

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

AUGUST 14, 2018

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

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

5:30 P.M. CALL TO ORDER:

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

APPROVAL OF MINUTES:

July 10, 2018

PUBLIC COMMENTS:

STAFF COMMENTS:

PRESENTATION:

Complete Streets- Chris Bosley, City Engineer

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

1. Applicant: Melrose Properties, LLC
Location: 925 W. Emma
Request: A proposed zone change from R-12 (Residential at 12 units/acre) to C-17L (Commercial at 17 units/acre) zoning district. QUASI-JUDICIAL, (ZC-3-18)

UPDATE:

East Sherman – Hilary Anderson

ADJOURNMENT/CONTINUATION:

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

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



MINUTES



**PLANNING COMMISSION
MINUTES
JULY 10, 2018
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

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:

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Luttrupp, seconded by Mandel, to approve the minutes of the Planning Commission meeting on June 12, 2018. Motion approved.

COMMISSION COMMENTS:

None.

STAFF COMMENTS:

Hilary Anderson Community Planning Director provided the following statements:

- One public hearing is scheduled for the August 14th Planning Commission Meeting with time after to do an update on East Sherman.
- She stated that staff is working on the scope of work, marketing and communication plan with CDA 2030 for the Comprehensive Plan and added that staff recently had a conference call with Community Builders who is the group involved with East Sherman that had some great ideas for community engagement.

PUBLIC COMMENTS:

None.

ADMINISTRATIVE:

1. Applicant: John Stone
Request: A request for approval of additional design elements to be added to the exterior appearance for the homes in Tilford Place.
ADMINISTRATIVE (I-1-18)

Tami Stroud Associate Planner stated that Idaho Waterfront, LLC is asking for an interpretation to allow for flexibility in the approved architectural design concepts for homes within the "Tilford Place" Planned Unit Development, a 13-lot (6-tract) subdivision totaling +/-1.66 acres.

Ms. Stroud provided the following statements:

- On October 10, 2010, the Planning Commission approved the request for a preliminary plat of "Tilford Place" a 13-lot residential subdivision within a Planned Unit Development.
- A requirement of a PUD is to submit general architectural renderings for the proposed homes. The design concept submitted was more in line with a "Bungalow" style.
- The applicant has asked for an interpretation to allow more flexibility in the future home designs, and is requesting that, in addition to the approved design concepts, they be allowed to have a more "Craftsman" style by permitting the following design elements:
 - Variations of roof lines and slopes,
 - Allow either one or two-story homes,
 - Exterior finish material may include shake, lap, shingle, bat and board, various types of siding stained or painted,
 - Allow rock accents on base columns,
 - Garage doors will have a "barn door" look, windows permitted but not required, and
 - Front doors can be located on either the front or on the side of the home
- The applicant has provided eight new model concepts showing variations of the "Craftsman" design that they would like the Commission to approve for the Tilford Place project to allow for the desired flexibility in design.

Ms. Stroud concluded her presentation and stood for questions.

Commission Comments:

Commissioner Luttrupp inquired if this is the first modification requested for this for project.

Ms. Stroud answered that there was a request for a modification a few months ago, with the applicant requesting to modify the rear yard setbacks and explained that the original setback was for 15 feet and the request was approved for a reduction of 10 feet. She explained that this request is different than the modification that it is an interpretation to request some flexibility in the design of the homes.

Chairman Messina explained that what was originally approved with the Planned Unit Development (PUD) was for craftsman type homes and after reading the staff report, a problem that contractors who had purchased lots wanted to build a different style of home that was not approved with the original request.

Commissioner Mandel inquired if this interpretation is approved, will it include both the craftsman and bungalow style home.

Ms. Stroud clarified that is correct.

Chairman Messina commented on the applicant's renderings presented tonight, and if approved will be added to the other style of homes to be built on the property.

Ms. Stroud explained that when building permits are issued, staff will verify that the components are similar to what was approved with the PUD.

Commissioner Ingalls commented that the changes the applicant has requested are minor and would approve this project based on the finding that this type of home will fit with the neighborhood.

Motion by Ingalls, seconded by Rumpler, to approve Item I-1-18. Motion approved.

PUBLIC HEARINGS:

1. Applicant: Sandy Patano & Jack Riggs
Location: 930 N. 5th
Request: A proposed Short Plat Deviation

Sean Holm, Senior Planner stated that the applicant seeks approval of a deviation to subdivide property in city limits with a reduced frontage as established by the R-12 zoning code. The short plat request would create a total of three lots. However, the applicant discovered an existing deeded 42' wide lot created in 1904 on the north side of the subject property where one large lot currently exists. Note that this request is in conjunction with a short plat which follows a separate administrative approval, although the deviations must be approved by Planning Commission for the short plat request to proceed as submitted.

Mr. Holm provided the following statements:

- The original plat "Reid's Acre Tracts" was recorded on June 12th, 1903.
- Over the years, the properties surrounding the area have been subdivided further. Subdivisions in the area include: Grabenstein, North Park Add., Collins Add., and Reid's Sub of Blk 33.
- He showed various photos of the property.
- He stated that the Comprehensive Plan designates this area as Historical Heart-Stable Established.
- He stated that there are three proposed conditions that the applicant has included that will be added to the ten proposed conditions from staff. The following are the three added conditions that are:
 - Only single family detached homes may be constructed
 - No street curb cuts for driveways allowed – garage entrance from the alley only (thereby maintaining the current character of the homes/lots to the north)
 - Additionally, we would permanently dedicate a new 46' alley extension to the City behind the North Lot.
- He noted that the first condition mentions a possible additional dwelling unit to the rear of the existing home, but received confirmation from the applicant that it is a storage building only.

Mr. Holm concluded his presentation and stood for questions.

Commission Comments:

Commissioner Fleming stated if trash will be picked up in the front questioned if the alley will be used for trash pickup for the other properties located in the back.

Mr. Holm stated that trash pickup is not usually done in the alley that doesn't go all the way through since they can't back out.

Commissioner Luttrupp inquired during staff's presentation it was mentioned about a "handshake" agreement between the neighbors to use the shared driveway and inquired if staff looked to see if that was a valid agreement. He questioned if it is our job to see that this is a valid agreement.

Mr. Adams explained that type of agreement was between the property owners and that the city doesn't have the right to enforce that agreement, but the city does have right to make sure that both parties have access to the alley.

Commissioner Luttrupp commented that in the past a similar situation that happened a few years ago with the issue not resolved and wanted to make sure this doesn't happen again.

Commissioner Ingalls stated that the shared driveway to the south of the existing house should not have bearing on this decision.

Mr. Holm commented that he agrees with that statement and if approved, the Planning Commission could ask for the portion of access allowed, excluding the property to the south to be recorded on the final plat. He explained that you can't encumber to the south, because that is not included in the request.

Commissioner Mandel stated that the code section for the deviations statement says "All the following facts and conditions exist" and that there are four. She explained that her concern is that the combination of all of those seems like a high "litmus" test. She inquired if staff could explain or provide examples for "exceptional or extraordinary circumstances".

Mr. Holm explained that there is not a real definition for "exceptional or extraordinary circumstances" and that the commission could make that determination based on the testimony received tonight to see if that would meet the criteria.

Public testimony open.

Tom Torgeson applicant representative provided the following statements:

- The most important thing is for him to calm the concerns of the neighbors to the south. He explained that the existing common driveway has been there many years and that both neighbors need that driveway, so that agreement will never change.
- Access will be granted to the south around the backyard and will remain the same today.
- Biggest thing to consider is that both of the proposed lots to the north are +/- 45 feet wide with alley access terminating at the 2nd lot. He stated that the applicant's existing lot is 42 feet and could apply for a building permit today skipping the entire public hearing process. He stated the reason for the deviation is to grant the applicant one-foot.
- He stated that the applicant would deed restrict the property to single family only and so people would have access to the rear.
- This is unique proposal and appreciates staff and their help.
- He stated that he recently drove down the alley and commented by adding an additional 4 inches of gravel would cause problems to raise and to rebuild the full length of the alley would not be worth it for this small request.
- The applicants have owned this property a long time.

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

Commission Comments:

Commissioner Ingalls stated that there are 10 conditions and agrees that the condition from the City Engineer could change regarding the pavement of the alley questioned if that happens does the applicant approve of the conditions.

Mr. Torgeson stated that all parties approve the conditions, except for improvements to the entire length of the alley, but was comfortable with improving the portion being dedicated to the alley.

Elizabeth Henkel stated she is the neighbor to the south and came tonight to learn what was being proposed and glad to see the request is for only two houses. She stated that she would like some clarity on how she would be able to access and explained the agreement between herself and the applicant's was not a "handshake" agreement but was a recorded document for the property in 1987 regarding the easement.

Chairman Messina commented what he heard was that the two lots one and two are going to be able to have access alley only and that the larger piece will be with the document that is recorded.

Ms. Henkel explained that the "handshake" agreement was to allow the property owners 25 years ago to build a storage shed close to the property line.

Sandy Patano applicant explained that access to the two properties on the Northside would be from the alley. She stated that there is an easement showing a shared driveway and that they were aware of that easement when they bought the property in 2004.

Jack Riggs applicant stated that he will stand for questions.

Karen Dunmore stated that she would like to see the alley paved.

Michele Brown stated she is not opposed.

