

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

JUNE 11, 2013

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, Evans, Luttropp, Messina, Soumas, Haneline, Conery, (Student Rep.)

APPROVAL OF MINUTES:

May 14, 2013

PUBLIC COMMENTS:

STAFF COMMENTS:

OTHER:

Administer oath of office to Peter Luttropp

PUBLIC HEARINGS:

1. Applicant: Coeur d'Alene School District #271
Location: 310 N. 9th Street
Request: A variance for the front and side setbacks
LEGISLATIVE, (V-1-13)

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
MAY 14, 2013
LOWER LEVEL – COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Brad Jordan, Chairman
Amy Evans
Peter Luttrupp
Tom Messina
Grant Conery, Student Rep.

STAFF MEMBERS PRESENT:

Tami Stroud, Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney

COMMISSIONERS ABSENT:

Heather Bowlby, Vice-Chair
Rob Haneline
Lou Soumas

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Evans, seconded by Luttrupp, to approve the minutes of the Planning Commission meeting on March 26, 2013. Motion approved.

Motion by Evans, seconded by Messina, to approve the minutes of the Planning Commission meeting on April 9, 2013. Motion approved.

COMMISSION COMMENTS:

STAFF COMMENTS:

PUBLIC COMMENTS:

Susie Snedaker stated that she came before the planning commission a few years ago requesting an increase to the height requirement for urban fencing and nothing happened. She explained that her neighbors have recently put in a garden to feed their family and because of the deer have eaten everything they have planted and by having a taller fence would help remedy the problem. She stated another concern is with her neighbors who have an outside light directed at her house that is a nuisance and in the past requested a change to the ordinance for lighting. She stated if there is a future meeting, would like to be part of that discussion.

PUBLIC HEARINGS:

- 1. Applicant: Washington Trust Bank
Location: 3528 W. Seltice Way
Request: A proposed 22.23 acre annexation "The Old Atlas Mill Site"
LEGISLATIVE, (A-1-13)

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

Public testimony open:

Sandy Young, Applicant representative, 602 Garden Avenue, stated the site is owned by the bank with no immediate plans for development and presented a PowerPoint with various pictures of the property showing the attempts that the applicant has made to clean up the property. She added during the clean-up that the applicants took great care not to disturb the shoreline and after meeting with the EPA passed the inspection with flying colors. She then read a letter written by Denny Davis for the Lake City Development Corporation who supports this project. She then asked if the planning commission had any questions.

Commissioner Luttrupp inquired if public access will be allowed

Ms. Young stated that public access will be allowed including future applications.

Amy Larsen, 3766 W. Shoreview Lane stated that she is representing the Riversedge Homeowners Association and that they do not oppose the annexation, but have a transient problem that needs to be addressed and requested a contact person so this problem could get resolved.

Ms. Young stated that she would be able to talk with Ms. Larsen after the meeting.

Public testimony closed:

Motion by Messina, seconded by Luttrupp, to approve Item A-1-13. Motion approved.

ROLL CALL:

| | | |
|-----------------------|-------|-----|
| Commissioner Evans | Voted | Aye |
| Commissioner Messina | Voted | Aye |
| Commissioner Luttrupp | Voted | Aye |

Motion to approve carried by a 3 to 0 vote.

ADJOURNMENT:

Motion by Messina, seconded by Evans, to adjourn the meeting. Motion approved.

The meeting was adjourned at 6:17 p.m.

Prepared by Shana Stuhlmeier, Public Hearing Assistant

**PLANNING COMMISSION
STAFF REPORT**

FROM: SEAN E. HOLM, PLANNER
DATE: JUNE 11, 2013
SUBJECT: V-1-13: VARIANCE REQUEST FOR SETBACKS AT SORENSEN
MAGNET SCHOOL
LOCATION: 310 N. 9th STREET– 1.515 AC. +/-

DECISION POINT:

The Coeur d'Alene School District is requesting approval of a variance request for Sorensen Elementary which would allow the expansion of the existing school into required front and side yard setbacks.

APPLICANT/OWNER:

CDA School Dist. #271
1400 N. Northwood Center Ct.
Coeur d'Alene, ID 83814

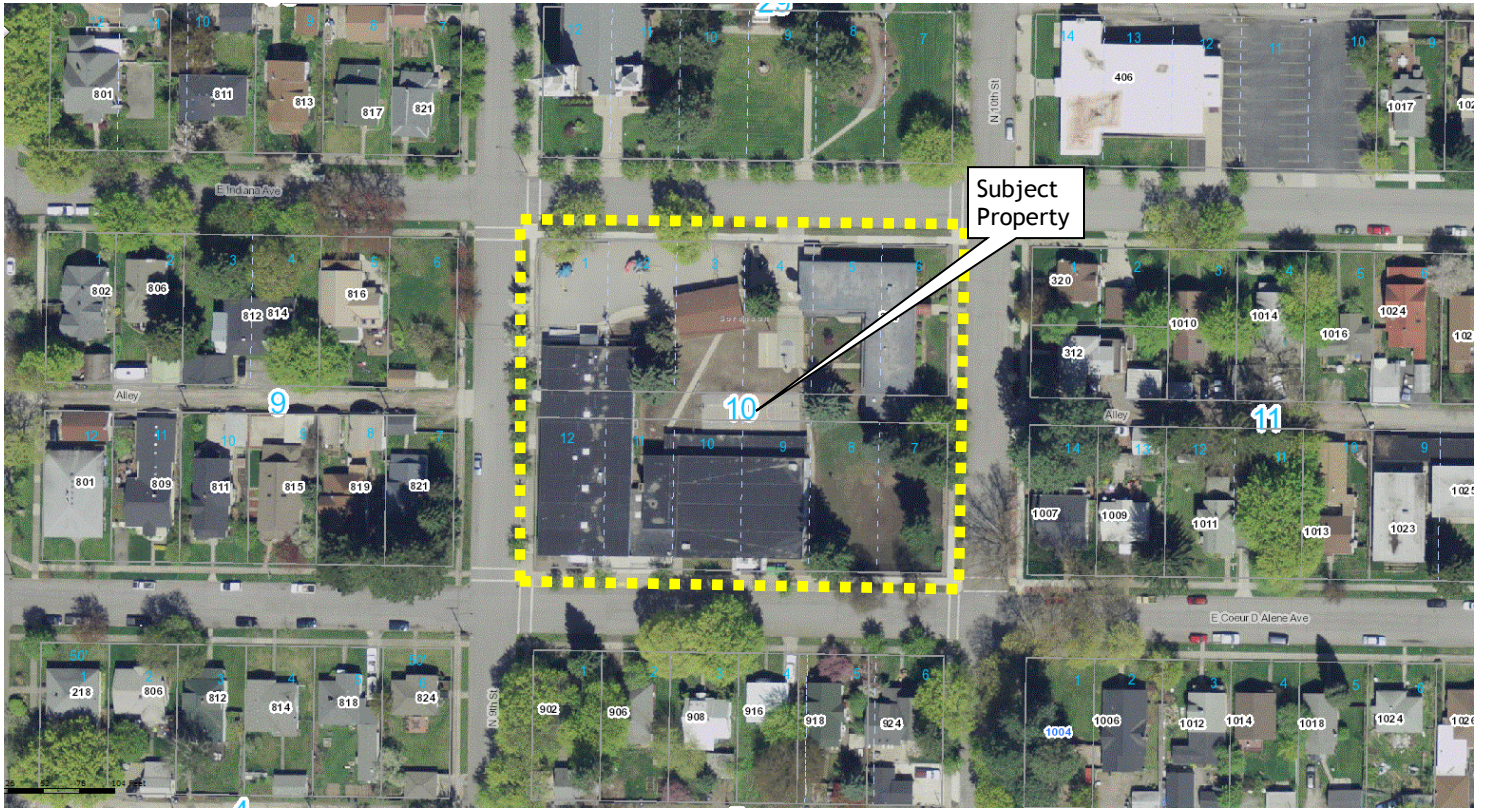
BACKGROUND INFORMATION:

