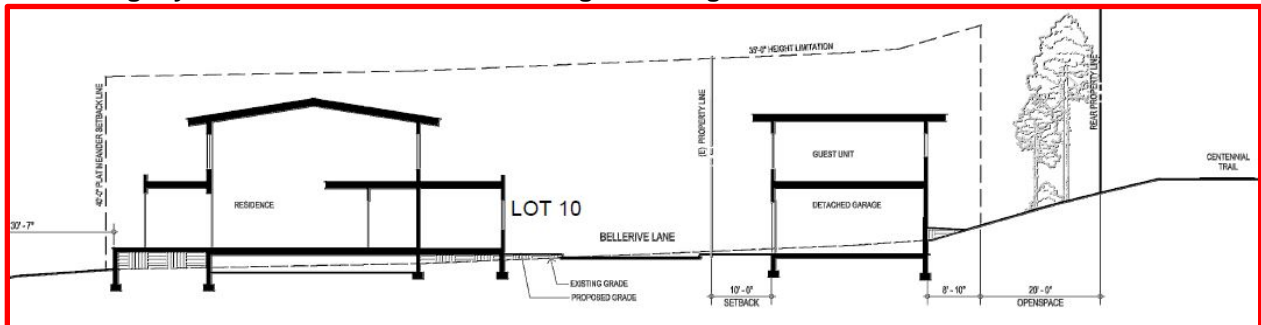
REQUEST:

The applicant is requesting an interpretation from the Planning Commission to clarify the ADU's building height. The ADU code allows for a maximum building height of 24'. The majority of the ADU's within the project will be closer to 24-26' in height, but they would like the ability to have them extend up to 29' to account for the grade changes across the site and the fact that there are no immediate neighbors that would be impacted by the height. Further justification is that the ADU's will be located next to principal residences on Lots 4 and 7, within the project, that are allowed to have a height of 32'.

The Mahogany Lane PUD: Exhibit D



The Mahogany Lane PUD: Exhibit D – Showing ADU height over 24 feet.



ADU: 2nd Story Stepback

The other item that Planning Commission is being asked to interpret is the 2nd Story Stepback standards for accessory dwelling units.

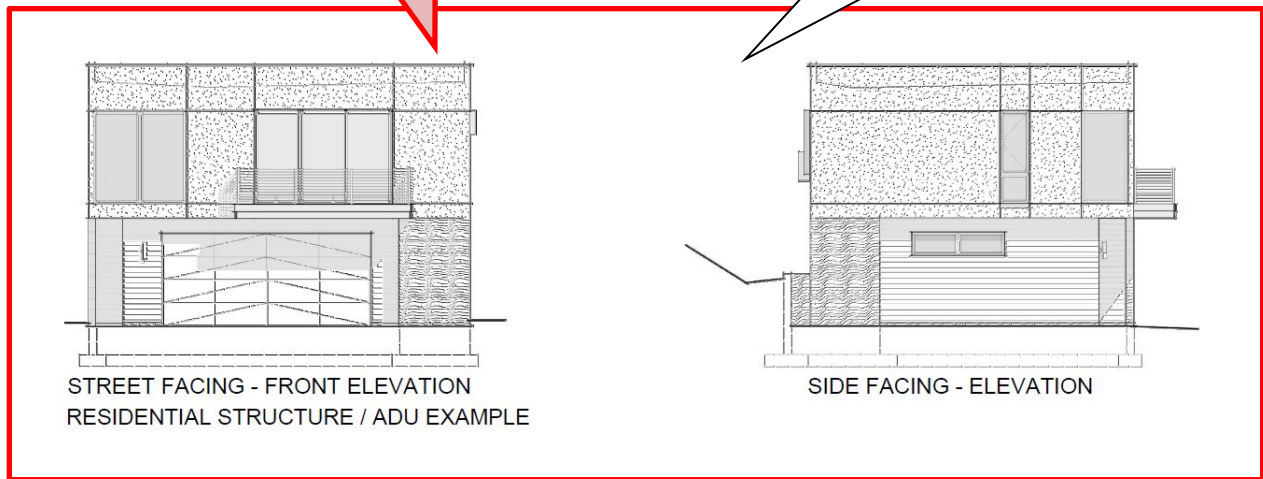
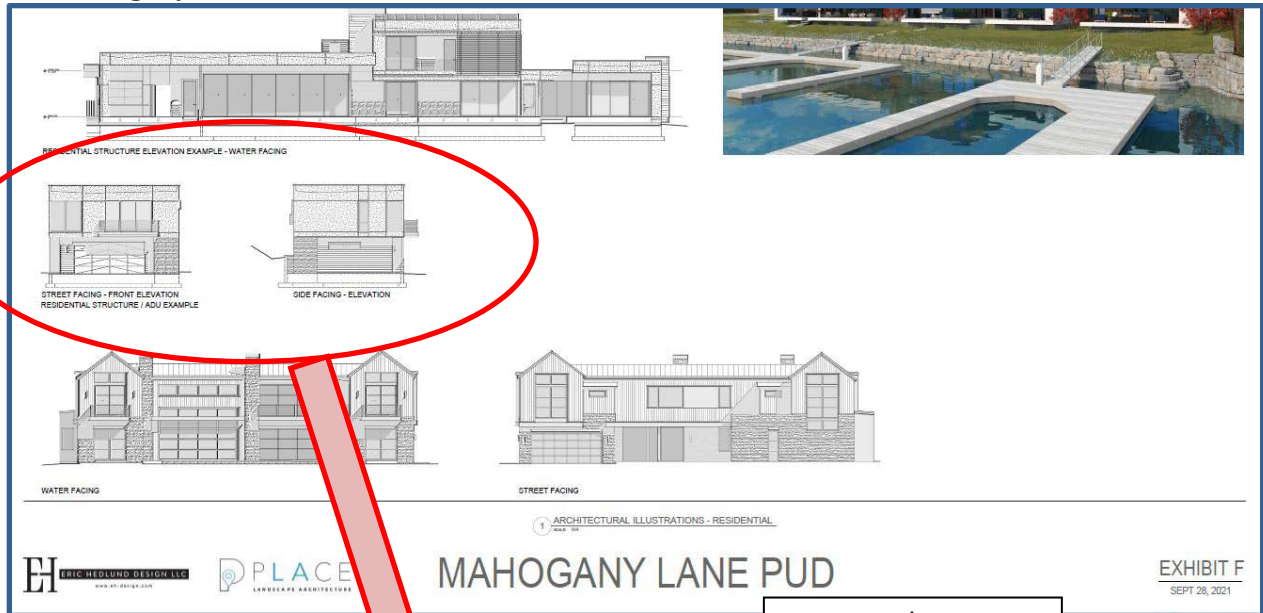
REQUEST:

The applicant is requesting an interpretation from the Planning Commission to not require a 2nd story stepback for ADU's within this development. The original PUD approval did not specially request a modification from this requirement, however the building elevations of the ADU's that were submitted did not show a 2nd story stepback configuration. The illustrations that were submitted using a standard straight wall construction due to the lot layout and the modern design of the architecture of the ADUs. See ADU elevations on page 4.

The Mahogany Lane PUD exhibit D did not show a 2nd story stepback in this cross-section exhibit. It was the applicant's intent not to provide the 2nd story stepback for the ADU's in this development. However, in the applicant's narrative, the 2nd story stepback was not mentioned in the list of desired modifications. The applicant has indicated that this was an oversight on their part. Further justification is that some of the ADU's will be located next to principal residences on Lots 4 and 7, within the project, that are not required to have a 2nd story stepback.

The applicant would like a clarification that the 2nd story stepback is not a requirement for ADU's as part of this development. Please see cross sections and ADU elevations that were submitted as part of the original PUD on page 4.

The Mahogany Lane PUD: Exhibit F



DECISION POINT RECOMMENDATION:

The Planning Commission will need to consider this request and make a decision to approve or deny the interpretation to allow ADU's within the Mahogany Lane PUD to be allowed a maximum building height of 29' and to not require the 2nd Story Stepback for ADU's.

Interpretation Narrative

The applicant/owner for Mahogany Lane is requesting an interpretation from the Planning Commission for the Accessory Dwelling Units (ADU's) within the project related to Building Height and the 2nd Story Stepback.

Mahogany Lane PUD exhibit D showed in cross sections the desired height of 29' for ADU's, however the table in the narrative indicated 24' in building height. We would like to clarify that the ADU's building height be allowed up to 29' in height. The majority of the ADU's within the project will be closer to 24-26' in height, but we would like the ability to have them extend up to 29' to account for the grade changes across the site and the fact that there are no immediate neighbors that would be impacted by the height. Further justification is that the ADU's will be located next to principal residences on Lots 4 and 7, within the project, that are allowed to have a height of 32'.

We would also like to clarify the 2nd story stepback requirement for ADU's. The Mahogany Lane PUD exhibit D did not show a 2nd story setback in this cross-section exhibit. It was our intent not to provide the second story stepback for the ADU's in this development. In the narrative, the 2nd story stepback was not mentioned in the list of desired modifications. This was an oversight and we would like to clarify that the 2nd Story stepback is not a required as part of this development. Please see attached cross sections and ADU elevations.

In closing, we would like to clarify that the ADU's on Lots 5, 6, 8, 9, and 10 will not exceed 800 SF (Excluding garage space).

**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI A. STROUD, ASSOCIATE PLANNER
DATE: APRIL 12, 2022
SUBJECT: EXTENSION OF PLANNING COMMISSION APPROVAL
SP-1-21 – AN APPROVED R-34 SPECIAL USE PERMIT FOR A DENSITY
INCREASE FOR A PROPOSED MULTI-FAMILY APARTMENT COMPLEX IN THE
C-17 ZONING DISTRICT.

LOCATION: A 6.84 ACRE PARCEL LOCATED AT 2119 N. GOVERNMENT WAY

DECISION POINT:

To approve or deny the request of Government Way Coeur d'Alene Hotel, LLC for a one-year extension of an approved R-34 Density Increase Special Use Permit for a proposed multi-family apartment complex in the C-17 Commercial zoning district.

PRIOR ACTION:

- On March 9, 2021, the Coeur d'Alene Planning Commission held a public hearing on the above request and approved by a 6 to 0 vote with the following conditions.

Wastewater:

1. Wastewater will require an easement over the public sewer line.

Water:

2. 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 the time of building permit issuance.

Fire:

3. IFC D106.2: Projects having more than 200 dwelling units require a second and separate FD access/egress.
4. IFC D103.1 & D105.1: The minimum width for FD access where there is a hydrant on the access road and for Ladder Truck access/placement is 26 feet wide.
5. IFC 503.6: Gate Access – Access through any secured gates require a Knox system, such as a Knox Keyway Switch.

Streets and Engineering:

6. Signage and pavement markings shall be installed at the project exit to prohibit use of Homestead Avenue by requiring only right and left turns out of the project.

Planning:

7. Design Review Commission review will be required due to the project size and underlying C-17 zoning.

DISCUSSION:

For the Density Increase Special Use Permit, the Planning Commission may extend its approval for one-year upon the finding that upon receiving written request filed prior to the permit expiration and showing of unusual hardship not caused by the owner or applicant, an extension may be approved. (See attached extension request from the applicant.)

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

17.09.230: ADHERENCE TO APPROVED PLANS:

A special use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred, or if there is a cessation of use or occupancy for two (2) years. However, such period of time may be extended by the Planning Commission for one year, without public notice, upon written request filed at any time before the permit has expired and upon a showing of unusual hardship not caused by the owner or applicant.

COMMISSION ALTERNATIVES:

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



March 22, 2022

City of Coeur d'Alene
Planning Department
710 E. Mullan Ave
Coeur d'Alene, ID 83814

Reference: SP-1-21: 2119 N Government Way: Special Use Permit (SUP)


Planning Department Staff,

The current global supply chain disruptions coupled with intense inflationary pressures surrounding the costs of construction related materials have placed a brief pause on our development plans. As a result of the constraints, we request that the Planning Commission consider an extension of the approved Special Use Permit SP-1-21 approved on March 9th, 2021. We are closely monitoring the market to determine the most cost-effective timeframe to proceed with construction and are committed to see its completion as soon as feasible.

Sincerely,

Rick Stilovich | CCIM, CPM
Director Pre-Development

918 W. Idaho St, Suite 230
Boise, ID 83702
Email: rstilovich@btree-prop.com
Office: 817.618.4144
Cell: 817.403.8208



PUBLIC HEARING

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: APRIL 12, 2022

SUBJECT: A-3-22: ZONING PRIOR TO ANNEXATION OF 3.91 ACRES FROM COUNTY AG SUBURBAN TO R-12

PUD-1-22: A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS "BIRKDALE COMMONS PUD"

S-1-22: A 16 LOT, FOUR TRACT PRELIMINARY PLAT REQUEST FOR "BIRKDALE COMMONS"

LOCATION: PROPERTY IS LOCATED AT 3511 & 3525 N 15th STREET

APPLICANT:
15th Street Investments, LLC / Terence Alling
3511 N 15th Street
Coeur d'Alene, ID 83815

ENGINEER:
Lake City Engineering
126 Poplar Avenue
Coeur d'Alene, ID 83815

DECISION POINT:

The applicant is requesting approval of the following three decision points that will require separate findings to be made for each item. The applicant is requesting approval of the following:

1. The annexation of 3.19 acres in conjunction with zoning approval from County Agricultural-Suburban to the R-12 zoning district.
2. A residential planned unit development (PUD) that will allow for 16 lots and four tracts with the following modifications.
 - a. Lots fronting on a private street rather than a public street.
 - b. Minimum Lot Area of 4,500 SF for a single family dwelling lot rather than 5,500 SF.
 - c. Minimum Lot Area of 4,500 SF for a duplex lot rather than 7,000 SF.
 - d. Front Setback of 15' rather than 20' (*dwelling unit*).
(Garages required to maintain the 20' setback for parking)
 - e. Side Setback (interior) of 5' rather than 5' on one side and 10' on the other.
 - f. Street Side Setback of 5' rather than 10'
 - g. Rear Setback of 15' rather than 25'
 - h. Sidewalk on one side of street rather than sidewalks on both sides of street.

3. A 16 lot, four tract preliminary plat to be known as Birkdale Commons.

BACKGROUND INFORMATION:

Currently the subject property is located in the unincorporated area of the county and consists of two parcels that have single family dwellings located on them. The subject site is 3.19 acres in area and is relatively flat. The site is adjacent to the city limits along its east and west property line.

The property is currently zoned Agricultural-Suburban in the county. As part of the annexation request the applicant is proposing the R-12 zoning district be applied to the subject site. The subject site is located within the City's Area of City Impact (ACI) (see ACI Map on page 8).

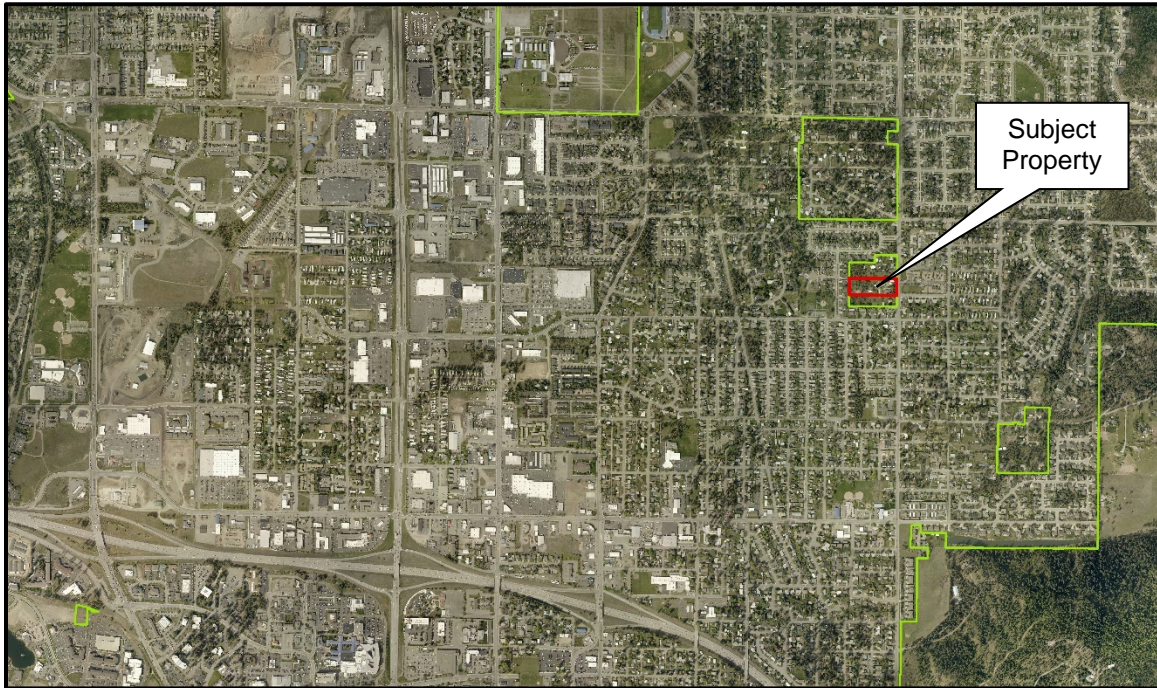
The applicant is also proposing a planned unit development (PUD) as part of this request. Both parcels will be included in the PUD except for the area around the existing house on the eastern part of the southern parcel. This house and an accessory building will remain on a smaller parcel and will not be part of the PUD (see PUD map on page 23).

The PUD will consist of 16 lots, three open space tracts, and one tract that will contain the private road. The applicant has indicated that the 16 lots are designed for duplex units (see proposed building elevations on page 25). The 16 proposed buildable lots will have access to a private road within the development and the private road will have a single access connection to 15th Street.

The applicant is proposing 10.6 percent of public open space that will be located in three separate tracts. The open space amenities will include a kid's playground, park bench, picnic table, barbecue, and a fenced in dog run with a pet waste supply station (see Open Space map and images on pages 27 -28). The applicant has indicated that these open space areas will be landscaped and maintained by the HOA.

The applicant has indicated that this project will be completed in one phase with construction beginning in summer of 2022. See the attached Narrative by the applicant at the end of this report for a complete overview of their annexation, PUD, and subdivision request (Attachment).