Rebuttal:

Mr. Torgeson stated that there will be no additional traffic allowed through the easement between the two lots.

Public testimony closed.

Commissioner Ingalls commented that Commissioner Mandel's comment is correct that this is a "high bar" and for him this is a minor request. He stated that there is economic pressure to finish the Comprehensive Plan that recognizes infill properties. He stated that the conditions are appropriate with approval of this request that will help maintain the consistency in this neighborhood. He feels that this is an extraordinary circumstance and should be approved.

Commissioner Mandel clarified if the self-imposed three conditions will be recorded.

Mr. Holm explained that those conditions are incorporated with the conditions from staff and for the Planning Commission to remember that condition number one is no longer necessary.

Commissioner Rumpler stated the commission has had a lot of discussions about infill projects and hopes that we see more of these requests in the future. He stated this is a positive thing to do and encourage the community to support.

Motion by Ingalls, seconded by Mandel, to approve the proposed Short Plat Deviation. Motion approved.

2. Applicant: Matt Demarco/Druanne Choker
Location: 1336 W. Kathleen Avenue
Request: A proposed Veterinary Clinic special use permit in the LM zoning district.
QUASI-JUDICIAL (SP-7-18)

Mike Behary Associate Planner stated that the applicant is requesting approval for a special use permit to allow a Veterinary Office in an existing structure on property located in the LM (Light Manufacturing) Zoning District.

Mr. Behary provided the following statements:

- The applicant is proposing to open and operate an emergency animal hospital at 1336 W Kathleen Avenue.
- The applicant has indicated that the proposed animal hospital will be open after hours and on holidays. The applicant has indicated that their hours of operation will be 24 hours on Saturday and Sunday, 5:00PM to 8:00AM Monday thru Friday, and open all day on all holidays.
- Their proposed facility will be able to see pets during times when they could not normally be seen by their primary veterinarian.
- The applicant has indicated that dogs and cats will be kept indoors if they stay overnight. The applicant has submitted a site plan of the property that shows where the existing facility and parking lot is located.
- The applicant has entered into an Easement and Parking Agreement that addresses access and parking associated with the City-owned Jenny Stokes soccer fields and other City-owned property located adjacent to the site. The applicant is also aware of the underground petroleum pipeline that is located adjacent and to the south of this site.
- He presented various photos of the property and site plan.
- He stated that the Comprehensive Plan designates this area as Ramsey-Woodland, Stable Established.
- He provided a map showing the approved special use permits in this area.
- He stated that there are two proposed conditions.

Mr. Behary concluded his presentation and stood for questions.

Commission Comments:

There were no questions for staff.

Public testimony open.

Matt Demarco applicant representative provided the following statements:

- He thanked the commission and staff for helping with this project.
- He asked if the commission had any questions.

Commissioner Ingalls inquired if the business is something new and if not, is the business relocating from another location.

Mr. Demarco explained that this is a new business that will hopefully compliment the other veterinary services in the area by providing pet owners the ability to get 24 hour care available in this area.

Chairman Messina inquired what the hours of operation are.

Mr. DeMarco stated we will be open evenings, holiday's and weekends when other Veterinary offices are

closed, we will be open to provide emergency service to people after normal Veterinary office hours which are normally not open in the evening.

Chairman Messina questioned if there will be animals crated outside.

Mr. DeMarco stated that any animals outside would be on a leash with either an owner or employee.

Commissioner Ward inquired if this clinic will include large animals such as horses etc.

Mr. DeMarco explained that the current zone for this property permits large animal use including commercial kennels which they won't be doing either.

Dru Choker applicant stated that this will be a clinic for small animals and will not be used for large animals such as horses or cows.

Ben Mello stated that he coaches a soccer team in the evenings and that many people going to practice uses the parking lot across from this property on Ramsey and stated that he is not against the project but would recommend to the applicant and Commission to develop a pedestrian bridge from Ramsey to this side of the street, so people can park and get across Ramsey safely. He feels if the parking spots are eliminated that will force more people to cross Ramsey which is not safe.

Ms. Anderson stated that staff is looking at future solutions for pedestrian safety for this area.

Commissioner Mandel inquired if the easement between the applicant and the city includes use during all hours.

Mr. Adams explained that there was an existing easement when the bank was there and that this easement was modified slightly to have parking available for the Veterinary clinic and users of Ramsey field. He stated a lot hasn't changed.

Commissioner Rumpler stated that he will support the testimony of Mr. Mello and explained when his kids played soccer on this field and did use the parking lot across Ramsey and would support staff in providing a pedestrian crossing.

Public testimony closed.

Motion by Fleming, seconded by Ward, to approve Item SP-7-18. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

3. Applicant: Aspen Homes and Development, LLC
Location: 2400 N. 15th
Request: A proposed 1.22 acre annexation from Agricultural Suburban to R-17 (Residential at 17 units/acre) zoning district.
LEGISLATIVE (A-1-18)

Tami Stroud Associate Planner stated that Aspen Homes and Development, LLC is requesting consideration of annexation of a +/- 1.22 acre parcel in Kootenai County, currently zoned Ag-Suburban, to be incorporated into City Limits with an R-17 zoning designation.

Ms. Stroud provided the following statements:

- The subject property is located near the southeast corner of the intersection of 15th Street and Best Avenue.
- Currently there are an existing single-family residence and an accessory structure on the property.
- Land uses in the area include: a Planned Unit Development (PUD), residential single-family, multi-family, civic, commercial, and vacant land. The zoning pattern shows C-17, R-12, R-17, R-8 and R-8PUD zoning in the area surrounding the subject property
- She stated that the Comprehensive Plan designates this area as NE Prairie, Stable Established.
- She stated that other departments did not have any recommendations for items to consider for an Annexation Agreement.

Ms. Stroud concluded her presentation and stood for questions.

Commission Comments:

Commissioner Fleming stated after looking at the proposed site map, she questioned if staff would only require one entry for ingress/egress and if it would be possible to construct two.

Ms. Stroud explained that this is something the city engineer would look at the time of development.

Public testimony open.

Rob Tate applicant representative provided the following statements:

- This would be considered an infill annexation.
- This project supports the Comprehensive Plan and that the Northwest Prairie designation identifies this area as a diverse mixed use area which this property falls into those guidelines.
- They are proposing R-17 zoning with all utilities will front on 15th Street.
- They intend to provide high quality affordable housing to this area which will provide a lot of amenities surrounding this property such as church, stores and ball fields.

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

Commission Comments:

Commissioner Ward questioned if the applicant would consider increasing the number of ingress/egress points into the property.

Mr. Tate commented that they currently only proposing one ingress/egress to the site and explained that the Fire Department has recommended that we have a turnaround for a fire truck. He stated that typically the distance between driveways and ingress/egress points is 125 feet and that 146 feet would not allow for two entrances but will work with staff.

Commissioner Ingalls commented that Mr. Holm calls parcels like this “doughnut holes”. He stated that this parcel is currently receiving city services and would concur this parcel should be in the city. He questioned if the zoning is appropriate.

Mr. Tate explained that an R-34 density would allow for more units than the property which can support and chose an R-17 to provide a middle ground where the economics and infrastructure are financially feasible.

Melissa Listman stated she is opposed to the project and commented with the approval of an apartment complex will eliminate the wildlife in the area.

Chairman Messina explained that the annexation process is for the approval of allowing this property into the city and that the applicant will have to work with staff for issues like lighting etc.

Mr. Tate stated he is familiar with the amount of deer in the area and that this development that is next to a field won't drive them away. He added they are sensitive to parking and lighting and will work with staff on those issues.

Public testimony closed.

Motion by Ward, seconded by Fleming, to approve Item A-1-18. Motion approved.

ROLL CALL:

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

Motion to approve carried by a 6 to 0 vote.

4. Applicant: Anneliese Miller
Location: 623 Wallace Avenue
Request: An R-34 Density Increase Special Use Permit in the R-17 (Residential at 17 units/acre) zoning district.
QUASI-JUDICIAL (SP-8-18)

Sean Holm, Senior Planner stated that Anneliese Miller, representing Miller Stauffer Properties, is requesting approval of a special use permit to R-34 (34 residential units per gross acre) that will allow increased density and height (63') in an R-17 residential zoning district.

Mr. Holm provided the following statements:

- The existing site has a single 8000 sq. ft. structure, built in the 60's, which includes a basement.
- The current use is professional office space, although a large portion of the building
- The entirety of the site this use intends to occupy is six lots, although two of the lots are an existing parking lot with a previously granted special use permit, and the applicant has indicated they do not wish to change the parking lot.
- The remaining contiguous four lots along Wallace Avenue are the subject of this R-34 request, which are located south of the alley.
- The applicant's goal is to repurpose the existing office structure into a 30' tall, 2 story mixed-use facilities, with apartments over the first floor.
- The ground floor would be a mix of residential use with walk out porches, and the remainder would continue as office space. The basement would remain office space, currently home to Frontier Communications.
- The proposed building elevations show a two story structure, but would be allowed a maximum potential height of 63 feet, in accordance with the proposed R-34 zoning height restrictions for multi-family structures.
- He provided various photos of the site including the site plan.

- He stated that the Comprehensive Plan designates this area as Historical Heart – Stable Established.
- He noted on a map the other approved special use permits in the area.
- He stated that there are six proposed conditions if the project is approved.

