

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

JUNE 8, 2021

NOTE: The City is utilizing Governor Little's Stage 4 Rebound Idaho guidance for its public meeting. As such, we are abiding by the social distancing standard of 6' within the physical meeting room, and limiting seating to approximately 15 seats, seating will be first come first serve. Therefore, we are still encouraging the public to participate electronically. While participating electronically the public comments will be taken during that section of the meeting by indicating a raised hand through the Zoom meeting application. Public comments will not be acknowledged during any other time in the meeting. Additionally, you may provide written public comments to the city at shana@cdaid.org any time prior to 4:00 p.m. the day of the meeting.

Join by Computer <https://cdaidorg.zoom.us/j/97048690470?pwd=OUI4TmZQRWpVZmY5dXFDMTRIZ1lwQT09>
Join by Phone (Toll Free): 888-475-4499 or 877-853-5257
Webinar ID: 970 4869 0470
Password: 605796

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

5:30 P.M. CALL TO ORDER:

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

PLEDGE:

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

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

ENVISION CDA UPDATE:

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

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

1. Applicant: City of Coeur d'Alene, Water Department
Location: 7032 N. Huetter Road
Request: A proposed Essential Services, (Above Ground) special use permit in the R-8 zoning district.
QUASI-JUDICIAL, (SP-4-21)

****ITEMS BELOW WERE TABLED FROM THE PLANNING COMMISSION MEETING HELD ON
MARCH 9, 2021****

2. Applicant: Eugene and Nancy Haag Living Trust
Location: 2248 E. Stanley Hill Road
Request:
- A. A proposed 3.194-acre annexation from County Agricultural Suburban to City R-3.
LEGISLATIVE, (A-2-21)
 - B. A proposed 3.19 acre Planned Unit Development known as “Haag Estates PUD”
QUASI-JUDICIAL, (PUD-2-21)
 - C. A proposed 5-lot preliminary plat known as “Haag Estates”
QUASI-JUDICIAL, (S-2-21)

ADJOURNMENT/CONTINUATION:

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

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



MINUTES



**PLANNING COMMISSION
MINUTES
APRIL 13, 2021
Virtual (Zoom.us) and In-Person
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Jon Ingalls, Vice-Chair
Lynn Fleming
Michael Ward (Zoom)
Peter Luttrupp

STAFF MEMBERS PRESENT:

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

COMMISSIONERS ABSENT:

Brinnon Mandel
Tom Messina, Chairman
Lewis Rumpfer

CALL TO ORDER:

The meeting was called to order by Vice Chair Ingalls at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Fleming, seconded by Luttrupp, to approve the minutes of the Planning Commission workshop on February 23, 2021. Motion approved.

Motion by Luttrupp, seconded by Fleming, to approve the minutes of the Planning Commission workshop on March 9, 2021. Motion approved.

STAFF COMMENTS:

Hilary Anderson, Community Planning Director provided the following comments:

- She commented we didn't receive any new public hearing items for May but will have the continued hearing for the Haag Estates Annexation, Planned Unit Development (PUD) and Subdivision request on the June agenda.
- She stated the city recently formed a new partnership with Cities of Hayden, Post Falls, Rathdrum Kootenai County and KMPO called Regional Housing and Growth Issues Partnership. The communities and KMPO are functioning as a working group and have reached out to a variety of organizations and other agencies, and citizen groups to ask for representatives to participate on an advisory group. The partnership will be tackling "hot topic" issues related to growth and housing with the first meeting on May 26th which will be recorded with all the information as well as frequently asked questions available on KMPO's website.

Commissioner Luttrupp inquired if the meetings will be open to the public.

Ms. Anderson explained that this is not a governmental entity. She said the meetings will be on Zoom with all recordings available for the public, as well as additional information to make sure the process is transparent to the public.

Vice Chair Ingalls commented that he recently read the article in the Coeur d'Alene Press about the regional partnership. There is a lot of interest in housing and growth. He offered "kudos" to Hilary Anderson, Community Planning Director, and Sean Holm, Senior Planner for their leadership and participation.

ENVISION CDA COMMITTEE UPDATES:

Ms. Anderson provided the following comments:

- She stated we are doing some refinement work and putting together a draft plan based on all the pieces that have been reviewed since we started this project in September 2019.
- She stated that we are putting together a draft plan to include a future Land Use Map based on all the great feedback. There will be another opportunity for public input. She added we are looking at hopefully May/June to make sure we have everything pulled together, so it's ready for public to review for additional feedback and then we are looking at scheduling a virtual town hall meeting an online survey and additional opportunities to meet with staff and schedule a joint workshop with City Council and Planning Commission to do some additional refinement based on direction and feedback and then back to Planning Commission with a recommendation to City Council for adoption.

Vice Chair Ingalls said it has been a long process and look forward to it completion.

PUBLIC HEARINGS

1. Applicant: Habitat for Humanity of North Idaho
Location: 2nd Street
Request: A proposed zone change from R-12 to R-17
QUASI-JUDICIAL, (ZC-1-21)

Hilary Anderson, Community Planning Director, presented the staff report and stated:

The 1.52-acre property is located off of 2nd Street south of Neider Avenue and has a small connection east to 4th Street. Habitat for Humanity of North Idaho purchased the property in 2019 with the intent to build for-sale affordable housing units.

- The property previously included the home to the east. That was split off through a short plat in October 2019 resulting in a 2-lot residential subdivision, Hickam Place (SS-19-08).
- The infrastructure had been previously installed and accepted by the appropriate departments. The property is largely vacant, other than an abandoned structure, and suitable for development.
- The project will result in affordable for-sale townhouses that will be available for low-to-moderate income persons in Coeur d'Alene.
- The goal is to provide 24-25 units if possible.
- The City Council recently approved a \$120,000 Community Opportunity Grant for Habitat for Humanity of North Idaho using CDBG (Community Development Block Grant) funds, which will be used will be utilized for Phase 1 Project Planning which consists of Sight Design, Design Development, Code Analysis, Schematic Design and Construction Documentation for the project.
- The project will help the City meet the Affordable Housing Goal in the 5-year CDBG Consolidated Plan and meet the National Objective to serve low-to-moderate income persons by building the

affordable homes for low- and moderate-income families. The requested zone change is necessary to build the multifamily townhouse project. R-12 zoning does not permit multifamily residential. The zone change also allows for a few additional units, helping make the project work financially.

- Habitat for Humanity will be creating a land trust as part of the project. The housing units will be built on property that is part of a land trust. Families will own their homes, but not the land itself. The underlying land will be owned by Habitat for Humanity of North Idaho and will be permanently reserved to create a long-term affordable housing stock. Recently, through research and discovery, Habitat for Humanity of North Idaho has shifted their home building model from building one house at a time to building multi-family condo style units built on a land trust.
- She stated that the Comprehensive Plan designates this area as Northeast Prairie Transitional
- She stated that there are not conditions if approved.

Ms. Anderson concluded her presentation

Commission Comments:

There were no questions for staff.

Public testimony open.

James Casper, applicant, provided the following statements:

- He stated that the proposed use for a land trust is something new that other developers aren't doing.
- He explained with this project the goal is long-term affordability and in the past Habitat for Humanity has built and sold land with the house and now the projects we built 5-10 years ago are no longer at an affordable price point.
- He explained the original theory was to build smaller more basic homes that would be more of an entry level home that would be affordable.
- He explained that the land trust provides long-term affordability because of tax preference as long as we are managing the project for people considered low income there is tax preference for the land with the improvements, the buildings get taxed as property which provides some stability to the long-term cost of taxes for the resident of these properties, but gives us a permanent building still get taxed.
- He explained that this is a proposed Condo project to look like a townhome, two story that are individual units, but connected and sold as condos with a shared area and maintained by a Homeowners Association (HOA).

The applicant concluded his presentation.

Commission Comments:

Commissioner Fleming inquired if there will be any amenities like playgrounds or dog area.

Mr. Casper explained there will be a little of that, but Habitat as a model is basic affordable housing. He explained what you get at large with Habitat across the country is the idea of what do we need from housing and that answer is different with everyone, and, in this case, the motivation is to make something that is affordable that wouldn't be available to someone in the market. He explained we make a lot of choices based on more about efficiency than anything else combined with volunteer labor we are more efficient.

Commissioner Ward stated that was a great report and that he is familiar with the Methow Housing Trust which was a concept brought forward a few years ago and questioned if this is a

similar model.

Mr. Casper explained a trust is an entity that owns something and designates a purpose for the ownership of land as an example there are land trusts that are conservatory land trusts like “ducks unlimited” who buy property to keep for Habitat and that Habitat is the organization that is the long-term ownership and operator of the function of the land trust.

Public testimony closed.

Motion by Luttrupp, seconded by Fleming, to approve Item ZC-1-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

2. Applicant: George Hughes
Location: 3135 Fruitland
Request: A proposed zone change from R-12 to R-17
QUASI-JUDICIAL, (ZC-2-21)

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

- The subject property is located on the west side of US Highway 95, south of Neider Avenue, west of Fruitland Lane and approximately 250 feet north of Cherry Lane.
- The subject property is currently vacant and prior to 2005, there was one single-family dwelling located on it. The property is relatively flat and contains a few mature trees.
- The property abuts a multi-family housing development located to the north of the subject site which is located in the R-17 zoning district. The property to the west is a mobile home park that is in the MH-8 zoning district.
- The property to the south of the subject site is a multi-family condo development that is located in the R-12 zoning district. To the east across the street is a commercial shopping plaza that is located in the C-17 commercial zoning district. (see land use map and zoning map on page 13)
- There is a pocket housing development located several parcels to the south and there is also another apartment complex located on property several parcels north of the subject site.
- The applicant has not indicated a specific site plan or use for the property at this time. The size of the parcel would allow up to six units to be built on this site.
- If the subject site is approved to be changed to the R-17 residential district, then all permitted uses in the R-17 residential district would be allowed on this site.
- He stated that the Comprehensive Plan designates this area as Fruitland-Transition:
- He stated if approved there are no conditions.

Mr. Behary concluded his presentation

Commission Comments:

No questions for staff.

Public testimony open.

Connie Kruger, Applicant representative, provided the following statements:

- She explained that she is filling in for Mr. Dobler who was “double booked” this evening and unable to attend this hearing.
- She stated that the staff report addresses this project very well and commented recently before this commission a few months ago, presenting an application in this same neighborhood.
- She noted that there have been 10 rezones in this area and 11 different higher density neighborhoods that are either manufactured home parks or multifamily developments where a lot of change is occurring.
- She stated that Kathleen and Appleway are collector streets including Howard that is a major collector.
- She noted the lot is 90’ feet wide and 160’ in depth and if you try and place two duplexes facing each other will be tight.
- She explained that the applicant intends to develop this property for a 6-plex and after considering the parking requirements it may not be as large as that.

The applicant concluded her presentation.

Commission Comments:

No questions.

Public testimony closed.

Discussion:

Motion by Luttrupp, seconded by Fleming, to approve Item ZC-2-21 Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

3. Applicant: Northwest Solutions Investment Group, LLC
 Location: 3635 N. 17th
 Request: A proposed zone change from R-8 to R-17
 QUASI-JUDICIAL, (ZC-3-21)

Mike Behary, Associate Planner presented the staff report and stated

- The subject property was annexed into city limits in 1987 (A-3-86) with an R-8 zoning designation. Currently there is an existing multi-family facility located at this site. This multi-family facility was approved under the cluster housing ordinance.
- Cluster housing regulations were adopted in 1988. The building permit for this cluster housing

project was approved in 1991 (Building Permit #4810-B).

- The R-8 allows a total of 28 units by right for this 3.55-acre site. There was a special use permit that was approved in 2016 that allowed for a 2-unit density increase on this site in item SP-5-16. The special use permit allowed for an additional 2 units per acre to be built on this site.
- Currently there are a total of 34 units located on the subject site. All the units on this site are one story and do not exceed 18 feet in height.
- The property gains access from 17th Street via a single long driveway that accesses a paved parking area. Many of the spaces have carports and personal storage. Parking for multifamily is based on the number of bedrooms and single-family units require 2 stalls per unit.
- The current zoning ordinance allows multi-family facilities to be located in the R-17, C-17, and C-17L districts. Multi-family uses are not permitted in the R-8 Zoning District.
- This parcel is located in a residential area and shares its property boundaries on three sides with single family homes. It should be noted that if the zone change is approved to the R-17 residential zoning district, the size of the parcel allows for a maximum of 60 units, that allow buildings to be up to 45 feet in height.
- The City Comprehensive Plan designates this area in the NE Prairie: Stable Established:

Staff Analysis and Recommendation

- In staff's opinion, a PUD rather than a zone change may be more appropriate for the subject site. The planned unit development (PUD) process would allow for deviations from the R-8 code that would allow for multi-family facilities.
- PUD's can be approved by a public hearing that is held before the Planning Commission. The applicant is eligible to apply for a PUD for this site, since it is over an acre and half in size. The PUD would then ensure the number of units at 34 and other conditions such as building height, site plan, and open space, thus making it more compatible with the surrounding properties and neighborhood. The PUD process allows for the opportunity to change the non-confirming status and allows for conventional financing while ensuring the PUD is compatible with the neighborhood character in the area. Additionally, the property is subject to the review of Yellowstone Pipeline. A PUD would allow for more coordination with Yellowstone on the design of any future development to ensure compatibility.
- This parcel is located in the middle of a predominately single-family residential area. The subject site shares its property boundaries on three sides with properties that contain single-family dwellings on them. This pulls into question on whether or not the proposed R-17 zoning is compatible with the surrounding uses in the R-8 zoning district and are primarily single-family dwellings. Since the proposed R-17 zoning would be completely surrounded by the R-8 district, spot zoning then becomes a concern.

Definition of Spot Zoning:

"Spot zoning is a provision in a general zoning plan which benefits a single parcel of land by creating an allowed use for that parcel that is not allowed for the surrounding properties in the area."

- The applicant bears the burden of proof on demonstrating to the Planning Commission how each of the required findings have been met, particularly for Findings B8 and B11. All findings must be met in order for a zone change to be approved.
- If approved there are no conditions.

Mr. Behary concluded his presentation.

Commission Comments:

Commissioner Fleming inquired about the Yellowstone Pipeline and where it is located on the property.

Mr. Behary noted the location of the pipeline on the map and that the applicant will need to get permission to do any construction near it.

Commissioner Luttrupp inquired if this project isn't approved can they come back and do a Planned Unit Development (PUD). Mr. Behary stated they could apply for a PUD.

Vice Chair Ingalls compared this project with the recently approved project to the south that had access off of a neighborhood street rather than a collector which was 17th street.

Mr. Behary stated with the former project the development had roads on three sides of the property.

Vice Chair Ingalls noted the various comments in our packet with most of the concerns were with the height of the building and under the current code would be allowed to build up to 18' feet and if approved, as an R-17 would be allowed to build up to 45' feet.

Mr. Behary stated that is correct.

Vice Chair Ingalls stated if approved as and R-17 the applicant would allow to build 60 units which would double the number of units to three stories next to their fence line, if approved.

Mr. Behary stated that is correct.

Public testimony open.

Connie Krueger Applicant representative, provided the following statements:

- She stated the proposal presented tonight is to rezone the property from R-8 to R-17 and with the R-17 will allow the applicant to provide medium to high density residential units in this area.
- She explained different circumstances that might justify which is a duplicate of the zone change that was approved last year.
- She stated this property is non-conforming with R-8 because of the number of units and types of units and if destroyed there would be opportunity to rebuild the units. and types of units and destroyed couldn't rebuild the units
- She explained Mr. Ross has been working on obtaining conventional financing for these properties with no plans to redevelop the site, so this request is to address nonconforming and to obtain financing.
- She commented that the Planning Commission and City Council when looking at a zone change is for long term and tonight will address long term for the site.
- She stated this property is located in a higher density area on a major collector with additional approved zone changes in the area.
- She stated that there is available infrastructure addressed with the staff report and that the City Council and Planning Commission approved a rezone of this property south of this property in 2020.
- The property consists of a number of tri-plex and four-plex buildings and that the property is zoned R-8 and allows for single only attached homes.
- She explained that access to this project would be from 17th Street with no plans for future development.

- She noted the major interchanges available to this property.
- She stated that the City Engineering, Water and Fire Department didn't have any concerns with the proposed rezone.
- She explained that if the owner is not granted the zone change, he is faced with the issue of not being able to refinance the property or reconstruct if there is any damage to the properties.
- She addressed compatibility with the Comprehensive Plan which is in an area for higher density housing including multi family.
- She stated that they received the staff report late and didn't have time to address the additional items from staff in the report.
- She noted that the existing structures are one-story with other one to two story structures in the area and that the owner recently remodeled and has no future plans for reconstruction, but did state if this was a concern that he would agree to limit the heights of the building to two story if that would alleviate concerns from staff.
- She addressed traffic and noted that the Chris Bosley, City Engineer looked at future development for this site and estimated what the maximum traffic would be during peak hour which is 13-16 additional peak hour trips which is minimal for a collector road.
- She addressed some of the comments from the neighbors with concerns with the road system not being adequate for additional traffic and explained on 15th is 36 feet wide, Thomas is 40 feet wide and 17th Street is 36 feet wide and feels the additional traffic will be accommodated.
- She addressed neighborhood compatibility in terms of land use and zoning which is addressed in the staff report and that the rezone was approved by City Council based on access to 15th Street which is a collector and noted that there have been no city codes cited in the staff report that require multifamily access only from collectors and arterials.
- She stated staff discussed the option of a PUD and generally a PUD is meant for larger acreages and new development. She explained that the applicant is trying to get financing and to get a PUD may not help with financing because this property has a special use permit that is non-conforming which we are trying to address.

The applicant concluded her presentation.

Commission Comments:

Commissioner Fleming questioned if the applicant is willing to restrict the height would that restriction stay on the property.

Ms. Anderson explained that in a section of the zoning code that is for unconditional zoning that we have used once but the issue for this property is the density so there are two different issues with this property density and height.

Commissioner Fleming stated if the applicant would limit the height questioned if it would be a benefit for the longevity of the property.

Mr. Adams explained if a condition was placed it would run with the property.

Commissioner Fleming noted with the Yellowstone Pipeline located in the middle of the property would push the structures to the "two triangles" which would force those structures in the back yards of the existing single-family dwellings and would not be fair to the neighborhood.

Commissioner Luttrupp inquired if this property is considered a non-conforming use.

Ms. Krueger stated that is correct.

Commissioner Luttrupp inquired if the property was destroyed the property couldn't be rebuilt because of the zoning.

Ms. Krueger replied that is correct.

Commissioner Luttrupp stated we recently approved a PUD that had a pipeline run through the property which was less than 3 acres and didn't support this request.

Commissioner Ward inquired if Commissioner Luttrupp was referring to the PUD request at the corner of Honeysuckle and Kathleen.

Vice Chair Ingalls stated that is correct.

Brenny Ross, applicant provided the following statements.

- He stated most of the agencies don't have any conflict with this zone change but Planning had a couple items he wanted to address.
- He explained the main reason for the zone change is to obtain financing with the ability to only obtain commercial term financing for 3-5 years since this is a zoning issue that is non-conforming with the property.
- He addressed staffs concerns regarding conformity and explained that this isn't spot zoning because the activity is existing and by having this request approved would bring the property into conformity.
- He explained a brief history of the project that was constructed in 1992 built under the Cluster Housing Ordinance and under that ordinance the height restriction was 32' feet with the existing homes today not over 18' feet.
- He explained in 2016 they applied for a density increase under the Pocket Housing Ordinance with the height allowed was 32' feet and the heights when built were 14' feet.
- He noted in 2017 the Pocket Housing Ordinance was rescinded and how this property is classified as non-conforming within this zone. He commented that he was hoping that because of the Pocket Housing Ordinance being rescinded that there was going to be a "vehicle" to allow multifamily within of a year of that ordinance being rescinded which hasn't happened.
- He commented that the property is currently zoned R-8 and under the R-8 zone is an allowable 45 foot building height allowed for non-residential structures so the building height concerned with in the R-17 would be allowed as a shop or storage building.
- He noted that there have been negative comments from people in the area but has also received positive comments from people living south of the project who were in support of this project.

Mr. Ross concluded his presentation.

Susan Knutson stated she didn't know there was a plan for redevelopment and is concerned about putting high density next to a pipeline and explained when her husband worked for a utility company in California was constantly working on those pipelines where explosions happened in some neighborhoods. She explained that she does work with the elderly with disabilities and the existing homes currently on the property are a perfect size for people who are on a fixed income and questioned if approved for higher density where would these people go.

Laurie Klug stated she is a close neighbor and is concerned if these units are sold may not want a building 45-foot tall in their backyards. She added that the schools in the area are already to their limit and has concerns with additional traffic generated from this development. She commented many years ago with another project the pipeline requested all the trees be removed, so they could see the area better.

Thomas Kristoffer stated he agreed they have remodeled the units and had issues of people jumping the fence into his property and with the addition of new people is a concern. He added that he has concerns of a shop being built that could restrict the privacy to his house and has concerns with traffic which is already congested.

Rebuttal:

Ms. Krueger provided the following statements.

- She addressed traffic and when wanting to increase density traffic is always a concern and noted in the staff report the City Engineer stated that traffic isn't a concern.
- She explained that the pipeline would be addressed at the time when a site plan is issued and understands that the city has had more experience and protocols in place for safety issues.
- She added that the applicant isn't wanting to do redevelopment.