PROPERTY LOCATION MAP:



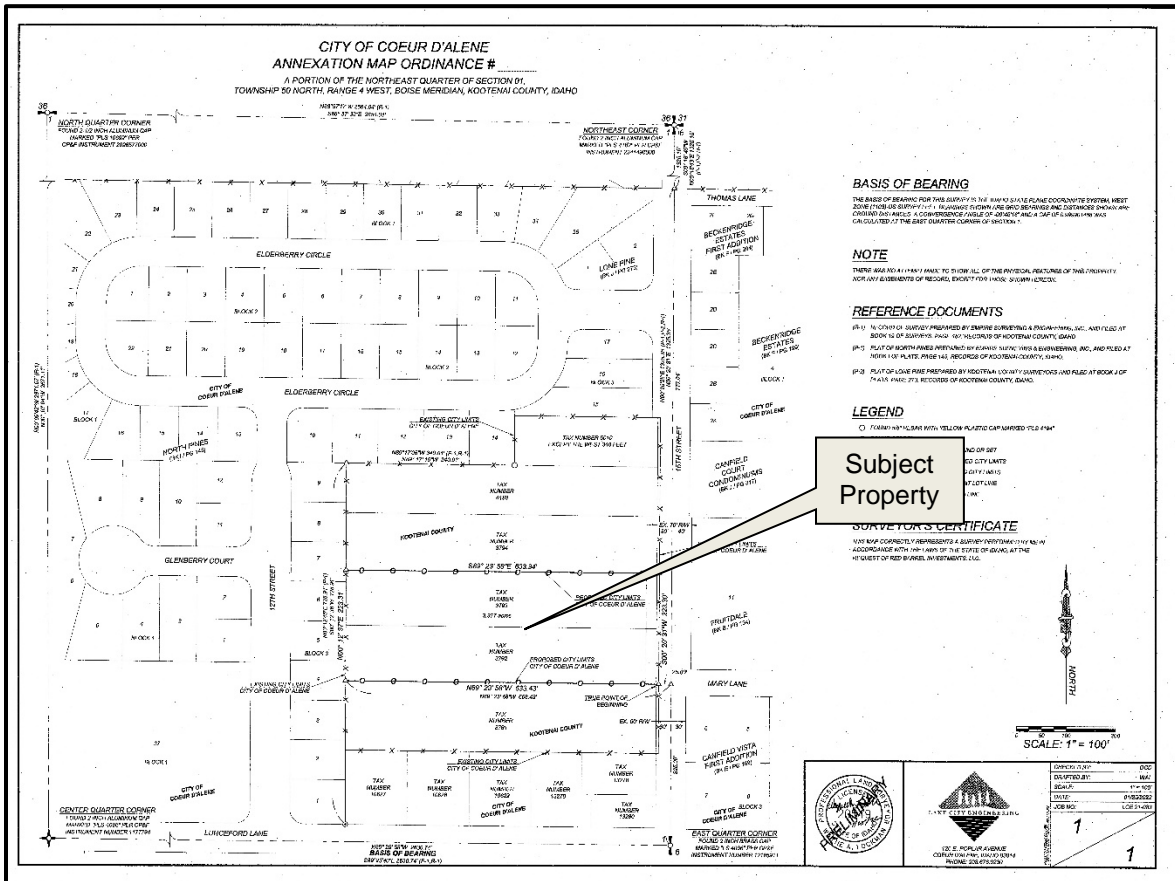
AERIAL PHOTO:



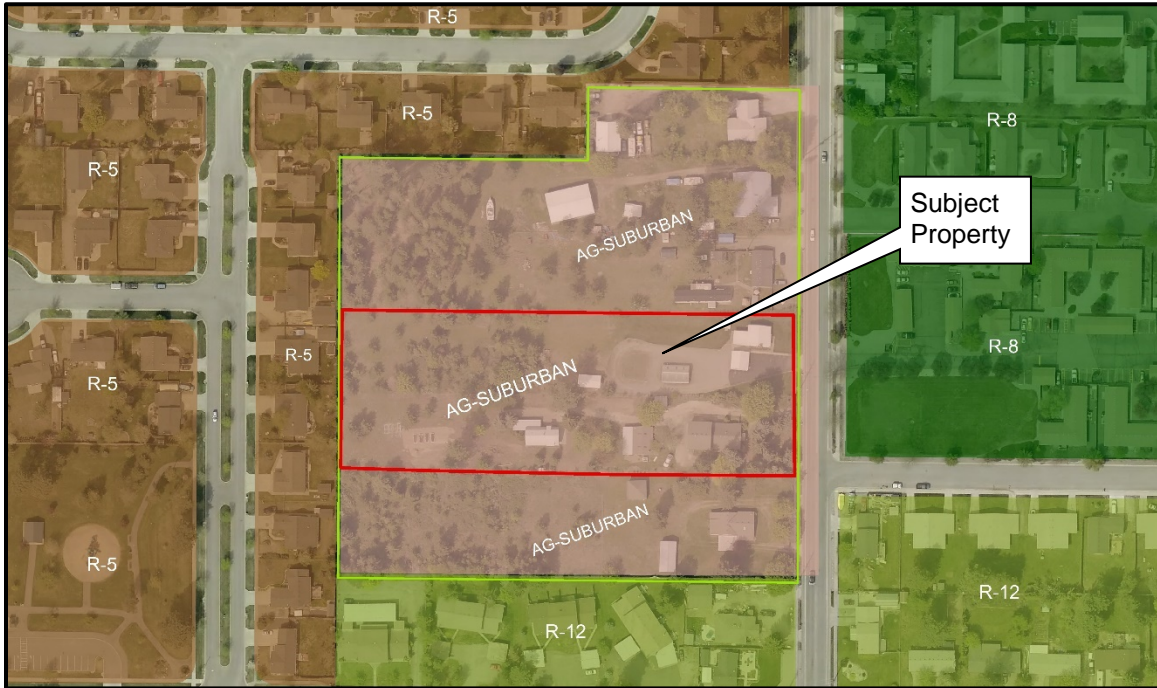
BIRDS EYE AERIAL:



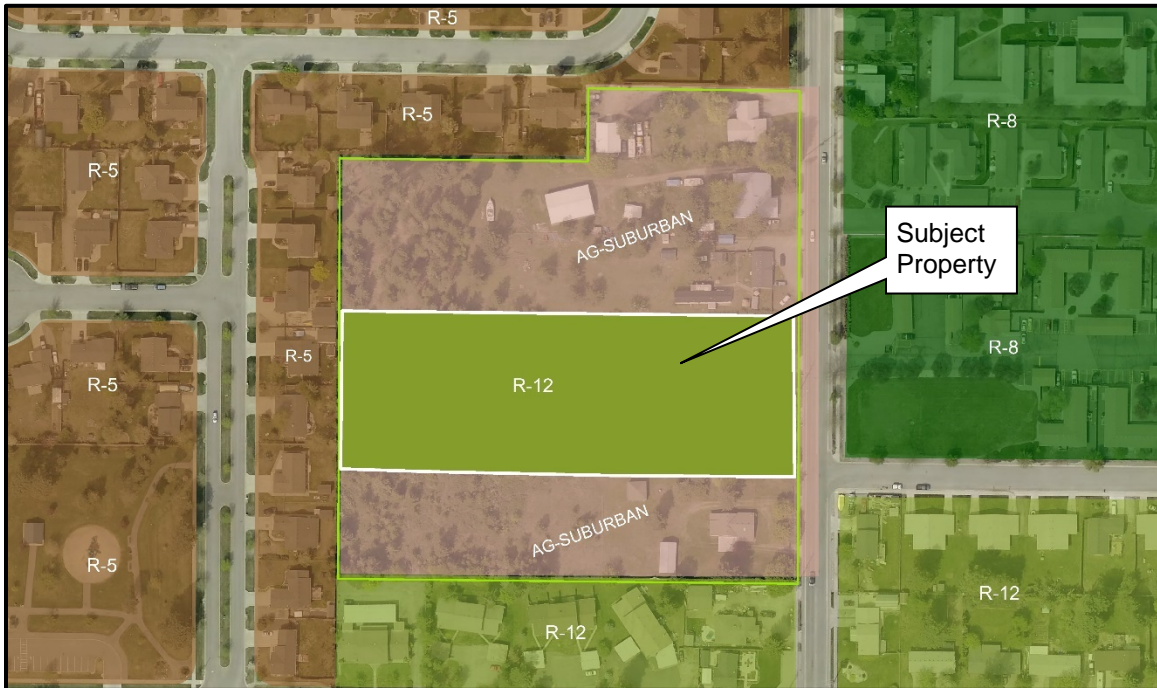
ANNEXATION MAP:



EXISTING ZONING MAP: County Zoning Districts



PROPOSED ZONING MAP:



The proposed R-12 zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property to the east and west within the Coeur d'Alene city limits. The property is adjacent by County Ag-Suburban zoning to the north and south. Approval of the requested R-12 zoning in conjunction with annexation would allow the following potential uses of the property.

Proposed R-12 Zoning District:

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

17.05.180: PERMITTED USES; PRINCIPAL:

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

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

17.05.190: PERMITTED USES; ACCESSORY:

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

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

17.05.200: PERMITTED USES; SPECIAL USE PERMIT:

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

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

17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

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

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

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:
Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

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

A-3-22 ANNEXATION FINDINGS:

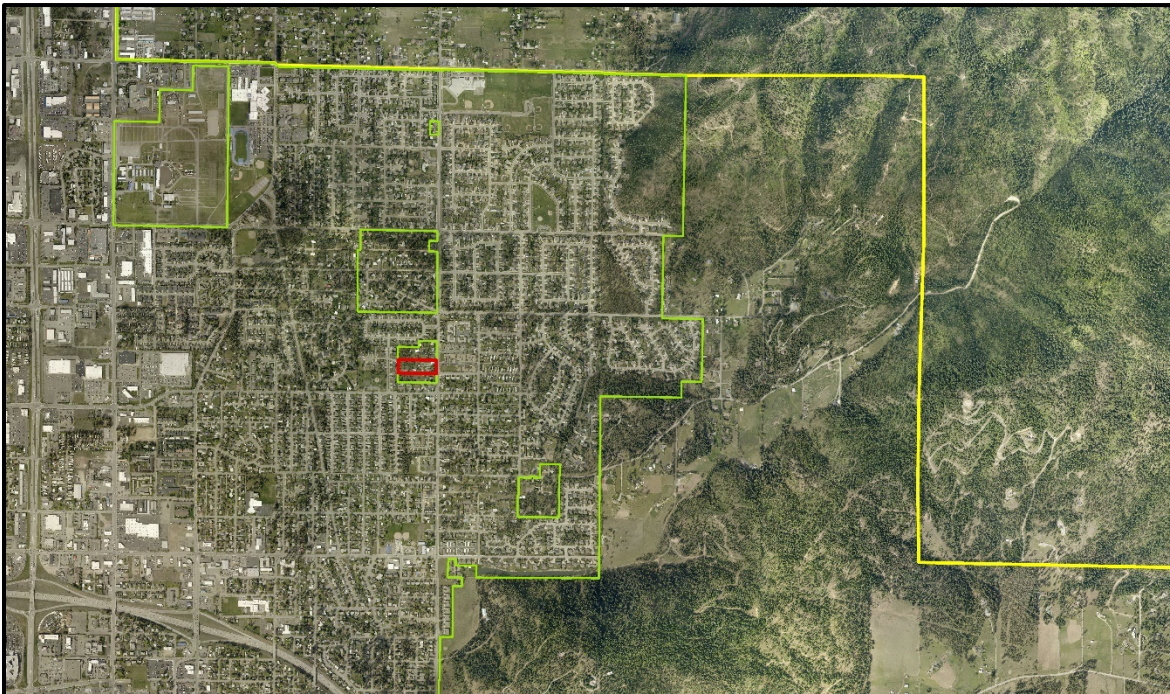
REQUIRED FINDINGS FOR ANNEXATION:

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

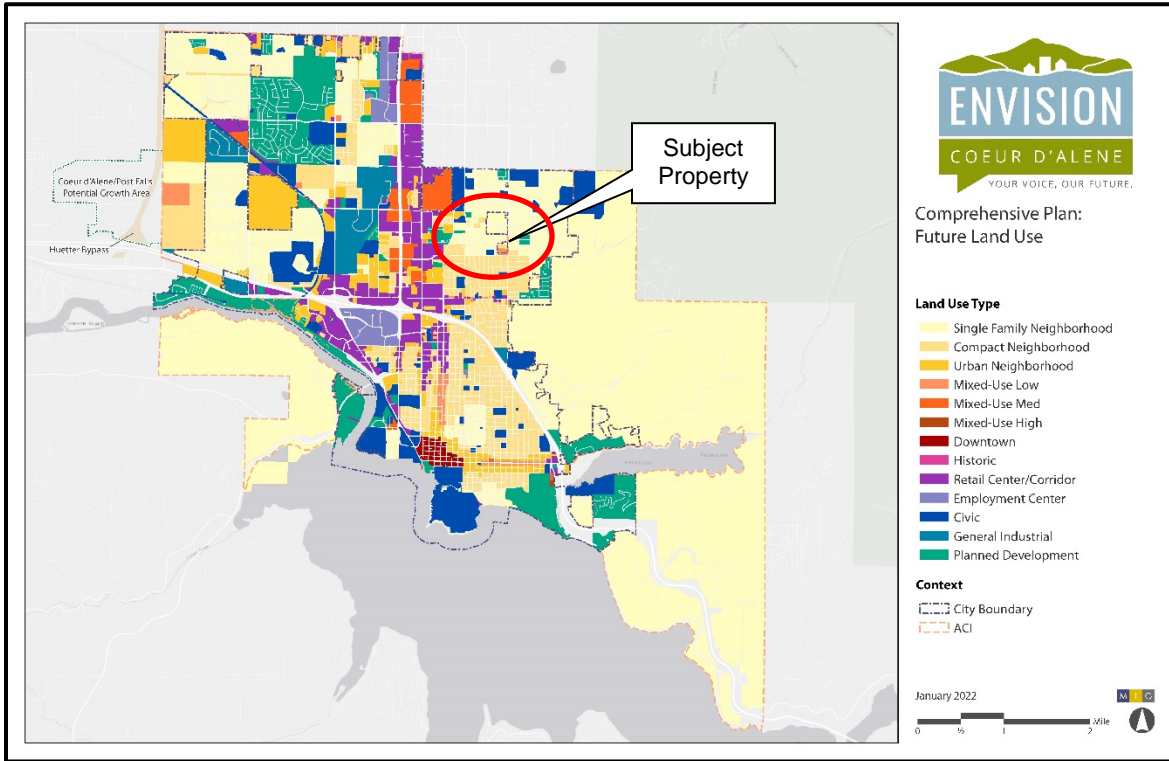
2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates the subject property within two land use areas.
 1. Compact Neighborhood
 2. Mixed Use-Low
- The subject site lies within the City's Area of City Impact (ACI)

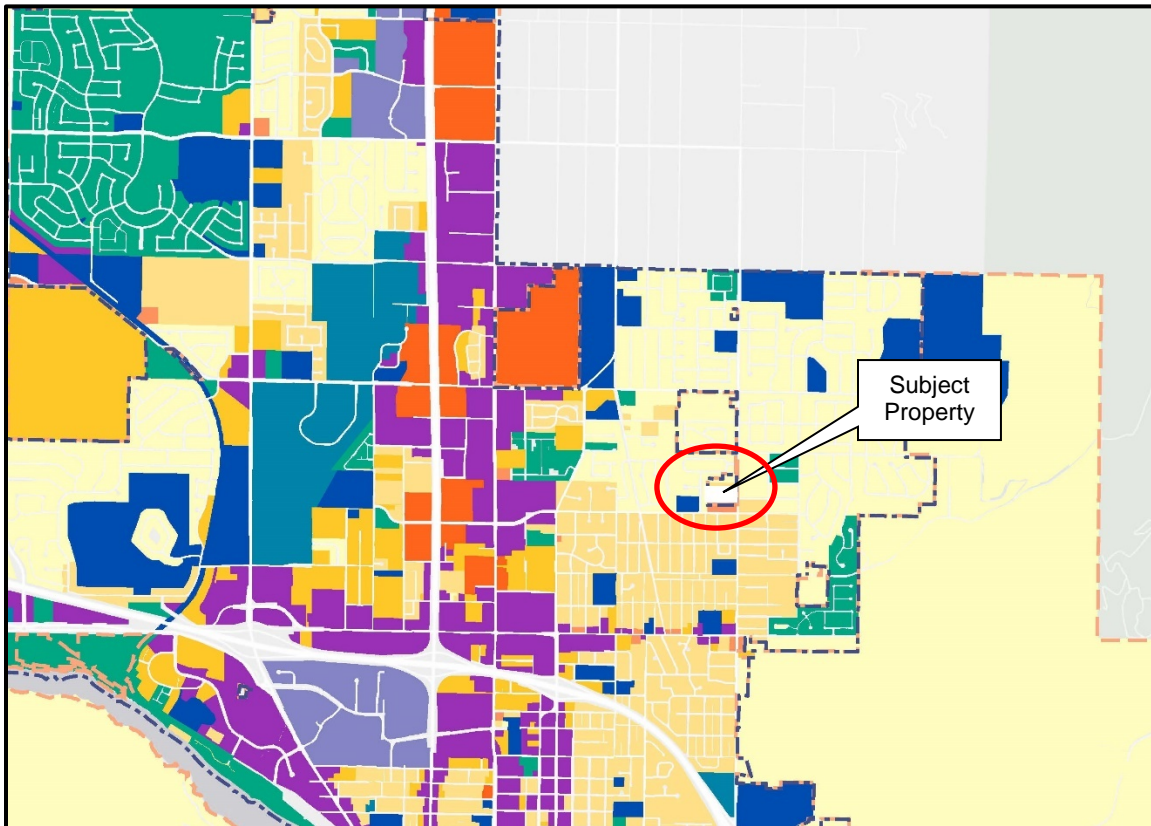
AREA OF CITY IMPACT MAP:



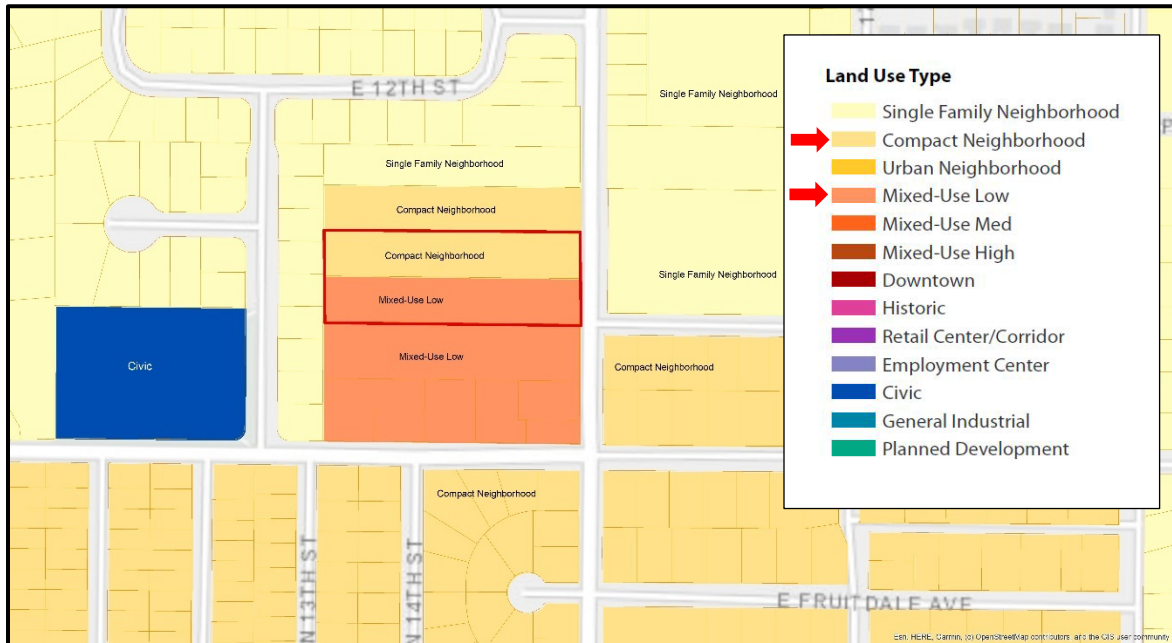
2042 COMPREHENSIVE PLAN LAND USE MAP:



2042 COMPREHENSIVE PLAN LAND USE MAP:



2042 COMPREHENSIVE PLAN LAND USE MAP: Site Location



The subject site lies within two place types as designation in the 2042 Comprehensive Plan. The two place types are Compact Neighborhood and Mixed Use-Low.