Sorensen Elementary was built in 1957 and was comprised of two structures; the school, and what is now known as the administrative building. The school measures 31,846 Sq. Ft. and the admin building 11,176 Sq. Ft, although the administration structure is in the process of being demolished leaving the school only.

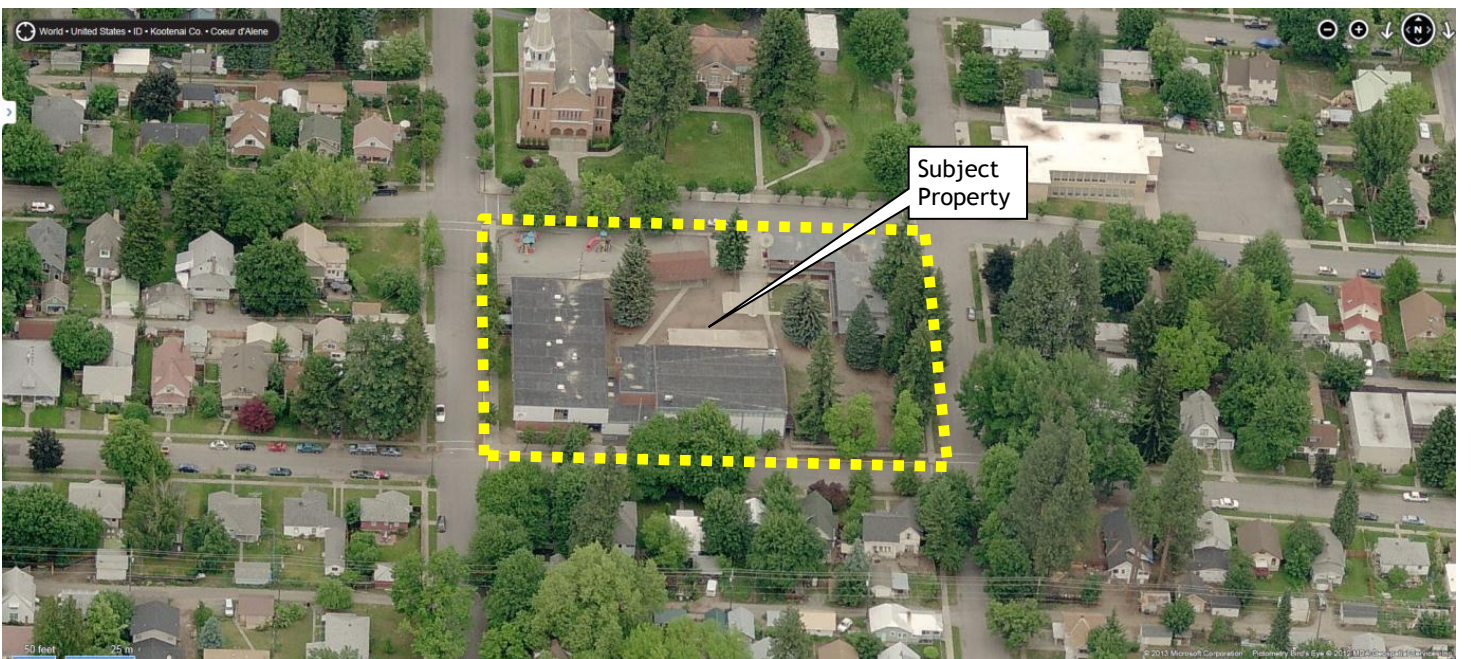
In 2006, the school was on the verge of closing, with enrollment down to a bit more than 100 children attending that year. A restructuring of the school with an emphasis placed on the arts and humanities has reinvigorated the enrollment to approximately 350 children this year. Based on current enrollment the school is running at 144% capacity, per school district personnel.

GENERAL INFORMATION:

A. Aerial view:



B. Oblique view:



C. Site Pictures:
9th St. from Coeur d'Alene Ave. (Looking North)



Sorensen Elementary from intersection of Coeur d'Alene Ave & 9th St.



Sorensen Elementary from intersection of Coeur d'Alene Ave & 9thSt.



Sorensen Elementary from 9thSt.



Sorensen Elementary entrance along 9thSt.