Public testimony closed.

Discussion:

Vice Chair Ingalls commented that we keep hearing that this request is for financing with no plan for redevelopment which opens the door of what the potential could be if the zone change is granted because of the zoning. He questioned if the zone change is the way to go, or is there another tool to fix the issue of financing. He explained the difference between this project and the previous project that was approved is this development is surrounded by single family on three sides with concerns about a shop being built in the back yard that would disrupt the privacy of the neighbor.

Commissioner Luttrupp stated if approved the zone stays with the property and with this proposal the parcel is located in the middle of a residential area and will not support this request based on that the zoning is not compatible with the neighborhood.

Commissioner Fleming commented that this is a challenging site surrounded by single family with the understanding that this project will not be developed and concurs that the timing is wrong and not our job to fix the applicants financial problems.

Commissioner Ward inquired about conditional zoning.

Ms. Anderson explained that the zoning code has a section 17.09.140 called "Conditional Rezoning" which states that "Council can impose conditions upon rezoning where such conditions are required to insure that proposed uses of the area are consistent with community needs and public health, safety and general welfare. The Planning Commission may recommend conditions upon rezoning for the City Councils consideration". She added we implemented this once for Tapley Cabinet because it was an existing use but, in this case, the R-17 zoning restricts the height but the units/per acre increases with R-17 compared to the current zoning which is R-8 is a big

“jump “and from staff’s perspective if this was a PUD it would have the same underlying zone which would allow multifamily units to take place so the existing units would be in compliance with the PUD if approved.

Motion by Fleming, seconded by Luttrupp, to deny without prejudice Item ZC-3-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to deny carried by a 3 to 0 vote.

The Commission took a break for 7 minutes.

4. Applicant: Janet Dailey
Location: 3395 E. Fernan Hill Road
Request: A proposed zone change from R-1 to R-3 QUASI-JUDICIAL, (ZC-4-21)

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

- The property is located off of Fernan Hill Road approximately 180 feet east of Frosty Pine Trail. The property was annexed into the city in 1990 in item A-2-90. At that time the property was brought into the city with an R-1 zoning designation.
- The applicant has indicated that they are intending to build one structure that will have two kitchens with in it, described as a multigenerational home. The applicant has indicated that they intend to build a multigenerational house on this parcel for the mother and daughter to live in. This will be one structure with two kitchens.
- Multigenerational Housing is a progressive new trend that allows for families to live in close proximity to each other and still maintain some privacy. The applicant has indicated that the owner of the parcel will be allowed to age in her home and maintain some independence while having her daughter nearby to assist her.
- The current zoning ordinance does not provide for the location and use of multigenerational homes. The current zoning ordinance defines this type of home as two units and it would need to meet the minimum lot area for each of the homes in order to be to be built.
- R-1 and R-3 lots allow for a maximum of two houses to be built it so long it has the minimum lot area for each house, which is 34,500 SF for the R-1. This lot is 68,345 SF and is short by 655 SF in order to be allowed to build a second residence on this parcel. The R-3 require a minimum lot area of 11,500 SF for each home.
- The proposed rezone to R-3 would allow the applicants to build a multigenerational home on the subject parcel because it would allow for two single-family homes to be constructed and meet the minimum lot area per home.
- It should be noted that this lot cannot be split into more lots in either the R-1 or the R-3 due to the minimum lot frontage requirement of 75 feet. This lot has 68 feet of frontage and was approved in Schwartz Addition Subdivision in 1992.
- He stated that the City Comprehensive Plan designates this area in the Cherry Hill: Stable Established.

- He stated that if approved there are no conditions.

Mr. Behary concluded his presentation.

Commission Comments:

Commissioner Fleming commented that this lot has an 800 foot frontage and if approved they will not be allowed to add another residence on the lot. Mr. Behary replied that is correct and clarified that the lot can't be split for an additional house. Commissioner Fleming inquired if the lot is big enough to put another house on the lot and questioned if an Assessor Dwelling Unit (ADU) is allowed in the R-1/R-3 zoning district.

Mr. Behary explained that ADU's are allowed with a maximum of 800 square feet for the ADU and if they did have two dwelling units on the lot, they wouldn't be allowed to have an ADU. They would have to choose either two houses, or one house with an ADU, or a multigenerational facility.

Commissioner Fleming inquired who will be supplying the water.

Mr. Behary answered per the Water Department comment, it will be the City.

Commissioner Luttrupp inquired what is the definition for a multigenerational unit.

Mr. Behary explained that our code doesn't address multigenerational housing.

Commissioner Luttrupp inquired what is the definition of a kitchen.

Ms. Anderson commented that we have a definition for a residential unit which has separate areas for cooking, sanitation, sleeping and living.

Commissioner Luttrupp inquired if this project is a design issue or zoning issue.

Mr. Behary explained that this would be considered another unit in the zoning ordinance which is the multigenerational housing facility which counts as two units. Under the zoning ordinance, we don't have a definition for multigenerational, so we call it "two units."

Mr. Adams explained that we are defining what they are proposing and trying to set a "word" to it.

Commissioner Luttrupp questioned where does it state that you can only have one kitchen per dwelling.

Ms. Anderson explained that staff will be bringing this forward as a Zoning Code Amendment to address multigenerational housing, because it makes sense for a family that might be different generations living together. Staff have been looking at other zoning codes all over the United States. Most communities look at multigenerational as two homes, or as a home plus an ADU, or a duplex. But some have come up with a way to allow multigenerational homes that are specifically defined in the zoning code and have deed restrictions.

Commissioner Luttrupp stated this is strange and different that we have to do something different called "two kitchens".

Mr. Adams explained that the zoning code does define "dwelling unit" as a single unit containing all of these things including faculties for cooking and in this case, there are two units and doesn't matter how many kitchens it depends on if it is a single unit or two units.

Commissioner Fleming stated she sees this in other areas and we need to fix it.

Commissioner Luttrupp questioned if this is a design issue.

Ms. Anderson explained that it is not a design issue and that this will be an issue until our code changes.

Commissioner Ward concurs with Commissioner Luttrupp and also questioned if this could be a design issue and was looking at the uses allowed in a R-1 noticed the height limit allowed was 32 feet for a principal structure and perhaps there was a walk out basement with a full kitchen to not exceed 32 feet above grade the principal structure questioned if that would be permissible under and R-1.

Ms. Anderson explained once you hear the applicant's presentation on what they are trying to achieve with the dwelling units, it will make sense.

Commissioner Ward questioned if you could have two kitchens.

Ms. Anderson explained this is different. They are not just wanting two kitchens. They are trying to have two units with independent living yet connected.

Public testimony open.

Rex Anderson, applicant representative provided the following statements:

- He stated staff has been helpful in finding a vehicle for us to use as a tool to allow the desired multigenerational home. This proposal is to convert the property to an R-3 which allows two dwelling units to be onsite.
- He commented the applicants are a mother and daughter who want to build a multigenerational house and noted on the site plan that the home is on the north and pointed out where the homes will be located on the property.
- He stated that it's the applicant's intention to have everything on one level that will be fully accessible.
- He commented that on this lot development is restricted with the view easements that impact development and referenced the site plan showing the driveway from the road to the house. On the applicant's unit will be a garage with entry into the home on the one level and the daughter's unit will be behind. From the street it will look like one house. The two units will be connected to allow for someone to age in place and to live independently, but have her daughter close by in case she needs care.
- He stated that it's the desire of the applicant to have the home fit in with the neighborhood and that the design and scale of the units meets the average grade of the elevation of 32 feet which falls in line with a few of the Comprehensive Plan policies.
- He explained with the approval of the zone change from R-1 to R-3, the proposed design consolidates the development of the lot to appear as one structure when looking from the road.
- He stated that the frontage of the lot is 68 feet with the house to be 336 feet back from the road.
- He stated this is a growing trend where families are wanting to live together.
- He noted that it's not the intent of the applicant to create/split but intended for them to live together.
- He explained that by making this look like one house and conform to a single use checked all the boxes.

The applicant concluded his presentation.

Commission Comments:

Commissioner Luttrupp questioned why is the applicant requesting two houses.

Mr. Anderson explained that the applicant will be living in one house on the northside and her daughter will be living in one dwelling unit on the southside. Commissioner Luttrupp asked are they separate or two

dwellings. Mr. Anderson explained there is a connector between the two houses with the intent to make it appear as one house.

Commissioner Ingalls explained that once a zone change is granted it opens the door and that he likes what he sees, but after reading some comments from neighbors are "leery" of a second residence and don't want to see two residences on this property. He explained with a zone change details aren't locked in and if this is approved, and the applicant comes back with a proposal for two buildings that is a problem.

Mr. Anderson noted on the map the zoning for the area is all R-3 and only 4 parcels out of the 50 parcels in the area that aren't R-3 and would comply with the zoning code and we are trying to use this zone change as a vehicle for the applicant to use since we don't have a code that addresses Multigenerational Housing.

Commissioner Luttrupp questioned since it will be two structures connected can one structure be sold at a later date.

Ms. Anderson explained one could be sold through a condominium plat but would look/function the same.

Mr. Anderson stated the lots can't be split. Vice Chair Ingalls added that there is limited frontage on Fernan Hill Road so it can't be split.

Commissioner Fleming inquired about the staff comments received regarding water pressure that a single home with two separate dwelling units that are joined the demand will be minimal.

Mr. Anderson explained the scale of house they intend to build could have been built as one and stacked.

Susan Knutson stated she loves this project and excited to see the zoning amendments change for Multigenerational housing.

Tony Chemetti commented that he has the property next door and thinks this is an excellent idea and might want to do the same thing to our home, but doesn't want to have to go through a zone change in order to put a kitchen downstairs. He commented that he is concerned if this doesn't work out for the applicant and they decide to move it turns into a rental.

Rebuttal:

Mr. Anderson thanked everyone for their comments and explained that the number of R-3 parcels around the site any of those people could do the same thing. He stated that he wanted to thank staff for being so receptive as they have been toward this request. He added that this type of housing should be instituted without having to go through a zone change. He added that the other city agencies have reviewed this and have no concerns.

Public testimony closed.

Discussion:

Commissioner Luttrupp stated we need to come up with a definition for multigenerational housing. He said he supports the concept and if staff can come up with a definition for multigenerational housing to bring forward to City Council that could be addressed.

Ms. Anderson explained that doing a code amendment was not feasible given the time frame this applicant is working with unfortunately. She explained that staff has many bigger projects in the works before we could consider this topic which would take staff time to come up with the code language that would first go to the Planning Commission with a recommendation to City Council. When doing code

amendments, staff like to bring a “bunch” of code amendments together for Council to consider. She explained that if the applicant had an additional 600 square feet on their lot, they wouldn’t need a zone change and that this zone change worked for them as a tool to move forward.

Commissioner Luttrupp stated he will support this but encourages staffs to work on a definition for multigenerational housing.

Motion by Ward, seconded by Fleming, to approve Item ZC-4-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

5. Applicant: Grace Bible Church
Location: 4977 N. Atlas Road
Request: A proposed Religious Assembly special use permit
In the R-8 zoning district
QUASI-JUDICIAL, (SP-2-21)

Tami Stroud, Associate Planner presented the staff report and stated:

- John Young, on behalf of Grace Bible Church and Faith Walk Community Fitness Park, Inc. is requesting approval of a Religious Assembly special use permit on a +/- 10-acre parcel in the R-8 (Residential at 8 units/acre) Zoning District.
- Grace Bible Church is requesting approval of a Religious Assembly Special Use Permit in the proposed R-8 zoning District. The request, if granted, would allow for Religious Assembly use. The applicant is proposing a phased project as follows:
 - Phase 1: Asphalt exercise trail connecting to the City pathway with 15 stations with commercial exercise equipment for use.
 - Phase 2: A regulation size gymnasium.
 - Phase 3: Offices and Counseling Center be constructed.
 - Phase 4: A 500 seat Church auditorium.
- Infrastructure for future phases and parking would be installed to support the park.
- The subject property was purchased by Grace Bible Church and Faith Walk Community Fitness Park, Inc. in 2014, and is currently vacant. The property was previously owned by the Coeur d’Alene School District.
- The applicant has submitted a site plan as well as four (4) conceptual elevations for the proposed Religious Assembly use to include an asphalt exercise trail connecting to the City pathway, and 15 stations with commercial exercise equipment for the exercise stations. Additionally, a soccer field, picnic pavilion, waterfall garden, playground and restrooms will be constructed.
- A future regulation gymnasium, offices and a counseling center will be built in the next two phases, and lastly, a 500-seat church auditorium would be constructed on the subject site.

- If approved there are 3 conditions

Ms. Stroud concluded her presentation

Commission Comments:

Chairman Ingalls asked about Finding B8b stating if the design is compatible with the surrounding area and in this case, we have a lot of detail with the site plan showing everything including proportions on the site and elevations he questioned if approved, will this site plan be locked in and if changed does its comeback. Ms. Stroud explained that staff would look at this if there was a proposed change and determine if this is a significant change or not and if we see a significant change from the original approval will need to come back as an interpretation. Ms. Anderson concurs and in the past with some other Special Use Permits, we have locked in site plans.

Commissioner Fleming inquired if this development when done the public will be allowed to use the path on off hours. Ms. Stroud stated the applicant can answer that.

Commissioner Ward inquired about the pipeline. Ms. Stroud stated the applicant can answer that question.

Commissioner Fleming inquired about the parking lot. Ms. Stroud stated the parking lot will be done in the first phase.

Public testimony open.

John Young Applicant representative provided the following statements:

- He thanked staff and stated the site plan will not change because not only the Yellowstone Pipe line runs through it, but also the Williams Pipeline crosses the property and that both pipelines are located on the bottom third of the property away from the building. He added that he met with both representatives of the pipelines to make sure we have any issues.
- He stated this project when done will be compatible with the surrounding properties and when driving around the area noticed many subdivisions having some kind of Religious Assembly within those subdivisions and feels when done this project will be a great addition.

Dan Pinkerton Applicant representative provided the following statements:

- He stated this property was purchased seven years ago approved by the church and doesn't anticipate many changes to the design.
- He stated the public will be allowed to use the facilities.
- He stated the fitness park will be separate from the church with a lease agreement with Grace Bible Church to be responsible for the maintenance and development of the park.

The applicant concluded his presentation.

Susan Knudtson commented she lives in this area and likes the idea of having this land developed. She commented that Abbey road is very "blue collar" community with a lot of people that do side jobs on their property. She stated her concern is the one stoplight that is north between Seltice is Kathleen and the only way people can get to the area is on the westside of Atlas which is a two-lane road, so when the church is built out could be difficult for people to get out on the road. She stated Atlas is a busy road.

Rebuttal:

Mr. Young stated he is not a traffic Engineer and has faith in the City's Engineering/Streets Department who stated that this project will not be an impact to this area.

Vice Chair Ingalls referred to the trail on the westside if it would be preserved. Mr. Young explained that this is a condition in the staff report and that portion of the trail will be replaced.

Commissioner Fleming inquired what the estimated time of build out. Mr. Young explained that this project will be done in four phases and done in 5-6 years.

Chris Bosley, City Engineer explained Phase 4 of this project would have the biggest impact and generate a significant amount of traffic. He added normally church services are done off peak hours but will add to existing traffic. He added we do have a project planned with KMPO to widen Atlas Road with improvements from Seltice up to Hanley that will help with one of the requirements would be to improve their frontage and, in the staff report he stated would work with them during that time when they come forward with a permit to help place the curb for the frontage improvements and will be able to put in a left turn lane that will take care of a lot of concerns of making left turns. Vice Chair Ingalls inquired will this be three lanes. Mr. Bosley stated that is correct.

Public testimony closed.

Motion by Fleming, seconded by Ward, to approve Item SP-2-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

6. Applicant: Anthem CDA Inc. C/o Chris Lauri
Location: 623 E. Wallace
Request: A proposed Religious Assembly special use permit in the R-17 zoning district
QUASI-JUDICIAL, (SP-3-21)

Sean Holm, Senior Planner presented the staff report and stated:

- Anthem CDA, Inc. c/o Chris Lauri, with consent of the property owner, is requesting approval of a Religious Assembly Special Use Permit (SUP) on six lots measuring a total of +/- 0.76 acre. An existing SUP exists for the parking lot north of the alley which is in conjunction with this request.
- Anthem CDA Church is requesting approval of a Religious Assembly Special Use Permit in an R-17 zoning District.
- The request, if granted, would allow the applicant to use the existing structure as a place of worship.

Currently there are no plans to use the church as an education facility (which would require a separate "community education" SUP). A "Sunday School" falls under the request for Religious Assembly and is typical to what churches provide to their members.

- If the church decides to hold educational K-12 classes (or a portion thereof), they would need to apply for a "community education" SUP separately from this request.
- The subject property was recently reviewed by Planning Commission for an R-34 SUP approved in July 2018, which was appealed to City Council which denied the request in August of 2018.
- The Comprehensive Plan Map designates this area as Historical Heart- Stable Established:
- If approved there are no conditions.

Mr. Holm concluded his presentation

Commission Comments:

Vice Chair Ingalls inquired about parking and the graphic submitted shows more parking spaces than what is required and inquired if this project is approved can we "lock" in this site plan so later when they come back with a permit to build something in that north parking lot it would be a violation. Mr. Holm explained that Ms. Anderson always stated in the past if staff was nervous that the Planning Commission has the authority to "lock in" the site plan.

Commissioner Fleming inquired about the GTE in the basement and if that use requires parking. Mr. Holm explained that there is no space down there for anyone to work which is mostly equipment and the use would be treated like a "cell tower" with someone going in monthly to make sure the equipment is working. Commissioner Fleming inquired about the parking lot on the southside is meeting the requirements for parking and inquired if the additional lot above could "break off" or is it considered part of the special use permit. Mr. Holm stated that is correct and that we could "lock in" this or require a parking agreement that would provide a tie into it. Commissioner Fleming suggested to keep this altogether as one request. Vice Chair Ingalls suggested adding a condition. Mr. Adams explained the applicant is asking for a special use permit for Religious Assembly and showing what they intend to use and what they will be doing. Ms. Anderson suggested to ask the applicant if they would include the lot as part of the special use permit so there is adequate parking.

Public testimony open.

Chris Lauri Applicant representative provided the following statements:

- He stated staff did a great job putting together the presentation.
- He explained the purpose of the journey for this church and that we do have another church in Hayden and as the church grew wanted eliminate the number of members in order to provide a smaller service to care for people by providing other locations to use for this church.
- He explained that as churches grow bigger, they need more land and the process looking for a church downtown has been discouraging because trying to meet the demands of the city to have enough parking etc. and this building meets the demands. for looking at a building and found something that met the demands.
- He noted that the older churches downtown is shrinking, torn down and turned into houses and purchasing this property meets the demands of the city will provide a resource for people to attend the church with many of the members living within three blocks from this property.
- He explained that parking we were informed by the city that we would need one stall per 10 chairs that we put in the largest gathering area and if we went over by 300 in that room, we would have to have a sprinkler system which the hub is already in place and easy to do. He added that it's not our desire to expand the foot print of that building on that property and want to maintain a small type church and will not take up that northern end of the parking lot because there is no

available parking downtown and is a gold mine.

The applicant concluded his presentation.

Motion by Fleming, seconded by Luttrupp, to approve Item SP-3-21. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 3 to 0 vote.

ADJOURNMENT

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

The meeting was adjourned at 9:11 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

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**PLANNING COMMISSION
STAFF REPORT**

FROM: TAMI STROUD, ASSOCIATE PLANNER

DATE: JUNE 8, 2021

SUBJECT: SP-4-21, SPECIAL USE PERMIT REQUEST FOR ESSENTIAL SERVICE (ABOVE GROUND) USE IN THE R-8 (RESIDENTIAL AT 8 UNITS/ ACRE) ZONING DISTRICT

LOCATION: EAST SIDE OF HUETTER ROAD, SOUTH OF THE LANDINGS DEVELOPEMNT AND OF WEST THE TRAILS DEVELOPMENT

.253 ACRES LOCATED AT 7032 NORTH HUETTER ROAD

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

DECISION POINT:

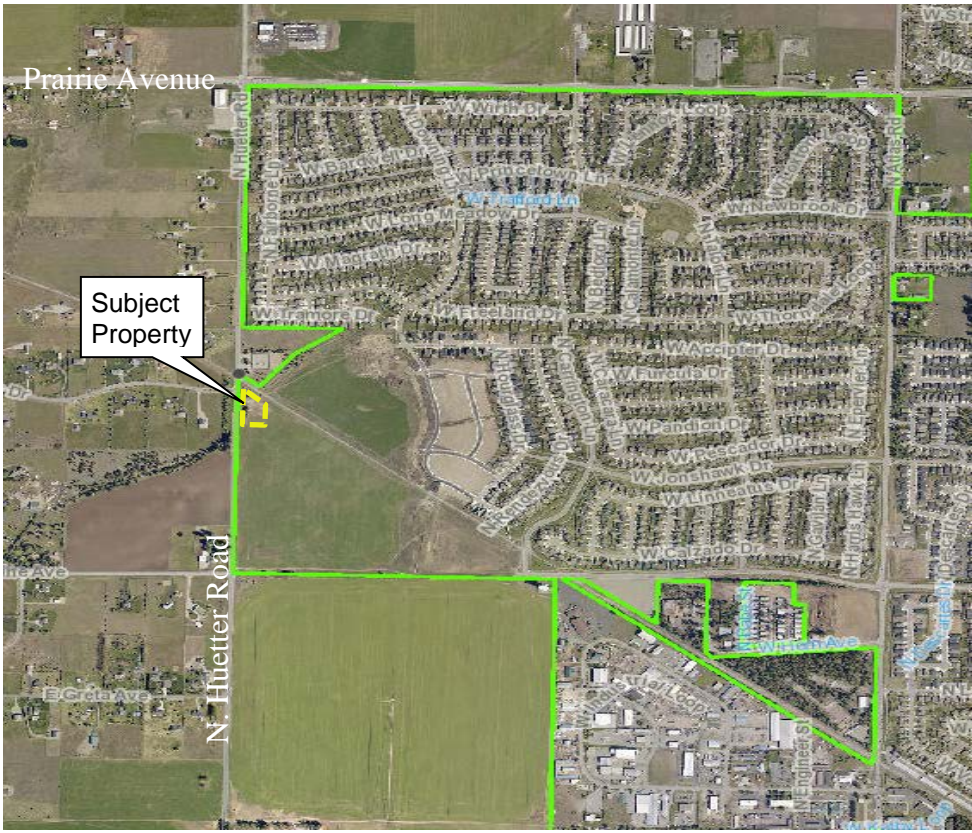
The City of Coeur d' Alene's Water Department is requesting approval of an Essential Service (Above Ground) special use permit on a +/- .253-acre parcel in the R-8 (Residential at 8 units/acre) Zoning District.