2042 Comprehensive Plan Place Types:

The Place Types in this plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will in turn provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Place Type -1: Compact Neighborhood

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family homes, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

Compatible Zoning Districts within the "Compact Neighborhood" Place Type:

- R-12, R-17, MH-8, NC and CC Zoning Districts.

Key Characteristics of “Compact Neighborhood” Place Type:

Compact Neighborhood



Key Characteristics

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d’Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

Transportation

- Gridded street pattern with pedestrian and bicycle facilities

Typical Uses

- Primary: Single and mixed residential
- Secondary: Neighborhood parks and recreation facilities, parking

Building Types

- Single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts

Compatible Zoning

- R-12 and R-17; MH-8; NC and CC



Place Type -2: Mixed-Use Low


Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Compatible Zoning Districts within the “Mixed-Use Low” Place Type:

- C-17, C-17L, NC, and CC Zoning Districts.

Key Characteristics of the “Mixed-Use Low” Place Type:


Mixed-Use Low



Key Characteristics
Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Transportation

- Gridded main streets and mid-block pedestrian connections
- High ease-of-use pedestrian and bicycle facilities



Typical Uses

- Primary: Retail, commercial, office, restaurant, multifamily residential
- Secondary: Civic uses, parking

Building Types

- Up to four stories, retail and commercial on the ground floor, with residential units above

Compatible Zoning

- C17 and C17L; NC and CC

Although the subject property lies within two Land Use Place Types, the “Compact Neighborhood” place type is compatible with the proposed annexation with R-12 zoning. The proposal best aligns with the “Compact Neighborhood” place type.

2042 Comprehensive Goals and Objectives that apply:

Community & Identity

Goal CI 1

Coeur d’Alene citizens are well informed, responsive, and involved in community discussions.

OBJECTIVE CI 1.1

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d’Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Environment & Recreation

Goal ER 1

Preserve and enhance the beauty and health of Coeur d’Alene’s natural environment.

OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

OBJECTIVE GD 2.2

Ensure that City and technology services meet the needs of the community.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

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 with project development. All stormwater must be contained on-site. Stormwater swales for the development shall not be constructed within City Right-of-Way as depicted in the preliminary plans. 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 site has frontage on 15th St. Any necessary improvements to the frontages, including the required addition of sidewalk, would be addressed during construction. Ten feet of right-of-way along 15th Street shall be deeded to the City. The narrow streets, limited on-street parking, and limited snow storage areas are expected to cause complaints for future residents. However, since the streets are proposed to be private, the impacts will likely be isolated to the residents. It is also worth noting that only eight of the 32 units will have sidewalk access to their homes, but it is proposed as a private street. The Streets and Engineering Department has no objection to the proposed development.

-Submitted by Chris Bosley, City Engineer

WATER

The property for proposed annexation lies within the City of Coeur d'Alene water service area. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel at High Zone service elevation. Services currently exist to 3511 and 3525 N 15th St. respectively. If those services are not used and properly abandoned, credit may be granted in kind for replacement services.

-Submitted by Terry Pickel, Water Department Director

SEWER:

The nearest public sanitary sewer is located in 15th Street to the east of subject property. At no cost to the City, a sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

-Submitted by Larry Parsons, Utility Project Manager

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 objection to the proposed annexation and development.

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

POLICE:

The Police Department does not have an issue with the annexation and the proposed development.

-Submitted by Lee White, Chief of Police

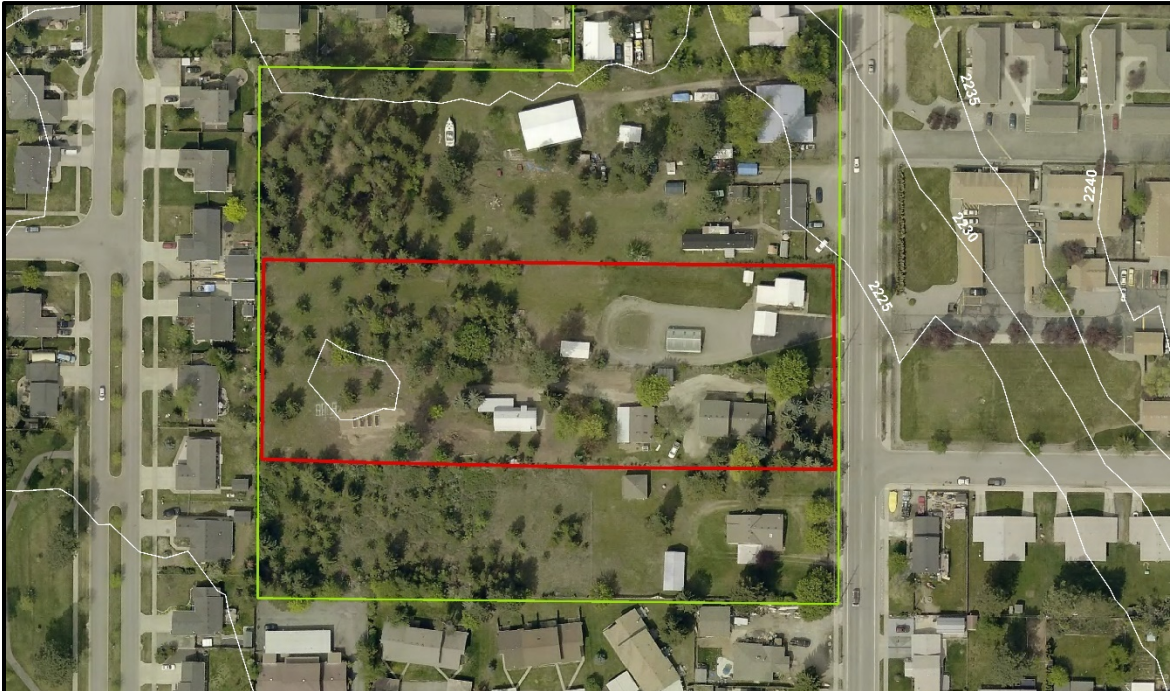
Evaluation: *The Planning Commission will need to determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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

PHYSICAL CHARACTERISTICS:

The site is general flat and has a slight slope to the southwest to the south. (See topography map on page 16). There are two single family dwelling located on the eastern portion of the site. The western portion of the site is vacant of buildings and is in a natural state with grass and trees located on it. 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 south on 15th Street.



SITE PHOTO - 2: View from 15th Street looking west.



SITE PHOTO - 3: View from the center of property looking north



SITE PHOTO - 4: View from the center of property looking west



SITE PHOTO - 5: View from the center 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:

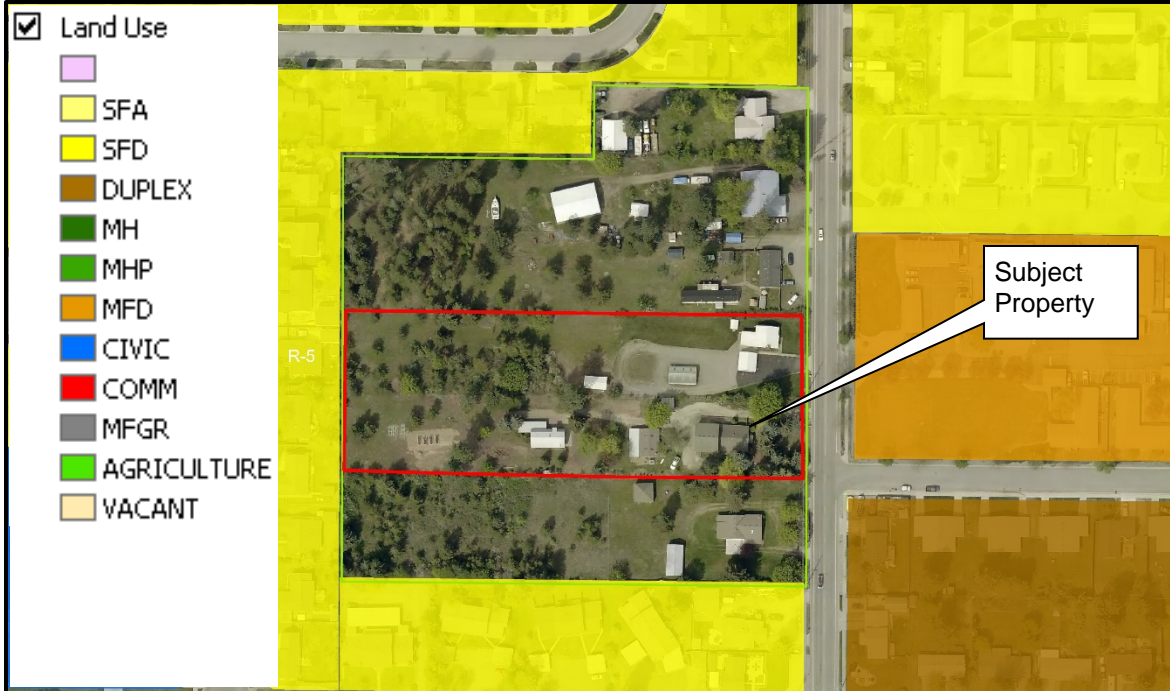
As noted above, the subject property is bordered by 15th Street, which is a major collector street. Traffic from the proposed residential development is estimated to generate approximately 21 am peak hour and 25 pm peak hour trips per day. 2018 traffic counts indicate 15th Street experiences an average of 770 PM peak hour trips. The estimated traffic was derived from Land Use Code 231 – Low-Rise Residential Condominium/Townhouse in the ITE Trip Generation Manual. The Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

The neighborhood is predominantly single family. To the east, across 15th Street there is a multi-family apartment complex along with some duplex housing units. The surrounding properties to the north, east, south, and west have residential uses located on them (See existing land use map located on page 20).

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.*

PUD-1-22: 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:

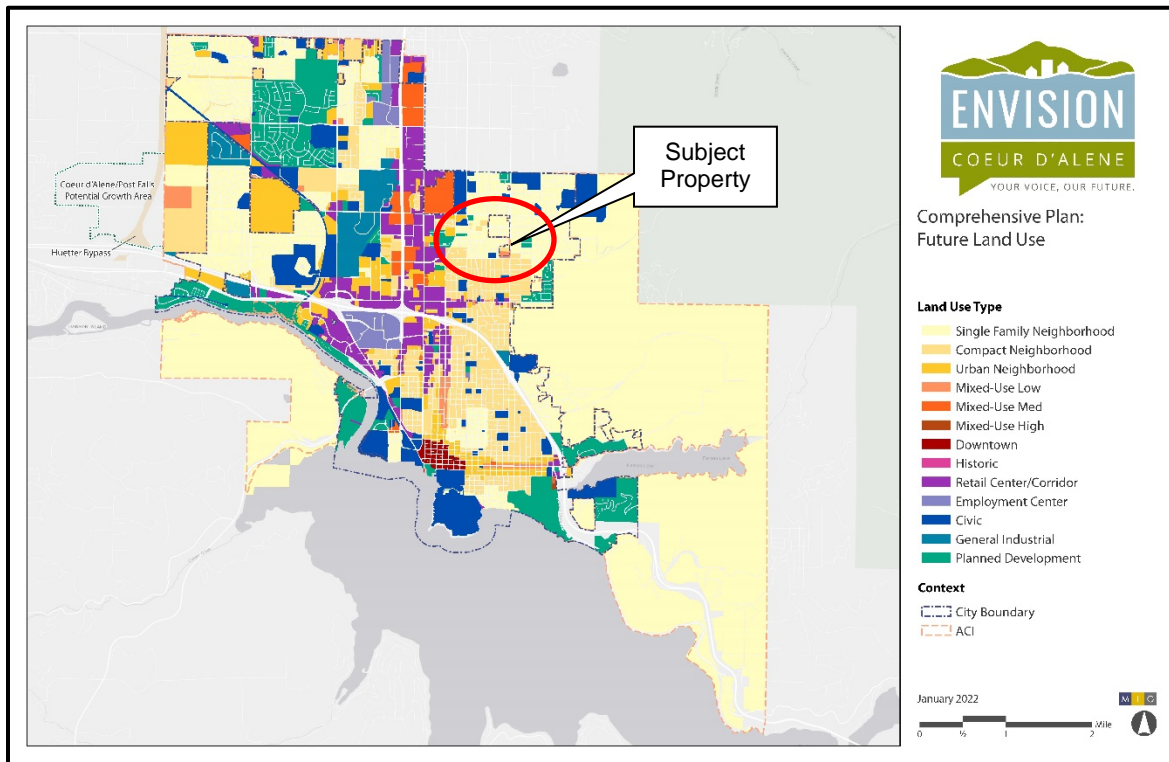
REQUIRED FINDINGS (PUD):

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

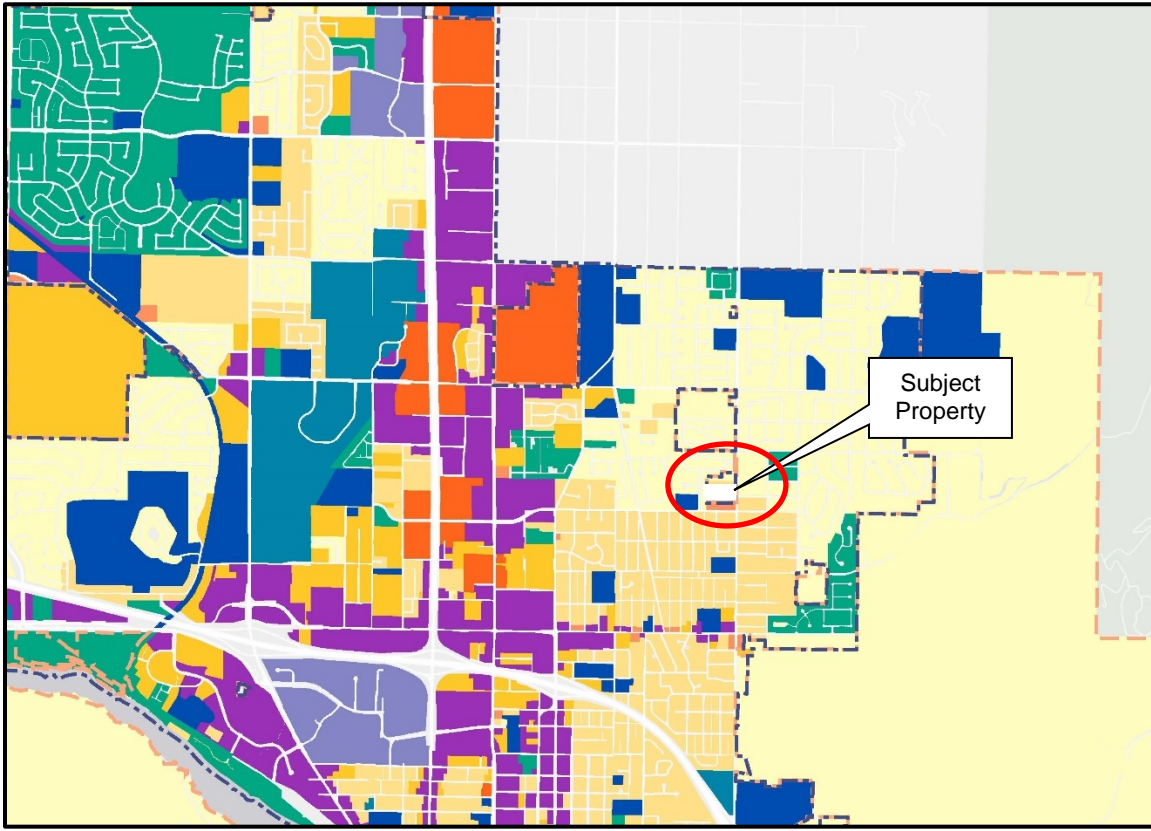
2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates the subject property within two land use areas.
 3. Compact Neighborhood
 4. Mixed Use-Low
- The subject site lies within the City's Area of City Impact (ACI)

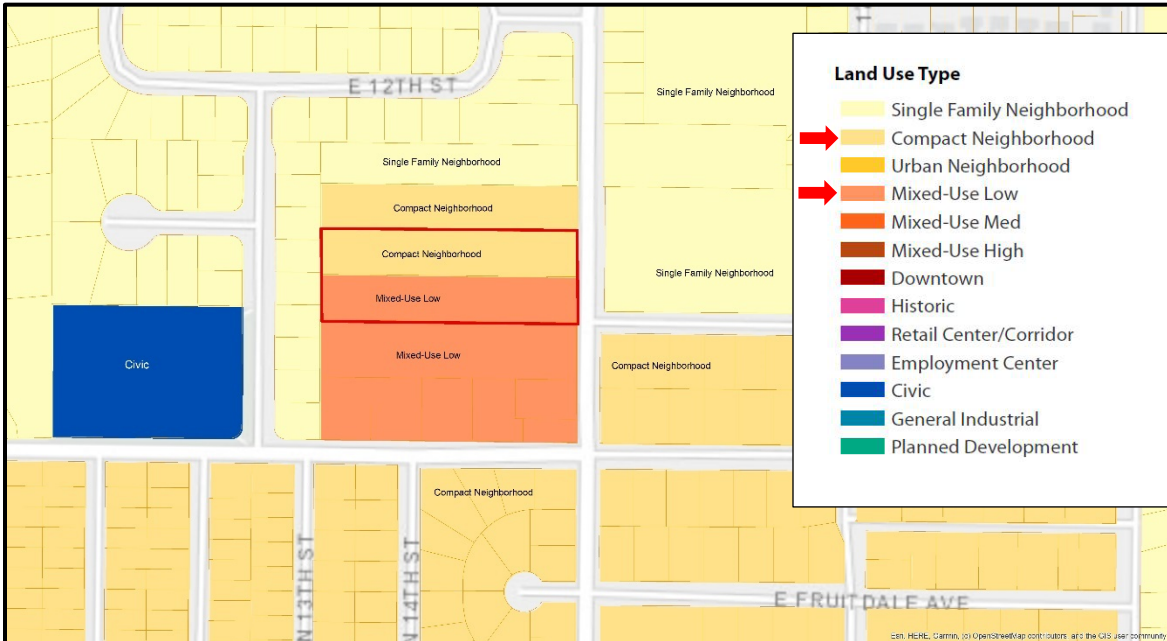
2042 COMPREHENSIVE PLAN LAND USE MAP:



2042 COMPREHENSIVE PLAN LAND USE MAP:



2042 COMPREHENSIVE PLAN LAND USE MAP: Site Location



The subject site lies within two place types as designation in the 2042 Comprehensive Plan. The two place types are Compact Neighborhood and Mixed Use-Low.

