

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

**October 10, 2023**

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

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

**5:30 P.M. CALL TO ORDER:**

**ROLL CALL:** Messina, Fleming, Ingalls, Luttropp, Coppess, McCracken, Ward

**PLEDGE:**

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

September 12, 2023

September 25, 2023 – Joint Workshop with City Council on Impact Fees

**PUBLIC COMMENTS:**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

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

1. Applicant: Ryka Consulting (agent for Verizon Wireless)  
Location: 1514 Shaddock Lane  
Request: A proposed Cell Tower special use permit in  
The R-3 zoning district.  
QUASI-JUDICIAL, (SP-6-23)
  
2. Applicant: Lake City Engineering, Inc  
Location: 3549 N 15th  
Request: A proposed 1.74-acre annexation from County AS to  
City R-12.  
LEGISLATIVE,( A-1-23)

**POSTPONED**

**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 Commission is appealable within 15 days of the decision pursuant to sections [17.09.705](#) through [17.09.715](#) of Title 17, Zoning.*



# MINUTES



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**PLANNING COMMISSION  
MINUTES  
SEPTEMBER 12, 2023  
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  
Mike Behary, Associate Planner  
Traci Clark, Public Hearing Assistant  
Randy Adams, City Attorney

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Motion by Commissioner Luttrupp, seconded by Commissioner Coppess, to approve the minutes of the Planning Commission workshop on June 20, 2023. Motion approved.

Motion by Commissioner Fleming, seconded by Commissioner McCracken, to approve the minutes of the Planning Commission meeting on August 8, 2023. Motion approved.

**COMMISSION COMMENTS:**

None.

**STAFF COMMENTS:**

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

- This is Shana's last commission meeting, as she is retiring this Friday after 28 years of service with the city.
- There will be a joint workshop with City Council regarding Impact Fees on September 20 at 12:00.
- At the October meeting, there will be two hearings, a Special Use Permit request and an Annexation request.
- There will be a Joint Workshop with the Planning and Zoning Commissions throughout Kootenai County on November 2<sup>nd</sup> from 5:30-7:30 pm. Please RSVP to Greta Gissel with Connect Kootenai.
- The Kaufman Estates appeal hearing will be held at the October 3<sup>rd</sup> City Council meeting.

**PUBLIC COMMENTS:**

None.

**ADMINISTRATIVE:**

- 1, Applicant: Coeur d'Alene Homes, Inc dba Orchard Ridge Senior Living  
Location: 704 W. Walnut  
Request: A request for a one-year extension for SP-2-22.  
ADMINISTRATIVE, (SP-2-22)

Mike Behary, Associate Planner, provided the following statements:

- The applicant has submitted a letter requesting the extension with a statement explaining that due to the global supply chain disruptions coupled with intense inflationary pressures surrounding the costs of construction materials have placed a brief pause on their development plans. They are closely monitoring the market to determine the most cost-effective timeframe to proceed with construction and are committed to see its completion as soon as feasible.
- On August 9, 2022, the Coeur d'Alene Planning Commission held a public hearing on the above request and approved by a 7 to 0 vote with the following condition.

**Planning:**

1. The parcel shall be deed restricted to residents of 62 years of age or older to qualify for the reduced parking standard prior to the issuance of a Certificate of Occupancy (CO or TCO).
- The commission is being asked to approve or deny the request of Coeur d'Alene Homes, Inc. dba Orchard Ridge Senior Living for a one-year extension of an approved R-34 Density Increase Special Use Permit for a proposed multi-family apartment complex in the R-17 zoning district.
  - The subject property is located south of US 95 and east of Northwest Boulevard as shown on the map outlined in yellow.
  - The R-34 would increase potential density from 35 units to 68 units and height from 45 feet to 63 feet. He also noted that if the proposed structure measures 50,000 square feet or more that Design Review will be required.
  - The Commission alternatives are to grant a one-year extension of the approved special use permit to August 24, 2024 or to deny the one-year extension. If denied, the item expires and the applicant must reapply for the density increase special use permit.

Mr. Behary concluded his presentation

**Commission Comments:**

**Motion by Commissioner McCracken, seconded by Commissioner Ward, to approve Item SP-2-22.**

ROLL CALL:

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

Motion to approve carried by a 7 to 0 vote.

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

1. Applicant: Azzardo, LLC  
Location: 3912 N. Schreiber Way  
Request: A proposed multi-use Special Use Permit  
in the LM Zoning District  
QUASI-JUDICIAL, (SP-7-23)

Mike Behary, Associate Planner, provided the following statements:

- Azzardo LLC is requesting approval of a total of six (6) activity uses; including three (3) service activities and three (3) commercial activities, via the Special Use Permit process on a 1.26-acre parcel located at 3912 N. Schreiber Way, to allow for the following uses in the LM (Light Manufacturing) Zoning District.
  - Commercial Activities:
    - Business Supply Retail Sales
    - Food & Beverage Stores (on/off site)
    - Specialty Retail Sales
  - Service Activities:
    - Commercial Recreation
    - Personal Service Establishment
    - Professional & Administrative Offices
- The Light Manufacturing (LM) District is intended for a variety of manufacturing uses that are conducted indoors with some manufacturing uses that include outdoor activities that may create some noise, dust, and odor. Residential uses are not permitted.
- The applicant's proposed uses would be conducted primarily within the proposed structure, and the applicant is aware that a possible manufacturing use may be built in the area, or may occupy an existing structure. An outdoor patio area could be affected by an adjacent manufacturing use, in which case the city would support the continued operation of the manufacturing use, as allowed by right, in the context of the city's performance standards.
- It should be noted that special use permits expire within 1 year of the effective date of approval unless substantial development has begun, and if the use ceases for two (2) years.
- The subject property is located off of Schreiber Way south of Kathleen Avenue. It is currently vacant.
- There are three findings that must be met for a Special Use Permit, Findings B8A through B8C.
- The City Comprehensive Plan Map designates this land use type as "General Industrial" and the plan describes the Key Characteristics, transportation, typical uses, and compatible zoning.
- There are several Comprehensive Plan goals and objectives included in the staff report that may apply to the special use permit request.

- He addressed each of the three findings. For Finding B8B, he showed that while the property is zoned LM, it is shown as a commercial use on the Land Use Map and is surrounded by all commercial land uses with one civic use (a church) to the east across Schreiber Way.
- He noted the comments from city staff under Finding B8C stating that they didn't have any objection to the Special Use Permit.
- He commented, if the Special Use Permit request is approved, that there are (3) proposed conditions.

Mr. Behary concluded his presentation

**Commission Comments:**

Commissioner Ingalls thanked Mr. Behary for the good report. He asked about the language on page 2 of the staff report regarding the possible manufacturing uses that may be built in the area. He asked if the applicant has been made aware that this is this light manufacturing zone. Mike Behary explained, yes, this is a light manufacturing zone and that the applicant is aware that there might be some noise and that manufacturing uses are allowed by right to go in to this other building and surrounding areas, which could create adverse noise and dust. Commissioner Ingalls stated we have a duty to protect surrounding properties that may have a manufacturing use that might make some noise or generate dust. Mike Behary stated: yes, we wanted to make sure that the applicant is aware of the manufacturing uses are by right based on the underlining zoning.

Commissioner Fleming stated that there are six activities associated with the special use permit request and asked who will monitor what those activities will be. Mike Behary stated that if they wanted any more uses that they will have to come back to the Planning Commissioner and request a Special Use Permit for that activity. He reiterated the language from the staff report and presentation about the special use permit expire within 1 year of the effective date of approval unless substantial development has begun and that the approval also expires if the use ceases for two years. Commissioner Fleming states a lot of these are lease situations they might be putting themselves in a tight box and she wants to make sure they know they are constraining themselves. She added that the design of the structure looks great.

Commissioner Ward questioned if no specific uses are being identified at this time. Mike Behary responded that they have not indicated a specific use and that the request is to provide flexibility for tenants. Commissioner Ward stated he is concerned that the Special Use Permit is too broad and he believes they should identify the use. He feels that they are in essence creating a different zoning district by requesting six uses with the special use permit and he feels this goes against the code.

Commissioner McCracken stated it doesn't make sense to have this broad of a choice. She would prefer that they have the users identified and that they then come in for the special use permit request. Mike Behary responded that the Planning Commission has approved similar special use permits with 6 uses on other properties in this area.

Commissioner Fleming agreed and said that the commission has done this before for one structure with a mix of uses and multiple tenants. We trust the owner is going to take care of his building and their property and make sure he is protecting their investment as well.

Commissioner Coppess noted a slide showing the parcel is light manufacturing and asked to see the slide again showing the land uses on the surrounding properties. He noted that it looks like the majority of the properties are commercial. Mike Behary agreed and stated that only three parcels that are manufacturing. Commissioner Coppess asked if there have been any complaints. Mike Behary stated that there have been none.



### **Public testimony open.**

Dave Shrontz, applicant representative, introduced himself and was sworn in.

Commissioner Luttrupp asked if Mr. Shrontz was fully aware that the zoning is light manufacturing and that industrial uses are permitted by right, and they might be inconsistent with the operating of the proposed business. Mr. Shrontz responded that yes, the owner is aware of the permitted uses.

Commissioner Luttrupp also stated that the commission has approved special use permits for uses other than manufacturing in this area and the fact that there haven't been any complaints does speak positively of our planning process, but he wants to make sure we keep the integrity of the underlying manufacturing zoning.

Steve Jennings, resident of Hayden Lake, stated this is a blanket request for the property and he is concerned about what the uses will be. Hilary Patterson, Community Planning Director, stated that on page two of the staff report it clarifies the timing of a special use permit expiring. Commissioner Luttrupp asked Mr. Jennings what his concerns were and if he was concerned about traffic. Mr. Jennings stated that he represents a manufacturing use along Schreiber Way and that he is fearful that if the commission continues to approve special use permits for commercial uses that the manufacturing uses will be pushed out.

Commissioner Ward stated that he anticipates the zoning will remain as light industrial. Commissioner Coppess responded that there is a push for more manufacturing uses to take place locally and in American, and that businesses are looking for places to do high tech manufacturing. He asked if there is a vision for this area. Mike Behary explained if a winery moves in that it would need a special use permit and the underlying zone stays the same. Commissioner McCracken questioned the tenant space in the building and wondered if there were two spaces. She said it was difficult to know from the application. Mr. Behary commented that there is one building with options for several tenants, and added there would be adequate parking available. Chairman Messina asked for clarification on the six uses which are listed in the request. Mr. Behary explained that if they did not proceed with the special use within one year that it would expire. Chairman Messina stated we are approving the six uses and if the use goes away after 2 years, then that expires too, they will have to come back and do another special use permit request to the Planning Commission.

### **Public testimony closed.**

#### **Discussion:**

Commissioner Ward stated he has no problem with any of the individual uses listed as a special use permit for this zoning district, but they are special uses for a specific reason, and they do have different impacts from the listed permitted uses in that zoning district. He said it is the commission's job to think through potential impacts of the requested uses. He would have no problem coming back and saying they want to do a certain use, but he does not feel comfortable doing an open-ended approval.

Commissioner Coppess concurs and understands this was done once for another property. He questioned that if the commission did it once, should it be approved.