BACKGROUND INFORMATION:

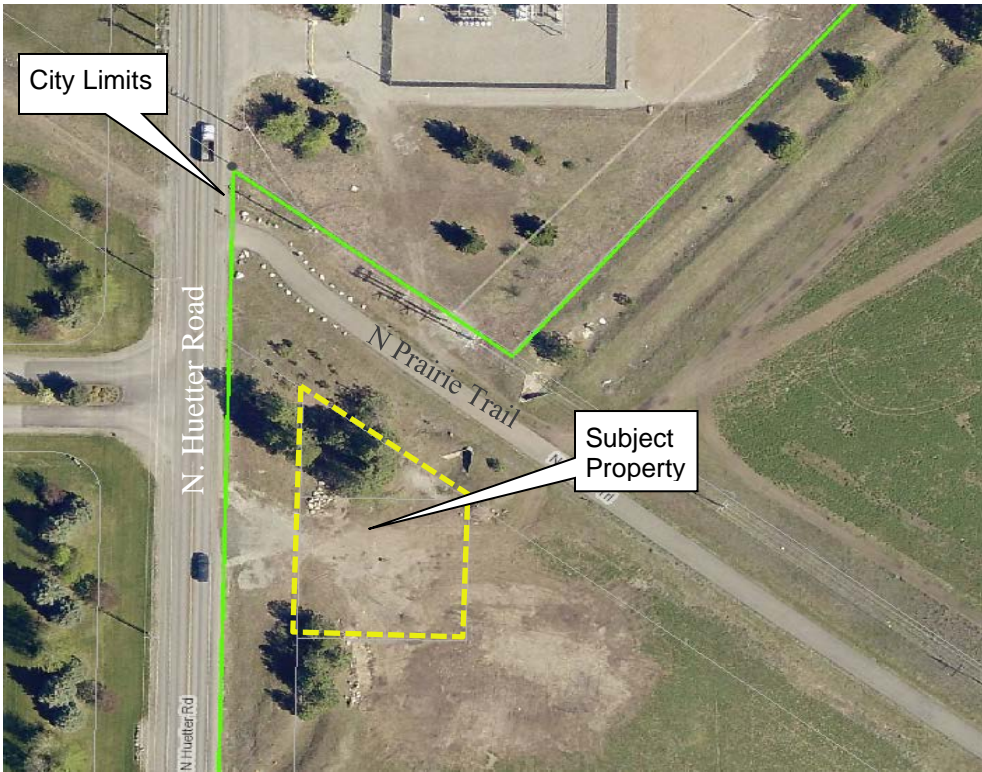
The Water Department staff has been working diligently to keep on schedule with planned well construction to keep up with ever increasing demand. The Huetter Well site was deeded to the City as part of the Trails Development. As the Drinking Water Rule requires that a public water system be able to meet peak daily demands with its largest well out of service, it was necessary to proceed with planned construction of the Huetter Well site. Peak summer daily demands have been averaging 38 MGD (million gallons per day) to 40 MGD for the past 3 years. With a current maximum capacity of 44 MGD, the City can no longer meet that peak day requirement. Should there be a major pump failure during the summer season, the Water Department would likely have to impose watering restrictions. The Huetter site was test drilled in 2018, and proved that the water quality and soil profile was suitable for use as a potable supply. The production well was drilled and test pumped in late fall 2019, early spring of 2020. It now stands ready to have a building constructed and a pump installed.

The Water Department is also providing eleven (11) parking stalls on the subject property to allow for parking for the N. Prairie Trail users; however; it is not part of the special use permit request, and is allowed by right.

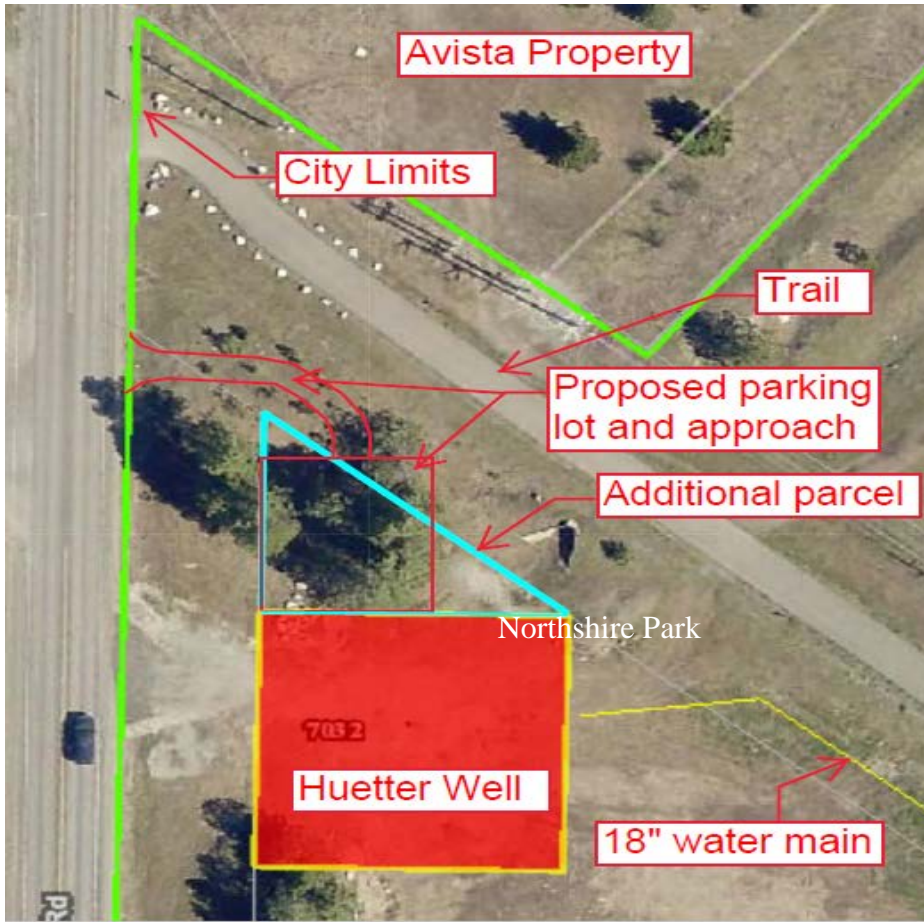
PROPERTY LOCATION MAP:



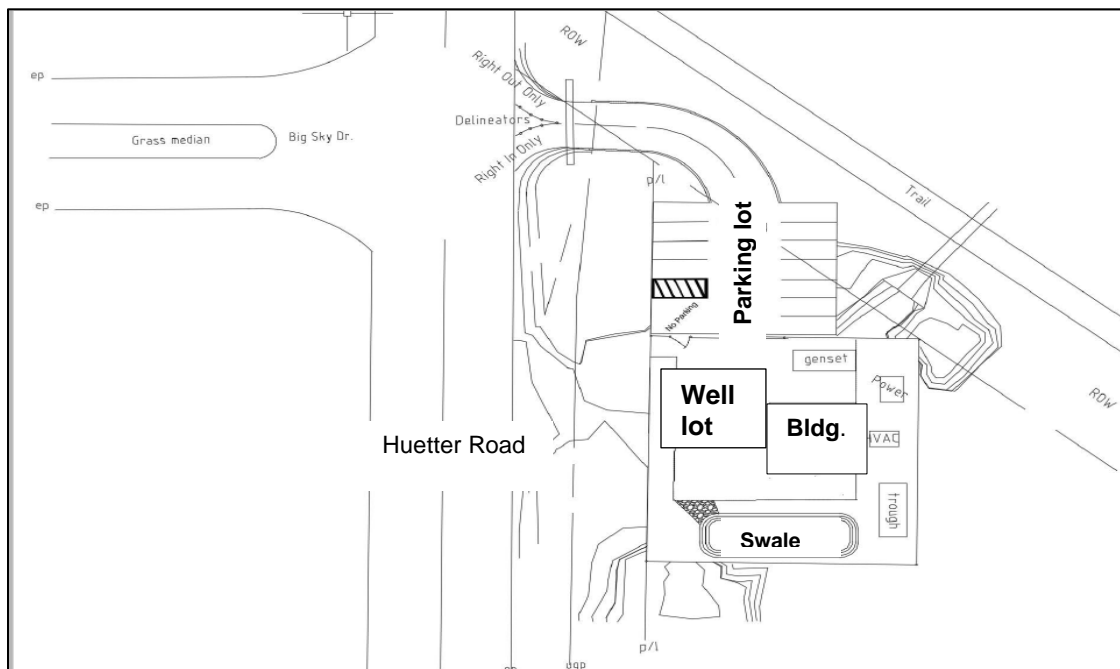
AERIAL PHOTO:



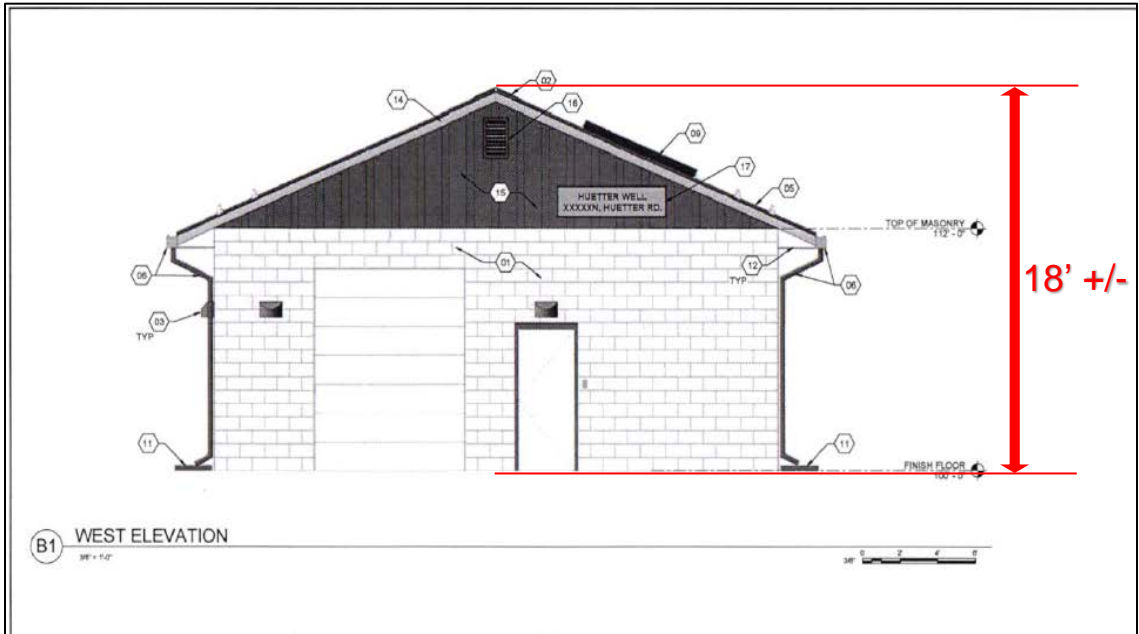
SITE LAYOUT:



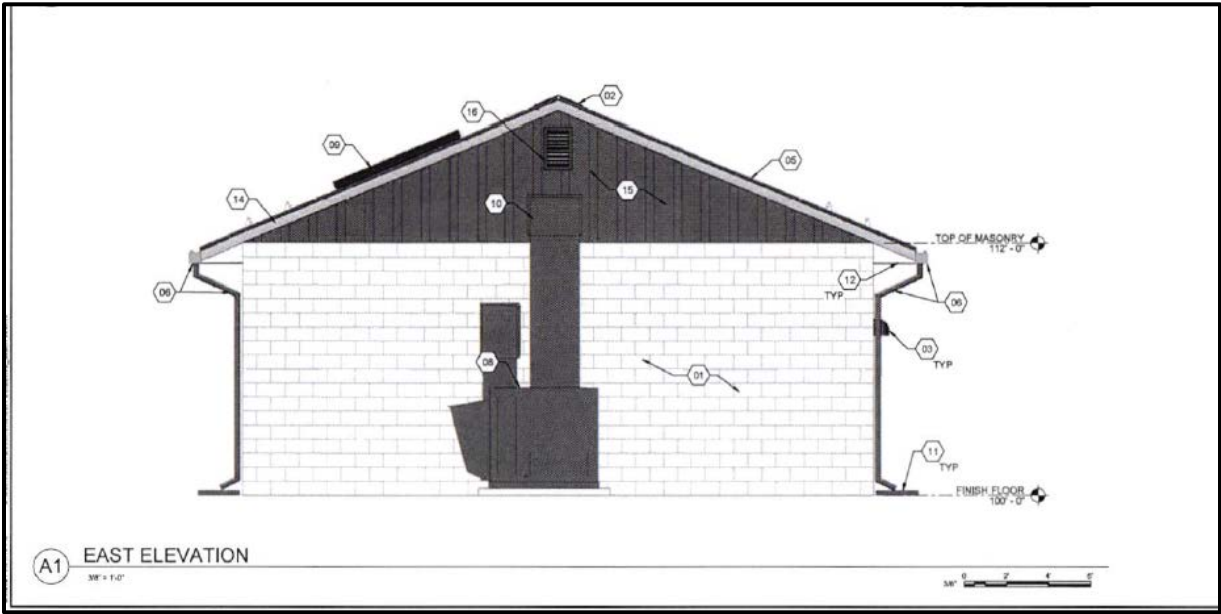
APPLICANT'S SITE PLAN:



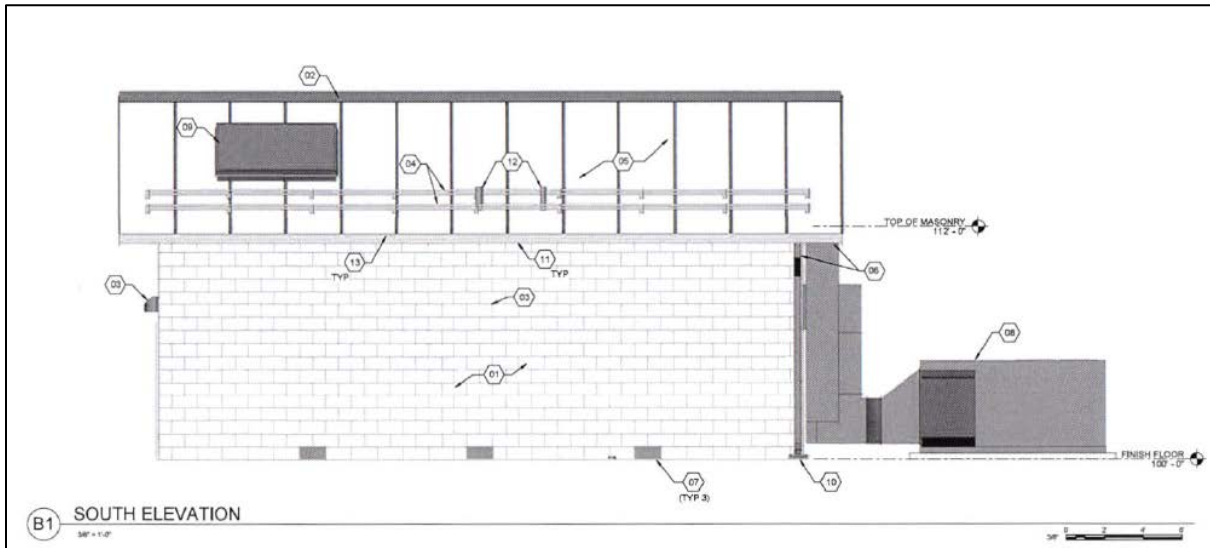
WEST ELEVATION:



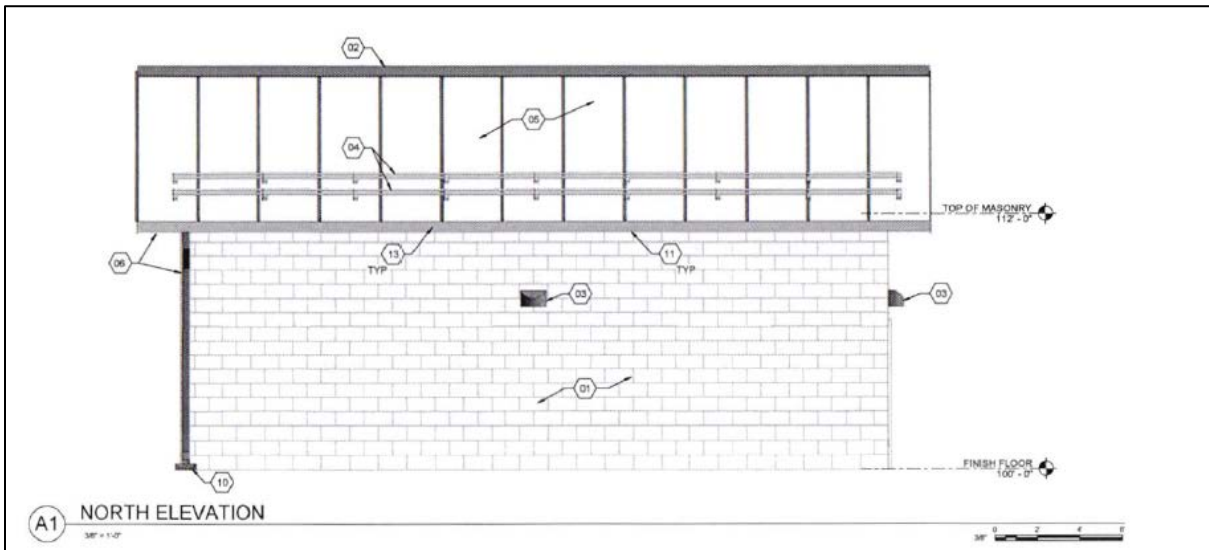
EAST ELEVATION:



SOUTH ELEVATION:



NORTH ELEVATION:



ZONING: (subject property is zoned R-8)



R-8 Zoning District:

17.05.090: GENERALLY:

- A. The R-8 district is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.
- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 ½) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.
- C. In this district a special use permit may be requested by the developer for a two (2) unit per gross acre density increase for each gross acre included in a pocket residential development. This density increase provision is established to reflect the concern for energy and environment conservation.
- D. Project review (see sections 17.07.305 through 17.07.330 of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.