Mr. Holm concluded his presentation and stood for questions.

Commission Comments:

Commissioner Ingalls explained that the uses in this building were grandfathered with the first owner GTE and the Social Security Office that left three years ago. He explained that there wasn't a Special Use Permit required for the Social Security Office. He commented if someone wanted to move in the building tomorrow they could put in an office without getting a permit. He stated the use of the building in the future is not an issue. He added a developer could lease the building out and add nine units above the building without approval from the Planning Commission. He stated this decision is not about if an office space is allowed, or a mixed use project, this is about the approval of 9 or 17 additional residential units. He stated that the applicant is asking for approval of an additional eight units and important this is a "shade of grey" and not black and white.

Mr. Holm explained when staff reviews building permits for these type of projects the "big ticket" items include setbacks, height and parking requirements. He explained that any expansion would have to meet all code requirements and staff requested a condition for maximum height requirement for the project below what is allowed in R-34. He explained based on lot size an allowable footprint, the developer's decision is if the units are built bigger with the R-17 standard, or more densely with tan R-34 designation.

Commissioner Luttrupp stated that we have two buildings surrounding this property that are 45 feet tall. He stated that he is concerned with the change of use of the building height from 45 to 63 feet and increasing 9 units to 17 units.

Chairman Messina clarified that staff is recommending that the height of the building be only 45 feet.

Commissioner Rumpler thanked Commissioner's Ingalls and Luttrupp for clarification. He has had two children going to Sorenson Elementary and curious about the building since its not been used for years and looks forward to hearing public testimony.

Public testimony open.

Dick Stauffer applicant representative provided the following statements:

- Explained that they are the owner/operator of this project and when internally discussing this project they felt we could design the project to achieve their goals to not be a non-issue for the neighborhood.
- He explained a brief history of the building that was built in 1963 including a basement that contains T-1's, fiber optics, copper, switch gear that keeps downtown function and will remain in the basement in perpetuity unless technology is improved to replace the existing equipment somewhere else.
- He listed the current tenants of the building is a tenant, office medical records, A tenant in the basement and have been looking for a tenant to replace the Social Security Office.
- He explained Planning 101 and referenced on the map the core area of the city that is called Urban Planning with a transition zone that happens between the Urban Core and low density residential. He illustrated by drawing a circle around the area that encompasses City Hall, City Park and where the higher density housing is located explained everything out of the circle is lower density.
- He commented that people think there is not a lot of multifamily in the Garden District but would disagree that there is many in this district.
- He commented that this building is surrounded by two buildings that are 45 feet tall.

- He noted parking is accessed off of 7th Street with plenty of parking.
- He commented that in his opinion, more downtown housing is needed. He stated that they will have 9,000 leasable square footage available on the first floor plus there is a tenant in the basement.
- 55 parking spaces are existing with appropriate landscaping, storm water management which is existing. There are a number of mature street trees surrounding the property.
- This building is ADA accessible around and into the building.
- He showed a number of renderings of what the building would look like and stated by adding an additional 8 units would eliminate the commercial component. They are softening the commercial feel in this area by how it is used, but how it looks. He added they don't need the building to reach the requested 63 feet.
- He stated many of the building in the Garden District are two stories and that this project will be a little taller but within 45 feet.
- He explained that the renderings are more of a concept and not a design with the addition of fencing, patios, and additional doors to help soften the building.
- **Summary** – They want to soften the historical use in a residential area while staying compatible with the zoning and comprehensive plan goals. Provide needed housing opportunities near the Downtown Core. Improve existing improvements without burden. He read a comment for the City Engineer in the staff report regarding the amount of traffic that would not have an impact from this project in the area. He explained that this property provides a tax base of \$12,000.00 dollars every year and if we improve this building that tax base would double. He stated with a reduction of traffic and commercial use this is a plus for the community.

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

Commission Comments:

Commissioner Rumpler inquired if the plan will be to remove the existing building.

Mr. Stauffer explained that they are bound by our tenant Frontier to protect their space in this building so the building will not be removed.

Commissioner Fleming commented that this project is "piggy backing" the existing structure.

Chairman Messina questioned if the applicant agrees with the condition restricting the height limit for the project.

Mr. Stauffer commented that he understands why staff suggested that and what we are wanting is an additional eight units that require multiple stories. He commented that all these projects designed are parking driven and when designing a building working back with the parking required. He stated by approving the Special Use permit will allow us to replace the commercial with residential.

Commissioner Ingalls commented that the applicant keeps saying that they want to "soften" the building but really what you are trying to say the building is unattractive.

Mr. Stauffer commented that he wouldn't disagree and that the building is not attractive designed with hard lines, big windows without moles, not a lot of fingers that produce shadow lines. He stated the renderings presented tonight are done as quick sketches and not necessarily the final design of the project.

Commissioner Ingalls noted that there is a yoga studio located close to this property that happens to be in an old school building. He questioned if there is really a need for office space downtown for office and if the applicant is afraid that this building might become an eyesore.

Mr. Stauffer explained as the owner/developer they need to move forward with an idea and that the commercial use will be marketable. Buildings are living things that need people in them to remain maintained. He added that we have a financial burden to make some money and hopes with the approval of this project won't be a burden to the neighborhood. They like to see buildings reused and repurposed and put them back to work.

Commissioner Ingalls stated that he doesn't want to see a building that sits and sits and questioned if this project is viable at 8 units rather than 17 units.

Mr. Stauffer explained that we can keep our commercial and build an additional nine units and not have to have permission. What we are trying to do is take some of the commercial and turn it into residential and that this request is to add the additional units.

Kathy Beechler stated she is opposed and feels project will not fit in the neighborhood but hurt property values, utilities and this area will be congested.

Michael Bechman stated that he is on the fence regarding this project and would like clarification if this will be apartments, what the rents are and how many bedrooms. He added that there are a lot of entrances into the parking lots off of Wallace, Garden and 7th Street. He would like the alley to be blocked to eliminate the number of entrances. He questioned if the request is for a mixed use project because of the tenant in the building.

Adrian Weholt stated he was opposed and now has softened his opinion to approve. He is opposed to apartments and how it will affect property values and what type of people will be living there for safety reasons. He stated this is an historical district and would want the building to match the character of the building.

Dan Broggel stated he is an architect and feels the 17 units don't fit the historical nature of the neighborhood. He stated that he is also concerned about the increase in traffic.

Robin Van Houten stated this building has been vacant along time and with the addition of the project that traffic will increase. She explained that Sorenson Elementary is close and with the approval of a mixed use development feels her kids will not get to go to the school. This project doesn't fit the character of the neighborhood.

Shelly Bennett stated that she owns property adjacent to this building which is one of the new houses recently built. She appreciates that the city is allowing Accessory Dwelling Units (ADU) which gives the city opportunities. She stated the main floor commercial makes no sense in this location and suggested to design a denser residential use then having rentals above the commercial. She stated that she is a realtor and doubts the applicant is going to have success finding commercial tenants.

Elaine Price explained that the sewer system is historic and with the approval for additional homes will hurt the current system. She stated that one of the reasons they moved to this area was the historic character of the neighborhood and feels this building doesn't fit the character of the neighborhood.

Eric Atkins stated he is opposed and concerned about the addition of rental units and would rather have condominiums that will be owner occupied. He doesn't like the renderings of the building and that the design doesn't fit the character of the building.

Ben Mello stated he lives in Coeur d'Alene and the traffic is bad. He explained everyday he rides his bike and with the amount of traffic has had some close calls to getting hit. He would like the design of the building to fit with the neighborhood and that owner occupied is better than rentals.

Della Munich stated the project doesn't fit the neighborhood and is overpowering.

Kate Kuhlman-Wood stated she would like to give some recommendations to staff to put as conditions for approval of the project that are: Traffic – The City Engineer stated in the staff report that he feels there will not be an increase to traffic and how can those traffic numbers be correct, when the Social Security Building has been vacant. She added that they have had no less than four accidents at the intersection of Wallace and 6th. She commented that there are not a lot of stop signs or yield signs which creates confusion on how traffic is supposed to proceed and would recommend placing speed bumps in the road approaching the higher density properties. She commented that she would like to see the sidewalks not interrupted by driveways, especially the driveway on Wallace. She suggested putting bollards in the alley, so people couldn't drive through and help keep kids safe. She commented that the rents generated from 17 units would help the applicant's return on investment (ROI), but she would rather see the applicant construct eight luxury units which are needed and which would attract the type of renters who would take care of the property. Luxury units would maximum the applicant's ROI under the current zoning.

Mitchell Wood stated that if this project is done right could be an exciting project for the Garden District. He explained that the city plays a role in developments like this and to continue with the definition of Planning 101 he interprets the city two ways: There is a constitutional order and Representation order. The constitutional order is the streets, sidewalks and the planting strips these are things we have control. The representational order that is private development and changes torn down put back up. The constitutional order doesn't change like the streets will be here forever. He would suggest as a condition to get rid of the curb cut that goes into the parking lot. He explained that most traffic comes from Northwest Boulevard with traffic coming down Wallace to access this site. He understands this project could change if approved.

Martin Stacy stated that he has lived in the neighborhood along time and has enjoyed watching the neighborhood thrive as a single family neighborhood and considered as one of Coeur d'Alene's oldest neighborhoods. He appreciates the new homes in the neighborhood that were designed to fit the character of the neighborhood. He asked the commission to not think of the economic viability of 17 versus 9 units.

