

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

FEBRUARY 10, 2015

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: Jordan, Bowlby, Ingalls, Luttrupp, Messina, Ward, O'Brien (Student Rep.) Cousins (Alt. Student Rep. O'Brien)

APPROVAL OF MINUTES:

January 13, 2015

PUBLIC COMMENTS:

STAFF COMMENTS:

PUBLIC HEARINGS:

1. Applicant: CDA Cottage Company
Location: 1008 Davidson Avenue
Request: A proposed 4-lot preliminary plat "E. Davidson Addition"
QUASI-JUDICIAL, (S-1-15)

2. Applicant: CDA Cottage Company
Location: 1018 Davidson Avenue
Request: A proposed 3-lot preliminary plat "W. Davidson Addition"
QUASI-JUDICIAL, (S-2-15)

ADJOURNMENT/CONTINUATION:

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

****The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhlmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



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**PLANNING COMMISSION
MINUTES
JANUARY 13, 2015
OLD COUNCIL CHAMBERS
710 E. MULLAN**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Heather Bowlby, Vice-Chair
Jon Ingalls
Peter Luttrupp
Tom Messina
Michael Ward

STAFF MEMBERS PRESENT:

Hilary Anderson, Community Planning Director
Lori Burchett, Planner
Sean Holm, Planner
Tami Stroud, Planner
Warren Wilson, Deputy City Attorney
Shana Stuhlmiller, Public Hearing Assistant

COMMISSIONERS ABSENT:

Christian Cousins, Alt. Student Rep.
Cole O'Brien, Student Rep.

CALL TO ORDER:

The meeting was called to order by Chairman Jordan at 12:00 p.m.

STAFF COMMENTS:

Pocket Housing – Hilary Anderson, Community Planning Director

Planning Director Anderson stated that an administrative appeal pertaining to Municipal Code 17.07.1020(B)(1) – Pocket Housing access from alleyway, was recently approved by city council. She explained that the code states that if there is an alley available, in that event parking access should come from the alley, with the intent to make parking as unobtrusive as possible. The applicant who filed the appeal has street frontage on a public street with lots abutting an alley and appealed the parking requirement of M.C. 17.07.1020(B)(1). The appeal was approved and staff was directed to prepare an amended ordinance to reflect this change.

Design Review Guidelines

Planning Director Anderson stated that in the upcoming year there might be changes to the Design Review guidelines that could impact the future of the Design Review process. Deputy City Attorney Wilson explained that this issue came before the legislature last year and then was pulled from their agenda. However, he heard it will be back again this year. Mr. Wilson stated that if the bill is passed by the legislature, it has the potential to eliminate the design review process.

Reappointments

Planning Director Anderson announced that there are three commissioners up for reappointment: Commissioner Ingalls, Commissioner Ward, and Commissioner Bowby. She asked the commissioners to submit a letter to Chairman Jordan if they would like to be reappointed, and he will forward the letter to the Mayor.

ADMINISTRATIVE:

1. Applicant: Dennis Cunningham
Request: Interpretation of approved Planned Unit Development setbacks for the "Circuit at Seltice" and "Riviera Walk"
ADMINISTRATIVE (I-1-15)

Commissioner Messina stated that he has a conflict and was excused from the hearing.

Planner Holm presented the staff report and answered questions from the Commission.

Commissioner Ingalls questioned whether, if the request was approved, how far would the applicant be allowed to build into the setback. Planner Holm explained if approved, they would be allowed to build within the 10 feet setback only.

Commissioner Luttrupp stated that he would like clarification how 10 feet is going to be acceptable if the code says 20 feet. Planner Holm explained that both PUD narrative requests had requested front yard setbacks of ten feet (10') to "The face of the porch" The applicant's intent was to have flexibility for the porch which was not clear in both narratives.

Commissioner Ingalls stated that he is familiar with the applicant's past projects and feels the applicant will do a great job.

Dennis Cunningham, applicant, stated that this was his error and, because of this error, an interpretation was needed. He explained that building permits have been submitted for this project, but the project is on hold until this discrepancy is resolved.

Planner Holm explained that there is a second part to the request that affects Riverwalk PUD only. He explained that a maintenance easement allows for a property owner to maintain the side of the home, which could be built at a "zero" lot line. Building permits were submitted, and he noticed that an eave was extended into the 5' side yard. The request did not allow any extensions.

Deputy City Attorney Wilson said that if the request is not grant, it could cause problems in the future for neighbors who want to paint or make adjustments to the side of their homes.

Motion by Ingalls, seconded by Ward, to approve Item I-1-15. Motion approved

ADJOURNMENT:

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

The meeting was adjourned at: 12:55 p.m.