Sorensen Elementary from intersection of Indiana Ave & 9thSt. (Area of proposed expansion)



Sorensen Elementary from Indiana Ave looking south (Area of proposed expansion)



9th St. from Indiana Ave. (Looking South)



Indiana Ave. from 9th St. (Looking East)



Administration building from Indiana and 10th (Looking SW)



Removed administration building from Indiana (Looking SE)



Indiana Ave. from 10th St. (Looking West)



10th Street from Indiana Ave. (Facing South)



10th Street from Coeur d'Alene Ave. (Facing North)



Coeur d'Alene Ave from 10th Street (Looking West)



Coeur d'Alene Ave from 9th Street (Looking East)

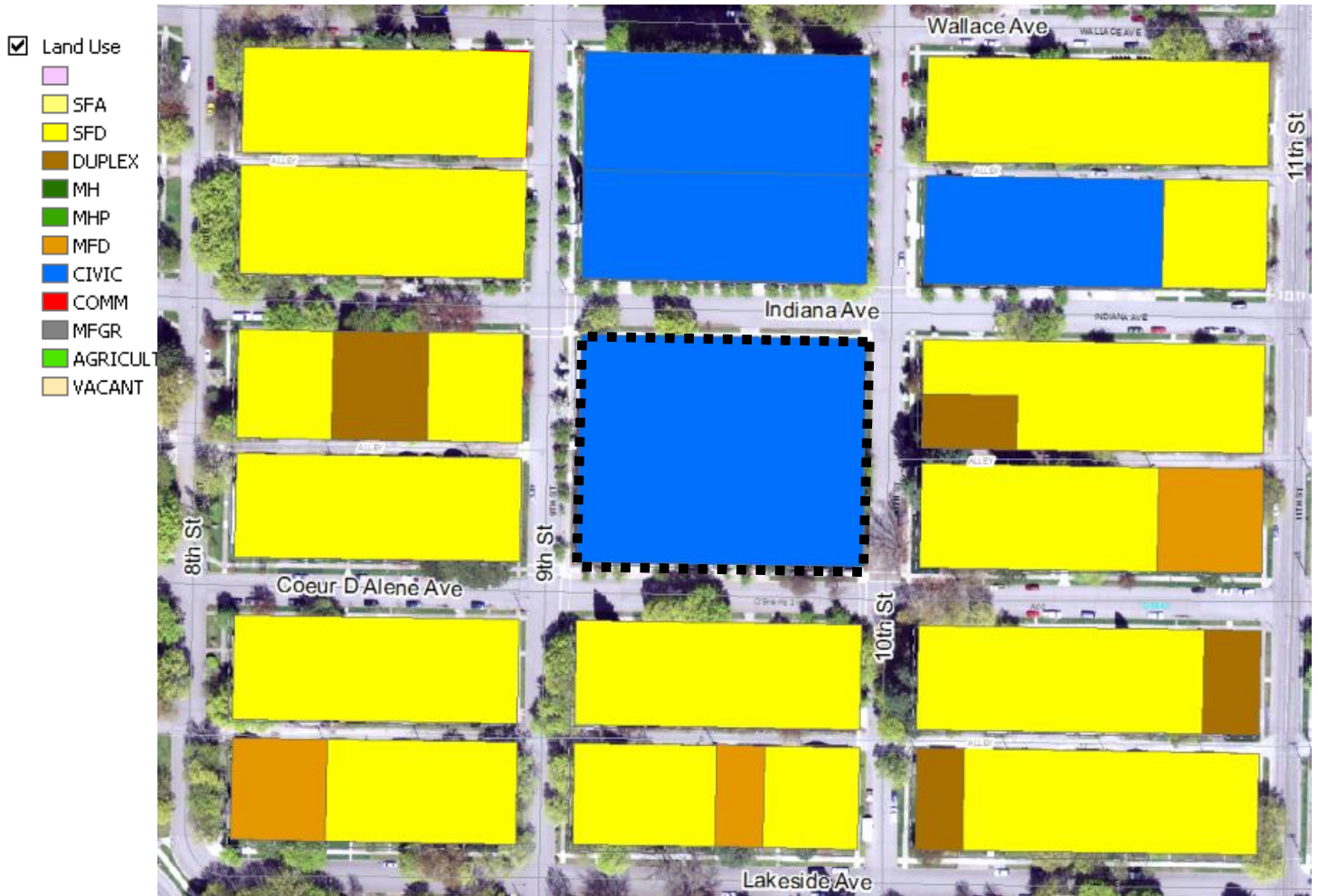


D. Zoning:

- zoning
- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-85F



E. Generalized land use pattern:

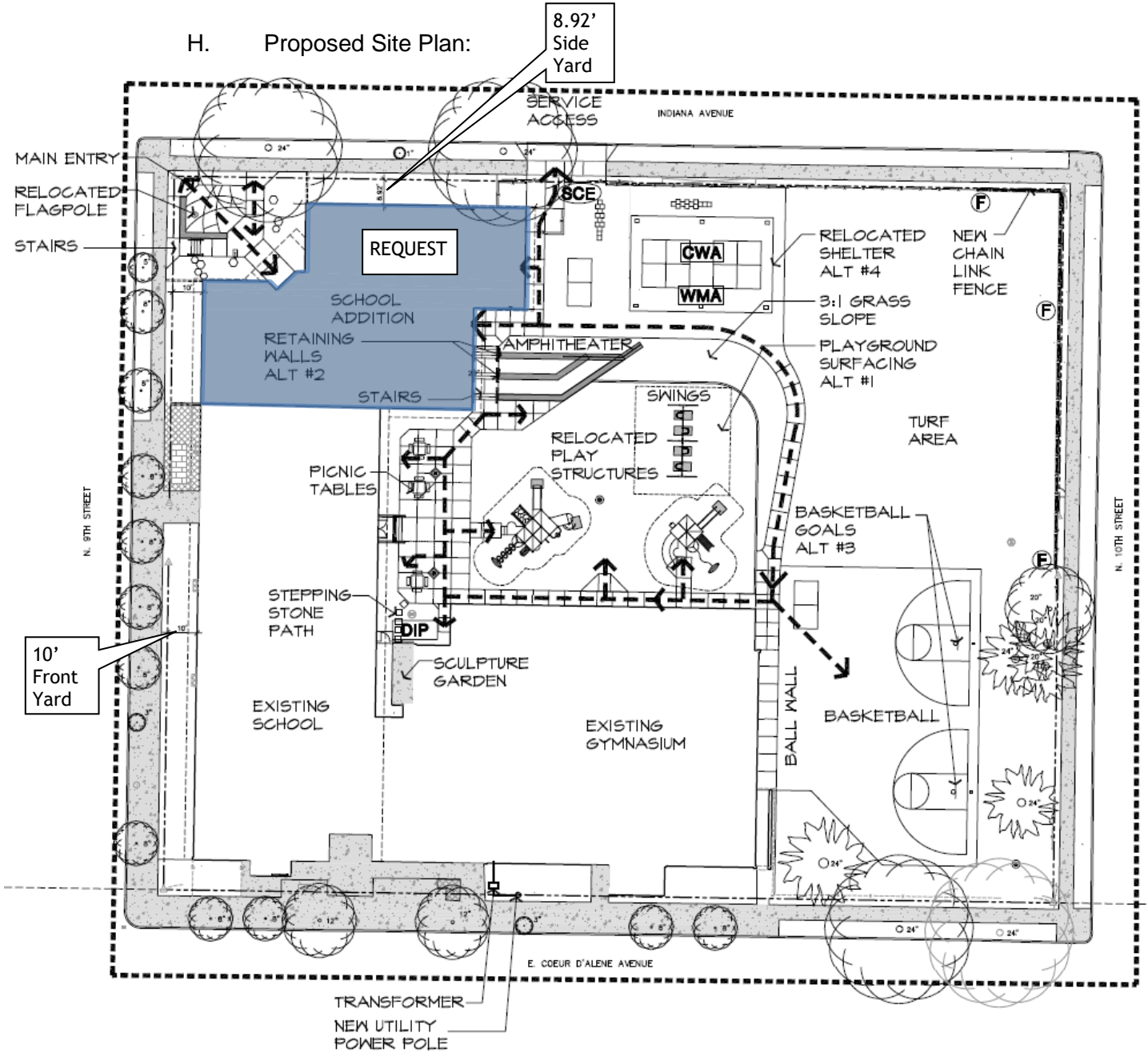


F. The subject property is occupied by a Sorensen Elementary, a Coeur d'Alene public school.

