

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

MARCH 12, 2024

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

The Planning and Zoning 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, Coppess, McCracken, Ward

PLEDGE:

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

January 8, 2024 – Planning & Zoning Commission Meeting & Findings Workshop

PUBLIC COMMENTS:

STAFF COMMENTS:

COMMISSION COMMENTS:

PUBLIC HEARINGS: ***ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.

1. Applicant: Phil Boyd, P.E., Welch Comer Engineers
Location: Atlas Waterfront 2nd Addition Block 5 Lots 6-12, Block 9 Lots 1-7, Block 11 Lot 13, Block 12 Lot 1, Block 13 Lot 1, Block 15 Lots 1-9, Block 16 Lots 1-8, and all of Atlas Waterfront 3rd Addition
Request: Atlas Waterfront PUD Amendment #4 - Minor amendments to Development Areas 4, 5A, 9, 13, 16, 18, and 19 QUASI-JUDICIAL, (PUD-4-19M.4)

Presented by: Hilary Patterson, Community Planning Director

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

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

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MINUTES



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**PLANNING & ZONING COMMISSION
MINUTES
JANUARY 9, 2024
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

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

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Sean Holm, Senior Planner
Traci Clark, Administrative Assistant
Randy Adams, City Attorney
Chris Bosley, City Engineering

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Commissioner McCracken, seconded by Commissioner Ward, to approve the minutes of the Planning Commission meeting on December 12, 2023. Motion carried.

Motion by Commissioner McCracken, seconded by Commissioner Fleming, to approve the minutes of the Planning Commission's workshop on December 13, 2023. Motion carried.

PUBLIC COMMENTS:

Bill Irving, introduced himself and said he lives in Coeur d'Alene, is a member of the City's ped bike committee and has lived here since 1986. He is here to find out how the commission works, and to encourage a more pedestrian, bicycle friendly community. He wants to further his knowledge of what he can do to become more engaged with the commission. He feels the value of homes would increase if neighborhoods are walkable or bikeable. When people are driving less, we have less congestion. If there are high requirements for parking imposed by the city, it makes it less safe for pedestrians and bicycles. Additionally, parking is very expensive and takes up a lot of space. He would like to help minimize the requirements that the city requires for the people to build and reduce as much parking as possible.

Chairman Messina suggested there are many committees and encouraged that he get involved.

Ms. Patterson replied to Mr. Irving and said she was aware that he already spoke with Senior Planner, Sean Holm, and she would be happy to talk to him as well. She also suggested he contact the City Engineer, Chris Bosley.

Commissioner Luttrupp replied he should talk to Trails Coordinator, Monte McCully, with the Parks and Recreation Department.

STAFF COMMENTS:

Hilary Patterson, Community Planning Director, provided the following comments:

- The Commission will have a short recess after the hearing, and then reconvene with a workshop regarding findings and facts.
- The February 27th Planning Commission Meeting will have one item on the agenda, a PUD (Planned Unit Development) amendment request.
- The Joint Workshop will be January 22, 2024 regarding the Atlas Waterfront project with City Council, Planning & Zoning Commission and Ignite CDA at noon.
- The Impact Fees hearing will be January 16th with City Council. They did approve the code amendments that allow the city to move forward with the Impact Fees changes. On January 16th City Council will adopt the Capital Improvement Plans for the Parks, Transportation Fire and Police and adoption of the Fee Study and adoption of the Fees, if the Council elects.

COMMISSION COMMENTS:

Commissioner Ingalls confirmed the January 22nd workshop will take place at noon in the Community Library room.

Ms. Patterson confirmed that he was correct about the date and time of the joint workshop.

Commissioner Luttrupp asked about the last meeting when he had asked about River’s Edge and staff informed him that the developer has not progressed far enough to present the revision to council. He believes that there is some expectation that the people would like to see progress done in a timely fashion. Is there a requirement to keep the public posted in a way at certain points in time. He would also like the community to understand that there are tradeoffs with a PUD (Planned Unit Development) and compromises on both sides. The City and the property owner reach an agreement. As one has been approved and one has not followed through with the property owner, his questions is do we have an issue on which PUD takes precedence, the first one which he assumes does and secondly if there is a conflict between the 1st PUD and the 2nd, where the 2nd takes control. The confusion would be the items of the 1st PUD are implemented and they want to go back to the 2nd PUD, he feels this could cause a lot of confusion. It would be nice if staff could help clarify that for the commission in the next few months.

Ms. Patterson replied that she will look at this issue.

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

1. Applicant: GS4 Property, LLC
 Location: SE Corner of the intersection of 15th Street and Best Avenue
 Request: A proposed zone change from a NC (Neighborhood Commercial) to C-17 (ZC-1-24)

Mr. Behary, Associate Planner, provided the following statements:

The applicant is requesting approval of a zone change from NC (Neighborhood Commercial) to C-17.

BACKGROUND INFORMATION:

The subject property is vacant and is located on the southeast corner of the intersection of 15th Street and Best Avenue. The subject site is 0.93 acres in area and is relatively flat. The site is adjacent to two duplexes and one single family dwelling that are located in the county to the east. To the south is a multi-family apartment complex that is located within the city limits. There is a gas station on the northwest corner of intersection of 15th Street and Best Avenue that is zoned C-17.

The subject site is currently zoned Neighborhood Commercial (NC) and was annexed into the city in 2011 in item A-1-11. The applicant is now requesting that the C-17 zoning district be applied to the subject site.

The applicant has indicated that if this zone change request is approved, then he intends to build a gas station with a mini mart and a quick serve restaurant on the subject site. However, it should be noted that if the zone change is approved all uses within the C-17 zoning district would be allowed.

The applicant has indicated that they will be incorporating similar aspects as to the existing gas station and store that is located on the northwest corner of the intersection Seltice Way and Atlas Road.

- Low profile signage.
- No LED reader boards.
- Fuel refilling will not be excessive – limiting the number of filling stations.
- Electric car charging potential.
- Fuel canopy lights will be turned off after 11 p.m.

There are four (4) findings that must be met for the re-zoning, Findings #B8-#B11.

1. **Finding #B8: That this proposal (is) (is not) in conformance with the Comprehensive Plan goals, objectives and policies.**

2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is located within the existing city limits.
 - The City's Comprehensive Plan designates the subject property in the Mixed-Use Low place type

2042 Comprehensive Plan Place Types:

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

Place Type: Mixed-Use Low

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

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

- C17 and C17L; NC and CC Zoning Districts.

Community & Identity

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

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

Growth & Development

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

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

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

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

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

- City staff from Engineering, Streets, Water, Fire, Police, Parks and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department had indicated that there are adequate public facilities and public utilities available to serve the proposed zone change request.

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

PHYSICAL CHARACTERISTICS:

The site is general flat and has a slight slope to the east. The site is vacant of buildings and is in a natural state with grass and trees located on it. Site photos are provided on the next few pages showing the existing conditions.

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

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant depicts eight fueling positions (four pumps) in the site plan as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips.

It is unlikely that this use will adversely affect traffic on 15th Street. 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15th Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not

within the functional area of the Best Ave intersection.

NEIGHBORHOOD CHARACTER:

The neighborhood is a mix of commercial and residential uses. A gas station mini-mart is located on the northeast corner of the intersection of 15th Street and Best Avenue. To the south is a multi-family apartment complex along with some duplex housing units. The remaining properties to the north, east, and west have residential uses located on them.

Proposed C-17 Zoning District:

The C-17 district is intended as a broad-spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) unites per gross acre.

This district should be located to arterials; however, joint access developments are encouraged.

The following is a list of some of the principle uses that are permitted in the C-17 District:

- Administrative Offices
- Banks and financial institutions
- Child Care Facility
- Commercial kennel
- Department stores
- Food and beverage stores
- Funeral service
- Group Assembly
- Hospitals/healthcare
- Hotel/motel
- Ministorage facilities
- Mobile food court
- Professional offices
- Retail Gasoline sales
- Specialty retail sales
- Veterinary office

Hours of Operation

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

Development & Design Standards

- A. At least fifty percent (50%) of any first-floor wall facing an arterial street must be glass.
- B. If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.
- C. Surface parking should be located to the rear or to the side of the principal building.
- D. Trash areas must be completely enclosed by a structure constructed of materials similar to the principal building. Dumpsters must have rubber lids.

- E. Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.
- F. Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.
- G. Wall mounted signs are preferred, but monument signs no higher than six feet (6') are allowed. Roof mounted signs and pole signs are not permitted.
- H. Signs shall not be internally lighted, but may be indirectly lighted.

There was a zone change in 1982 from R-12 to C-17 on the opposite corner where there is a Nom Nom gas station.

Decision Point: Zone Change

The Planning Commission is being asked to provide a recommendation to the City Council on whether the proposed zone change from Neighborhood Commercial (NC) to C-17 should be adopted or rejected.

Mr. Behary, concluded his presentation.

Commission Comments:

Commissioner Ingalls stated there is a caution of a proposal of a vision from an applicant, such as a gas station. The applicant will propose all these different design features to soften the fact it will be a gas station. Once the zone takes effect, the applicant can change his mind, or even sell the property and the property could be developed with any allowable use in that zone. He would like to understand, if the Commission puts conditions on the decision such as turning the lights off at 11:00, how does it survive into perpetuity, if the applicant sells the property and now the C-17 does not go away.

Mr. Behary stated the conditional zoning will be on record and the Planning & Zoning along with the building department will know when it comes forward for development that those conditions would be implemented. If the conditions need to be changed or wanted, they would have to come back to the Planning & Zoning Commission to request those changes.

Commissioner Ingalls asked about traffic and how it would be really hard to figure out the amount of traffic generated by this project since much of the traffic would be passing by anyway. Is there a way to quantify how the traffic would impact the neighborhood.

Mr. Behary stated the City Engineer is here to answer any questions about the traffic counts. The owner does have neighborhood commercial rights now, and can build a project right now under the use.

Chairman Messina asked regarding the traffic, will it be in and out on 15th Street and no access on Best Ave.

Mr. Behary stated this would need to be answered by the City Engineer.

Commissioner Luttrupp stated that if the commission approves this zone change, he does not need to build a gas station, he could build anything on the property as long as it meets the C-17.

Mr. Behary states that is correct.

Commissioner Luttrupp asked about what other business are on East 15th St., from the north city limits to Sherman.

Mr. Behary stated there are a few convenience stores down by the middle school.

Commissioner Coppess asked Mr. Behary about the Comprehensive Plan and trying to get a broader picture of what it is intended for this area by 2042. He asked if the plan was developed by the citizens of Coeur d'Alene.

Mr. Behary stated that is correct, there were multiple public hearings and workshops for the citizens.

Commissioner Coppess stated when you look at this neighborhood it lists as potential zoning from NC to C-17 these zones are in this area where the people had envisioned the growth.

Mr. Behary replied, that is correct.

Commissioner Coppess asked was this based on urban sprawl and growth, or based on what was there at the time when the Comprehensive Plan was what the people saw C-17, NC, etc. so these zones are intended to stay.

Mr. Behary replied it is based on multiple factors, but it is based on what is existing there now and also where the growth is going to happen, how much traffic will be a factor, what will support the residential neighborhood down the road, also what kind of mix use and what the vision will be in the future.

Commissioner Coppess stated in the end if the owner of the property who is going to make an educated guess that the people want a certain service. Also, are there conditions that can be made on the C-17 zone if it was granted.

Mr. Behary replied you can have conditions on items, such as the lights be turned off at 11:00 p.m, but not the uses.

Ms. Patterson clarified that yes, the Commission can limit the uses and the hours the business is open and closed as a condition of the zone change request.

Chairman Messina would like Ms. Patterson to clarify that if the zone gets the approval, can the Commission put a condition on this property that since it was presented as a gas station it must stay as a gas station and if the applicant would like something different, he has to come back.

Ms. Patterson stated if the Commission makes a recommendation, it's ultimately up to the City Council to make the final decision on the zoning and if there are conditions placed on the zone change. The Planning & Zoning Commission has the ability to recommend conditions. If there is a change in the future, if there were conditions approved and they wanted to change them, they would have to amend the conditions. This would have to go back to City Council.

Commissioner Ingalls asked Mr. Behary about the applicant's gas station at Seltice and Atlas and if this new gas station that he is proposing might be like the one on Atlas. He wondered if this would be considered a good fit for the neighborhood on Seltice (Circuit at Seltice). He asked if the Atlas gas station was already zoned C-17.

Mr. Behary states that the neighborhood was done through a PUD and is zoned C-17. The residential PUD came first, then the gas station came after.

Commissioner Ingalls stated if he had bought a house in the residential neighborhood, he can't complain now that this development went through because they were both zoned C-17.

Chairman Messina asked Mr. Behary if this property has always been in the city.

Mr. Behary replied it was annexed in 2011, A-1-11 with a NC zone.

Commissioner Ward asked on the east side and south side of Best Avenue if everything is residential. The Site Plan shows two curb cuts off of 15th Street. This would make a very awkward situation for them to be able to access this gas station off of Best Avenue.

Mr. Behary replied that the entrances they are showing on the Site Plan have not been approved. They are just proposed. The City Engineer will review those Site Plans if the project moves forward.

Chairman Messina stated he would like the City Engineer to address the in and out on Best Avenue or 15th Street only based on what is in front of the Commission now.

Chris Bosely, City Engineer, replied that he had spoken with the applicant regarding the access points. They need to be out of the functional area of the intersection so that it would not conflict with left turns on 15th Street or Best Avenue. An approach onto Best Avenue would work and it would be similar to the gas station at Ironwood and Government Way. It would be easier to turn left onto Best and make the left turn to go south onto 15th Street, there would be fewer conflicts than if you turned left out of the gas station onto 15th Street. The applicant has not proposed approaches at this time.

Commissioner Fleming asked about north 15th Street and if the city was going to widen the road.

Mr. Bosely, replied it will not be widened but it will be improved. The project is in design right now. It will go from Harrison Street to Best Avenue. It will be three (3) lanes (including the center turn lane) for the entire length with bike lanes on each side, and a shared use path on the east side from Cherry Hill Park up to Best Avenue. There will be signal improvements as well at this intersection.

Commissioner Coppess stated that the Commission has received a few public comments regarding the property if it was re-zoned stating that it would increase traffic flow and impact safety. The report from the City Engineer Department does not predict additional traffic flow or safety.

Mr. Bosley states there could be some increased traffic flow, but his staff report comment was that the traffic would be pass by trips, meaning they are already heading up 15th Street, generally for residents that need to get gas. He doubts that someone living on the west side of town is going to go out of there way to go to a gas station at this location. This is going to act similar to the gas station on the NW corner, (Nom Nom). It would be more convenient if you are going northbound to hit this gas station, southbound traffic would hit Nom Nom.

Chairman Messina asked Ms. Patterson when it comes to Plan Review, in regards to the Planning Department, does landscaping and setbacks, etc. go through the Planning Department.

Ms. Patterson replied yes, there are performance standards for either of the zoning districts, when the plan comes in, staff from all departments make sure it meets all of the setbacks, landscaping, buffering, parking requirements, bike racks, and access driveway locations.

Public testimony open.

Applicant testimony.

Rex Anderson, Fusion Architecture, applicant's representative/architect, introduced himself and was sworn in. He stated he grew up in Coeur d'Alene and now lives in Spokane. In 2023 Andy Singh proposed this project. It was Andy's intent to bring something in to the neighborhood that was a good neighbor. Mr. Singh has three (3) of these projects already and understands the neighborhood connection. The applicant wants his business to fit into the neighborhood and the zone change to make this successful. Mr. Singh intends to have the lights off after 11:00 p.m. and low-profile signage. He looked at the 2022-2024 comprehensive plan and aligning that document to the proposed building type and gas station and store that would fit the needs that are local for the community. He has quick serve items, open coolers that provide coffee and donuts. He also wants to provide electric car charging

stations to fit the need for electric cars. Along with a building that would have more of a quick serve or retail. He will follow the developmental requirements. The NC zone does align with the Comprehensive Plan but it would also have an impact on the community and what it would be doing with regard to traffic. He feels the best use for this site would be the C-17 because of the Comprehensive Plan designation for this area.

Chairman Messina asked in regards to the market and the quick serve if the quick service is going to be rented out, or is the owner going to be doing that as well.

Mr. Anderson, replied that it has not been decided. In the C-17 zone it would allow a free-standing restaurant or coffee shop use, but it would be again something that would be relevant to the community and serve a need.

Chairman Messina asked is the design going to be similar to the design that is on Atlas.

Mr. Anderson replied that it would not be a knockoff of that design. Mr. Singh wants to create something that looks good and will fit the neighborhood.

Commissioner Fleming stated that the market on Atlas that Mr. Singh owns is great. On the C-17 there are no height restrictions, other than for residential buildings. He needs to look around the neighborhood and make sure he keeps in proportion on height.

Mr. Anderson commented that Mr. Singh would like to offer fresh produce. He wants to fill a need at this location, with more grocery items. In regards to the height limit, this building will be scaled down.

Commissioner McCracken asked about the size comparison.

Mr. Anderson replied the one on Atlas is over 8500 sq, the proposed building will be considerably smaller.

Chairman Messina asked how many fueling stations will there be.

Mr. Anderson that Mr. Singh will answer that question.

Commissioner Coppess asked Mr. Anderson about scaling down from the initial plan. Was it based on the interaction with city staff.

Mr. Anderson replied no, the same model does not fit this neighborhood.

Commissioner Luttrupp asked if the applicant had met with the neighbors.

Mr. Anderson replied, no.

Commissioner Luttrupp stated that was unfortunate.

Andy Singh, applicant, introduced himself and was sworn in. He has lived in Coeur d'Alene for over 25 years, and states there is no grocery store nearby. He feels that this location is a food desert and if you go into Nom Nom, everything is overpriced. His margins are only 15% markup regarding frozen food, grocery, and dairy. He wants to serve the people in this residential area. People have a need and he is willing to work with the neighborhood. If there are any complaints or recommendations that the people will want, he is willing to go the extra mile. He feels this area has nothing to offer with regards of fresh food. There is only one option going to Nom Nom. He states there will be no big signs and he will do things the right way.

Chairman Messina asked how many fuel pumps will there be.

Mr. Singh replied there will be four (4) pumps. He understands that the neighborhood does not want something 24 hours a day so he will be turning off the lights after 11:00. The hours of operation will be open 6:00 a.m.-11:00 p.m. every day. Lights turned off when the business is closed. This is not a high crime area. For the lease space, the Union Coffee has inquired about it. He would like to sell coffee, donuts and pastries. Mr. Singh indicated that he wants to partner with someone local. Not a corporate business like Subway.

Public Testimony.

Jon Thomasset, introduced himself and was sworn in. He is opposed to the zone change. He would have liked to have seen a rendition of what the building would look like. He lives in Best Hill Meadows. He states there are 106 homes in his neighborhood and did not receive a Public Notice. He feels this gas station would impact his neighborhood.

Mr. Adams, City Attorney, clarified that the Public Notices were sent out within 300 feet of this property. Not 300 notices and that staff is following State Law.

Mr. Thomasset stated that he thought 300 notices were sent out and that 300 feet only notifies the homes in front and side, and that is like shooting a water gun and saying those people have been notified. He stated the C-17 would allow an all-encompassing change. He addresses the list of what opens up for the future use, mini storage, mobile food court, etc. Some of these things would not be desirable in the neighborhood. He referred to the 2022-2024 Comprehensive Plan and said it appears when this plan was developed, the powers to be saw fit to have the neighborhood be NC zoning.

Ms. Patterson states the Comprehensive Plan sets the vision not the zoning for the Community.

Mr. Thomasset quoted from the one of the letters that was sent in from Ross Morton, "...if we consider what is the greatest need much needed residential land to help the affordability crises or another gas station/convenience store directly across the Street from the existing gas station is clear to see the former is the most reasonable path forward." He feels that affordable housing is a better use for this space.

Steve Listman, introduced himself and was sworn in. He stated he did not want this property to be annexed into the city. His house backs up to the lot, with no privacy, The apartments that have been built have lights on at night that make his property lit up like a Walmart parking lot. He has chickens. People throw food over the fence for his chickens. He does not want a gas station in his back yard. The apartments already block his sun and this will ruin his sunsets. He has lived at his property for 34 years. He did not vote for the Commission since he lives in the County. He is not against progress and growth. But he would like to see housing instead. This will ruin his lifestyle. Put duplex or three duplexes. His quality of life is going downhill.

Commissioner Luttrupp stated the Commission is not elected. They are appointed by the City Council.

Cathy Moehling introduced herself and was sworn in. She is opposed to the gas station. She is concerned for the need of affordable housing. There is not a need for another gas station, since there is one on the corner already. She feels the public's needs are already being met with Nom Nom. The traffic has increased because of Highway 95 becoming so busy. If there are added more services, this will increase the traffic. She is also concerned about the access into the business. The residents will be trying to move on Best Avenue, there will be more traffic coming out of a business. There is a no extra need of this service in this neighborhood.

Chairman Messina stated to Ms. Moehling if she is concerned about the extra traffic that if the applicant wanted to build a commercial business or housing, there will be more traffic than there is right now.

Ms. Moehling stated that with C-17 you do not have the height restrictions. This is impeding upon the privacy in the neighborhood to have a large structure obscuring their view and sunsets.

Chairman Messina reminded Ms. Moehling that the zone that it is in right now, it can go up to 32 feet of height and that is with the residential above ground with commercial. The potential of having traffic is still going to be the same. Traffic will be on the property no matter what is developed. He also wants to point out that when the Commission makes their recommendation that we put in the findings what the commission sees here in the NC.

Ms. Moehling stated she would prefer a combination of a residential/commercial. She feels if a gas station would go in there would be more foot traffic through the doors, so more traffic in general.

Commissioner Fleming stated by right with the NC zoning there could be commercial and professional office daycare, medical/dental practices, parks, personal services, hairdresser, and residential above ground floor only new construction and retail. By the Special Use, religious institutions, and schools. These all drive traffic.

Ms. Moehling stated, yes anything will drive traffic but what does the community want and need.