Prepared by Shana Stuhlmiller, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: FEBRUARY 10, 2014
SUBJECT: S-1-15 – 4-LOT (+1 TRACT) PRELIMINARY PLAT SUBDIVISION
REQUEST FOR “EAST DAVIDSON ADDITION” (POCKET
HOUSING)
LOCATION: +/- 0.302 ACRE PARCEL COMMONLY KNOWN AS 1008 W.
DAVIDSON AVE. (EAST LACROSSE ADDITION)

OWNER/APPLICANT:

CDA Cottage Company
PO Box 3398
Coeur d’Alene, ID 83816

DECISION POINT:

CDA Cottage Company is requesting the approval of a 4-lot pocket housing preliminary plat “East Davidson Addition” in an R-12 (Residential at 12 units/acre) zoning district.

GENERAL INFORMATION:

The “East Davidson Addition” subdivision request, which would allow for Pocket Housing at what is currently known as 1008 W. Davidson Ave., is proposed without frontage for two (2) of the four (4) lots. The request is allowed by way of Planning Commission approval through pocket housing code:

17.10.1010: F. Frontage:

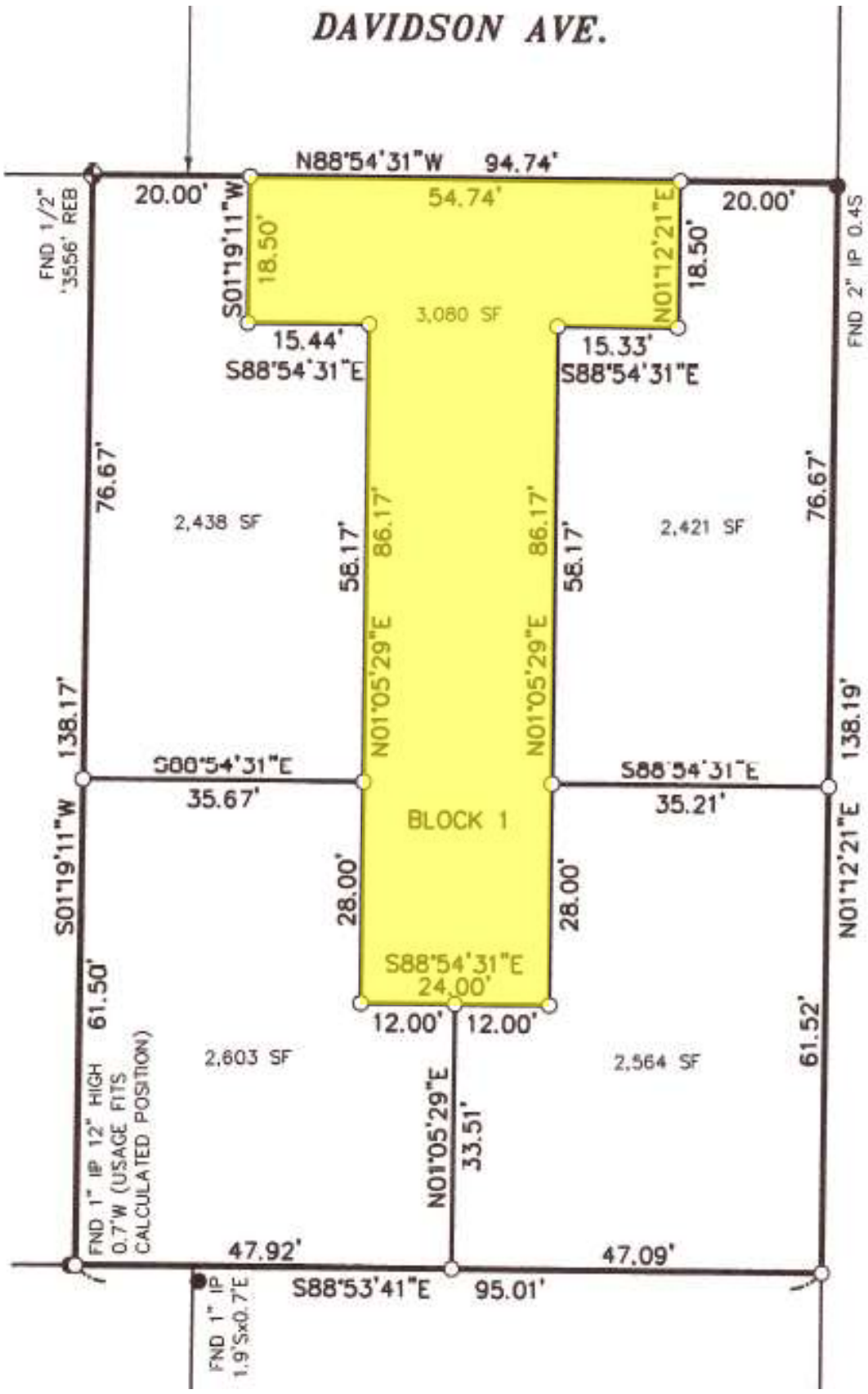
Frontage on a public street is not required for lots in a pocket housing development provided that the planning and zoning commission determines through the subdivision process that the development provides for adequate access to the lot via easements, shared driveways or other means.