G. Current Site:

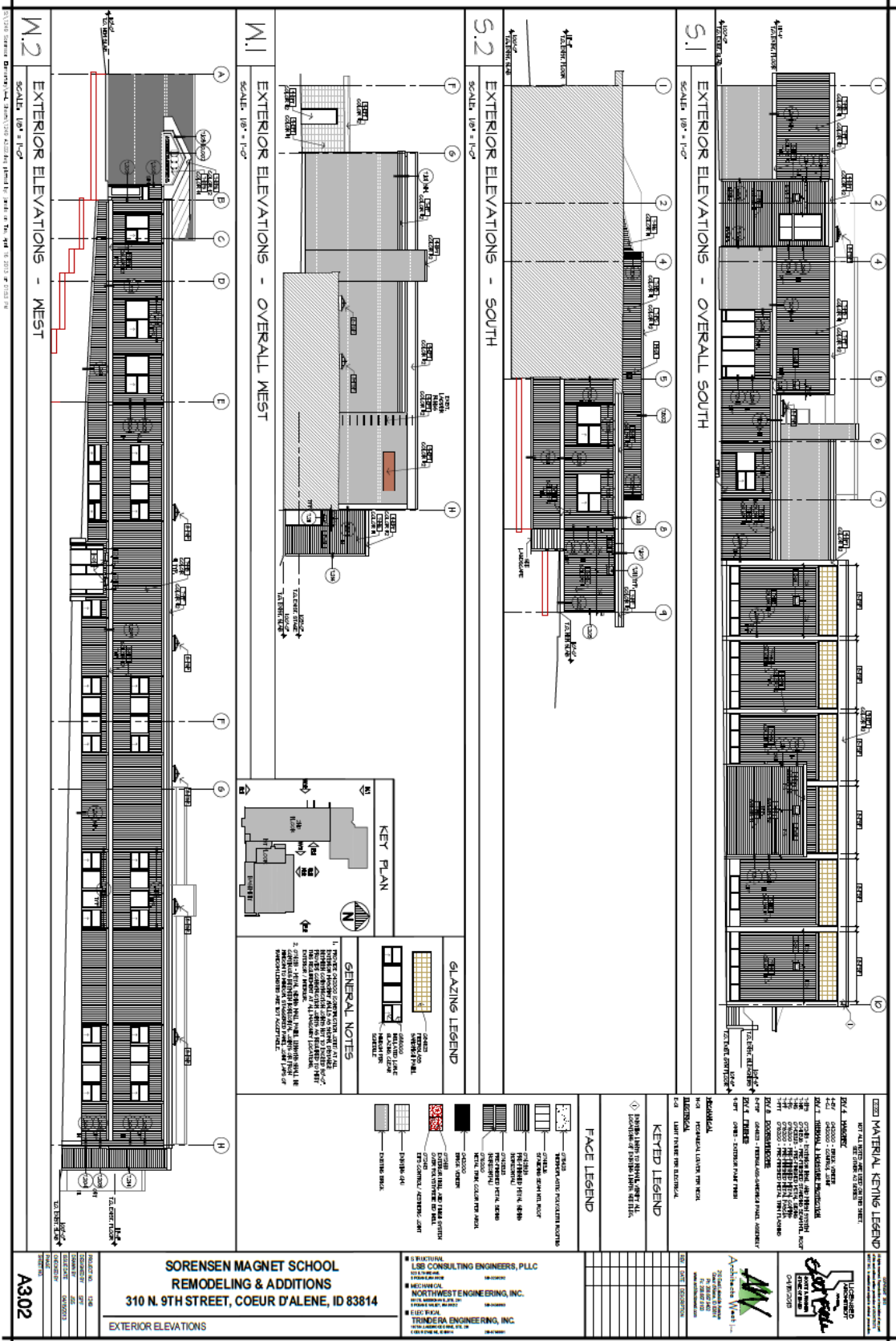


H. Proposed Site Plan:



I. Proposed Elevations:



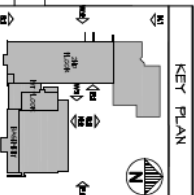


W.2 EXTERIOR ELEVATIONS - WEST
SCALE: 1/8" = 1'-0"

W.1 EXTERIOR ELEVATIONS - OVERALL WEST
SCALE: 1/8" = 1'-0"

S.2 EXTERIOR ELEVATIONS - SOUTH
SCALE: 1/8" = 1'-0"

S.1 EXTERIOR ELEVATIONS - OVERALL SOUTH
SCALE: 1/8" = 1'-0"



GLAZING LEGEND

- GLAZING TYPE: CLEAR GLASS
- GLAZING TYPE: TINTED GLASS
- GLAZING TYPE: LOW-E GLASS
- GLAZING TYPE: INSULATED GLASS UNIT (IGU)
- GLAZING TYPE: GLASS BLOCK
- GLAZING TYPE: GLASS BRICK

GENERAL NOTES

1. EXTERIOR FINISHES SHALL BE AS SHOWN ON THESE ELEVATIONS UNLESS OTHERWISE NOTED.
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5. EXTERIOR FINISHES SHALL BE AS SHOWN ON THESE ELEVATIONS UNLESS OTHERWISE NOTED.
6. EXTERIOR FINISHES SHALL BE AS SHOWN ON THESE ELEVATIONS UNLESS OTHERWISE NOTED.