17.05.100: PERMITTED USES; PRINCIPAL:

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

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

17.05.110: PERMITTED USES; ACCESSORY:

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

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

17.05.120: PERMITTED USES; SPECIAL USE PERMIT:

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

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

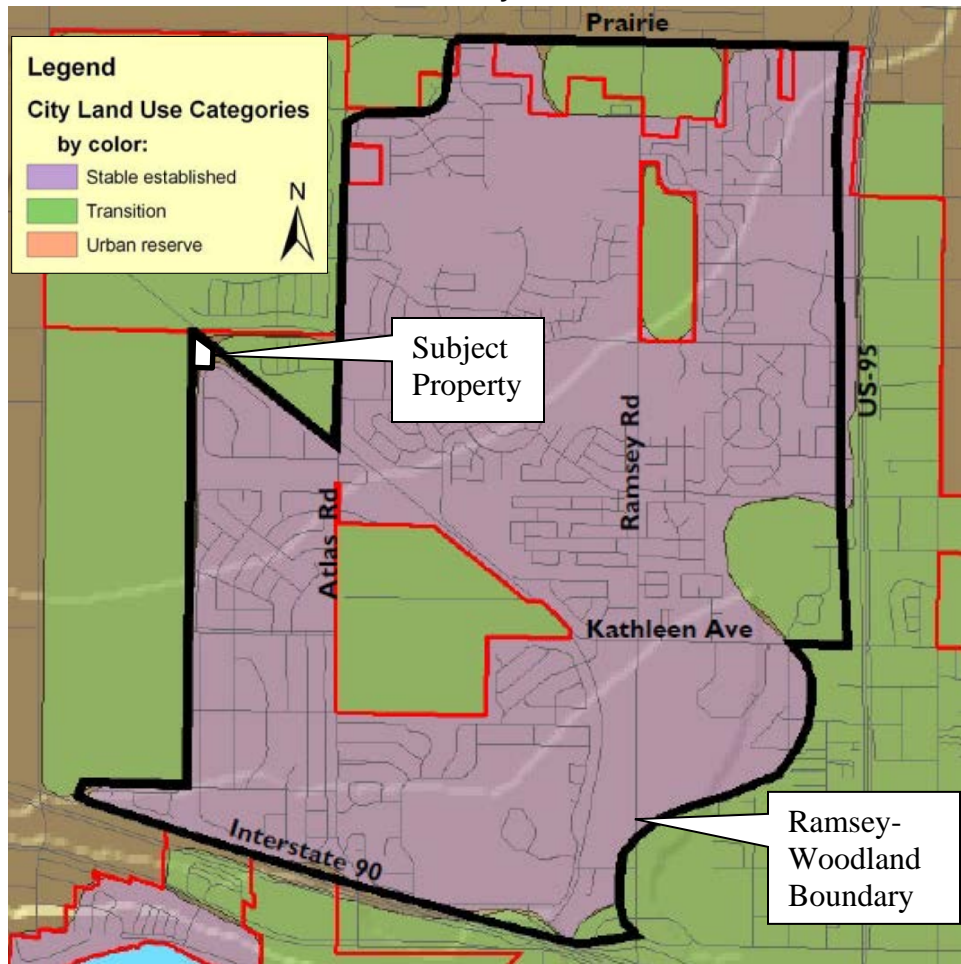
REQUIRED FINDINGS FOR SPECIAL USE PERMITS:

Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

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

- The subject property is within the existing city limits.
- The City Comprehensive Plan Map designates this area as Ramsey- Woodland- Stable Established:

COMPREHENSIVE PLAN MAP: Ramsey- Woodland



Stable Established Areas:

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

Land Use: Ramsey- Woodland

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

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

Ramsey - Woodland Tomorrow

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

The characteristics of Ramsey – Woodland neighborhoods will be:

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Pedestrian and bicycle trails.
- Parks just a 5-minute walk away.
- Neighborhood service nodes where appropriate.
- Multi-family and single-family housing units.

Applicable 2007 Comprehensive Plan Goals and Objectives:

Objective 1.11

Community Design:

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

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14

Efficiency:

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

Objective 1.16

Connectivity:

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

Objective 3.12

Education:

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

Objective 4.01

City Services:

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

Objective 4.02

City Services:

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

Objective 4.06

Public Participation:

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

Evaluation: *The Planning Commission must determine, based on the information before them, whether 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 #B8B: The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.

Land uses in the area include residential - single-family, agricultural and vacant land.

Current use on the subject property is vacant city water well site. This well is an essential service and is required to provide potable water to city residents. This site is contingent to the potential growth of the Armstrong properties.

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

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

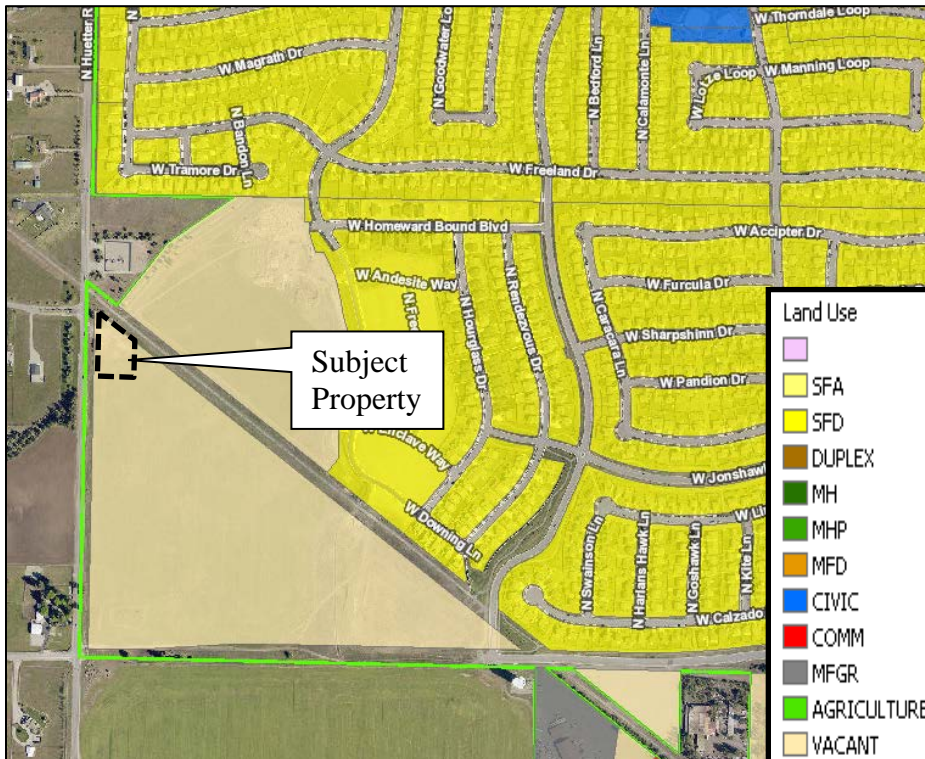
- A. Front: The front yard requirement shall be twenty feet (20').
- B. Side, Interior: The interior side yard requirement shall be twenty five feet (25').
- C. Side, Street: The street side yard requirement shall be twenty five feet (25').
- D. Rear: The rear yard requirement shall be twenty five feet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

The proposed site will have to meet all the required building setbacks, screening, and maximum building height requirements that are required for non-residential structures in a residential zone. The subject site is southwest of the N. Prairie Trail. Property directly to the north, south and east of the subject property is currently vacant land. Further north is the Landings Development, and further east, is The Trails development with single family uses. Property on the west side of Huetter Road is within Post Falls City Limits.

The property to the north, south and east is zoned R-8 (Residential at 8 units/acre) zoning district (As shown on the zoning map on page 6). There have been no special use permit requests in the vicinity of the subject property.

The subject property is bordered by Huetter Road to the west and the Prairie Trail to the north. Huetter Road, to the west, is under the jurisdiction of Post Falls Highway District whom the City has been working with for approval of the proposed driveway approach. The primary access to the site will be via N. Huetter Road.

GENERALIZED LAND USE MAP:



SITE PHOTO - 1:

View from N. Prairie Trail/Huetter Rd. looking southeast at the subject property.



SITE PHOTO - 2: *View from Huetter Rd. looking southeast toward the subject property.*



SITE PHOTO - 3: *Looking east at the subject property from Huetter Road.*



SITE PHOTO - 4: *Looking west from the subject property toward Huetter Rd.*



SITE PHOTO - 5: *Looking north from the subject property along Huetter Rd. toward The Landings development.*



SITE PHOTO - 6: *Looking east from Huetter Rd. at the neighboring property to the north, which is the Washington Water Power electrical substation.*



SITE PHOTO - 7: Looking north along Huetter Rd with the Big Sky development on the west and The Landings on the east side of Huetter Rd.



Evaluation: Based on the information presented, the Planning Commission must determine if the request is compatible with surrounding uses and is designed appropriately to blend in with the area.

- C. **Finding #B8C:** 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.

STORMWATER:

City Code requires stormwater to remain on site and for a stormwater management plan to be submitted and approved prior to any construction activity on the site. Stormwater will be addressed at the time of construction

STREETS:

The subject property is bordered by Huetter Road to the west and the Prairie Trail to the north and east. Huetter Road is under the jurisdiction of Post Falls Highway District whom the City has been working with for approval of the proposed driveway approach. No street improvements are required by the Streets and Engineering Department.

TRAFFIC:

Very minimal traffic is expected from this project with only occasional visits by Water Department staff and limited trailhead parking proposed for the Prairie Trail. Streets and Engineering has no objections to the proposed SUP.

-Submitted by Chris Bosley, City Engineer

WATER:

The Water Department has no issues with the proposed special use permit request.

-Submitted by Terry Pickel, Water Superintendent

SEWER:

Wastewater has no issues or requirements for the proposed special use permit request.

-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 / MIAAI – CFI

Evaluation: *Planning Commission must determine if the location, design, and size of the proposal are such that the development will or will not be adequately served by existing streets, public facilities and services.*

PROPOSED CONDITIONS: NONE

The Planning Commission may, as a condition of approval, establish reasonable requirements to mitigate any impacts that would adversely affect the surrounding neighborhood. Please be specific, when adding conditions to the motion.

ORDINANCES AND STANDARDS USED IN EVALUATION:

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

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**

**CITY COUNCIL
STAFF REPORT**

DATE: April 6, 2021
FROM: Terry Pickel, Water Department Director
SUBJECT: Award Bid for Huetter Well Construction

DECISION POINT:

Staff is seeking City Council approval of TML Construction, Inc's bid of \$1,038,400.00 and award of a contract for construction of the Well House including installation of the pump, plumbing, electrical, and landscaping improvements for the new Huetter Well.

HISTORY:

Per the 2012 Water Comprehensive Plan, staff has been working diligently to keep on schedule with planned well construction to keep up with ever increasing demand. The Huetter Well site was deeded to the City as part of the Trails Development. As Drinking Water Rule requires that a public water system be able to meet peak daily demands with its largest well out of service, it was necessary to proceed with planned construction. Peak summer daily demands have been averaging 38 MGD (million gallons per day) to 40 MGD for the past 3 years. With a current maximum capacity of 44 MGD, we can no longer meet that peak day requirement. Should we have a major pump failure during the summer season, we would likely have to impose watering restrictions. The Huetter site was test drilled in 2018 and proved that the water quality and soil profile was suitable for use as a potable supply. The production well was drilled and test pumped in late fall 2019, early spring of 2020. It now stands ready to have a building constructed and a pump installed. An 18 inch transmission main was recently installed along the Prairie Trail to the Industrial Standpipe to supply water to the High Zone. Keller Associates was selected to design, bid and oversee construction of the new well house and related appurtenances.

FINANCIAL ANALYSIS:

As previously mentioned, the new facility was designed by Keller Associates. Bids were recently solicited for the construction of the well house, installation of the applicable piping, electrical, the pump and related site improvements. The following bids were received, including alternative bid schedule A for landscaping: \$1,038,400.00 from TML Construction Inc., \$1,102,225.00 from NNAC, Inc., \$1,513,000.00 from J7 Contracting, and \$1,826,685.00 from S&L Underground. The project is included in the 2021 FY Budget with a line item of \$1,200,000.00, funded by Capitalization Fees. The engineering consultant has reviewed the bids and determined that they are complete and responsive.

PERFORMANCE ANALYSIS:

The new well was designed with an expected pumping capacity of 4,000 gpm. A 24" diameter well was drilled to accommodate a pump sufficient for this quantity with sufficient screen installed to ensure excess capacity. The well was test pumped at 4,200 gpm for 6 hours with a maximum drawdown of 2.5 feet. The additional 4,000 gpm will give us a daily pumping capacity in excess of 49 MGD. This new well will provide us with the redundancy needed to meet the water rule for extra pumping capacity. The well should be on-line by next fall. Additional water rights of 9 CFS were secured for this well as a part of this project. It is anticipated by the Comprehensive Plan that one additional well may be necessary by build out, heavily dependent upon potential density increases within current properties.

DECISION POINT/RECOMMENDATION:

City Council should accept TML Construction Inc's lowest responsive bid of \$1,038,400.00 and award a contract for the construction of the Well House and related site improvements, pump installation, plumbing and electrical for the new Huetter Well.

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**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE: JUNE 8, 2021 *(Continued Hearing, tabled from March 9, 2021)*

SUBJECT: A-2-21: ZONING PRIOR TO ANNEXATION OF 3.19 ACRES FROM COUNTY AG SUBURBAN TO R-3

PUD-2-21: A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS "HAAG ESTATES PUD"

S-2-21: A FIVE LOT TWO TRACT PRELIMINARY PLAT REQUEST FOR "HAAG ESTATES"

LOCATION: PROPERTY IS LOCATED AT 2248 E. STANLEY HILL ROAD

APPLICANT:
Eugene and Nancy Haag Living Trust
2248 E Stanley Hill Road
Coeur d'Alene, ID 83814

ENGINEER:
Dobler Engineering
P.O. Box 3181
Hayden, ID 83835

DECISION POINT:

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

1. The annexation of 3.19 acres in conjunction with zoning approval from County Agricultural-Suburban to the City R-3 zoning district in the Hillside Overlay.
2. A residential planned unit development that will allow for four new house sites to be developed in the Hillside Overlay with the following modifications.
 - a. Lots fronting on a public street requirement
 - b. Minimum lot width frontage requirement
3. A five-lot, two tract preliminary plat to be known as Haag Subdivision.

BACKGROUND INFORMATION:

This is the second time that the subject property is requested to be annexed into the city. In 2005, the applicant requested annexation into the city in conjunction with zoning to the R-3 zoning district in item A-7-05.

The Planning Commission held a public hearing on this matter on August 9, 2005 and subsequently made a recommendation to City Council to deny the annexation request. City Council held a public hearing on October 4, 2005 and denied the request for annexation into the City.

The three findings that the City Council made in denying the A-7-05 annexation request without prejudice in October 2005 were as follows:

1. That the proposal is not in conformance with the Comprehensive Plan policies.
 - a. "Promote orderly development of land use at locations that are compatible with public facilities and adjacent lands" -- Neighborhood development, topography, and the development pattern are not compatible with adjacent land uses;
 - b. "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects." – The request is not in compliance with this policy for the previously stated reasons.
2. That the physical characteristics of the site do not make it suitable for the request at this time because the steep topography, stormwater, drainage, and existing spring on the property make the subject property unsuitable for R-3 zoning.
3. That the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses because if the property were developed to its full potential, R-3 zoning would be detrimental to the neighborhood character and the surrounding land uses.

Currently the subject property has a single-family residence on 3.19 acres. The applicant is requesting to split the lot up and create four additional residential buildable lots. The subject site is adjacent to the city limits along its west property line. The property is currently zoned Agricultural-Suburban in the county. The subject site is located within the City's Area of City Impact (ACI).

The property has significant slope and will be located in the Hillside Overlay if the annexation of this site is approved. The applicant's Engineer had indicated that the slopes on the south portion of the property range from 20 to 25 percent. The applicant is aware that all development must adhere to the Hillside Overlay requirements. See the attached Narrative/Justification by the applicant at the end of this report for a complete overview of this request (Attachment 1).

The applicant is proposing two additional access points to the subject site, both from Lilly Drive, one on the west, and the other on the east side of the subject property. The existing house is served from Stanley Hill Road. The four proposed buildable lots will have access off of the existing streets in addition to access from within the property from a proposed common driveway placed in a common tract.

PROPERTY LOCATION MAP:



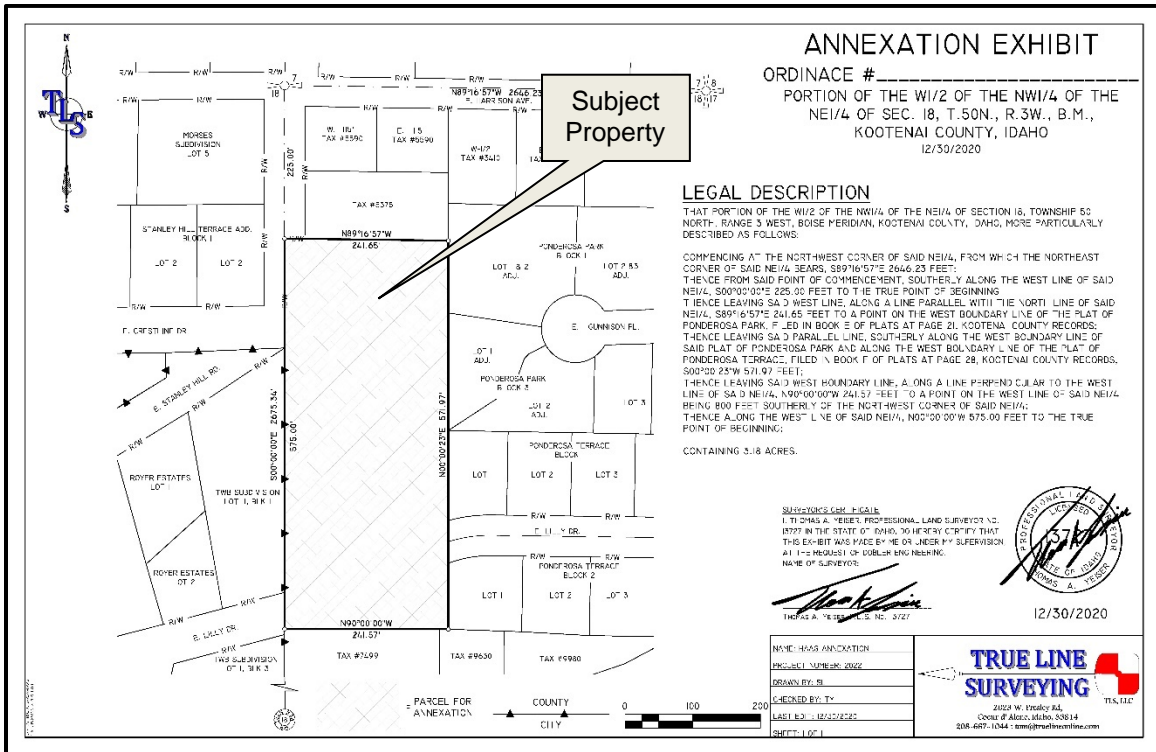
AERIAL PHOTO:



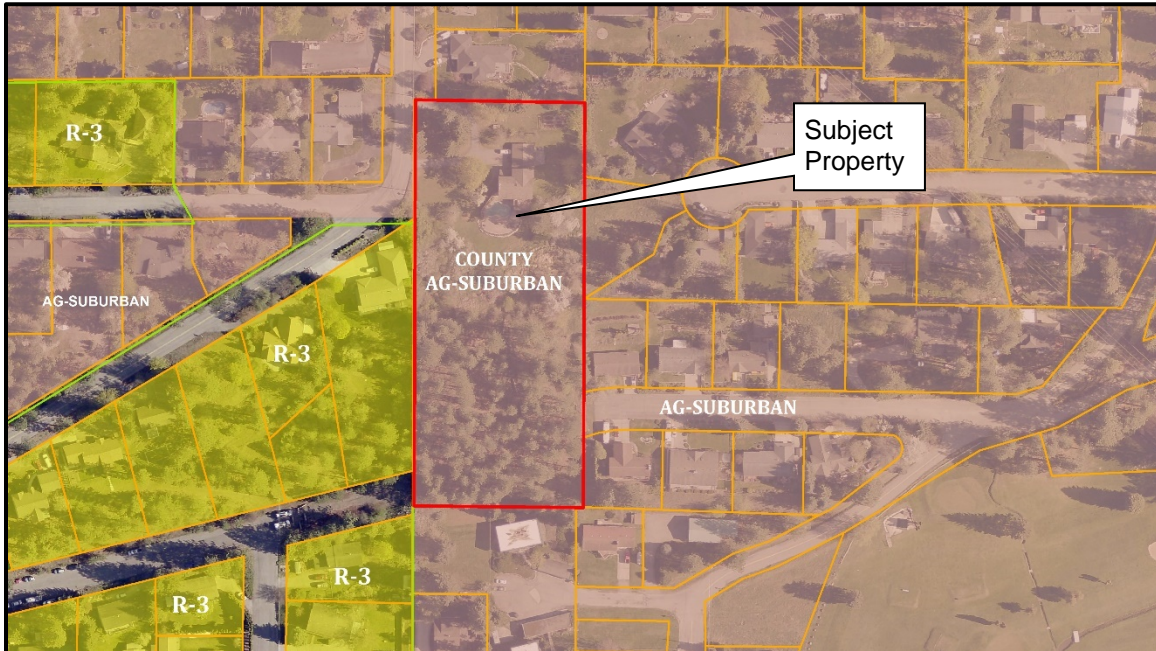
BIRDS EYE AERIAL:



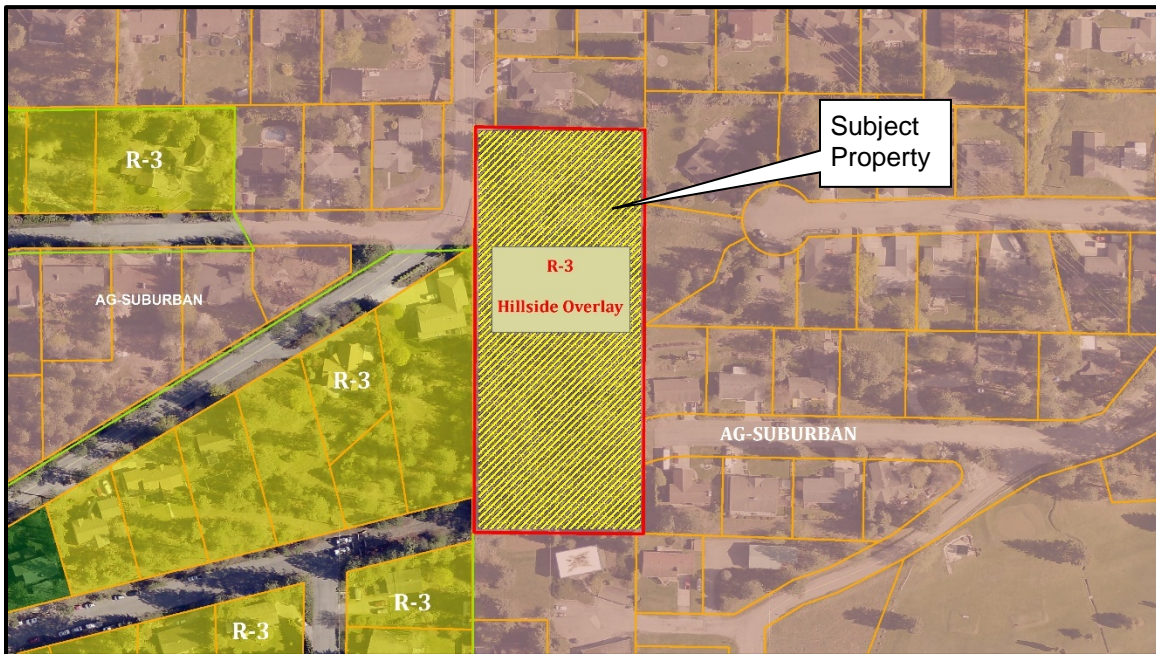
ANNEXATION MAP:



EXISTING ZONING MAP: County Zoning Districts



PROPOSED ZONING MAP:



The proposed R-3 zoning and Hillside Overlay are shown on the map above. The proposed zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property to the west within the Coeur d'Alene city limits. The property is surrounded by County Ag-Suburban zoning to the northwest, north, east and south. Approval of the requested R-3 zoning in conjunction with annexation would allow the following potential uses of the property.