Aerial photo:



Photo of Subject Property:





Finding #B7B: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate where applicable.

UTILITIES SUMMARY:

Stormwater:

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

All stormwater must be contained on the subject property. Individual lot drainage must be contained within the boundaries of each subject lot, and, may not cross an adjoining lot to be contained in a drainage swale area. If the proposed access driveway is not platted as a “tract”, owned and maintained by a homeowners association, then drainage from the driveway is required to be contained on each individual lot that it crosses. Each individual swale must be sized to contain all impervious runoff from the lots.

Traffic:

The ITE Trip Generation Manual estimates the proposed development may generate approximately 38 trips per day, based upon the standard 9.52 ADT’s per single family dwelling unit. Peak hour ADT values amount to 3.1 A.M. and 4.1 P.M. respectively.

Traffic information is not available for the adjacent and/or connecting streets. Davidson Avenue is a local residential street that tapers in width from 36’ at the westerly boundary, to 26’ at the easterly boundary of the subject property. It primarily serves the neighborhoods between Northwest Boulevard and Lincoln Way, however due to its location; pass through traffic between the two noted north/south arterial roadways can be expected.

Streets:

The proposed subdivision is bordered by Davidson Avenue on the northerly boundary. The current right-of-way width is fifty feet (50’) which is less than the current standard; however, due to the fully developed nature of the neighborhood, dedication of additional right-of-way would not be feasible.

As noted in the traffic evaluation, the adjoining street width tapers from 36’ to 26’ across the width of the lot. Although sufficient right-of-way exists to widen the street at this location, there is insufficient r/w to the east of the subject property. Due to existing conditions on the adjoining lots to the east, it is not feasible to widen the roadway to meet the current design standards of the City subdivision ordinance.

There is no sidewalk along the subject property frontage on Davidson Avenue, however, there is sidewalk situated westerly of the site that meets the installation criteria established in City Code Section 12.28.210.

Standard City sidewalk will be required to be installed along the subject property frontage. The sidewalk installation will be required to be five feet (5.0’) wide with a five foot (5.0’) park strip. The sidewalk installation will be required to meet all

current ADA requirements for width, grade and cross slope. Installation is required prior to final plat approval, although installation w/ a site development permit w/ prior bonding may be considered.

-Submitted by Chris Bates, Engineering Project Manager

Water:

There is sufficient capacity in the public water system to provide domestic, irrigation, and fire flow to the subject property. A domestic service currently exists on the lot.

The proposed plat creates lots that do not have street or existing utility frontage. However, since no additional fire hydrants are required, the domestic services may be placed at the street frontage. The service lines for the interior lot(s) will extend down a private utility easement or tract to the interior lots.

-Submitted by Terry Pickel, Assistant Water Superintendent

Wastewater:

A utility easement for the onsite public sewer infrastructure within the subject property shall be dedicated to the City and shown on the Plat

In conformance to Sewer Policy #719, all utility easements granted to the City will permit access to operate and maintain the public sewer infrastructure and prohibits the placement or construction of any obstacles that would otherwise interfere with City's ability to service said infrastructure. Said utility easement shall be a minimum of 20' wide for public sewer only, or 30' wide if public sewer is shared along with public water.

The Wastewater Utility has no objections to this Subdivision and presently has adequate sewer capacity and willingness to serve this Subdivision as proposed. Wastewater infrastructure conditions will be addressed during project review.

-Submitted by Mike Becker, Utility Project Manager

Fire:

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation, utilizing the currently adopted International Fire Code (IFC) for compliance.

-Submitted by Bobby Gonder, Fire Inspector

Planning:

Staff has reviewed the request for compliance with subdivision and pocket housing codes. As described in "General Information" above, pocket housing subdivision requests that include lots without frontage require Planning Commission to determine there is adequate and perpetual access to them. Planning staff has determined that the preliminary plat, as provided by the applicant, is consistent with access/tract requirements.