FACE LEGEND

- SMOOTH
- TEXTURED
- ROUGH
- CONCRETE
- BRICK
- CLAY TILE
- GLAZED TILE
- GLAZED TILE WITH GROUT
- GLAZED TILE WITH GROUT AND GROUT FINISH
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MATERIAL KEYING LEGEND

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- 19. MATERIAL KEYING TO REMAIN
- 20. MATERIAL KEYING TO REMAIN

SORENSEN MAGNET SCHOOL REMODELING & ADDITIONS
310 N. 9TH STREET, COEUR D'ALENE, ID 83814

EXTERIOR ELEVATIONS

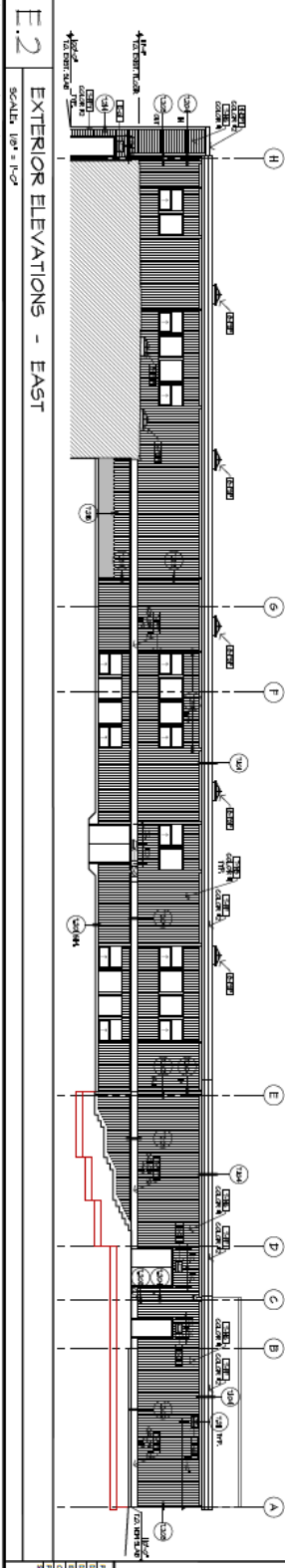
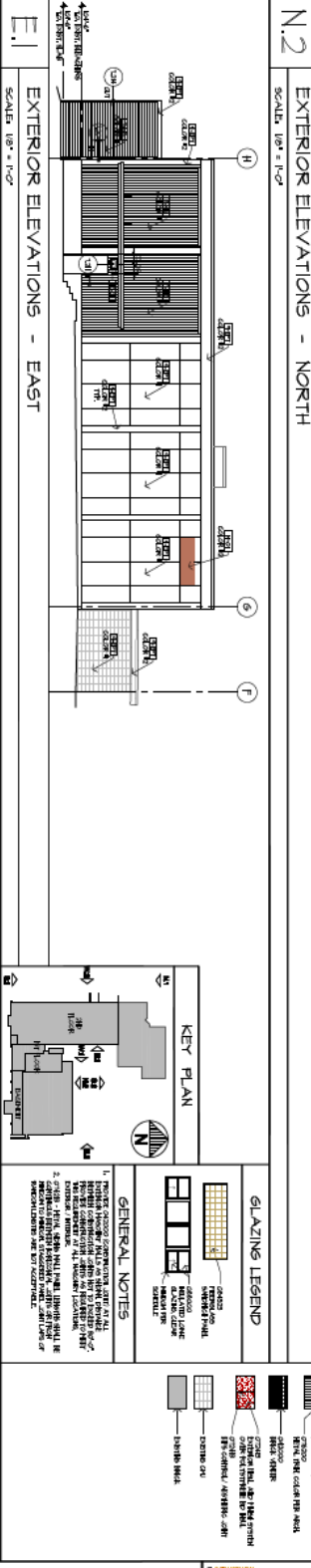
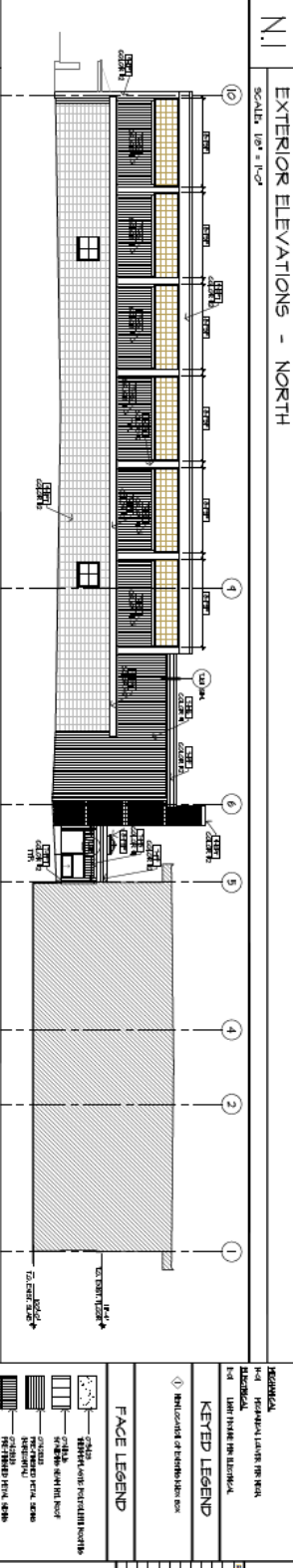
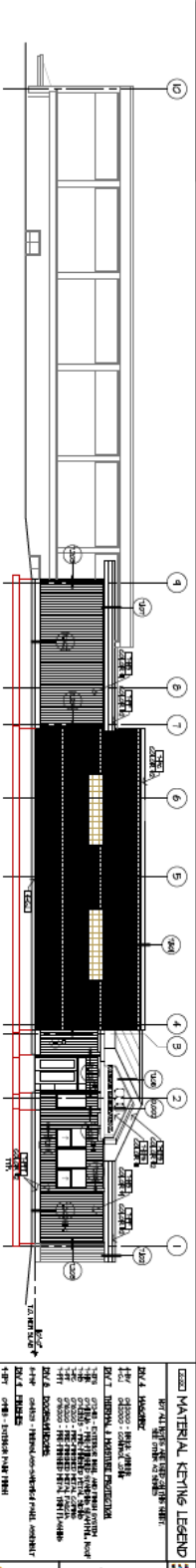
ARCHITECT
NORTHWEST ENGINEERING, INC.
1000 N. 10TH STREET, COEUR D'ALENE, ID 83814