2042 Comprehensive Plan Place Types:

The Place Types in this plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will in turn provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Place Type -1: Compact Neighborhood

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family homes, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

Compatible Zoning Districts within the "Compact Neighborhood" Place Type:

- R-12, R-17, MH-8, NC and CC Zoning Districts.

Key Characteristics of "Compact Neighborhood" Place Type:

Compact Neighborhood



Key Characteristics
Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically **single-family**, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include **neighborhood parks**, recreation facilities, and parking areas.

Transportation

- Gridded street pattern with pedestrian and bicycle facilities

Typical Uses


- Primary: **Single and mixed residential**
- Secondary: Neighborhood parks and recreation facilities, parking

Building Types

- **Single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts**

Compatible Zoning

- **R-12** and R-17; MH-8; NC and CC



Place Type -2: Mixed-Use Low


Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Compatible Zoning Districts within the “Mixed-Use Low” Place Type:

- C-17, C-17L, NC, and CC Zoning Districts.

Key Characteristics of the “Mixed-Use Low” Place Type:


Mixed-Use Low



Key Characteristics
 Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Transportation

- Gridded main streets and mid-block pedestrian connections
- High ease-of-use pedestrian and bicycle facilities



Typical Uses

- Primary: Retail, commercial, office, restaurant, multifamily residential
- Secondary: Civic uses, parking

Building Types

- Up to four stories, retail and commercial on the ground floor, with residential units above

Compatible Zoning

- C17 and C17L; NC and CC

Although the subject property lies within two Land Use Place Types, the “Compact Neighborhood” place type is compatible with the proposed annexation with R-12 zoning. The proposal best aligns with the “Compact Neighborhood” place type.

2042 Comprehensive Goals and Objectives that apply:

Community & Identity

Goal CI 1

Coeur d’Alene citizens are well informed, responsive, and involved in community discussions.

OBJECTIVE CI 1.1

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d’Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Environment & Recreation

Goal ER 1

Preserve and enhance the beauty and health of Coeur d’Alene’s natural environment.

OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

OBJECTIVE GD 2.2

Ensure that City and technology services meet the needs of the community.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

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

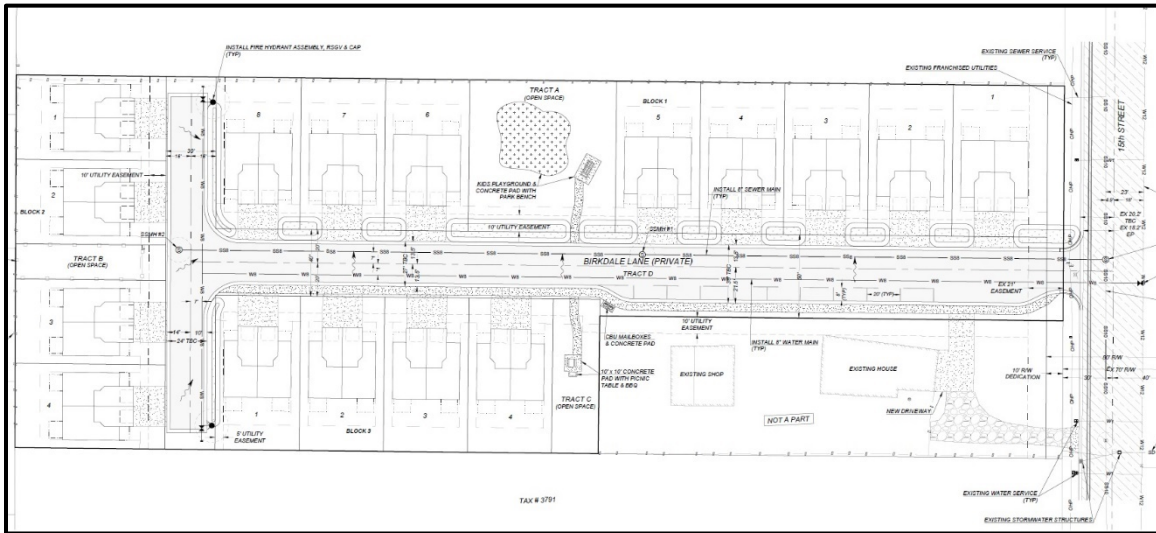
Finding #B8B:

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

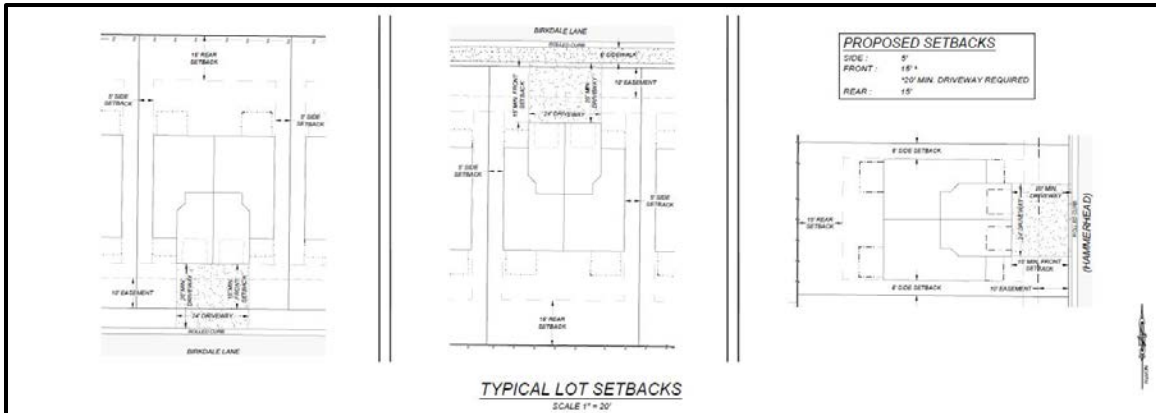
LOCATION, SETTING, AND EXISTING USES:

The site is generally flat and the western portion of the lot is covered with trees. There is a single-family dwelling to the north of the subject site. To the east are multi-family apartments and duplex housing units. To the south is are four multi-family units as well as single family dwellings. To the west are single family dwellings. There are existing residential uses that surround the subject site on all sides.

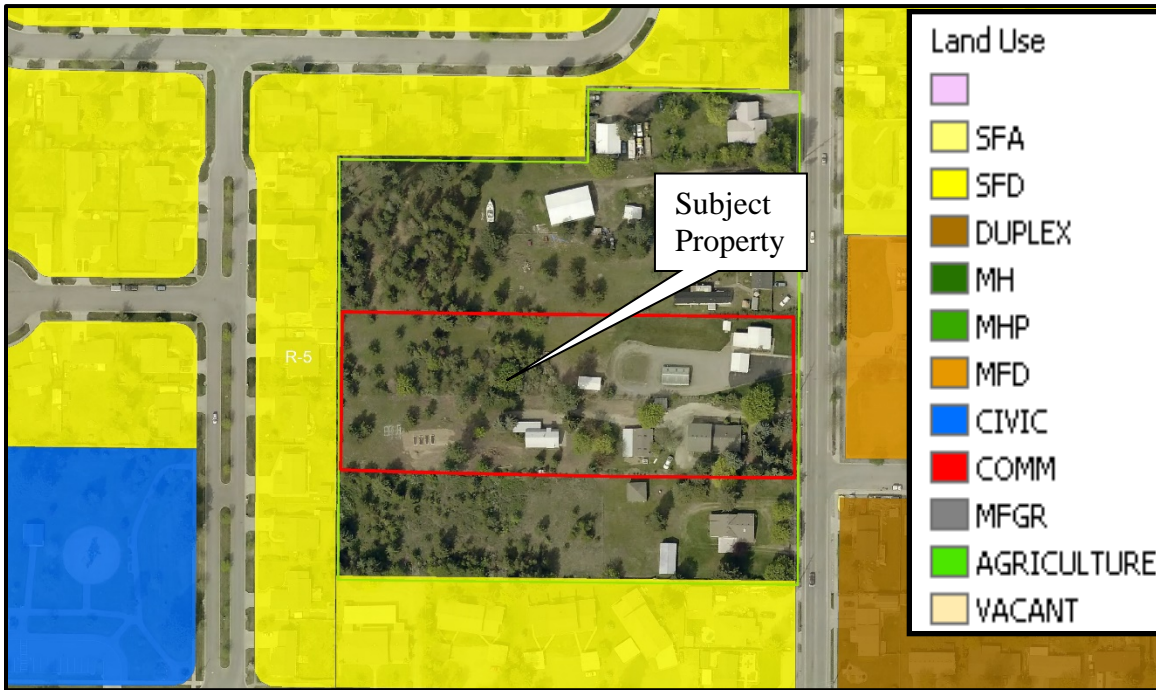
PUD SITE PLAN MAP:



SETBACKS PROPOSED:



GENERALIZED LAND USE MAP:



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.*

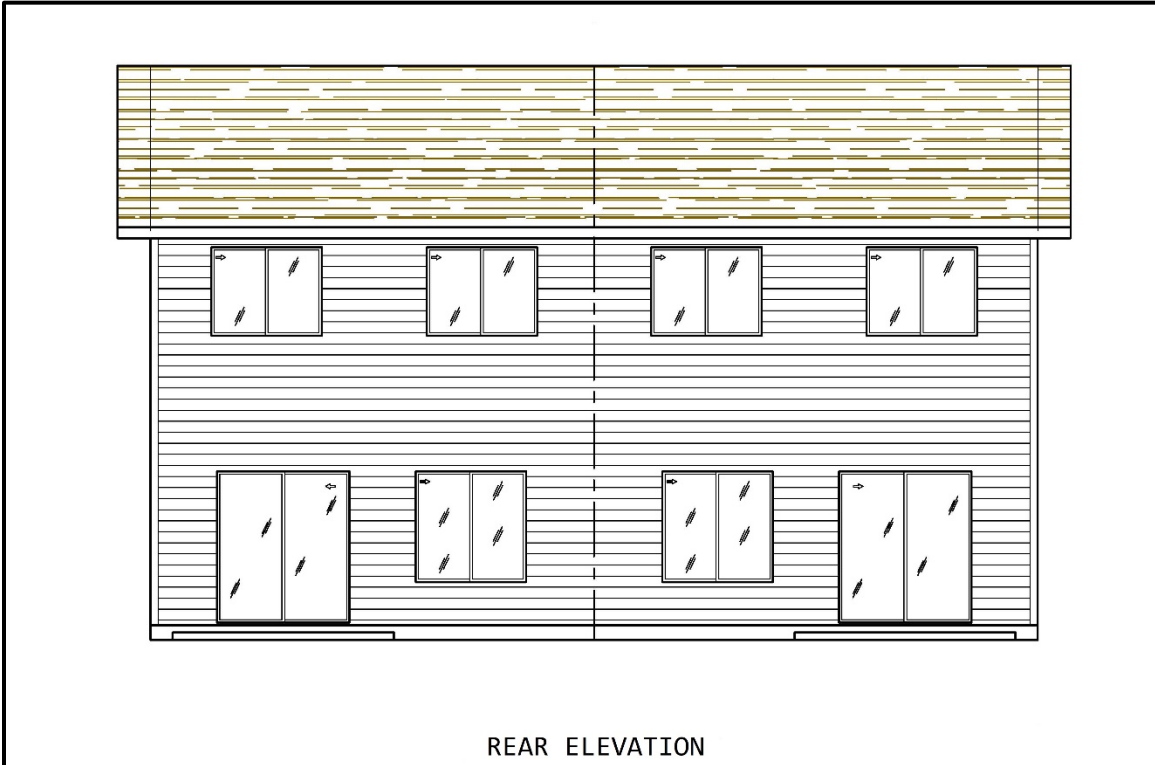
Finding #B8C: **The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The property is flat and a multitude of residential housing types are located within the vicinity of the subject site. The surrounding properties that contain residential uses are also relatively flat. The natural features of the site are consistent with the natural features of the surrounding properties, including the residential subdivision to the west and east. The following images reflect the proposed building elevations of the duplex residential homes.

APPLICANT'S BUILDING ELEVATION – 1 (duplex residential): Front Elevation



APPLICANT'S BUILDING ELEVATION – 1 (duplex residential): Rear Elevation



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

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

See staff comments which can be found in finding #B7B (Subdivision: pages 35-37).

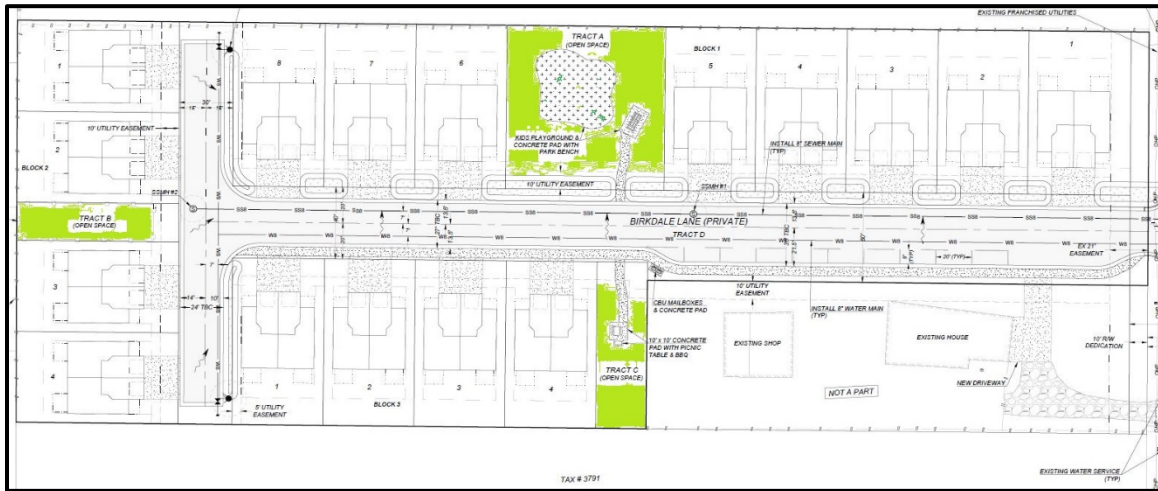
Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the location, design, and size of the proposal are such that the development will be adequately served by existing public facilities and services.*

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.**

The applicant is proposing 10.6% open space. The applicant has indicated that the open space will consist of three tracts that are situated on the north, west, and south sides of the propose PUD (See open space exhibits on pages 31-32). Below is and exert from the applicant's narrative in regards to the proposed open space.

This project contains 0.287 acres (12,510 sf) of open space that will exist as (3) tracts within the subdivision and function as public amenities. The fourth tract will contain Birkdale Lane as a private road. On the North side of Birkdale Lane, a large open space area will house a kid's playground and concrete pad with a park bench. Directly across the road from this playground will be a concrete walk leading to a picnic table and BBQ situated on a 10'x10' concrete pad. A fenced dog run with a pet waste supplies station located at the West end of the development will give dog owners a safe place to unleash their pets.

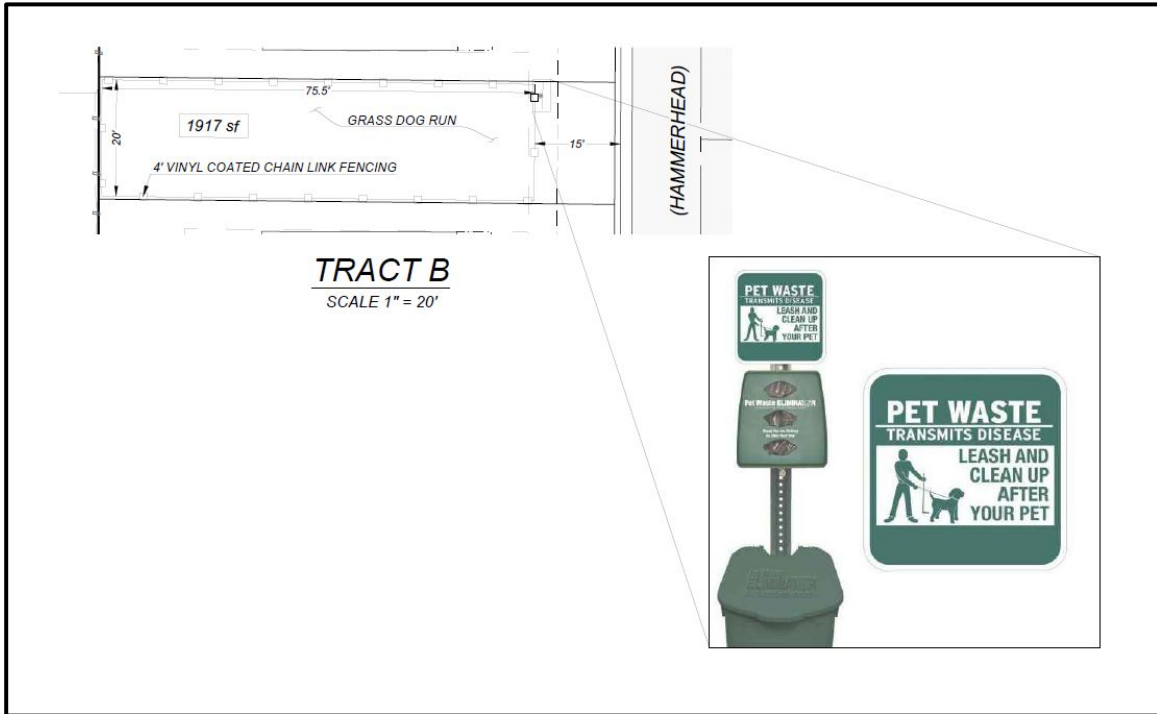
OPEN SPACE – SITE PLAN MAP:



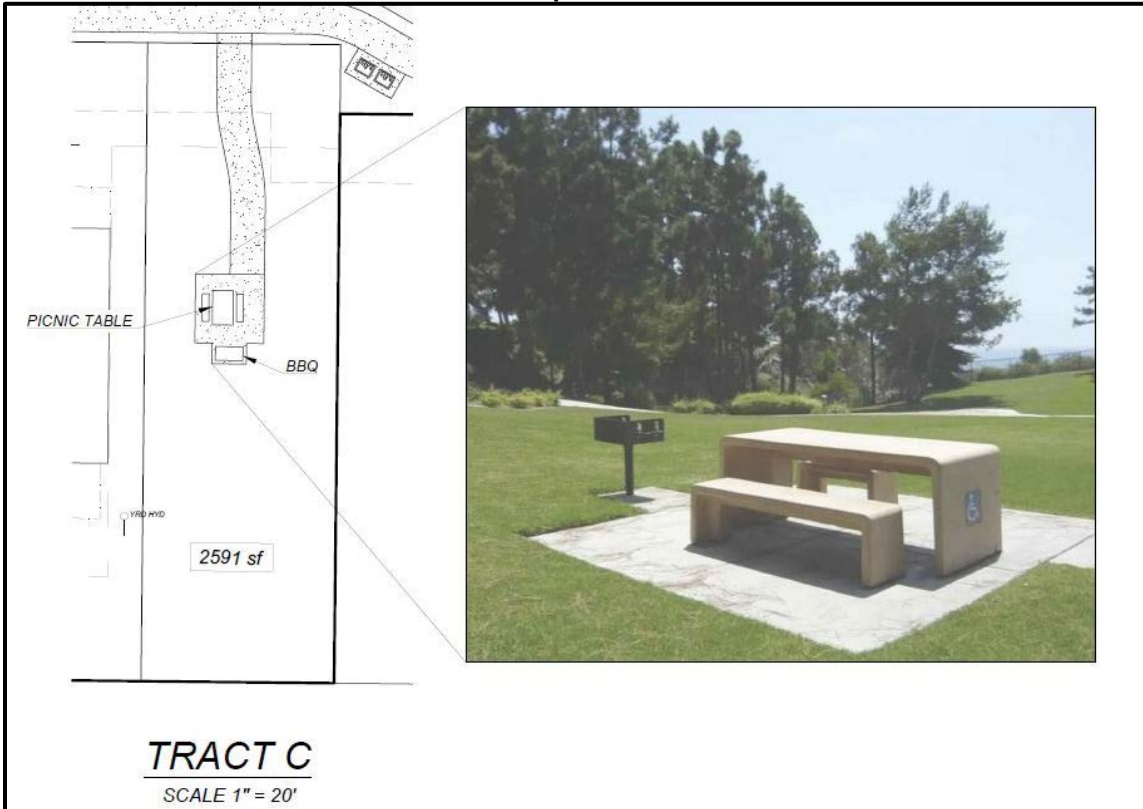
OPEN SPACE – 1: Kid's Playground



OPEN SPACE – 2: Fenced Dog Run with a pet waste supplies station.



OPEN SPACE – 3: Picnic Bench and Barbeque Grill



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

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

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

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

Finding #B8E: **Off-street parking (does) (does not) provide parking sufficient for users of the development.**

There was no request made to change the City's off-street parking requirements through the PUD process. Single family and duplex homes would be required to provide two (2) off-street paved parking spaces per unit, which is consistent with code requirements for single-family and duplex residential.

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.**

The applicant/owner and their design team will be required to work with the City of Coeur d'Alene legal department on all required language for the CC&Rs, Articles of Incorporation and Bylaws, and any language that will be required to be placed on the final subdivision plat in regard to maintenance of all private infrastructure.

The HOA will be responsible for continued maintenance of the private infrastructure, roads, and all open space areas that serve the residential lots of this PUD.

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-1-22 SUBDIVISION FINDINGS:

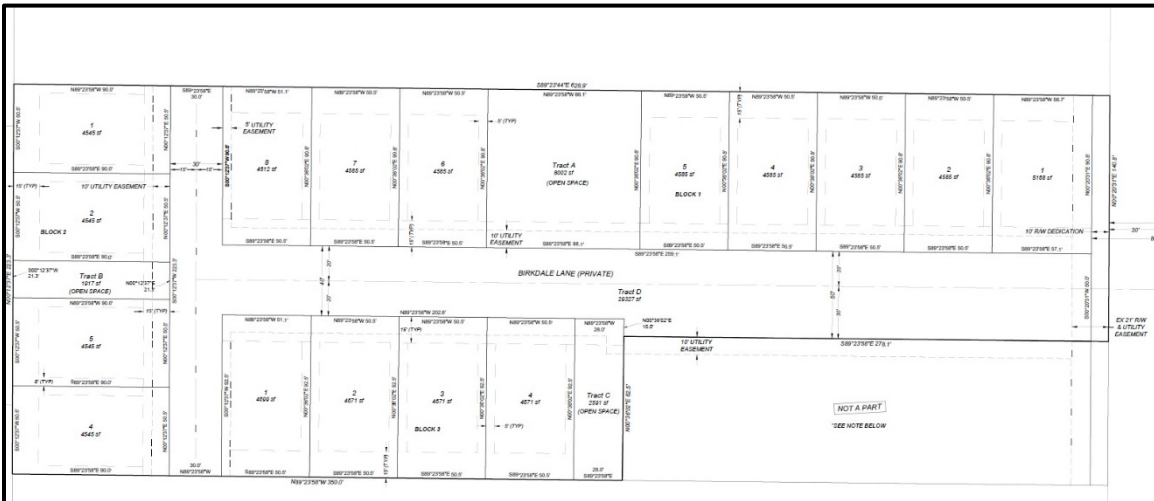
REQUIRED FINDINGS (Subdivision):

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

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

-Submitted by Chris Bosley, City Engineer

PRELIMINARY PLAT FOR "HAAG ESTATES":



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:

Stormwater will be addressed with project development. All stormwater must be contained on-site. Stormwater swales for the development shall not be constructed within City Right-of-Way as depicted in the preliminary plans. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

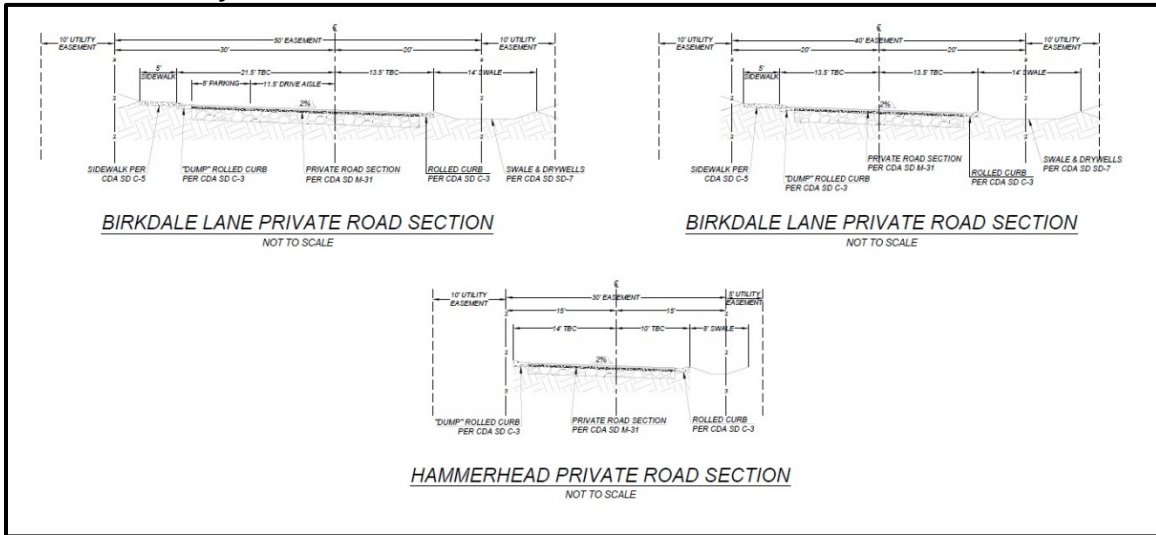
-Submitted by Chris Bosley, City Engineer

STREETS:

The site has frontage on 15th St. Any necessary improvements to the frontages, including the required addition of sidewalk, would be addressed during construction. Ten feet of right-of-way along 15th Street shall be deeded to the City. The narrow streets, limited on-street parking, and limited snow storage areas are expected to cause complaints for future residents. However, since the streets are proposed to be private, the impacts will likely be isolated to the residents. It is also worth noting that only eight of the 32 units will have sidewalk access to their homes, but it is proposed as a private street. The Streets and Engineering Department has no objection to the proposed development.

-Submitted by Chris Bosley, City Engineer

Private Roadway Sections:



WATER:

The property for proposed annexation lies within the City of Coeur d'Alene water service area. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel at High Zone service elevation. Services currently exist to 3511 and 3525 N 15th St. respectively. If those services are not used and properly abandoned, credit may be granted in kind for replacement services.

-Submitted by Terry Pickel, Water Department Director

WASTEWATER:

1. Sewer Policy #719 requires a 20' wide utility easement (30' if shared with Public Water) to be dedicated to the City for all public sewers.
2. Sewer Policy #719 requires an unobstructed "All-Weather" surface permitting O&M access to the public sewer.
3. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.

4. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
5. Cap any unused sewer laterals at the public main

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

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

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

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

POLICE:

The Police Department does not have an issue with the annexation and proposed development.

-Submitted by Lee White, Chief of Police

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

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

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

-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.**

The R-12 zoning district requires that each lot have a minimum of 5,500 square feet of area for a single family dwelling unit and 7,000 SF minimum lot area for duplex housing. The proposed lots range from 4,545 SF to 4,816 SF in area. The applicant has requested the reduction in lot area and to allow duplex housing units on these lots through the PUD process. The minimum lot frontage for R-12 lots is 50 feet and the applicant is not requesting a reduction in this requirement.

The subject property is 2.71 acres and the R-12 zoning district would allow up to a maximum of 32 units on this site. The applicant is proposing 32 dwelling units on 16 lots. The R-12 zoning district allows for a maximum density of 12 units per acre and this development proposed at a density of 11.81 units per acre.

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

ORDINANCES & STANDARDS USED FOR EVALUATION:

2042 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 AND PUD AND SUBDIVISION CONDITIONS:

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
4. Construction of a sidewalk along 15th Street, meeting City of Coeur d'Alene standards, is required.
5. Where applicable, all water infrastructure required to support the development will be installed at the developer's expense and shall be constructed per City standards to support future expansion to neighboring lots.
6. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Public sewer shall be extended to and through this project (to serve potential development to the north and south of the property) and installed to all city specifications and standards.
8. A utility easement for the public sewer and water shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. All public sewer plans require IDEQ or QLPE Approval prior to construction.
12. Stormwater swales for the development shall not be constructed within City Right-of-Way as depicted in the preliminary plans. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction. All swales shall be located within dedicated easements.
13. The preliminary subdivision plat shall be recorded with the annexation agreement to limit the maximum number of units to 34. If the subdivision and PUD do not move forward, the owner would be responsible for paying the additional annexation fees for the additional 4 units that would be possible with the density of R-12. Fees would be due prior to issuance of any permits.

ACTION ALTERNATIVES:

Planning Commission will need to consider these three requests and make separate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

Attachments: Applicant's Narrative

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

**APPLICANT'S
NARRATIVE**

15th STREET ANNEXATION

PROJECT NARRATIVE

Coeur d'Alene, Idaho

January 26, 2022



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



Figure 3: Proposed Zoning

COMPREHENSIVE PLAN ANALYSIS

The current *City of Coeur d'Alene 2007 Comprehensive Plan* designates the subject property as Stable Established within the NE Prairie area. The new *Land Use and Design* document associated with the draft *Envision Coeur d'Alene Comprehensive Plan Update through 2040* designates the northern parcel of this project as Compact Neighborhood and the southern parcel as Mixed-Use Low. The *Envision Coeur d'Alene Comprehensive Plan Update through 2040* will become the guiding document for all future annexation and zoning classification requests. It is important that land use decisions meet, or exceed, the goals, objectives and actions as outlined in this Comprehensive Plan.

The project proponent is requesting a zoning classification of R-12, which, considering the surrounding nearby low-density residential uses, appears appropriate for the subject property. This project will provide additional workforce housing options for existing and incoming residents

to the City of Coeur d'Alene. The project proponent believes that the following goals and objectives (shown in *italics*) as outlined in the draft Comprehensive Plan's *Policy Framework* and *Land Use and Design* documents, are applicable to the requested annexation and zone classification. Additional commentary is located below each objective as appropriate.

Growth and Development

Goal GD 1 Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1 Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

This project is considered in-fill and is located in one of the few remaining County-zoned areas on the East side of Coeur d'Alene. The proposed zoning for this project will provide additional residential housing for the growing community that meshes well with the existing adjacent product types and price points, without creating a noticeable increase in traffic or an impact on the surrounding property owners.

Objective GD 1.5 Recognize neighborhood and district identities.

The residential lots proposed in this project will align with the Compact Neighborhood place type described in the *Envision Coeur d'Alene Land Use and Design* document. This project is located in an older section of the City and is just East of the established North Pines Park on the corner of 12th Street and Lunceford Avenue. The interior of the subdivision will contain sidewalks and street trees that will contribute to the neighborhood feel of the project.

Community and Identity

Objective CI 3.1 Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

The development of this land according to the proposed R-12 zoning classification will provide the City with much needed workforce housing options. Residents of this new neighborhood will enjoy the benefits of a quiet, dead-end street with easy access to 15th Street and the surrounding neighborhoods.

Environment and Recreation

Objective ER 3.1 Preserve and expand the number of street trees within city right-of-way.

As part of the development process for this project, street trees will be planted in the front of each lot, providing residents with shade, beautification, and a quaint, neighborhood feel.

Birkdale Commons

Preliminary Subdivision

&

Planned Unit Development

Project Narrative

City of Coeur d'Alene, Idaho

March, 2022



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

PROJECT SUMMARY

Birkdale Commons is a proposal for 16 residential lots situated on the West side of 15th Street, 0.1 miles North of Lunceford Lane. A Subdivision and Planned Unit Development Application is submitted herewith. The subject property is proposed to be annexed into the City of Coeur d'Alene and lies within the northeast quarter of Section 25, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho. An Annexation application and package has been submitted concurrently with the Subdivision and Planned Unit Development Applications.

SUBJECT PROPERTY

The property under consideration is as follows:

Parcel #s: 50N04W-01-2270 and ptn of 50N04W-01-2280
 AINs: 135371 and ptn of 110816
 Total Area: 2.71 acres

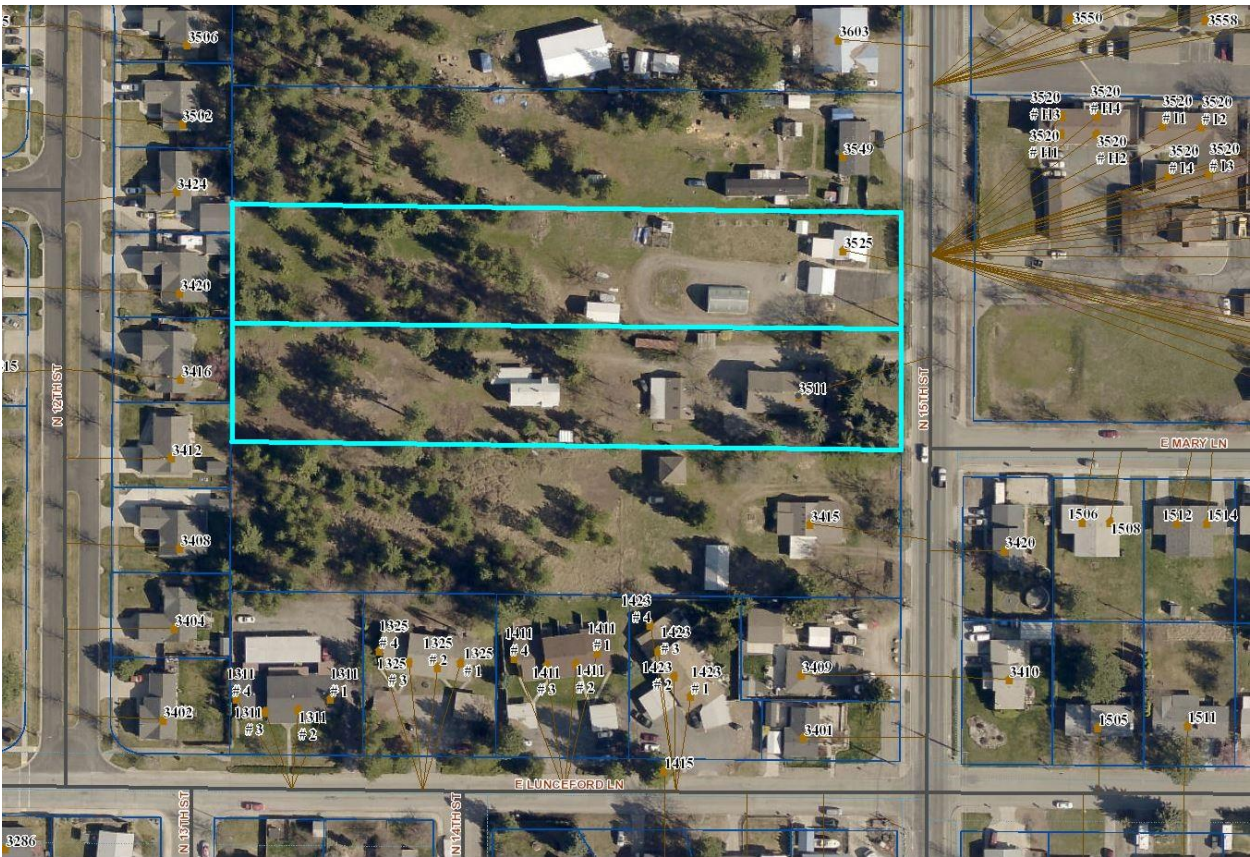


Figure 1: Vicinity Map – Annexation Boundary

LAND USE

The subject properties are currently zoned Ag-Suburban in the County. A request for the annexation of these two parcels into the City of Coeur d'Alene, zoned as R-12, has been submitted and is currently being considered. As recommended by the City Planning Staff, a Planned Unit Development application is being concurrently submitted with this Subdivision and the Annexation.

The new *Land Use and Design* document associated with the draft *Envision Coeur d'Alene Comprehensive Plan Update through 2040* designates the northern parcel of this project as Compact Neighborhood and the southern parcel as Mixed-Use Low. The proposed uses for the subject property are consistent with the surrounding nearby low-density residential uses and will provide much-needed additional housing options for existing and incoming residents to the City of Coeur d'Alene. A brief summary of the project and the proposed design deviations is provided below.