-Submitted by Sean Holm, Planner

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities adequate where applicable.*

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

The subdivision design and improvement standards have been met subject to staff comments/proposed conditions. See finding #B7B for staff comments.

Generally, under the newly adopted subdivision code, subdivisions of less than five (5) lots would be handled administratively as a short subdivision. Review of the subdivision revealed lots without frontage, which is allowed by pocket housing code with Planning Commission approval, which is the reason why this subdivision request is before Planning Commission tonight.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal complies with all of the subdivision design standards and all of the subdivision improvement standards requirements.*

Finding #B7D: **The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

R-12 zoning allows for single-family, duplex, and pocket residential uses. The proposed "East Davidson Addition" subdivision is planned for a Pocket Housing development, which will create two (2) lots without traditionally required right-of-way (ROW) frontage. Access to the parcels as well as utilities will be provided through an easement/tract shown on the preliminary plat subject to the overall width needed by each department. See finding #B7B for staff comments.

Per the Pocket Housing Ordinance:

17.07.1010: BASIC DEVELOPMENT STANDARDS

F.) Frontage:

Frontage on a public street is not required for lots in a pocket housing development provided that the planning and zoning commission determines through the subdivision process that the development provides for adequate access to the lot via easements, shared driveways, or other means.

Minimum Lot Size:

Traditional R-12 subdivisions require a minimum lot size of 5500 sq. ft. per single family dwelling unit and 3500 sq. ft. /unit for a duplex (7000 sq. ft. total). Pocket housing requires 3500 sq. ft. /unit in an R-12 zone, up to a maximum of a 5 acre project.

On May 13, 2008, Planning Commission reviewed I-1-08: INTERPRETATION ON POCKET HOUSING THRESHOLD, at which time a decision was rendered to allow rounding for density to determine total allowable units in a pocket housing development.

Lot size= 13,155.12 sq. ft. (0.302 ac.)
 3500 sf/unit= 3.75 units (rounded up to 4)

Zoning Map:



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

APPLICABLE CODES AND POLICIES:

Utilities:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
4. All required utility easements shall be dedicated on the final plat.

Streets:

5. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

Stormwater:

6. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

General:

7. The final plat shall conform to the requirements of the City.

ORDINANCES AND STANDARDS USED IN 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.
- Coeur d'Alene Bikeways Plan
- Kootenai County Assessor's Department property records
- Resolution No. 09-021 Complete Street Policy

PROPOSED CONDITIONS:

Wastewater:

1. A utility easement for the onsite public sewer infrastructure within the subject property shall be dedicated to the City and shown on the Plat.

Water:

2. The proposed plat creates lots that do not have street or existing utility frontage. However, since no additional fire hydrants are required, the domestic services may be placed at the street frontage. The service lines for the interior lot(s) will extend down a private utility easement or tract to the interior lots.

Engineering:

3. Submission of a stormwater management plan for the subject property is required. The plan is required to detail how stormwater will be managed on the individual lots, and, drainage is not allowed to exit or cross an adjoining lot to be directed to a swale area.
4. Standard City sidewalk will be required to be installed along the subject property frontage. The sidewalk installation will be required to be five feet (5.0') wide with a five foot (5.0') park strip.
5. The common driveway access is required to be placed in a "tract", owned and maintained by a homeowners association.

Planning:

6. Lots created without frontage on a public street must retain access by means of a 24' wide tract (12' lanes in either direction). The tract must reflect the same dimensions and location as any easement for utilities, to prevent complications in the future.

ACTION ALTERNATIVES:

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



**APPLICANT'S
NARRATIVE**

PROPERTY INFORMATION

1. Gross area: (all land involved): 0.301 acres, and/or 13,107 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 0.301 acres, and/or 13,107 sq. ft.
3. Total length of street frontage: 94.74 ft., and/or _____ miles.
4. Total number of lots included: 4
5. Average lot size included: 3,277 sq. ft.
minimum lot size: 2,900 sq. ft.
maximum lot size: 3,643 sq. ft.
6. Existing land use: single family residential

SEWER AND WATER REIMBURSEMENT POLICY

Over sizing of utilities will not be eligible for reimbursement from the city unless a request is approved in writing by the City Council prior to issuance of Building Permits or the start of construction, whichever comes first.

PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision:

East Davidson Addition is proposed as a Pocket Residential Development in accordance with City Code Section 17.07.IX. The concept is to take a lot that is large by current standards for this area, divide it into smaller lots, and build efficient, quality, compact housing. The intent is to offer a unique housing product that appeals to individuals who may not otherwise have the opportunity for home ownership, especially close to downtown.