ENGINEER
TRINDERA ENGINEERING, INC.
1000 N. 10TH STREET, COEUR D'ALENE, ID 83814

DATE
JUNE 11, 2013

PROJECT NO.
A302

SCALE
1/8" = 1'-0"



MATERIAL KEYING LEGEND

| | |
|------------|------------|
| BRICK | BRICK |
| GLAZING | GLAZING |
| DOOR | DOOR |
| WINDOW | WINDOW |
| ROOF | ROOF |
| FOUNDATION | FOUNDATION |
| LANDSCAPE | LANDSCAPE |

FACE LEGEND

| | |
|------------|------------|
| GLAZING | GLAZING |
| DOOR | DOOR |
| WINDOW | WINDOW |
| ROOF | ROOF |
| FOUNDATION | FOUNDATION |
| LANDSCAPE | LANDSCAPE |

GLAZING LEGEND

| | |
|------------|------------|
| GLAZING | GLAZING |
| DOOR | DOOR |
| WINDOW | WINDOW |
| ROOF | ROOF |
| FOUNDATION | FOUNDATION |
| LANDSCAPE | LANDSCAPE |

GENERAL NOTES

1. FINISHES SHOWN ON THIS DRAWING ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL VERIFY ALL FINISHES AND MATERIALS WITH THE ARCHITECT AND OBTAIN APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.
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**SORENSEN MAGNET SCHOOL
REMODELING & ADDITIONS**
310 N. 9TH STREET, COEUR D'ALENE, ID 83814

EXTERIOR ELEVATIONS

STRUCTURAL
LSB CONSULTING ENGINEERS, PLLC
1000 W. 1ST AVE.
COEUR D'ALENE, ID 83815
PHONE: 208.837.1234
FAX: 208.837.1235
WWW.LSBCE.COM

Mechanical
NORTHWEST ENGINEERING, INC.
1000 W. 1ST AVE.
COEUR D'ALENE, ID 83815
PHONE: 208.837.1234
FAX: 208.837.1235
WWW.NWEI.COM

Electrical
TRINDEIRA ENGINEERING, INC.
1000 W. 1ST AVE.
COEUR D'ALENE, ID 83815
PHONE: 208.837.1234
FAX: 208.837.1235
WWW.TEENGINEERING.COM



Architect
 M. W. WOODRUFF
 1000 W. 1ST AVE.
 COEUR D'ALENE, ID 83815
 PHONE: 208.837.1234
 FAX: 208.837.1235
 WWW.MWARCHITECTS.COM

PERFORMANCE ANALYSIS:

A. Zoning:

The subject property is zoned R-12. This zoning classification's setbacks and height requirements are as follow:

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').

C. Side, Street: The street side yard requirement shall be twenty five feet (25').

Evaluation: The R-12 zoning district requires increased setbacks for non-residential construction. The ordinance requiring the setbacks listed (Ord. #1889) was passed in 1985. The applicant is requesting a 10' front yard setback commensurate with the existing structure and an 8.92' side yard setback on the north side of the existing school.

B. Findings:

B8 Pursuant to Section 17.09.620, Variance Criteria, a variance may be granted only when the applicant has demonstrated that all the variance criteria conditions are present in the affirmative:

B8A That there (is) (is not) an undue hardship because of the physical characteristics of the site.

Idaho code section 67-6516 establishes the authority to grant a variance subject to the following:

“Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.”

The applicant's justification for variance explains the hardships associated with the site:

"The existing school building, accommodating 350 students, is very cramped on this small, one square block site. Sorensen's site encompasses only 1.65 acres, which is the smallest in S.D. 271 (Bryan has 3 acres, Winton 4.5, and Borah 5.5; most of the others have 10 or more). Therefore playground space is at a premium. Although the demolition of the School District's old "Central Office" structure will help, the footprint from that building's demolition is proposed to be used as a much needed field area for children to play. In addition, deficiencies within the existing school building itself, like the lack of an adequate kitchen and no cafeteria, as well as insufficient classroom space, dictate that an addition to the structure address these issues. Unfortunately the current building's floor plan layout requires the addition to be located on the north side of the site to provide an adequate, secure front entry to the building, and most importantly, to provide reasonable vehicular access to serve the new kitchen (Indiana Ave. being the approach that would consume the least amount of site space to access the new kitchen). For these new building elements to be located where they need to be, a variance is requested for both the front yard and side yard setback."

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not there is an undue hardship because of the physical characteristics of the site.*

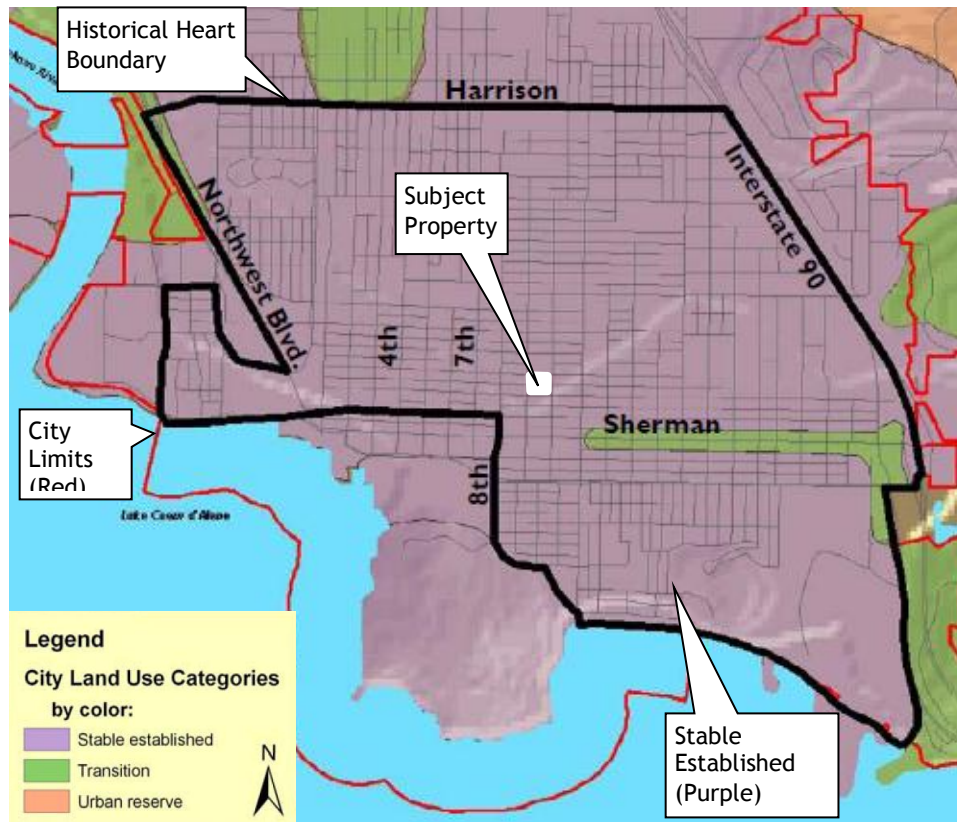
B8B **That the variance (is) (is not) in conflict with the public interest.**