Joe Archambault, introduced himself and was sworn in. He lives in Best Hill Meadows Subdivision and is the President of the HOA. He states you can argue about traffic for anything that could possibly go in. He would like it to remain the NC zoning. The gas station will cause more traffic, and Nom Nom is across the street. Yes, the city is going to be improving 15th Street but that is along way down the road. We don't need a gas station at this corner. The constant traffic flow of a gas station would be a problem. The lights are already insufficient at Best and 15th Street.

Bob Newkirk, introduced himself and was sworn in. He lives in Best Hill Meadows. He is opposed to the gas station. There is no need, the neighborhood has Nom Nom. This does not add to the neighbors. This will only add more noise and traffic.

Jim Meyers, introduced himself and was sworn in. He states he walks the neighborhood every day. He watches the traffic going in and out of Nom Nom, fuel tankers, 18 wheelers, and ATVs. He feels this would be multiplied if there was another gas station. Yes, traffic will go up with any new development, if there is only 2 ways to get in and out on 15th Street. Trying to get a fuel tanker to do a U-turn to get back out on 15th Street in this lot will be very difficult. There has been no discussion as to how big the facility will be, which will create a question of how much product can go into the store.

Debbie Smith, introduced herself and was sworn in. She lives in Best Hill Meadows. Her concern is Best Meadows has no outlet. There are over 100 homes, in the event of an emergency with an evacuation there is only one way out and that is on Best Avenue. Any more traffic would hinder this.

Chris Booth, introduced himself and was sworn in. He is opposed to the gas station. He lives on Borah Ave and has lived at the home for 22 years. He chose this area because there was not a lot of commercial buildings it was calm. There is a station on the corner already.

Thayer Hornby, introduced himself and was sworn in. He is opposed to the gas station. He lives in Best Hill Meadows for 25 years. There needs to be more housing not another gas station. If the zoning does change, will there be a limit to what the uses would be. If the zoning where to change this could open up for a variety of things to be put in.

Mark Carlton, introduced himself and was sworn in. He is opposed to the gas station and feels the neighborhood is not in a food desert. We are five minutes from Costco, gas stations, and grocery stores. This development would not add anything for the neighborhood.

Kim Seeley, introduced herself and was sworn in. She states she has a young family. She lives on Randall Avenue. The street is used as a cut through to get back onto Best. Any business would bring more traffic. She does not want all of her family pictures from the front yard to have a gas station in the background. She is fine with residential housing.

Gerrie Schoenhard, introduced herself and was sworn in. She states she has lived in her home for 60 years. It is very peaceful, lots of traffic already, the gas station would make it worse. All the extra lights, and noise. Competition is good but this is more of a residential neighborhood. The neighborhood does not need two gas stations. This was not in the city limits when she first bought the home.

James West, introduced himself and was sworn in. He is opposed to the gas station, and lives in cda, He agrees with everyone, there is only one way in or out on Best Avenue. The food will be the same that Nom Nom offers. He thought he heard some disingenuous from the presentation. Talked about no impact on traffic and then there is going to be a big plan to enhance 15th Street and add traffic lights. There are many concerns about traffic and the type of people that might come to this type of business. There is not enough certainty to change the existing zoning. The neighborhood did not get notified in Best Hill Meadows at all.

Carl Gove, introduced himself and was sworn in. He is opposed to the gas station. He states he was not informed at all about the zone change, the city did not fire very far with the notices.

Chairman Messina states again the city did the proper mailing as per the code. The notice's go out within 300 feet of the subject property.

Ms. Patterson stated, the city also posts the site and publishes in the newspaper.

Mr. Gove states the sign is 2x2. The east side of 15th Street all the way down to Sherman there is a gas station. Further up through our area all the way up to the Middle School at Dalton Avenue. This is completely residential. This will change that now by putting this gas station here. The west side has Nom Nom. He moved from that "place down South" a few years back. He considers himself an Idahoan now. He had acreage and down sized to Best Hill Meadows. There is no outlet which is a great advantage because there is no thru traffic. He is five minutes from everywhere, he can go downtown, freeway, Costco and get gas and groceries. He hopes this will stay residential.

Carol Dewolf, introduced herself and was sworn in. She lives alone in Best Hill Meadows. It's safe and she feels secure in her home. She states there is one way in and out of the development. She is concerned about the potential of having riff raff coming around with a convenience store. She has no problem with Nom Nom. She is concerned for the public safety if a store is put on this corner.

Rob Knudson, introduced himself and was sworn in. He is neutral. He lives in Indian Meadows. He states that Mr. Singh does offer lower prices at his establishment, but he is worried about the encouraged traffic because he does have lower prices.

Applicant rebuttal.

Mr. Singh states this will be a market on this property. He states this will fit into the neighborhood. He wants to have fuel pumps because the money that is made, it helps pay the employees better. His current employees make \$18.00 an hour. He does not have high turnover. He wants to do a good job and satisfy the community's needs. He will listen to any complaints and concerns. He will set up a meeting at a hotel for the neighbors and listen to what they want. He will not run low prices just to get a bunch of people to come to the store. He will be fair and competitive. Will give \$100.00 gift cards to the neighbors that come to the meeting. The Atlas building is over 8500 sq feet, this building will not be this big or tall.

Chairman Messina asked Mr. Singh to clarify his statement about there being a market there no matter what. He asked staff to clarify if the existing NC zone allows retail as convenience sales if he does not have gas.

Ms. Patterson replied regarding the NC and that convenience sales fits under the retail.

Mr. Singh stated it will be a bigger market if he cannot do gas pumps. There needs to be extra income flowing in.

Commissioner Luttrupp states when the applicant has great plans and the residents do not understand those plans, this is where the conflict will come in. Maybe the residents do not fully understand what you want to put on your property and maybe you don't understand the concerns of the residents. Maybe you should meet with them and come to more acceptable conclusion. He states maybe this should be tabled tonight.

Mr. Singh stated he is willing to go door to door to invite more people to come to a neighborhood meeting.

Chairman Messina states the commission tonight will either approved or not approve this zone change.

Commissioner Ingalls stated we are making a recommendation to the City Council tonight.

Ms. Patterson stated the Commission tonight will recommend to adopt or not adopt the zone change. The commission may recommend conditions. The commission can table a hearing, but no one can deliberate, and no ex parte communication. The community cannot speak with the Commission, and the Commission cannot talk to the applicant. The Commission would have to have a specific reason why it would be tabled, such as requiring more evidence. This would happen with a motion. The Commission would then schedule to reconvene for the continuation of the hearing.

Commissioner Fleming states that the applicant does show electric car charging, does this fall under a retail facilitation.

Ms. Patterson replied this would follow under essential service.

Mr. Singh stated that if the zone change is approved, before the City Council meeting, he will hold a town hall meeting on design.

Ms. Patterson stated that if the Commission makes a recommendation either way – recommend adoption or rejection – Mr. Singh is offering to meet with the neighbors before the next hearing with City Council for the final determination on the zone change.

Commissioner Luttrupp stated his opinion there would be some advantage to postpone this or hold over and have the applicant meet with the neighbors to see if there would be some mutual agreement to be reached. He would suggest that only if the applicant is interested in doing this.

Mr. Singh states he does not want to postpone this. He feels like he has followed the Comprehensive Plan. He will still meet with the neighbors and listen to their concerns before the City Council meeting.

Mr. Adams stated the re-zone will not occur until the City Council acts.

Mr. Singh stated he just wants the zone to be the same as Nom Nom. If this is approved, he will go the extra mile, he will meet with the community and listen to what they want in the neighborhood.

Commissioner Luttrupp commented that the Commission passes this one way or another, it will go to the City Council. This based on the motion this evening.

Commissioner Fleming stated the commission tonight will be voting on the C-17 zone change.

Chairman Messina stated that per the discussion of the Commission the evening, if they either say yes, or no to the zone change. If you still want to have meetings with the neighbors after tonight's hearing. It would be after the point because it will go to the City Council after our recommendations. If you would like to tell the City Council what the outcome of the meeting was with the neighbors, that is great.

Mr. Singh replied it is not his intention to make the residents upset because he wants to put in a gas station. He wants to hear their concerns.

Commissioner Ward stated this is P&Z commission, they are not hear to negotiate Mr. Singh's site plan. The Commission will make a motion tonight and this will move forward to the City Council.

Mr. Anderson states he understands the passion and frustration of the neighbors, he wants to make sure they understand that Mr. Singh wants to build his business the right way and listen to the residents. As this relates to the Comprehensive Plan this is an element where Mr. Singh made a proactive approach to align his business for a future use. He can have a building right now with the NC zone over 32 feet tall. He can have a business in the bottom and residents on the top of the building, this would all create more parking and traffic. It is limited with height because of the fire code restriction. Mr. Singh wants do a single-story structure.

Commissioner Coppess asked Mr. Anderson if there was any considerations into the broad nature of the C-17 and all of the business that would fall into the zone for a gas station and food, could he have asked for a different use permit.

Mr. Anderson replied yes, he considered another zone but that would have required a Special Use Permit, which would have been two approvals. The goal was to align with the Comprehensive Plan document and fit along the line of what the City's vision for this lot would be.

Public testimony closed.

Commission Comments:

Commissioner Ward stated it is important that the Commission listens to the home owners. The P&Z Commission looks at the zoning. When you look at 15th Street it does not have any commercial zoning other than NC on the east side. There could be some traffic problems on 15th Street and Best Avenue. Traffic is an issue for anything. It's not just the number of cars, it's the traffic movement and the times of day when they are blocking the street or causing delays to people. Gas stations are an all-day type of event and cause traffic confusion to people. If you read the Comprehensive Plan on the property it talks about a Mixed Use, Low Place Type and should be highly walkable. Putting a gas station on this corner, this will deter from a highly walkable situation. Then NC district is a commercial with a Mixed-Use type of district. It not only does not allow gas stations it specifically prohibits them. He does not know why this was done this way at this location but the zone is in place now. He feels the commercial zoning on this side of a C-17 type commercial zoning is inappropriate to cross 15th Street. Every application that has come through in the past 1 ½ year has been a single family Planned Unit Development.

Chairman Messina states he agrees with Commissioner Ward.

Commissioner McCracken states that within the NC zoning there are plenty of business opportunities and appreciates Mr. Singh's passion for trying to fit with the neighborhood. The gas is the tipping point with the overhead lights and the canopy. The NC one story residential scale building just seems like a better fit. The project that was done at Atlas and Seltice is a great fit in that location, but this neighborhood it just does not fit. If Mr. Singh puts in a nice Market, it will be a good business opportunity that would fit better with the neighborhood as a NC zone. She encourages Mr. Singh to meet with the community and get feed back from them.

Commissioner Ingalls stated that it is not realistic for the residents to have the piece of property will be a vacant lot forever. The NC zoning as is right now can bring in a lot of different business. This will develop some day. He agrees with the other Commissioners that the Comp Plan states this zone has a Mixed Use for walking and ground floor business. His other concern on the Findings A-13 states that the remaining properties to the north, east and west are residential in nature. The neighborhood has changed but it is still residential.

Commissioner Luttrupp agrees with Commissioner Ward and that the properties all around this piece of land are residential. He encourages the people when they are walking and they see a posting on a board to look at it and see what it is about. We are here to recognize the neighborhood and district identities.

Commissioner Fleming commented that Mr. Singh does a great job and is trying his hardest to push a fat foot into a small shoe. This is a neighborhood. The NC fits. A fire could happen in the future that is on the hill right behind this property and the residents will need to get out on Best Ave. if tanker trucks are there dropping the fuel. She feels the impact is too high on what is a predominately residential neighborhood.

Motion by Commissioner Ward, seconded by Commissioner Luttrupp, to recommend that City Council reject the C-17 zone change (ZC-1-24). Motion carried.

ROLL CALL:

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

Motion to approve carried by a 7 to 0 vote.

Workshop:

Randy Adams, City Attorney, introduced the purpose of the workshop and explained that staff has prepared a template for the Findings of Fact and Conclusions of Law that are designed to be in compliance with State Law. The Idaho Supreme Court updated the Findings and Conclusions. The Findings that the Boise City Council had in place was not sufficient. There were some disputed facts and they were sued. Mr. Adams indicated the Commission needs to base their findings on facts so it can be backed up by evidence, not by an opinion. The Commission can base the facts on the staff reports that are in the packets. The people coming forward from the public to speak have to have a fact not an opinion. The Commission can also cross reference the Comprehensive Plan worksheet to help find a fact. Mr. Adams states there is always a conclusion of law because these are the statutes or the ordinance to approve or deny. There are five pages of goals and objectives in the Comprehensive Plan. This will be an attachment in the staff report. The Commission will have to go through these items and find which items determine the Commission's decision. The Commission needs to take lots of notes during the hearing, listen to the presentation and the public comments, and have lots of discussion at the end of the public testimony to fill in the blanks on the Findings worksheet.

The commission members had a few questions about how to determine a fact from an opinion. Mr. Adams clarified the difference.

The Planning and Zoning Commission will follow the Comprehensive Plan worksheet to help them add more facts to the Findings worksheet. The Commission would like the Findings worksheet to be put on the screen as a slide so the public can follow along and see what the Commissioners are reading from and why. The Commission understands this is a work in progress and will read the staff report and Comprehensive Plan for the next public hearing and speak on facts and not opinions. The Commission understands why they are deliberating and if there are any additional conditions, they will make the motion and then state the conditions if there are any before roll call. The Commission wants to educate the public and the applicant on how they came to their decision, based on facts not their opinions.


ADJOURNMENT:

Motion by Commissioner Ingalls, seconded by Commissioner Fleming to adjourn. Motion carried.


The meeting was adjourned at 9:15 p.m.

Prepared by Traci Clark, Administrative Assistant

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STAFF REPORT



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PLANNING AND ZONING COMMISSION

STAFF REPORT

FROM: HILARY PATTERSON, COMMUNITY PLANNING DIRECTOR

HEARING DATE: MARCH 12, 2024

SUBJECT: ATLAS WATERFRONT PUD AMENDMENT #4 (PUD-4-19m.4)

LOCATION: ATLAS WATERFRONT 2ND ADDITION BLOCK 5 LOTS 6-12, BLOCK 9 LOTS 1-7, BLOCK 11 LOT 13, BLOCK 12 LOT 1, BLOCK 13 LOT 1, BLOCK 15 LOTS 1-9, BLOCK 16 LOTS 1-8, AND ALL OF ATLAS WATERFRONT 3RD ADDITION

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

APPLICANT / PROJECT ENGINEER:
Phil Boyd, P.E., Welch Comer Engineers
330 E. Lakeside Avenue
Coeur d'Alene, ID 83814

DECISION POINT:

Should the Planning and Zoning Commission approve an amendment to the Atlas Waterfront Planned Unit Development to include minor changes in Development Areas 4, 5A, 9, 13, 16, 18, and 19?

READER'S NOTE:

This staff report is largely unchanged from the versions that the Planning and Zoning Commission has seen with the initial request and subsequent amendments. Changes to the staff report format include, but are not limited to: updates to the numbering of the Findings to match the new format of the Findings of Fact and Order worksheet; the Comprehensive Plan finding (B1) now references the 2022-2042 Comprehensive Plan; and a list of facts has been provided below that aligns with the information contained in the Findings of Fact and Order worksheet for the Planning and Zoning Commission's consideration. It is noted below where there are changes or no changes to the information and/or analysis. See highlighted text.

PUD AMENDMENT OVERVIEW:

PUD Amendment #4

The PUD Amendment #4 for the Atlas Waterfront project would revise the final Development Standards for the project to incorporate minor changes to address development conditions for the property and to make the setbacks more consistent throughout the project, and to address market conditions for developers that are already under contract to develop within the project (Areas 18, 19, 13, and 4), to allow for a decreased minimum building height for the commercial/retail use in Area 4, and to modify Area 5A to allow for a hotel use and slightly reduced setbacks and parking requirements to create a more urban and walkable development on that corner.

This information is also found in table form, supplemental exhibits, and amended pages of the Development Standards in Attachment 1.

Area 4:

- Decrease side and rear setbacks from, 8' to 6' minimum.
- Decrease minimum building height from 20' to 17' for commercial/retail use.

Justification:

- To facilitate market preferred unit size for potential coffee shop or small bistro restaurant use.
- Developer desires to facilitate the high ceiling commercial/retail feel without block views from the townhome units to the north of the commercial lot.

Area 5A:

- Reduce residential parking requirement to match downtown north infill overlay district.
- Add hotel as an allowed use and building type.

Justification:

- Developer has demonstrated parking utilization rates below the downtown north infill rates in the product on Areas 10 and 12.
- Site conditions and surrounding amenities (including proximity to multiuse paths and transit) reduce reliance on personal automotive transportation for potential residents.
- Reduction of this barrier would allow the market to drive the parking count on this one corner of the project.
- Developers in previous RFPs have expressed a desire to have a hotel use on this property.

Areas 9 & 16:

- Reduce building side setbacks from 6' to 5'.

Justification:

- 5' setbacks are allowed in Areas 14 and 15 and the product types will be identical. City standards also allow for a 5' setback.

Area 13:

- Remove requirement for mixed-use buildings and allow for horizontal mixed-use.
- Add multi-family residential as an allowable use.
- Remove rooftop pool specificity for additional height option.
- Remove funding requirement for public realm parking spaces.

Justification:

- Developer has proposed an 8,000 square foot standalone food and beverage/retail use, far exceeding the minimum.
- The remaining 2/3 of building will be multi-family residential to simplify the construction and financial burden.
- Height increases are tied to "public good" to be negotiated between developer and ignite CDA, and "public good" has already been determined with input from City Council.
- Public realm parking spaces have already been constructed.

Areas 18 & 19:

- Reduce building side setbacks from 6' to 5'.
- Add rear-loaded twin homes to the allowed building types.
- Modify alley-related language to allow the alley in a tract/easement, and realign alley to run east-west.
- Specify in the Development Standards that individual driveways on Seltice Way are not allowed.

Justification:

- The builders proposed alley-loaded shared-wall twin homes with individually subdivided lots. Twin homes were not expressly allowed.
- The alley design meets city standards and helps accommodate smaller lots, and meets the Engineering Department's requirements.
- The reduced setbacks are consistent with other development areas in the project.

Note: *The new total unit count anticipated is up to 596 residential units (9 units/acre), which is reflected in this PUD Amendment #4. This is well below the number of units that the project could have supported under the C-17 zoning district at 17 units per acre, which would have allowed as many as 1,113 units. Both ignite cda and the City representative believe these PUD amendments will provide for a more desirable neighborhood, while meeting the original PUD goals. See Residential Dwelling Units Map below.*

HISTORY:

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

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

BACKGROUND INFORMATION:

The subject site is located to the west of Riverstone and south of Seltice Way, flanking the north bank of the Spokane River with the River's Edge development bordering the property to the west. The subject property associated with PUD Amendment #4 is more formally described as Block 5 Lots 6-12, Block 9 Lots 1-7, Block 11 Lot 13, Block 12 Lot 1, Block 13 Lot 1, Block 15 Lots 1-9, Block 16 Lots 1-8 of the Atlas Waterfront 2nd Addition, recorded in book L of plats, pages 708-708K, records of Kootenai County, Idaho; and Plat of Atlas Waterfront Third Addition recorded in book L of plats, pages 867-867B, records of Kootenai County, Idaho. **UPDATED**

The approximately 64-acre site is actively under construction in phases 1 and 2. The former railroad right-of-way that runs through the property was acquired by and annexed into the City in 2015 to provide opportunities for parkland, a trail, and public access through to the waterfront. The project will be developed under the C-17 (Commercial at 17 units/acre) zoning district with the "Atlas Waterfront Neighborhood Development Standards" in place for the development of residential uses including single-family dwellings, townhomes, commercial, and multi-family units. The Atlas Waterfront project will be primarily residential with opportunities for office/retail on the western edge and near Seltice Way. In addition, two "commercial only" nodes are located adjacent to the waterfront park as both locations are desirable restaurant locations.

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

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

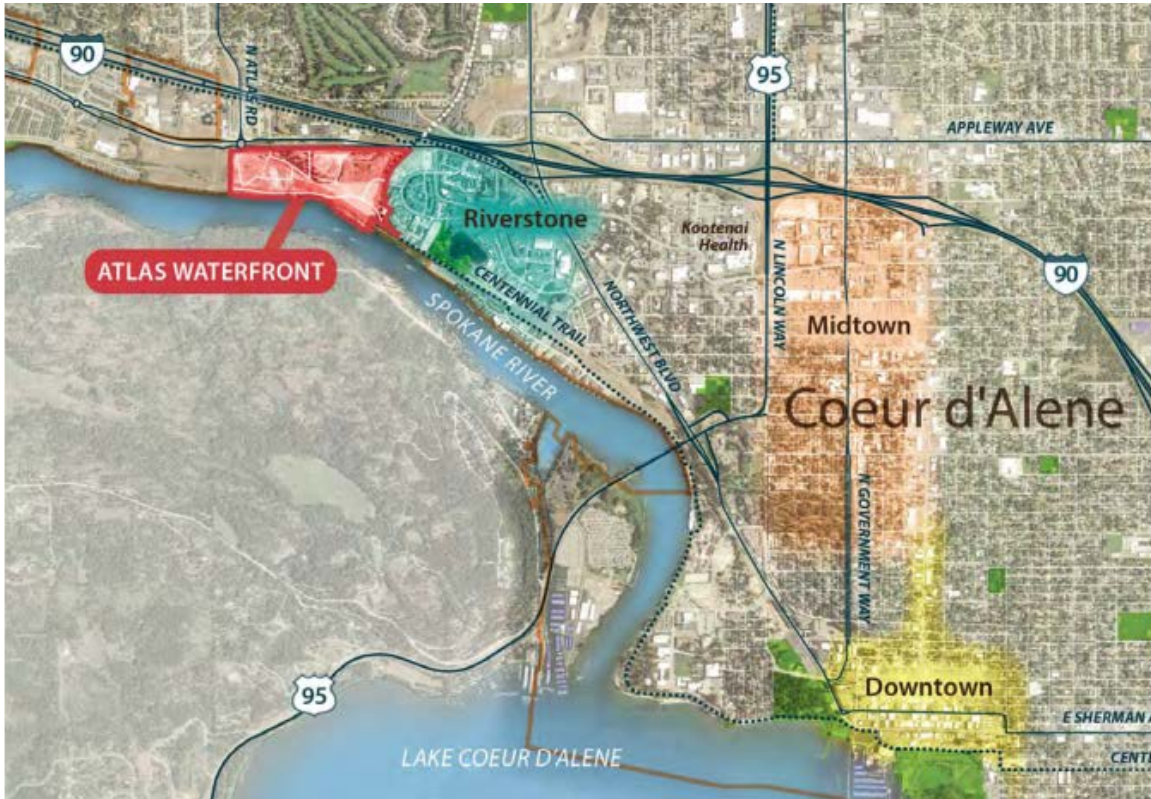
The development currently has dedicated the entire waterfront to the public including a 12-acre waterfront park. The waterfront park provides a grassy open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The project also includes upland open spaces to provide pedestrian circulation routes in addition to sidewalks.