Commissioner McCracken concurs and said the commission needs more information on the specific uses.

Commissioner Ward asked if the requested uses would allow for retail, food and beverage. Staff responded that yes, those uses would be allowed, if the permit was approved.

Commissioner Ingalls asked why aren't they being specific and that he doesn't understand why they are not stating what businesses are coming in. He added it might be a combination of various uses. He agreed that there have been a lot of various uses in the area and we haven't had any complaints, so he doesn't

see a problem with the request. He does support the request.

Commissioner Luttrupp stated it would be nice if the owner was here to ask questions.

Chairman Messina stated that he concurred and it would have been nice to have the owner here.

Randy Adams, City Attorney, addressed the question of precedence is a pretty complex and pretty complicated issue and it is really not something we do not need to address in this meeting but yes there would be a potential for discrimination if you approve this or deny something but precedence based on unique circumstance of every piece of property, you can always find differences approving other requests with multiple uses. Mr. Adams also clarified that the wastewater condition, number 1, would need to be amended if the commission approves the request – it should say, “no permanent structures or monuments can be built within the sewer easement.”

**Motion by McCracken, seconded by Luttrupp, to deny without prejudice Item SP-7-23. Motion approved.**

ROLL CALL:

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

Motion to approve carried by a 4 to 3 vote.

**ADJOURNMENT:**

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

The meeting was adjourned at 6:15 p.m.

Prepared by Traci Clark, Public Hearing Assistant

MINUTES OF A CONTINUED MEETING OF THE  
COEUR D'ALENE, IDAHO,  
CITY COUNCIL HELD IN THE LIBRARY COMMUNITY ROOM  
September 25, 2023, AT 12:00 P.M.

The City Council of the City of Coeur d'Alene met in continued session with the Planning Commission in the Library Community Room held at 12:00 P.M. on September 25, 2023, there being present the following members:

James Hammond, Mayor

Dan Gookin ) Members of Council Present  
Dan English )  
Kiki Miller )  
Amy Evans )  
Christie Wood )  
Woody McEvers ) Member of Council Absent

Tom Messina ) Members of the Planning Commission Present  
Lynn Fleming )  
Brinnon Mandel )  
Sarah McCracken )  
Peter Luttrupp )  
Phil Ward )  
Jon Ingalls ) Member of Planning Commission Absent

**STAFF PRESENT:** Troy Tymesen, City Administrator; Randy Adams, City Attorney; Hilary Patterson, Community Planning Director; Sean Holm, Senior Planner; Stephanie Padilla, City Accountant; Ted Lantzy, Building Official; Thomas Greif, Fire Chief; Jeff Sells, Deputy Fire Chief; Bill Greenwood, Parks & Recreation Director; Lee White, Police Chief; David Hagar, Police Captain; Chris Bosley, City Engineer.

**CALL TO ORDER:** Mayor Hammond called the meeting to order and noted that the purpose of the meeting was to provide an opportunity for the Council and Planning Commission (acting as the Development Impact Fee Advisory Committee) to receive an update on the Development Impact Fee Study for Fire, Police, Parks, and Transportation, and to hear a briefing on Annexation fees.

**STAFF REPORT:** Senior Planner Sean Holm explained the City of Coeur d'Alene (City) was conducting a study to update both the development impact and annexation fees in accordance with Title 67, Chapter 82 of Idaho Code with the assistance of Welch Comer Engineers (overall project management, needs assessments, and Capital Improvement Plans), FCS Group (analysis alternatives, fee calculations, study), and Iteris (regional demand/traffic modeling). He said the existing development impact fee study was completed in 2004, and neither the fees nor study had been adjusted since. The annexation fee was last adopted by Resolution in 1998. He noted Impact

Fees represent the value of the proportional share of fire, police, park, and transportation system capacity that the new user, or redeveloping user, would utilize. Impact fees were a one-time fee for new development, not ongoing rates. Mr. Holm explained that the annexation fee represented the share of property tax-supported City functions. He mentioned for the needs assessment and Capital Improvement Plan (CIP) tasks, the following work had occurred:

- Welch Comer worked with both fire and police staff on a needs assessment and impact fee CIPs.
- Welch Comer and Iteris worked with engineering staff to assemble a roadway CIP based on data from multiple sources and vetting with the KMPO regional demand model.
- Welch Comer worked with engineering and parks staff to develop a non-motorized transportation CIP after gathering information from various existing planning documents.
- Welch Comer developed a parks CIP after gathering information from the City's parks master plan and working closely with parks department staff.
- Iteris pulled trip data from the KMPO regional demand model for use in the transportation impact fee calculations.
- FCS GROUP developed various alternatives for the impact fee and presented options to the Development Impact Fee Committee. They prepared a policy alternatives memo and the draft report.
- FCS GROUP also updated the annexation fee calculations based on the 1998 methodology.

Mr. Holm noted there had been two (2) workshops to date with the Planning and Zoning Commission, which acts as the Development Impact Fee Advisory Committee (Committee) for the City. The first workshop was on May 17, 2023, wherein they discussed growth assumptions, obtained input on fire and police CIPs, and received input from the Committee on alternatives. The second workshop held on July 18, 2023, was to obtain feedback from the Committee on the transportation and parks CIPs, present initial fee findings, and compare fees to other similarly sized or nearby communities in Idaho. He said the purpose of today's joint workshop was to provide the information to Council on the fee methodologies and draft fee calculations for the Impact Fee and Annexation Fee updates, and give them an opportunity to ask questions, gain understanding of methodology, and provide feedback in advance of the hearings to approve the CIPs, adopt the study, and update the fees. He explained the next steps would be conducting a hearing to adopt the CIPs, which was tentatively planned for November, and the hearing to adopt the study and update fees was tentatively scheduled for early December. He said that additionally, City staff and Welch Comer staff were scheduled to update the Executive Committee of the North Idaho Home Builders Association (NIBCA) on October 19.

Mr. Holm introduced Melissa Cleveland, Senior Project Manager with Welch-Comer who gave an overview of the information they would be presenting. She said the purpose of the study was to update Impact and Annexation Fees, examine the fee methodology and alternatives, update fee basis, and recommend new fees. Todd Chase, FCS Group said Impact Fees were calculated by the eligible cost of planned capacity increasing facilities, divided by growth in system capacity, minus the existing Fund Balance, which equaled the Impact Fee charge per unit of capacity. Fees were based on projected facilities. He noted key considerations were the applicable customer base which included existing customers, the planning period (which must match the CIP numerator which was 10 years for the study), location, and units of growth. He mentioned Impact Fees were one-time fees for net new development, and not ongoing fees. The fee represented the value proportional share of system capacity that the new user (or redeveloping user) would utilize. He said Development Fees for capital investments, which increase system capacity, were Parks, Fire and Police Facilities, and Transportation (roadways and bicycles/pedestrian facilities). He said their draft study was 90% completed and they had been asked by the Committee to make a few amendments and scale fees by residential home size, consider parks fees for both residential and non-residential uses, eliminate quadrants in the transportation fee, simplify land use categories, reduce the Julia Street overpass in the CIP to include only pre-engineering/planning, and consider specific Assisted Living Facilities in public safety fees. He noted that after researching relevant data, the Parks Impact Fees CIP was \$16.9 million which equated to \$983 per customer unit, the Transportation Impact Fees CIP without the overpass equaled \$89 million and equated to \$3,421 for a single-family dwelling unit (SFDU), or with the overpass \$91 million which would be \$3,659 for a SFDU. The Police and Fire CIP was estimated at \$8.4 million for Police (\$6 million of eligible costs), which equaled \$1,207 per residential dwelling, and Fire at \$9.2 million which would be \$1,151 for residential dwellings. He noted they did an analysis of incident responses by police and 62% were to residential dwellings, 3% to Assisted Living Facilities, and 35% to all other building types. He mentioned the defensible impact fee scaling would amount to \$3.87 per square foot for residential purposes. Multi-family at \$4.41 per square foot, Assisted Living Facility at \$7.94 per square foot, and Hotels/Motels \$4,559 per unit. He mentioned the fees were shown before credits such as existing site improvements.

Mr. Chase said Annexation Fees were currently \$750 per dwelling unit for property outside of City limits and was based on property tax supported City functions. He said after growth data was measured the proposed Annexation Fee, which was indexed to July 2024, would be \$1,133.

**DISCUSSION:** Councilmember English noted the Julia Street overpass was a high priority project and suggested keeping engineering in the fees. He also suggested assisted living facilities be analyzed by their non-profit or for-profit criteria.

Councilmember Gookin said a legal description of what the law allowed in regard to Impact Fees was needed and should include how they were calculated and how to justify their use. He asked if park projects were listed in the Parks Master Plan, with Parks Director Bill Greenwood responding they were. Mr. Greenwood explained non-developed park space such as Tubbs Hill were not included in the plan as it contained already developed park space. Councilmember Gookin said he had concerns with the single-family home equation. He noted Urban Renewal was supposed to be doing the Julia Street overpass project and had concerns with it being included in the Impact Fees. He requested projections be provided on growth, current fees, and include

annexation fees. He noted an Impact Fee Study had been completed 6-7 years ago and requested the previous study be presented to Council. Councilmember Wood asked how the calls for service assessment was done. She noted there were over 60,000 and why was the City not allowed to charge for all calls, with Mr. Chase responding they could; however, they would need to be listed. Councilmember Wood asked about the data on calls for the Fire Department, with Fire Chief Tom Greif responding they would provide it. Councilmember Wood noted accurate data was needed for the Fire Department calls for service, industrial uses should be divided by categories, and noted she was okay with the Parks Master Plan and the difference between developed and non-developed parks space. Councilmember Evans noted Mr. Holm's staff report included the code section related to Impact Fee law. She asked for the difference between an accessory dwelling unit and short-term rentals, with Ms. Cleveland responding it was difficult to capture the short-term rental as the data available was supplied at the time the building permit was acquired. Mr. Chase said accessory dwelling units added to the property would capture the fee, yet an existing house converted to a short-term rental may be missed as Ms. Cleveland had explained the fee was captured at the time of the building permit. Councilmember Miller noted the parks assessment fee didn't change for multi-family and asked why, with Ms. Cleveland responding the fee had changed and was included in the square foot calculations. Councilmember Miller asked if when analyzing the growth comparisons, were demographics reviewed when looking at Impact Fees for Assisted Living Facilities. Ms. Cleveland said the issue had come up in prior workshops, yet Fire had a large number of calls to Assisted Living Facilities which is why the facilities were included. Councilmember Miller asked if call for service to hotels/motels/bars were captured in the commercial numbers, with Ms. Cleveland responding they were. Mr. Holm noted calls for service to motels were discussed during early planning and it was decided to categorize them in with commercial uses. Councilmember Miller noted there were park system expansions listed in the plan, with Mr. Greenwood responding they had a large list of parks in the Parks Master Plan and had looked at the priorities over the next 10 years in order to include them in the Impact Fee Study. Ms. Cleveland noted impact dollars would have to be spent on the Impact Fee CIP, yet the CIP could be modified as needed with Council approval. Councilmember Wood asked why there was such a difference between the City's and Post Falls's Impact Fees, with Ms. Cleveland responding Post Falls had just updated their impact fees. Councilmember Gookin asked for clarification on modifying the CIP, and mentioned Impact Fees had been used for a signal on Wilbur and Ramsey Avenues, in which he did not recall Council modifying the CIP in order to use impact fees for the signal. Mayor Hammond said in his experience Impact Fees could only be used for items identified in the CIP and not for past projects. He said he would like additional data on fees based on square footage, and stressed they should not delay the implementation as fees had not been looked at in many years. He would like to see a stepped approach in implementation of the new fees and felt they were comparable with nearby cities. Councilmember Gookin asked if it was feasible to base fees on house cost or by number of bedrooms instead of size, with Mr. Chase responding they would need to look at nexus of comparable data. Ms. Cleveland noted it may be problematic to base fees by house cost or number of bedrooms as there were many instances of rooms being used as studies and offices. She said it was advisable to base fees by square footage. Councilmember Gookin asked if additional square footage was added to a dwelling unit could it be charged the Impact Fees, with Ms. Cleveland responding it could if the fee was based by square footage. Councilmember Gookin noted the cost of housing had increased greatly and why hadn't the fee increased at the same amount, with Ms. Cleveland responding the figures were based on water/sewer use fees. Councilmember Gookin asked if increased operating costs were included in

amounts, with Ms. Cleveland responding they were. Councilmember Gookin asked how much annexation may be expected in the next ten years, with Ms. Patterson responding there were small pockets throughout the City. Councilmember Wood asked if the Annexation Fee would constantly inflate, with Mr. Chase responding it could if it were adopted by Resolution or Ordinance to include an escalated fee based on the Consumer Price Index (CPI). Mayor Hammond said the Impact Fees and Annexation Fee needed to move forward, and that the Planning Commission had been working on the Plan for a while. Commissioner McCracken noted the Fire Department calls for service data was still needed, and noted that in the past, the City had been challenged on its Impact Fees so it was important to base them on numbers which could be justified. Commissioner Fleming said the quadrants should be removed and the uses shouldn't be broken down too much. She said the study felt heavy handed in regard to elder care facilities and the approach should be to spread out the fees more evenly. She noted additional hotel rooms were also needed and the fee should be more accommodating to that use. She said overall, the numbers were good and mentioned that hotels, motels, and STRs were used as staging for medical workers. Ms. Cleveland said the largest change to fees for hotels and motels was adding the Parks Impact Fees. Councilmember English noted daycares were needed in the community as well. He said Fire/EMS were obligated to respond to some calls. Mr. Chase mentioned if fees were reduced in some areas, they would need to be adjusted onto other uses. Commissioner Coppess noted baseline cost of services were used for fees and he was unsure fees could be broken down by demographics. Mr. Chase concurred it would be difficult to base fees on demographics.

**ADJOURN:** Motion by Luttrupp, seconded by Fleming, that there being no further business of the Planning Commission, this meeting is adjourned. **Motion carried.**

**MOTION:** by Gookin, seconded by English, that there being no further business of the City Council, this meeting is adjourned. **Motion carried.**

The meeting adjourned at 1:33 p.m.


ATTEST:

\_\_\_\_\_  
James Hammond, Mayor


\_\_\_\_\_  
Sherrie L. Badertscher  
Executive Assistant

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# **PUBLIC HEARING**



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**PLANNING COMMISSION  
STAFF REPORT**

**FROM:** MIKE BEHARY, ASSOCIATE PLANNER

**DATE:** OCTOBER 10, 2023

**SUBJECT:** A-1-23: ZONING PRIOR TO ANNEXATION OF 1.74 ACRES FROM COUNTY AG SUBURBAN TO R-12

**LOCATION:** PROPERTY IS LOCATED AT 3549 N. 15<sup>th</sup> STREET

**APPLICANT & OWNER:**  
Sandra Braden & William Braden  
3549 N 15<sup>th</sup> Street  
Coeur d'Alene, ID 83815

**ENGINEER:**  
Lake City Engineering  
126 Poplar Avenue  
Coeur d'Alene, ID 83814

**DECISION POINT:**

The applicant is requesting approval of the annexation of 1.74 acres in conjunction with zoning approval from County Agricultural-Suburban to the R-12 zoning district.

**BACKGROUND INFORMATION:**

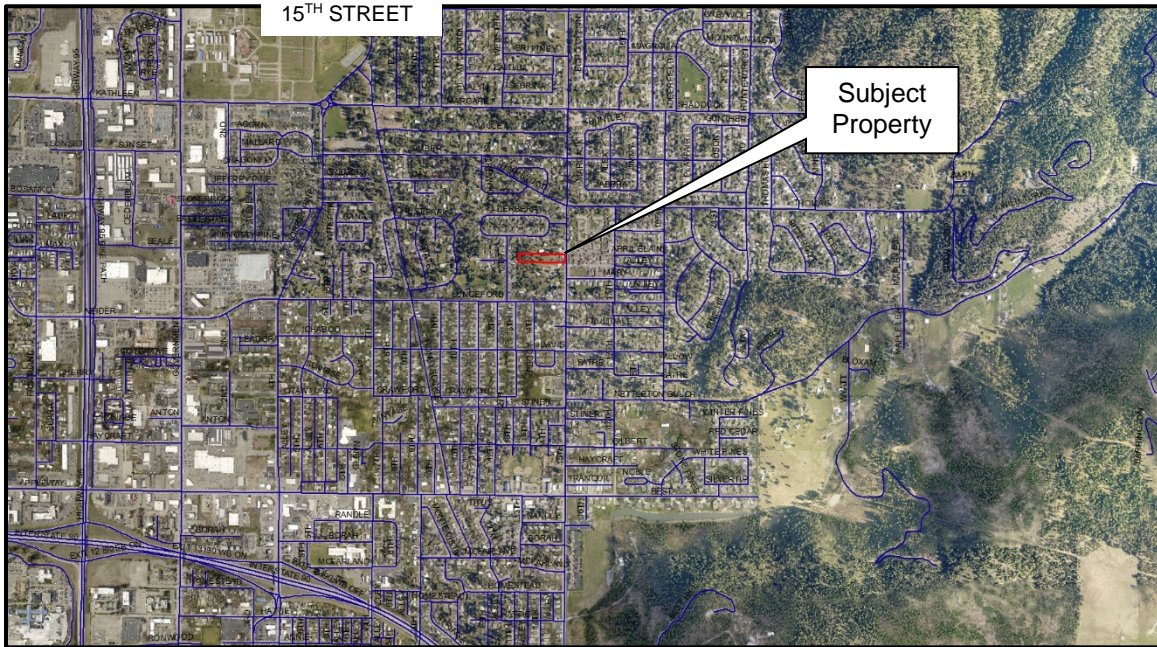
Currently the subject property is located in the unincorporated area of the county and consists of one parcel that has a single-family dwelling located on it. The subject site is 1.74 acres in area and is relatively flat. The site is adjacent to the city limits along its south and west property line.

The property is currently zoned Agricultural-Suburban in the county. As part of the annexation request, the applicant is proposing the R-12 zoning district be applied to the subject site. The subject site is located within the City's Area of City Impact (see ACI Map on page 7).

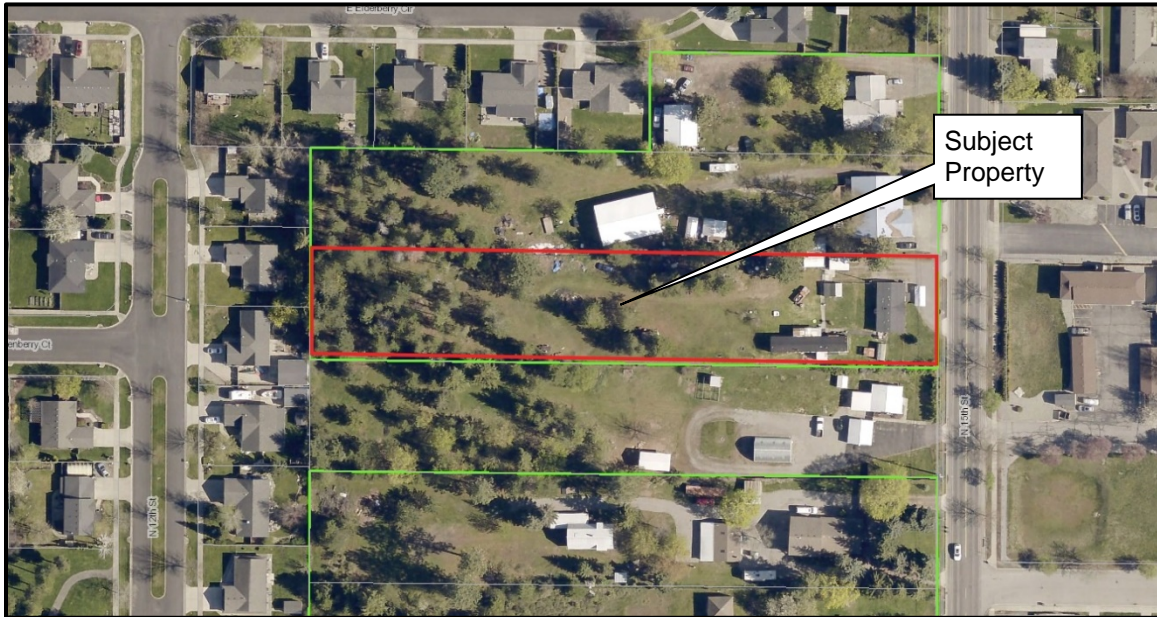
The planning commission approved an annexation and a planned unit development (PUD) on the property that is located adjacent and directly to the south of the subject site in items A-3-22 and PUD-4-22, known as Birkdale Commons. The applicant has indicated that if this annexation request is approved then they will make application for a PUD on the subject site that will connect and have access to the Birkdale Commons PUD. The Birkdale Commons PUD has and approved private road that has a single access connection to 15th Street.

The applicant has submitted an Annexation Map (see page 4) and a narrative as part of this request. See the attached narrative by the applicant at the end of this report for a complete overview of their annexation request.

**PROPERTY LOCATION MAP**



**AERIAL PHOTO:**



**BIRDS EYE AERIAL: Looking west**

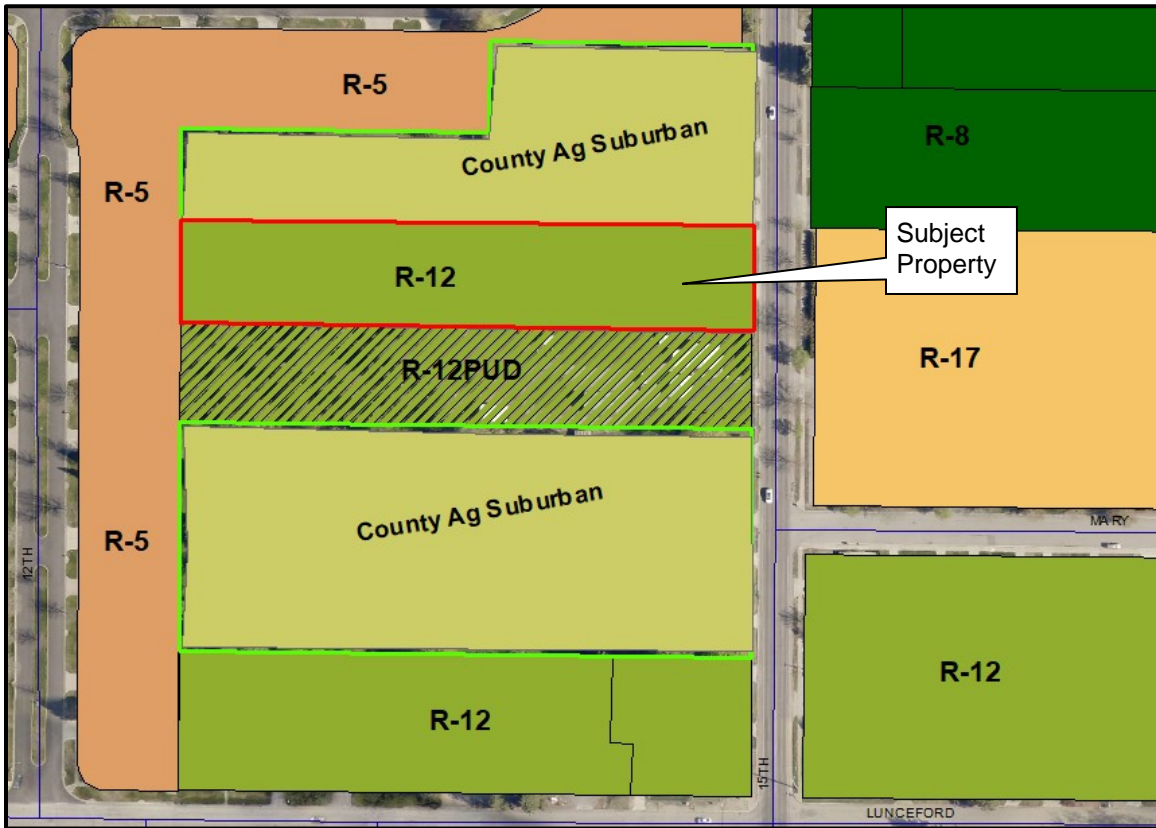


**BIRDS EYE AERIAL: Looking north**





**PROPOSED ZONING MAP:**



The proposed R-12 zoning district is consistent with the existing residential zoning of the surrounding properties in the vicinity of the subject property. Approval of the requested R-12 zoning in conjunction with annexation would allow the following potential uses of the property.

**Proposed R-12 Zoning District:**

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

**17.05.180: PERMITTED USES; PRINCIPAL:**

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

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

**17.05.190: PERMITTED USES; ACCESSORY:**

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

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

**17.05.200: PERMITTED USES; SPECIAL USE PERMIT:**

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

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

**17.05.240: SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

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

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

**17.05.245: NONRESIDENTIAL SITE PERFORMANCE STANDARDS; MINIMUM YARD:**

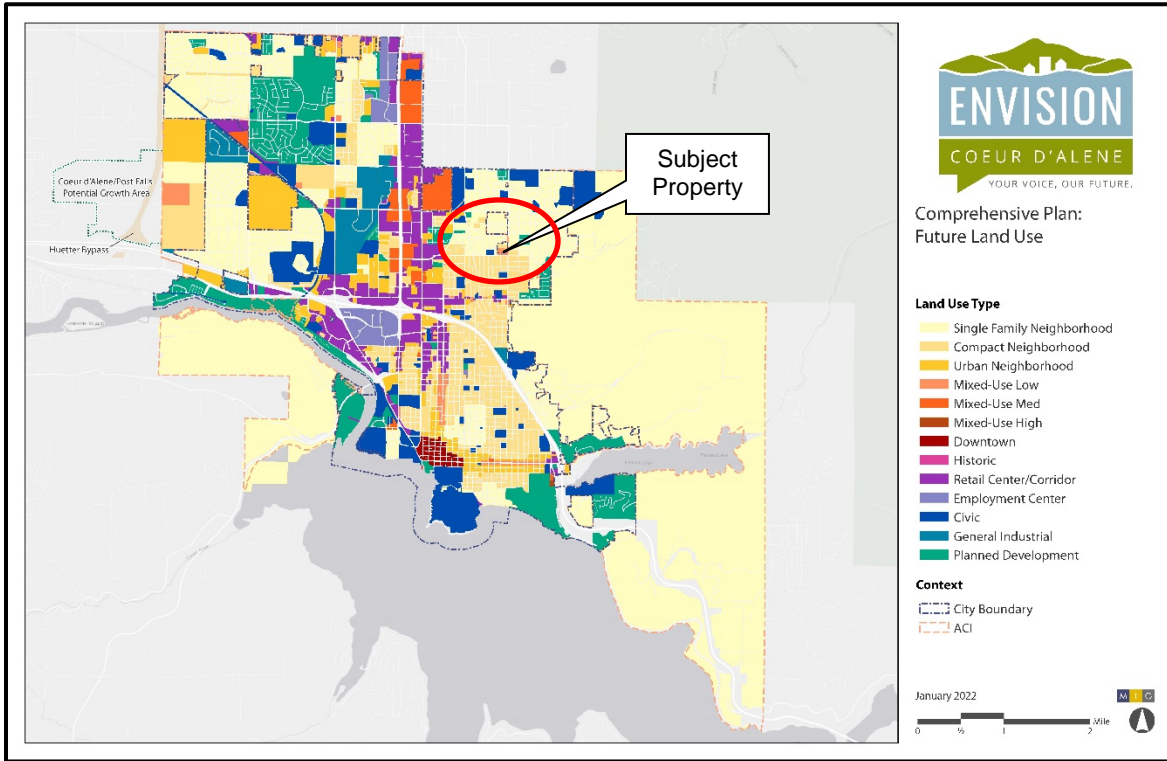
Minimum yard requirements for nonresidential activities in an R-12 district shall be as follows:

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

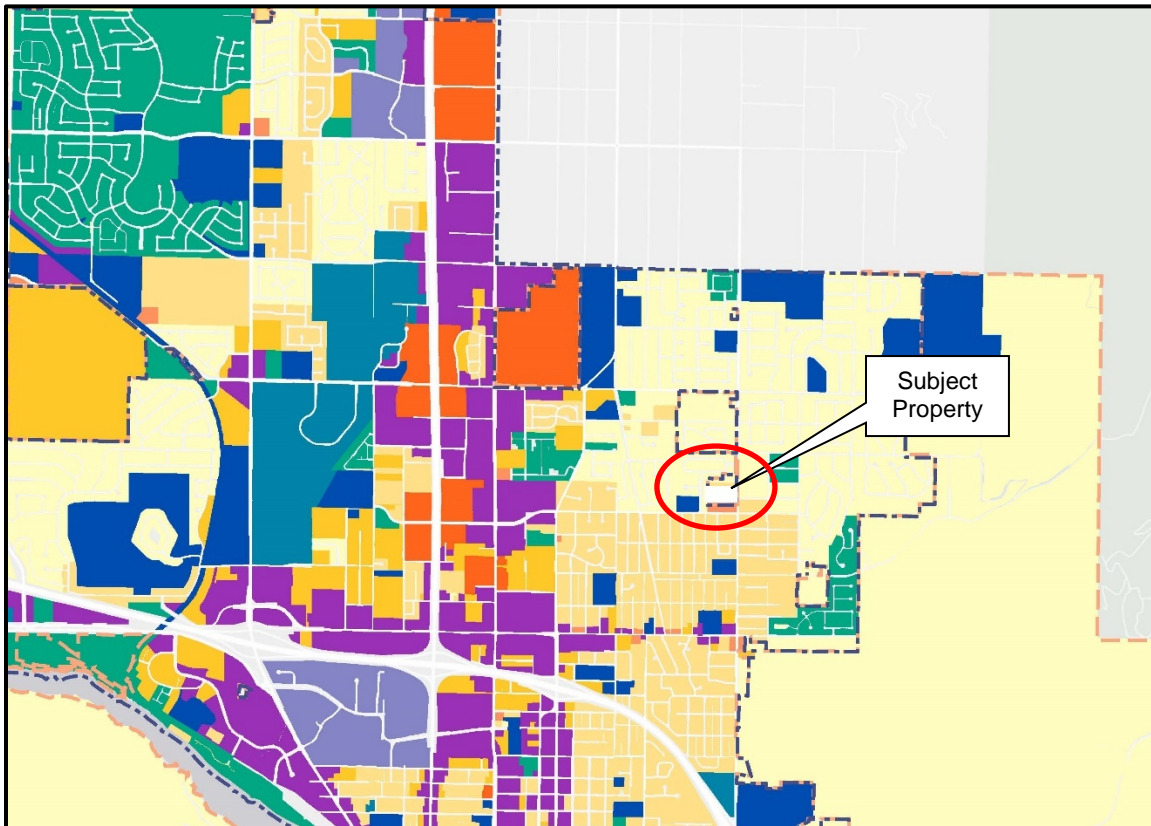




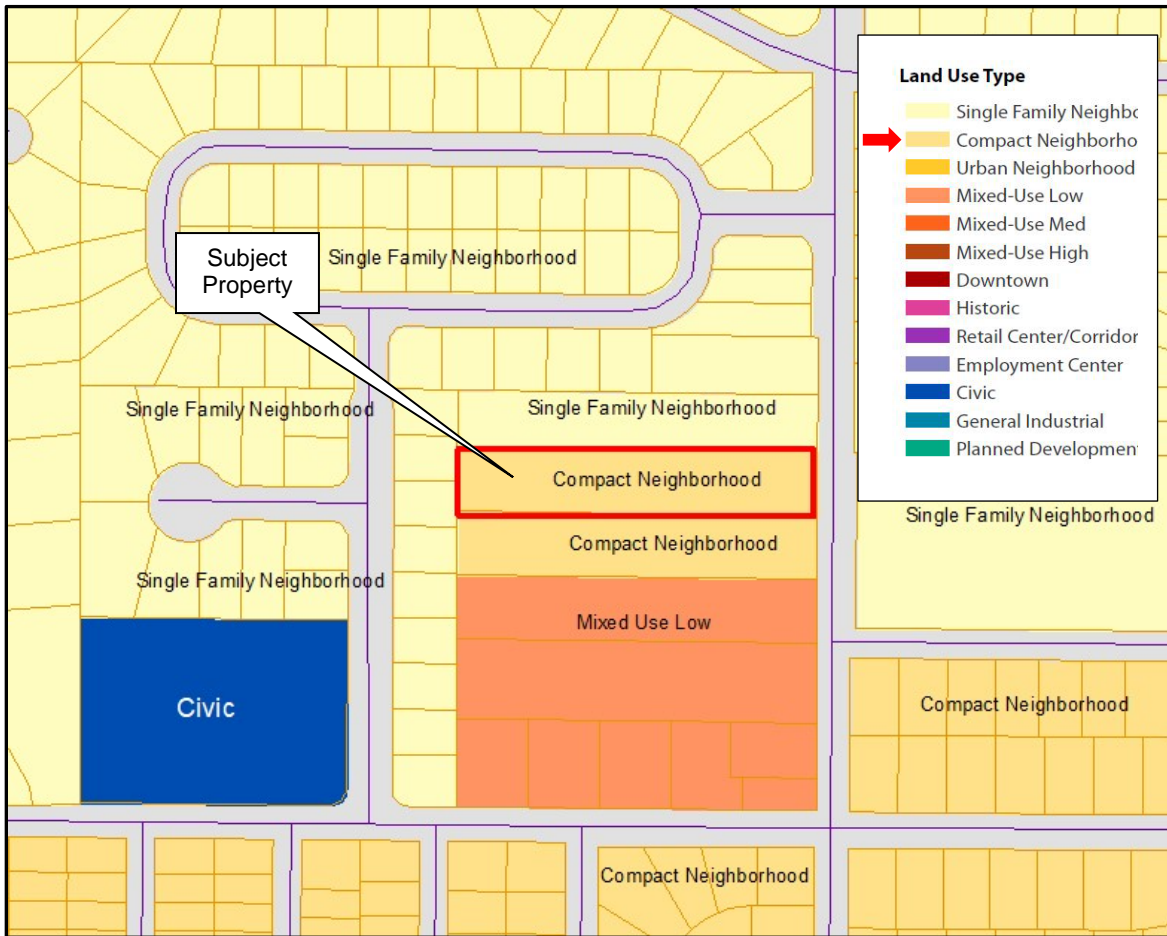
**2042 COMPREHENSIVE PLAN LAND USE MAP:**



**2042 COMPREHENSIVE PLAN LAND USE MAP:**



**2042 COMPREHENSIVE PLAN LAND USE MAP: Site Location**



The subject site lies within the Compact Neighborhood place type as designation in the 2042 Comprehensive Plan.

**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: Compact Neighborhood**

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

**Compatible Zoning Districts within the “Compact Neighborhood” Place Type:**

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

**Key Characteristics of “Compact Neighborhood” Place Type:**

### Compact Neighborhood



**Key Characteristics**

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

**Transportation**

- Gridded street pattern with pedestrian and bicycle facilities

**Typical Uses**

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

**Building Types**

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

**Compatible Zoning**

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



## **2042 Comprehensive Goals and Objectives that apply:**

### **Community & Identity**

#### **Goal CI 1**

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

##### **OBJECTIVE CI 1.1**

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

#### **Goal CI 3**

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

##### **OBJECTIVE CI 3.1**

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

### **Environment & Recreation**

#### **Goal ER 1**

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

##### **OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

#### **Goal ER 2**

Provide diverse recreation options.

##### **OBJECTIVE ER 2.2**

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

##### **OBJECTIVE ER 2.3**

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

## **Growth & Development**

### **Goal GD 1**

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

#### **OBJECTIVE GD 1.1**

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

#### **OBJECTIVE GD 1.3**

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

#### **OBJECTIVE GD 1.5**

Recognize neighborhood and district identities.

### **Goal GD 2**

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

#### **OBJECTIVE GD 2.1**

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

#### **OBJECTIVE GD 2.2**

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

### **Goal GD 3**

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

#### **OBJECTIVE GD 3.1**

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

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

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

**STORMWATER:**

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

**STREETS:**

The site has frontage on 15th Street. All necessary improvements to the frontages, including the required addition of sidewalk and stormwater swales, will be addressed during construction. Ten feet of right-of-way along 15th Street shall be deeded to the City. Access shall be through the access approved for the Birkdale Commons to the south. As stated in the comments for Birkdale Commons, the narrow street, lack of on-street parking, limited snow storage areas, and long drainage route (which equals deeper flow) for stormwater are expected to cause complaints for future residents. This project presents an opportunity to address those concerns.

*-Submitted by Chris Bosley, City Engineer*

**WATER**

The property for proposed annexation lies within the City of Coeur d'Alene water service area. There is sufficient capacity within the public water system to provide adequate domestic, irrigation and fire flow service to the subject parcel. Services currently exist to 3549 N 15th Street. Any proposed density increase for development of the parcel may require extension of the public water utilities at the owner/developer's expense.

*-Submitted by Kyle Marine, Water Department Director*

**SEWER:**

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

*-Submitted by Larry Parsons, Utility Project Manager*

**FIRE:**

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building

Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals. The Fire Department has no objection to the proposed annexation and development.

*-Submitted by Bobby Gonder, Deputy Fire Marshal*

**POLICE:**

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

*-Submitted by Jeff Walther, Police Captain*

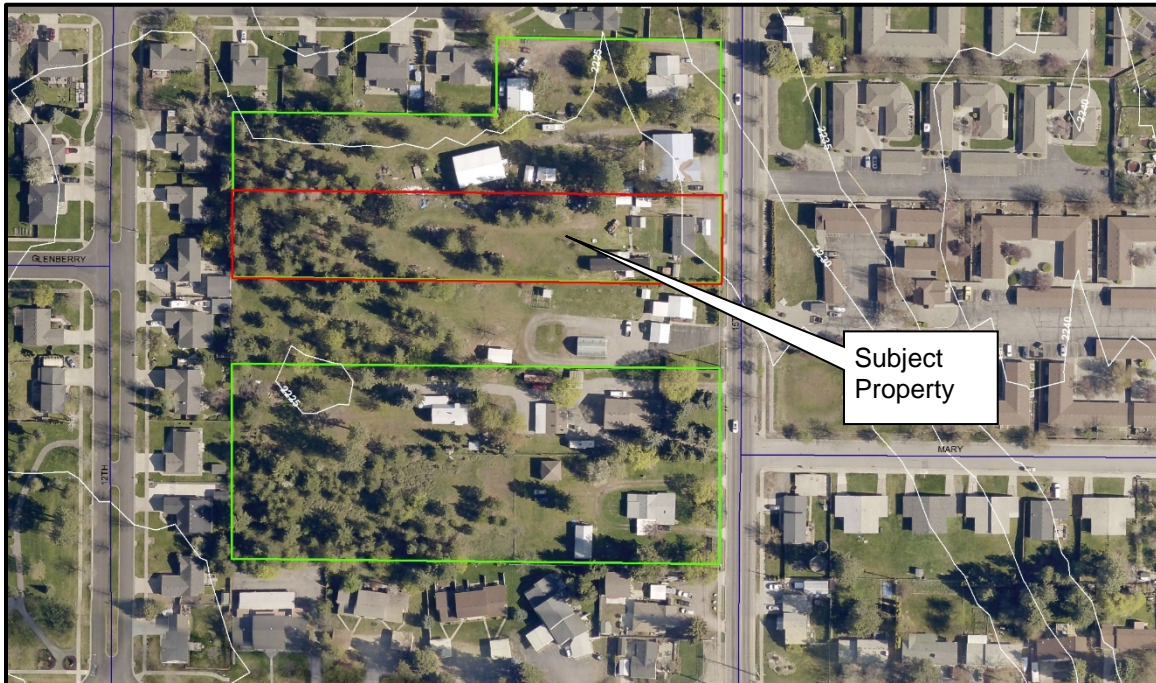
**Evaluation:** *Planning Commission will need to determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

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

**PHYSICAL CHARACTERISTICS:**

The site is general flat and has a slight slope to the southwest to the south. (See topography map below). There is a single-family dwelling located on the eastern portion of the site. The western portion of the site is vacant of buildings and is in a natural state with grass and trees located on it. Site photos are provided on the next few pages showing the existing conditions.

**TOPOGRAPHIC MAP:**





**SITE PHOTO - 1:** View from the east part of property looking south on 15<sup>th</sup> Street.



**SITE PHOTO - 2:** View from 15<sup>th</sup> Street looking west.



**SITE PHOTO - 3:** View from the driveway of property looking west.



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



**SITE PHOTO - 5:** View from the east part of property looking north on 15<sup>th</sup> Street.



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

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

**TRAFFIC:**

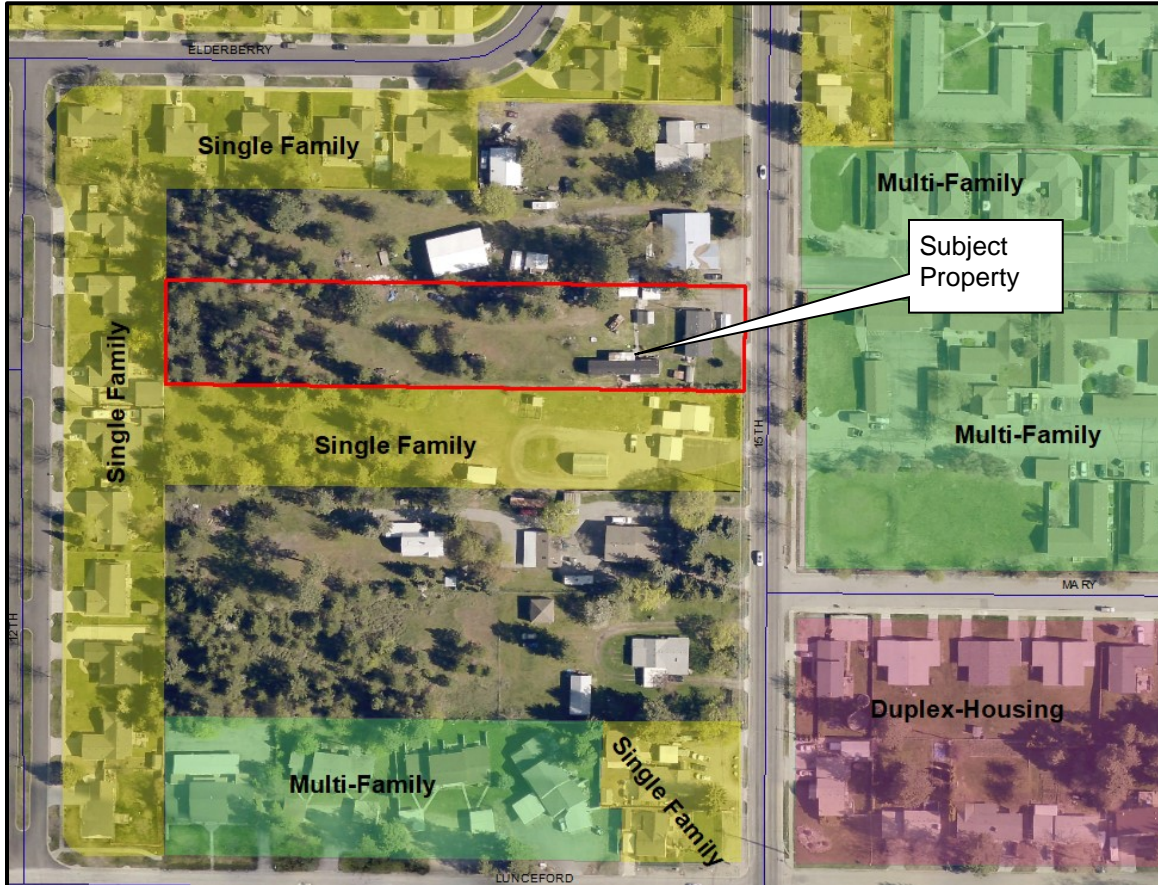
The subject property is bordered by 15th Street to the east which is a major collector street. Using the same land use code used in the traffic estimation for Birkdale Commons (Land Use Code 231 – Low-Rise Residential Condominium/Townhouse from the ITE Trip Generation Manual), traffic from the six proposed residential lots is estimated to generate approximately 4 AM peak hour and 5 PM peak hour trips per day. 2018 traffic counts indicate 15th Street experiences an average of 770 PM peak hour trips. This proposal addresses the Streets and Engineering Department's concern that if each of the comparable, neighboring lots are developed similar to Birkdale Commons, traffic would be impacted by a series of five closely spaced intersections serving dead-end streets.

*-Submitted by Chris Bosley, City Engineer*

**NEIGHBORHOOD CHARACTER:**

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

**GENERALIZED LAND USE PATTERN:**



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

**ORDINANCES & STANDARDS USED FOR EVALUATION:**

2042 Comprehensive Plan  
Transportation Plan  
Municipal Code  
Idaho Code  
Wastewater Treatment Facility Plan  
Water and Sewer Service Policies  
Urban Forestry Standards  
Transportation and Traffic Engineering Handbook, I.T.E.  
Manual on Uniform Traffic Control Devices  
2018 Coeur d'Alene Trails Master Plan

**RECOMMENDATIONS FOR ITEMS TO INCLUDE ANNEXATION AGREEMENT:**

1. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
2. Any additional service will have cap fees due at building perming
3. All water rights associated with the parcels to be annexed shall be transferred to the City at the owner's expense.
4. Any utility extensions outside of public right of way would require a minimum 20' public utility easement for Water, 30' if combined with public sewer.
5. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
6. The existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.
7. Ten feet (10') of right-of-way shall be dedicated to the City for improvements to 15th Street.

**ACTION ALTERNATIVES:**

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

Attachments: Applicant's Application and Narrative

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# APPLICATION

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# ANNEXATION APPLICATION

**STAFF USE ONLY**  
Date Submitted: 8-30-23      Received by: ss      Fee paid: \_\_\_\_\_      Project A-1-23

## REQUIRED SUBMITTALS

**Application Fee: \$ 2,000.00**

Publication Fee: \$300.00

Mailing Fee: \$6.00 per hearing

*\*Public Hearing with the Planning Commission and City Council 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**
- Map:** Conforming to State of Idaho requirements (see attached example), and legal description of the property for which annexation is requested. Once approved by the City Surveyor, and City Council approval of the annexation, two (2) additional copies will be required. The map may be drawn from record information (existing plats/survey). If in the opinion of the City Surveyor, the record information is not adequate, a new record of survey may be required. **(\*the record of survey must show bearings and distances for the exterior boundaries, the existing city limits, the proposed city limits, and a narrative description of the property boundaries taken from the Record of Survey).**
- Letter:** Addressed to the Mayor and City Council stating that you are requesting annexation into the City of Coeur d'Alene, and that you understand there are annexation fees and an annexation agreement that will be negotiated. **\*\*Please note that a mutually acceptable annexation agreement must be negotiated and executed within six (6) months from the date of City Council approval of the zoning designation, or any previous approvals will be null and void.**
- 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. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including zoning, how proposal relates to the 2007 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and how they support your request.
- A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.
- Record of Survey:** showing bearings/distances for the exterior boundaries including any linkages needed for contiguity. The existing city limits, the proposed city limits, city limits of nearby cities, when appropriate and a narrative description of the property boundaries taken for the Record of Survey.

**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 posed on the property is also required and must be returned to the Planning Department.

**APPLICATION INFORMATION**

<b>PROPERTY OWNER:</b> Sandra K. Braden & William Lee Braden		
<b>MAILING ADDRESS:</b> 3549 N. 15th Street		
<b>CITY:</b> Coeur d'Alene	<b>STATE:</b> ID	<b>ZIP:</b> 83815
<b>PHONE:</b> (208) 664-6364	<b>FAX:</b>	<b>EMAIL:</b>
<b>APPLICANT OR CONSULTANT:</b> Lake City Engineering, Inc.		<b>STATUS:</b> <input checked="" type="checkbox"/> ENGINEER <input type="checkbox"/> OTHER
<b>MAILING ADDRESS:</b> 126 E. Poplar Avenue		
<b>CITY:</b> Coeur d'Alene	<b>STATE:</b> ID	<b>ZIP:</b> 83814
<b>PHONE:</b> (208) 676-0230	<b>FAX:</b>	<b>EMAIL:</b> admin@lakecityengineering.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:**

<b>PROPERTY LOCATION OR ADDRESS OF PROPERTY:</b> 3549 N. 15th Street
<b>EXISTING ZONING (CHECK ALL THAT APPLY):</b> <b>Ag. Zone</b> <input type="checkbox"/> <b>AS</b> <input checked="" type="checkbox"/> <b>RR</b> <input type="checkbox"/> <b>C</b> <input type="checkbox"/> <b>LI</b> <input type="checkbox"/> <b>I</b> <input type="checkbox"/> <b>M</b> <input type="checkbox"/> <b>R</b> <input type="checkbox"/> <b>HDR</b> <input type="checkbox"/>
<b>PROPOSED CITY ZONING (CHECK ALL THAT APPLY):</b> <b>R-1</b> <input type="checkbox"/> <b>R-3</b> <input type="checkbox"/> <b>R-5</b> <input type="checkbox"/> <b>R-8</b> <input type="checkbox"/> <b>R-12</b> <input checked="" type="checkbox"/> <b>R-17</b> <input type="checkbox"/> <b>MH-8</b> <input type="checkbox"/> <b>NC</b> <input type="checkbox"/> <b>C-1</b> <input type="checkbox"/> <b>C-17</b> <input type="checkbox"/> <b>DC</b> <input type="checkbox"/> <b>LM</b> <input type="checkbox"/> <b>M</b> <input type="checkbox"/> <b>NW</b> <input type="checkbox"/>

TAX PARCEL #: Tax #3794	EXISTING ZONING: Ag-Suburban	ADJACENT ZONING: R-5, R-12, R-17
GROSS AREA/ACRES: 1.74 Acres	CURRENT LAND USE: Residential	ADJACENT LAND USE: Residential
DESCRIPTION OF PROJECT/REASON FOR REQUEST:		
PUD and Subdivision for 6 Residential lots and dedicated open space (existing private road)		

**COMPREHENSIVE PLAN DESIGNATIONS:**


PROPERTY NOT CURRENTLY LOCATED WITHIN THE CITY PLANNING AREA MUST RECEIVE A 2007 COMPREHENSIVE PLAN DESIGNATION ALONG WITH THE NEW ZONING CLASSIFICATION.
CITY COMPREHENSIVE PLAN CATEGORY (PAGE 39): Stable Established
NEIGHBORHOOD AREA (PAGES 40-71): NE Prairie
SPECIAL AREAS (PAGES 24-36) N/A

Note: The 2007 Comprehensive Plan is available <http://cdaid.org/files/Planning/2007complan.pdf>

**CERTIFICATION OF APPLICANT:**

I, Drew C. Dittman, PE, being duly sworn, attests that he/she is the applicant of this  
(Insert name of applicant)

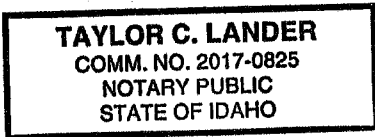
request and knows the contents thereof to be true to his/her knowledge.

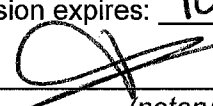
Signed:   
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this 24<sup>th</sup> day of August, 2023.

Notary Public for Idaho Residing at: Kootenai County



My commission expires: 10/27/2023  
Signed:   
(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: William Braden Telephone No.: (208) 664-6364

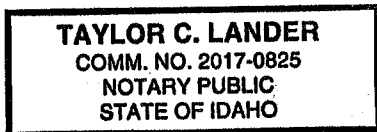
Address: 3549 N. 15th Street, Coeur d'Alene, ID 83815

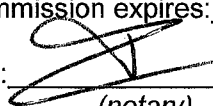
Signed by Owner: 

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 30 day of August, 2023

Notary Public for Idaho Residing at: Kootenai County



My commission expires: 10/27/2023  
Signed:   
(notary)

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

**CERTIFICATION OF APPLICANT:**

I, \_\_\_\_\_, 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: \_\_\_\_\_  
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for Idaho Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Signed: \_\_\_\_\_  
(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: Sandra K. Braden Telephone No.: \_\_\_\_\_

Address: 3549 N. 15th Street, Coeur d'Alene, ID 83815

Signed by Owner: Sandra Braden

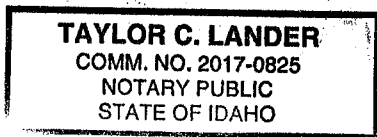
Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 30 day of August, 2023.

Notary Public for Idaho Residing at: Kootenai County

My commission expires: 10/27/2023

Signed: \_\_\_\_\_  
(notary)



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

I (We) the undersigned do hereby make petition for annexation and zone classification 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 24<sup>TH</sup> DAY OF AUGUST 2023  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTIFICATION OF ADDITIONAL FEES:**

The cost to prepare certain documents necessary to obtain annexation approval and the actual cost of the land surveyor's review of the legal description and map will be billed to the applicant/owner.

The legal preparation fee for Annexation Agreement will be \$800.00 minimum charge or actual labor costs, whichever is greater.

An annexation fee will be negotiated as part of the Annexation Agreement – the fee is based on \$750.00/dwelling unit or equivalency.

**EXHIBIT A**

## Annexation Description

A parcel of land being a portion of the Northeast Quarter of Section 1, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and more particularly described as follows:

**Commencing at** the East Quarter corner of said Section 1, being a 2 inch brass cap marked "LS 4006" per CP&F instrument number 1285911, Records of Kootenai County, from which the Center Quarter corner bears North 89°23'58" West 2630.74 feet; thence along the East line of the Northeast Quarter of said Section 1, North 00°20'31" East 548.31 feet to a point on the City of Coeur d'Alene City Limits, said point also being the **True Point of Beginning**;

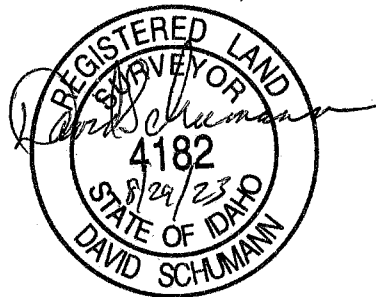
thence along said City of Coeur d'Alene City Limits, North 89°23'58" West 658.95 feet to a point on the East line of Block 3 of the plat of North Pines filed in Book I of Plats at Page 145, Records of Kootenai County and said City of Coeur d'Alene City Limits;

thence along the East line of Block 3 of said plat of North Pines and the City of Coeur d'Alene City Limits, North 00°12'37" East 115.59 feet;

thence leaving the East line of said Block 3 and said City of Coeur d'Alene City Limits, South 89°17'19" East 659.22 feet to said City of Coeur d'Alene City Limits and said East line of the Northeast Quarter of Section 1;

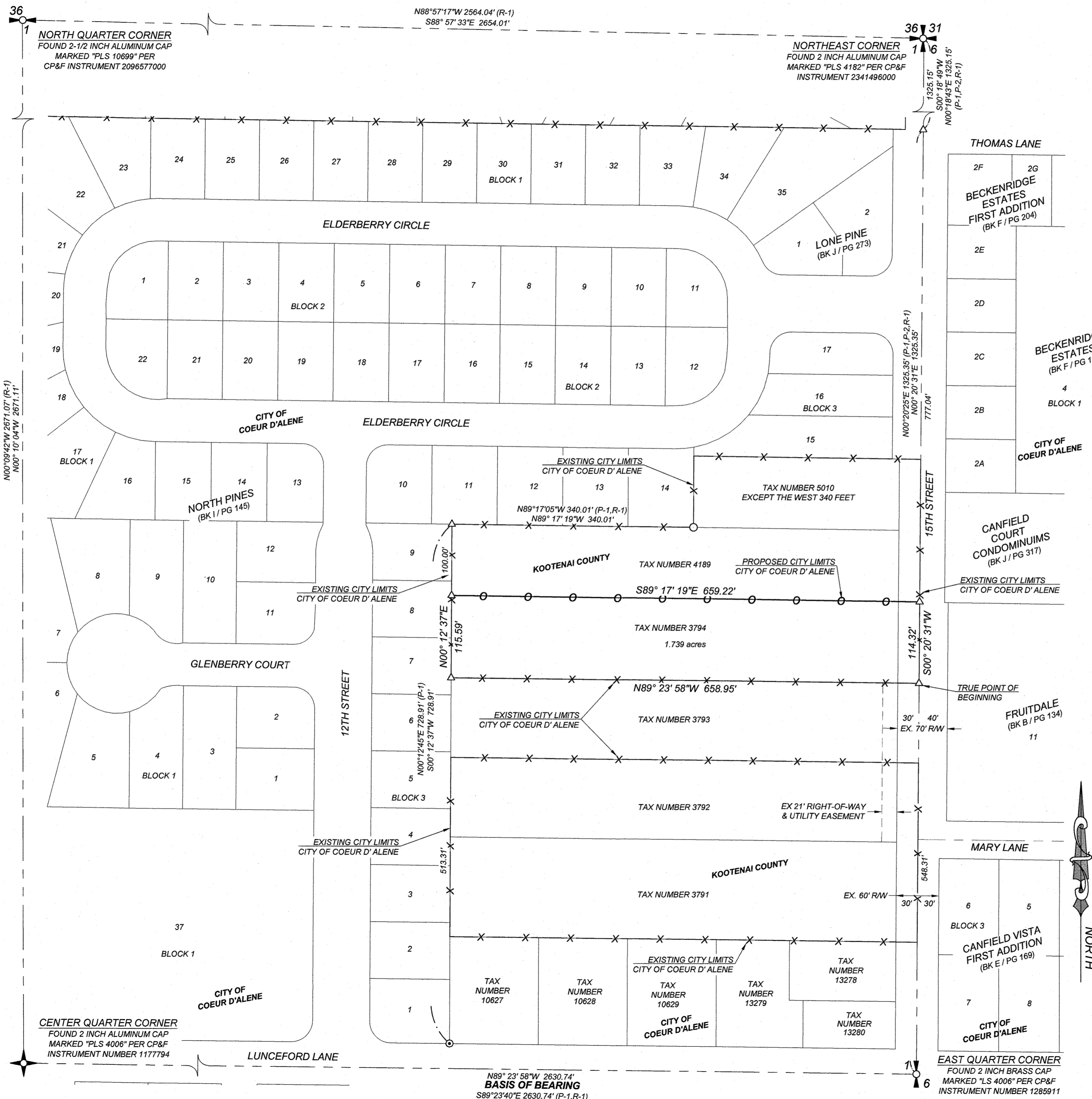
thence along said City of Coeur d'Alene City Limits and said East line of the Northeast Quarter, South 00°20'31" West 114.32 feet to the **True Point of Beginning**;

said parcel containing 1.739 acres of land, more or less.



# CITY OF COEUR D'ALENE ANNEXATION MAP ORDINANCE # \_\_\_\_\_

A PORTION OF THE NORTHEAST QUARTER OF SECTION 01,  
TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO



### BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE (1103)-US SURVEY FEET. BEARINGS SHOWN ARE GRID BEARINGS AND DISTANCES SHOWN ARE GROUND DISTANCES. A CONVERGENCE ANGLE OF -00°45'16" AND A CAF OF 0.999901488 WAS CALCULATED AT THE EAST QUARTER CORNER OF SECTION 1.

### NOTE

THERE WAS NO ATTEMPT MADE TO SHOW ALL OF THE PHYSICAL FEATURES OF THIS PROPERTY, NOR ANY EASEMENTS OF RECORD, EXCEPT FOR THOSE SHOWN HEREON.

### REFERENCE DOCUMENTS

- (R-1) RECORD OF SURVEY PREPARED BY EMPIRE SURVEYING & ENGINEERING, INC., AND FILED AT BOOK 19 OF SURVEYS, PAGE 482, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-1) PLAT OF NORTH PINES PREPARED BY EMPIRE SURVEYING & ENGINEERING, INC., AND FILED AT BOOK I OF PLATS, PAGE 145, RECORDS OF KOOTENAI COUNTY, IDAHO.
- (P-2) PLAT OF LONE PINE PREPARED BY KOOTENAI COUNTY SURVEYORS AND FILED AT BOOK J OF PLATS, PAGE 273, RECORDS OF KOOTENAI COUNTY, IDAHO.

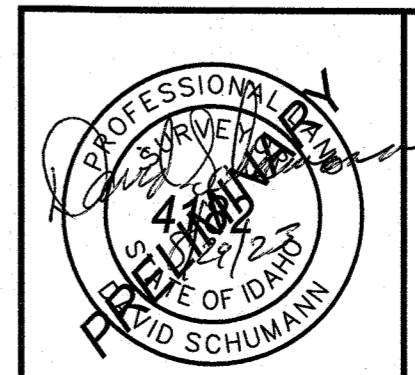
### LEGEND

- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4194"
- ⊙ FOUND 5/8" REBAR NO CAP
- △ CALCULATED POINT, NOTHING FOUND OR SET
- PROPOSED CITY LIMITS
- X— EXISTING CITY LIMITS
- ADJACENT LOT LINE
- SECTION LINE
- - - EASEMENT LINE

### SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY PERFORMED BY ME IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO, AT THE REQUEST OF WILLIAM BRADEN.

0 50 100 200  
**SCALE: 1" = 100'**



CHECKED BY:	DES
DRAFTED BY:	SMA
SCALE:	1" = 100'
DATE:	08/28/2023
JOB NO:	LCE 23-050



# **15<sup>th</sup> STREET INVESTMENTS, LLC**

## **ANNEXATION**

### **PROJECT NARRATIVE**

*Coeur d'Alene, Idaho*

*August 28, 2023*



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

## INTRODUCTION

This request is for the annexation of approximately 1.74 acres into the City of Coeur d'Alene. The subject property is located approximately 0.1 miles North of the intersection of Lunceford Lane and 15<sup>th</sup> Street, on the West side.

## SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel #:	50N04W-01-2260
Annexation Area:	1.74 acres (a ptn of the entire parcel)
Current Zoning:	Ag-Suburban (County)
Proposed Zoning:	R-12 Residential
Legal Description:	Tax #3794

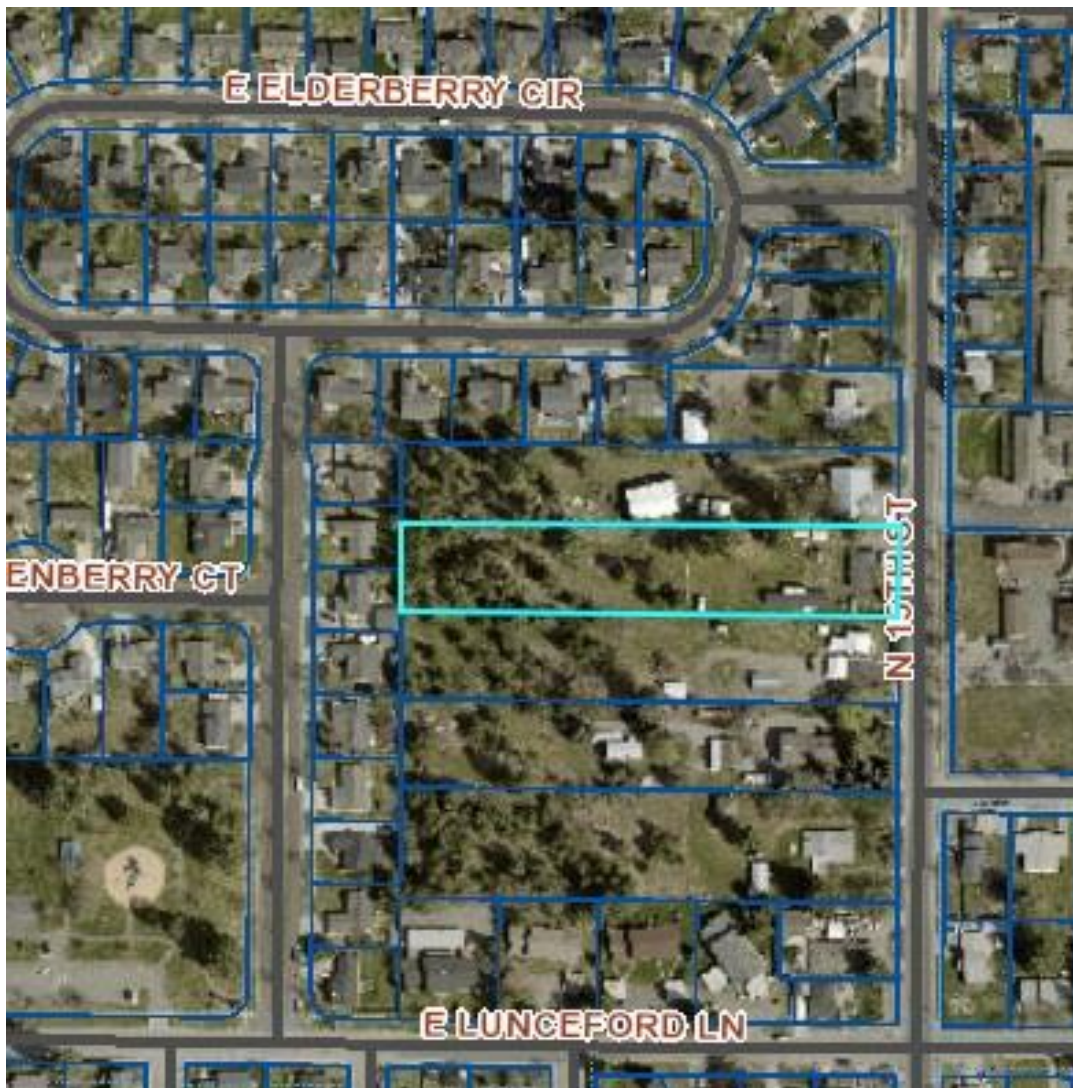


Figure 1: Vicinity Map

## PRE-DEVELOPMENT CONDITIONS

The subject parcel currently contains a residence and several outbuildings on the eastern third of the property, which will be contained within a separate lot during platting and will not be a part of the proposed PUD. The remainder of the parcel is proposed to be subdivided into 6 residential lots that will mirror those of the Birkdale Commons Subdivision, which is planned for the parcel directly to the South.

A single access point off 15<sup>th</sup> Street is already approved for entry into the Birkdale Commons Subdivision, which will also serve the area being represented in this current annexation request. Frontage improvements on 15<sup>th</sup> Street, including sidewalks, swales and curb & gutter, will be completed in conjunction with the subdivision improvements.

Figure 2 below shows the current site conditions.

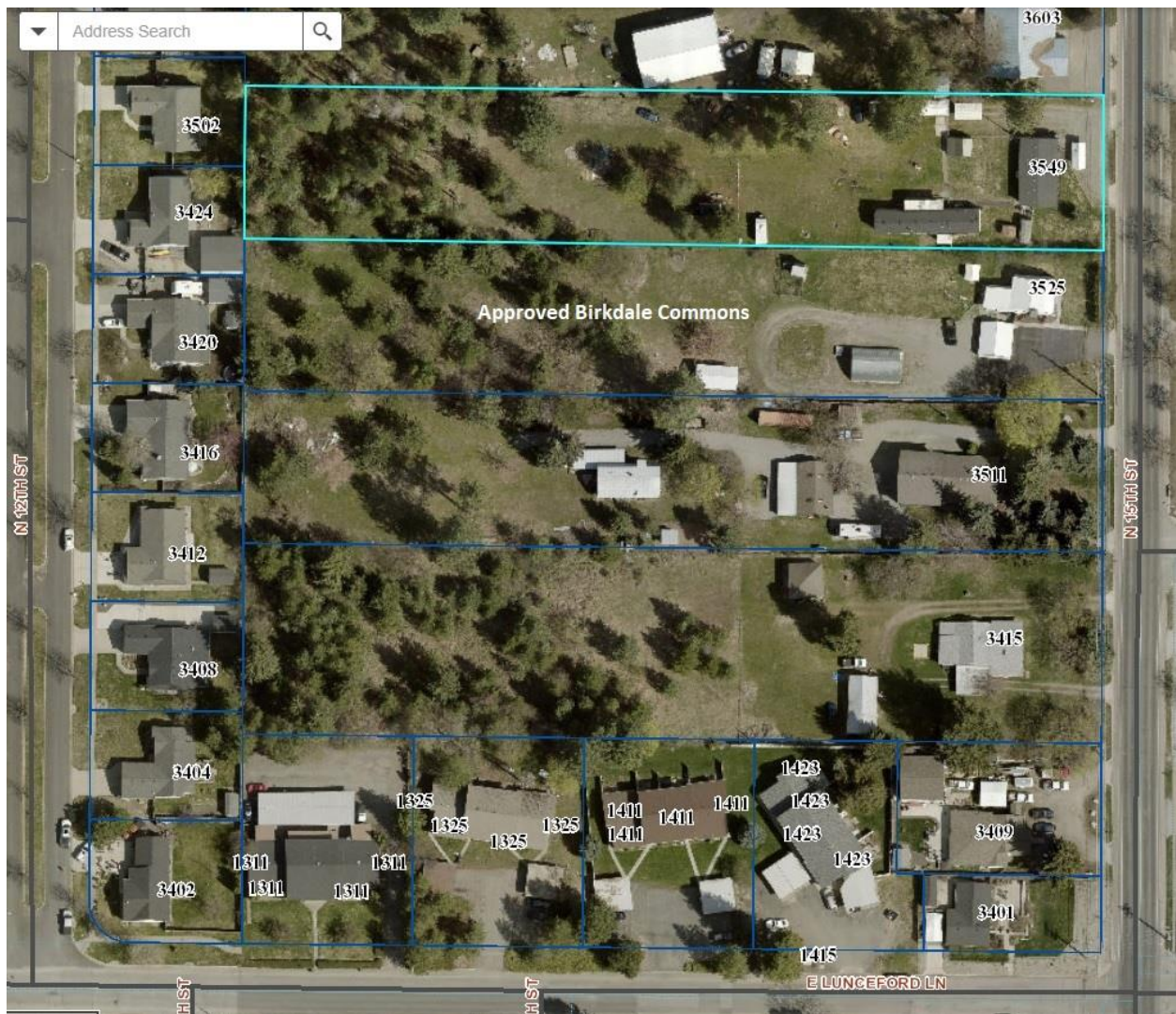


Figure 2: Existing Site Conditions

## ZONING CLASSIFICATION

The property is currently zoned Ag-Suburban in Kootenai County. It is bounded on the North by County-zoned Ag-Suburban property. Adjacent to the South lies the newly annexed and approved Birkdale Commons Subdivision. Across 15<sup>th</sup> Street to the East lies property that is zoned R-17 (Mixed-Use Low per the new *Comprehensive Plan* adopted in February 2022) and to the West the properties are zoned R-5 (Single Family Neighborhood per the new *Comprehensive Plan*). Further South and skipping over two County-zoned Ag-Suburban properties lies residential property that is zoned R-12 (Mixed-Use Low per the new *Comprehensive Plan*). Figure 3 below shows the proposed zoning.



Figure 3: Proposed Zoning

The *City of Coeur d'Alene 2007 Comprehensive Plan* designated the subject property as Stable Established within the NE Prairie area. The new *Land Use and Design* document associated with

the *Envision Coeur d'Alene Comprehensive Plan 2022-2042* designates this property as Compact Neighborhood. The project proponent is considering a zoning classification of R-12 to match that of the adjacent Birkdale Commons and to conform with the surrounding land uses. The surrounding nearby low-density residential uses make the proposed annexation appropriate for the subject property. The annexation will allow for the development of residential lots that will provide additional housing options for existing and incoming residents to the City of Coeur d'Alene.

## **COMPREHENSIVE PLAN ANALYSIS**

The *Envision Coeur d'Alene Comprehensive Plan 2022-2042*, is now the guiding document for the annexation and zoning classification requests. It is important that land use decisions meet, or exceed, the goals, objectives and actions as outlined in this Comprehensive Plan. The subject property is designated as Compact Neighborhood. The project proponent believes that the following goals and objectives (shown in *italics*) as outlined in the Comprehensive Plan's *Policy Framework* and *Land Use and Design* documents, are applicable to the requested annexation and zone classification. Additional commentary is located below each objective as appropriate.

### Growth and Development

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

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

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

*Objective GD 1.5 Recognize neighborhood and district identities.*

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

### Community and Identity

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

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

The development of this land according to the proposed R-12 zoning classification will provide the City with much needed workforce and attainable housing options, and will fit seamlessly across from the existing Birkdale Commons Subdivision. Residents of this new neighborhood will enjoy the benefits of a quiet, dead-end private street with easy access to 15<sup>th</sup> Street and the surrounding neighborhoods.

Environment and Recreation

*Goal ER 3 Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.*

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

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

City of Coeur d'Alene  
710 E. Mullan Avenue  
Coeur d'Alene, Idaho 83814

August 23, 2023

ATTN: Mayor Jim Hammond

**RE: Annexation of approximately 1.74 acres – 3549 N. 15<sup>th</sup> Street  
Parcel #: 50N04W-01-2260**



Dear Honorable Mayor Hammond and City Council Members:

The purpose of this letter is to formally request that the City of Coeur d'Alene consider the annexation of approximately 1.74 acres of property located at 3549 N. 15<sup>th</sup> Street. This property is situated in a County island in the eastern central part of the Coeur d'Alene City Limits and would be considered an infill annexation.

The project proponent has intentions of developing it as a residential project and is requesting a zoning designation of R-12. Lake City Engineering, Inc. has been retained by the project proponent to help with these endeavors. Existing utilities and infrastructure are currently within reasonable proximity of the parcel and are readily available to serve any future development as needed.

We understand that there are applicable Annexation Fees and that an Annexation Agreement will need to be negotiated and mutually agreed upon by the City and developer within 6 months of the date of the City Council approval of the zoning designations or any previous approvals will be null and void.

Attached and submitted with this letter is a complete Annexation Application along with the required submittals and associated application fees. We respectfully request that you consider this annexation request as having a positive impact on the City of Coeur d'Alene, one that is in conformance with the goals and policies of the City of Coeur d'Alene Comprehensive Plan. Thank you for your time and consideration in this matter.

Best regards,

A handwritten signature in blue ink, appearing to read "D.C. Dittman", with a horizontal line extending to the right.

Drew C. Dittman, PE  
*Principal*

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

A-1-23

**A. INTRODUCTION**

This matter having come before the Planning Commission on October 10, 2023 and there being present a person requesting approval of ITEM A-1-23, a request for zoning prior to annexation from County AG Suburban to City R-12.

LOCATION: 3549 N. 15<sup>th</sup> STREET, Coeur d'Alene, ID 83814

APPLICANT: Sandra and William Braden

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON  
(The Planning Commission may adopt Items B1 to B7.)**

- B1. That the existing land use is a single-family dwelling.
- B2. That the Comprehensive Plan Map designation is Compact Neighborhood.
- B3. That the zoning is County AG Suburban.
- B4. That the notice of public hearing was published on September 23, 2023, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on September 28, 2023, which fulfills the proper legal requirement.
- B6. That 88 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on September 21, 2023, which fulfills the proper legal requirement.
- B7. That public testimony was heard on October 10, 2023.

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

The Future Land Use Map designates the property as the Compact Neighborhood place type, that identifies R-12 as compatible zoning.

The following 2024 Comprehensive Goals and Objectives may apply:

### **Community & Identity**

#### **Goal CI 1**

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

##### **OBJECTIVE CI 1.1**

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

#### **Goal CI 3**

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

##### **OBJECTIVE CI 3.1**

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

### **Environment & Recreation**

#### **Goal ER 1**

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

##### **OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

#### **Goal ER 2**

Provide diverse recreation options.

##### **OBJECTIVE ER 2.2**

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

##### **OBJECTIVE ER 2.3**

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

## **Growth & Development**

### **Goal GD 1**

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

#### **OBJECTIVE GD 1.1**

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

#### **OBJECTIVE GD 1.3**

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

#### **OBJECTIVE GD 1.5**

Recognize neighborhood and district identities.

### **Goal GD 2**

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

#### **OBJECTIVE GD 2.1**

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

#### **OBJECTIVE GD 2.2**

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

### **Goal GD 3**

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

#### **OBJECTIVE GD 3.1**

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

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

#### **Criteria to consider for B9:**

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

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

**Criteria to consider for B10:**

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

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

**Criteria to consider for B11:**

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

**C. ORDER: CONCLUSION AND DECISION**

Planning Commission is tasked with recommending zoning for the annexation request. The Commission shall provide a recommendation of zoning to City Council along with an evaluation of how the proposed annexation **does/does not** meet the required evaluation criteria for the requested annexation.

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

1. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense.
2. Any additional service will have cap fees due at building perming
3. All water rights associated with the parcels to be annexed shall be transferred to the City at the owner's expense.
4. Any utility extensions outside of public right of way would require a minimum 20' public utility easement for Water, 30' if combined with public sewer.

5. This project will require the extension of sewer "To and Through" this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
6. The existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.
7. Ten feet (10') of right-of-way shall be dedicated to the City for improvements to 15th Street.

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

ROLL CALL:

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

Commissioners \_\_\_\_\_ were absent.

Motion to \_\_\_\_\_ carried by a \_\_\_\_ to \_\_\_\_ vote.

\_\_\_\_\_  
CHAIRMAN TOM MESSINA