The Sorensen site is self-contained by virtue of its location. It is comprised of an entire city block with no abutting parcels and is bound on all sides by rights-of-way. The proposed setbacks (Front yard 10' & side yards 8.92' & 12.2' respectively) fall within the subject property.

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the variance is in conflict with the public interest.*

B8C **That the granting of said variance (will) (will not) be in conformance with the Comprehensive Plan.**

Land Use: Historical Heart



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

Historical Heart Today:

The historical heart of Coeur d'Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities. Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

Widely governed by traditional zoning, there are pockets of infill overlay zones that allow development, based on Floor Area Ratio (FAR). Many other entities and ordinances serve this area to ensure quality development for generations to come.

Numerous residential homes in this area are vintage and residents are very active in local policy-making to ensure development is in scale with neighborhoods.

Historical Heart Tomorrow

Increased property values near Lake Coeur d'Alene have intensified pressure for infill, redevelopment, and reuse in the areas surrounding the downtown core. Stakeholders must work together to find a balance between commercial, residential, and mixed use development in the Historic Heart that allows for increased density in harmony with long established neighborhoods and uses. Sherman Avenue, Northwest Boulevard, and I-90 are gateways to our community and should reflect a welcoming atmosphere.

Neighborhoods in this area, Government Way, Foster, Garden, Sanders Beach, and others, are encouraged to form localized groups designed to retain and increase the qualities that make this area distinct.

The characteristics of Historical Heart neighborhoods will be:

- That infill regulations providing opportunities and incentives for redevelopment and mixed use development will reflect the scale of existing neighborhoods while allowing for an increase in density.
- Encouraging growth that complements and strengthens existing neighborhoods, public open spaces, parks, and schools while providing pedestrian connectivity.
- Increasing numbers of, and retaining existing street trees.
- That commercial building sizes will remain lower in scale than in the downtown core.

Applicable 2007 Comprehensive Plan Goals and Objectives:

Objective 1.11

Community Design:

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

Objective 1.12

Community Design:

Support the enhancement of existing urbanized areas and discourage sprawl.

Objective 1.13

Open Space:

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

Objective 1.14

Efficiency:

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

Objective 1.16

Connectivity:

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

Objective 2.05

Pedestrian & Bicycle

Environment:

Plan for multiple choices to live, work, and recreate within comfortable walking/biking distances.

Objective 3.07

Neighborhoods:

Emphasize a pedestrian orientation when planning neighborhood preservation and revitalization.

Objective 3.12

Education:

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

Objective 4.01

City Services:

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

Objective 4.06

Public Participation:

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

Evaluation: *The Planning Commission must determine, based on the information before them, whether or not the granting of said variance will be in conformance with the Comprehensive Plan.*

B9

That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character (and) (or) existing land uses.

TRAFFIC:

Engineering has no adverse comments on the variance request. There is nothing that is impacted from our standpoint with the setback reduction request. The new construction is out of the “vision triangle”, therefore, there is no visual impact. The alteration will not be generating any significant increase in traffic, if it generates any additional flows at all, therefore, it won’t adversely affect the neighborhood. Any construction issues (i.e.: sidewalk) would be addressed at the time of permit application.

- Submitted by Chris Bates, Engineering Project Manager

NEIGHBORHOOD CHARACTER:

Historical Heart Today:

The historical heart of Coeur d’Alene contains a mix of uses with an array of historic residential, commercial, recreational, and mixed uses. A traditional, tree-lined, small block, grid style street system with alleys is the norm in this area. **Neighborhood schools and parks exist in this location and residents have shown support for the long term viability of these amenities.** Focusing on multimodal transportation within this area has made pedestrian travel enjoyable and efficient.

Historical Heart Tomorrow:

The characteristics of Historical Heart neighborhoods will be:

- **Encouraging growth that complements and strengthens existing neighborhoods, public open spaces, parks, and schools while providing pedestrian connectivity.**

-From the 2007 Comprehensive Plan (**Emphasis added**)

“If placement of the new building elements anywhere else on this site were feasible, this variance would not be requested. However, in light of the fact that encroachments to setbacks for this occupancy in this R-12 zone have already occurred on all four sides of the site, and the side most affected by this setback variance request (the north side along Indiana Ave) is already fronted by a non-residential occupancy (St. Thomas Catholic Church,) it would not appear to negatively impact the neighborhood.”

- Submitted by the applicant

EXISTING LAND USES:

Existing land uses in the area include: Civic (Church & school), single family dwellings, duplex and multi-family residential. (See Land use map, site, aerial and oblique photos above)

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

C. Proposed conditions:

No conditions proposed

D. Ordinances and Standards Used In Evaluation:

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

ACTION ALTERNATIVES:

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

Variance

City of Coeur d'Alene

Sorensen Magnet School

Justification

A. A description of your request;

School District 271 is requesting a variance from the specified setbacks for Sorensen Magnet School, a non-residential use in an R-12 zone, to accommodate an addition on the north end of the facility. After studying several options for placement of the additional space, this location represents the only functional option for the school on this site.