The project will be developed in phases. The property is being sold by ignite CDA, the urban renewal district, through a request for proposal (RFP) process, in partnership with the City of Coeur d’Alene. The intent of the City and ignite is to transfer areas of land for development in phases over the next couple of years as site development efforts progress. Development is occurring within Areas 1, 2, 3, 4, 5B, 6, 8, 14 and 15. Development is complete in Areas 10 and 12, with the exception of tenant improvement work for the Doma coffee shop and cafe. Areas 13 has been purchased but no development activity has commenced. Development Disposition Agreements (DDAs) have been signed for 9, 16, 17, 18 and 19 and the land sale is scheduled for April 2024. Areas 5A, 7, 11 and 20 are part of phase 3 of the project. *See Project Status Map on page 8, which shows the current status of each development area and the associated developers.* **UPDATED**

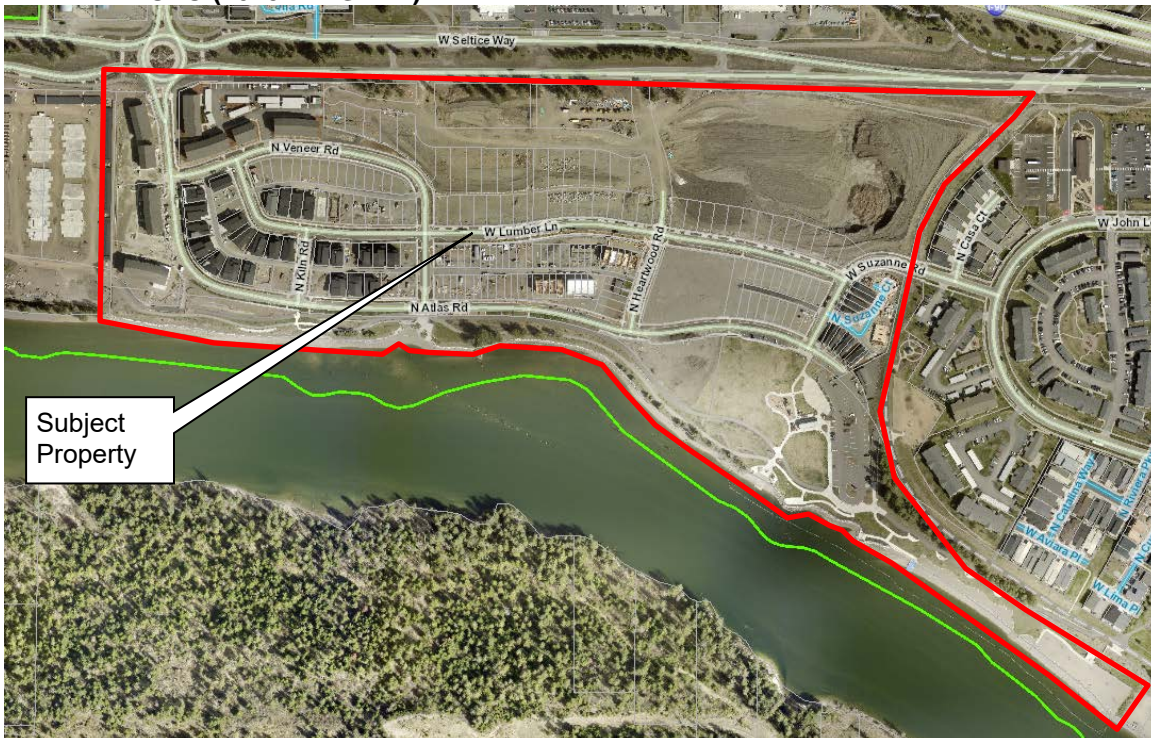
The Planning Commission approved the PUD and Preliminary Plat in November 2019 and approved the first PUD amendment and an interpretation in May 2020. It also approved an amendment to the PUD and preliminary plat in February 2021.

Ignite cda contracted with T. LaRiviere for the Waterfront Park and shoreline stabilization, which is now complete and open to public use. Many of the infrastructure improvements for phase one are complete and the first phase of residential and mixed-used development began in 2021. Development of Phase 1 infrastructure and the park improvements were largely completed by the end of December 2020.

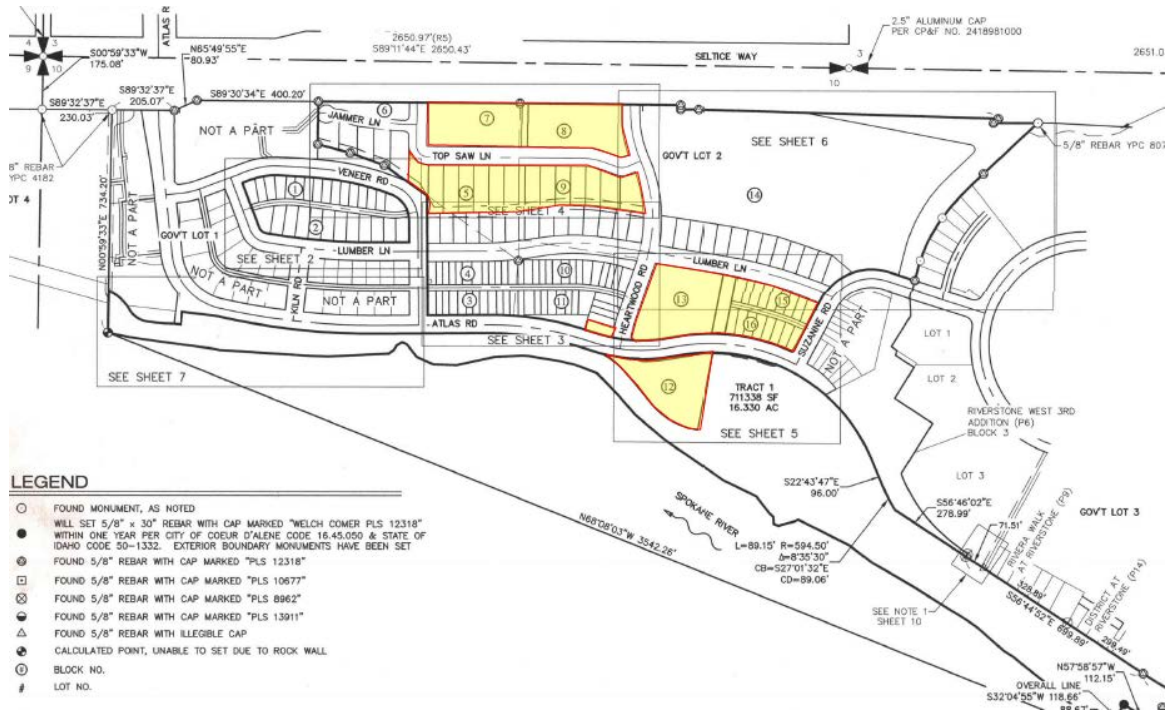
LOCATION MAP:



AERIAL PHOTO (2023 IMAGERY):



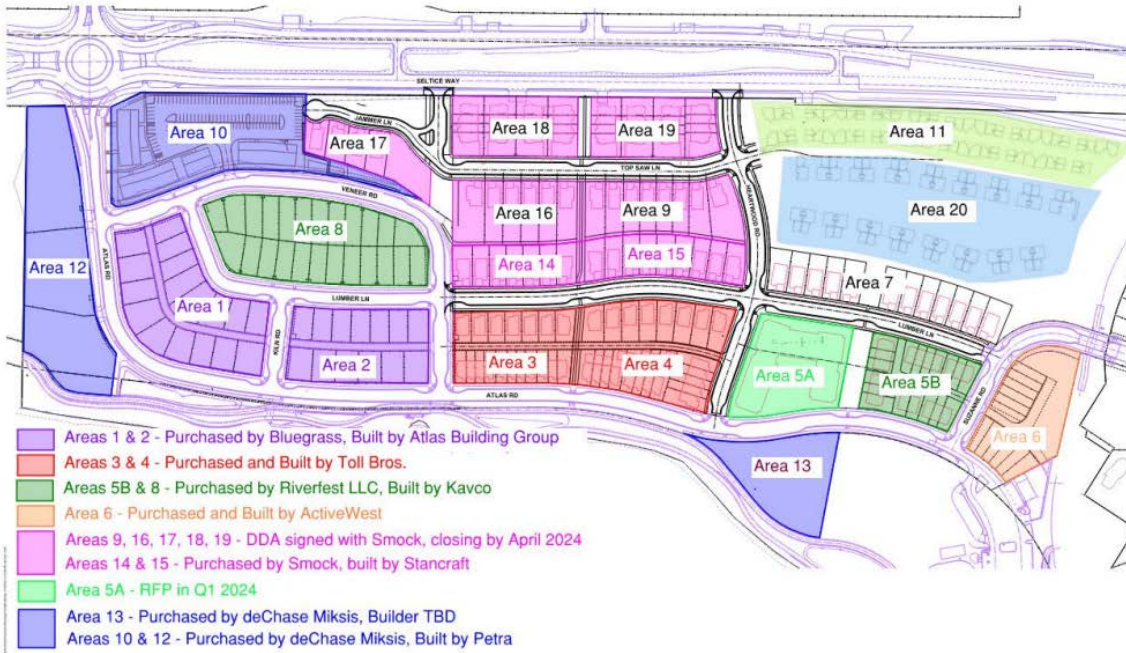
PUD AMENDMENT EXHIBIT: NEW



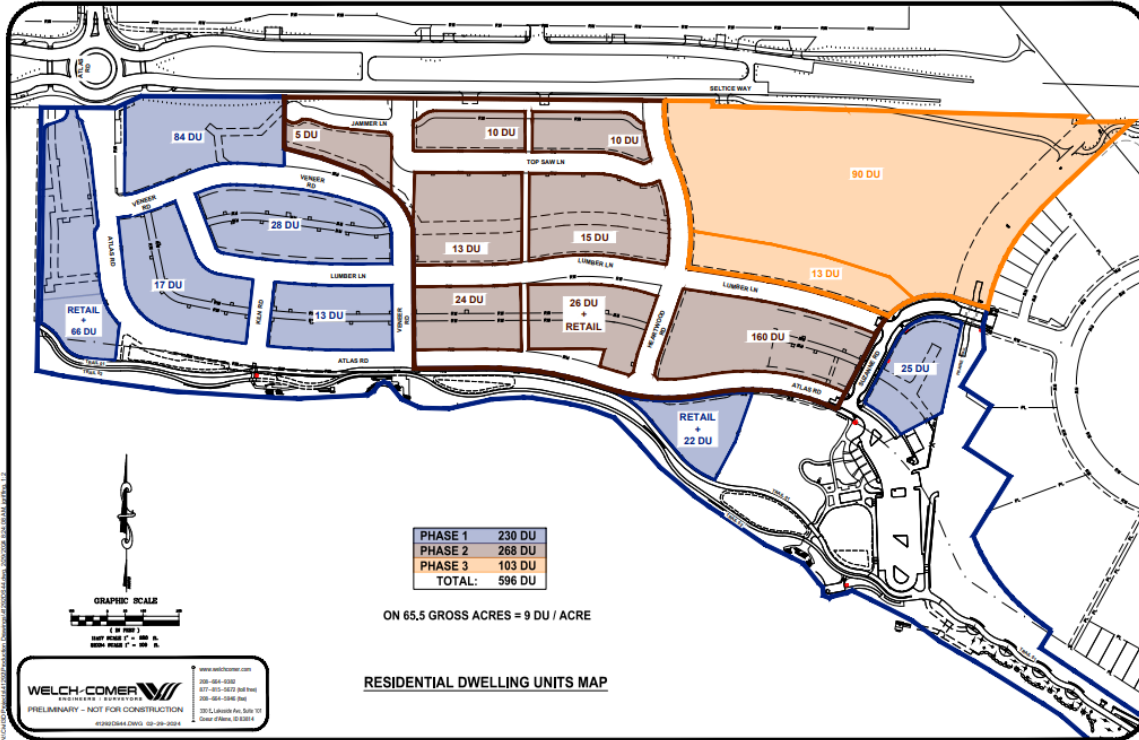
ATLAS MILL SITE ILLUSTRATIVE PLAN:



PROJECT STATUS MAP: NEW



DWELLING UNIT COUNT & RETAIL AREAS



DEVELOPMENT AREAS KEY PLAN: NEW

Note: The only development areas affected by this PUD amendment are shown in blue below.



PLANNED UNIT DEVELOPMENT AMENDMENT REQUESTS:

As noted above, the requested PUD Amendment #4 for the Atlas Waterfront project would revise the final Development Standards for the project seven development areas to respond to market conditions.

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

SUMMARY OF FACTS: NEW

The following facts align with the facts listed in the draft Findings and Order worksheet for the Planning and Zoning Commission’s consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

- A1.** All public hearing notice requirements have been met for item PUD-4-19m.4.
 - Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on February 24, 2024, seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on March 4, 2024, eight days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Seventy-three (73) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on February 27, 2024.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing

services within the planning jurisdiction, including school districts on February 27, 2024. Due to a challenge the City was experiencing with a malware security issue, the notices were accidentally sent out only fourteen (14) days prior to the hearing. However, the political subdivisions have provided a written waiver of the 15-day notice requirement.

- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on February 27, 2024.
- A2.** The total Atlas Waterfront project site is approximately 64 acres and the subject property is zoned C-17 PUD.
 - A3.** The property that is the subject of this PUD amendment (Development Areas 4 - commercial site, 5A, 9, 13, 16, 18, and 19) is currently vacant. The project is being developed as a neighborhood with a mix of housing types, commercial nodes and open space.
 - A4.** The Comprehensive Plan Future Land Use Map designation is the Planned Development Place Type. Planned Development Place Types are locations that have completed the planned unit development application process. As part of the process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scaled Planned Developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the PUD evaluation process. The requested PUD amendment is consistent with the Comprehensive Plan Planned Development Place Type and the project has been approved and amended previously through the City's PUD process.
 - A5.** The Comprehensive Plan goals and objectives do support this PUD amendment request.
 - A6.** The Atlas Waterfront property is bound by the Spokane River to the south, Seltice Way to the north, Riverstone to the east, and the River's Edge apartments to the west. Surrounding land uses include multi-family, single-family, open space, recreation, and commercial, as well as the Transit Center. The project amendments to the PUD would be compatible with surrounding uses on adjacent properties.
 - A7.** The natural features of the site and adjoining properties would not be negatively impacted by the requested PUD amendment.
 - A8.** The requested modifications to Development Areas 4, 5A, 9, 13, 16, 18, and 19 would not impact the City's ability to serve the project with facilities and services. All departments have indicated the ability to serve the project and no additional conditions have been added with this amendment.
 - A9.** The PUD amendment #4 would slightly reduce the total open space area, but the total percentage of open space within the project would be 25%, which exceeds the required 10% open space requirement.
 - A10.** The project would provide parking sufficient for users of the development. The parking reduction for Area 5A is based on adopted parking standards for the Downtown North (DO-N) Infill Zoning, which is comparable to the development pattern and desired urban form within the project. The Commission will need to find if the requested DO-N parking standards for residential, the Midtown Overlay (MO) parking standards for residential, or existing residential parking standards) for 5A would meet this finding.
 - A11.** The Atlas Waterfront Master Association would be responsible for providing perpetual maintenance of all common property.

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):

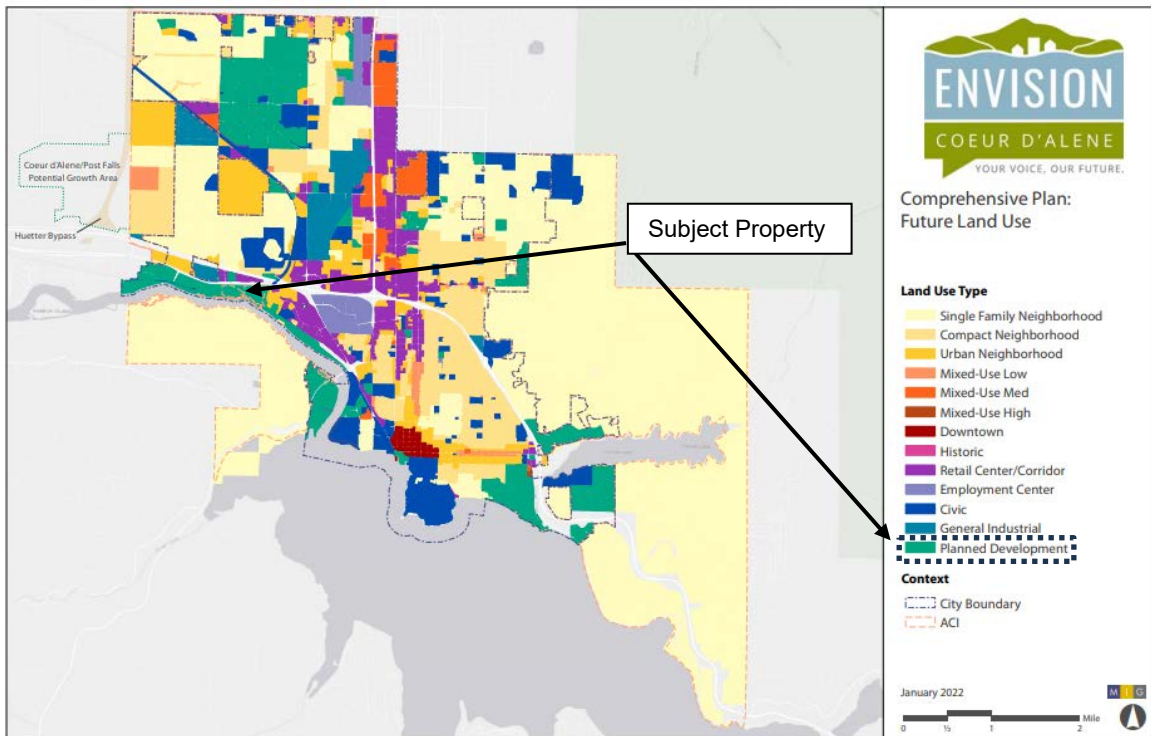
Finding B1: This proposal (is) (is not) in conformance with the Comprehensive Plan goals, objectives and Future Land Use Map Place Type.

Use the following information as well as the attached Comprehensive Plan goals and objectives to make findings **A4** and **A5**.

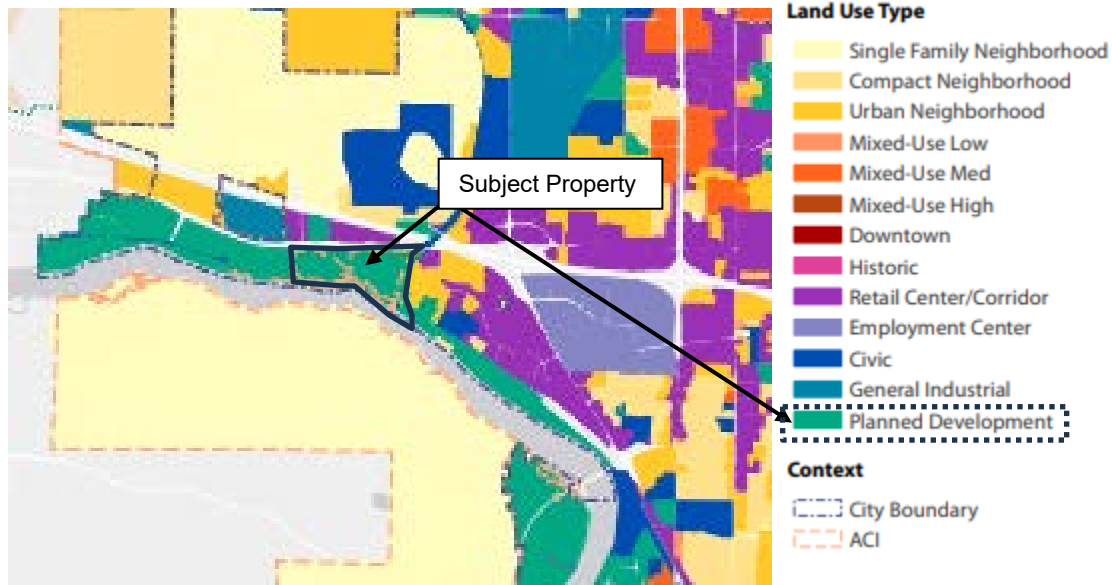
2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:

- The subject property is within the existing city limits.
- The Future Land Use Map designates this area as Planned Development.