East Davidson Addition proposes four lots that would access off of a common driveway from the existing Davidson Ave. Water and sewer would be served off of existing mains in the street. Runoff from paved surfaces would be routed to a grass swale on site. Open spaces of at least 300 square feet will be provided for each lot.



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

A. INTRODUCTION

This matter having come before the Planning Commission on, February 10, 2015, and there being present a person requesting approval of ITEM: S-1-15 a request for the approval of a 4-lot pocket housing preliminary plat "East Davidson Addition" in an R-12 (Residential at 12 units/acre) zoning district.

APPLICANT: CDA COTTAGE COMPANY

LOCATION : +/- 0.302 ACRE PARCEL COMMONLY KNOWN AS 1008 W. DAVIDSON AVE. (EAST LACROSSE ADDITION)

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

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are: Residential and Commercial.
- B2. That the zoning is R-12.
- B3. That the notice of public hearing was published on January 24, 2015, which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That 65 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 23, 2015.
- B6. That public testimony was heard on February 10, 2015.
- B7. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

- B7A. That all of the general preliminary plat requirements **(have) (have not)** been met as determined by the City Engineer. This is based on
- B7B. That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities **(are) (are not)** adequate. This is based on
- B7C. That the proposed preliminary plat **(do) (do not)** comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements. This is based on
- B7D. The lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district. This is based on

Criteria to consider for B7D:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of COEUR D' ALENE COTTAGE COMPANY for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

Wastewater:

1. A utility easement for the onsite public sewer infrastructure within the subject property shall be dedicated to the City and shown on the Plat.

Water:

2. The proposed plat creates lots that do not have street or existing utility frontage. However, since no additional fire hydrants are required, the domestic services may be placed at the street frontage. The service lines for the interior lot(s) will extend down a private utility easement or tract to the interior lots.

Engineering:

- 3. Submission of a stormwater management plan for the subject property is required. The plan is required to detail how stormwater will be managed on the individual lots, and, drainage is not allowed to exit or cross an adjoining lot to be directed to a swale area.
- 4. Standard City sidewalk will be required to be installed along the subject property frontage. The sidewalk installation will be required to be five feet (5.0') wide with a five foot (5.0') park strip.
- 5. The common driveway access is required to be placed in a "tract", owned and maintained by a homeowners association.

Planning:

- 6. Lots created without frontage on a public street must retain access by means of a 24' wide tract (12' lanes in either direction). The tract must reflect the same dimensions and location as any easement for utilities, to prevent complications in the future.

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

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttropp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____
Chairman Jordan	Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: FEBRUARY 10, 2014
SUBJECT: S-2-15 – 3-LOT (+1 TRACT) PRELIMINARY PLAT SUBDIVISION
REQUEST FOR “WEST DAVIDSON ADDITION” (POCKET
HOUSING)
LOCATION: +/- 0.238 ACRE PARCEL COMMONLY KNOWN AS 1018 W.
DAVIDSON AVE. (EAST LACROSSE ADDITION)

OWNER/APPLICANT:

CDA Cottage Company
PO Box 3398
Coeur d’Alene, ID 83816

DECISION POINT:

CDA Cottage Company is requesting the approval of a 3-lot pocket housing preliminary plat “West Davidson Addition” in an R-12 (Residential at 12 units/acre) zoning district.

GENERAL INFORMATION:

The “West Davidson Addition” subdivision request, which would allow for Pocket Housing at what is currently known as 1018 W. Davidson Ave., is proposed without frontage for two (2) of the three (3) lots. The request is allowed by way of Planning Commission approval through pocket housing code:

17.10.1010: F. Frontage:

Frontage on a public street is not required for lots in a pocket housing development provided that the planning and zoning commission determines through the subdivision process that the development provides for adequate access to the lot via easements, shared driveways or other means.