Proposed R-3 Zoning District:

This district is intended as a residential area that permits single family detached housing at a density of 3 dwelling units per gross acre. This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

R-3 Zoning District:

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

- single family housing
- home occupations as defined in Sec. 17.06.705
- essential services (underground)
- civic administrative offices
- neighborhood recreation
- public recreation

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

- community assembly
- community education
- community organization
- convenience sales
- essential service (above ground)
- noncommercial kennel
- religious assembly
- bed & breakfast facility
- per. 17.08.500
- commercial film production

Accessory Uses:

- carport, garage and storage structures (attached or detached)
- private recreation facility (enclosed or unenclosed)
- outside storage when incidental to the principal use.
- temporary construction yard.
- temporary real estate office.
- accessory dwelling unit

17.05.050: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-3 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet 1	n/a
For public recreation, community education or religious assembly activities	45 feet1	n/a

Detached accessory building including garages and carports	32 feet ¹	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet
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17.05.075: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

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

Proposed Hillside Overlay:

17.08.900: TITLE AND PURPOSE:

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

17.08.905: APPLICABILITY:

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

17.08.915: GENERAL REQUIREMENTS:

A. Geotechnical Studies: Prior to development a geotechnical study indicating that the site is suitable for the proposed use and development shall be prepared by a geotechnical engineer and shall be submitted and approved by the city. The study shall include the following information:

- 1. Project description to include location, topography, drainage, vegetation, discussion of previous work and discussion of field exploration methods, if any.
- 2. Site geology, to include site geologic maps, description of bedrock and surface materials, including artificial fill, locations of any faults, folds, etc., and geologic structural data including bedding, jointing and shear zones, soil depth and soil structure. The analysis shall indicate the degree of risk for landslides and/or slumping.
- 3. Discussion of any off site geologic conditions that may pose a potential hazard to the site, or that may be affected by on site development.

4. Suitability of site for proposed development from a geotechnical standpoint.
5. Specific recommendations for site preparation, foundation design and construction, slope stability, potential for slope sloughing and raveling, ground water, surface and subsurface drainage control, fill placement and compaction, retaining walls, and other design criteria necessary to mitigate geologic hazards.
6. Additional studies and supportive data shall include cross sections showing subsurface structure, graphic logs with subsurface exploration, results of laboratory tests and references, if deemed necessary by the engineer or geologist to establish whether an area to be affected by the proposed development is stable.
7. Signature and registration number of the engineer.
8. Additional information or analyses as necessary to evaluate the site.
9. Recommendations for inspections during construction by the geotechnical engineer.

B. Wildland-Urban Interface: Wildfire mitigation goals for each development shall be determined by the city prior to development, and shall be achieved using the applicable sections of the Kootenai County wildland-urban interface fire mitigation plan, 2000 urban-wildland interface code and National Fire Protection Association (NFPA) standards as guidelines. (Ord. 3160 §2, 2003: Ord. 3091 §5, 2003)

17.08.920: GRADING AND EROSION CONTROL:

Prior to development, grading and erosion control plans conforming to the following requirements shall be submitted and approved by the city. Erosion control measures conforming to best management practices (BMPs) approved by the city, or identified in the DEQ manual entitled "Catalog Of Storm-Water Best Management Practices For Idaho Cities And Counties", shall be required.

- A. Plans: All grading and erosion control plans shall include the following:
 1. Property boundaries.
 2. All existing natural and manmade features and facilities within twenty feet (20') of the area to be disturbed, including, but not limited to, streets, utilities, easements, topography, structures, and drainage channels.
 3. Existing and proposed finish contours of the areas to be disturbed, at two foot (2') vertical intervals. However, this requirement can be waived when the finished ground surface elevation does not vary by more than two feet (2') from the ground surface elevation prior to the proposed development.
 4. Location of all proposed improvements, including paving, structures, utilities, landscaped areas, flatwork, and storm water control facilities.
 5. Existing and proposed drainage patterns, including ridgelines and tributary drainage areas.
 6. Storm water control facilities, including invert elevations, slopes, length, cross sections, and sizes. Construction details shall be shown for grassed infiltration areas, and/or detention/retention facilities.
 7. Existing and proposed drainage easements.
 8. Details for temporary and permanent erosion control measures.
 9. Revegetation measures.

10. Plans shall be stamped and signed by a professional engineer or landscape architect, licensed in the state of Idaho. However, plans for public improvements shall be stamped and signed by a professional engineer licensed in the state of Idaho.

B. Review By Geotechnical Engineer: The project geotechnical engineer shall provide written proof of review and compliance to all grading plans. All grading shall conform to the most current adopted building code and the recommendations of the geotechnical engineer.

C. Installation Of Temporary Erosion Control: Temporary erosion control measures shall be installed and functional prior to start of any grading and/or land disturbing activity. They shall be maintained in a functional condition until the permanent measures are installed.

D. Retention In Natural State: All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel plus the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%), $25\% + 29\% = 54\%$ of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed. Also, see exhibit 17.08.940A of this chapter.

Lots less than twenty-five thousand (25,000) square feet, legally created prior to adoption of this article, shall be required to retain an area equal to fifty percent (50%) of the area calculated by the above formula. In the above example, on a lot created prior to this article, a twenty-four thousand nine hundred ninety-nine (24,999) square foot lot would need to leave twenty seven percent (27%) retained in the natural state. The area that could be disturbed would be a maximum of eighteen thousand two hundred forty-nine (18,249) square feet.

E. Grading: All cut slopes shall be constructed in such a manner so that sloughing or raveling is minimized. The maximum allowable vertical height of any cut or fill slope shall be thirty feet (30'). The maximum inclination of fill slopes shall be two to one (2:1) (horizontal to vertical). For public roadways, the maximum allowable vertical height for cut and fill slopes in combination shall be sixty feet (60').

F. Temporary Erosion Control For Slopes With Erodable Surface Materials: All slopes with erodable surface material shall be protected with erosion control netting, blankets, or functional equivalent. Netting or blankets shall only be used in conjunction with organic mulch such as straw or wood fiber. The blanket must be applied so that it is in complete contact with the soil so that erosion does not occur beneath it. Erosion netting or blankets shall be securely anchored to the slope in accordance with manufacturer's recommendations. Temporary slope erosion control measures shall be installed upon completion of slope grading if permanent erosion control measures are not completed at the same time.

G. Revegetation Requirements: All areas with erodable surface materials that are graded and not paved shall be revegetated. The vegetation used for these areas shall be native or similar species that will reduce the visual impact of the slope and provide long term slope stabilization. All revegetation measures shall be installed, inspected by the city, and approved prior to the issuance of a certificate of occupancy, or other time as determined by the city. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

H. Maintenance Of Erosion Control Measures: All measures installed for the purposes of long term erosion control, including, but not limited to, vegetative cover, rock walls, and landscaping, shall be maintained in perpetuity on all areas which have been disturbed, including public rights of way. The applicant shall indicate the mechanisms in place to ensure maintenance of these measures.

I. Security: After an erosion control plan for a building site is approved by the city and prior to issuance of a building permit, the applicant shall provide a performance bond or other security in the amount of one hundred fifty percent (150%) of the value of the erosion control measures shown on the approved plan. The city attorney shall approve all security. The financial guarantee instrument shall be in effect for a period of at least one year from the project completion date. All or a portion of the security retained by the city may be withheld for a period up to three (3) years beyond the one-year maintenance period if it has been determined by the city that the site has not been sufficiently stabilized against erosion.

J. Inspections And Final Report: Prior to the acceptance of a subdivision by the city or issuance of a certificate of occupancy for individual structures, the project geotechnical engineer shall provide a final report indicating that the project was constructed in accordance with their recommendations, and that all recommended inspections were conducted by the project geotechnical engineer.

K. Protecting Bare Soil During Development: All surfaces where bare soil is exposed during clearing and grading operations, including spoil piles, shall be covered or otherwise protected from erosion.

L. Construction Ways And Vehicles: Stabilized construction entrances and driveways shall be required for all construction sites to minimize sediment tracking onto roadways. Parking of vehicles shall be restricted to paved or stabilized areas. (Ord. 3160 §3, 2003: Ord. 3091 §6, 2003)

A-2-21 ANNEXATION FINDINGS:

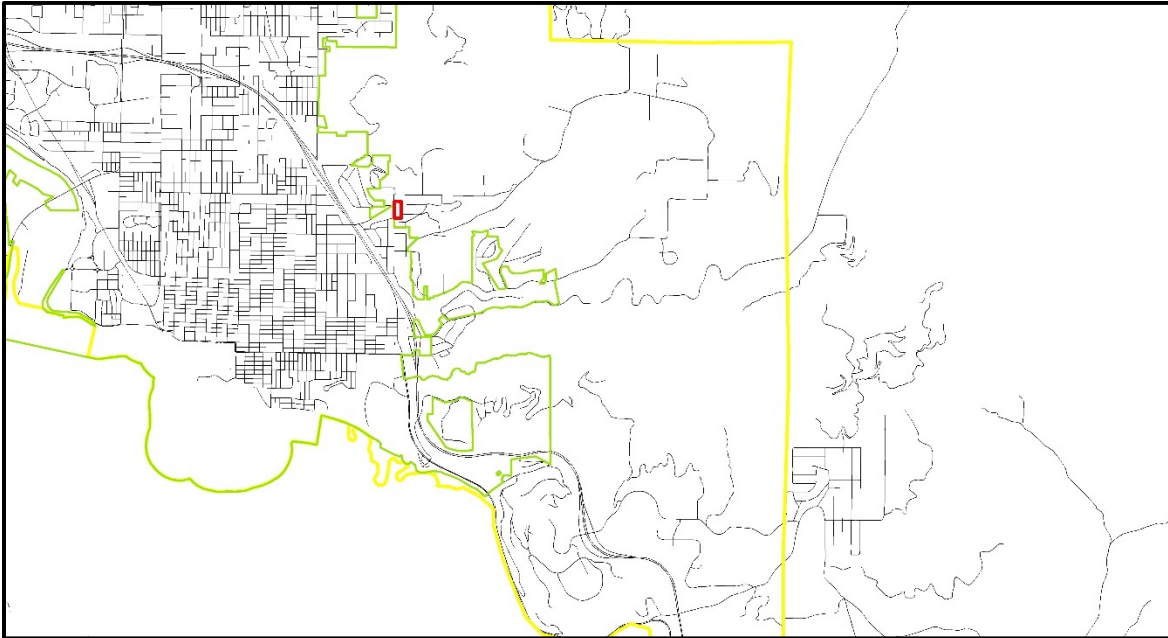
REQUIRED FINDINGS FOR ANNEXATION:

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

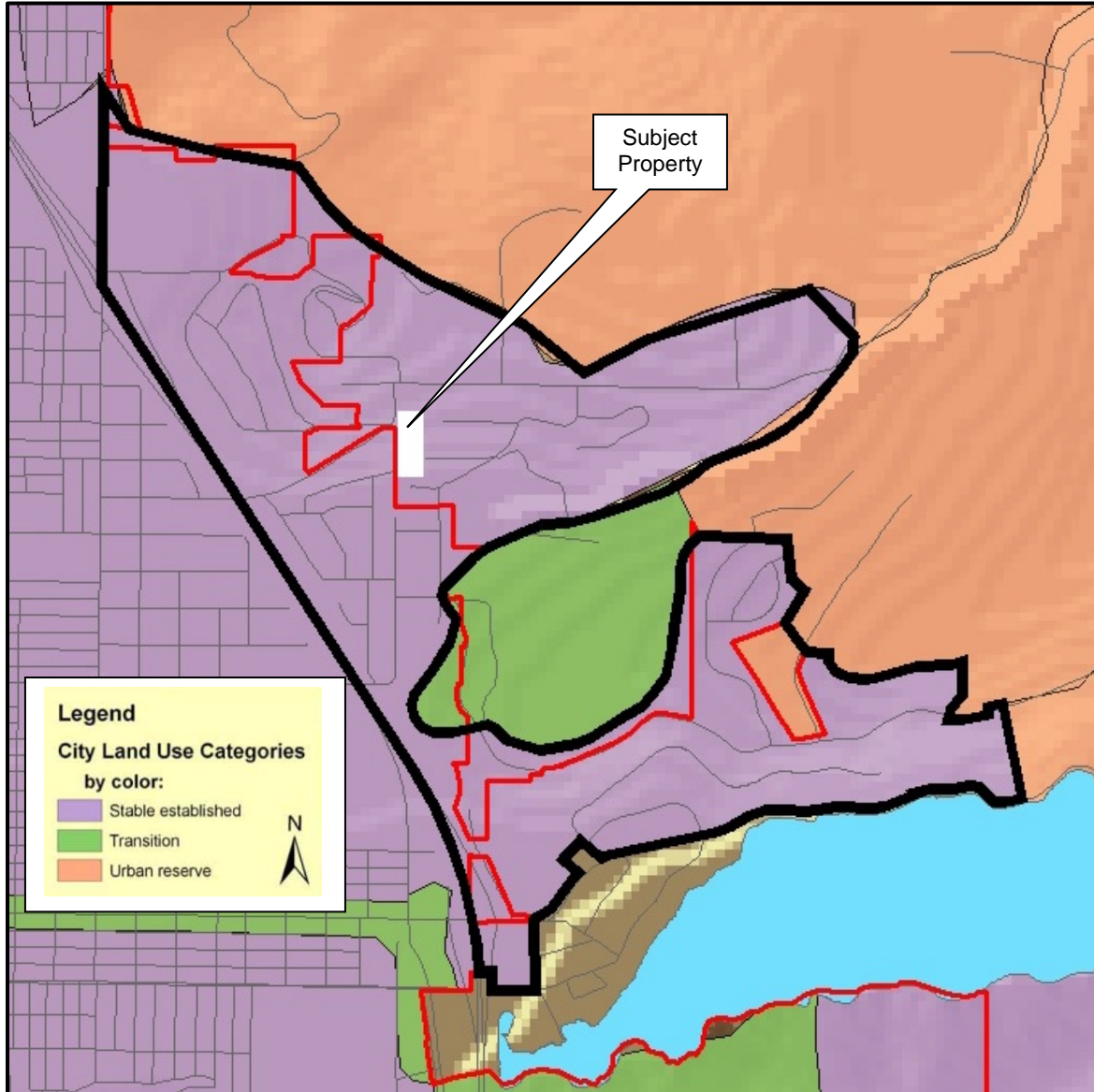
2007 COMPREHENSIVE PLAN LAND USE CATEGORY:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this property within the Cherry Hill area.
- The subject site lies within the City's Area of City Impact (ACI)

AREA OF CITY IMPACT MAP:



COMPREHENSIVE PLAN MAP: Cherry Hill



Stable Established:

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

Cherry Hill Today:

This area is actually comprised of two hillsides, Cherry/ Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre. Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

Cherry Hill Tomorrow:

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

The characteristics of the Cherry Hill will be:

- That overall density in this area will be approximately one dwelling unit per acre. However, in any given development, higher densities, up to three units per acre are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- Limited opportunity for future development.
- Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

SPECIAL AREAS: Hillside Landmarks (Policy & Methods)

The City of Coeur d'Alene enjoys a rich topography of mountains, hills, rivers, streams, flatlands, and lakes. This terrain frames the setting where we live and recreate. Because some of this rich land surface is often fragile, and because so much of the city's ambiance depends on its health and stability, it must be preserved for the entire community.

The protection of hillsides is particularly important to the community because of their panoramic prominence.

Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake within our planning area also contribute to the setting and help define our physical image.

Policy:

- We will protect the natural ecology and visual beauty of all hillsides.

Methods:

- Monitor the health and beauty of the city's hillsides to ensure that the Hillside Ordinance is sufficient to maintain our environmental and aesthetic goals.
- Encourage development that works in a cooperative effort to accomplish these public goals
- Work with land owners, citizens' groups, and governmental agencies to acquire additional lands or development rights for use as a city park or open space (also see Parks and Open Space Plan).
- Work with land owners, citizens' groups, and governmental agencies to establish and maintain trails linking the city property to the established US Forest Service recreational trail system.
- Encourage jurisdictions with control of hillside landmarks outside of our Area of City Impact (ACI) to protect the mountains' visual quality.

2007 Comprehensive Plan Goals and Objectives that apply:

Objective 1.05 - Vistas:

Protect key vistas and view corridors of the hillsides and 2waterfronts that make Coeur d'Alene unique.

Objective 1.06 - Urban Forests:

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.08 – Forests and Natural Habitats:

Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

Objective 1.10 – Hillside Protection:

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Objective 1.11 - Community Design:

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

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.13 – Open Space:

Encourage all participant to make open space a priority with evert development and annexation.

Objective 1.14 - Efficiency:

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

Objective 1.15 – Natural Terrain:

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

Objective 1.17 – Hazardous Areas:

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

Objective 3.01 - Managed Growth:

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

Objective 3.05 - Neighborhoods:

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

Objective 3.08 - Housing:

Design new housing areas to meet the needs for quality neighborhoods for all income and family status categories.

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16 - Capital Improvements:

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

Objective 4.01 City Services:

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

Objective 4.02 - City Services:

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

Objective 4.06 - Public Participation:

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

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

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

STORMWATER:

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

STREETS:

The subject site is currently undeveloped aside from one existing residence. The site has frontage on Lilly Drive, both to the west and the east. This City does not wish to connect Lilly Drive through this property, so driveway approaches will need to be created at each terminus. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Any necessary improvements to the Lilly Drive frontage would be addressed during future construction. The Streets and Engineering Department has no objection to this annexation request.

-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 annexation. There is an existing 6” main in E Lilly Drive.

-Submitted by Kyle Marine, Assistant Water Superintendent

SEWER:

The nearest public sanitary sewer is located on Lily Drive to the west of subject property. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. 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 with the corrections to the below conditions.

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

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

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

PHYSICAL CHARACTERISTICS:

The site slopes to the south and there is an approximately a one hundred and twenty-foot drop in elevation on the subject property (See topography map on page 17). Site photos are provided on the next few pages showing the existing conditions.

The subject property would be annexed into the city under the city's Hillside Regulations with potential development requiring average lot slope for determination of validity. The site is currently densely treed.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: View from the north part of property looking south toward existing dwelling



SITE PHOTO - 2: View from Lilly Drive on the west side of subject site looking east



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



SITE PHOTO - 4: View from Lilly Drive on the east side of subject site looking west



SITE PHOTO - 5: View from the center of property looking north



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

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

TRAFFIC:

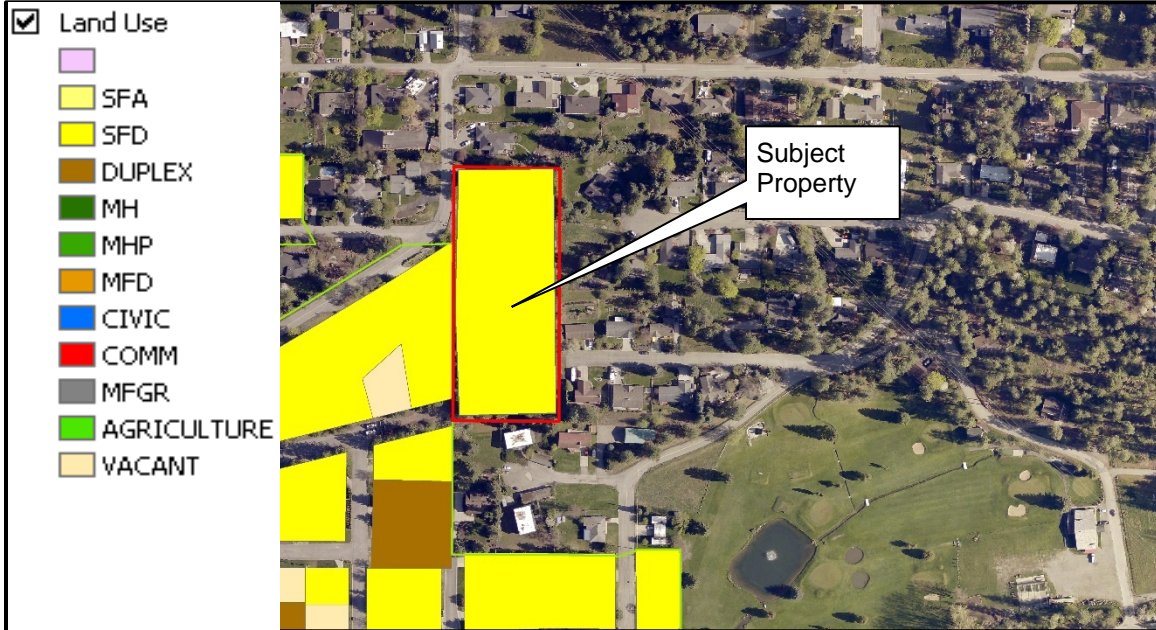
The proposed annexation itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from an annexation alone. The Streets & Engineering Department has no objection to the annexation as proposed.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

See the “Cherry Hill Today” descriptions from the 2007 Comprehensive Plan listed in finding #B8 as well as the photos of subject property. The surrounding properties to the north, east, south, and west have residential uses located on them.

GENERALIZED LAND USE PATTERN:



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

PUD-2-21: PLANNED UNIT DEVELOPMENT FINDINGS:

17.07.230: PLANNED UNIT DEVELOPMENT REVIEW CRITERIA:

A planned unit development may be approved only if the proposal conforms to the following criteria, to the satisfaction of the commission:

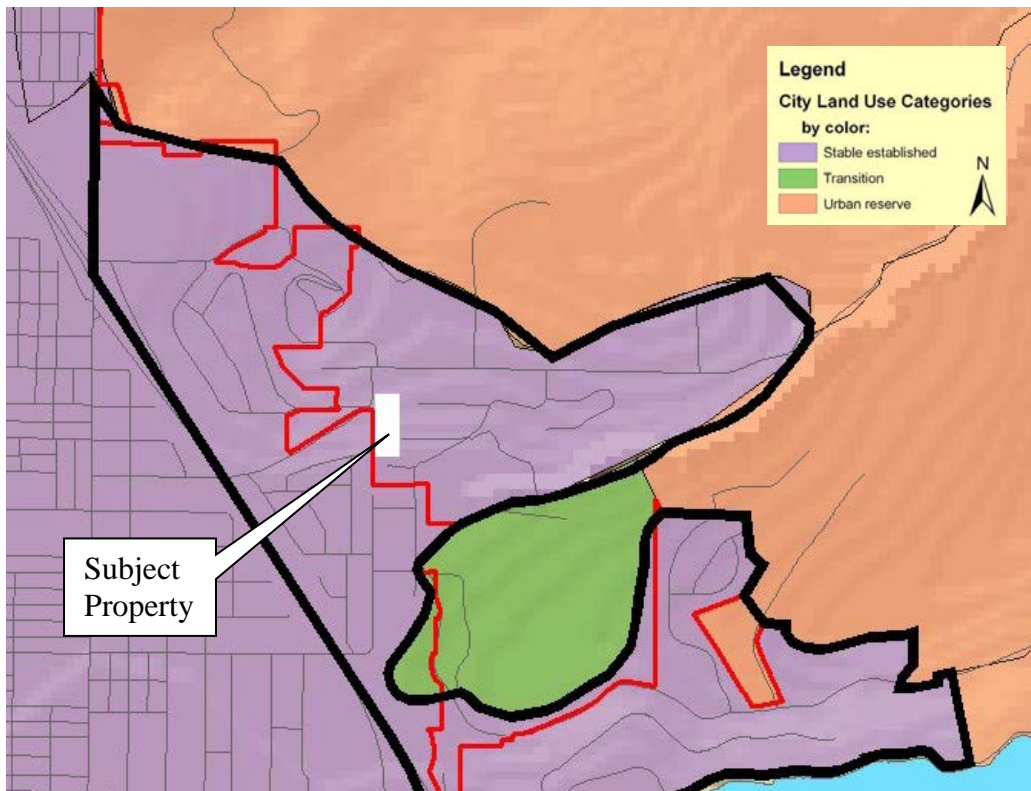
REQUIRED FINDINGS (PUD):

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORIES:

- The subject property is not within the existing city limits.
- The City's Comprehensive Plan designates this property within the Cherry Hill area.
- The subject site lies within the City's Area of City Impact (ACI)

2007 COMPREHENSIVE PLAN MAP: CHERRY HILL



Stable Established:

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

Cherry Hill Today:

This area is actually comprised of two hillsides, Cherry/ Stanley Hill and Fernan Hill, as well as surrounding lands with less challenging slopes. Deer, elk, and bear frequent the area. These characteristics provide a very pleasant environment, but combined with clay soils, can provide development challenges.

The majority of this area is already inside city boundaries with the exception of the eastern part of the Cherry/Stanley Hill area.

Development in this area is typically single-family with densities ranging between one and three units per acre. Sewer is provided to all areas within city limits, but developments in unincorporated areas use septic tanks. Coeur d'Alene's Sewer Master Plan shows that sewer service can be provided to this area in the future.

Water is provided to most of the developed area by the city's water system, which was acquired by the city from the Idaho Water Company in the 1970s. A unique aspect of the water system in the Cherry/Stanley Hill area that has a major impact on the development of the area is that, although this area is served by the city water system, generally, new water hookups are not allowed unless the property is within city boundaries. The Coeur d'Alene Water Master Plan indicates that this area can be served with water, with the exception of those areas above elevation contour 2,240 feet (the maximum water service elevation for the city).

Cherry Hill Tomorrow:

This area will continue to develop as a lower density single-family residential area with care taken to preserve natural vegetation, views, and open space on steeper slopes. Future development will present challenges in preserving open space and tree cover, and providing necessary infrastructure in the context of hillside development. As this area continues to develop, parcels not suitable for development should be preserved as open space through conservation easements, clustering, and acquisitions.

The characteristics of the Cherry Hill will be:

- That overall density in this area will be approximately one dwelling unit per acre. However, in any given development, higher densities, up to three units per acre are appropriate where site access is gained without significant disturbance, terrain is relatively flat, natural landforms permit development, and where development will not significantly impact views and vistas.
- Limited opportunity for future development.
- Developments within the Fernan Lake Watershed should reflect careful consideration of the impacts of the development on water quality in Fernan Lake.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering.

SPECIAL AREAS: Hillside Landmarks (Policy & Methods)

The City of Coeur d'Alene enjoys a rich topography of mountains, hills, rivers, streams, flatlands, and lakes. This terrain frames the setting where we live and recreate. Because some of this rich land surface is often fragile, and because so much of the city's ambiance depends on its health and stability, it must be preserved for the entire community.

The protection of hillsides is particularly important to the community because of their panoramic prominence.

Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake within our planning area also contribute to the setting and help define our physical image.

Policy:

- We will protect the natural ecology and visual beauty of all hillsides.

Methods:

- Monitor the health and beauty of the city's hillsides to ensure that the Hillside Ordinance is sufficient to maintain our environmental and aesthetic goals.
- Encourage development that works in a cooperative effort to accomplish these public goals
- Work with land owners, citizens' groups, and governmental agencies to acquire additional lands or development rights for use as a city park or open space (also see Parks and Open Space Plan).
- Work with land owners, citizens' groups, and governmental agencies to establish and maintain trails linking the city property to the established US Forest Service recreational trail system.
- Encourage jurisdictions with control of hillside landmarks outside of our Area of City Impact (ACI) to protect the mountains' visual quality.

2007 Comprehensive Plan Goals and Objectives that apply:

Objective 1.05 - Vistas:

Protect key vistas and view corridors of the hillsides and 2waterfronts that make Coeur d'Alene unique.

Objective 1.06 - Urban Forests:

Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.08 – Forests and Natural Habitats:

Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

Objective 1.10 – Hillside Protection:

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Objective 1.11 - Community Design:

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

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.13 – Open Space:

Encourage all participant to make open space a priority with evert development and annexation.

Objective 1.14 - Efficiency:

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

Objective 1.15 – Natural Terrain:

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

Objective 1.17 – Hazardous Areas:

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

Objective 3.01 - Managed Growth:

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

Objective 3.05 - Neighborhoods:

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

Objective 3.08 - Housing:

Design new housing areas to meet the needs for quality neighborhoods for all income and family status categories.

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16 - Capital Improvements:

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

Objective 4.01 City Services:

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

Objective 4.02 - City Services:

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

Objective 4.06 - Public Participation:

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

Evaluation: *The Planning Commission 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.*

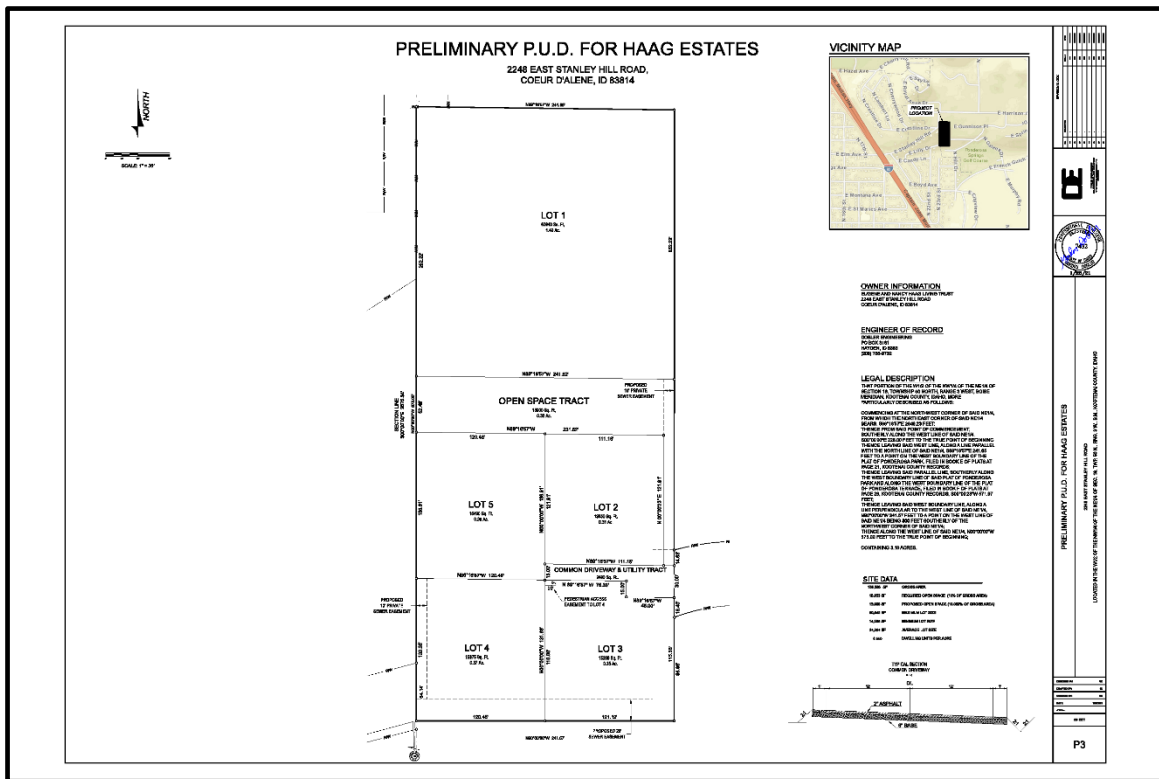
Finding #B8B:

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 has significant slope and the southern portion of the lot is covered with trees. There is an existing single-family dwelling on the north portion of the site. To the east and west are single family dwellings. To the south is are two multi-family units as well as single family dwellings. There are existing residential uses to the north of the subject property. The subject site is surrounded by county properties on three sides, the north, east, and south sides.

PUD SITE PLAN MAP:



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 subject is located on a hill side and has slopes greater the 20 percent. The Hillside Overlay requires the that the development must retain a calculated portion in a natural state. Below is the code section of the Hillside Overlay requiring retention in the Natural state.

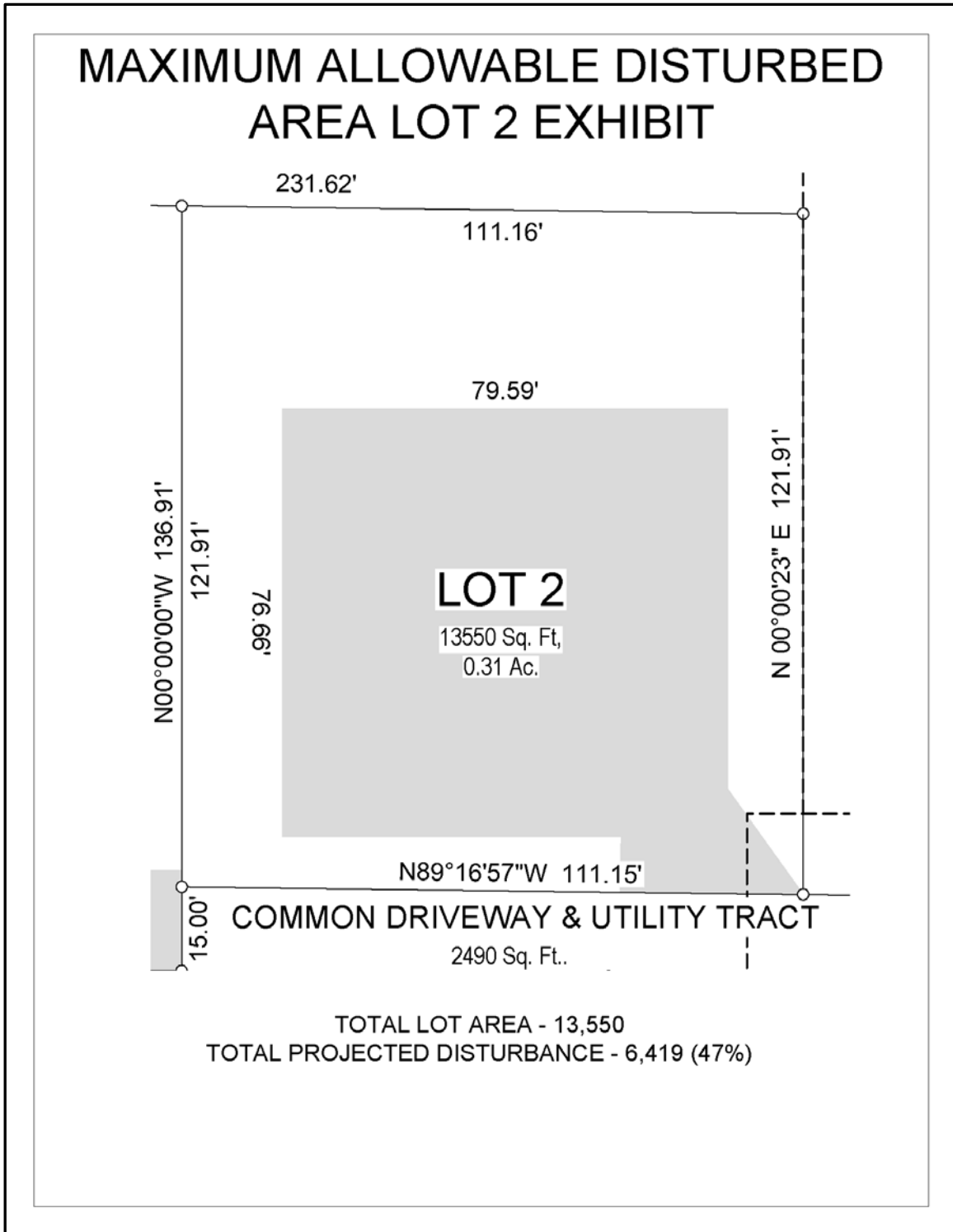
Retention In Natural State:

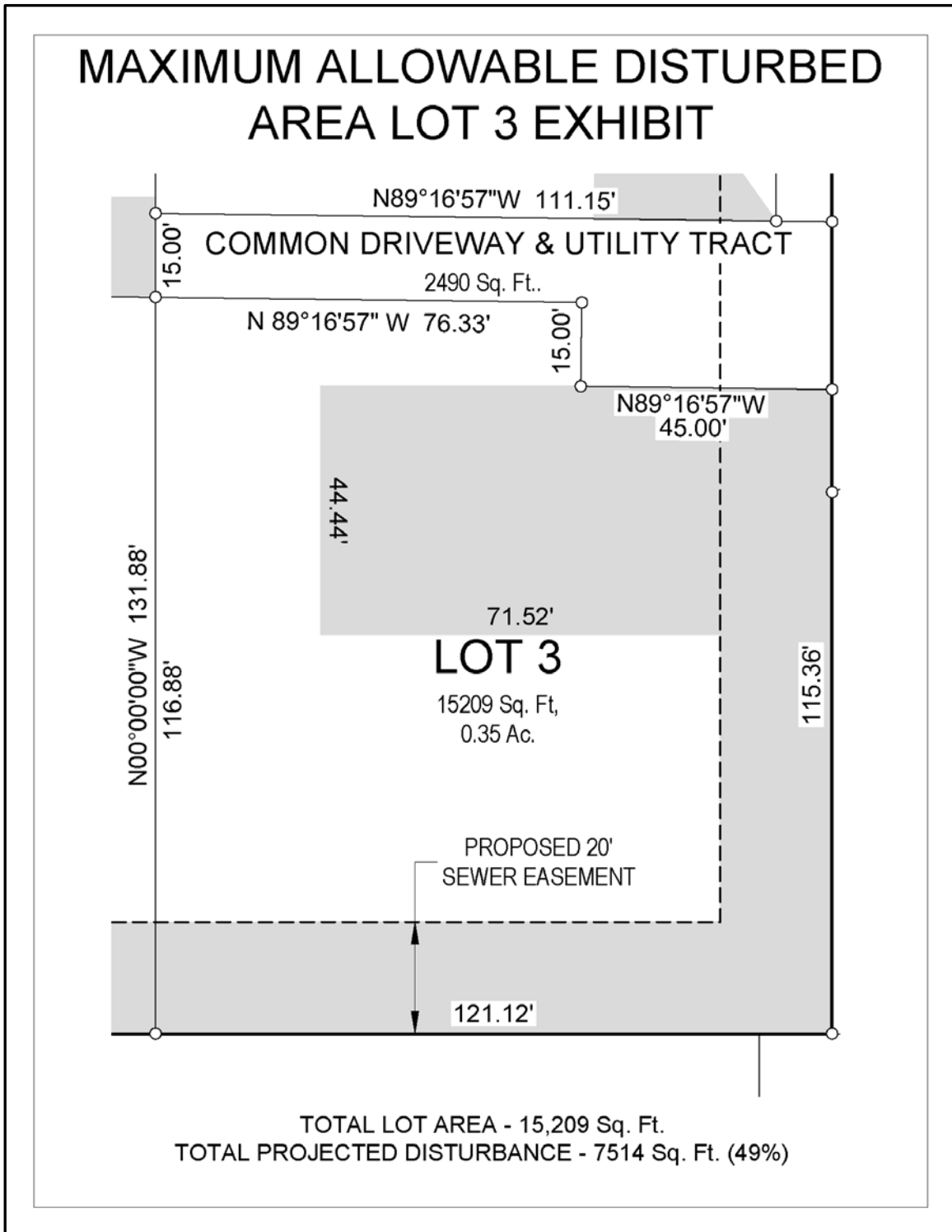
All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel **plus** the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

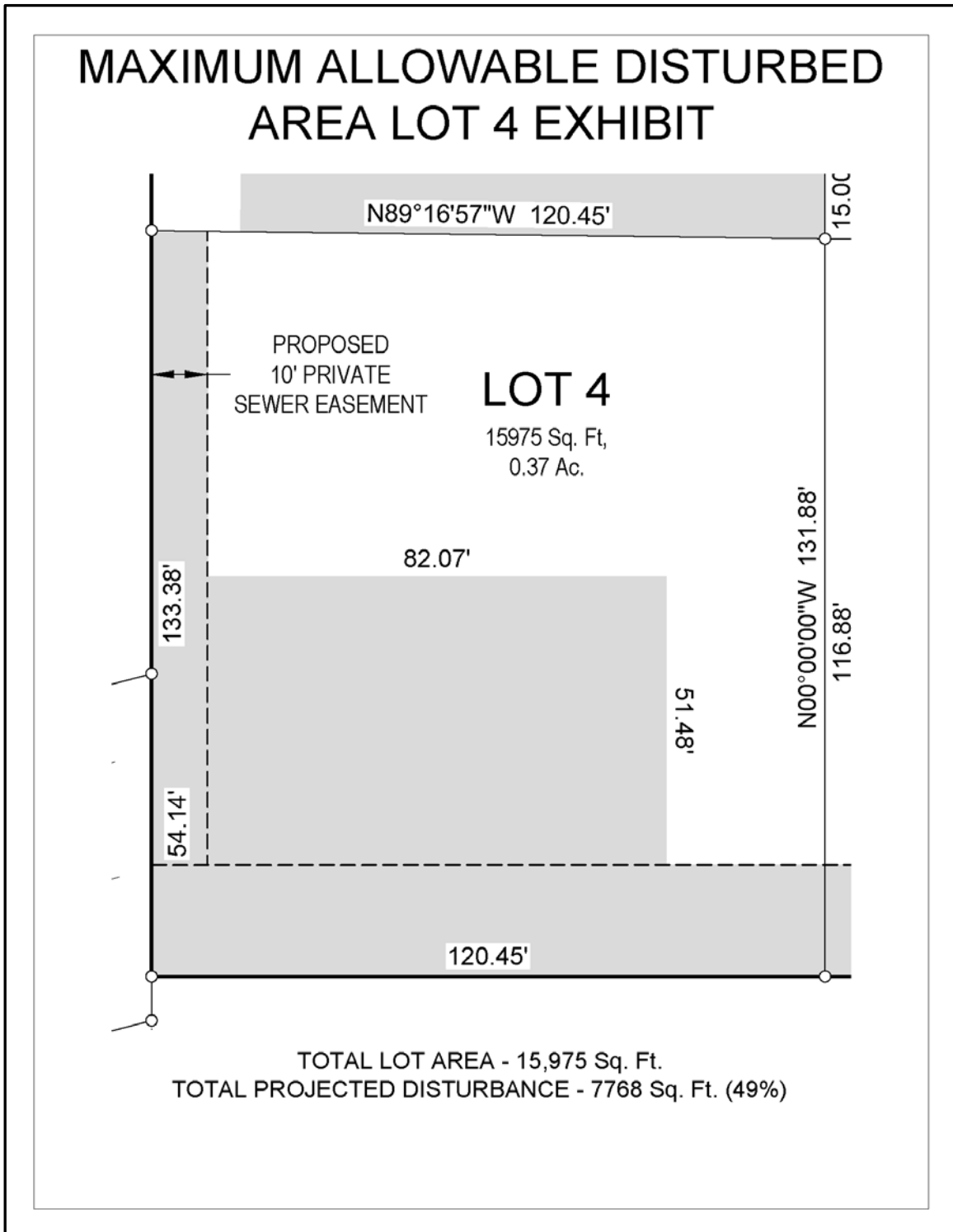
For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%), $25\% + 29\% = 54\%$ of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed.

The applicant has submitted the following site disturbance calculation for each of the buildable lots showing how they could be theoretically be built upon.

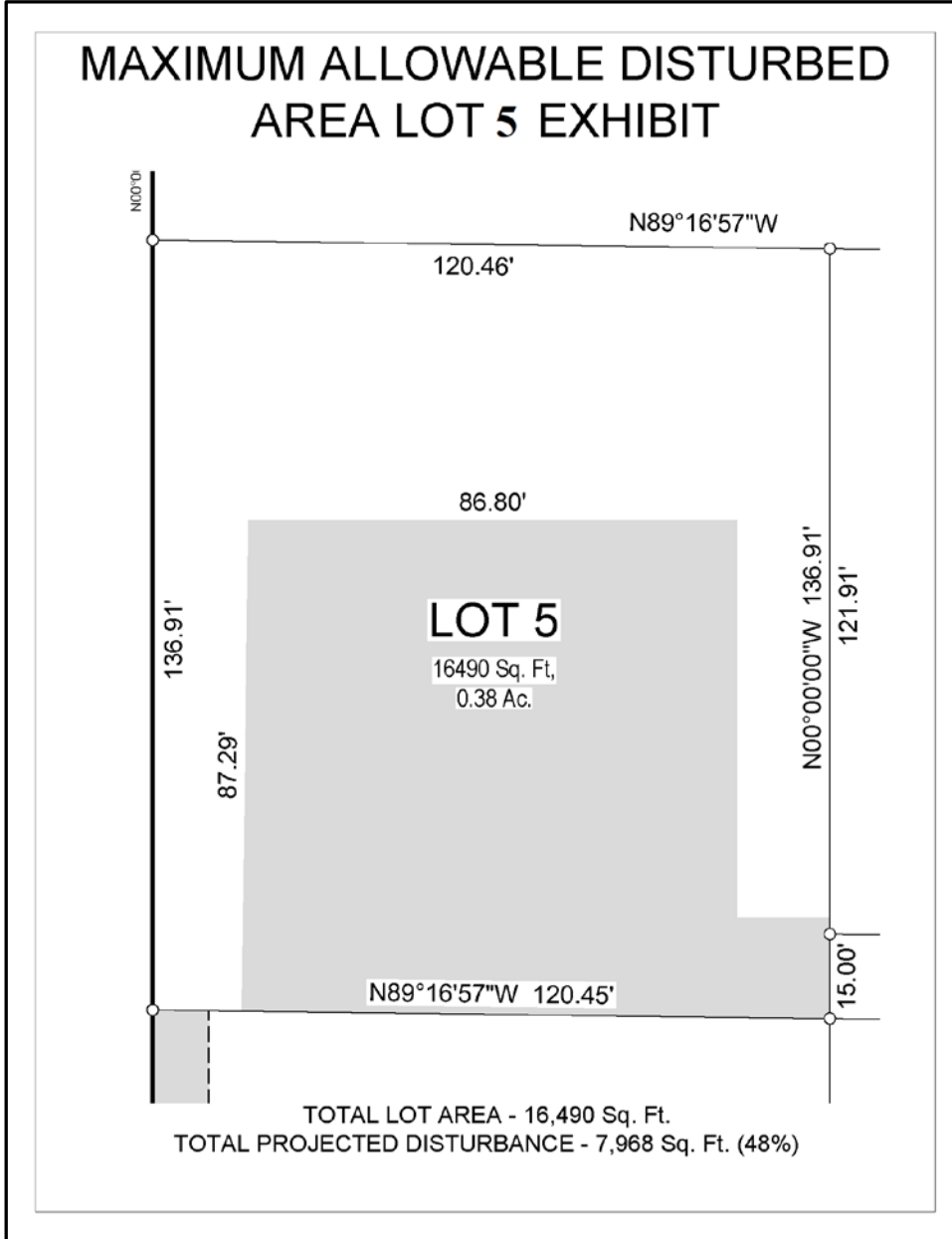
APPLICANTS EXHIBIT: Maximum SF area allowed to be disturbed on Lot 2







APPLICANTS EXHIBIT: *Maximum SF area allowed to be disturbed on Lot 5*



Applicants' examples of the architecture types anticipated for the site are shown below.

PUD-2-21 PROPOSED ARCHITECTURAL STYLES

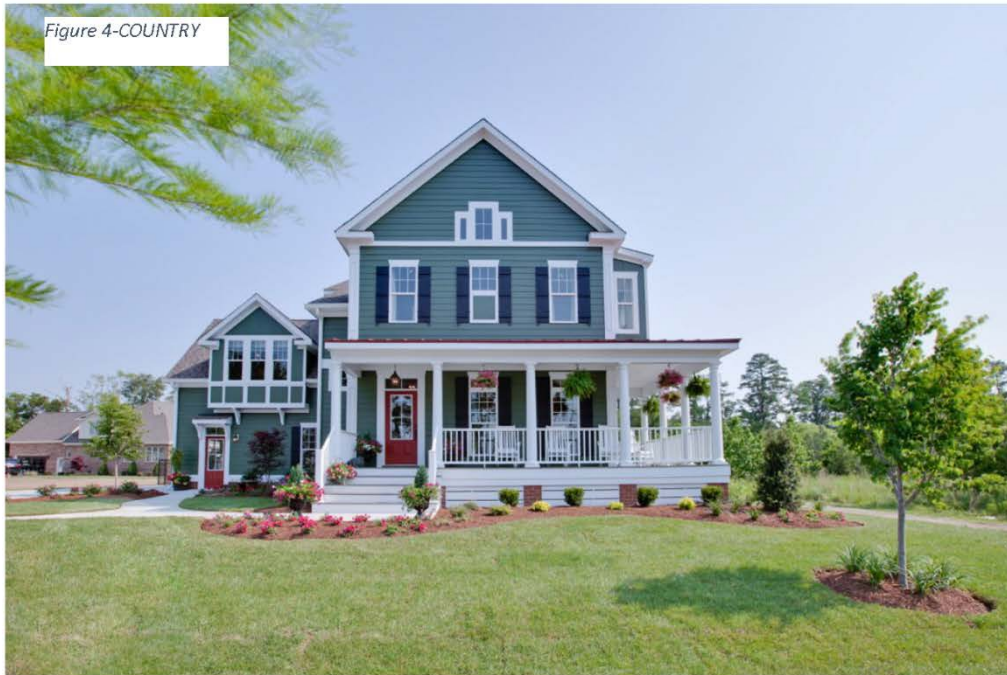


PUD-2-21 PROPOSED ARCHITECTURAL STYLES

Figure 3-CONTEMPORARY



Figure 4-COUNTRY



PUD-2-21 PROPOSED ARCHITECTURAL STYLES

Figure 5-CRAFTSMAN



Figure 6-FARMHOUSE



PUD-2-21 PROPOSED ARCHITECTURAL STYLES

Figure 7-MODERN



Figure 8-MOUNTAIN CHALET



PUD-2-21 PROPOSED ARCHITECTURAL STYLES

Figure 9-NORTHWEST



Figure 10-RANCH



PUD-2-21 PROPOSED ARCHITECTURAL STYLES



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 36-39).

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.*

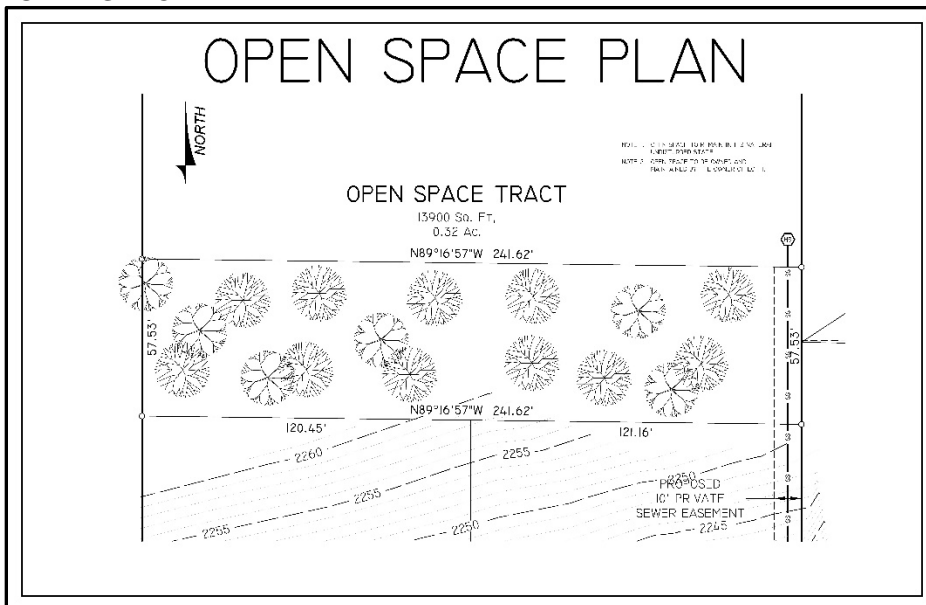
Finding #B8E:

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.

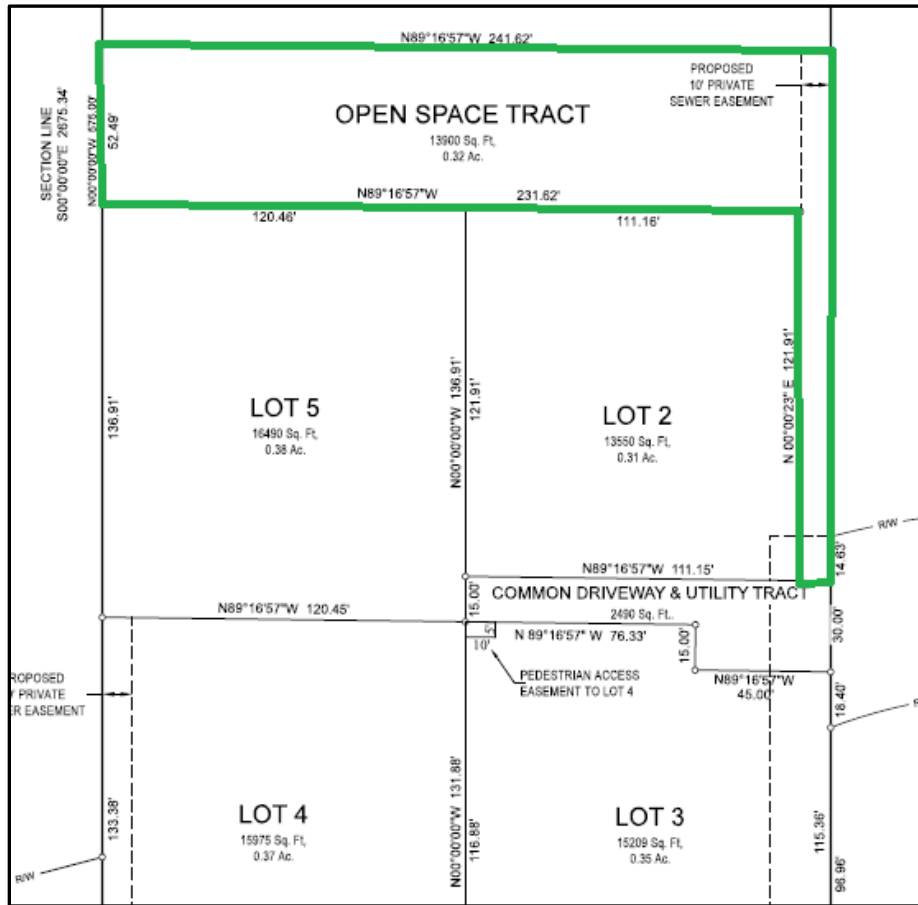
The applicant is proposing ten percent (10%) open space. The applicant has indicated that the open space will be one large area that will mostly remain in its natural state and will be assessable to all homeowners within the PUD. Below is and exert from the applicant's narrative in regards to the proposed open space.

We are proposing an open space area of 13,900 sf which will slightly exceed the required 13,855 sf. The open space is intended as a passive use area for the residents and pets, with access from all the lots. The area is configured so that there will be direct access from the abutting lots or from the common driveway tract via a 5' gravel path in that portion of the open space extending down the east side of the property. The open space tract will be owned and maintained by the owner of Lot 1 or the HOA. In addition to a gravel path, there will be a rest station with a bench.

OPEN SPACE MAP -1:



OPEN SPACE MAP -2:



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

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

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

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

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

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

From the applicant’s narrative:
The common driveway will be placed in a tract commonly owned by Lots 2, 3, and 5. A road maintenance agreement for the common driveway and stormwater facilities will be recorded with the final plat. The open space tract will be owned and maintained by the owner of Lot 1 or the HOA.

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.*

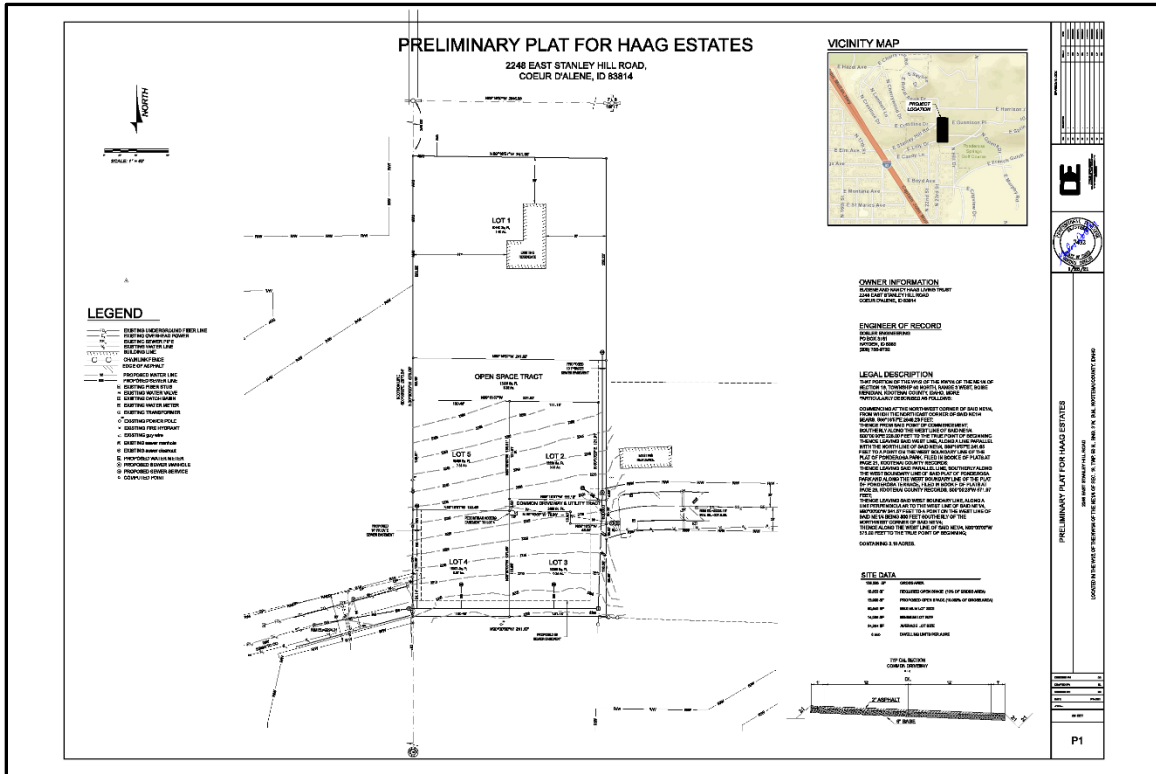
S-2-21 SUBDIVISION FINDINGS:

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.

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

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 as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

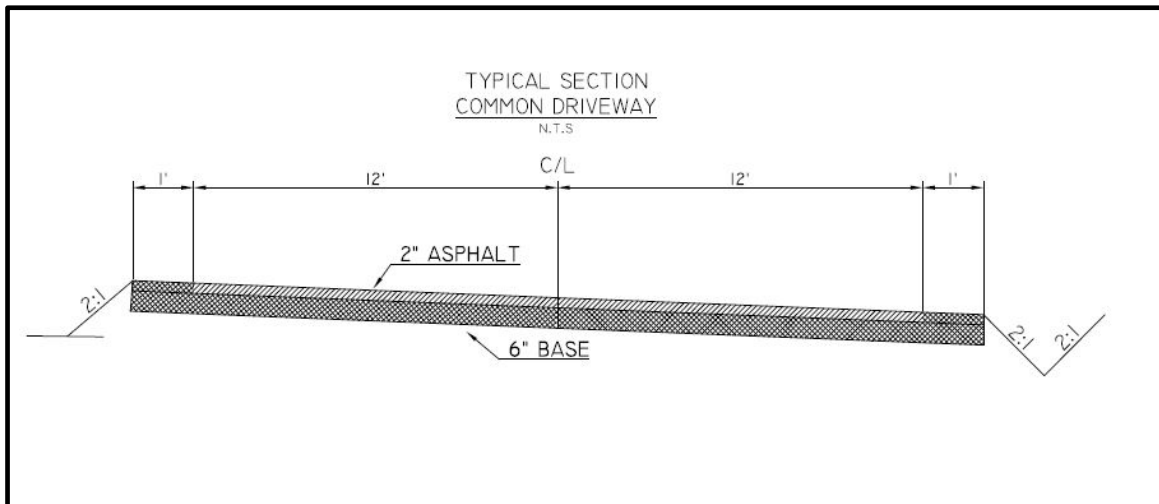
-Submitted by Chris Bosley, City Engineer

STREETS:

The subject site is currently undeveloped. The site has frontage on Lilly Drive, both to the west and the east. This City does not wish to connect Lilly Drive through this property, so driveway approaches will need to be created at each terminus. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Any necessary improvements to the Lilly Drive frontage would be addressed during future construction. The Streets and Engineering Department has no objection to this annexation request.

-Submitted by Chris Bosley, City Engineer

Common Driveway Typical Section:



TRAFFIC:

As noted above, the subject property is bordered primarily by Lilly Drive, which is a local residential street. Since the property access for these lots will be to either Lilly Drive to the west or east or to Stanley Hill Road to the north, traffic will be dispersed. Traffic from this proposed development is estimated to provide a very minimal increase in peak hour trips to any of these

streets. The Streets & Engineering Department has no objection to the subdivision plat and planned unit development as proposed.

-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 annexation. There is an existing 6" main in E Lilly Drive.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

1. In accordance with the 2013 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this Subdivision request, as proposed.
2. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
3. The 2013 Sewer Master Plan (SMP) requires this property to connect to the existing public sewer located in Lily Drive on west side of property.
4. 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.
5. Sewer Policy #719 requires an unobstructed "All-Weather" surface permitting O&M access to the public sewer.
6. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
7. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.

-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 with the corrections to the below conditions.

1. Maximum common driveway grade is 8%.
2. Common driveway shall be all weather surface and able to support 78,000 lbs.

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

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-3 Zoning District requires that each lot have a minimum of 11,500 square feet. The proposed lots area ranges from 14,000SF to 16,000SF. The applicant has requested the street frontage deviations through the PUD process. The subject property is 3.19 acres (139,130 sq. ft.) and would allow a maximum of 12 units.

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:

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

RECOMMENDATIONS FOR ITEMS TO INCLUDE ANNEXATION AGREEMENT, PUD, AND SUBDIVISION CONDITIONS:

1. The applicant will be required to record on the final plat that Lot One, or an HOA, is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development. A decision as to maintenance responsibility will need to be determined prior to final plat, and the Planning Department will need to be notified and the maintenance has to be approved by staff.
2. The applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
4. No site development permits shall be applied for or issued before condition #3 has been met.
5. An Open Space Plan must be submitted as part of the site development permit. The Open space plan must include the rest station area with a bench, and a 5 foot wide gravel trail connecting the common driveway to the open space area.
6. The Open Space tract shall be completed and all amenities installed prior to the issuance of any building permits.
7. A tree removal plan must be submitted and approved by the city prior to the installation of streets, driveways, parking areas, water, sewer, and other utilities, per 17.08.930.
8. Maximum grade for FD access is 8%.
9. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
10. Dead-end FD access over 150 feet requires an approved turn-around.

11. This project will require the extension of public sewer “To and Through” this annexation as proposed.
12. An extension of a City approved public sanitary sewer “To and Through” the subject property and conforming to City Standards and Policies shall be required prior to building permits.
13. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
14. An unobstructed City approved “all-weather” access shall be required over all public sewers.
15. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
16. This PUD shall be required to comply with the City’s One Lot-One Lateral Rule.
17. All public sewer plans require IDEQ or QLPE Approval prior to construction.
18. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
19. Any additional service will have cap fees due at building permitting.

ACTION ALTERNATIVES:

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

Attachment: Applicants Narrative



**APPLICANT'S
NARRATIVE**



DOBLER ENGINEERING

**ANNEXATION / SUBDIVISION / PUD
NARRATIVE (revised)
FOR
Haag Estates
2248 E Stanley Hill Rd**

PROJECT DESCRIPTION

Dobler Engineering is requesting the annexation / subdivision / PUD of the subject parcel into the City of Coeur d'Alene. The parcel is approximately 3.19 acres, located on Stanley Hill approximately 1500' east of the I-90 under. The parcel is currently zoned Agricultural Suburban, and the existing land use is residential, with a single family residence located on the site. The parcel is located within the Area of City Impact.

The property abuts Stanley Hill Rd on the north, where the access to the residence is located, and Lilly Dr abuts both the east and west sides on the southern portion of the property. The northerly portion of the property is landscaped, and the southern portion is natural vegetation consisting of mature pine and fir trees. The southern portion of the site, where development is proposed, slopes down to the south with grades in the range of 20% to 25%.

The proposal is to annex the property into the city and subdivide it into 5 estate lots and an open space tract. The northerly lot will contain the existing residence and the four southerly lots will be developed for single family residential use. The four lots to be developed will range in size from about 14,000 sf to just under 16,000 sf and the remaining lot containing the existing residence will be approximately 1.40 acres. Three of the lots will be accessed from a common driveway connecting to Lilly Dr on the east side of the property and a fourth lot will access Lilly Dr on the west. The remaining lot containing the existing residence will continue to access Stanley Hill Rd.

We are requesting a PUD in order to allow deviations from the requirement to have all lots front on public streets and the requirement for 75' of frontage in the R-3 zone. Lot 5 will not have any frontage on a public street, and lots 2, 3, and 4 will have less than the required 75'.

ANNEXATION

We are requesting annexation with a zoning of R-3 for the entire property. The current zoning in the county is Agricultural Suburban and the surrounding zoning is the same for the abutting property in the county and R-3 for the abutting property in the City. The surrounding existing



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land use is single family with the majority of lot size in $\frac{1}{4}$ acre in size. The proposed lots are over $\frac{1}{3}$ acre in size.

COMPREHENSIVE PLAN

This request provides for the orderly and efficient expansion of the City of Coeur d'Alene that will be a benefit to the community. The property is currently within the ACI and served by city roads and emergency services. Annexation into the City would be more efficient in terms of providing public services such as police, fire, sewer, etc. and would facilitate the orderly expansion and growth management. Annexation is consistent with other relevant goals of the Comprehensive Plan as summarized below.

Natural Environment

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

Objective 1.08, Forests and Natural Habitats: *Preserve native tree cover and natural vegetative cover as the City's dominant characteristic.*

Objective 1.10, Hillside Protection: *Protect the natural and topographic character, identity, and aesthetic quality of hillsides.*

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

Development of his property will retain much of the natural environment through the requirements of the Hillside Ordinance. There are many mature pine trees and fir trees that enhance the beauty of the property as well as provide a buffer to the adjacent neighborhood. In addition, incorporating a private driveway for access to 3 of the lots instead of extending Lilly Dr minimizes the necessary infrastructure and reduces the impacts.

Home Environment

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

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

The proposed project is compatible with the surrounding residential zoning and land use. It will preserve the character of the surrounding neighborhood and environment.

Special Areas- Hillside

Policy: *We will protect the natural ecology and visual beauty of all hillsides*

The proposal works in concert with the Hillside ordinance to preserve the natural beauty of the area. The use of a smaller private driveway versus extending a city street reduces



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impacts. The proposed PUD creates a significant open space area that provides additional protection and preservation of the natural hillside beauty while serving as a buffer and passive use area.

SUBDIVISION

We are requesting approval of a 5-lot subdivision as shown on the preliminary plat. The proposal makes provision for the extension of utilities, access, drainage, and fire protection. The proposed facilities meet or exceed the design standards set forth in the code. All lots meet or exceed the minimum size for the R-3 zone and deviations are being requested through the PUD process where the proposal varies from these standards.

Water

The proposed subdivision will be served by City water. Services will be extended to each lot from existing water mains in Lilly Dr. Extension of the water main through the site is not required because adequate looping is provided off-site. Fire flows in the existing mains are adequate to serve the project and there is an existing fire hydrant on Lilly Dr abutting the east side of the property.

Sewer

City Sewer will be extended from Lilly Dr on the west, through the property to the east. Services are provided to all the lots including the existing residence. Two of the sewer services cross intervening lots and easements for them will be dedicated on the plat.

Access

Access to the existing residential lot 1 will continue as it currently exists from Stanley Hill Rd. Access to the Proposed lot 4 will be from Lilly drive on the west. Access to lots 2, 3, and 5 will be from a common driveway connecting to Lilly Dr on the east side of the property. Design of the driveway will meet the requirements of city code and the current fire code. Stormwater runoff from the driveway will be managed within the common driveway tract. The design and construction of the proposed common driveway will meet the standards set forth in section 17.44.280

Topography

The development will conform to the requirements of the Hillside ordinance. The area of disturbance for the subdivision is limited to the construction of the common driveway, extension of the sewer, and individual lot services.

Phasing

The project is planned to be developed in one phase. Construction of the subdivision improvements is expected to start this summer and be completed by late fall.



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PLANNED UNIT DEVELOPMENT

The proposal will require deviations from the following standard.

- ❖ Lots fronting on public streets, and
- ❖ Lot frontage length

Section 16.15.160 requires all lots to have frontage on public streets. We are proposing that lot 5 not front a city street but instead be accessed solely by a common driveway. The required frontage in the R-3 zone is 75'. Lot 4 will have about 54' of frontage on Lilly Dr, where it will take access from. Lots 2 and 3 will have about 30' of frontage on Lilly Dr but will be accessed internally from the private driveway. The remaining Lot 1 will meet the requirement.

The common driveway will be placed in a tract commonly owned by Lots 2, 3, and 5. A road maintenance agreement for the common driveway and stormwater facilities will be recorded with the final plat.

Open Space

We are proposing an open space area of 13,900 sf which will slightly exceed the required 13,855 sf. The open space is intended as a passive use area for the residents and pets, with access from all the lots. The area is configured so that there will be direct access from the abutting lots or from the common driveway tract via a 5' gravel path in that portion of the open space extending down the east side of the property. The open space tract will be owned and maintained by the owner of Lot 1 or the HOA. In addition to a gravel path, there will be a rest station with a bench.

Architectural Styles.

The owners will not be building on the lots but selling them for development. However, we anticipate that the structures will be one to two story. We are proposing a variety of architectural styles that compliment the character of the property and are compatible with the surrounding neighborhood. These are shown on separate exhibits included with our submittal. In addition, the structures will comply with the applicable requirements in section 17.08.935 of the hillside overlay zone for building roof material, foundations, architectural features, and color.

HILLSIDE OVERLAY

The project lies within the hillside overlay zone and must comply with those requirements. The following is a discussion of and how this project will comply with the relevant requirements.



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Geotechnical Study

Prior to development a Geotechnical study will be prepared by a qualified licensed engineer and submitted to the city for review and approval. It will provide an evaluation of the site and specific recommendations for development and construction of the residences. A preliminary review of the site by Dobler engineering indicates that site is suitable for the proposed uses.

Site grading and erosion control

The proposed work for the subdivision generally consists of installation of the public and private utilities to serve the new lots and construction of the common driveway and related stormwater treatment facilities. Improvement plans for the public utilities and driveway will be prepared and submitted to the City for approval. These plans will specify temporary and permanent erosion control, stormwater treatment, and construction Best Management Practices. Development of the individual lots will require submittal of a proposed grading plan addressing the same issues.

Retention and protection of natural undisturbed areas

Section 17.08.920 D requires development to retain an area equal to 25% plus the average slope of the site, in a natural undisturbed state. The average slope of the site is 25%, so an area equal to 50% of the total parcel must remain in an undisturbed condition. Exhibits have been prepared for each lot demonstrating one of many possible configurations that comply with this requirement. The areas depicted are not intended to define the exact areas of disturbance, but to demonstrate that ample area is available for construction of a residential structure and driveway on each lot. These calculations have included the utility easements in the disturbed area calculations.

Protection of the undisturbed areas shall be accomplished by installation of temporary construction fencing at the interface with the areas to be disturbed to prevent encroachment into the undisturbed areas, per the requirements of 17.08.920 D. For the subdivision improvements, temporary fencing will be installed along the easement lines. For the individual lots, temporary fencing will be installed at the limits of the disturbed areas shown on the approve site disturbance or building permits.

Surface and Groundwater Drainage

A stormwater management plan for the common driveway will be submitted as part of the subdivision improvement plans. Stormwater runoff from the driveway will be directed to an underground injection well. It is not anticipated that construction of the common driveway will exceed 3000 square feet of impervious area and trigger the requirement for treatment. However, should it exceed that amount, a grassed infiltration area will be constructed to treat the runoff prior to injection.

Stormwater management plans for the individual lots will be submitted with the site development permit and/or the building permit.



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There is an existing 2” poly pipe present in the central portion of the property that seasonally discharges water to the surface. Its origin is unknown as well as where the water is originating from. When the subdivision improvements are constructed, the pipe will be redirected to stormwater runoff facilities constructed for the common driveway.

Tree Preservation

Trees removed with the installation of streets, driveways, parking areas, water, sewer, and other utilities do not have to be replaced, per 17.08.930. However, reasonable care will be taken to minimize the removal of trees during construction of these facilities. Individual lots will conform to the preservation and protection requirements of this section through the submittal and approval of a site development/building permit. Generally, trees designated to remain are to be clearly marked and fenced outside the dripline.

CONCLUSION

Based on the evaluation outlined above, the annexation and subdivision of this property as proposed is in keeping with the goals and policies of the Comprehensive plan, it would provide for orderly and efficient expansion of the City, it would preserve the character of the existing neighborhood and the natural beauty and environment of the hillside. For this reason, and those outlined above, we respectfully request approval of the annexation, subdivision, and planned unit development.

STUHMILLER, SHANA

From: John Sahlin <johnhsahlin@gmail.com>
Sent: Tuesday, June 01, 2021 1:49 PM
To: STUHMILLER, SHANA; PlanningDiv
Subject: Haag Estates ITEM: A-2-21, PUD-2-21 & S-2-21

Follow Up Flag: Follow up
Flag Status: Flagged

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

I am writing to comment on the above-referenced proposal by Eugene and Nancy Haag.

I am opposed to the request for annexation from County Ag Suburban to City R-3 because the proposal contains no information about the intention of the developer with regard to density of housing, access routes, and other information essential to have a cogent understanding of what the development is for, how it impacts surrounding property owners and traffic and what the schedule for development is.

If these items are addressed, it would be more conducive to understanding the real nature of the proposal and its impact.

John Sahlin
1215 E Royal Anne
CdA, ID 83814

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

SP-4-21

A. INTRODUCTION

This matter having come before the Planning Commission on June 8, 2021 , and there being present a person requesting approval of ITEM:SP-4-21 an Essential Service (Above Ground) Special Use Permit in the R-8 zoning district.

APPLICANT: CITY OF COEUR D'ALENE WATER DEPARTMENT

LOCATION: EAST SIDE OF HUETTER ROAD, SOUTH OF THE LANDINGS DEVELOPEMNT
AND OF WEST THE TRAILS DEVELOPMENT

.253 ACRES LOCATED AT 7032 NORTH HUETTER ROAD

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

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

- B1. That the existing land uses are residential - single-family, agricultural and vacant land.
- B2. That the Comprehensive Plan Map designation
- B3. That the zoning is Ramsey- Woodland- Stable Established:
- B4. That the notice of public hearing was published on, May 22,2021 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on May 25, 2021, which fulfills the proper legal requirement.
- B6. That the 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 June 8, 2021 .

B8. Pursuant to Section 17.09.220, Special Use Permit Criteria, a special use permit may be approved only if the proposal conforms to all of the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the comprehensive plan, as follows:

Objective 1.11 Community Design:

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.14 Efficiency:

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

Objective 1.16 Connectivity:

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

Objective 3.12 Education:

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

Objective 4.01 City Services:

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

Objective 4.02 - City Services:

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

Objective 4.06 – Public Participation:

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

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. Does the density or intensity of the project "fit " the surrounding area?
 2. Is the proposed development compatible with the existing land use pattern i.e. residential, commercial, residential w churches & schools etc?
 3. Is the design and appearance of the project compatible with the surrounding neighborhood in terms of architectural style, layout of buildings, building height and bulk, off-street parking, open space, and landscaping?

B8C 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 B8C:**
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 police and fire provide reasonable service to the property?

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that for a special use permit, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

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

Chairman Messina Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

A-2-21

A. INTRODUCTION

This matter having come before the Planning Commission on June 8, 2021, and there being present a person requesting approval of ITEM A-2-21, a request for zoning prior to annexation from County AG Suburban to City R-3.

APPLICANT: EUGENE AND NANCY HAAG LIVING TRUST

LOCATION: 2248 E. STANLEY HILL ROAD

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

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

- B1. That the existing land uses are residential and multi-family.
- B2. That the Comprehensive Plan Map designation is Cherry Hill – Stable Established
- B3. That the zoning is County Agricultural.
- B4. That the notice of public hearing was published on May 22, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was not required to be posted, which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on June 8, 2021.

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

Objective 1.05 Vistas:

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

Objective 1.06 Urban Forests: Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.08 Forests & Natural Habitats: Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

Objective 1.10 – Hillside Protection:

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Objective 1.11 Community Design:

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.13 Open Space:

Encourage all participants to make open space a priority with every development and annexation.

Objective 1.14 Efficiency:

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

Objective 1.15 Natural Terrain:

with superior examples featured within parks and open space.

Objective 1.17 Hazardous Areas:

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

Objective 3.01 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.08 Housing:

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

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16 Capital Improvements:

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

Objective 4.01 City Services:

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

Objective 4.02 - City Services:

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

Objective 4.06 – Public Participation:

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

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

<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

<p>Criteria to consider for B10:</p> <ol style="list-style-type: none"> 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 EUGENE AND NANCY HAAG LIVING TRUST for zoning prior to annexation, as described in the application should be **(approved) (denied) (denied without prejudice)**.

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

1. The applicant will be required to record on the final plat that Lot One, or an HOA, is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development. A decision as to maintenance responsibility will need to be determined prior to final plat, and the Planning Department will need to be notified and the maintenance has to be approved by staff.
2. The applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
4. No site development permits shall be applied for or issued before condition #3 has been met.
5. An Open Space Plan must be submitted as part of the site development permit. The Open space plan must include the rest station area with a bench, and a 5 foot wide gravel trail connecting the common driveway to the open space area.
6. The Open Space tract shall be completed and all amenities installed prior to the issuance of any building permits.

7. A tree removal plan must be submitted and approved by the city prior to the installation of streets, driveways, parking areas, water, sewer, and other utilities, per 17.08.930.
8. Maximum grade for FD access is 8%.
9. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
10. Dead-end FD access over 150 feet requires an approved turn-around.
11. This project will require the extension of public sewer "To and Through" this annexation as proposed.
12. An extension of a City approved public sanitary sewer "To and Through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
13. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
14. An unobstructed City approved "all-weather" access shall be required over all public sewers.
15. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
16. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
17. All public sewer plans require IDEQ or QLPE Approval prior to construction.
18. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
19. Any additional service will have cap fees due at building permitting.

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

ROLL CALL:

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

Chairman Messina Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

PUD-2-21

A. INTRODUCTION

This matter having come before the Planning Commission on June 8, 2021, and there being present a person requesting approval of ITEM: PUD-2-21 a request for a planned unit development known as "Haag Estates PUD".

APPLICANT: EUGENE AND NANCY HAAG LIVING TRUST

LOCATION: 2248 E. STANLEY HILL ROAD

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON The Planning Commission (adopts) (does not adopt) Items B1 to B7.

- B1. That the existing land uses are residential and multi family.
- B2. That the Comprehensive Plan Map designation is
- B3. That the zoning is).
- B4. That the notice of public hearing was published on May 22, 2021, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on May 29, 2021 , which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on June 8, 2021.

B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

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

Objective 1.05 Vistas:

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

Objective 1.06 Urban Forests: Enforce minimal tree removal, substantial tree replacement, and suppress topping trees for new and existing development.

Objective 1.08 Forests & Natural Habitats: Preserve native tree cover and natural vegetative cover as the city's dominant characteristic.

Objective 1.10 – Hillside Protection:

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Objective 1.11 Community Design:

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

Objective 1.12 Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl

Objective 1.13 Open Space:

Encourage all participants to make open space a priority with every development and annexation.

Objective 1.14 Efficiency:

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

Objective 1.15 Natural Terrain:

with superior examples featured within parks and open space.

Objective 1.17 Hazardous Areas:

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

Objective 3.01 Managed Growth:

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

Objective 3.05 Neighborhoods:

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

Objective 3.08 Housing:

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

Objective 3.10 - Affordable & Workforce Housing:

Support efforts to preserve and provide affordable and workforce housing.

Objective 3.16 Capital Improvements:

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

Objective 4.01 City Services:

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

Objective 4.02 - City Services:

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

Objective 4.06 – Public Participation:

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

- 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 EUGENE AND NANCY HAAG LIVING TRUST for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are:

1. The applicant will be required to record on the final plat that Lot One, or an HOA, is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development. A decision as to maintenance responsibility will need to be determined prior to final plat, and the Planning Department will need to be notified and the maintenance has to be approved by staff.
2. The applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
4. No site development permits shall be applied for or issued before condition #3 has been met.
5. An Open Space Plan must be submitted as part of the site development permit. The Open space plan must include the rest station area with a bench, and a 5 foot wide gravel trail connecting the common driveway to the open space area.
6. The Open Space tract shall be completed and all amenities installed prior to the issuance of any building permits.
7. A tree removal plan must be submitted and approved by the city prior to the installation of streets, driveways, parking areas, water, sewer, and other utilities, per 17.08.930.

8. Maximum grade for FD access is 8%.
9. Maximum width for FD access is 20 feet or 26 feet where there is a hydrant or ladder truck placement/use.
10. Dead-end FD access over 150 feet requires an approved turn-around.
11. This project will require the extension of public sewer "To and Through" this annexation as proposed.
12. An extension of a City approved public sanitary sewer "To and Through" the subject property and conforming to City Standards and Policies shall be required prior to building permits.
13. A utility easement for the public sewer shall be dedicated to the City prior to building permits.
14. An unobstructed City approved "all-weather" access shall be required over all public sewers.
15. Sewer Policy #716 requires all legally recognized parcels within the City to be assigned with a single (1) public sewer connection.
16. This PUD shall be required to comply with the City's One Lot-One Lateral Rule.
17. All public sewer plans require IDEQ or QLPE Approval prior to construction.
18. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
19. Any additional service will have cap fees due at building permitting.

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

ROLL CALL:

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

Chairman Messina Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA

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

S-2-21

A. INTRODUCTION

This matter having come before the Planning Commission on June 8, 2021, and there being present a person requesting approval of ITEM: S-2-21 a request for a preliminary plat "Haag Estates".

APPLICANT: EUGENE AND NANCY HAAG LIVING TRUST

LOCATION: 2248 E. STANLEY HILL ROAD

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 multi family.
- B2. That the zoning is Cherry Hill – Stable Established.
- B3. That the notice of public hearing was published on May 22, 2021, which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B6. That public testimony was heard on June 8, 2021.

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

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

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

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

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

Criteria to consider for B7D:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of EUGENE AND NANCY HAAG LIVING TRUST 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 applicant will be required to record on the final plat that Lot One, or an HOA, is responsible for the perpetual maintenance of the open space tract and provide functional and legal access for all users of the development. A decision as to maintenance responsibility will need to be determined prior to final plat, and the Planning Department will need to be notified and the maintenance has to be approved by staff.
2. The applicant will be required to record on the final plat and provide the City with a copy of the road maintenance agreement for the common driveway serving Lots 2, 3, and 5.
3. Prior to approval of the final development plan for the PUD and the subdivision improvement plans, whichever comes first, the owner shall provide documentation to the Planning Department showing for each of the four new lots: the size, slope, and disturbance associated with the subdivision improvements. This condition is required to show the developable calculation of each lot per the Hillside Ordinance in order to ensure that the platted lots will allow for viable home sites.
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19. Any additional service will have cap fees due at building permitting.

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

ROLL CALL:

Commissioner Fleming	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Mandel	Voted _____
Commissioner Rumpler	Voted _____
Commissioner Ward	Voted _____
 Chairman Messina	 Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN TOM MESSINA