B. The undue hardship caused by the physical characteristics of the site;

The existing school building, accommodating 350 students, is very cramped on this small, one square block site. Sorensen's site encompasses only 1.65 acres, which is the smallest in S.D. 271 (Bryan has 3 acres, Winton 4.5, and Borah 5.5; most of the others have 10 or more). Therefore playground space is at a premium. Although the demolition of the School District's old "Central Office" structure will help, the footprint from that building's demolition is proposed to be used as a much needed field area for children to play. In addition, deficiencies within the existing school building itself, like the lack of an adequate kitchen and no cafeteria, as well as insufficient classroom space, dictate that an addition to the structure address these issues. Unfortunately the current building's floor plan layout requires the addition to be located on the north side of the site to provide an adequate, secure front entry to the building, and most importantly, to provide reasonable vehicular access to serve the new kitchen (Indiana Ave. being the approach that would consume the least amount of site space to access the new kitchen). For these new building elements to be located where they need to be, a variance is requested for both the front yard and side yard setback.

C. Show the request is compatible with the public interest;

The property has housed a school for over 55 years and the current west building wall along 9th Street is 10 feet from the property line, as is the south property line along Coeur d'Alene Ave. The City of Coeur d'Alene allowed the School District to add on to the structure on the south side twice within the last four years, placing the wall of a new stairway within one foot of the south property line, and the wall of a new handicapped lift within 5 feet of that south lot line. This request to continue the current setback on the west side (9th St.) at 10 feet, and to allow an 8.92 foot setback on the north side (Indiana Ave), should have no negative impact on the surrounding neighborhood, particularly since the structure being demolished is 13 feet from the north lot line on Indiana Ave. and 19 feet from the east lot line on 10th St.

D. Show this request is in conformance with the 2007 Comprehensive Plan (please state appropriate comprehensive plan goals and policies);

The Comprehensive Plan states what we want our City to become; recognizing the downtown core as a hub of activity, allowing a resurgence of neighborhoods, planning for inclusion of educational opportunities, and providing an exceptional quality of life in Coeur d'Alene. Certainly encouraging Sorensen Magnet School for the Arts and Humanities to remain a downtown school is part of that logic, and a part of the fabric of the downtown. The previous commitment to the improvement of the facility by LCDC, wherein encroachments to the setbacks were already allowed, seems to emphasize the importance of the school in its urban setting. Specifically this variance request is consistent with the following objectives of the plan:

Objective 1.12, Community Design: Support the enhancement of existing urbanized areas and discourage sprawl. Improving Sorensen Magnet School enhances the urban environment, and keeping the school downtown obviously discourages sprawl, which would be encouraged should Sorensen be forced to move to another site.

Objective 1.14, Efficiency: Promote the efficient use of existing infrastructure, thereby reducing impacts to undeveloped areas. Since we should consider a school as an element of the infrastructure of a community, it makes sense to encourage its most efficient, effective use so as to thwart the need for it to be reconstructed somewhere else.

Objective 2.04, Downtown and neighborhood service nodes: Prioritize a strong, vibrant downtown and compatible neighborhood service nodes throughout the city. The inclusion of a school in the downtown area, particularly one devoted to the Arts and Humanities, obviously encourages the vibrancy of the city's core; it is obviously compatible with the neighborhood, having been a part of it for over 50 years.

Objective 3.12, Education: Support quality educational facilities throughout the city, from the pre-school through the university level. Sorensen Magnet School is arguably one of the most successful elementary facilities in this School District. Its importance to the downtown core cannot be overstated.

Objective 3.15, Arts and Culture: Support the integration of Arts and Cultural events in our community consistent with the Arts Master Plan. Obviously as a school dedicated to the Arts and Humanities, Sorensen Magnet School should be considered a key element to the success of this objective. Students in the downtown location are able to take advantage of the nearby Library, parks, art shops, NIC, and professionals, who regularly provide instruction to students. Students and staff also regularly contribute to downtown arts activities, including Art Walk, juggling demonstrations, and drumming and theatrical performances.

Objective 4.06, Public Participation: Strive for community involvement that is broad-based and inclusive, encouraging public participation in the decision-making process. As a downtown magnet school facility, Sorensen may enjoy more public and parental support than any other school facility in District 271. Its Arts and Humanities programs encourage student community involvement.

- E. Any other justifications that you feel are important and should be considered by the Planning Commission;** If placement of the new building elements anywhere else on this site were feasible, this variance would not be requested. However, in light of the fact that encroachments to setbacks for this occupancy in this R-12 zone have already occurred on all four sides of the site, and the side most affected by this setback variance request (the north side along Indiana Ave) is already fronted by a non-residential occupancy (St. Thomas Catholic Church,) it would not appear to negatively impact the neighborhood.

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

A. INTRODUCTION

This matter having come before the Planning Commission on June 11, 2013, and there being present a person requesting approval of ITEM V-1-13, a request for approval of a variance request which would allow the expansion of the existing school into required front and side yard setbacks.

LOCATION: 310 N. 9th Street

APPLICANT: Coeur d'Alene School District

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 uses are single-family residential.
- B2. That the Comprehensive Plan Map designation is Historical Heart – Stable Established.
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on, May 25, 2013, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, May 22, 2013, which fulfills the proper legal requirement.
- B6. That 60 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on March 22, 2013.
- B7. That public testimony was heard on June 11, 2013.
- B8. Pursuant to Section 17.09.620, Variance Criteria, a variance may be granted only when the applicant has demonstrated that all the variance criteria conditions are present in the affirmative:

B8A. That there **(is) (is not)** an undue hardship because of the physical characteristics of the site. This is based on

Criteria to consider B8A:

1. **Is there a topographic or other physical site problem that would justify a variance? e.g. steep slopes or rock outcrops**

B8B. That the variance **(is) (is not)** in conflict with the public interest. This is based on

Criteria to consider B8B:

1. **Does the request allow the applicant to have a special right or privilege (reduced setbacks) that would not be given to other property owners in the area with similar circumstances?**
2. **Does it provide for orderly growth and development that is compatible with uses in the surrounding area?**
3. **Does it protect property rights and enhance property values?**

B8C. That the granting of said variance **(will) (will not)** be in conformance with the Comprehensive Plan. This is based on

B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character **(and) (or)** existing land uses because

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **THE COEUR D'ALENE SCHOOL DISTRICT** for a variance, as described in the application should be **(approved)(denied)(denied without prejudice)**.

Special conditions applied are as follows:

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

ROLL CALL:

| | |
|-----------------------|-------------|
| Commissioner Bowlby | Voted _____ |
| Commissioner Evans | Voted _____ |
| Commissioner Luttrupp | Voted _____ |
| Commissioner Messina | Voted _____ |
| Commissioner Soumas | Voted _____ |
| Commissioner Haneline | Voted _____ |

Chairman Jordan Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN BRAD JORDAN