Future Land Use Map (City Context)



Future Land Use Map (Neighborhood Context):



Place Types

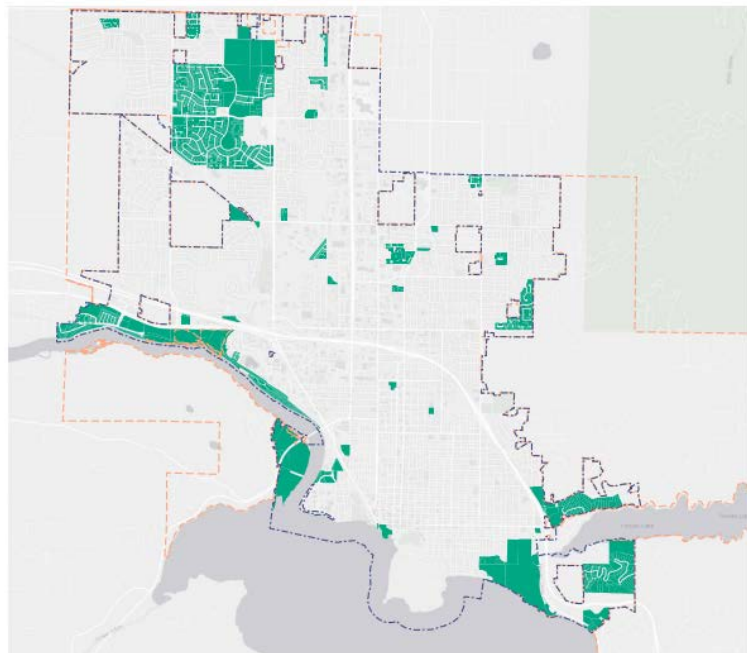
The Place Types in this plan represent the form of future development, as envisioned by the residents of Coeur d’Alene. These Place Types will in turn provide the policy level guidance that will inform the City’s Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses. See Page 55 for summaries of each Place Type and development assumptions.

Planned Development Place Type

Planned Development

Planned Development places are locations that have completed the planned unit development application process. As part of that process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scale Planned developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the City of Coeur d’Alene’s PUD evaluation process.

Compatible Zoning: Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).



Planned Unit Development Neighborhood Map & Key Characteristics



Planned Development



Key Characteristics

Planned Development places are locations that have completed the planned unit development application process. As part of that process the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Planned development also often has a determined phasing and development plan and can include land uses such as housing, recreation, commercial centers, and industrial parks, all within one contained development or subdivision. Building design and scale, and transportation, public space and other elements are determined by the City of Coeur d'Alene's PUD evaluation process.

Transportation

- Dependent on PUD approvals it large lots. Access should include pedestrian and bicycle facilities

Typical Uses

- Primary: Dependant on PUD approval agreements
- Secondary: Not applicable

Building Types

- Varies by PUD

Compatible Zoning

- Not applicable. Planned Development may occur within any Place Type (1.5 acre minimum).

Transportation Exhibits

Existing and Planned Bicycle Network



Existing and Planned Walking Network



Existing Transit Network



Comprehensive Plan Policy Framework:

The following is staff's assessment of applicable goals and objectives. For a complete list of possible goals and objectives, see **Attachment 2**.

Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

OBJECTIVE CI 2.1

Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Goal ER 1

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

OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

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

OBJECTIVE ER 2.3

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

Goal GD 1

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

OBJECTIVE GD 1.1

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

OBJECTIVE GD 1.3

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

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.

Goal GD 2

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

OBJECTIVE GD 2.1

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

Goal GD 3

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

OBJECTIVE GD 3.1

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

Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene

Goal JE 1

Retain, grow, and attract businesses

OBJECTIVE JE 1.2

Foster a pro-business culture that supports economic growth.

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, whether the Comprehensive Plan goals, objectives and Future Land Use Map Place Type do or do not support the request. Specific ways in which the goals, objectives and Place Type is or is not supported by this request should be stated in the finding.*

Finding B2: **The design and planning of the site (is) (is not) compatible with the location, setting, and existing uses on adjacent properties.**

Use the following information as well as testimony from the hearing to make finding **A6**.

To the South:

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

To the North:

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

To the East:

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

To the West:

To the west of the subject site is the 22-acre site owned by Lanzce Douglass which is under construction. The project was approved for 384 apartments, a mini-storage facility and 28 single-family residential lots and two open space tracts to be known as "Rivers Edge". Mr. Douglass has made a request to the Planning and Zoning Commission to zone change a portion of his property from R-12 to R-17, increase the density of the property from R-17 to R-34, and enter into a development agreement that would allow him to replace the single-family lots and mini-storage facility with additional apartments, with the public benefit of relocating the trail to the waterfront and dedicating 5% of the new 296 apartments for residents with 100% area median income for five years. The request has not been before the City Council yet for a final decision. It is expected to be scheduled for a hearing with the City Council in April or May 2024.

Further to the west beyond the Rivers Edge project are single family dwellings and a commercial office space that is used as a call center. The properties to the west that have single family dwellings on them are zoned R-8PUD. The commercial call center property is zoned C-17LPUD.

SITE PHOTO 1 – Atlas Waterfront Park:



SITE PHOTO 2 – Public Access to the Spokane River:



SITE PHOTO 3 – Atlas Waterfront Dog Park:



SITE PHOTO 4 – Atlas Waterfront Public Beach and Park Looking Upriver:



SITE PHOTO 5: Development Areas 1, 2, 8, 10 and 12 Looking North



SITE PHOTO 6: Townhouse Construction on Development Areas 3 and 4, and Vacant Areas 5A and 13



SITE PHOTO 7: Looking northeast at Development Areas 5B, 6, 7 and 20, and Riverstone



Evaluation: *The Planning and Zoning 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 B4: **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.**

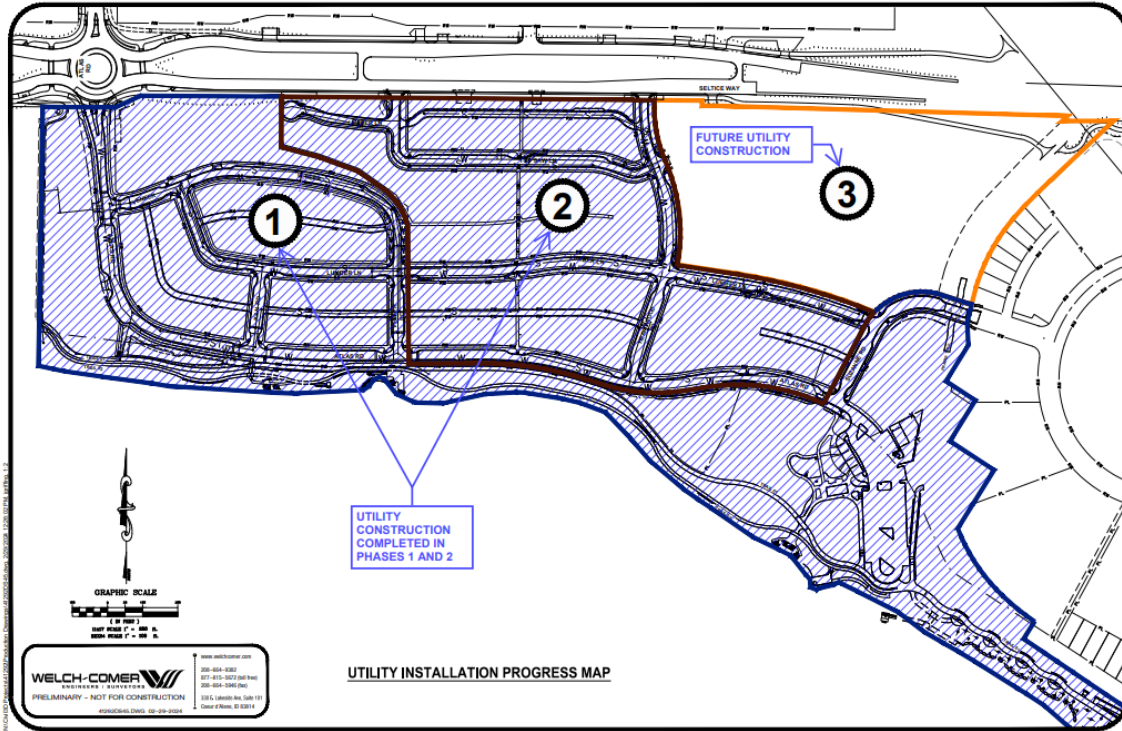
Use the following information as well as well as testimony from the hearing to make finding **A8**.

Utility Information: **UPDATED**

Prior to construction within the PUD, utilities did not exist at the site. There have been two phases of infrastructure completed to date (the Waterfront Park and Phase 1) with Phase 2 approaching completion in summer 2024. Installed utility infrastructure includes public water, sewer, and stormwater, and private utilities such as gas, power, phone, and fiber in some areas. Future phases of infrastructure construction will provide for public and private utilities to the remaining areas of the PUD.

The map attached shows the areas where utilities have been installed and future phases.

UTILITY MAP: UPDATED



Street and parking lot stormwater will be collected by a piped collection system and conveyed to stormwater treatment facilities. This will consist of combinations of roadside treatment (roadside swales, rain gardens, underground storage/treatment facilities) or centralized swales located in the waterfront parks space or other specified areas designated for stormwater treatment. Power, gas, telecom, fiber optic will be buried.

STORMWATER: NO CHANGES

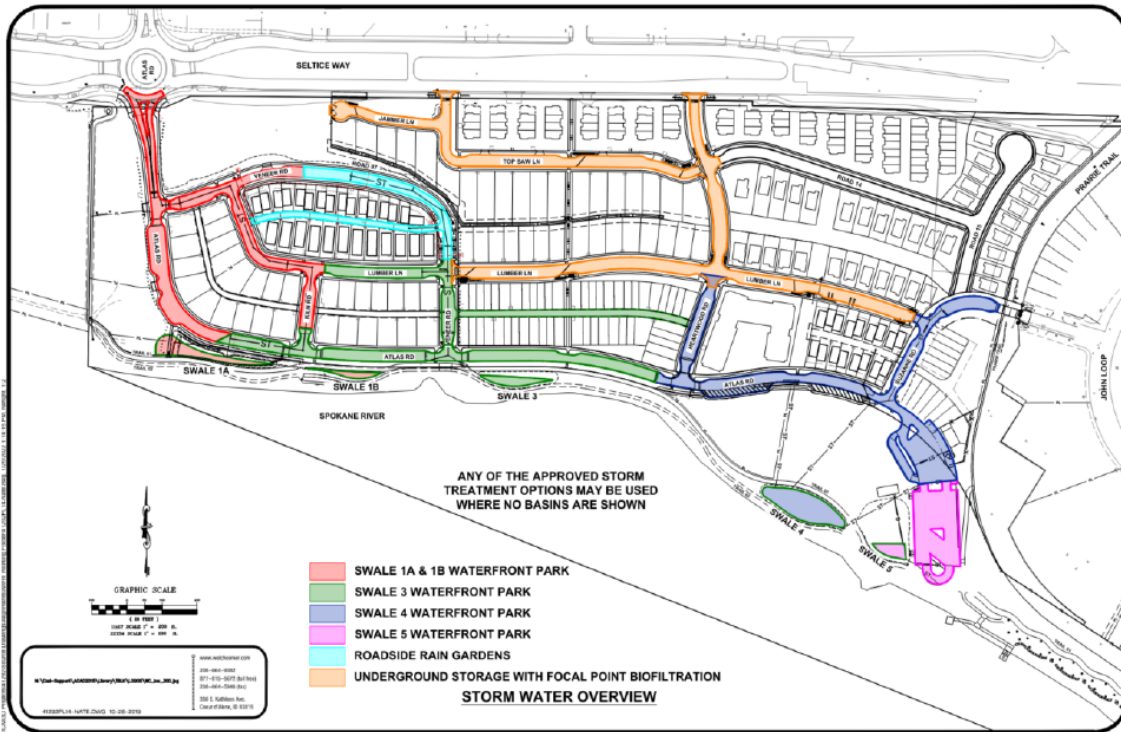
The proposed PUD amendment has been reviewed by the Streets and Engineering Department. We have no comments or objections to the proposed amendment.

-Submitted by Chris Bosley, City Engineer

See stormwater overview map on the next page.

STORMWATER OVERVIEW MAP:

(Shows locations of various stormwater treatment, storage, and conveyance amendments in multiple areas.)



STREETS: NO CHANGES

The proposed PUD amendment has been reviewed by the Streets and Engineering Department. We have no comments or objections to the proposed amendment.

-Submitted by Chris Bosley, City Engineer

TRAFFIC: NO CHANGES

The proposed PUD amendment has been reviewed by the Streets and Engineering Department. We have no comments or objections to the proposed amendment.

PREVIOUS COMMENT:

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

-Submitted by Chris Bosley, City Engineer

WATER: NO CHANGES

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

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

WASTEWATER: NO CHANGES

Welch Comer has provided an updated Sewer Basin Letter summarizing the changes in density of the project and how wastewater will be handled, including an updated Sewer Basin Map. The initial density was based on max densities outlined in the PUD and the original layout allowed for up to 630 dwelling units. The actual number of units is less than planned. Welch Comer is now estimating the total number of Equivalent Residential Units (ERU's) 544. This includes a reduction of density in some areas, the addition of new areas, and increased density in other areas.

Wastewater had the following comments and/or requests for information on the PUD Amendment #3:

Areas 11 and 20:

- a. These areas along with parcels along Top Saw and Jammer Lanes will be required to be serviced using gravity sewer. Manhole RIV1-28G appears to be a viable route. Pumped sewerage is not in the best interest of the City due to the increase in cost of maintenance and treatment.

All previous comments are still applicable.

-Submitted by Mike Anderson, Wastewater Department Director

PREVIOUS COMMENTS:

1. Sewer Policy #719 requires an "All-Weather" surface permitting unobstructed O&M access to the public sewer.
2. City Resolution 14-025 requires all EDUs discharging wastewater within the Mill River Lift Station Sewer Service Area to pay into the capacity system upgrades to the Mill River Lift Station.
3. Sewer Policy #716 requires all legally recognized parcels within the City to individually connect and discharge into (1) public sewer connection.
4. Idaho Code §39-118 requires IDEQ or QLPE to review and approve public infrastructure plans for construction.
5. As stated in the March 2, 2020 Atlas Proposed PUD Amendment No. 1, the Wastewater Department concurs that the Riverside Pump Station has the potential capacity to serve up to 390 Atlas Dwelling Units (DU's). However, per Welch Comer's August 27, 2020 Riverside Pump Station Capacity Report, the build-out sewer flows from the aforementioned 390 Atlas DU's when combined with the Bellerive Development flows will exceed the City's mandatory standby storage response time. In the event the Riverside Pump Station experiences a power outage, an emergency standby generator with automatic transfer switch and related operational controls will be necessary operate the pump station during power outages until the City crews arrive. As stated in the report, installation of this equipment should be contingent upon the Atlas PUD Amendment # 2. A new study will be needed if 390 DU's is exceeded.

6. Presently, the current pumps have reached their useful life and the Wastewater Department has replaced the pumps. The new pumps, rated at 345 gallons per minute (gpm) plus or minus, will pump into the existing 4" force main at nearly 7.4 feet per second (fps). Due to the abrasive nature of sewer, higher velocities tend to shorten the life of the force mains. Typically, design velocities range 4 to 5 fps.
7. The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2013 Sewer Master Plan and the aforementioned evaluation; the City's Wastewater Utility presently has the wastewater system capacity, willingness and intent to serve this PUD Amendment No. 2 as proposed. Any further increase in density may require additional hydraulic modeling the sewer flows acceptable to the Wastewater Utility and upsizing of public sewer.

-Submitted by Larry Parsons, Utility Project Manager

FIRE: NO CHANGES

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

Fire department access to the site (road widths, surfacing, maximum grade, turning radiuses, no parking-fire lanes, snow storage and gate access), in addition to fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit process, utilizing the currently adopted International Fire Code (IFC) for compliance.

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

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

POLICE: NO CHANGES

PD does not have any issues with the development.

-Submitted by Lee White, Police Chief

PARKS: NO CHANGES

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

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

-Submitted by Monte McCully, Trails Coordinator

Evaluation: *The Planning and Zoning 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.*

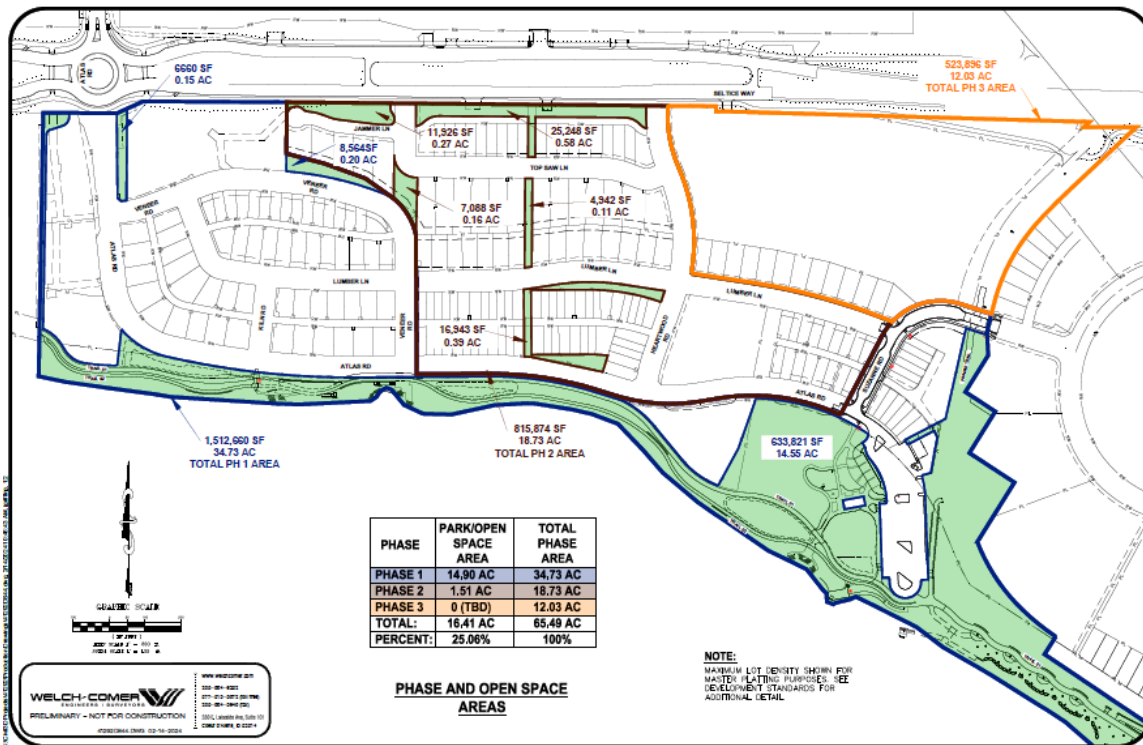
Finding B5:

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.

Use the following information as well as well as testimony from the hearing to make finding **A9**.

PUD Amendment #4 slightly reduces the open space within the project. This amendment would result in 16.41 total acres of open spaces, which equates to 25%. This includes 14.55 acres of open space along the waterfront to include a waterfront park, pathways, trails and 1.86 acres of upland open spaces to provide pocket parks, pedestrian circulation routes as part of the hill climbs and other green areas. The waterfront park provides a grass open play area, playground, picnic shelter, food truck parking, separate pedestrian and bicycle waterfront trails, a water dog park, ADA accessible swim area and kayak launch and several other water access points. The upland areas would account for the remaining open space as shown in the exhibit below. **UPDATED**

OPEN SPACE EXHIBIT **UPDATED**



Evaluation:

The Planning and Zoning 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 B6: Off-street parking (does) (does not) provide parking sufficient for users of the development.

Use the following information as well as well as testimony from the hearing to make finding **A10**.

The approved Atlas Waterfront PUD is consistent with the City Code parking requirements for land uses in the project with some flexibility with parking requirements for food/beverage uses by allowing up to 50% of the required parking for food and beverage sales (on-site consumption) over 1,000 square feet to be provided in the public realm. PUD Amendment #2 allowed for a few additional deviations for commercial/retail parking requirements within Areas 12 and 13, and residential condominium parking in Area 13. It allowed for up to 15% of the on-street parking fronting Area 12 to count towards satisfying the commercial/retail parking requirements. It also allowed up to seven on-street parking spaces fronting the parcel to count towards satisfying the Area 13 commercial/retail parking requirement if the Area 13 owner funds construction of 12-14 diagonal parking spaces fronting Atlas Waterfront Park, and allows for tandem parking within a building for residential condominium units. The other parking requirements would remain unchanged. Those approved changes to parking for Areas 12 and 13 would make the desired commercial/retail uses required by the project be more viable and encourage parking for residential condominium uses in Area 13 to be within the building or below grade rather than taking up valuable surface property. The approved PUD Amendment #2 also adjusted the road right-of-way to accommodate additional on-street parking and parking along the frontage for Area 13. PUD Amendment #3 did not change off-street parking.

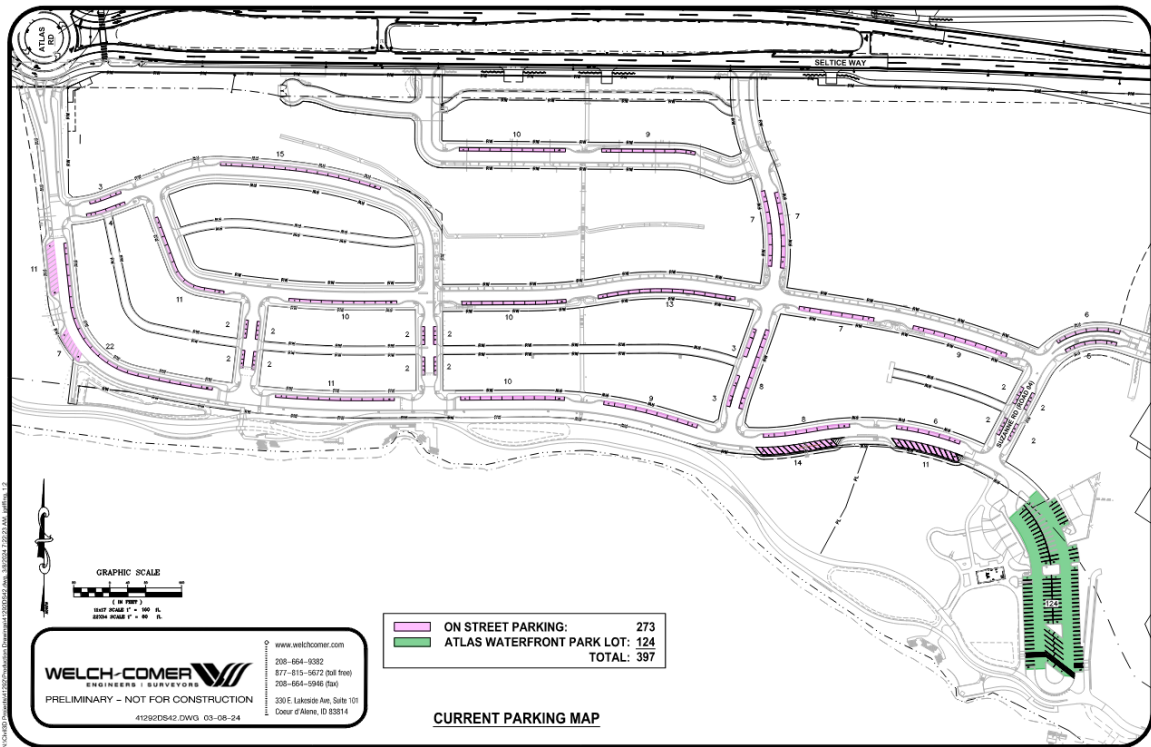
UPDATED TEXT AND EXHIBITS

PUD Amendment #4 includes a minor change to public parking location and count as shown in the exhibits below comparing current public parking and original concept parking. This change was necessitated by further refinement of the project roadway layout and results in two additional on-street parking spaces. A yet-undetermined amount of additional on-street parking is anticipated as part of Phase 3.

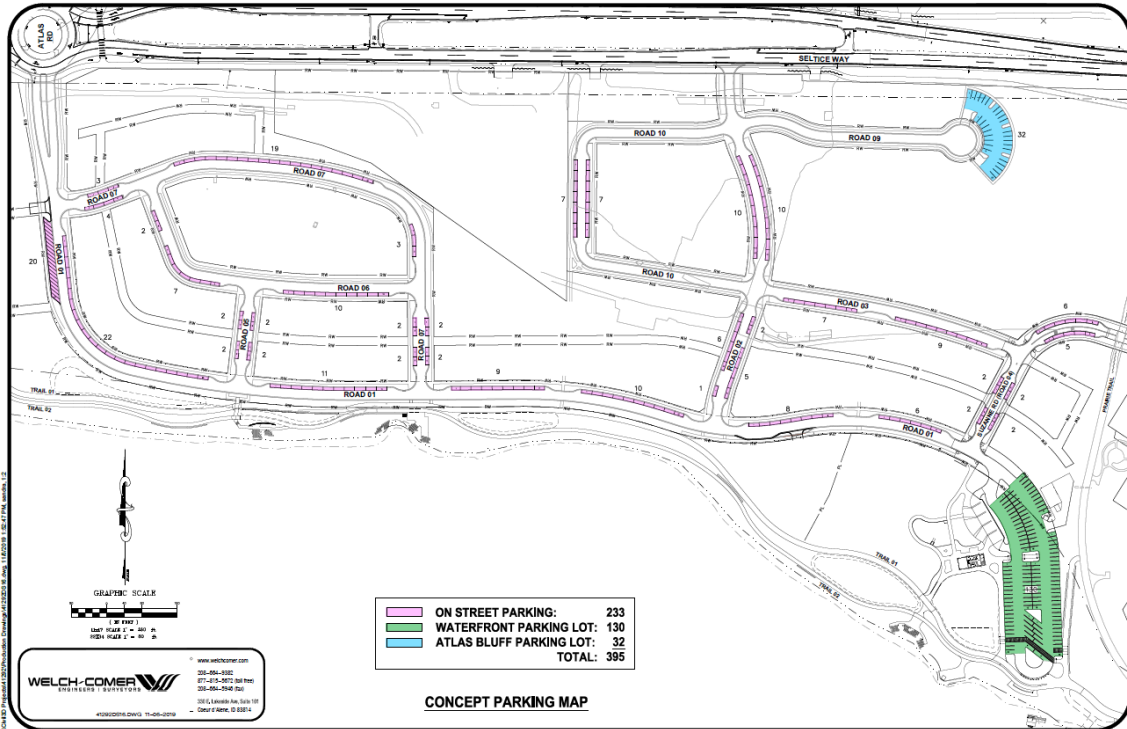
This required PUD Finding B6 is related to off-street parking only. However, the project has been thoughtfully designed to maximize on-street parking to help alleviate parking concerns in the residential areas and to create a more urban form of development by not excess surface parking.

PUD Amendment #4 includes a slight reduction in the off-street parking for Area 5A. See details below. The Development Standards describe Area 5 as playing a key role in shaping the character of the street. Buildings along Street '1' (Atlas) are intended to create a streetwall that complements the overall design of the street. Area 5A was designed to have Frontage Type D along the southwest corner and along Atlas Road. The northern portion of the site is designed to have Frontage Type B. Parking design is key to helping create the desired development intensity in this development area. Having a slightly reduced parking requirement will help achieve the project vision.

CURRENT PUBLIC PARKING MAP (PUD Amendment 4):



CONCEPT PUBLIC PARKING MAP (Original PUD):



DEVELOPMENT AREA 5A OFF-STREET PARKING REDUCTION

As noted previously in the staff report, the proposed parking for 5A would be based on the parking standards for residential uses in the Downtown Overlay North (DO-N) infill overlay district as shown below. The parking standards for the Midtown Overlay (MO) infill overlay district is also shown below.

Infill Parking Standards

17.07.930: PARKING STANDARDS:

A. Residential Uses: The parking requirements for residential uses within the infill districts shall be as follows:

<u>Residential Type</u>	<u>MO And DO-E Districts</u>	<u>DO-N District</u>
Elderly housing	0.5 space per unit	0.5 space per unit
Studios	1.0 space per unit	1.0 space per unit
1 bedroom	1.0 space per unit	1.0 space per unit
2 bedrooms	1.75 spaces per unit	1.5 spaces per unit
3 bedrooms	2.5 spaces per unit	2.0 spaces per unit
4 or more bedrooms	1.0 space per bedroom	1.0 space per bedroom

For comparison, parking standards for multifamily residential uses from the Zoning Code is provided below.

C-17/R-17 Parking Standards

17.44.030: RESIDENTIAL USES:

Unless otherwise allowed by the relevant zoning or overlay district, the following off street parking is required for all residential uses:

	<u>Residential Uses</u>	<u>Requirement</u>
A.	Detached housing, single- family	2 spaces per dwelling unit
B.	Detached housing, group	0.50 space per sleeping room
C.	Duplex housing	2 spaces per dwelling unit
D.	Multiple-family housing:	
	1. Studio units	1 space per unit
	2. 1 bedroom units	1.5 spaces per unit
	3. 2 bedroom units	2 spaces per unit
	4. 3 bedroom units	2 spaces per unit
	5. More than 3 bedrooms	2 spaces per unit

Downtown North (DO-N) parking standards are the most appropriate for the desired urban character of Area 5A. From the original PUD, this corner of the Atlas Waterfront development has been identified for a mixed-use project with a prominent streetwall, active commercial uses, and Frontage Type D along both Atlas Road and Heartwood Road. Feedback through multiple developer proposals has indicated that the development intensity, streetwall characteristics, and desired residential density effectively requires some underground parking for Area 5A for the desired mixed-use concept.

Another alternative option would be Midtown overlay (MO) parking standards. Although not preferred, the Midtown standards would still provide a reduction below base code requirements under C-17/R-17 standards. Midtown standards has a higher parking requirement for two and three-bedroom units, which would incentivize developers to utilize smaller studio and 1-bedroom units to maximize the benefits of the Midtown standards in comparison to city code.

As an example, if Area 5A was developed with 84 multifamily units (three (3) studio units, 72 1-bedroom units, and nine (9) 2-bedroom units) with **DO-N parking requirements**, they would be required to provide 89 off-street parking spaces for residential. This is a parking ratio of 1.06 parking spaces per unit.

3 studio x 1 spaces = 3 spaces
72 1-bedroom x 1.0 spaces = 72 spaces
9 2-bedroom x 1.5 spaces = 13.5 (round up to 14)
Required parking stalls = 89

If Area 5A were developed with the same 84 multifamily units (three (3) studio units, 72 1-bedroom units, and nine (9) 2-bedroom units) with **MO parking requirements**, they would be required to provide 91 off-street parking spaces for residential. This is a parking ratio of 1.08 parking spaces per unit.

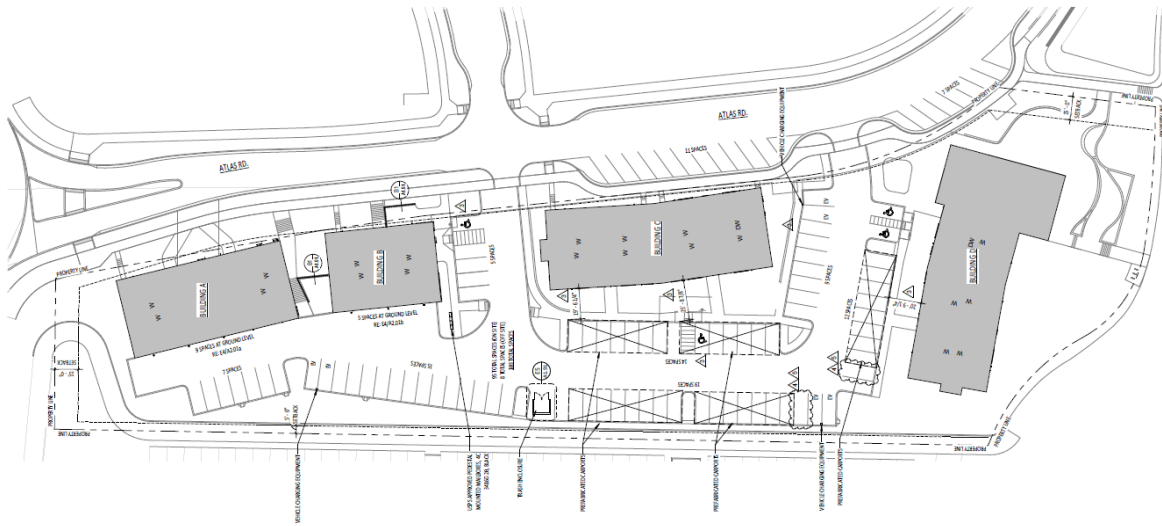
3 studio x 1 spaces = 3 spaces
72 1-bedroom x 1.0 spaces = 72 spaces
9 2-bedroom x 1.75 spaces = 15.75 (round up to 16)
Required parking stalls = 91

If Area 5A were developed with the same 84 multifamily units (three (3) studio units, 72 1-bedroom units, and nine (9) 2-bedroom units) with **base city code parking requirements in C-17/R-17**, they would be required to provide 129 off-street parking spaces for residential. This is a parking ratio of 1.54 spaces per unit.

3 studio x 1 spaces = 3 spaces
72 1-bedroom x 1.5 spaces = 108 spaces
9 2-bedroom x 2 spaces = 18
Required parking stalls = 129

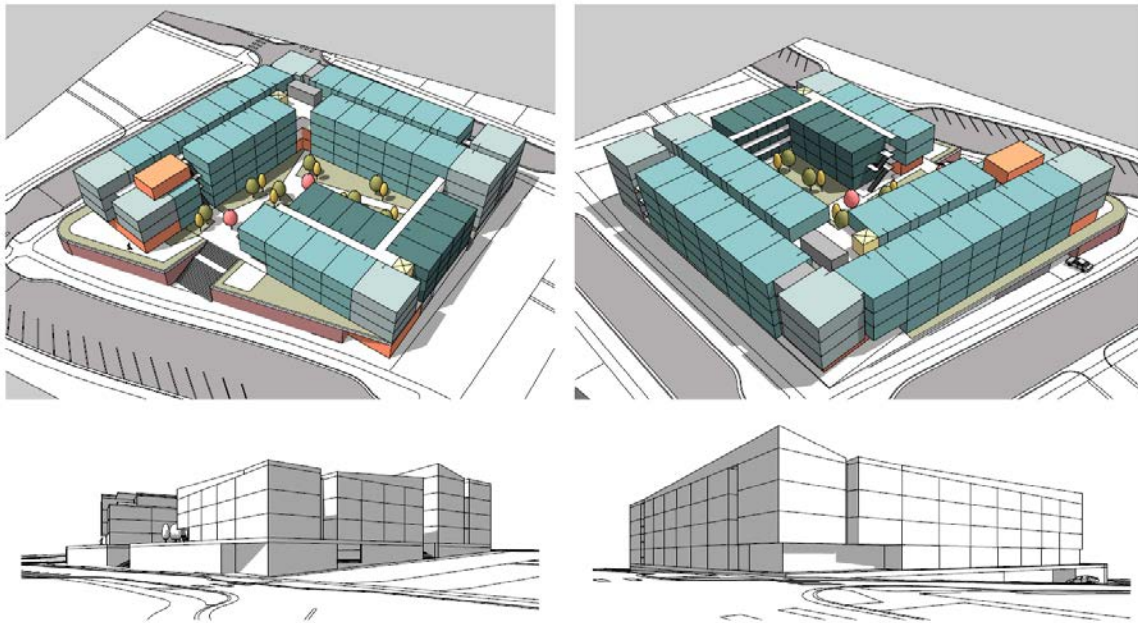
To illustrate the difference in parking of more urban form versus a standard commercial or apartment complex away from trails and transit, the following images are provided.

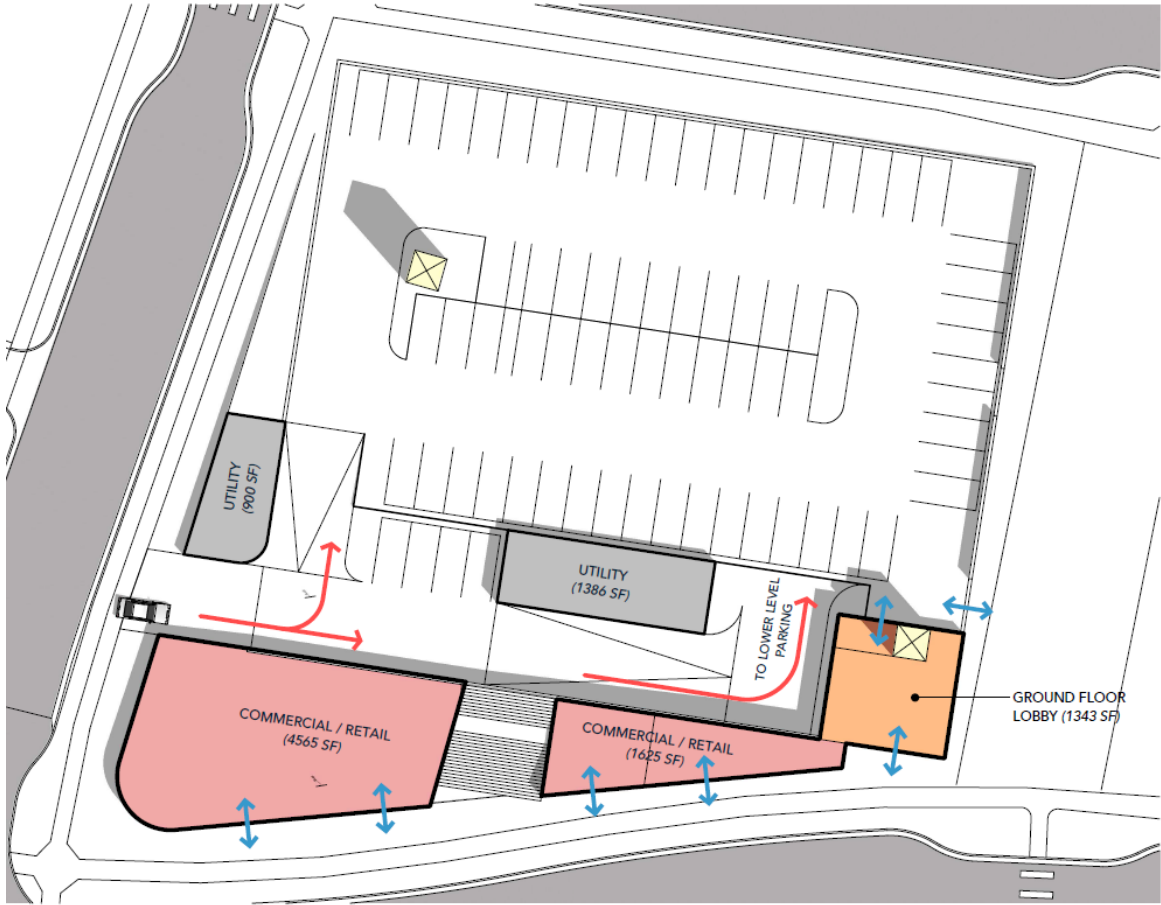
City Code in action: Area 12 Actual Building Form and Parking Ratio (all surface parking)



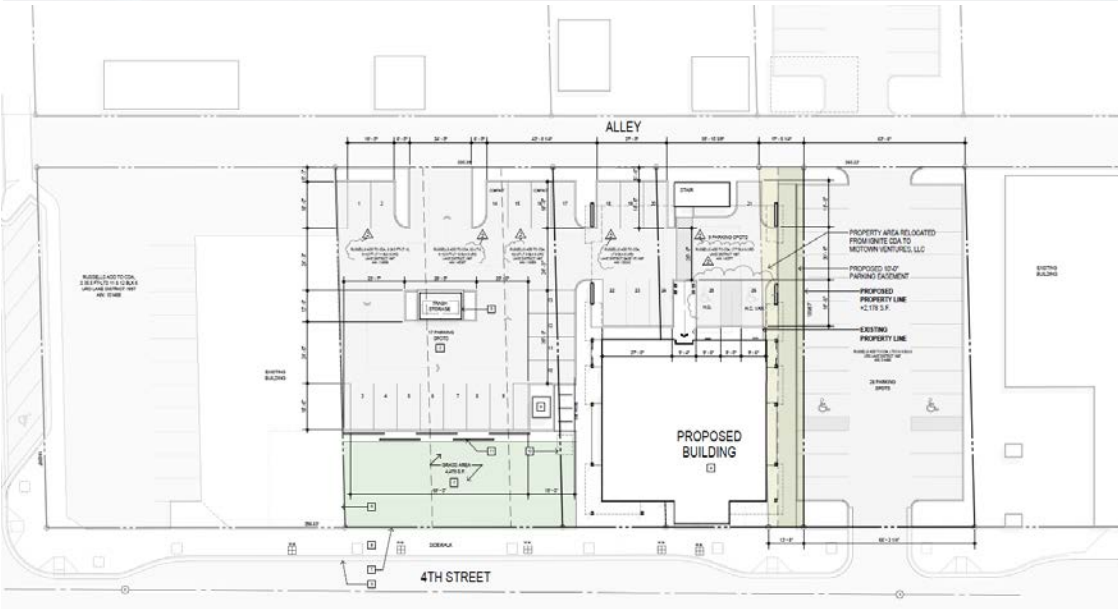
E4 COMPOSITE SITE PLAN - COMPOSITE
 1" = 300'
 ALSO

Downtown North in action: Conceptual Building Form with Proposed Parking Ratio for Area 5A (below-grade parking)





Midtown in action: Rendering of Building Form at Midtown Ventures – at-grade, reduced parking counts



This PUD amendment does not affect parking ratios for commercial uses or hotels. Those would be based on the off-street parking requirements in the Zoning Code and other standards that were previously approved as part of the PUD for this project.

The Planning Commission is being asked to determine which of three options is appropriate for Area 5A: the preferred downtown north (DO-N) parking requirements, the alternative midtown parking (MO) requirements, or the existing city code (C-17/R-17) requirements.

Evaluation: *The Planning and Zoning Commission must determine, based on the information before them, which alternative for the off-street parking provides parking sufficient for users of the development.*

Finding B7: That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.

Use the following information as well as well as testimony from the hearing to make finding **A11**.

NO CHANGES

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

Evaluation: *The Planning and Zoning 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.*

ADOPTED CONDITIONS: NO CHANGES

- 1) Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permits.
- 2) An unobstructed City approved "all-weather" access shall be required over all public sewers.
- 3) Mill River Lift Station Surcharge Fees will be required on all EDUs discharging sewer into the Mill River Service Area during the building permit process.
- 4) This Project shall be required to comply with the City's One Lot-One Lateral Rule.
- 5) All public sewer plans require IDEQ or QLPE Approval prior to construction.
- 6) Prior to WW signoff on the Atlas Mill Phase 2 plat, this project will be required to install an emergency standby generator with automatic transfer switch and related operational controls at the Riverside Pump Station.
- 7) The minimum width of the cul-de-sac on Jammer Ln. shall not be less than 96 feet.
- 8) Single access road over 150 feet requires a FD approved turn-around.
- 9) Turning radiuses for FD is 25' interior and 50' exterior.
- 10) Minimum street width for FD access is 20' with no parking allowed on both sides of the street. 20' to 26' width – no parking on one side of the street.
- 11) Fire hydrant placement is based on the required minimum fire flow. Maximum distance between fire hydrants is 600 feet.
- 12) Building address numbers shall face the street that they are addressed to.
- 13) Over 30 single family residents on a single fire department access road requires a

secondary FD egress road (20' minimum).

- 14) Build a 12-foot shared-use path and an adjacent 8-foot gravel path along the waterfront.
- 15) Use 'Driveway Mix' asphalt in the construction of the paved trail.
- 16) Sterilize the ground with herbicide before laying down gravel and asphalt.

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 and Zoning Commission will need to consider the Atlas Waterfront PUD Amendment #4 to include minor changes to Development Areas 4, 5A, 9, 13, 16, 18, and 19 in the Development Standards, and make findings to approve, deny, or deny without prejudice.

The findings worksheet is attached.

Attachments: **NEW**

Attachment 1 – Atlas Waterfront Requested Deviations Table, Exhibits and revised pages of the Development Standards (PUD Amendment #4)

Attachment 2 – Comprehensive Plan Goals and Objectives



APPLICANT'S APPLICATION

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PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

STAFF USE ONLY
Date Submitted: _____ Received by: _____ Fee paid: _____ Project # _____

REQUIRED SUBMITTALS

Application Fee: \$400.00
Publication Fee: \$300.00
Mailing Fee: \$6.00 per hearing

**Public Hearing with the Planning Commission required*

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
 1. All property owners within 300ft of the external boundaries. * **Non-owners list no longer required***
 2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property.
- A written narrative:** Including the development name (*original PUD*), description of modification proposed, and the reason for the modification.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A plan set map:** Providing sufficient information to identify how the proposed modification differs from the previously submitted/approved PUD request and development plans and a phasing schedule. The respective elements of the development plans that will affect such items as the existing and proposed infrastructure, improvements, building, and landscaping.

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION

PROPERTY OWNER: Coeur d'Alene Urban Renewal Agency, aka ignite cda and aka Lake City Development Corp.		
MAILING ADDRESS: 105 N 1st Street, Ste 100		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83814
PHONE: 208-292-1630	FAX:	EMAIL: tonyb@ignitecda.org
APPLICANT OR CONSULTANT: Phil Boyd, P.E./Welch Comer Engineers		STATUS: ENGINEER OTHER
MAILING ADDRESS: 330 E. Lakeside Avenue, Suite 101		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83814
PHONE: 208-664-9382	FAX: 208-664-5946	EMAIL: pboyd@welchcomer.com

FILING CAPACITY

- Recorded property owner as to of _____
- Purchasing (under contract) as of _____
- The Lessee/Renter as of _____
- Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

SITE INFORMATION:

GENERAL LOCATION OR ADDRESS OF THE PROPERTY: 2755 E. Seltice Way, Coeur d'Alene and several other parcels as shown in the original PUD
DEVELOPMENT NAME (ORIGINAL PUD): Atlas Waterfront
DESCRIPTION OF PROJECT/REASON FOR REQUEST: Several minor amendments to the PUD to facilitate development such as modifications of setbacks, building height, modifications to commercial/retail space requirements, modification of urban parking and street form requirements, and adding dwelling type to areas.

CERTIFICATION OF APPLICANT:

I, Philip Boyd, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

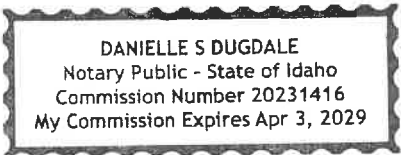
request and knows the contents thereof to be true to his/her knowledge.

Signed: [Signature]
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this 29 day of November, 2023.

Notary Public for Idaho Residing at: Kootenai County



My commission expires: April 3, 2029
Signed: [Signature]
(notary)

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: IGNITE COA Telephone No.: 208-292-1600

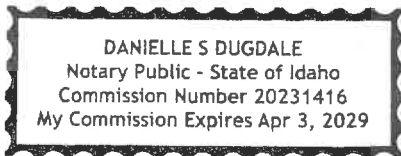
Address: 105 N. 1ST, SUITE 100, COA, ID 83814

Signed by Owner: [Signature]

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 29 day of November, 2023.

Notary Public for Idaho Residing at: Kootenai County



My commission expires: April 3, 2029
Signed: [Signature]
(notary)

*For multiple applicants or owners of record, please submit multiple copies of this page.

PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

I (We) the undersigned do hereby make petition for an amendment to the original planned unit development of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS 29 DAY OF November 2023

March 8, 2024

Mrs. Hilary Patterson
 Community Planning Director
 City of Coeur d'Alene
 710 E. Mullan Avenue
 Coeur d'Alene, ID 83814

RE: Amendment No. 4 to Atlas Waterfront PUD REVISED (6)

Dear Mrs. Patterson:

Amendments are proposed to the Atlas Waterfront PUD, as summarized in the following table.

AREA(S)	PROPOSED AMENDMENT	JUSTIFICATION
18 & 19	<p>Reduce building side setbacks from 6' to 5'.</p> <p>Add rear-loaded twin homes to the allowed building types.</p> <p>Modify alley-related language to allow the alley in a tract or easement, in line with the 3rd addition plat. Modify to illustrate an alley running east-west.</p> <p>Specify that individual driveways on Seltice Way are not allowed.</p>	<p>The builders proposed alley-loaded shared-wall twin homes with individually subdivided lots. Twin homes were not expressly allowed in the current design standards.</p> <p>To allow for an alley running east-west, the developer shrunk their initial lot width to a minimum of 29' to provide room for the alley reverse curves at each end to satisfy Chris Bosley's direction for the appropriate approach locations from the alley to Top Saw Lane and Heartwood Road. The reduced lot width requires smaller setbacks to facilitate the same number of dwelling units. This amendment would allow reduced setbacks.</p>
9 & 16	<p>Reduce building side setbacks from 6' to 5'.</p>	<p>The builders proposed a similar unit width to Area 14 & 15, where 5' setbacks were allowed for an identical product type. Side setbacks of 5' are also the minimum from City code for single family.</p>
13	<p>Remove requirement for mixed-use buildings in order to facilitate ground-floor retail, replace with minimum ground floor retail site-wide. Add multifamily as an acceptable use.</p> <p>Remove pool-related specificity to additional building height option.</p> <p>Remove funding requirement for public realm parking spaces.</p>	<p>Developer has proposed 8000 SF standalone food and beverage/retail use, far exceeding the minimum. The remaining two-thirds of the site building being multifamily instead of mixed-use simplifies the construction and lessens the financial burden from needing to find multiple other retail tenants.</p> <p>Height increases are tied to a "public good" to be negotiated between Developer and ignitecda.</p> <p>Public realm parking spaces in question are already constructed.</p>

AREA(S)	PROPOSED AMENDMENT	JUSTIFICATION
4	Decrease side and rear setbacks from 8' to 6' minimum. Decrease minimum building height from 20' to 17' for commercial/retail use.	To facilitate market preferred unit sizes for potential coffee shop or small bistro restaurant use. Developer desires to facilitate the high ceiling commercial/retail feel without blocking views from the townhome units north of the commercial lot.
5A	Reduce residential parking requirements to match downtown north infill/overlay district. Add Hotel as an allowed use and allowed building type	To achieve the desired urban form and streetwall characteristics. Site conditions and surrounding amenities (including proximity to multi-use paths and transit) reduce reliance on personal automotive transportation for potential residents. Reduction of this planning barrier would allow the market to drive the parking count. Developers in previous RFPs have expressed a desire to concept a hotel use on this property.

Both ignite cda and the City representative believe these PUD amendments will provide for a more desirable neighborhood, while meeting the original PUD goals.

Sincerely,



Philip F. Boyd, P.E.
President, Principal Engineer

PFB/jrg

Enclosure: PUD Amendment Application; Development Standard Amendment

ATLAS WATERFRONT NEIGHBORHOOD DEVELOPMENT STANDARDS

UPDATED 3/10/2020 TO REFLECT PUD AMENDMENT NO. 1

UPDATED 02/17/2021 TO REFLECT PUD AMENDMENT NO. 2

UPDATED 3/8/2022 TO REFLECT PUD AMENDMENT NO. 3

UPDATED 11/27/2023 TO REFLECT PUD AMENDMENT NO. 4

STANDARDS FOR DEVELOPMENT AREAS

UPDATED ON 02/17/2021

UPDATED ON 3/08/2022

UPDATED ON 11/27/2023

DEVELOPMENT AREA 4 | STANDARDS

opportunity to place buildings with active ground-level uses close to the street. In these locations the setback area is intended to create a wider sidewalk that can accommodate outdoor dining and other retail functions that may occupy the sidewalk during business hours.

- Side (interior): ~~4' min.~~ 6' min.
- Side separation between buildings if there is no property line: 20' min.
- Side or Rear (facing alley): ~~8' min.~~ 6' min.
- Rear (to property line): ~~8' min.~~ 6' min.

Building Height

- Minimum: 20' (Applies to all buildings within the minimum building height area, for the purpose of creating a streetwall along Street '1'.)
- Maximum: 45'
- Exception: Commercial/Retail Minimum building height: 17'

Off-Street Parking (quantity and dimensions)

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
 - minimum quantity = 1 space per 250 sf of floor area
 - upto 50% of required parking may be provided in the public realm, which includes:
 - public streets,
 - the parking lot associated with the waterfront park,
 - other public spaces that may be built as part of this development

Alley

- Area 4 will have an alley within a 20'-wide tract and with a 16'-wide, center-aligned, paved driving lane.
- All buildings and lots on Area 4 shall be configured so that off-street parking is accessed from the alley.
- At the end of a area, where the alley meets a street, screening is required between parking and the sidewalk to fully or partially hide alley parking from public view. Screening may be a building, garage or vegetation.
- The alley alignment may be adjusted to accommodate a larger building or different development configuration at the southeast corner of the area.

Perimeter Streets

- On-street parking is allowed on Street '1' and Street '2'.
- Curb cuts for driveways to individual residential units are not allowed.
- The eastern end of the alley may connect to either Street '1' or Street '2'.
- If the proposed development concept contains a internal parking where access is required in two different locations (likely on two different levels), then a second curb cut is allowed on the street that does not contain the alley curb cut.

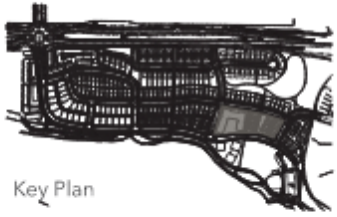
Pocket Parks

- 12,500 square feet of pocket park minimum required between Areas 3 and 4

UPDATED 3/8/2022 AMENDMENT NO. 3

UPDATED 1/30/2024 AMENDMENT NO. 4

DEVELOPMENT AREA 5 | STANDARDS



- Frontage Type A
- Frontage Type D
- Frontage Type B
- Minimum Building Height Area
- Flexible Frontage Type A Or D
- Similar To Frontage Type B / Side Street Flexibility
- Waterfront View
- Required Mid-Area Pedestrian Walkway
Specific Location Is Flexible

Introduction

- Like other areas adjacent to Street '1', Area 5 plays a key role in shaping the character of the street. Buildings along Street '1' are intended to create a streetwall that compliments the overall design of the street.
- Describe mid-area pedestrian walkway / hillclimb, park connectivity, view corridor, and potential front door access (primary bldg face) for adjacent residential units. Developer required to build.
- Alignment and coordination with area north of alley.
- Depending on the proposed building types and their configuration, an alley may or may not be necessary to achieve the intended frontage condition for Street '1'. Alternatively, an alley may be necessary for only a portion of the block.
- One or more buildings with street facing retail, or a similar active use, is required at the southwest corner of Area 5. Additional retail is allowed along Street '1', extending east to the mid-block pedestrian crossing.

Use

- Residential
- Minimum 1,500 sf of
 - 1. Specialty retail sales
 - 2. Food & beverage sales (on-site consumption- may be achieved with 1,000 sf internal and 500 sf external)
- **Public spaces (plazas and gathering places)**
- Hotel
- Business supply retail sales
- Real estate/leasing office

Allowed Building Types

- Single family alley-loaded
- Duplex alley-loaded
- Townhouse alley-loaded
- Multiple family (flats)
- Mixed-use (multiple family and retail)
- Free-standing retail
- Cottage court
- Hotel

Lots - Townhouses and Duplexes

- Width: 20' min. - 36' max.
- Depth: 80' min.
- Area: 1600 sf min.

Lots - Single Family

- Width: 32' min. - 75' max.
- Depth: 80' min.

- Area: 2500 sf min.

Lots - Multiple Family

- No minimum or maximum size requirements

Lots - Non-Residential Uses

- No minimum or maximum size requirements

Side Street Orientation

- All buildings that occupy an area corner or corner lot condition shall physically address both public exposures. One of these building faces may be primary and the other secondary, and design responses may reflect this orientation hierarchy.
- Side Street Flexibility: the area edges Street '2', the mid-area pedestrian walkway may become primary frontages.

Setbacks & Building Separation

Area 5 West is a particularly unique area where the orientation of buildings or lots cannot be determined until after a design is proposed. Therefore, setback standards are identified geographically.

Frontage D - Buildings with street-level retail:

- Street '1' and Street '2': 6' - 9' accommodates the a wider sidewalk and street furnishing zone
- Side (facing mid-block ped. walkway): 5' min.
- Side separation between buildings: 12' min.
- **Public spaces are exempt from urban form street walls.**

Frontage A - Residential-only buildings:

- Front - for lots facing Street 1 (Atlas Rd.) see Frontage Type A for all elements that shall be addressed between the building and the property line.
- Street '1' (primary bldg wall): 15' - 20'
- Street '1' (porches and projections): 9' min.
- Street '1': outdoor privacy threshold required per Frontage Type A
- Side street: 5' min. Side interior 6' minimum.
- Side (facing mid-block ped. walkway): 5' min.
- Side setback allowance- fireplace and enclosures and chimneys may extends upto 1.5' into side setback.
- Side separation between buildings: Townhouses, duplexes and single family: 12' min. & multiple family: 25' min.

DEVELOPMENT AREA 5 | STANDARDS

- Rear: 2' min. if an alley is provided

Setbacks & Building Separation (continued)

Frontage B - Residential-only buildings or residential-only portions of mixed use buildings:

- North area edge (primary bldg wall): 15' - 20'
- North area edge (porches and projections): 9' min.
- Side (facing Street '2', mid-area ped. walkway and Suzanne Rd.): 5' min.
- Side separation between buildings:
 - Townhouses, duplexes and single family: 12' min.
 - multiple family: 25' min.
- Rear: 2' min. if an alley is provided

Building Height

- Minimum: 20' (Applies to all buildings within the minimum building height area, for the purpose of creating a streetwall along Street '1'.)
- Maximum: 45 ft *

*45 ft with a conditional height increase of up to 60 ft if there is a public benefit that can be reached through the ANE/DDA negotiations with ignite cda,

Alley Conditions & Off-Street Parking Access

- If an alley is provided, it shall be in a tract 20' wide, with a 16' paved lane and 2' additional space on either side for snow storage between parking pads or garages.
- Where an alley or parking lot meets a street, screening is required behind the sidewalk to fully or partially hide the parking from public view. Screening may be a garage or vegetation.

Off-Street Parking (quantity and dimensions)

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
 - minimum quantity = 1 space per 250 sf of floor area
 - upto 50% of required parking may be provided in the public realm, which includes:
 - public streets
 - the parking lot associated with the waterfront park
 - other public spaces that may be built as part of this development
- Exception - parking in a mixed-use or multifamily building shall provide a minimum of 1 space per studio and 1-bedroom unit and 1.5 spaces per 2-bedroom unit.

Perimeter Streets

- On-street parking is allowed on all streets surrounding Area 5.
- Curb cuts for individual driveways are not allowed on the streets surrounding Area 5.

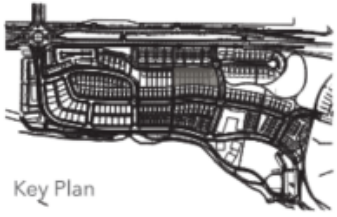
To accommodate different development options, one alley curb cut is allowed in each of the following area edge.






- Street '1': between Street '2' and mid-area pedestrian walkway
- Street '2': entire length
- northern street: between Street '2' and mid-area pedestrian walkway
- northern street: between mid-area pedestrian walkway and Suzanne Rd.
- Suzanne Rd.: entire length

UPDATED 3/8/2022 AMENDMENT NO. 3

UPDATED 11/27/2023 AMENDMENT NO. 4

DEVELOPMENT AREA 9 | STANDARDS



-  Type C - Residential Fronting Interior Streets
-  Potential Vehicle Access
-  Waterfront and river valley views
-  Corner Lots
-  Required Pedestrian Walkway

Introduction

- Area 9 is a residential area.

Use

- Residential

Building Types

- Single Family front-loaded
- Duplexes
- Townhouses

Lots - Townhouses and Duplexes

- Width: 25' min. - 50' max.
- Depth: 60' min. - 185' max.
- Area: 1500 sf min.

Lots - Single Family

- Width: 35' min. - 55' max.
- Depth: 75' min. - 185' max.
- Area: 2625 sf min.

Corner Lots

- Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy.
- A building's primary (front) facade may be orientated to the side street.
- Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these conditions, along with the required setback.

Setbacks (Minimum Yard) - Rear-Loaded Condition

- Front - to primary building wall: 15' min. - 20' max.
- Front - to porches and projections: 9' min. Flatwork only 2' min.
- Side: 5' min Flatwork only 2' min.* Flatwork only 2' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 2' min. (from alley, which is required for vehicular access to garages or parking stalls)

Setbacks (Minimum Yard) - Front-Loaded Condition

- Front - garage door: 20' min. (measured from back of sidewalk)

- Front - ground-level porches and projections: Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street.

The width of the projection or porch shall be equal to or greater than half the width of the garage door.

- Side: 5' min
- Side separation between buildings if there is no property line: 12' min.
- Rear: 15' min.

Building Height

- Maximum: 45'

Off-Street Parking (quantity and dimensions)

- See Coeur d'Alene City Code - Chapter 17.44

Alley (optional)

- If an alley is provided, it will be delineated within a 20'-wide tract and have a 16'-wide, center-aligned, paved driving lane.
- If an alley is provided, all buildings and lots along it shall be configured so that vehicular access to off-street parking is from the alley.
- Where an alley meets a street at the end of an area, screening is required between parking and the sidewalk to fully or partially hide alley parking from public view. Screening may be a garage or vegetation.

Perimeter Streets

- If no alley is provided, then individual driveway curb-cuts are allowed on all streets surrounding the block.
- For front-loaded development, ensure that the layout of lots, buildings and driveways allows for street trees to be planted at regularly spaced intervals along the street.

*Requires vision triangle approval from City Engineer.

DEVELOPMENT AREA 13 | STANDARDS



Key Plan



- Frontage Type D
- Potential Vehicle Access To Area 12
- Waterfront View

Introduction

- Area 13 lies at the western edge of the waterfront park and is intended to help create the commercial heart the neighborhood.
- Buildings within Area 13 should address Street '1' in a way that's consistent with Frontage Type D.

Uses

- Specialty retail sales
- **Hotel**
- Food & beverage sales (on-site consumption)
- **Mixed Use: Upper floor residential or office allowed with ground floor original PUD allowed land uses.** ~~5000~~ **5000**
- **Ground floor residential when there is minimum 5000 sf ground floor retail or food & beverage in the same building on the site.**
- **Stand alone food & beverage or retail building, min 3500 sf.**

Building Types

- Free-standing retail / restaurant
- **Hotel**
- **Mixed use**
- **Multifamily (paired with free-standing retail)**

Lots

- No minimum or maximum size requirements.

Setbacks (Minimum Yard)

Retail **Mixed Use** or Similar Uses - Frontage Type D

- Front: 6' min. - 9' max. (Accommodates the creation of a wider sidewalk along Street '1', extending to the building wall, for street furnishing or other features, consistent with Frontage Type D)
- Side: 10' min.
- Rear: 10' min.
- 32.5' when on-site diagonal parking is provided for food & beverage/ retail uses
- Allow seven public realm parking spaces to count towards food & beverage/retail parking required ~~when area 13 owner funds 12 diagonal spaces at the park frontage~~

Red text reflect PUD amendment no. 1 approved on 3/10/2020

UPDATED 3/8/2022 AMENDMENT NO. 3
 UPDATED 11/27/2023 AMENDMENT NO. 4

Building Height

- Maximum: 45' with sufficient pitched roof elements as determined by the city planning department.

Additional building height:

~~Conditional height increase of up to 53 feet for 2,800 sf or 22% of the roof area, whichever is less, for pool roof deck.~~

~~Conditional height increase to 60 feet 2,300 sf or 17% of roof area, whichever is less, for pool support facilities, food and beverage area, elevator, and stair tower. Food and beverage areas on the roof are required to have public access.~~ Height increases will only be allowed if an agreement can be reached with ignite cda that addresses public benefit.

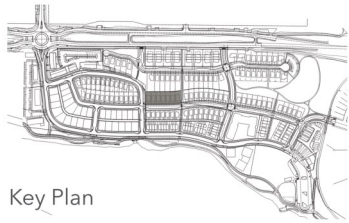
Off-Street Parking - Quantity and Dimensions

- See Coeur d'Alene City Code - Chapter 17.44
- Exception - parking for food and beverage sales (on-site consumption) over 1000 sf:
 - minimum quantity = 1 space per 250 sf of floor area
 - upto 50% of required parking may be provided in the public realm, which includes:
 - public streets,
 - the parking lot associated with the waterfront park,
 - other public spaces that may be built as part of this development
- Condominium (residential) may have tandem parking within building

Perimeter Streets

- One curb cut is allowed on Street '1' for access to off-street parking.
- On-street parking is accommodated on the north side of Street '1'.
- To the east of Area 13, on-street parking is also provided on the south side of Street '1' and in the surface lot associated with the waterfront park.

DEVELOPMENT AREA 16 | STANDARDS



Key Plan



 Type C - Residential Fronting Interior Streets

 Potential Vehicle Access

 Waterfront View

 Corner Lots

 Required Pedestrian Walkway

Introduction

- Area 16 is a residential area.

Use

- Residential

Building Types

- Single Family front-loaded
- Duplexes
- Townhouses

Lots - Townhouses and Duplexes

- Width: 25' min. - 50' max.
- Depth: 60' min. - 185' max.
- Area: 1500 sf min.

Lots - Single Family

- Width: 35' min. - 55' max.
- Depth: 75' min. - 185' max.
- Area: 2625 sf min.

Corner Lots

- Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy.
- A building's primary (front) facade may be orientated to the side street.
- Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these conditions, along with the required setback.

Setbacks (Minimum Yard) - Rear-Loaded Condition

- Front - to primary building wall: 15' min. - 20' max.
- Front - to porches and projections: 9' min.
- Side: 5' min
- Side separation between buildings if there is no property line: 12' min.
- Rear: 2' min. (from alley, which is required for vehicular access to garages or parking stalls)

Setbacks (Minimum Yard) - Front-Loaded Condition

- Front - garage door: 20' min. (measured from back of sidewalk)

- Front - ground-level porches and projections: Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street.

The width of the projection or porch shall be equal to or greater than half the width of the garage door.

- Side: 5' min
- Side separation between buildings if there is no property line: 12' min.
- Rear: 15' min.

Building Height

- Maximum: 45'

Off-Street Parking (quantity and dimensions)

- See Coeur d'Alene City Code - Chapter 17.44

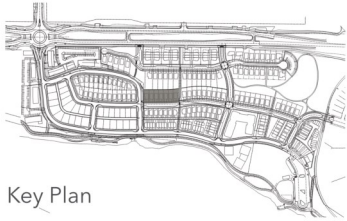
Alley (optional)

- If an alley is provided, it will be delineated within a 20'-wide tract and have a 16'-wide, center-aligned, paved driving lane.
- If an alley is provided, all buildings and lots along it shall be configured so that vehicular access to off-street parking is from the alley.
- Where an alley meets a street at the end of an area, screening is required between parking and the sidewalk to fully or partially hide alley parking from public view. Screening may be a garage or vegetation.

Perimeter Streets






- If no alley is provided, then individual driveway curb-cuts are allowed on all streets surrounding the block.
- For front-loaded development, ensure that the layout of lots, buildings and driveways allows for street trees to be planted at regularly spaced intervals along the street.

DEVELOPMENT AREA 18 | STANDARDS



Key Plan



-  Type C - Residential Fronting Interior Streets
-  Potential Vehicle Access
-  Waterfront View
-  Corner Lots
-  Required Pedestrian Walkway

Introduction

- Area 18 is a residential area.
- If developed without an alley, then all front-loaded buildings and lot configurations shall be designed to minimize the visual impact of garages facing the street.

Use

- Residential

Building Types

- Single Family front-loaded
- Duplexes
- Townhouses
- Twin homes (rear-loaded)

Lots - Townhouses and Duplexes

- Width: 25' min. - 50' max.
- Depth: 60' min. - 185' max.
- Area: 1500 sf min.

Lots - Single Family

- Width: 35' min. - 55' max.
- Depth: 75' min. - 185' max.
- Area: 2625 sf min.

Corner Lots

- Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy.
- A building's primary (front) facade may be orientated to the side street.
- Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these conditions, along with the required setback.

Setbacks (Minimum Yard) - Rear-Loaded Condition

- Front - to primary building wall: 15' min. - 20' max.
- Front - to porches and projections: 9' min.
- Side: 5' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 2' min. (from alley which is required for vehicular access to garages or parking stalls)

Setbacks (Minimum Yard) - Front-Loaded Condition

- Front - garage door: 20' min. (measured from back of sidewalk)
- Front - ground-level porches and projections: Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street.

The width of the projection or porch shall be equal to or greater than half the width of the garage door.

- Side: 5' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 15' min.

Building Height

- Maximum: 45'

Off-Street Parking (quantity and dimensions)

- See Coeur d'Alene City Code - Chapter 17.44

Alley (optional)

- If an alley is provided, it will be delineated within a 20'-wide tract and have a 16'-wide, center-aligned, paved driving lane.
- If an alley is provided, all buildings and lots along it shall be configured so that vehicular access to off-street parking is from the alley.
- Where an alley meets a street at the end of an area, screening is required between parking and the sidewalk to fully or partially hide alley parking from public view. Screening may be a garage or vegetation.

Perimeter Streets

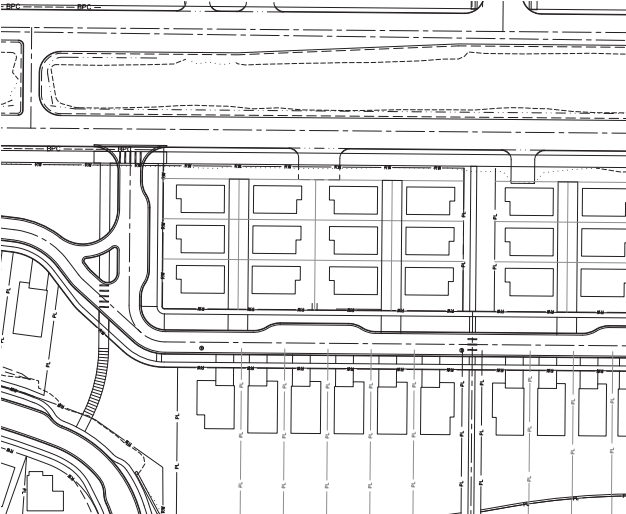
- If no alley is provided, then individual driveway curb-cuts are allowed on all streets surrounding the block. **Exception: No driveways allowed on Seltice Way.**
- For front-loaded development, ensure that the layout of lots, buildings and driveways allows for street trees to be planted at regularly spaced intervals along the street.

functional alley

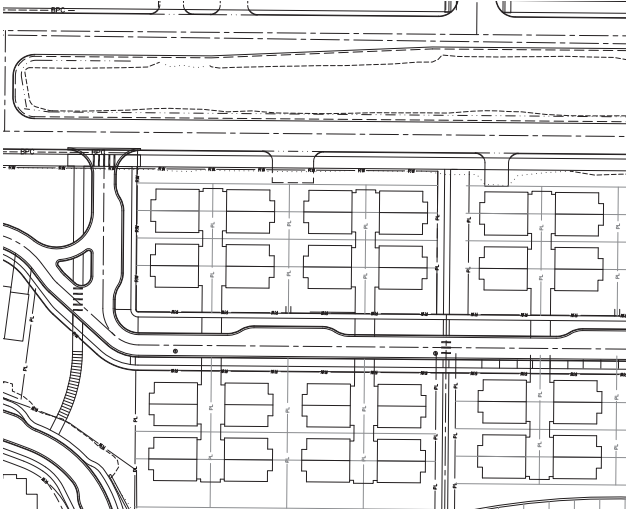
tract/easement

DEVELOPMENT AREA 18 | POTENTIAL CONFIGURATIONS

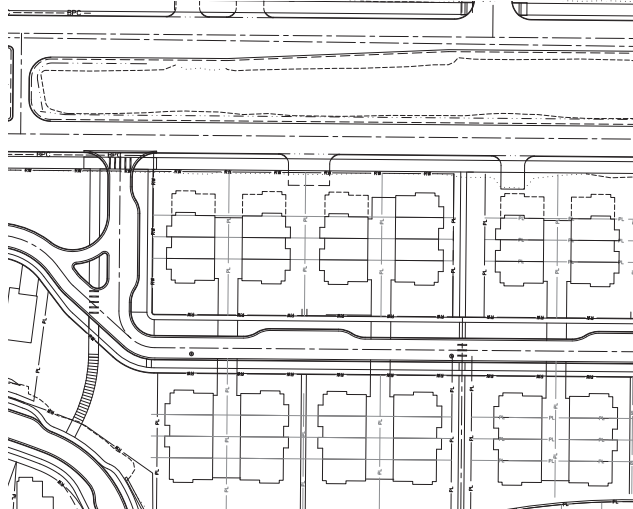
1. Single Family Homes (front & rear loaded)



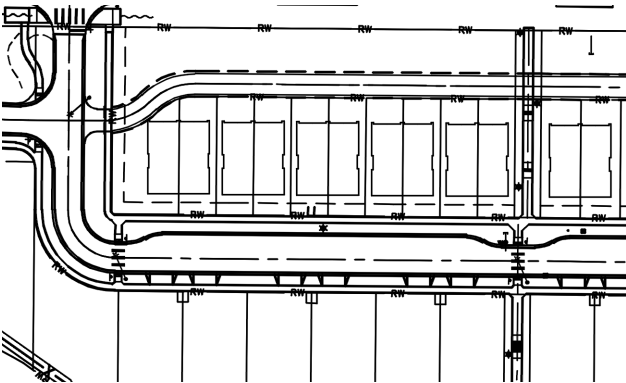
2. Duplexes



3. Townhomes

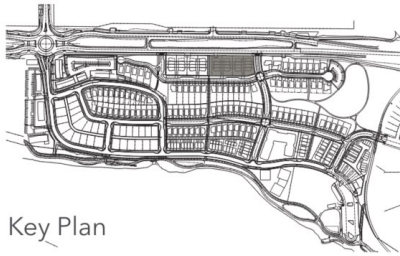


4. Twin Homes (Rear-Loaded)









UPDATED 11/27/2023 AMENDMENT NO. 4

DEVELOPMENT AREA 19 | STANDARDS



Key Plan



-  Type C - Residential Fronting Interior Streets
-  Potential Vehicle Access
-  Waterfront View
-  Corner Lots
-  Required Pedestrian Walkway
-  Alley Parking Screening

Introduction

- Area 19 is a residential area.

Use

- Residential

Building Types

- Single Family front-loaded
- Duplexes
- Townhouses
- Twin homes (rear-loaded)

Lots - Townhouses and Duplexes

- Width: 25' min. - 50' max.
- Depth: 60' min. - 185' max.
- Area: 1500 sf min.

Lots - Single Family

- Width: 35' min. - 55' max.
- Depth: 75' min. - 185' max.
- Area: 2625 sf min.

Corner Lots

- Buildings on corner lots shall physically address both public exposures. One of these facades may be considered primary and the other secondary, and the design response may reflect this hierarchy.
- A building's primary (front) facade may be orientated to the side street.
- Buildings on corner lots may have wrapped porches or other architectural projections that extend beyond the typical footprint toward the side street. As such, corner lots should have an appropriate width to accommodate these conditions, along with the required setback.

Setbacks (Minimum Yard) - Rear-Loaded Condition

- Front - to primary building wall: 15' min. - 20' max.
- Front - to porches and projections: 9' min.
- Side: 5' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 2' min. (from alley which is required for vehicular access to garages or parking stalls)

Setbacks (Minimum Yard) - Front-Loaded Condition

- Front - garage door: 20' min. (measured from back of sidewalk)

- Front - ground-level porches and projections: Any building that has a garage on the front facade is required to have a ground-level projection or porch that extends at least 4' beyond the garage, toward the street.

The width of the projection or porch shall be equal to or greater than half the width of the garage door.

- Side: 5' min.
- Side separation between buildings if there is no property line: 12' min.
- Rear: 15' min.

Building Height

- Maximum: 45'

Off-Street Parking (quantity and dimensions)

- See Coeur d'Alene City Code - Chapter 17.44

Alley (optional)

- If an alley is provided, it will be delineated within a 20'-wide tract and have a 16'-wide, center-aligned, paved driving lane.
- If an alley is provided, all buildings and lots along it shall be configured so that vehicular access to off-street parking is from the alley.
- Where an alley meets a street at the end of an area, screening is required between parking and the sidewalk to fully or partially hide alley parking from public view. Screening may be a garage or vegetation.

Perimeter Streets

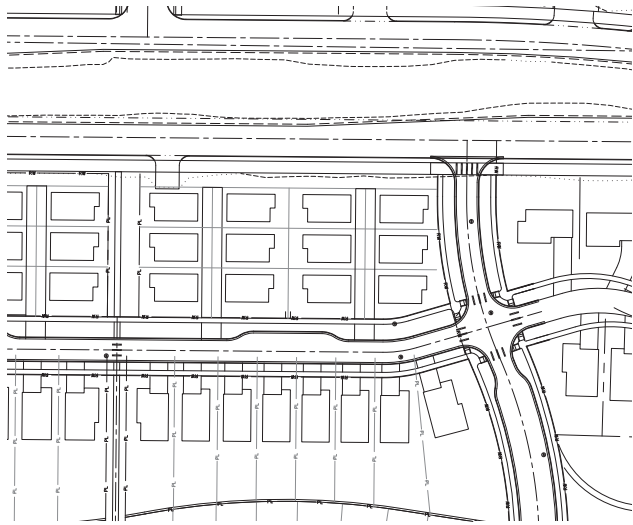
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- For front-loaded development, ensure that the layout of lots, buildings and driveways allows for street trees to be planted at regularly spaced intervals along the street.

functional alley

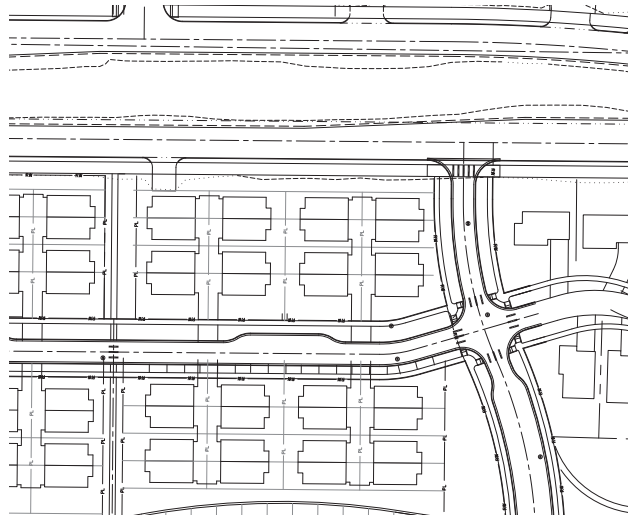
tract/easement

DEVELOPMENT AREA 19 | POTENTIAL CONFIGURATIONS

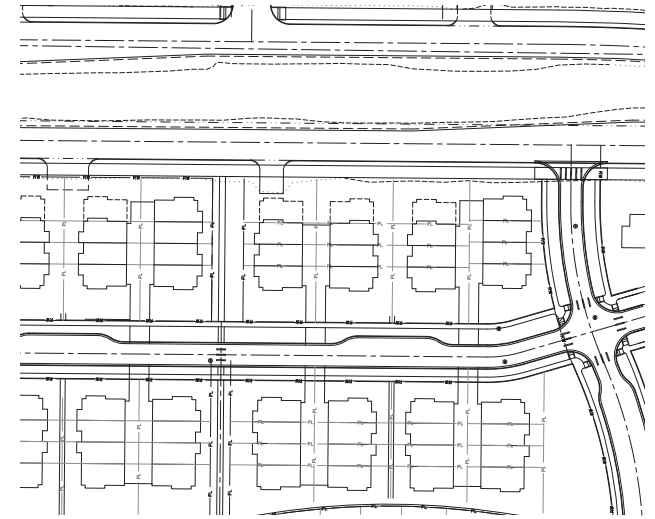
1. Single Family Homes (front-loaded)



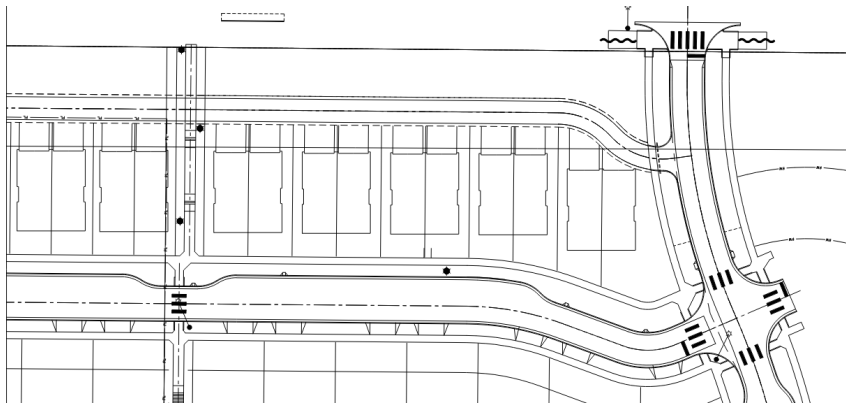
2. Duplexes



3. Townhomes



4. Twin Homes (Rear-Loaded)

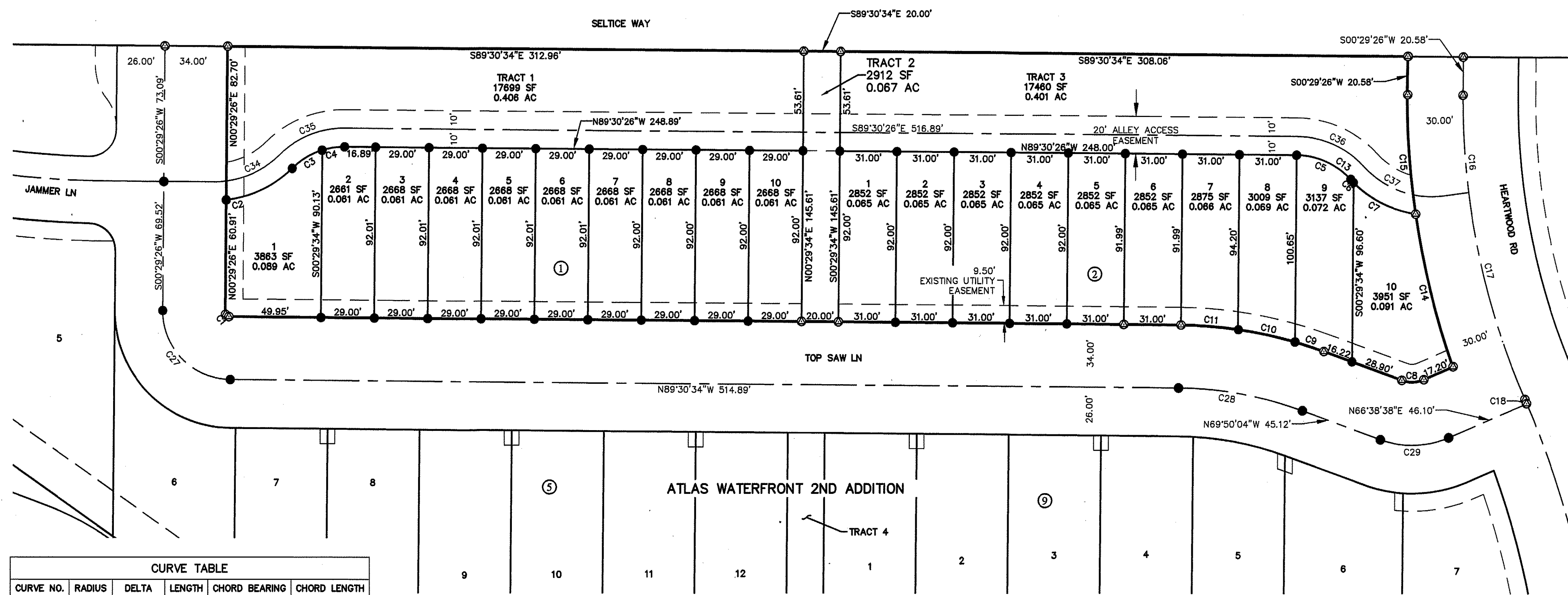


UPDATED 11/27/2023 AMENDMENT NO. 4

ATLAS WATERFRONT THIRD ADDITION

A REPLAT OF LOT 1, BLOCK 7, LOT 1, BLOCK 8 AND TRACT 5 OF ATLAS WATERFRONT 2ND ADDITION LOCATED IN GOV'T LOTS 1 AND 2 OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

INSTRUMENT No. **2953998000**
 BOOK **L**, PAGE **967**



CURVE TABLE					
CURVE NO.	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	2.00'	90°00'00"	3.14'	N44°30'34"W	2.83'
C2	60.00'	38°36'31"	40.43'	S64°37'53"W	39.67'
C3	40.00'	27°32'31"	19.23'	S59°05'53"W	19.04'
C4	40.00'	17°37'26"	12.30'	S81°40'51"W	12.26'
C5	40.00'	46°59'44"	32.81'	S66°00'34"E	31.90'
C6	60.00'	2°23'40"	2.51'	S43°42'31"E	2.51'
C7	60.00'	36°42'37"	38.44'	S63°15'40"E	37.79'
C8	16.00'	43°31'17"	12.15'	S88°24'17"W	11.86'
C9	234.00'	4°02'31"	16.51'	N71°51'20"W	16.50'
C10	234.00'	7°45'32"	31.69'	N77°45'21"W	31.66'
C11	234.00'	7°36'55"	31.10'	N85°26'35"W	31.08'
C13	40.00'	46°59'44"	32.81'	S66°00'34"E	31.90'
C14	430.00'	11°19'24"	84.98'	S13°46'02"E	84.84'
C15	430.00'	8°35'47"	64.51'	S3°48'27"E	64.45'
C16	400.00'	7°31'45"	52.56'	S3°16'26"E	52.53'
C17	400.00'	16°36'49"	115.99'	S15°20'44"E	115.58'
C18	480.00'	0°17'47"	2.48'	N23°30'15"W	2.48'
C28	200.00'	19°40'30"	68.68'	N79°40'19"W	68.34'
C29	50.00'	43°31'17"	37.98'	S88°24'17"W	37.07'
C34	50.00'	45°09'49"	39.41'	N67°54'32"E	38.40'
C35	50.00'	45°09'57"	39.41'	S67°54'36"W	38.40'
C36	50.00'	46°59'44"	41.01'	N66°00'34"W	39.87'
C37	50.00'	55°14'09"	48.20'	S70°07'46"E	46.36'

LEGEND

- WILL SET 5/8" x 30" REBAR WITH CAP MARKED "WELCH COMER PLS 12318" WITHIN ONE YEAR PER CITY OF COEUR D'ALENE CODE 16.45.050 & STATE OF IDAHO CODE 50-1332. EXTERIOR BOUNDARY MONUMENTS HAVE BEEN SET
- ⊙ FOUND 5/8" REBAR WITH CAP MARKED "PLS 12318"
- Ⓢ BLOCK NO.
- # LOT NO.

BASIS OF BEARING

GRID BEARING OF S89°11'44"E ALONG THE NORTH LINE OF NORTHWEST QUARTER OF SECTION 10. THE PROJECT IS ON IDAHO COORDINATE SYSTEM OF 1983, WEST ZONE.

SURVEY NARRATIVE

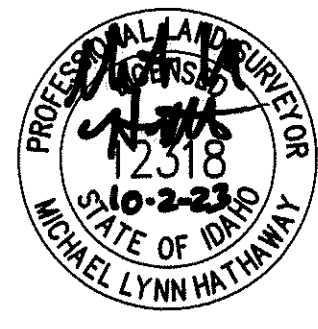
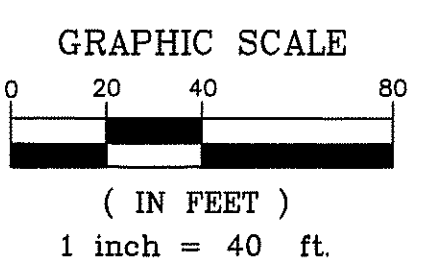
THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE PROPERTY INTO THE LOTS, BLOCKS AND TRACTS AS SHOWN. THE BOUNDARY LINES WERE ESTABLISHED BASED ON THE ORIGINAL ATLAS WATERFRONT FIRST AND SECOND ADDITION PLATS.

NOTES:

1. THE CENTERLINE MONUMENTS WERE NOT SET AS PART OF ATLAS SECOND ADDITION BECAUSE THE ROAD HAS NOT BEEN BUILT. THE MONUMENTS WILL BE SET AS PART OF THIS PLAT

PLAT REFERENCES:

- RECORDS OF KOOTENAI COUNTY
- P1) PLAT OF ATLAS WATERFRONT FIRST ADDITION RECORDED IN BOOK L OF PLATS, PAGES 519-519I
- P2) PLAT OF ATLAS WATERFRONT SECOND ADDITION RECORDED IN BOOK L OF PLATS, PAGES 708-708K



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 (fax) 208-664-5946

**ATLAS WATERFRONT
 THIRD ADDITION**

IN GOV'T LOTS 1 AND 2 SECTION 10
 OF 2 SECTION 10, T 50 N, R 4 W, B M
 COEUR D'ALENE, KOOTENAI CO., ID

PROJECT NO.: 41292.03
 DESIGNED BY: MLH
 DRAWN BY: MLH
 CHECKED BY: MLH
 NAME: 41292PLAT-PH3.DWG
 DATE: JULY, 2023
 SCALE: 1" = 40'
 SHEET NO:

ATLAS WATERFRONT THIRD ADDITION

A REPLAT OF LOT 1, BLOCK 7, LOT 1, BLOCK 8 AND TRACT 5 OF ATLAS WATERFRONT 2ND ADDITION LOCATED IN
GOV'T LOTS 1 AND 2 OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

INSTRUMENT No. 2023998000
BOOK L, PAGE 607A

OWNER'S CERTIFICATE AND DEDICATION

THIS IS TO CERTIFY THAT THE COEUR D'ALENE URBAN RENEWAL AGENCY A/K/A LAKE CITY DEVELOPMENT CORPORATION AND COEUR D'ALENE URBAN RENEWAL AGENCY DBA IGNITE CDA IS THE RECORD OWNERS OF THE REAL PROPERTY DESCRIBED ON THIS CERTIFICATION, HAVE CAUSED THE SAME TO BE SURVEYED AND COMBINED IN TO THE LOTS HEREIN PLATTED, TO BE KNOWN AS ATLAS WATERFRONT, THIRD ADDITION BEING A PORTION OF GOVERNMENT LOTS 1 AND 2 OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO DESCRIBED AS FOLLOWS:

LOT 1, BLOCK 7; LOT 1, BLOCK 8; AND TRACT 5; ALL IN ATLAS WATERFRONT SECOND ADDITION RECORDED IN BOOK L OF PLATS, PAGE 708, RECORDS OF KOOTENAI COUNTY, IDAHO.

THE OWNER FURTHER CERTIFIES:

2 TRACT 5 SHALL BE UTILIZED FOR PEDESTRIAN ACCESS AND WILL BE OWNED AND MAINTAINED BY THE ATLAS WATERFRONT ASSOCIATION, INC. HOMEOWNERS ASSOCIATION.

1 TRACTS 1 AND 3 ARE OPEN SPACE TRACTS AND WILL BE OWNED BY THE CURRENT OWNERSHIP UNTIL TRANSFERRED TO THE FUTURE PROJECT OWNER.

THE 20' ALLEY EASEMENT IS A PRIVATE ACCESS EASEMENT AND IF FOR THE USE BY THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION.

SEWER SERVICE IS PROVIDED BY THE CITY OF COEUR D'ALENE.

WATER SERVICE IS PROVIDED BY THE CITY OF COEUR D'ALENE.

PLAT IS SUBJECT TO MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR ATLAS WATERFRONT RECORDED AS INSTRUMENT NUMBER 2812179000, RECORDS OF KOOTENAI COUNTY, IDAHO.

Scott Hoskins
SCOTT HOSKINS, CHAIRMAN OF THE BOARD,
COEUR D'ALENE URBAN RENEWAL AGENCY
A/K/A LAKE CITY DEVELOPMENT CORPORATION

Scott Hoskins
SCOTT HOSKINS, CHAIRMAN OF THE BOARD,
COEUR D'ALENE URBAN RENEWAL AGENCY
DBA IGNITE CDA

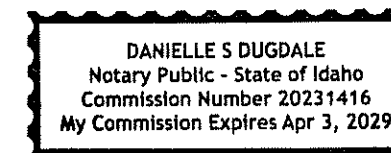
** The Tracts cannot be sold or transferred regardless of the provisions in the covenants to the contrary without the express written approval of the City of Coeur d'Alene*

ACKNOWLEDGEMENT

STATE OF IDAHO)
) s.s.
COUNTY OF KOOTENAI)

ON THIS 27 DAY OF October, IN THE YEAR OF 2023, BEFORE ME Danielle S Dugdale A NOTARY PUBLIC, PERSONALLY APPEARED SCOTT HOSKINS, KNOWN TO ME TO BE THE CHAIRMAN OF THE BOARD OF COEUR D'ALENE URBAN RENEWAL AGENCY A/K/A LAKE CITY DEVELOPMENT CORPORATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE VOLUNTARILY EXECUTED THE SAME, AND THAT HE DULY AUTHORIZED THIS INSTRUMENT ON BEHALF OF COEUR D'ALENE URBAN RENEWAL AGENCY A/K/A LAKE CITY DEVELOPMENT CORPORATION.

Daniel Dugdale
NOTARY PUBLIC
RESIDING AT: Kootenai County
MY COMMISSION EXPIRES ON: April 3, 2029

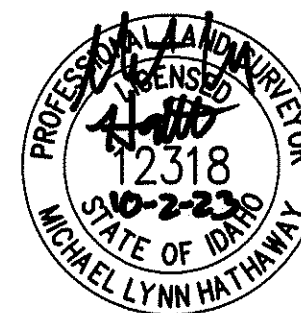
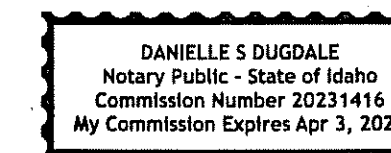
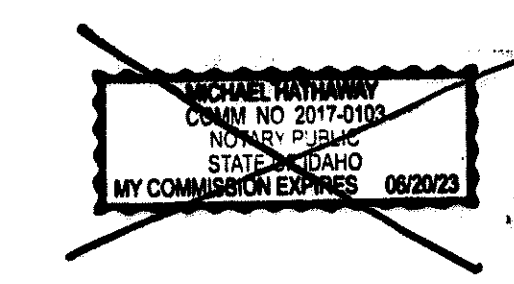


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Daniel Dugdale
NOTARY PUBLIC
RESIDING AT: Kootenai County
MY COMMISSION EXPIRES ON: April 3, 2029



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ATLAS WATERFRONT THIRD ADDITION

IN GOV'T LOTS 1 AND 2 SECTION 10
OF 2 SECTION 10, T 50 N, R 4 W, B M
COEUR D'ALENE, KOOTENAI CO., ID

PROJECT NO.: 41292.03
DESIGNED BY: MLH
DRAWN BY: MLH
CHECKED BY: MLH
NAME: 41292PLAT-PH3.DWG
DATE: JULY, 2023
SCALE: 1" = 40'
SHEET NO:

ATLAS WATERFRONT THIRD ADDITION

A REPLAT OF LOT 1, BLOCK 7, LOT 1, BLOCK 8 AND TRACT 5 OF ATLAS WATERFRONT 2ND ADDITION LOCATED IN
GOV'T LOTS 1 AND 2 OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

INSTRUMENT No. 2953998000
BOOK L PAGE 867B

CITY COUNCIL APPROVAL

THIS PLAT IS HEREBY ACCEPTED AND APPROVED BY CITY COUNCIL OF COEUR D'ALENE, IDAHO THIS 7th DAY OF November, 2023

Renata McLeod
COEUR D'ALENE CITY CLERK

CITY ENGINEER'S CERTIFICATE

I HEREBY ATTEST THAT THE CITY OF COEUR D'ALENE'S REQUIREMENTS FOR PUBLIC UTILITIES AND ROADWAYS HAVE BEEN MET.

DATED THIS 7th DAY OF November, 2023

Christopher W. Bady PE# 10804
CITY ENGINEER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH December 31 2022

DATED THIS 12th DAY OF October, 2023

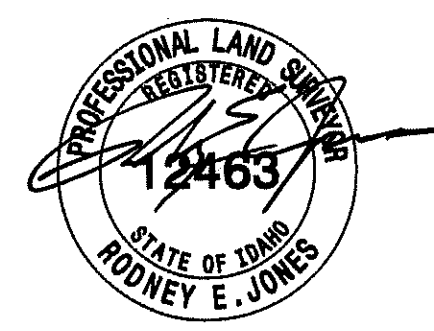
Anna Engels (deputy treasurer)
KOOTENAI COUNTY TREASURER

*Taxes paid through December 31, 2022
Resigned this 15th day of November 2023
Kelly Quirk, Deputy Treasurer*

COUNTY SURVEYOR'S CERTIFICATE

I HAVE EXAMINED AND CHECKED THIS PLAT, AND THE COMPUTATIONS OF SAID PLAT, AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE IDAHO STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET AND SATISFIED.

DATED THIS 15th DAY OF NOVEMBER, 2023



COUNTY RECORDER'S CERTIFICATE

THIS PLAT HAS BEEN FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO. AT THE REQUEST OF CITY OF COEUR D'ALENE URBAN RENEWAL AGENCY AKA LAKE CITY DEVELOPMENT CORPORATION AND COEUR D'ALENE URBAN RENEWAL AGENCY DBA IGNITE CDA

DATED THIS 11th DAY OF November, 2023 AT 9:52 O'CLOCK

A. M., AND WAS DULY RECORDED IN PLAT BOOK L, PAGES 867, 867A, 867B

INSTRUMENT No. 2953998000

Jennifer Locke By: Desirae Patton Deputy
KOOTENAI COUNTY CLERK FEE: 11.00

PANHANDLE HEALTH DISTRICT CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QPE) REPRESENTING CITY OF COEUR D'ALENE AND THE QPE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER EXTENSIONS WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER EXTENSIONS HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT DRINKING WATER FACILITIES, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER SHALL BE ALLOWED.

DATE: 10-4-23 HEALTH DISTRICT SIGNATURE: Jay Loveland

SURVEYORS CERTIFICATE

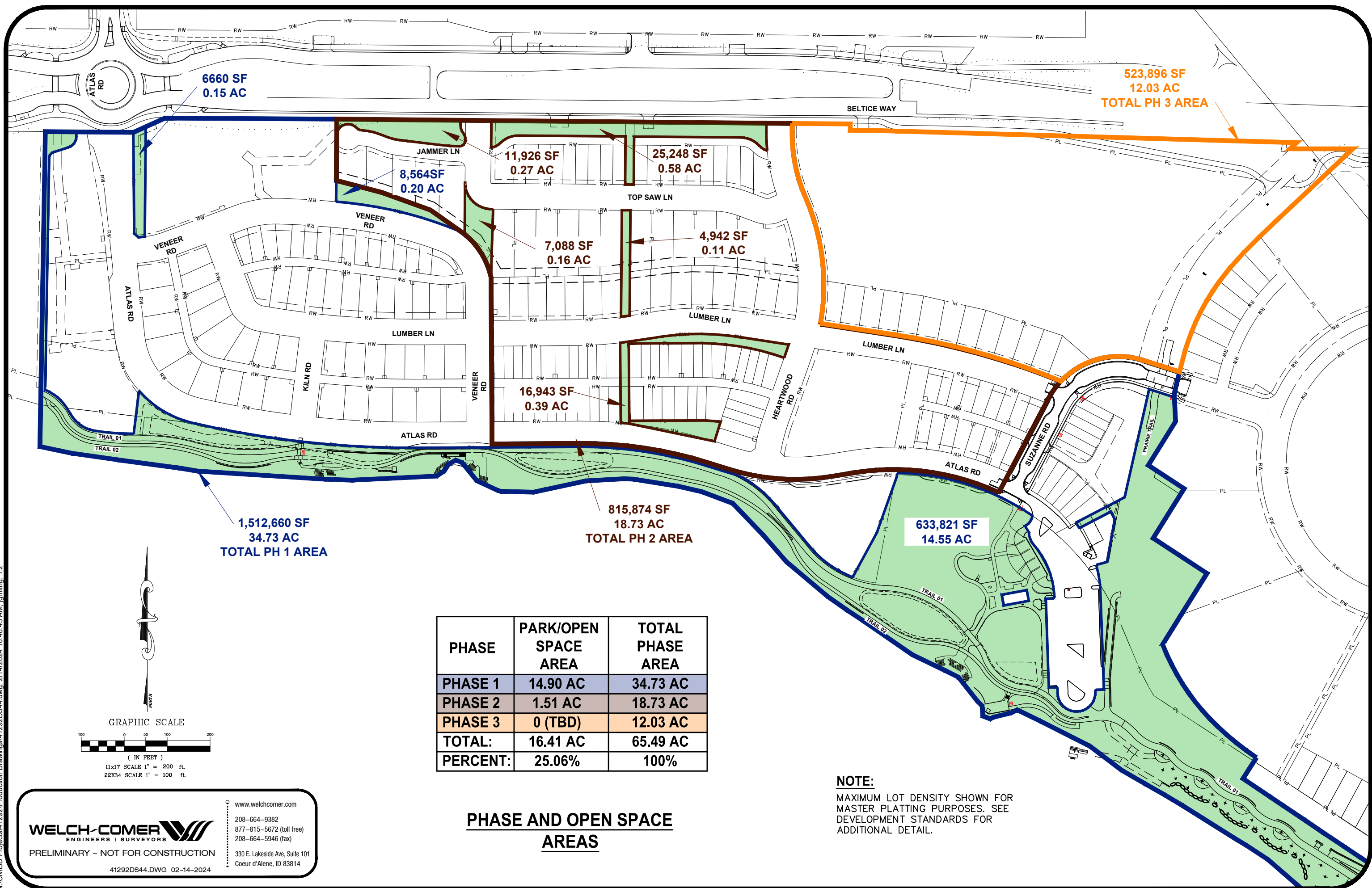
I, MICHAEL LYNN HATHAWAY, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, LICENSE NUMBER 12318, DO HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME OR UNDER MY DIRECTION AND THAT IT IS IN CONFORMANCE WITH STATE OF IDAHO CODES.

Michael Lynn Hathaway
MICHAEL LYNN HATHAWAY PLS NO. 12318

WELCH-COMER ENGINEERS & SURVEYORS www.welchcomer.com 330 E. Lakeside Ave, Suite 101 Coeur d'Alene, ID 83814 208-664-9382 (toll free) 877-815-5672 (fax) 208-664-5946	ATLAS WATERFRONT THIRD ADDITION	PROJECT NO.: 41282.03 DESIGNED BY: MLH DRAWN BY: MLH CHECKED BY: MLH NAME: 41282PLAT-PH3.DWG DATE: JULY, 2023 SCALE: 1" = 40' SHEET NO:
		IN GOV'T LOTS 1 AND 2 SECTION 10 OF 2 SECTION 10, T 50 N, R 4 W, B M COEUR D'ALENE, KOOTENAI CO., ID

3 OF 3

N:\Civil3D Projects\41292\Production Drawings\41292DS44.dwg_2/14/2024 10:46:43 AM, jgriffing, 1:2



6660 SF
0.15 AC

523,896 SF
12.03 AC
TOTAL PH 3 AREA

8,564 SF
0.20 AC

11,926 SF
0.27 AC

25,248 SF
0.58 AC

7,088 SF
0.16 AC

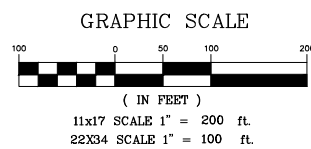
4,942 SF
0.11 AC

16,943 SF
0.39 AC

1,512,660 SF
34.73 AC
TOTAL PH 1 AREA

815,874 SF
18.73 AC
TOTAL PH 2 AREA

633,821 SF
14.55 AC



PHASE	PARK/OPEN SPACE AREA	TOTAL PHASE AREA
PHASE 1	14.90 AC	34.73 AC
PHASE 2	1.51 AC	18.73 AC
PHASE 3	0 (TBD)	12.03 AC
TOTAL:	16.41 AC	65.49 AC
PERCENT:	25.06%	100%

PHASE AND OPEN SPACE AREAS

NOTE:
MAXIMUM LOT DENSITY SHOWN FOR MASTER PLATTING PURPOSES. SEE DEVELOPMENT STANDARDS FOR ADDITIONAL DETAIL.



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208-664-5946 (fax)
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Coeur d'Alene, ID 83814

PRELIMINARY - NOT FOR CONSTRUCTION

41292DS44.DWG 02-14-2024

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

PUD-4-19m4

A. INTRODUCTION

This matter came before the Planning and Zoning Commission on March 12, 2024, to consider PUD-4-19m4, a request for a modification to the approved Planned Unit Development for Atlas Waterfront.

APPLICANT: Phil Boyd, PE, Welch-Comer Engineers

OWNER: ignite cda

LOCATION: Atlas Waterfront 2nd Addition Block 5 Lots 6-12, Block 9 Lots 1-7, Block 11 Lot 13, Block 12 Lot 1, Block 13 Lot 1, Block 15 Lots 1-9, Block 16 Lots 1-8, and all of Atlas Waterfront 3rd Addition

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A11, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

A1. All public hearing notice requirements have been met for item PUD-4-19m.4.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published in the Coeur d'Alene Press on February 24, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on March 4, 2024, eight days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Seventy-three (73) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on February 27, 2024.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on February 27, 2024. Due to a challenge the City was experiencing with a malware security issue, the notices were accidentally sent out only fourteen (14) days prior to the hearing. However, the concerned political subdivisions have provided a written waiver of the 15-day notice requirement.

- Notice of the public hearing must be given to any pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on February 27, 2024.

- A2.** The total Atlas Waterfront project site is approximately 64 acres and the subject property is zoned C-17 PUD.
- A3.** The property that is the subject of this PUD amendment (Development Areas 4 - commercial site, 5A, 9, 13, 16, 18, and 19) is currently vacant. The project is being developed as a neighborhood with a mix of housing types, commercial nodes and open space.
- A4.** The Comprehensive Plan Future Land Use Map designation is the Planned Development Place Type. Planned Development Place Types are locations that have completed the planned unit development application process. As part of the process, the City and the applicant have agreed to a determined set of complementary land uses that can include a number of Place Types. Large scaled Planned Developments often have a determined phasing and development plan and may include land uses such as housing, recreation, commercial centers, civic, and industrial parks, all within one contained development or subdivision. Building design and scale, transportation, open space, and other elements are approved through the PUD evaluation process. The requested PUD amendment is consistent with the Comprehensive Plan Planned Development Place Type and the project has been approved and amended previously through the City's PUD process.
- A5.** The Comprehensive Plan goals and objectives do support this PUD amendment request with the following applicable Goals and Objectives:

Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

OBJECTIVE CI 2.1

Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Goal ER 1

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

OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes

sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

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

Goal GD 1

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

OBJECTIVE GD 1.1

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

OBJECTIVE GD 1.3

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

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.

Goal GD 2

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

OBJECTIVE GD 2.1

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

Goal GD 3

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

OBJECTIVE GD 3.1

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

Goal GD 4

Protect the visual and historic qualities of Coeur d’Alene

Goal JE 1

Retain, grow, and attract businesses

OBJECTIVE JE 1.2

Foster a pro-business culture that supports economic growth.

(The commission should remove or add other goals and objectives here as it finds applicable. The Comp Plan goals and objectives are also included in their entirety as an attachment to the staff report.)

- A6.** The Atlas Waterfront property is bound by the Spokane River to the south, Seltice Way to the north, Riverstone to the east, and the River’s Edge apartments to the west. Surrounding land uses include multi-family, single-family, open space, recreation, and commercial, as well as the Transit Center. The project amendments to the PUD would be compatible with surrounding uses on adjacent properties.
- A7.** The natural features of the site and adjoining properties would not be negatively impacted by the requested PUD amendment.
- A8.** The requested modifications to Development Areas 4, 5A, 9, 13, 16, 18, and 19 would not impact the City’s ability to serve the project with facilities and services. All departments have indicated the ability to serve the project and no additional conditions have been added with this amendment.

- A9.** The PUD amendment #4 would slightly reduce the total open space area, but the total percentage of open space within the project would be 25%, which exceeds the required 10% open space requirement.
- A10.** The project would provide parking sufficient for users of the development. The parking reduction for Area 5A is based on adopted parking standards for the Downtown North (DO-N) Infill Zoning, which is comparable to the development pattern and desired urban form within the project. The Commission finds that **(the requested DO-N parking standards for residential) (the Midtown Overlay (MO) parking standards for residential) (no changes to the residential parking standards)** for 5A, along with the previously adopted parking standards for the project, and the on-street parking, would meet this finding.

(The commission must choose one of the options above for this finding)

- A11.** The Atlas Waterfront Master Association would be responsible for providing perpetual maintenance of all common property.

(The commission should add other facts here which it finds are relevant to its decision.)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.

- B1. This proposal **(is) (is not)** in conformance with the Comprehensive Plan Goals, Objectives, and Future Land Use Map Place Type.
- B2. The design and planning of the site **(is) (is not)** compatible with the location, setting and existing uses on adjacent properties.
- B3. The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties.
- B4. 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.
- B5. 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.
- B6. Off-street parking **(does) (does not)** provide parking sufficient for users of the development.
- B7. That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property.

C. DECISION

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested PUD amendment (does) (does not) comply with the required evaluation criteria.

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order and (approve) (deny) (deny without prejudice) the request.

ROLL CALL:

COMMISSION MEMBER INGALLS	Voted	(Aye) (Nay)
COMMISSION MEMBER LUTTROP	Voted	(Aye) (Nay)
COMMISSION MEMBER WARD	Voted	(Aye) (Nay)
COMMISSION MEMBER FLEMING	Voted	(Aye) (Nay)
COMMISSION MEMBER MCCRACKEN	Voted	(Aye) (Nay)
COMMISSION MEMBER COPPESS	Voted	(Aye) (Nay)
CHAIRMAN MESSINA	Voted	(Aye) (Nay)

Motion to (approve)(deny)(deny without prejudice) carried by a _____ to _____ vote.