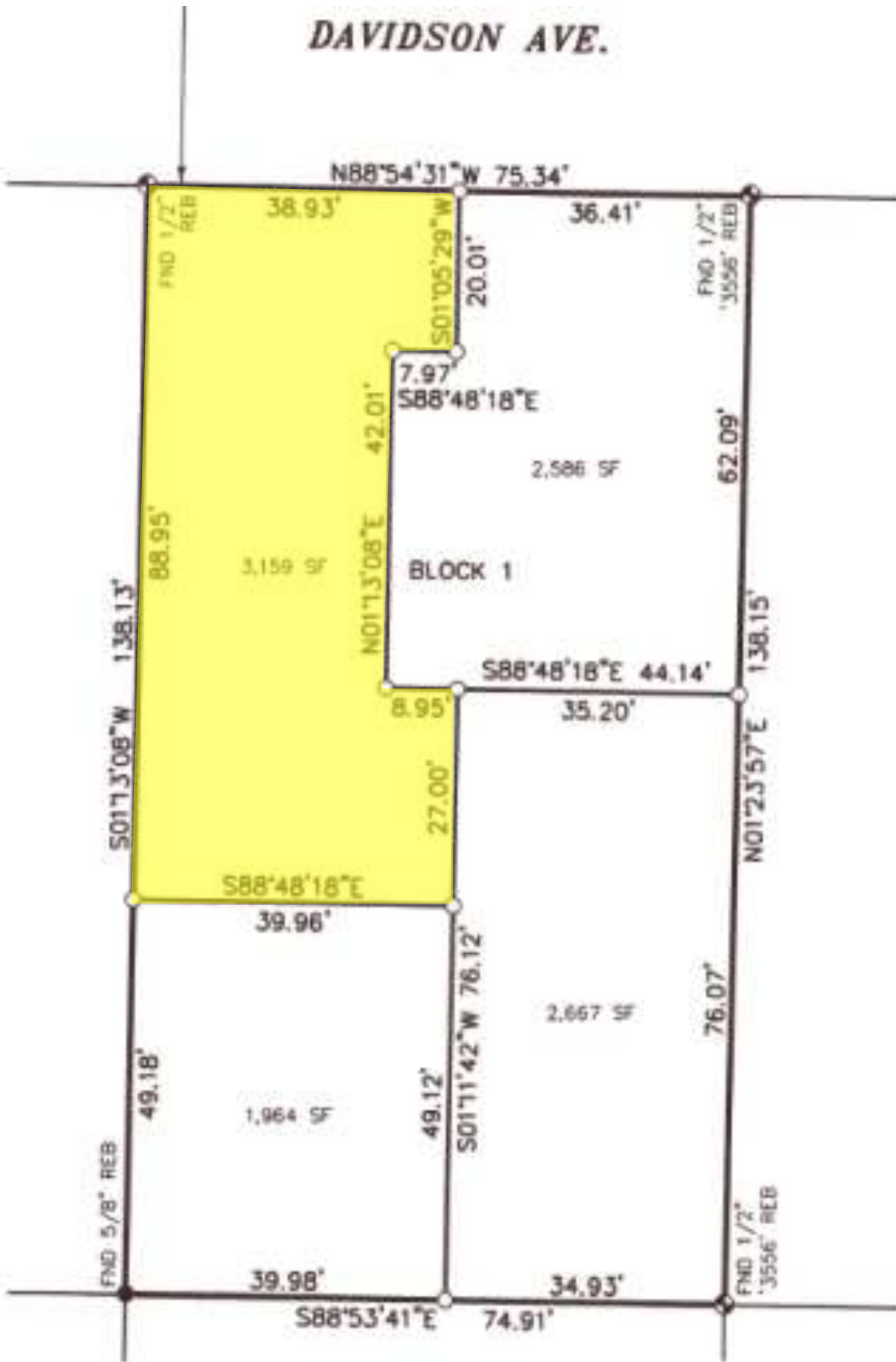
Aerial photo:



Photo of Subject Property:



DAVIDSON AVE.



Finding #B7B: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate where applicable.

UTILITIES SUMMARY:

Stormwater:

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

All stormwater must be contained on the subject property. Individual lot drainage must be contained within the boundaries of each subject lot, and, may not cross an adjoining lot to be contained in a drainage swale area. If the proposed access driveway is not platted as a "tract", owned and maintained by a homeowners association, then drainage from the driveway is required to be contained on each individual lot that it crosses. Each individual swale must be sized to contain all impervious runoff from the lots.

Traffic:

The ITE Trip Generation Manual estimates the proposed development may generate approximately 29 trips per day, based upon the standard 9.52 ADT's per single family dwelling unit. Peak hour ADT values amount to 2.3 A.M. and 3.1 P.M. respectively.

Traffic information is not available for the adjacent and/or connecting streets. Davidson Avenue is a local residential street that meets previous City standard of 36' at the subject property. It primarily serves the neighborhoods between Northwest Boulevard and Lincoln Way, however due to its location; pass through traffic between the two noted north/south arterial roadways can be expected.

Streets:

The proposed subdivision is bordered by Davidson Avenue on the northerly boundary. The current right-of-way width is fifty feet (50') which is less than the current standard; however, due to the fully developed nature of the neighborhood, dedication of additional right-of-way would not be feasible.

The existing roadway adjoining the subject property meets City standards.

There is no sidewalk along the subject property frontage on Davidson Avenue, however, there is sidewalk situated westerly of the site that meets the installation criteria established in City Code Section 12.28.210.