<i>Existing Zoning:</i>	<i>Ag-Suburban (County)</i>
<i>Comprehensive Plan Designation:</i>	<i>Residential – Compact Neighborhood & Mixed-Use Low</i>
<i>Proposed Zoning</i>	<i>R-12</i>
<i>Annexation Area:</i>	<i>3.2 acres</i>
<i>Project Area:</i>	<i>2.71 acres</i>
<i>Residential Lots:</i>	<i>16 lots</i>
<i>Residential Density:</i>	<i>11.8 du/acre</i>
<i>Average Lot Size:</i>	<i>+/- 4,615 sf</i>

<u>R-12 Setback or Provision</u>	<u>Required</u>	<u>Proposed</u>
<i>Minimum Lot Width</i>	<i>50'</i>	<i>50'</i>
<i>Minimum Lot Area</i>	<i>5,500 sf /7,000 sf</i>	<i>4,500 sf (duplex)</i>
<i>Front Setback</i>	<i>20'</i>	<i>15' (20' parking)</i>
<i>Side Setback (interior)</i>	<i>5' / 10'</i>	<i>5'</i>
<i>Flanking Setback</i>	<i>10'</i>	<i>5'</i>
<i>Rear Setback</i>	<i>25'</i>	<i>15'</i>
<i>Garage Setback</i>	<i>20'</i>	<i>20' parking</i>
<i>Max Building Height</i>	<i>32'</i>	<i>32'</i>

Each of the proposed residential lots is designed to allow for a duplex to be constructed. Preliminary architectural plans and elevations for the duplexes are contained within this submittal as Appendix A. Below, shown as Figure 2, are depictions of the proposed setbacks and duplexes.

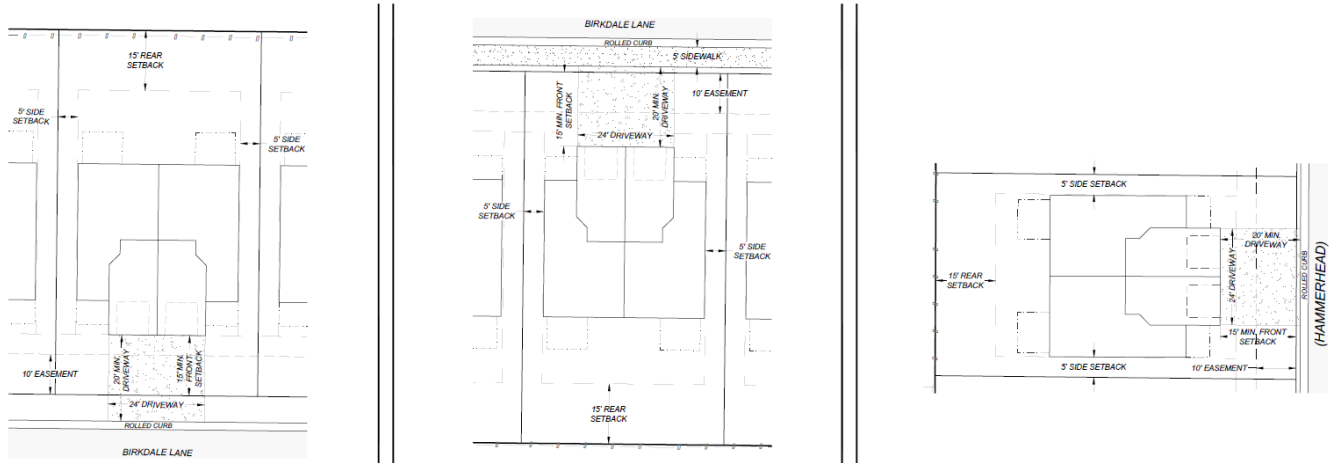


Figure 2: Proposed Building Setbacks

PRE-DEVELOPMENT CHARACTERISTICS

The subject parcels each currently contain a residence and several outbuildings (see Figure 1 above). As part of the development process, all structures on the northern parcel will be removed, and all structures except for the primary residence and shop on the southern parcel will be removed. The topography is flat, and there are no topographical constraints to develop the property as proposed. The western portion of the property contains several deciduous trees and native grasses.

POST-DEVELOPMENT CHARACTERISTICS

The following are the proposed subdivision parameters related to Birkdale Commons:

<i>Total # of Lots:</i>	<i>16 Residential Lots (32 units)</i>
	<i>3 Open Space Tracts</i>
	<i>1 Private Road Tract</i>
<i>Min Lot Size (net):</i>	<i>4,545 SF</i>
<i>Max Lot Size (net):</i>	<i>4,816 SF</i>
<i>Open Space:</i>	<i>12,510 SF (Tracts A, B and C)</i>
<i>Private Road Tract:</i>	<i>29,327 SF (Tract D)</i>

Figure 3 below shows the proposed Subdivision.

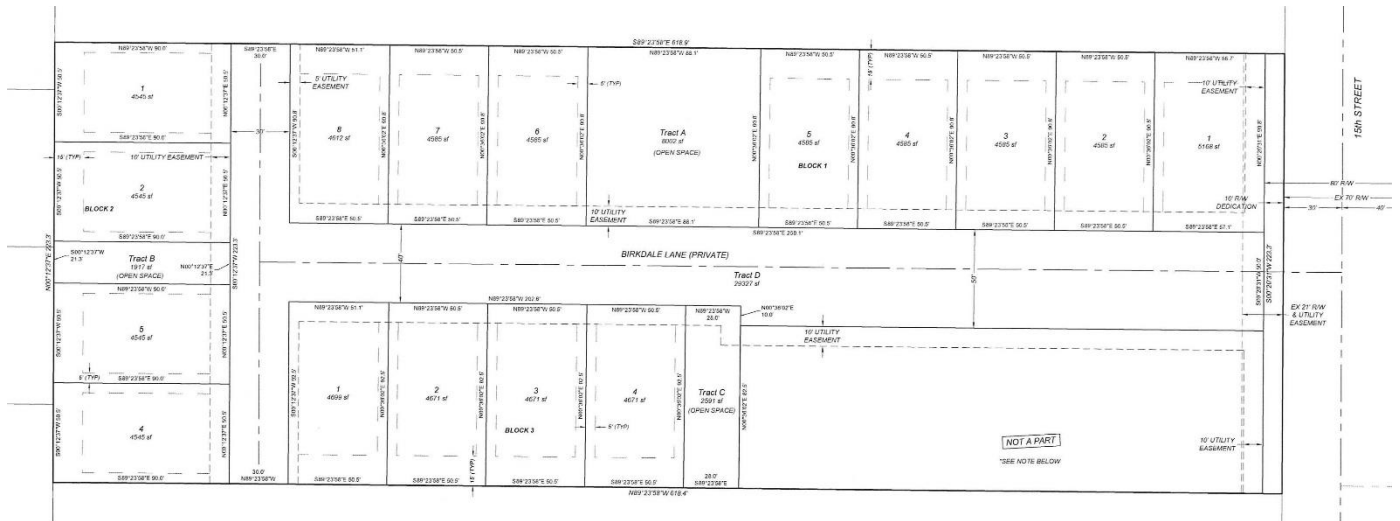


Figure 3: Proposed Subdivision

The proposed development will be built in accordance with City of Coeur d'Alene Standards and commonly accepted construction practices. All utilities are existing and near the subject property boundaries located in 15th Street and will be used to serve this project.

Transportation and Roads

A single access point off 15th Street is planned for entry into this project and will be constructed as Birkdale Lane, a new private road. Frontage improvements on 15th Street, as required, will be completed in conjunction with the construction of Birkdale Lane into the subdivision. There will be an additional 10' R/W dedication and a 10' utility easement on the West side of 15th Street that will both run the length of the project.

Birkdale Lane will be constructed as a private road with a paved street section of 27' including rolled curb and gutter, roadside grassy swales, and a 5' concrete sidewalk on the South side, together with 10' utility easements. The paved street will include some on-street parking for a portion of the roadway and will have a 24' wide hammerhead turnaround at the western terminus of Birkdale Lane. The turnaround will be constructed per the requirements of the CDA Fire Department.

Fire Protection

The subject property is within the Coeur d'Alene Fire Department boundaries. Fire Station #3, located at 1500 N. 15th Street, is within 1.3 miles of the project development. New fire hydrants will be installed along Birkdale Lane and at internal locations as designated by the Coeur d'Alene Fire Department throughout the proposed development. Emergency access is not anticipated to be a problem, as the project includes a hammerhead turnaround that will meet Fire Department standards.

Stormwater

Stormwater will be handled via permanent grassy swale systems that will collect and mitigate stormwater runoff generated from the subdivision. Excess runoff will be direct injected into the ground through the use of drywells. A stormwater management plan shall use best management practices (BMP) during and after construction in accordance with accepted standard construction practices. According to the Natural Resources Conservation Service (NRCS), the area's soils consist entirely of McGuire-Marble association. This soil is well-draining and suitable for this type of stormwater management system, which is commonly used throughout the City of Coeur d'Alene. Maintenance of the storm system will be the responsibility of the adjacent property owner.

Water

Domestic and irrigation water will be provided by the City of Coeur d'Alene. A new 8" water main that ties into the existing 12" water main located in 15th Street will be constructed in Birkdale Lane. 8" water mains will be extended North and South in the hammerhead to the adjacent property boundaries for future extensions as may be required. All public water infrastructure will be located in an easement dedicated to the City of CDA Water Department for operation and maintenance.

Sewer

Sanitary Sewer service will be provided by the City of Coeur d'Alene. A new 8" gravity sewer main will be constructed in Birkdale Lane and will tie into the existing 10" gravity sewer main in 15th Street. Infrastructure will be required to be extended throughout the subject property in accordance with City of Coeur d'Alene standards. Sanitary sewer flows generated from this site will be treated at the Coeur d'Alene Wastewater Treatment Plant, which currently has capacity to serve this project. A sewer easement will be dedicated to the City of CDA as is required for operation and maintenance of the proposed sewer infrastructure.

Open Space

This project contains 0.287 acres (12,510 sf) of open space that will exist as (3) tracts within the subdivision and function as public amenities. The fourth tract will contain Birkdale Lane as a private road. On the North side of Birkdale Lane, a large open space area will house a kid's playground and concrete pad with a park bench. Directly across the road from this playground will be a concrete walk leading to a picnic table and BBQ situated on a 10'x10' concrete pad. A fenced dog run with a pet waste supplies station located at the West end of the development will give dog owners a safe place to unleash their pets. These open space areas will be landscaped and maintained by the HOA to provide continuity with other landscape elements within Birkdale Commons.

Other Utilities

All dry utilities are currently available to serve the proposed project and are located in 15th Street. Dry utilities will be extended through Birkdale Lane as it is constructed to serve the proposed project as required. Kootenai Electric Cooperative will provide power and Avista will provide natural gas. Spectrum/Charter will provide communications and internet until such time that

Zipty Fiber brings their services to this area and provides another option for residents. All dry utility companies will be notified at the appropriate time. Agreements to provide service will be finalized between the Developer and the respective utility.

DEVELOPMENT SCHEDULE

Construction on this project is anticipated to begin in early Summer of 2022 and be completed in 1 phase.

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER
SEAN E. HOLM, SENIOR PLANNER

DATE: APRIL 12, 2022

SUBJECT: ZC-1-22 A ZONE CHANGE REQUEST FROM R-12 TO R-17 ON TWO CONTIGUOUS PARCELS MEASURING 0.65 & 0.67 OF AN ACRE (1.32 ACRES TOTAL)

LOCATION: PROPERTY NORTH OF 4TH STREET I-90 OFF-RAMP, WEST OF 7TH SREET, SOUTH OF BORAH ELEMENTARY SCHOOL, COMMONLY KNOWN AS 525 E. MCFARLAND AVENUE

APPLICANT:
Neal McClellan
12426 N. Kensington Ave.
Hayden, ID 83835

OWNER:
Bethel Baptist Church, Inc.
18488 S. Watson Rd.
Coeur d'Alene, ID 83814

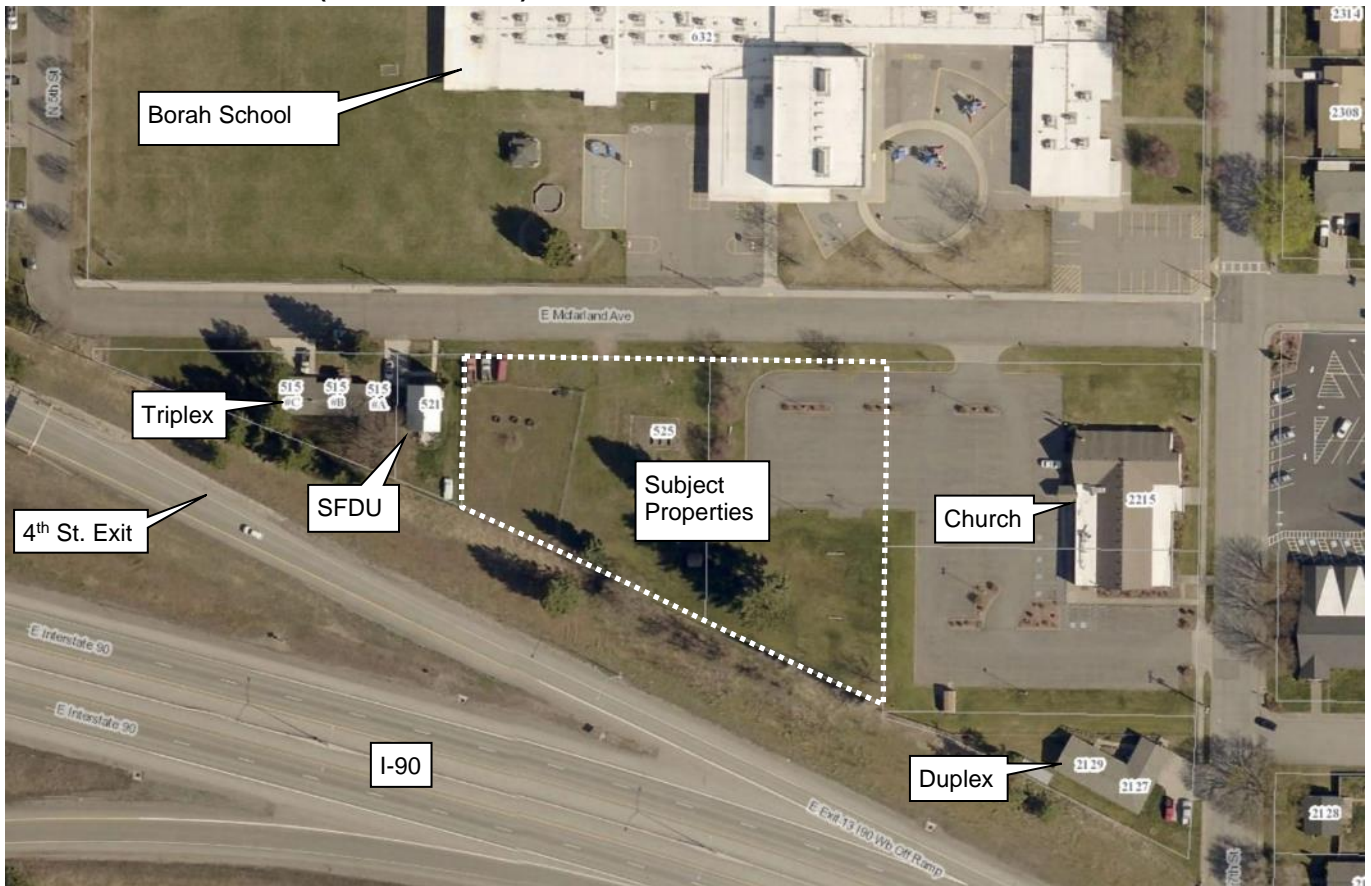
DECISION POINT:

Neal McClellan, on behalf of Bethel Baptist Church, Inc., is requesting a zone change of property within in city limits. The request is to allow a change of zoning from R-12 (Residential at 12 units/acre) to R-17 (Residential at 17 units/acre).

AERIAL PHOTO (AREA CONTEXT):



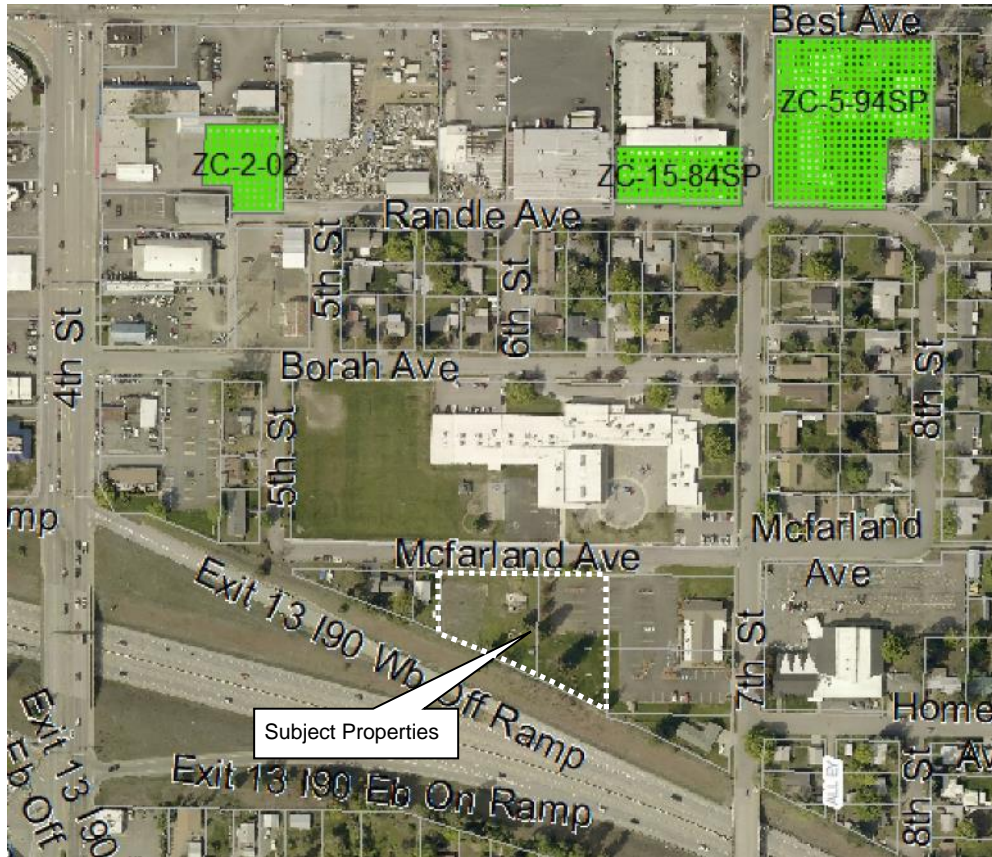
AERIAL PHOTO (SITE CONTEXT):



BACKGROUND INFORMATION:

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

PRIOR ZONE CHANGE REQUESTS NEAR SUBJECT PROPERTY:



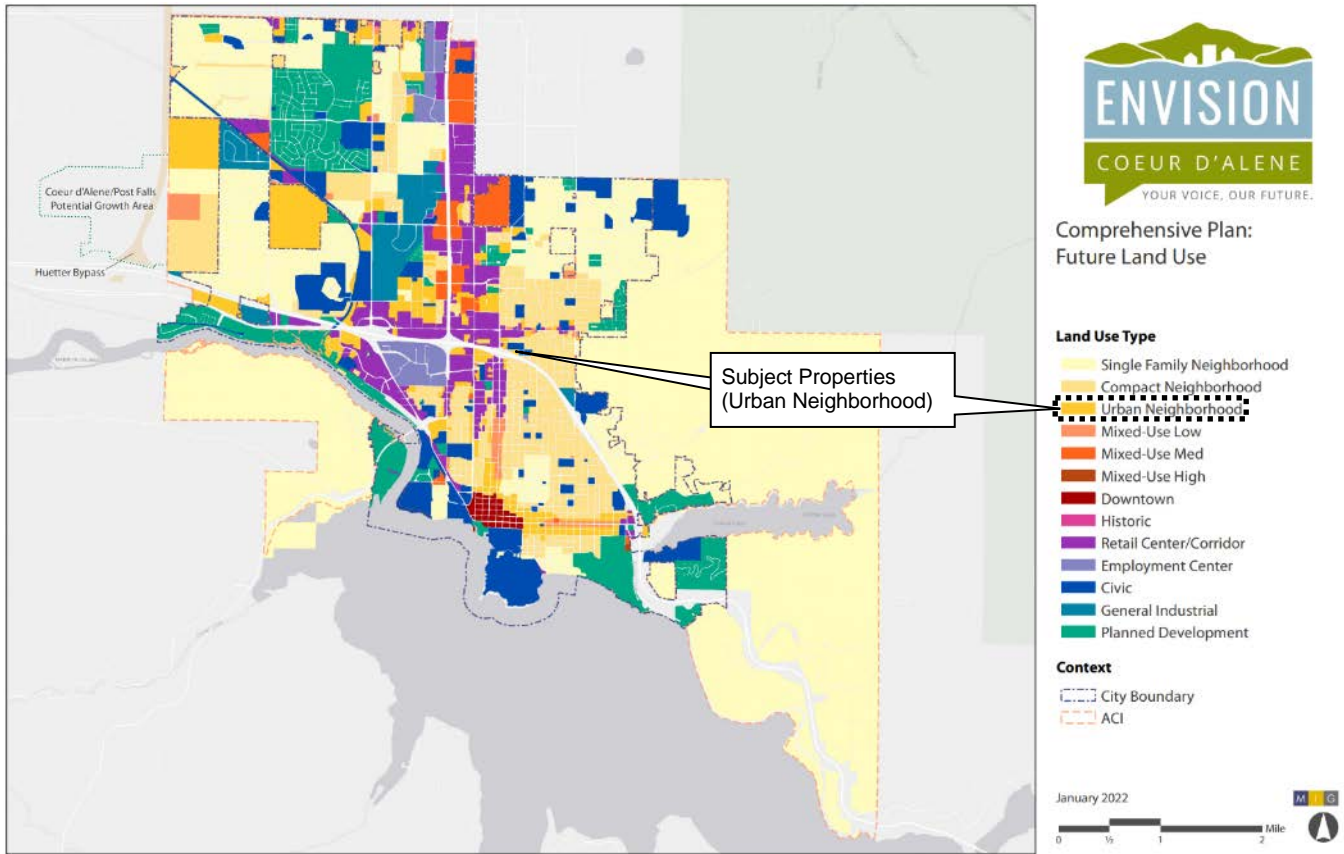
<u>Hearing</u>	<u>Request</u>	<u>City Council</u>
ZC-15-84SP	R-12 to R-17 (+R-34 SUP)	Approved
ZC-5-94SP	R-12 to R-17	Approved
ZC-2-02	R-17 to C-17	Approved

REQUIRED ZONE CHANGE FINDINGS:

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

1. The subject property is within city limits.
2. The City's 2022-2042 Comprehensive Plan categorizes this area as Urban Neighborhood Place Type:

Future Land Use Map (City Context):



Future Land Use Map (Neighborhood Context):



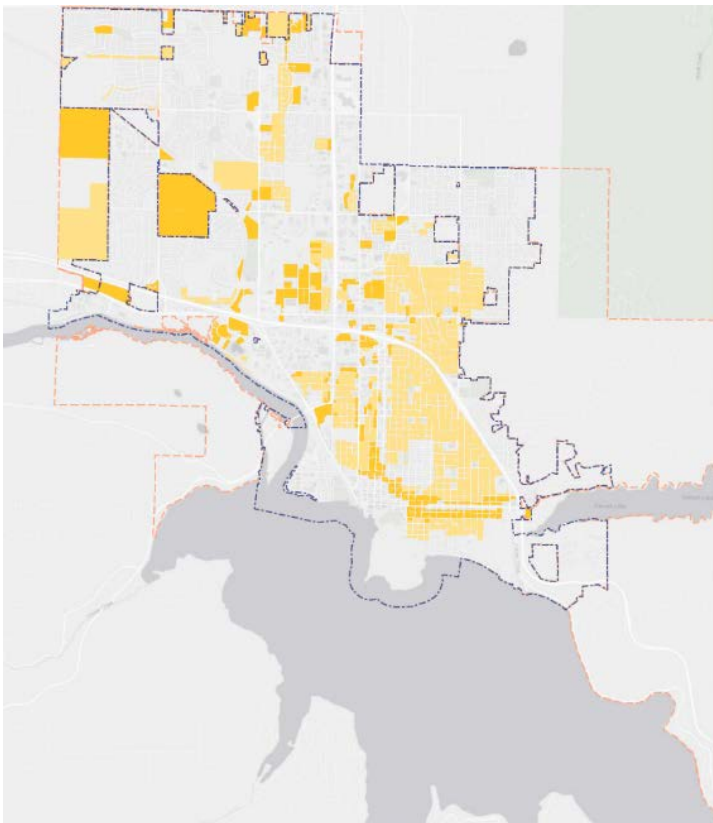
Place Types

Place Types represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types provide the policy-level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Urban Neighborhood

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with gridded street patterns, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

Compatible Zoning: R-17 and R-34SUP; NC, CC, C17, and C17L



Urban Neighborhood



Key Characteristics

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with a gridded street pattern, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, often adjacent to mixed-use districts. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

Transportation

- Gridded street pattern with internal streets in building complexes
- Should include high ease-of-use pedestrian and bicycle facilities

Typical Uses

- Primary: Multifamily residential
- Secondary: Neighborhood parks and recreation facilities, parking, office, commercial



Building Types

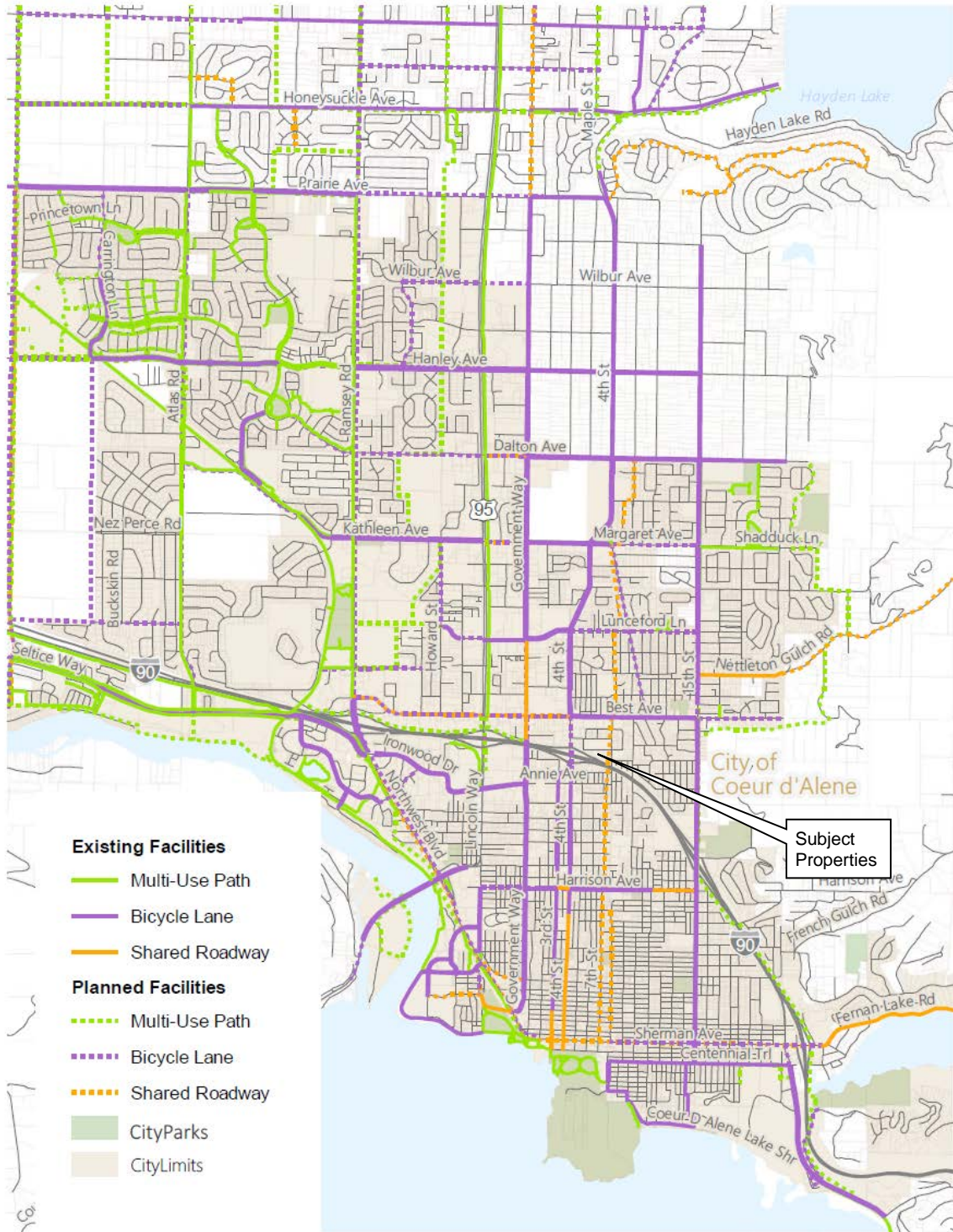
- Apartments, condominiums, townhomes

Compatible Zoning

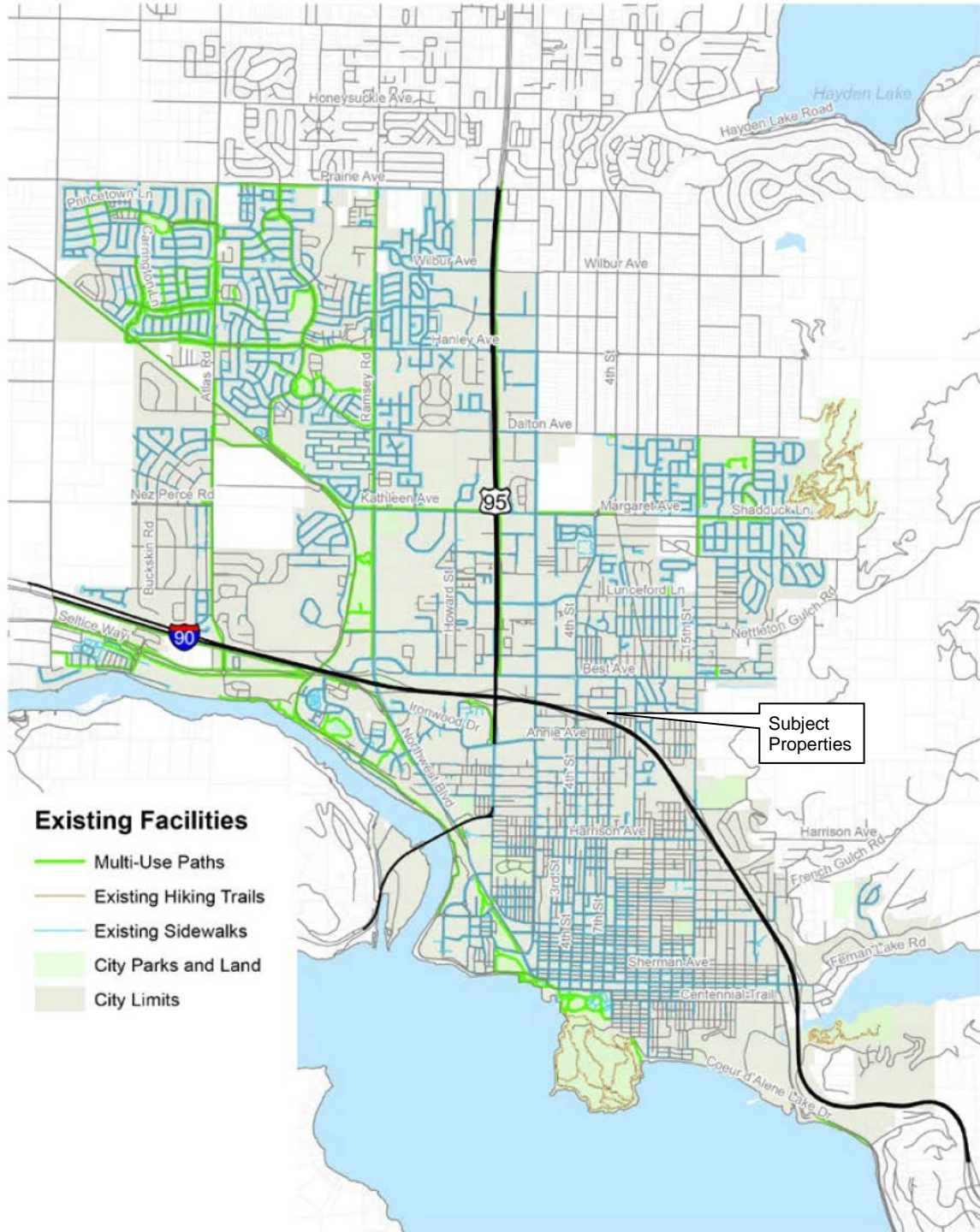
- R-17 and R-34SUP; NC, CC, C17, and C17L

Transportation

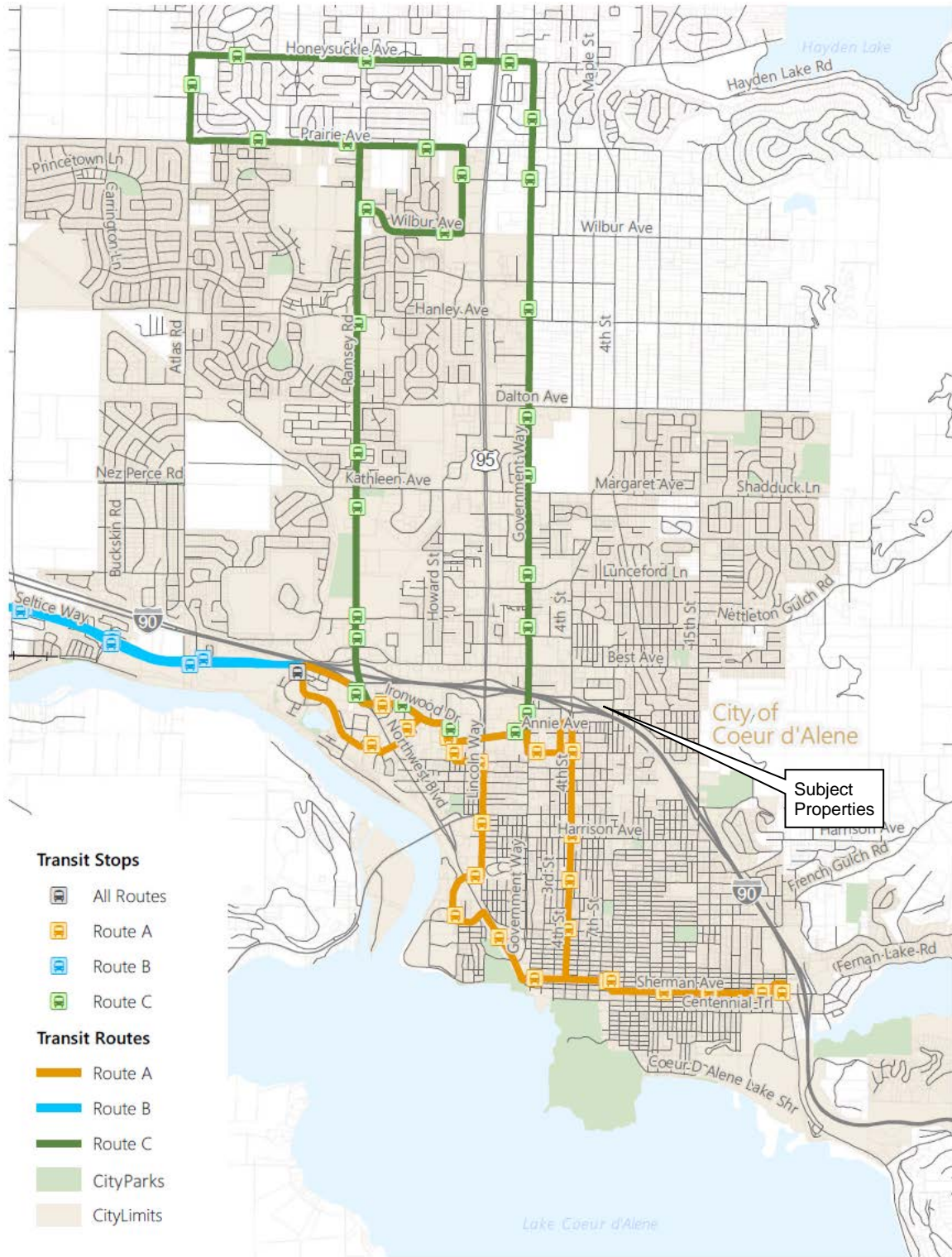
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Comprehensive Plan Policy Framework:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.5: Recognize neighborhood and district identities.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

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

STORMWATER:

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

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject property is bordered by McFarland Avenue to the north. Frontage improvements, including sidewalk, will be required along the property to meet City standards at the time of subdivision or building permit.

-Submitted by Chris Bosley, City Engineer

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed Zone Change. Any required water main extensions, additional fire hydrants, and new services required for construction will be installed by the developer at their expense. One residential service current exists to the subject property.

-Submitted by Terry Pickel, Water Superintendent

WASTEWATER:

Public sewer is available to this property via an existing sewer line in East McFarland Avenue. City Wastewater Policy #716 states only one appropriately sized sewer lateral is allowed to serve each legally recognized parcel. "One parcel, One Lateral". Currently there are no known downstream conditions or capacity issues.

-Submitted by Larry parsons, Utility Project Manager

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector

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

PHYSICAL CHARACTERISTICS:

The site is vacant and predominantly flat with mature trees, grassy areas, a portion of an existing parking lot, a garden shed and basketball hoop, and a fenced area that appears to be a fallow garden area. A church, duplex, tri-plex, single-family home and an elementary school are nearby. There are no topographical or other physical constraints that would make the subject property unsuitable for the request.

To the rear of the property I-90 sits below the grade of subject property. There is an existing fence to prevent pedestrian/animal access to the freeway. A few feet into the state's right-of-way the grade drops to the level of the 4th Street off-ramp. Site photos are on the following pages.

SITE PHOTOS:

Photo of McFarland Ave. looking west showing church parking lot and Borah Elementary:



Church parking lot looking SW from McFarland Ave. (note property corner stake showing east limit of parcel):



Interior of subject property looking southwest:



SFDU and tri-plex west of subject property (looking SW):



Triplex showing I-90 signs (4th Street Exit) in the background:



State ROW fencing looking east showing grade change to I-90 (4th Street exit below):



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

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

TRAFFIC:

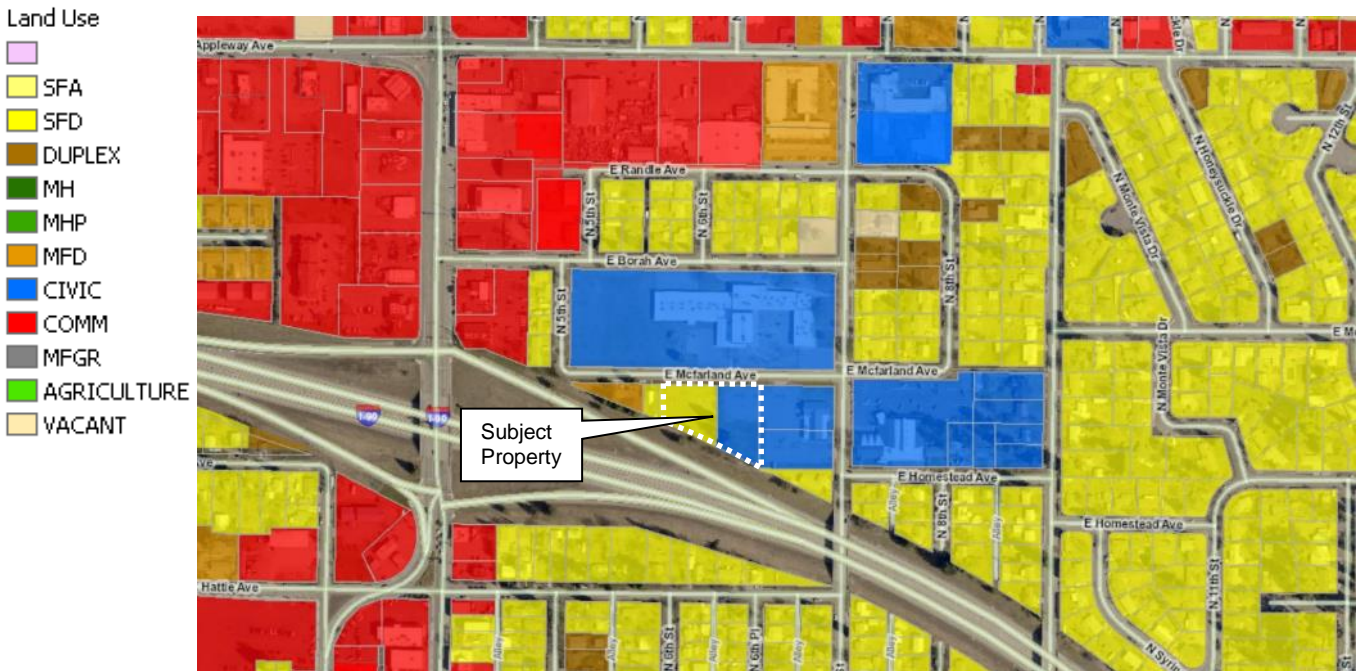
The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that the subject property will be used for construction of apartments. With the combined area of 1.32 acres for the two parcels and an R-17 zoning, apartments could generate an estimated 149 vehicle trips per day, or 11 am peak hour and 14 pm peak hour trips. The estimated traffic was derived from Land Use Code 220 – Apartment in the ITE Trip Generation Manual. Streets & Engineering has no objections to the proposed annexation.

-Submitted by Chris Bosley, City Engineer

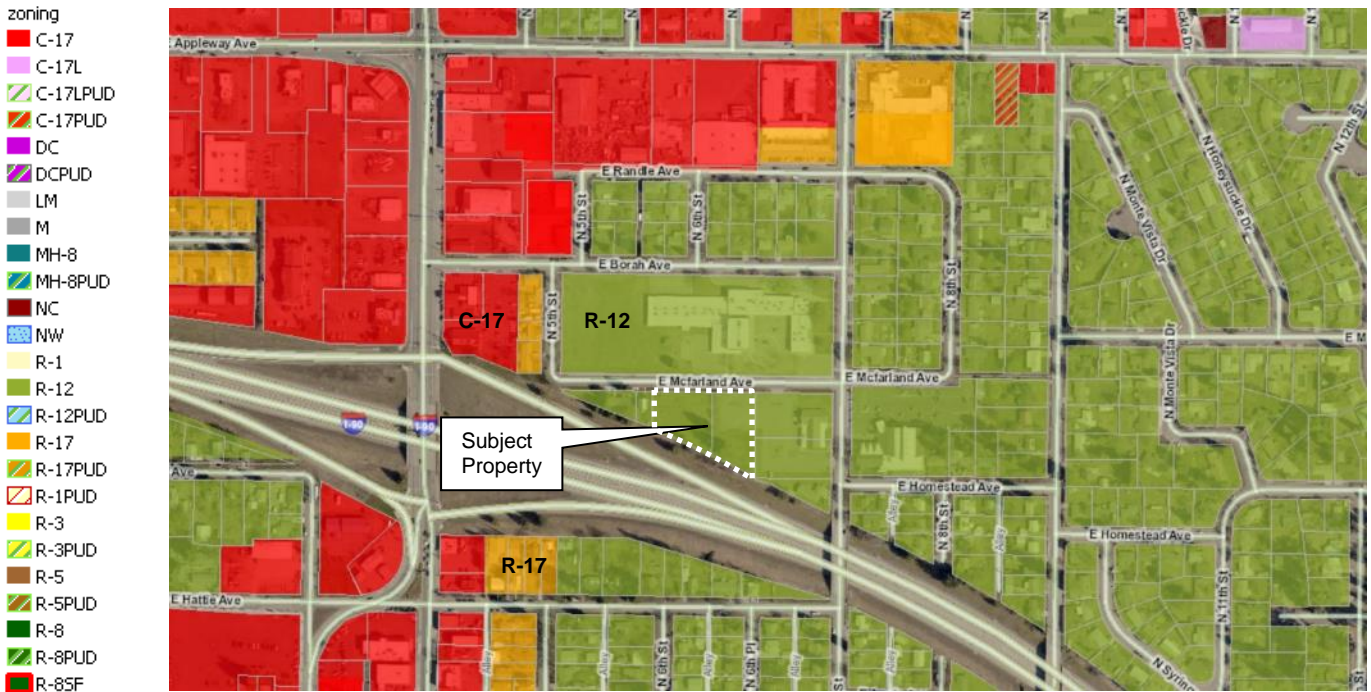
NEIGHBORHOOD CHARACTER:

The subject property is located in an area bound on the south by I-90, and between two north/south elevated crossings at 4th Street and 7th Street. The neighborhood is served by civic uses: Borah Elementary, two Religious Assemblies (Churches), and an Assisted Care Facility nearby. There are a mix of residential uses in the area including: single-family homes, duplexes, a tri-plex, and a senior living facility. Commercial uses exist flanking both N. 4th Street and Appleway/Best Avenues to the north.

GENERALIZED LAND USE PATTERN:



ZONING:



Existing R-12 Zoning District:

17.05.170: GENERALLY:

- A. The R-12 District is intended as a residential area that permits a mix of housing types at a density not greater than twelve (12) units per gross acre.
- B. In this district a special use permit, as prescribed in chapter 17.09, article III of this title, may be requested by neighborhood sponsor to restrict development for a specific area in single-family detached housing. To constitute neighborhood sponsor, sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 1/2) gross acres bounded by streets, alleys, rear lot lines or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.
- C. Project review (see chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service, and industry uses except residential uses for four (4) or fewer dwellings.
- D. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.
 - 1. For the purposes of this section, the term "two dwelling units" shall mean two (2) single family dwelling units, one single family dwelling unit and one accessory dwelling unit (ADU), or one duplex.

17.05.180: PERMITTED USES; PRINCIPAL:

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

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

17.05.190: PERMITTED USES; ACCESSORY:

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

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

Proposed R-17 Zoning District:

17.05.250: GENERALLY:

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.

17.05.260: PERMITTED USES; PRINCIPAL:

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

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

17.05.270: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-17 District shall be as follows:

- | | |
|--|--|
| • Accessory dwelling units. | • Outside area or building for storage when incidental to the principal use. |
| • Garage or carport (attached or detached). | • Private recreation facility (enclosed or unenclosed). |
| • Mailroom and/or common use room for or multiple-family developments. | |

17.05.280: PERMITTED USES; SPECIAL USE PERMIT:

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

Approval of the zone change request will intensify the potential of the property by increasing the allowable uses and density by right from R-12 to R-17 (with includes multi-family use). Theoretically, the following density would be allowed under each zoning district:

R-12 (current zone): 6 Duplex Lots due to frontage limitation, yielding 12 units

R-17 (proposed zone): Consolidated lot with 23 total multi-family units

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

PROPOSED CONDITIONS:

None.

ORDINANCES & STANDARDS USED FOR EVALUATION:

2022-2042 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
 2021 Parks Master Plan
 2017 Trails and Bikeways Master Plan

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make separate findings to approve, deny or deny without prejudice. This recommendation will be forwarded onto City Council for final determination. Your findings worksheet is attached.

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

**APPLICANT'S
NARRATIVE**

NARRATIVE

The properties in question are adjacent to 3 Churches to the East .

Borah elementary to the North, with the I-90 freeway to south.

Location is highly walkable with convenient access to goods and services by foot. There is also Freeway entrance within a block of the properties. The downtown corridor as well as Lake access are 14 minutes away by bike the Kootenai Hospital is 7 min by car.

This neighborhood is consistent with the 2022-2042 Comprehensive plan under the category of Urban Neighborhood , R-17 zoning, and suitable for a small apartment complex, with gridded street patterns, with parking areas, convenient access to goods, services, and nearby dining for residents, by foot, bike, automobile. The neighborhood is also supported by nearby parks and commercial development, as well as an Elementary school across the street which is also consistent with the comprehensive plan. The goal is to allow for affordable housing in a low density neighborhood which is close to all the necessities and fits the prescribed criteria of Urban Neighborhood.

Rezoning to R-17 is the highest and best use of the property at a time when housing is crucial, the rezoning would help to address this issue with a very low impact to the neighborhood.

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

A-3-22

A. INTRODUCTION

This matter having come before the Planning Commission on April 12, 2022 and there being present a person requesting approval of ITEM A-3-22 , a request for zoning prior to annexation of 3.91 acres from County Ag Suburban to City R-12.

APPLICANT: 15TH STREET INVESTMENTS, LLC / TERENCE ALLING

LOCATION: PROPERTY IS LOCATED AT 3511 & 3525 N 15th STREET

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 Compact Neighborhood and Mixed Use-Low.
- B3. That the zoning is County Ag Suburban.
- B4. That the notice of public hearing was published on March 26, 2022, 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 April 12, 2022

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

Community & Identity

Goal CI 1

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

OBJECTIVE CI 1.1

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Environment & Recreation

Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

OBJECTIVE ER 1.4

Reduce water consumption for landscaping throughout the city.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

OBJECTIVE GD 2.2

Ensure that City and technology services meet the needs of the community.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

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

<p>Criteria to consider for B9:</p> <ol style="list-style-type: none"> 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 15TH STREET INVESTMENTS, LLC / TERENCE ALLING 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 creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.

4. Construction of a sidewalk along 15th Street, meeting City of Coeur d'Alene standards, is required.
5. Where applicable, all water infrastructure required to support the development will be installed at the developer's expense and shall be constructed per City standards to support future expansion to neighboring lots.
6. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Public sewer shall be extended to and through this project (to serve potential development to the north and south of the property) and installed to all city specifications and standards.
8. A utility easement for the public sewer and water shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. All public sewer plans require IDEQ or QLPE Approval prior to construction.
12. Stormwater swales for the development shall not be constructed within City Right-of-Way as depicted in the preliminary plans. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction. All swales shall be located within dedicated easements.
13. The preliminary subdivision plat shall be recorded with the annexation agreement to limit the maximum number of units to 34. If the subdivision and PUD do not move forward, the owner would be responsible for paying the additional annexation fees for the additional 4 units that would be possible with the density of R-12. Fees would be due prior to issuance of any permits.

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 McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

PUD-1-22

A. INTRODUCTION

This matter having come before the Planning Commission on April 12, 2022, and there being present a person requesting approval of: PUD-1-22 a request for a planned unit development known as "BIRKDALE COMMONS PUD"

APPLICANT: 15TH STREET INVESTMENTS, LLC / TERENCE ALLING

LOCATION: PROPERTY IS LOCATED AT 3511 & 3525 N 15TH STREET

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 Compact Neighborhood and Mixed Use-Low.
- B3. That the zoning is County Ag Suburban.
- B4. That the notice of public hearing was published on March 26, 2022 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 28, 2022, 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 April 12, 2022.

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:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Environment & Recreation

Goal ER 1: Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

Objective ER 1.4: Reduce water consumption for landscaping throughout the city.

Goal ER 2: Provide diverse recreation options.

Objective ER 2.2: Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

Objective ER 2.3: Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.3: Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

Objective GD 1.5: Recognize neighborhood and district identities

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Objective GD 2.2: Ensure that City and technology services meet the needs of the community.

Goal GD 3: Support the development of a multimodal transportation system for all users.

Objective GD 3.1: Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

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 for approval of 15TH STREET INVESTMENTS, LLC / TERENCE ALLING the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are:

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
4. Construction of a sidewalk along 15th Street, meeting City of Coeur d'Alene standards, is required.
5. Where applicable, all water infrastructure required to support the development will be installed at the developer's expense and shall be constructed per City standards to support future expansion to neighboring lots.
6. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Public sewer shall be extended to and through this project (to serve potential development to the north and south of the property) and installed to all city specifications and standards.
8. A utility easement for the public sewer and water shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. All public sewer plans require IDEQ or QLPE Approval prior to construction.
12. Stormwater swales for the development shall not be constructed within City Right-of-Way as depicted in the preliminary plans. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction. All swales shall be located within dedicated easements.
13. The preliminary subdivision plat shall be recorded with the annexation agreement to limit the maximum number of units to 34. If the subdivision and PUD do not move forward, the owner would be responsible for paying the additional annexation fees for the additional 4 units that would be possible with the density of R-12. Fees would be due prior to issuance of any permits.

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 McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

S-1-22

A. INTRODUCTION

This matter having come before the Planning Commission on April 12, 2022, and there being present a person requesting approval of ITEM: S-1-22 a request for a 16-lot four tract preliminary plat known as “Birkdale Commons” .

APPLICANT: 15TH STREET INVESTMENTS, LLC / TERENCE ALLING

LOCATION: PROPERTY IS LOCATED AT 3511 & 3525 N 15th STREET

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 residential and commercial.
- B2. That the zoning is County Ag Suburban .
- B3. That the notice of public hearing was published on March 26, 2022 , 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 April 12, 2022 .

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 of 15TH STREET INVESTMENTS, LLC / TERENCE ALLING for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

1. The creation of a homeowner's association will be required to ensure the perpetual maintenance of the open space, all other common areas, stormwater maintenance and snow removal.
2. The applicant's requests for subdivision, and PUD run concurrently. The subdivision and PUD designs are reliant upon one another. Additionally, approval of the requested PUD is only valid once the Final Development Plan has been approved by the Planning Department.
3. The Open Space must be installed and completed prior to the issuance of the first Certificate of Occupancy. The open space areas shall be consistent with this approval and include the same or better amenities and features.
4. Construction of a sidewalk along 15th Street, meeting City of Coeur d'Alene standards, is required.
5. Where applicable, all water infrastructure required to support the development will be installed at the developer's expense and shall be constructed per City standards to support future expansion to neighboring lots.
6. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Public sewer shall be extended to and through this project (to serve potential development to the north and south of the property) and installed to all city specifications and standards.
8. A utility easement for the public sewer and water shall be dedicated to the City prior to building permits.
9. An unobstructed City approved "all-weather" access shall be required over all public sewers.
10. This PUD shall be required to comply with Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
11. All public sewer plans require IDEQ or QLPE Approval prior to construction.
12. Stormwater swales for the development shall not be constructed within City Right-of-Way as depicted in the preliminary plans. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction. All swales shall be located within dedicated easements.
13. The preliminary subdivision plat shall be recorded with the annexation agreement to limit the maximum number of units to 34. If the subdivision and PUD do not move forward, the owner would be responsible for paying the additional annexation fees for the additional 4 units that would be possible with the density of R-12. Fees would be due prior to issuance of any permits.

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 McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

ZC-1-22

A. INTRODUCTION

This matter having come before the Planning Commission on, April 12, 2022, and there being present a person requesting approval of ZC-1-22 , a request for a zone change from R-12 to R-17 zoning district

APPLICANT: NEAL MCCLELLAN

LOCATION: PROPERTY NORTH OF 4TH STREET I-90 OFF-RAMP, WEST OF 7TH STREET, SOUTH OF BORAH ELEMENTARY SCHOOL, COMMONLY KNOWN AS 525 E. MCFARLAND 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, Civic and Commercial.
- B2. That the Comprehensive Plan Map designation is Urban Neighborhood.
- B3. That the zoning is R-12.
- B4. That the notice of public hearing was published on, March 26, 2022 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on March 28, 2022, ,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 April 12, 2022.

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

Community & Identity

Goal CI 1: Coeur d’Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3: Coeur d’Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d’Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.5: Recognize neighborhood and district identities.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

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

Criteria to consider for B9:

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

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

Criteria to consider for B10:

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

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

Criteria to consider for B11:

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

C. ORDER: CONCLUSION AND DECISION

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

Special conditions applied are as follows:

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Mandel	Voted _____
Commissioner McCracken	Voted _____
Commissioner Ward	Voted _____
Chairman Messina	Voted _____

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN MESSINA