Sharon Kerns stated she lives on 7th Street, across from the property, and feels the building is ugly and not opposed to making it better. She is concerned with parking and has observed how people park. She stated there is a wedding chapel across the street and everybody going to the wedding chapel parks in the vacant lot.

Wayne Sweeny stated that he has lived in the area along time and is familiar with the applicant's projects which most he likes. He has concerns about the increased density and questioned why is the applicant doubling the density and would like to hear the justification. He would like to see larger luxury apartments as mentioned by Dr. Wood.

Tricia Dye stated she lives in the area and parking is an issue and explained when people go to the Wedding Chapel they park along the street and makes it hard to get out of her driveway. There is a lot of traffic and would like a traffic study done. She wants to protect the historical character of the building.

Eileen Doyle stated that she has lived in this the area for 25 years and would like to see a traffic study done and if approved, feels her property values will be decreased.

Faye Sweeny stated that she would like clarification on the parking and questioned if the parking lot could be changed to a building site in the future. She explained that she has lived in the neighborhood for a long time and is concerned about the historical character and questioned if approved would this project have to

go before the Design Review Commission.

Walter Burns stated he is new to the area and doesn't think this project fits the neighborhood.

Rebuttal:

Mr. Stauffer provided the following statements:

- He stated that the property will be a rental property with an element of mixed uses and will retain the lower level office space and the switch gear for the phone company in the basement.
- He explained the access points and will work with the city and the neighborhood the safest way to ingress/egress the property.
- He agrees that traffic is terrible, but feels that traffic has increased in all parts of the city and not unique to this application or neighborhood.
- He stated by having commercial will lessen the load for parking.
- He stated the building has been there for 55 years and the design is subjective and he is sensitive to the comments presented tonight.
- He understands the passion from the community but feels the city can't dictate the design of the building. He added that the renderings shown tonight are preliminary and is designed to show massing and the size of the building.
- He explained that we are proposing to give up some of the grandfathered commercial space for residential space and the reason why we want the other units to fill with residential. We have the infrastructure to fit this type of development. He explained we can keep our commercial space and do the nine units without approval or trade out more residential with the blessing to build 17 units instead of nine.

Chairman Messina commented that we have heard a lot of testimony about the design of the building not complimenting the neighborhood. He questioned if they considered a design that would fit with the surrounding areas.

Mr. Stauffer commented that he can assure everybody after this meeting tonight the design will be a topic for discussion. He commented that this is start and with the design we tried not to remove the brick façade and things that we have existing that are working. He explained that the Garden District boundary goes from Sherman to Montana 4th to 11th and there is a lot of stuff in the Garden District including some stately homes, historical homes and some homes that aren't as appealing. He stated that they will discuss this project internally if that is a better solution to move forward. He stated they have been in the business for a long time and take care of our properties. He commented that it is our desire to be successful and accepted in the neighborhood but not be the neighborhood parking lot. We want to put this property to work and feel there is a need for downtown apartment style and see them designed as upper scale apartments.

Commissioner Rumpler questioned if Frontier will be in the building forever and if they are then the idea of replatting for single family homes is not possible.

Commissioner Ward inquired about the parking lot to the north and questioned if the 55 parking spaces meet the city requirements.

Mr. Stauffer noted on the map the four lots to be used for parking.

Mr. Holm stated that staff has had a discussion regarding those lots based on the approval of the Special Use Permit, however staff would like to see those lots tied to the property and the only way would be with a deed restriction that says as long as the building survives, the parking will remain to support the building so, it is not sold separately.

Mr. Stauffer commented that they would expect that plus a building permit would be obtained to support the parking which would be another form of a contract.

Commissioner Luttrupp inquired what would be the benefit for the community to exchange commercial for residential.

Mr. Stauffer explained that a benefit for us is we will be putting the building to work which is vacant right now with the lower level fully occupied. He stated that the main level is empty and from a property owners view that is not acceptable. He stated that they feel there is a need for downtown housing and the two new homes on the corner were built because of us working with Chad Oakland to put those in. He explained they saw the new homes as the place to shrink the site that was more neighborhood friendly as opposed to the 7th Street exposure that we saw would be more appropriate for multi-family.

Commissioner Luttrupp commented if the special use permit was not approved questioned if the commercial would go away and residential would remain.

Mr. Stauffer explained that the economic dynamics will not work for them and that we would have to spend more money making that property into residential versus adding residential to the property and we won't throw the property away.

Commissioner Luttrupp commented that he is not suggesting throwing the property away and stated he is struggling with the increased density from 9 versus 17 units and after hearing previous testimony indicating that eliminating the commercial is more important to the community.

Mr. Stauffer explained that the business model supports a certain amount of development and that the office parking is higher than residential parking. He added that the infrastructure will support more residential then it will commercial for example, a residential property is 700 or 800 feet and needs two parking spots a business need 1 space per 300, so you have more area with less people in it and less cars required.

Commissioner Fleming inquired how you respond to the people who are suffering under a sewer and water system that is failing and by adding more units to an already stressed, old system.

Mr. Stauffer commented that is a question that he is not qualified to answer and that staff stated in the staff report that they don't see any issues with the water/sewer service. He explained that if there are some things that need to be reconstructed those items will be addressed with a building permit.

Commissioner Fleming commented that we should not approve something knowing that there might be a problem in the sewer system.

Mr. Stauffer commented that they should rely on staff's recommendation if they feel there is not a problem with sewer/water.

Commissioner Ingalls stated that a couple people who testified were not clear on this "trading" and that the project might be softened further by some alterations to the design. He stated that the issue isn't about the "box" and previous testimony commented that 17 units might be a better project than 8 because the trading of the use. He stated in his opinion seventeen high quality would be great for the community.

Public testimony closed.

Discussion:

Commissioner Ingalls stated the Comprehensive Plan talks about intense pressure on infill in the heart of the City. He continued that it talks about seeking a balance between commercial, residential and mixed use in the Historic Heart that allows for an increase density in harmony with the existing residential uses. He added that it also states that Infill provides opportunities and incentives for redevelopment and mixed use development will reflect the scale of the existing neighborhoods while allowing an increase in density.

He commented that we have talked about the mass and scale which doesn't change whether its 17 or 9 units.

He added the parking for the project exceeds the requirements and thinks the design could be tweaked and will be a good fit for the neighborhood. He stated with the update to the Comprehensive Plan infill will be addressed and if a city doesn't grow, we are in decline running out of wide open spaces. He commented that this developer with this project, good track record, in this location with trading and tradeoffs that we would allow this to be a quality infill project.

Commissioner Mandel thanked the public for coming tonight and appreciates all comments and is sympathetic to questions regarding traffic, parking and walkability for the fellow Sorenson parents. She stated that the profile of the shape might exist no matter what, but we have an opportunity as a commission to manage the infill in a responsible way. She stated that she likes the conditions that were added especially the height limitation that keeps it to the profile that might exist anyway. The landscaping recommendations and conditions she feels is an opportunity to see parking needs are met and keep the project within the existing profile. The questions on parking and traffic are part of a bigger picture and that this is an opportunity to work within the profile. She again stated that she appreciates all public comment and helping with the goals of the Comprehensive Plan in a responsible way. She stated the decision tonight might not be popular with the community and understands thinking about what is already allowable and this could be a lot worse.

Commissioner Luttrupp commented that he disagrees with Commissioner Ingalls and feels that the mass and scale will change. He explained that his issue is we need more housing, but we have to have stability in our Comprehensive Plan and the commitments we made to the community, neighborhoods etc. He noted that we have had certain standards in this area for a long time and commented by approving this project, we will take away from this historic area by increasing the density from 9-17 units and is a significant change to this historical area and will not support this request.

Commissioner Rumpler stated for many months this Commission has had some conversation. He explained the conversations have been with growth, infill; however those things are sometimes not popular as we have heard through testimony tonight. For example, infrastructure like sewer and water doesn't get serviced in a modern way unless the tax base is increased. A community that is not growing is in decline and people may disagree, but this is the truth. He stated that this community is a resort community. He feels there is a pulse of population that occurs every year, which is the truth and as this occurs people get to see what a wonderful community we have. This stimulates interest with people wanting to live here and the Garden District is three blocks from the downtown core. He added people want to live near the Downtown Core. He explained that his kids were lucky to go to Sorenson which is a wonderful asset for this area and understands why people want to live near that school. He questioned why not have the opportunities to have families to take advantage of that. He stated that many people can't afford a single family home in the Garden District those homes don't turn over all the time. He stated as a Planning Commissioner this could be a difficult decision wants to see positive growth and to look at the larger picture and stated he supports this request.

Commissioner Fleming stated that she appreciates all the input on both sides and respect the projects from the applicant who does great work. She explained that this is a difficult building is a dinosaur and dead in the water sitting as it is and doesn't serve a purpose as something that doesn't exist underground. The volume is not going to change whether we allow them to go forward how it is, or the volume and space remain the same. She stated that she agrees with the historical part and is in the business and don't look at the aesthetics' on the screen. She commented if you look back at the historic unique brick apartment buildings on the South Hill in Spokane you see the elements that make the building charming and historical. She would like to see this building sit comfortably in this neighborhood. This building already has brick which is part of the era that is not a problem, but need to address the physicality of it and we are not here to design the project. The applicant has heard the comments and will dig out the details. We need to have people live downtown that can't afford to buy these high end condos. She stated that

tonight we have heard some good things about traffic management and if we improve the water/sewer and infrastructure the neighbors will benefit. This will be a good project and ignore the visuals.

Commissioner Ward stated the applicant has done some great projects in the downtown and will trust that will continue with this project and future projects. He commented that the applicant is wise to understand and demonstrated that by listening to public comment. He stated that he will support this project.

Chairman Messina commented with any project people will agree/disagree. He stated that he can't vote because he is the chairman, but he will support this project because the density is there.

Motion by Rumpler, seconded by Ingalls, to approve Item SP-8-18. Motion approved.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Mandel	Voted	Aye
Commissioner Luttrupp	Voted	No
Commissioner Rumpler	Votes	Aye
Commissioner Ward	Voted	Aye

Motion to approve carried by a 5 to 1 vote.

ADJOURNMENT:

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

The meeting was adjourned at 9:23 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant



PRESENTATION



ORDINANCE NO. _____
COUNCIL BILL NO. 18-1018

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW CHAPTER 10.03 ENTITLED COMPLETE STREETS, TO THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon recommendation of the Pedestrian and Bicycle Advisory Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said Chapter be adopted;

NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1 . *That a new Chapter 10.03 entitled Complete Streets, be added to the Coeur d'Alene Municipal Code as follows:*

**CHAPTER 10.03
COMPLETE STREETS**

10.03.010: VISION & PURPOSE:

The vision of the City is of a community in which all residents and visitors, regardless of their age, ability, or financial resources, can safely and efficiently use the public rights-of-way to meet the transportation needs of their chosen mode of travel.

The purpose of this Chapter is to increase opportunities for use of the City's roadways; support a vibrant community beneficial to local businesses; promote healthy living, economic development, and tourism; advance the wellbeing of travelers; support the goal of compact development; reduce negative environmental impacts associated with motor vehicle travel; and meet the needs of the diverse populations that comprise our community including school students, our aging population, and those with disabilities.

10.03.020: DEFINITIONS:

- A. **City** – means the legal environs of the municipality designated “Coeur d’Alene, Idaho.”
- B. **Complete Streets** – means the Public Transportation corridors and networks that are scoped, planned, designed, built, operated, and maintained to enable safe travel and access for users regardless of their mode of transportation.

C. **Wayfinding** – means informational signage used to orient people and facilitate navigation from place to place.

10.03.030: STATEMENT OF POLICY:

- A. The City will plan for, design, construct, operate, and maintain an appropriate and integrated transportation system that will meet the needs of motorists, pedestrians, bicyclists, wheelchair users, transit vehicles and riders, freight haulers, emergency responders, and residents of all ages and abilities.
- B. Transportation facilities that support the concept of Complete Streets include, but are not limited to, pavement markings and signs; street and sidewalk lighting; sidewalk and pedestrian safety improvements; features consistent with Americans with Disabilities Act and Title VI compliance; bicycle accommodations including bike lanes, bike infrastructure, and appropriate signage and markings; and, as appropriate, streetscapes and street trees that appeal to and promote pedestrian use.
- C. The system’s design will be consistent with and supportive of local neighborhoods, commercial zones, and business delivery areas, recognizing that transportation needs vary and must be balanced in a flexible, safe, and cost effective manner.

10.03.040: PLANNING:

Those involved in the planning and design of projects within the public right-of-way will give consideration to all users and modes of travel from the start of planning and design work. Transportation improvements shall be viewed as opportunities to create safer, more accessible streets for all users. This policy shall apply to new construction, reconstruction, and rehabilitation projects.

10.03.050: EXCEPTIONS:

Exceptions to this policy may be granted for unusual or extraordinary circumstances by the City Engineer with the concurrence by City Council, the Planning Commission, or the Community Planning Director, with input from the Pedestrian and Bicycle Advisory Committee. Exceptions will be considered with one or more of the following circumstances:

- A. Street projects may exclude those elements of this policy that would require the accommodation of street uses prohibited by law or where the use is deemed contrary to public safety by the City Engineer;
- B. Street reconstruction projects and maintenance paving projects which involve widening pavement may exclude elements of this policy when the accommodation of a specific use is expected to:
 - 1. Require more space than is physically available; or

2. Be impacted by a street reconstruction project in the near future; or
 3. Be located where both current and projected future demand is demonstrably absent;
or
 4. Adversely change the cost-benefit ratio and equivalent alternatives exist within close proximity that are convenient and accessible to all users; or
 5. Have adverse impacts on environmental resources such as streams, wetlands, floodplains, or historic structures or sites above and beyond the impacts of currently existing infrastructure.
- C. Street projects may exclude the development of sidewalks in areas falling outside those identified as appropriate for sidewalks on the basis of an adopted sidewalk policy.

10.03.060: INTERGOVERNMENTAL COOPERATION:

- A. The City will cooperate with other transportation agencies including the Idaho Transportation Department and neighboring governmental agencies and highway districts to confirm that the principles and practices of Complete Streets are embedded within their planning, design, construction, and maintenance activities, when these activities have a direct impact on the City's ability to enact Complete Streets policies.
- B. The City will specifically cooperate to confirm that the transportation network flows seamlessly, for all modes, between jurisdictions in accordance with local and regional road, transit, bicycle, and pedestrian plans.

10.03.070: DESIGN CRITERIA:

- A. The City, through the Streets & Engineering Department, shall maintain design criteria standards, and guidelines based upon recognized best practices in street design, construction, and operation.
- B. To the greatest extent feasible, the City shall adopt the same standards with particular emphasis on pedestrian and bicycle accommodations and Wayfinding signage.
- C. Resources to be referenced in developing these standards shall include, but not necessarily be limited to, the latest editions of:
 1. American Association of State Highway Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets;
 2. AASHTO Guide to the Development of Bicycle Facilities;
 3. Idaho Transportation Department Roadway Design Manuals;

4. Institute of Transportation Engineers (Designing Walkable Urban Thoroughfares)
5. National Association of City Transportation Officials (Urban Parkway Design Guide, Urban Street Design Guide, Transit Street Design Guide); and
6. Manual on Uniform Traffic Control Devices.

10.03.080: COMMUNITY CONTEXT:

- A. Implementation of this policy shall take into account the goal of enhancing the context and character of the surrounding built and natural environments, as well as local business access and operations.
- B. Appropriate attention should be given to projects which enhance the overall transportation system and its connectivity for access to parks or recreation areas, schools, shopping/commercial areas, public transportation, employment centers, existing pedestrian or bicycle networks, or regional bicycle pedestrian plans prepared by associated groups such as Kootenai County.
- C. One or more connections to an adjacent bicycle or pedestrian trail shall be made by the developer in developments approved after the effective date of this chapter, as required by the city engineer. In addition, cul-de-sacs and dead end streets in developments approved after the effective date of this chapter shall be designed to accommodate bicycle and pedestrian traffic in a manner approved by the City Engineer

10.03.090: PERFORMANCE:

The City Engineer, or designee, shall report to the Pedestrian and Bicycle Advisory Committee and City Council on an annual basis regarding the transportation projects undertaken within the prior year and planned for the near future, and the extent to which any of these projects has met or will meet the objectives of this policy.

10.03.100: IMPLEMENTATION:

- A. This ordinance will be primarily implemented through developing bike and pedestrian network plans within the City in conjunction with Kootenai Metropolitan Planning Organization's regional plans. If a development is proposed for an area which is not covered by a bike or network plan, the requirements of this chapter apply if the street(s) of that development will connect to a street or facility which is covered by a bike and pedestrian network plan.
- B. These plans should specify the type and location of improvements, and should be implemented as funding becomes available.

- C. Special emphasis shall be placed on those elements of these plans that can be accomplished with little additional expense, such as providing bike lanes where existing pavement is adequate or where road shoulders are sufficient to allow for safe bicycle use.
- D. Completion of the Complete Streets Checklist shall be required for all street projects, subdivisions, planned unit developments, and commercial and multi-family building permits.

10.03.110: VARIANCES:

A variance from the requirements of this chapter, different from what is stated in 10.03.050, may be granted only upon a showing of undue hardship due to unique site characteristics. A variance may only be granted by the aforementioned decision makers in such circumstances if the approval of the variance would not otherwise impair achievement of the purposes of this chapter. Any person requesting a variance under this section must provide data showing that the proposed alternative methods of non-motorized transportation and/or connections will produce comparable efficacy of the transportation network required by this chapter. No variance will be issued unless all elements of this section are met.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 4. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on August 7, 2018.

APPROVED, ADOPTED and SIGNED this 7th day of August, 2018.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Adding Chapter 10.03 entitled Complete Streets to the Coeur d'Alene Municipal Code

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW CHAPTER 10.03 ENTITLED COMPLETE STREETS, TO THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, adding Chapter 10.03 entitled Complete Streets, to the Coeur d'Alene Municipal Code, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 7th day of August, 2018.

Randall R. Adams, Chief Civil Deputy City Attorney



PUBLIC HEARINGS



**PLANNING COMMISSION
STAFF REPORT**

FROM: MIKE BEHARY, ASSOCIATE PLANNER
DATE: AUGUST 14, 2018
SUBJECT: ZC-3-17 ZONE CHANGE FROM R-12 TO C-17L
LOCATION: +/- .67 ACRE PARCEL LOCATED AT 925 EMMA AVENUE

APPLICANT/OWNER:
Melrose Properties LLC
2100 Northwest Blvd, Suite 350
Coeur d'Alene, ID 83814

DECISION POINT:

The applicant is requesting approval of a zone change from R-12 to C-17L zoning district.

BACKGROUND INFORMATION:

The subject property is currently occupied by a duplex that is located toward the front of the parcel. The rear portion of the subject property is vacant. The property to the east is occupied by North Idaho's VA Medical Clinic. The applicant has indicated that they are in communication and negotiations with the VA about the expansion of the VA's Medical Clinic parking lot from the adjacent parcel onto the subject site.

The VA Clinic to the east of the subject site is the only medical clinic that serves veterans from the northern five counties. The applicant has indicated that the VA has been growing and their parking area is of concern for them. The applicant has indicated that the timing of this zoning request is driven by the VA's desire to expand their parking lot. The applicant has indicated that the vacant part of their property could accommodate the parking need for the VA Clinic.

The VA Medical Center to the east of this site is zoned C-17L. The Kootenai Health Medical Facility is also zoned C-17L and that facility is in the vicinity and is located to the north and east of the subject site. The property located adjacent to the north and west of the subject site is zoned R-17 and have multi-family use located on it.

However, it should be noted that if the parking lot proposal between the applicant and the VA Medical Center does not materialize, then any of the uses that are permitted in the C-17L would be allowed at this site.

See full list of uses allowed in the C-17L on page 14.

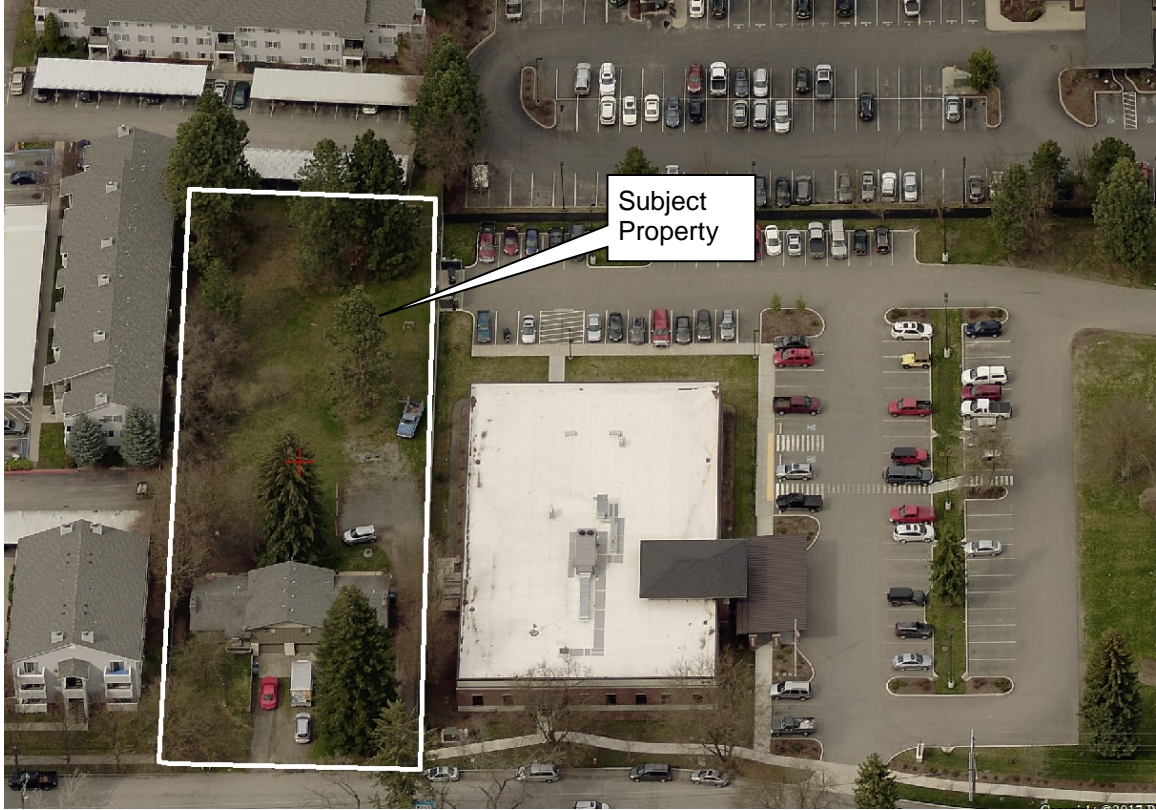
LOCATION MAP:



AERIAL PHOTO:



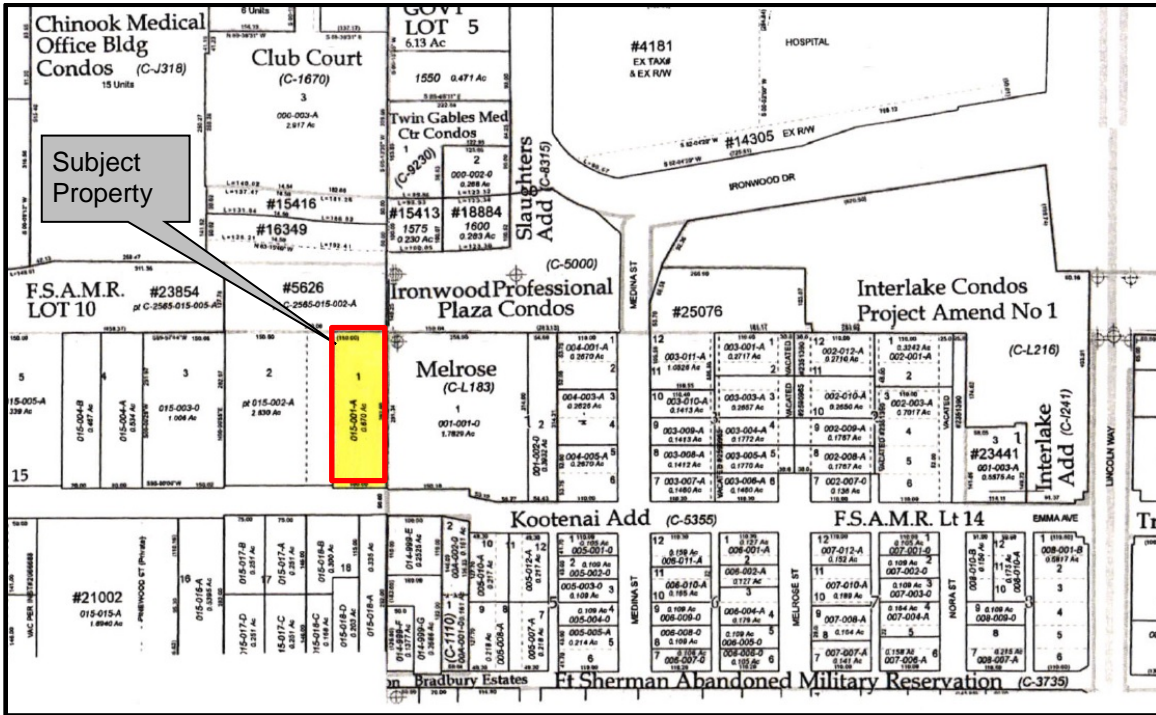
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BIRDS EYE AERIAL PHOTO - 2:



APPLICANT'S EXHIBIT OF PROPOSED ZONE CHANGE:

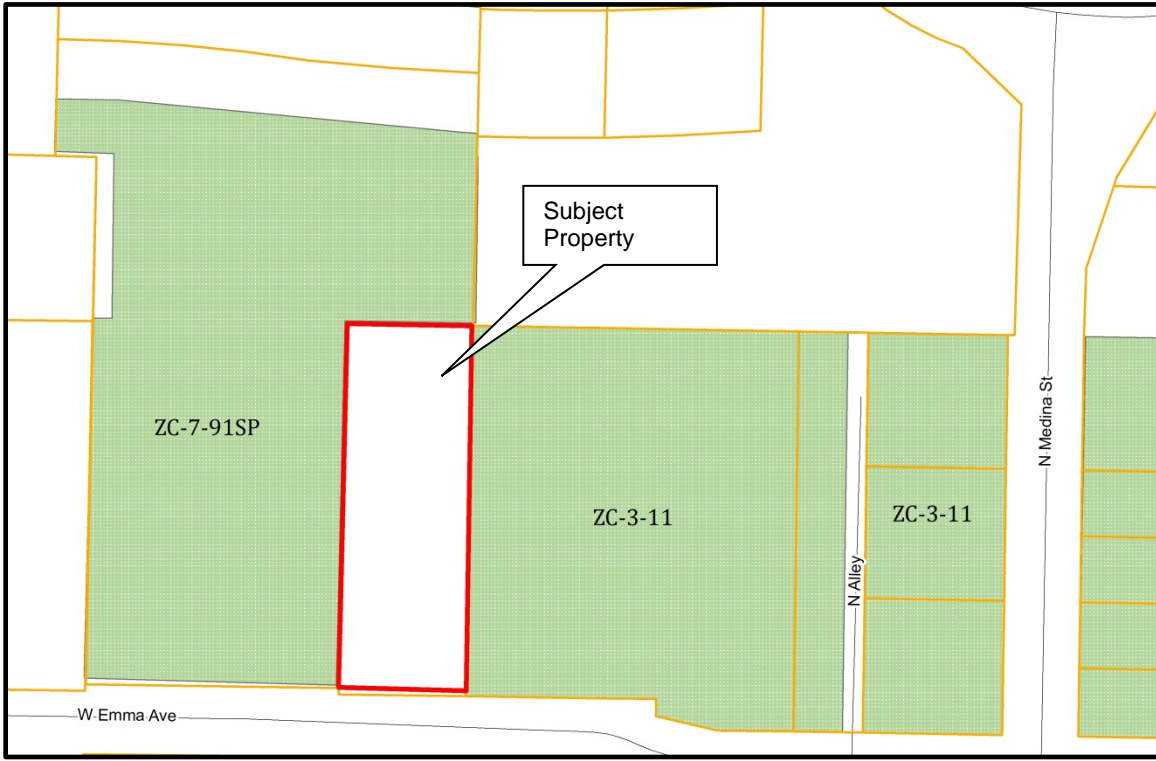


PRIOR LAND USE ACTIONS:

Planning Commission and City Council approved a zone change request in items ZC-7-91 west of the subject property from R-12 to R-17 in 1991. Another zone change was approved by the Planning Commission and City Council in 2011 to change the zoning clarification from R-12 to C-17L on the property to the east of the subject property in item ZC-3-11. As seen in the map provided below, the area is relatively established with approved zone changes to C-17L in the vicinity of the subject property.

See Prior Land Use Actions Map on next page.

PRIOR LAND USE ACTIONS MAP:



Zone Changes:

ZC-7-91SP	R-12 to R-17	Approved
ZC-3-11	R-12 to C-17L	Approved

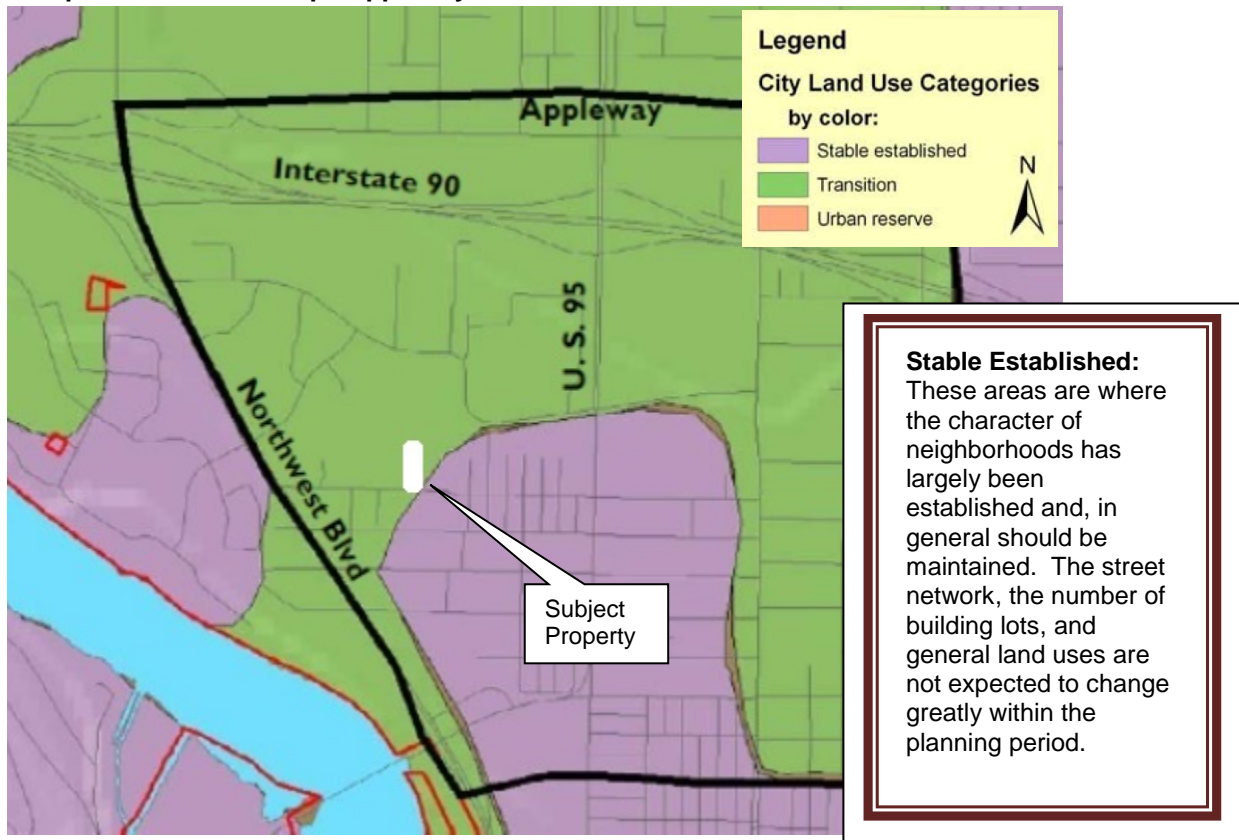
REQUIRED FINDINGS:

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

2007 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The City Comprehensive Plan designates the subject site to be in the Appleyway – North 4th Street area.
- The subject property is located in the City’s Area of Impact

Comprehensive Plan Map: Appleway – North 4th Street



Appleway – North 4th Street Tomorrow:

The Appleway – 4th Street area is expected to be a mixed use area. The stable/established residential will remain. The west Ironwood corridor will require careful evaluation of traffic flow. Ironwood will be connected to 4th Street, enabling higher intensity commercial and residential uses.

The characteristics of the Appleway – North 4th Street neighborhoods will be:

- That overall density will approach six units per acre, with infill and multi-family housing located next to arterial and collector streets.
- That pedestrian and bicycle connections will be provided.
- Street widening and potential reconfiguration of US 95 should be sensitive to adjacent uses.
- Uses that strengthen neighborhoods will be encouraged.

The characteristics of the Appleway – North 4th Street commercial will be:

- Those commercial buildings will remain lower in scale than in the downtown core.
- Streetscapes should be dominated by pedestrian facilities, landscaping, and buildings.
- Shared-use parking behind buildings is preferred.

COMPREHENSIVE PLAN GOALS & OBJECTIVES THAT APPLY:

Objective 1.12 - Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.14 - Efficiency:

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

Goal #2: Economic Environment

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

Objective 2.01 – Business Image & Diversity:

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

Objective 2.02 – Economic & workforce Development:

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

Goal #3: Home Environment

Our Comprehensive Plan preserves the city's 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.

Objective 3.16 – Capital Improvements:

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

Objective 4.01 - City Services:

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

Objective 4.06 - Public Participation:

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

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

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

STORMWATER:

Stormwater issues are not a component of the proposed zone change. Any storm issues will be addressed at the time of development on the subject property. City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

- Submitted by Chris Bosley, City Engineering

STREETS:

The subject property is bordered by Emma Ave to the south. This existing roadway is a partially developed street section (curb but no sidewalk). Required improvements will be addressed through the building permit/site development permit process at the time of development on the subject property. The Streets and Engineering Department has no objection to the zone change as proposed.

- Submitted by Chris Bosley, City Engineering

WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposed zone change of 925 W Emma Avenue. There is an existing 6" water main in Emma Avenue with 2-3/4" services stubbed to the lot. The Water Department has no objections to the zone change as proposed.

-Submitted by Kyle Marine, Assistant Water Superintendent

WASTEWATER:

This property is already connected to the Public Sanitary Sewer System within Emma Avenue. The parking lot proposal will not be permitted to discharge stormwater generated onsite into the public sanitary sewer. The Wastewater Department has no objection to the zone change as proposed.

-Submitted by Mike Becker, Utility Project Manager

FIRE:

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

Fire department access to the site (road widths, surfacing, maximum grade, and turning radiuses), in addition to, fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to building permit or site development, utilizing the currently adopted International Fire Code (IFC) for compliance. The City of Coeur d'Alene Fire Department can address all concerns at site and building permit submittals. The Fire Department has no objection to the zone change as proposed.

-Submitted by Bobby Gonder, Fire Inspector

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

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

PHYSICAL CHARACTERISTICS:

The site is generally flat. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from R-12 to C-17L. See topographic map below.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: Southeast part of property looking northwest.



SITE PHOTO - 2: On Emma Avenue looking east.



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



SITE PHOTO - 4: Northwest part of property looking southeast.



SITE PHOTO - 5: Northwest part of property looking east.



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

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

TRAFFIC:

The proposed zone change would not likely adversely affect the surrounding area with regard to traffic. With newly installed traffic signals at Medina St/Ironwood Drive and Emma Ave/US-95, the streets have the available capacity to accommodate additional traffic generated from the subject site. The Streets & Engineering Department has no objection to the zone change as proposed.

-Submitted by Chris Bosley, City Engineering

NEIGHBORHOOD CHARACTER:

2007 Comprehensive Plan: Appleway - North 4th Street Today

This area is a diverse mix of residential, medical, commercial, and warehousing land uses. The area is very gently sloped with some drop in elevation within a block of Northwest Boulevard. This elevation change has also defined the break from commercial to residential uses for much of the area's history.

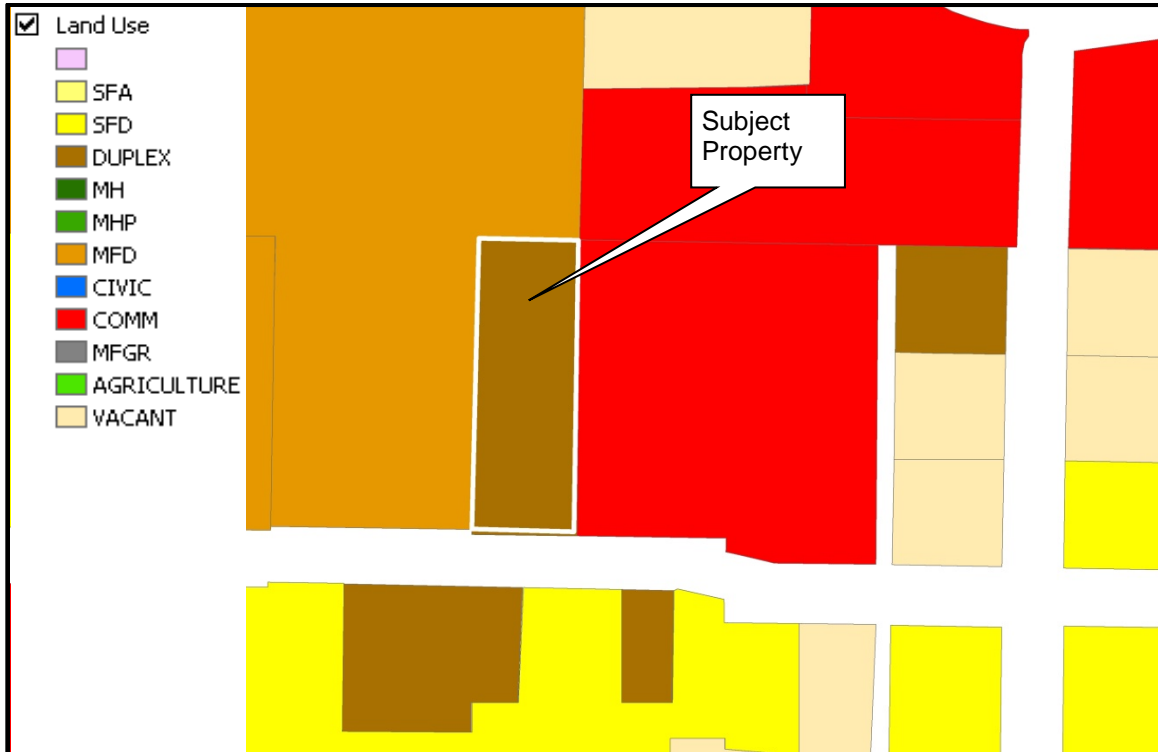
The south-west and south-central portions of the area consist primarily of stable, single-family housing at approximately five units per acre. The Winton Elementary School and park is located in this neighborhood. Various multi-family apartments, mostly constructed in the late 1970s and early 1980s, are located within the district. The most active area for construction within this district is the Ironwood corridor which consists of many health-care and professional offices west of US 95, with office and retail uses east of US 95.

SURROUNDING LAND USES AND ZONING:

The property to the north and west of the subject site is a residential use and has multi-family units located on it. The properties to the south of the subject site are a residential use with duplexes and single family dwellings located on them. The property to the east of the subject site is a commercial use and it has the VA's Medical Clinic located on it. (See Land Use Map below)

The property to the west and north of the subject site is zoned R-17. The properties to the south are zoned R-12. The property to the east is zoned C-17L. Other properties to the east and north are also zoned C-17L. (See Zoning Map on page 14)

GENERALIZED LAND USE PATTERN:



- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only
- Two (2) unit per gross acre density increase

17.05.190: PERMITTED USES; ACCESSORY:

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

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

17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:

Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

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

PROPOSED ZONING: C-17L COMMERCIAL ZONING DISTRICT:

The C-17L district is intended as a low density commercial and residential mixed district. This district permits residential development at a density of seventeen (17) units per gross acre as specified in the R-17 district and limited service commercial businesses whose primary emphasis is on providing a personal service.

17.05.580: PERMITTED USES; PRINCIPAL

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

- | | |
|---|---|
| • Administrative offices | • Hospitals/healthcare |
| • Automobile parking when serving an adjacent business or apartment | • Juvenile offenders facility |
| • Banks and financial institutions | • Multiple-family housing (as specified by the R-17 district) |
| • Boarding house | • Neighborhood recreation |
| • Childcare facility | • Nursing/convalescent/rest homes for the aged |
| • Commercial film production | • Personal service establishments |
| • Community assembly | • Professional offices |
| • Community education | • Public recreation |
| • Duplex housing (as specified by the R-12 district) | • Rehabilitative facility |
| • Essential service | • Religious assembly |
| • Group dwelling - detached housing | • Single-family detached housing (as specified by the R-8 district) |
| • Handicapped or minimal care facility | |

17.05.590: PERMITTED USES; ACCESSORY

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

- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outdoor storage or building when incidental to the principal use
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district

17.05.600: PERMITTED USES; SPECIAL USE PERMIT

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

- Commercial kennel
- Commercial recreation
- Community organization
- Convenience sales
- Criminal transitional facility
- Food and beverage stores for off/on site consumption
- Hotel/motel
- Mobile food court
- Noncommercial kennel
- Remaining uses, not already herein permitted, of the C-17 district principal permitted uses
- Residential density of the R-34 district as specified
- Veterinary hospital
- Wireless communication facility

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

PROPOSED CONDITIONS:

None

ORDINANCES & STANDARDS USED FOR EVALUATION:

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

ACTION ALTERNATIVES:

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

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

**APPLICANT'S
NARRATIVE**

Parkwood Business Properties, owner of parcel C-2565-015-001-A is requesting a zone change from R-12 to C-17L. The parcel is located on 925 Emma Avenue west of the Emma and Medina intersection and next door to North Idaho's VA Clinic. The location is within the fast-growing healthcare corridor. Over the past decade, Kootenai Health has undergone two major expansions. The first phase in 2016 included a 100,000 square foot expansion that offers KH's new Family Birth Center and NICU, an Ortho/Neuro floor, plus the creation of a new North Entrance and main lobby. The recently completed second expansion added 7,000 square feet of new space to the emergency department increasing capacity to 36 rooms. The 2nd phase improvements totaled over \$45 million.

As the hospital has seen significant growth and investment, clinics and medical office space has expanded as well. In 2013, Kootenai Health expanded it's Kootenai Clinics service into a new 60,000 square foot medical office building at 1919 Lincoln Way, just two blocks east of the 925 Emma property. This building provides 48,000sf of primary care medical office facilities hosting 41 providers and 110 staff who serve over 300 daily patient visits.

Just several feet away from the Kootenai Clinics facility is the 16,000 square foot VA Clinic completed in 2014. The VA Clinic includes physical therapy, behavioral health, pharmacy, lab and a planned eye clinic. Five providers and five nurses serve over 200 patients per day with plans for more service lines and patient visits. This is the only VA clinic in the five northern counties and serves a population stretching south to Orofino and east to St Regis and Libby, Montana.

As the healthcare corridor has experienced rapid expansion, major transportation improvements were completed in 2017 to improve access to the corridor. Improvements included added turn lanes and traffic light replacement at the intersection of Ironwood and Hwy 95, new traffic light at Hwy 95 and Emma, plus a new traffic light at Medina and Ironwood Dr.

The timing for this re-zone request is driven by the VA's current desire to expand their parking lot. As the VA facility continues to experience patient and employee growth, additional parking is needed. We have identified an area at the north end of our adjacent 925 Emma parcel that could accommodate an expansion of the VA's current parking lot.

The Goals and Objectives of Coeur d'Alene's 2007 Comprehensive Plan represent the overall direction envisioned for Coeur d'Alene over the next twenty years. There are four areas of emphasis with one being Economic Environment. The Economic Environment Goal focuses on preserving the city's quality workplaces and encourages economic growth. Healthcare was an industry specifically highlighted and promoted in the Comprehensive Plan:

"Historically our economy was based on the forest products and mining industries with the headquarters of two large mining companies located in Coeur d'Alene (Hecla Mining and Coeur d'Alene Mines). The impacts of these industries on the local economy are being overshadowed by the impacts of resort and tourism businesses, expansion of facilities for higher education, and the growing health care industry. The expansion of these, in turn, supports the construction industry. Coeur d'Alene supports businesses that provide year-round stable jobs with livable wages, including affordable housing, that contribute to the overall economic health of Coeur d'Alene."

We believe re-zoning 925 Emma to accommodate expansion of the VA's parking demands clearly meets our city's Comp Plan's goals of supporting the healthcare industry and resulting year-round stable jobs. In addition, we see the remainder of the 925 Emma property as a future development opportunity compatible with the healthcare corridor.

The Comp Plan also emphasizes support for companies supporting healthcare:

"City government and other agencies should also encourage businesses that are complementary and supportive to health care and education activities while preserving our quality of life."

Parkwood Business Properties has supported our community's healthcare for more than three decades through commercial real estate development, Foundation Board service, and charitable donations.

We appreciate your consideration in re-zoning 925 Emma to allow for the continued growth of our very important healthcare corridor.