Standard City sidewalk will be required to be installed along the subject property frontage. The sidewalk installation will be required to be five feet (5.0') wide with a five foot (5.0') park strip. The sidewalk installation will be required to meet all current ADA requirements for width, grade and cross slope. Installation is required prior to final plat approval, although installation w/ a site development permit w/ prior bonding may be considered.

-Submitted by Chris Bates, Engineering Project Manager

Water:

There is sufficient capacity in the public water system to provide domestic, irrigation, and fire flow to the subject property. A domestic service currently exists on the lot.

The proposed plat creates lots that do not have street or existing utility frontage. However, since no additional fire hydrants are required, the domestic services may be placed at the street frontage. The service lines for the interior lot(s) will extend down a private utility easement or tract to the interior lots.

-Submitted by Terry Pickel, Assistant Water Superintendent

Wastewater:

A utility easement for the onsite public sewer infrastructure within the subject property shall be dedicated to the City and shown on the Plat

In conformance to Sewer Policy #719, all utility easements granted to the City will permit access to operate and maintain the public sewer infrastructure and prohibits the placement or construction of any obstacles that would otherwise interfere with City's ability to service said infrastructure. Said utility easement shall be a minimum of 20' wide for public sewer only, or 30' wide if public sewer is shared along with public water.

The Wastewater Utility has no objections to this Subdivision and presently has adequate sewer capacity and willingness to serve this Subdivision as proposed. Wastewater infrastructure conditions will be addressed during the project review process.

-Submitted by Mike Becker, Utility Project Manager

Fire:

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

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation, utilizing the currently adopted International Fire Code (IFC) for compliance.

-Submitted by Bobby Gonder, Fire Inspector

Planning:

Staff has reviewed the request for compliance with subdivision and pocket housing codes. As described in "General Information" above, pocket housing subdivision requests that include lots without frontage require Planning Commission to determine there is adequate and perpetual access to them. Planning staff has determined that the preliminary plat, as provided by the applicant, is consistent with access/tract requirements.

-Submitted by Sean Holm, Planner

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities adequate where applicable.*

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

The subdivision design and improvement standards have been met subject to staff comments/proposed conditions. See finding #B7B for staff comments.

Generally, under the newly adopted subdivision code, subdivisions of less than five (5) lots would be handled administratively as a short subdivision. Review of the subdivision revealed lots without frontage, which is allowed by pocket housing code with Planning Commission approval, which is the reason why this subdivision request is before Planning Commission tonight.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the proposal complies with all of the subdivision design standards and all of the subdivision improvement standards requirements.*

Finding #B7D: **The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

R-12 zoning allows for single-family, duplex, and pocket residential uses. The proposed "West Davidson Addition" subdivision is planned for a Pocket Housing development, which will create two (2) lots without traditionally required right-of-way (ROW) frontage. Access to the parcels as well as utilities will be provided through an easement/tract shown on the preliminary plat subject to the overall width needed by each department. See finding #B7B for staff comments.

Per the Pocket Housing Ordinance:

17.07.1010: BASIC DEVELOPMENT STANDARDS

F.) Frontage:

Frontage on a public street is not required for lots in a pocket housing development provided that the planning and zoning commission determines through the subdivision process that the development provides for adequate access to the lot via easements, shared driveways, or other means.

Minimum Lot Size:

Traditional R-12 subdivisions require a minimum lot size of 5500 sq. ft. per single family dwelling unit and 3500 sq. ft. /unit for a duplex (7000 sq. ft. total). Pocket housing requires 3500 sq. ft. /unit in an R-12 zone, up to a maximum of a 5 acre project.

On May 13, 2008, Planning Commission reviewed I-1-08: INTERPRETATION ON POCKET HOUSING THRESHOLD, at which time a decision was rendered to allow rounding for density to determine total allowable units in a pocket housing development.

Lot size= 10,367.28 sq. ft. (0.238 ac.)
 3500 sf/unit= 2.96 units (rounded up to 3)

Zoning Map:



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

APPLICABLE CODES AND POLICIES:

Utilities:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
4. All required utility easements shall be dedicated on the final plat.

Streets:

5. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

Stormwater:

6. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

General:

7. The final plat shall conform to the requirements of the City.

ORDINANCES AND STANDARDS USED IN 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.
- Coeur d'Alene Bikeways Plan
- Kootenai County Assessor's Department property records
- Resolution No. 09-021 Complete Street Policy

PROPOSED CONDITIONS:

Wastewater:

1. A utility easement for the onsite public sewer infrastructure within the subject property shall be dedicated to the City and shown on the Plat.

Water:

2. The proposed plat creates lots that do not have street or existing utility frontage. However, since no additional fire hydrants are required, the domestic services may be placed at the street frontage. The service lines for the interior lot(s) will extend down a private utility easement or tract to the interior lots.

Engineering:

3. Submission of a stormwater management plan for the subject property is required. The plan is required to detail how stormwater will be managed on the individual lots, and, drainage is not allowed to exit or cross an adjoining lot to be directed to a swale area.
4. Standard City sidewalk will be required to be installed along the subject property frontage. The sidewalk installation will be required to be five feet (5.0') wide with a five foot (5.0') park strip.
5. The common driveway access is required to be placed in a "tract", owned and maintained by a homeowners association.

Planning:

6. Lots created without frontage on a public street must retain access by means of a 24' wide tract (12' lanes in either direction). The tract must reflect the same dimensions and location as any easement for utilities, to prevent complications in the future.

ACTION ALTERNATIVES:

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

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

**APPLICANT'S
NARRATIVE**

PROPERTY INFORMATION

1. Gross area: (all land involved): 0.238 acres, and/or 10,376 sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 0.238 acres, and/or 10,376 sq. ft.
3. Total length of street frontage: 75.34 ft., and/or _____ miles.
4. Total number of lots included: 3
5. Average lot size included: 3,659 sq. ft.
minimum lot size: 2,667 sq. ft.
maximum lot size: 4,666 sq. ft.
6. Existing land use: single family residential

SEWER AND WATER REIMBURSEMENT POLICY

Over sizing of utilities will not be eligible for reimbursement from the city unless a request is approved in writing by the City Council prior to issuance of Building Permits or the start of construction, whichever comes first.

PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision:

West Davidson Addition is proposed as a Pocket Residential Development in accordance with City Code Section 17.07.IX. The concept is to take a lot that is large by current standards for this area, divide it into smaller lots, and build efficient, quality, compact housing. The intent is to offer a unique housing product that appeals to individuals who may not otherwise have the opportunity for home ownership, especially close to downtown.

West Davidson Addition proposes three lots that would access off of a common driveway from the existing Davidson Ave. Water and sewer would be served off of existing mains in the street. Runoff from paved surfaces would be routed to a grass swale on site. Open spaces of at least 300 square feet will be provided for each lot.

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

A. INTRODUCTION

This matter having come before the Planning Commission on, February 10, 2015, and there being present a person requesting approval of ITEM: S-2-15 a request for the approval of a 3-lot pocket housing preliminary plat "West Davidson Addition" in an R-12 (Residential at 12 units/acre) zoning district.

APPLICANT: CDA COTTAGE COMPANY

LOCATION : +/- 0.238 ACRE PARCEL COMMONLY KNOWN AS 1018 W. DAVIDSON AVE. (EAST LACROSSE ADDITION)

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

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are: Residential and Commercial.
- B2. That the zoning is R-12.
- B3. That the notice of public hearing was published on January 24, 2015, which fulfills the proper legal requirement.
- B4. That the notice was not required to be posted on the property.
- B5. That 60 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on January 23, 2015.
- B6. That public testimony was heard on February 10, 2015.
- B7. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

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

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

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

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

Criteria to consider for B7D:

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

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of COEUR D' ALENE COTTAGE COMPANY for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

Wastewater:

1. A utility easement for the onsite public sewer infrastructure within the subject property shall be dedicated to the City and shown on the Plat.

Water:

2. The proposed plat creates lots that do not have street or existing utility frontage. However, since no additional fire hydrants are required, the domestic services may be placed at the street frontage. The service lines for the interior lot(s) will extend down a private utility easement or tract to the interior lots.

Engineering:

- 3. Submission of a stormwater management plan for the subject property is required. The plan is required to detail how stormwater will be managed on the individual lots, and, drainage is not allowed to exit or cross an adjoining lot to be directed to a swale area.
- 4. Standard City sidewalk will be required to be installed along the subject property frontage. The sidewalk installation will be required to be five feet (5.0') wide with a five foot (5.0') park strip.
- 5. The common driveway access is required to be placed in a "tract", owned and maintained by a homeowners association.

Planning:

- 6. Lots created without frontage on a public street must retain access by means of a 24' wide tract (12' lanes in either direction). The tract must reflect the same dimensions and location as any easement for utilities, to prevent complications in the future.
- 7. Motion by _____, seconded by _____, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner Ingalls	Voted _____
Commissioner Luttrupp	Voted _____
Commissioner Messina	Voted _____
Commissioner Ward	Voted _____
Chairman Jordan	Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN